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

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

DEPARTMENT OF AGRICULTURE

7 CFR Parts 1b, 372, 520, 650, 799, 1970, and 3407

36 CFR Part 220

[USDA–2025–0008]

RIN 0503–AA86

National Environmental Policy Act; Correction

AGENCY: Department of Agriculture (USDA).

ACTION: Interim final rule; correction.

SUMMARY: This document corrects errors in the interim final rule that appeared in the July 3, 2025, **Federal Register**, titled “National Environmental Policy Act.”

DATES: The correction is effective July 21, 2025.

FOR FURTHER INFORMATION CONTACT: Scott Vandegrift, Chief Environmental Review and Permitting Officer, Office of the Secretary, 202–720–5166, SM.OSEC.NRE.NEPA@usda.gov. Individuals who use telecommunications devices for the hearing-impaired may call 711 to reach the Telecommunications Relay Service, 24 hours a day, every day of the year, including holidays.

SUPPLEMENTARY INFORMATION: In FR Doc. 2025–12326, appearing on page 29632 in the **Federal Register** of Thursday, July 3, 2025, the following correction is made:

1. On page 29632, in the first column, in the **DATES** caption, “July 30, 2025” is corrected to read “August 4, 2025”.

Tera Graelyn,

Environmental Review Specialist, Office of the Secretary.

[FR Doc. 2025–13664 Filed 7–18–25; 8:45 am]

BILLING CODE 3410–90–P

CONSUMER FINANCIAL PROTECTION BUREAU

12 CFR Part 1082

[Docket No. CFPB–2025–0016]

RIN 3170–AB43

Rescission of State Official Notification Rules; Withdrawal

AGENCY: Consumer Financial Protection Bureau.

ACTION: Direct final rule; withdrawal.

SUMMARY: The Consumer Financial Protection Bureau (Bureau) is withdrawing a previously published direct final rule that would have rescinded procedures by which a State official must notify the Bureau when the official takes an action to enforce the Consumer Financial Protection Act.

DATES: The direct final rule published on May 21, 2025, at 90 FR 21691, is withdrawn, effective July 21, 2025.

FOR FURTHER INFORMATION CONTACT: Dave Gettler, Paralegal Specialist, Office of Regulations, at 202–435–7700 or <https://reginquiries.consumerfinance.gov/>. If you require this document in an alternative electronic format, please contact CFPB_Accessibility@cfpb.gov.

SUPPLEMENTARY INFORMATION: On May 21, 2025, the Bureau published a direct final rule that would have rescinded procedures by which a State official must notify the Bureau when the official takes an action to enforce the Consumer Financial Protection Act. The direct final rule stated that it would be withdrawn if the Bureau received significant adverse comments by June 20, 2025. Accordingly, because significant adverse comments were received, the Bureau is withdrawing the direct final rule. The Bureau will address comments received in a subsequent rulemaking. This withdrawal notice is not a “significant regulatory action” subject to review under Executive Order 12866.

Russell Vought,

Acting Director, Consumer Financial Protection Bureau.

[FR Doc. 2025–13665 Filed 7–17–25; 4:15 pm]

BILLING CODE 4810–AM–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–0621; Project Identifier AD–2024–00796–E; Amendment 39–23086; AD 2025–14–08]

RIN 2120–AA64

Airworthiness Directives; CFM International, S.A. Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is superseding Airworthiness Directive (AD) 2023–23–12 for all CFM International, S.A. (CFM) Model LEAP–1B21, LEAP–1B23, LEAP–1B25, LEAP–1B27, LEAP–1B28, LEAP–1B28B1, LEAP–1B28B2, LEAP–1B28B2C, LEAP–1B28B3, LEAP–1B28BBJ1, and LEAP–1B28BBJ2 engines. AD 2023–23–12 required replacing certain high-pressure turbine (HPT) rotor stage 1 disks and a certain compressor rotor stages 6–10 spool. Since the FAA issued AD 2023–23–12, the manufacturer has identified additional parts that were manufactured from material suspected to have reduced material properties due to iron inclusion, which prompted this AD. This AD retains the requirements to replace certain HPT rotor stage 1 disks and a certain compressor rotor stages 6–10 spool. This AD also expands the applicability to include additional affected HPT rotor stage 1 disks that were manufactured from the same material suspected to have reduced material properties due to iron inclusion. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective August 25, 2025.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of August 25, 2025.

The Director of the Federal Register approved the incorporation by reference of a certain other publication listed in this AD as of January 16, 2024 (88 FR 85836, December 11, 2023).

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2025–0621; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

- For CFM material identified in this AD, contact CFM, GE Aviation Fleet Support, 1 Neumann Way, M/D Room 285, Cincinnati, OH 45215; phone: (877) 432–3272; email: *aviation.fleetsupport@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. It is also available at *regulations.gov* under Docket No. FAA–2025–0621.

FOR FURTHER INFORMATION CONTACT:

Mehdi Lamnyi, Aviation Safety Engineer, FAA, 2200 South 216th Street, Des Moines, WA 98198; phone: (781) 238–7743; email: *mehdi.lamnyi@faa.gov*.

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to supersede AD 2023–23–12, Amendment 39–22614 (88 FR 85836, December 11, 2023) (AD 2023–23–12). AD 2023–23–12 applied to all CFM Model LEAP–1B21, LEAP–1B23, LEAP–

1B25, LEAP–1B27, LEAP–1B28, LEAP–1B28B1, LEAP–1B28B2, LEAP–1B28B2C, LEAP–1B28B3, LEAP–1B28BBJ1, and LEAP–1B28BBJ2 engines. The NPRM was published in the **Federal Register** on April 15, 2025 (90 FR 15670). The NPRM was prompted by a manufacturer investigation that revealed that certain HPT rotor stage 1 disks and a certain compressor rotor stages 6–10 spool were manufactured from material suspected to have reduced material properties due to iron inclusion. Since the FAA issued AD 2023–23–12, the manufacturer has identified additional parts that were manufactured from material suspected to have reduced material properties due to iron inclusion, which prompted this AD. In the NPRM, the FAA proposed to continue to require replacement of certain HPT rotor stage 1 disks and a certain compressor rotor stages 6–10 spool. In the NPRM, the FAA also proposed to expand the applicability to include additional affected HPT rotor stage 1 disks that were manufactured from the same material suspected to have reduced material properties due to iron inclusion. The FAA is issuing this AD to address the unsafe condition on these products.

Discussion of Final Airworthiness Directive

Comments

The FAA received comments from three commenters. Commenters included the Air Line Pilots Association, International (ALPA), ProTech Aero Services Limited (ProTech), and United Airlines. ALPA and ProTech supported the NPRM without change. United Airlines had no comments or objections to the NPRM.

Conclusion

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

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed CFM Service Bulletin (SB) LEAP–1B–72–00–0402–01A–930A–D, Issue 001, dated January 23, 2024. This material specifies the part numbers and serial numbers of additional affected HPT rotor stage 1 disks and includes procedures for replacement of HPT rotor stage 1 disks.

The FAA also reviewed CFM SB LEAP–1B–72–00–0392–01A–930A–D, Issue 002, dated September 5, 2023, which the Director of the Federal Register approved for incorporation by reference as of January 16, 2024 (88 FR 85836, December 11, 2023).

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

Costs of Compliance

The FAA estimates that this AD affects 51 engines installed on airplanes of U.S. registry. These 51 engines require replacement of the HPT stage 1 disk. The FAA estimates that there are no engines installed on airplanes of U.S. registry that require replacement of the compressor rotor stages 6–10 spool.

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

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Replace HPT rotor stage 1 disk	8 work-hours × \$85 per hour = \$680 ...	\$215,635 (pro-rated)	\$216,315	\$11,032,065
Replace compressor rotor stages 6–10 spool (0 affected US engines).	8 work-hours × \$85 per hour = \$680 ...	\$37,660 (pro-rated)	38,340	0

The new requirements of this AD add no additional economic burden.

Authority for This Rulemaking

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

detail the scope of the Agency’s authority.

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

procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

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

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

- (1) Is not a “significant regulatory action” under Executive Order 12866,
- (2) Will not affect intrastate aviation in Alaska, and
- (3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

- 2. The FAA amends § 39.13 by:
- a. Removing Airworthiness Directive AD 2023–23–12, Amendment 39–22614 (88 FR 85836, December 11, 2023); and
 - b. Adding the following new airworthiness directive:

2025–14–08 CFM International, S.A.:

Amendment 39–23086; Docket No. FAA–2025–0621; Project Identifier AD–2024–00796–E.

(a) Effective Date

This airworthiness directive (AD) is effective August 25, 2025.

(b) Affected ADs

This AD replaces AD 2023–23–12, Amendment 39–22614 (88 FR 85836, December 11, 2023) (AD 2023–23–12).

(c) Applicability

This AD applies to CFM International, S.A. (CFM) Model LEAP–1B21, LEAP–1B23, LEAP–1B25, LEAP–1B27, LEAP–1B28, LEAP–1B28B1, LEAP–1B28B2, LEAP–1B28B2C, LEAP–1B28B3, LEAP–1B28BBJ1, and LEAP–1B28BBJ2 engines.

(d) Subject

Joint Aircraft System Component (JASC) Code 7230, Turbine Engine Compressor Section; 7250, Turbine Section.

(e) Unsafe Condition

This AD was prompted by a manufacturer investigation that revealed that certain high-pressure turbine (HPT) rotor stage 1 disks and a certain compressor rotor stages 6–10 spool were manufactured from material suspected to have reduced material properties due to iron inclusion. The FAA is issuing this AD to prevent fracture and subsequent uncontained failure of certain HPT rotor stage 1 disks and a certain compressor rotor stages 6–10 spool. The unsafe condition, if not addressed, could result in uncontained debris release, damage to the engine, and damage to the aircraft.

(f) Compliance

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

(g) Retained Required Actions

(1) For engines with an installed HPT rotor stage 1 disk having a part number (P/N) and serial number (S/N) identified in Compliance, paragraph 3.E., Tables 1 through 2, of CFM Service Bulletin (SB) LEAP–1B–72–00–0392–01A–930A–D, Issue 002, dated September 5, 2023 (CFM SB LEAP–1B–72–00–0392–01A–930A–D, Issue 002): At the next piece-part exposure of the HPT rotor stage 1 disk, or before exceeding the applicable cycles since new (CSN) threshold identified in Compliance, paragraph 3.E., Tables 1 through 2, of CFM SB LEAP–1B–72–00–0392–01A–930A–D, Issue 002, whichever occurs first after January 16, 2024 (the effective date of AD 2023–23–12); or if the applicable CSN threshold has been exceeded as of January 16, 2024 (the effective date of AD 2023–23–12), within 50 flight cycles (FCs) from January 16, 2024 (the effective date of AD 2023–23–12); remove the HPT rotor stage 1 disk from service and replace with a part eligible for installation.

(2) For engines with an installed compressor rotor stages 6–10 spool having a P/N and S/N identified in Compliance, paragraph 3.E., Table 3, of CFM SB LEAP–1B–72–00–0392–01A–930A–D, Issue 002: At the next piece-part exposure of the compressor rotor stages 6–10 spool, or before exceeding the applicable CSN threshold identified in Compliance, paragraph 3.E., Table 3, of CFM SB LEAP–1B–72–00–0392–01A–930A–D, Issue 002, whichever occurs first after January 16, 2024 (the effective date of AD 2023–23–12); or if the applicable CSN threshold has been exceeded as of January 16, 2024 (the effective date of AD 2023–23–12), within 50 FCs from January 16, 2024 (the effective date of AD 2023–23–12); remove the compressor rotor stages 6–10 spool from service and replace with a part eligible for installation.

(h) New Required Actions

For engines with an installed HPT rotor stage 1 disk having a P/N and S/N identified in Compliance, paragraph 3.E., Table 1, of CFM SB LEAP–1B–72–00–0402–01A–930A–

D, Issue 001, dated January 23, 2024 (CFM SB LEAP–1B–72–00–0402–01A–930A–D, Issue 001): At the next piece-part exposure of the HPT rotor stage 1 disk, or before exceeding the applicable CSN threshold identified in Compliance, paragraph 3.E., Table 1, of CFM SB LEAP–1B–72–00–0402–01A–930A–D, Issue 001, whichever occurs first after the effective date of this AD; or if the applicable CSN threshold has been exceeded as of the effective date of this AD, within 50 FCs from the effective date of this AD; remove the HPT rotor stage 1 disk from service and replace with a part eligible for installation.

(i) Retained Definition, With Updated Service Information Reference

For the purpose of this AD, a “part eligible for installation” is an HPT rotor stage 1 disk or compressor rotor stages 6–10 spool that does not have a P/N and S/N identified in Compliance, paragraph 3.E., Tables 1 through 3, of CFM SB LEAP–1B–72–00–0392–01A–930A–D, Issue 002; or Compliance, paragraph 3.E., Table 1, of CFM SB LEAP–1B–72–00–0402–01A–930A–D, Issue 001.

(j) Retained Installation Prohibition, With Updated Service Information Reference

After the effective date of this AD, do not install an HPT rotor stage 1 disk or compressor rotor stages 6–10 spool that has a P/N and S/N identified in Compliance, paragraph 3.E., Tables 1 through 3, of CFM SB LEAP–1B–72–00–0392–01A–930A–D, Issue 002; or Compliance, paragraph 3.E., Table 1, of CFM SB LEAP–1B–72–00–0402–01A–930A–D, Issue 001, on any engine.

(k) Retained Credit for Previous Actions

This paragraph provides credit for the actions required by paragraph (g) of this AD, if those actions were performed prior to January 16, 2024 (the effective date of AD 2023–23–12) by following the Accomplishment Instructions specified in CFM SB LEAP–1B–72–00–0392–01A–930A–D, Issue 001, dated March 7, 2023.

(l) 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 (m)(1) 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.

(m) Additional Information

(1) For more information about this AD, contact Mehdi Lamnyi, Aviation Safety Engineer, FAA, 2200 South 216th Street, Des Moines, WA 98198; phone: (781) 238–7743; email: mehdi.lamnyi@faa.gov.

(2) Service material identified in this AD that is not incorporated by reference is available at the addresses specified in paragraph (n)(5) of this AD.

(n) 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.

(3) The following material was approved for IBR on [DATE 35 DAYS AFTER PUBLICATION OF THE FINAL RULE].

(i) CFM International, S.A. (CFM) Service Bulletin (SB) LEAP-1B-72-00-0402-01A-930A-D, Issue 001, dated January 23, 2024.

(ii) [Reserved]

(4) The following material was approved for IBR on January 16, 2024 (88 FR 85836, December 11, 2023).

(i) CFM SB LEAP-1B-72-00-0392-01A-930A-D, Issue 002, dated September 5, 2023.

(ii) [Reserved]

(5) For CFM material identified in this AD, contact CFM International, S.A., GE Aviation Fleet Support, 1 Neumann Way, M/D Room 285, Cincinnati, OH 45215; phone: (877) 432-3272; email: aviation.fleetsupport@ge.com.

(6) 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.

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

Issued on July 9, 2025.

Peter A. White,

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

[FR Doc. 2025-13660 Filed 7-18-25; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2025-0022; Project Identifier MCAI-2023-00910-T; Amendment 39-23083; AD 2025-14-05]

RIN 2120-AA64

Airworthiness Directives; Embraer S.A. (Type Certificate Previously Held by Yaborá Indústria Aeronáutica S.A.; Embraer S.A.) Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is superseding Airworthiness Directive (AD) 2020-12-12, which applied to all Embraer S.A. Model ERJ 170 airplanes and Model ERJ 190-100 STD, -100 LR, -100 ECJ, -100 IGW, -200 STD, -200 LR, and -200 IGW airplanes. AD 2020-12-12 required repetitive detailed inspections for cracking of the engine inboard and outboard engine pylon lower link lugs, and repair if necessary. This AD continues to require the actions in AD 2020-12-12 with certain reduced compliance times. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective August 25, 2025.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of August 25, 2025.

ADDRESSES:

AD Docket: You may examine the AD docket at regulations.gov under Docket No. FAA-2025-0022; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

- For Agência Nacional de Aviação Civil (ANAC) material identified in this AD, contact ANAC, Aeronautical Products Certification Branch (GGCP), Rua Dr. Orlando Feirabend Filho, 230—Centro Empresarial Aquarius—Torre B—Andares 14 a 18, Parque Residencial Aquarius, CEP 12.246-190—São José dos Campos—SP, Brazil; telephone 55 (12) 3203-6600; email pac@anac.gov.br. You may find this material on the ANAC website at sistemas.anac.gov.br/certificacao/DA/DAE.asp.

- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195. It is also available at regulations.gov under Docket No. FAA-2025-0022.

FOR FURTHER INFORMATION CONTACT: Krista Greer, Aviation Safety Engineer, FAA, 2200 South 216th Street, Des Moines, WA 98198; phone: 206-231-3221; email: krista.greer@faa.gov.

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to supersede AD 2020-12-12, Amendment 39-19921 (85 FR 41175, July 9, 2020) (AD 2020-12-12). AD 2020-12-12 applied to all Embraer S.A. Model ERJ 170-100 LR, -100 STD, -100 SE, -100 SU, -200 LR, -200 SU, -200 STD, and -200 LL airplanes; and Model ERJ 190-100 STD, -100 LR, -100 ECJ, -100 IGW, -200 STD, -200 LR, and -200 IGW airplanes. AD 2020-12-12 required repetitive detailed inspections for cracking of the engine inboard and outboard engine pylon lower link lugs, and repair if necessary. The FAA issued AD 2020-12-12 to address cracking of the engine pylon lower link lugs.

The NPRM was published in the **Federal Register** on February 7, 2025 (90 FR 9129). The NPRM was prompted by AD 2020-01-02R3, effective October 17, 2024; corrected October 15, 2024 (ANAC AD 2020-01-02R3) (also referred to as the MCAI), issued by ANAC, which is the aviation authority for Brazil. The MCAI states that optional terminating actions to the repetitive inspections have been included. ANAC AD 2020-01-02R2, effective July 26, 2023, stated the compliance intervals were reduced.

In the NPRM, the FAA proposed to continue to require the actions in AD 2020-12-12, with revised compliance times, as specified in ANAC AD 2020-01-02R3. The FAA is issuing this AD to address cracks on the left-hand (LH) and right-hand (RH) sides of engine pylon inboard lower link lugs. The unsafe condition, if not addressed, could cause the loss of engine pylon integrity, which could result in engine separation from the wing, loss of airplane controllability, and possible injury to persons on ground.

You may examine the MCAI in the AD docket at regulations.gov under Docket No. FAA-2025-0022.

Discussion of Final Airworthiness Directive

Comments

The FAA received comments from Air Line Pilots Association, International (ALPA), and an individual commenter who supported the NPRM without change.

The FAA received additional comments from two commenters, including Envoy Air and Horizon Air. The following presents the comments received on the NPRM and the FAA's response to each comment.

Request To Clarify Terminating Action

Envoy Air requested clarification about whether the terminating action in paragraph (d) of ANAC AD 2020-01-02R3 applies to the initial inspection specified in paragraph (b) or just the repetitive inspections specified in paragraph (c), as stated in ANAC AD 2020-01-02R3. The commenter pointed out that the FAA approved an alternative method of compliance (AMOC) (510-24-00070, dated May 14, 2024) with the inspections in paragraph (g) of AD 2020-12-12, but the AMOC does not differentiate between initial or repetitive inspections.

The FAA agrees to clarify. This AD provides terminating action only for the repetitive inspections, as does ANAC AD 2020-01-02R3. ANAC AD 2020-01-02R3 contains an implementation plan for airplanes near or past the threshold of the initial inspection that might differ from the maintenance review board (MRB) tasks. Once the initial inspection is accomplished, the MRB task can be used for compliance to the repetitive inspection requirement. No change is necessary to this AD in this regard.

Request To Clarify Versions of ANAC AD

Horizon Air requested that the FAA revise paragraphs (g) through (k) of the proposed AD to include the corrected date of ANAC AD 2020-01-02R3. Horizon Air noted that paragraphs (c) and (m) of the proposed AD include both the effective and corrected dates and asserted that repeating this

information in the remaining paragraphs would improve clarity.

The FAA agrees with the intent to reference the corrected version of ANAC AD 2020-01-02R3 in this AD, as it is the only effective version available on the foreign civil aviation authority's (FCAA) website. However, the FAA does not agree with revising all instances of "ANAC AD 2020-01-02R3" to include its effective and correction dates. Paragraph (c) of this AD establishes the legal definition, including effective and correction dates, to be ANAC AD 2020-01-02R3, effective October 17, 2024; corrected October 15, 2024. Therefore, all subsequent references to ANAC AD 2020-01-02R3 throughout the regulatory text of this AD are understood to refer to the version identified in paragraph (c) of this AD. No change has been made in this regard.

Additional Changes Made to This AD

The FAA has revised paragraph (h)(2) of this AD to match the wording used in ANAC AD 2020-01-02R3 when referring to revision 1 of ANAC AD 2020-01-02. The FAA intended to match ANACs wording and has revised this AD for clarity.

Conclusion

These products have been approved by the civil 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, that authority has notified the FAA of the unsafe

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

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed ANAC AD 2020-01-02R3, which specifies procedures for repetitive detailed inspections, special detailed inspections, and repair, as applicable, of the LH and RH engine inboard and outboard pylon lower link lugs. ANAC AD 2020-01-02R3 also includes an optional terminating action for the repetitive inspections, which consists of revising the maintenance or inspection program, as applicable, to incorporate airworthiness limitations for pylon lower link fittings. This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the ADDRESSES section.

Costs of Compliance

The FAA estimates that this AD affects 659 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspections	3 work-hour × \$85 per hour = \$255	\$0	\$255	\$168,045

The FAA has received no definitive data that would enable the agency to provide cost estimates for the on-condition repair specified in this AD.

For the optional terminating action, the FAA has determined that revising the existing maintenance or inspection program takes an average of 90 work-hours per operator, although the agency recognizes that this number may vary from operator to operator. Since operators incorporate maintenance or inspection program changes for their affected fleet(s), the FAA has determined that a per-operator estimate is more accurate than a per-airplane estimate. Therefore, if the optional terminating action is done, the agency estimates the average total cost per

operator would be \$7,650 (90 work-hours × \$85 per work-hour).

Authority for This Rulemaking

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

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

regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

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

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

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

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

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

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by:

- a. Removing Airworthiness Directive (AD) 2020–12–12, Amendment 39–19921 (85 FR 41175, July 9, 2020); and
- b. Adding the following new AD:

2025–14–05 Embraer S.A. (Type Certificate Previously Held by Yaborã Indústria Aeronáutica S.A.; Embraer S.A.): Amendment 39–23083; Docket No. FAA–2025–0022; Project Identifier MCAI–2023–00910–T.

(a) Effective Date

This airworthiness directive (AD) is effective August 25, 2025.

(b) Affected ADs

This AD replaces AD 2020–12–12, Amendment 39–19921 (85 FR 41175, July 9, 2020) (AD 2020–12–12).

(c) Applicability

This AD applies to the Embraer S.A. (Type Certificate Previously Held by Yaborã Indústria Aeronáutica S.A.; Embraer S.A.) airplanes, certificated in any category, identified in paragraphs (c)(1) and (2) of this AD, as identified in Agência Nacional de Aviação Civil (ANAC) AD 2020–01–02R3, effective October 17, 2024; corrected October 15, 2024 (ANAC AD 2020–01–02R3).

(1) Model ERJ 170–100 LR, –100 STD, –100 SE, –100 SU, –200 LR, –200 SU, –200 STD, and –200 LL airplanes.

(2) Model ERJ 190–100 STD, –100 LR, –100 ECJ, –100 IGW, –200 STD, –200 LR, and –200 IGW airplanes.

(d) Subject

Air Transport Association (ATA) of America Code 54, Nacelles/Pylons.

(e) Unsafe Condition

This AD was prompted by reports of cracking on the left-hand (LH) and right-hand (RH) sides of engine pylon inboard lower link lugs, and by the determination that certain compliance times in AD 2020–12–12 must be reduced and the inboard lower link lugs must be replaced with new titanium lugs on certain airplanes. The FAA is issuing this AD to address cracks on the LH and RH sides of engine pylon inboard lower link lugs. The unsafe condition, if not addressed, could cause the loss of engine pylon integrity, which could result in engine separation from the wing, loss of airplane controllability, and possible injury to persons on ground.

(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, ANAC AD 2020–01–02R3.

(h) Exceptions to ANAC AD 2020–01–02R3

(1) Where ANAC AD 2020–01–02R3 refers to “28 January 2020, the effective date of original revision of this AD,” this AD requires using August 13, 2020 (the effective date of AD 2020–12–12).

(2) Where ANAC AD 2020–01–02R3 refers to “July 18, 2023, the effective date of AD 2020–01–02R1,” this AD requires using the effective date of this AD.

(3) Where ANAC AD 2020–01–02R3 refers to its effective date, this AD requires using the effective date of this AD.

(4) Where the “Threshold” column of the tables in ANAC AD 2020–01–02R3 refer to “FC” and “FH,” for this AD, those flight cycles and flight hours are since the date of issuance of the original airworthiness certificate or the original export certificate of airworthiness, except for the compliance times that correspond to flagnote “[5]” of the table following paragraph (b)(1) of ANAC AD 2020–01–02R3 and flagnote “[3]” of the table following paragraph (b)(2) of ANAC AD 2020–01–02R3.

(5) Where the tables in ANAC AD 2020–01–02R3 refer to “ou”, this AD requires replacing that text with “or”.

(6) Where the last column of the table following paragraph (c)(2) of ANAC AD 2020–01–02R3 refers to “Intervalo”, this AD requires replacing that text with “Interval”.

(7) Where ANAC AD 2020–01–02R3 requires contacting “ANAC and Embraer . . . to approve an adequate repair”, for this AD, before further flight obtain repair instructions using the procedures specified in paragraph (k)(2) of this AD and do the repair.

(8) This AD does not adopt paragraph (g)(3) of ANAC AD 2020–01–02R3.

(i) No Reporting Requirement

Although ANAC AD 2020–01–02R3 specifies to submit an inspection report after each inspection, this AD does not include that requirement.

(j) Provisions for Alternative Actions, Critical Design Configuration Control Limitations (CDCCLs), and Intervals

After the existing maintenance or inspection program has been revised as specified in paragraph (g) of this AD, no alternative actions (e.g., inspections), CDCCLs, and intervals are allowed unless they are approved as specified in paragraph (d) of ANAC AD 2020–01–02R3.

(k) Additional AD Provisions

The following provisions also apply to this AD:

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

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

(ii) AMOCs approved previously for AD 2020–12–12 are approved as AMOCs for the corresponding provisions of ANAC AD 2020–01–02R3 that are required by paragraph (g) of this AD.

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

(l) Additional Information

For more information about this AD, contact Krista Greer, Aviation Safety Engineer, FAA, 2200 South 216th Street, Des Moines, WA 98198; phone: 206–231–3221; email: krista.greer@faa.gov.

(m) Material Incorporated by Reference

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

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

(i) Agência Nacional de Aviação Civil (ANAC) AD 2020–01–02R3, effective October 17, 2024; corrected October 15, 2024.

(ii) [Reserved]

(3) For ANAC material identified in this AD, contact ANAC, Aeronautical Products Certification Branch (GGCP), Rua Dr. Orlando Feirabend Filho, 230—Centro Empresarial Aquarius—Torre B—Andares 14 a 18, Parque Residencial Aquarius, CEP 12.246–190—São José dos Campos—SP, Brazil; telephone 55 (12) 3203–6600; email pac@anac.gov.br. You may find this material on the ANAC website at sistemas.anac.gov.br/certificacao/DA/DAE.asp.

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

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

Issued on July 11, 2025.

Lona C. Saccomando,

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

[FR Doc. 2025-13596 Filed 7-18-25; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2024-1880; Project Identifier AD-2023-01149-T; Amendment 39-23088; AD 2025-15-01]

RIN 2120-AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for all The Boeing Company Model 737-600, -700, -700C, -800, -900, and -900ER series airplanes. This AD was prompted by a report of a frame web crack at a certain fuselage station (STA) between certain stringers common to the frame web notch. This AD requires repetitive inspections for cracks of the frames and repair of cracks. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective August 25, 2025.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of August 25, 2025.

ADDRESSES:

AD Docket: You may examine the AD docket at regulations.gov under Docket No. FAA-2024-1880; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M-30, West Building

Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

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

- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195. It is also available at regulations.gov under Docket No. FAA-2024-1880.

FOR FURTHER INFORMATION CONTACT:

Owen Bley-Male, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 206-231-3992; email: Owen.F.Bley-Male@faa.gov.

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to all The Boeing Company Model 737-600, -700, -700C, -800, -900, and -900ER series airplanes. The NPRM published in the **Federal Register** on July 2, 2024 (89 FR 54737). The NPRM was prompted by a report of a frame web crack at fuselage STA 328 between stringers S-20R and S-21R on a Model 737-700 airplane. The crack was common to the frame web notch and was approximately 0.85 inch long. In the NPRM, the FAA proposed to require repetitive detailed and high frequency eddy current (HFEC) inspections for cracks of the frames and repair of any cracks. The FAA is issuing this AD to address undetected cracks in the frame, which could lead to the inability of the principal structural element to sustain limit loads and result in the subsequent loss of structural integrity of the airplane.

Discussion of Final Airworthiness Directive

Comments

The FAA received a comment from United Airlines, which supported the NPRM without change.

The FAA also received comments from Aviation Partners Boeing, The Boeing Company (Boeing), Southwest Airlines (Southwest), and Sudan Civil Aviation Authority (Sudan CAA). The following presents the comments received on the NPRM and the FAA's response to each comment.

Effect of Winglets on Accomplishment of the Proposed Actions

Aviation Partners Boeing stated that installing winglets under Supplemental Type Certificate (STC) ST00830SE does not affect accomplishment of the actions specified in the proposed AD.

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

Request To Revise Stringer Range

Boeing requested the FAA clarify the preamble with respect to the stringer range for each affected frame. Boeing noted that the Background section of the NPRM identifies the affected area as "STA 312, STA 328, and STA 344 from stringers S-20R to S-23R." Boeing requested that the text specify the stringer range for each frame and be changed to "STA 312 (Stringers S-20R to S-23R), STA 328 (Stringers S-19R to S-22R), and STA 344 (Stringers S-20R to S-23R)."

The FAA agrees that the requested change would clarify the affected area. However, as this information from the NPRM is not restated in this final rule, no change is necessary as a result of this comment.

Requests Regarding Frame Replacement

Southwest requested the FAA change the proposed AD to allow replacement of a cracked frame with a new frame as an option instead of repairing the frame. Southwest further requested that, for frames replaced with a new frame, the FAA allow the compliance time to start from the date of the new frame installation. Southwest stated that this adjusted threshold is similar to the principle structural element replacement guidance in the FAA-approved airworthiness limitations for the affected model airplanes.

The FAA acknowledges that removal and replacement with type design parts is possible but does not agree to include this option in paragraph (h)(2) of this AD or adjust the compliance time for allowing this replacement as a repair without complete substantiating data. Replacement might involve oversizing holes, replacing more than just the frame, or other actions that would

impact the appropriate compliance time, including requiring shorter inspection intervals. Each replacement would involve unique circumstances, so the FAA cannot determine whether allowing the compliance time to start from the date of the new frame installation would provide an adequate level of safety. Therefore, the FAA has not changed the AD in this regard. The FAA will, however, consider AMOCs in accordance with paragraph (i) of this AD for alternative repair actions or compliance time changes, provided substantiation data is submitted to show that an acceptable level of safety is maintained using the alternative actions and compliance times.

Request To Expand Inspection Areas

Sudan CAA requested that the inspection areas for each station be expanded beyond the stringers specified in Boeing Alert Requirements Bulletin 737-53A1410 RB, dated October 11, 2023. Sudan CAA stated that typical cracks in the frame start at the blanket pin hole, the fastener in the inner chord, or the frame web notch, and cracking could occur at adjacent areas that are not covered by the service information. Sudan CAA therefore concluded that the proposed AD may not address the unsafe condition.

The FAA disagrees with this request. The inspection area is determined for each frame by the design and loading of the frame, which are similar, but not identical, across the three frames. This AD was prompted by a frame web crack at fuselage STA 328 between stringers S-20R and S-21R. Because the load transfer is similar in adjacent areas, the frames at STA 312, STA 328, and STA 344 from stringers S-20R to S-23R are also subject to the unsafe condition.

Based on the fleet data the FAA has received, the FAA determined that the actions specified in the referenced service information adequately address the unsafe condition. Therefore, the FAA has not changed this AD as a result of this comment. If new information becomes available, the FAA might consider further rulemaking.

Request To Revise Applicability

Boeing requested that the FAA revise the applicability to only include line numbers 1 through 9273. Boeing stated that line numbers 9274 and subsequent will have a new design change in notch radius (0.25" changed from 0.16") that will mitigate the safety issue. Boeing further stated it will revise its service information to reflect this change in effectivity.

The FAA does not agree to reduce the applicability of this AD. Boeing is still in the process of having the design change approved. In addition, once approved, the FAA will need to determine whether the design change adequately addresses the unsafe condition. Should the FAA determine the design change provides an acceptable level of safety to address the unsafe condition, operators may request approval of the design change as an AMOC using the procedures in paragraph (i) of this AD.

Request To Correct Typographical Error

Sudan CAA requested a revision to note (b) of Figure 1 in Boeing Alert Requirements Bulletin 737-53A1410 RB, dated October 11, 2023, which refers to a certain structural detail that "is inspected." Sudan CAA requested replacing "is inspected" with "is to be inspected" for clarification.

The FAA does not find the requested change necessary. The FAA reviewed the requirements bulletin and determined that it provides sufficient clarity.

Conclusion

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

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed Boeing Alert Requirements Bulletin 737-53A1410 RB, dated October 11, 2023. This material specifies procedures for repetitive detailed inspections of the forward and aft sides of the frames, and surface and open hole HFEC inspections of the frames, at STA 312 from S-20R to S-23R, STA 328 from S-19R to S-22R, and STA 344 from S-20R to S-23R for cracks. This material also specifies repairing any crack found. This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the ADDRESSES section.

Costs of Compliance

The FAA estimates that this AD affects 1,583 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspections	9 work-hours × \$85 per hour = \$765 per inspection cycle.	\$0	\$765 per inspection cycle	\$1,210,995 per inspection cycle.

Estimated Costs of On-Condition Actions

The extent of damage/cracking found during the required inspections could vary significantly from airplane to airplane. The FAA has no way of determining the type of repair or cost to repair any cracks on each airplane or the number of airplanes that may require repair.

Authority for This Rulemaking

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

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under

that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

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

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

- (1) Is not a “significant regulatory action” under Executive Order 12866,
- (2) Will not affect intrastate aviation in Alaska, and
- (3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2025-15-01 The Boeing Company:
Amendment 39-23088; Docket No. FAA-2024-1880; Project Identifier AD-2023-01149-T.

(a) Effective Date

This airworthiness directive (AD) is effective August 25, 2025.

(b) Affected ADs

None.

(c) Applicability

(1) This AD applies to all The Boeing Company Model 737-600, -700, -700C, -800, -900, and -900ER series airplanes, certificated in any category.

(2) Installation of Supplemental Type Certificate (STC) ST00830SE does not affect the ability to accomplish the actions required by this AD. Therefore, for airplanes on which STC ST00830SE is installed, a “change in product” alternative method of compliance

(AMOC) approval request is not necessary to comply with the requirements of 14 CFR 39.17.

(d) Subject

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

(e) Unsafe Condition

This AD was prompted by a report of a frame web crack at fuselage station 328 between stringers S-20R and S-21R common to the frame web notch. The FAA is issuing this AD to address undetected cracks in the frame. The unsafe condition, if not addressed, could lead to the inability of the principal structural element to sustain limit loads, which could result in the subsequent loss of structural integrity of the airplane.

(f) Compliance

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

(g) Required Actions

Except as specified by paragraph (h) of this AD: At the applicable times specified in the “Compliance” paragraph of Boeing Alert Requirements Bulletin 737-53A1410 RB, dated October 11, 2023, do all applicable actions identified in, and in accordance with, the Accomplishment Instructions of Boeing Alert Requirements Bulletin 737-53A1410 RB, dated October 11, 2023.

Note 1 to paragraph (g): Guidance for accomplishing the actions required by this AD can be found in Boeing Alert Service Bulletin 737-53A1410, dated October 11, 2023, which is referred to in Boeing Alert Requirements Bulletin 737-53A1410 RB, dated October 11, 2023.

(h) Exceptions to Requirements Bulletin Specifications

(1) Where the “Boeing Recommended Compliance Time” column in the table under the “Compliance” paragraph of Boeing Alert Requirements Bulletin 737-53A1410 RB, dated October 11, 2023, refers to “the Original Issue date of Requirements Bulletin 737-53A1410 RB,” this AD requires using the effective date of this AD.

(2) Where Boeing Alert Requirements Bulletin 737-53A1410 RB, dated October 11, 2023, specifies contacting Boeing for repair instructions, this AD requires doing the repair using a method approved in accordance with the procedures in paragraph (i) of this AD.

(i) Alternative Methods of Compliance (AMOCs)

(1) The Manager, AIR-520, Continued Operational Safety Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the certification office,

send it to the attention of the person identified in paragraph (j)(1) of this AD. Information may be emailed to: AMOC@faa.gov.

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

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

(j) Related Information

(1) For more information about this AD, contact Owen Bley-Male, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 206-231-3992; email: Owen.F.Bley-Male@faa.gov.

(2) Material identified in this AD that is not incorporated by reference is available at the address specified in paragraph (k)(3) this AD.

(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) Boeing Alert Requirements Bulletin 737-53A1410 RB, dated October 11, 2023.

(ii) [Reserved]

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

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

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

Issued on July 16, 2025.

Peter A. White,

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

[FR Doc. 2025-13595 Filed 7-18-25; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–0628; Project Identifier MCAI–2024–00728–T; Amendment 39–23084; AD 2025–14–06]

RIN 2120–AA64

Airworthiness Directives; Airbus SAS Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain Airbus SAS Model A350–941 and –1041 airplanes. This AD was prompted by reports of deep spot faces on rib 9 at the lower flange bolting with the lower spar. This AD requires a special detailed inspection for discrepancies of certain pylon bolts, and applicable corrective actions. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective August 25, 2025.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of August 25, 2025.

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2025–0628; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

- For Airbus material identified in this AD, contact Airbus SAS, Airworthiness Office—EAL, Rond-Point Emile Dewoitine No: 2, 31700 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 45 80; email *continued-airworthiness.a350@airbus.com*; website *airbus.com*.

- For European Union Aviation Safety Agency (EASA) material

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

- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available at *regulations.gov* under Docket No. FAA–2025–0628.

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

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain Airbus SAS Model A350–941 and –1041 airplanes. The NPRM was published in the **Federal Register** on April 29, 2025 (90 FR 17749). The NPRM was prompted by AD 2024–0234, dated December 6, 2024 (EASA AD 2024–0234) (also referred to as the MCAI), issued by EASA, which is the Technical Agent for the Member States of the European Union. The MCAI states deep spot faces have been detected on the production line on rib 9 at the lower flange bolting with the lower spar. This condition, if not detected and corrected, could lead to reduced fatigue life, which could adversely affect the structural integrity of the airplane.

In the NPRM, the FAA proposed to require a special detailed inspection for discrepancies of certain pylon bolts, and applicable corrective actions, as specified in EASA AD 2024–0234. The FAA is issuing this AD to address the unsafe condition on these products.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2025–0628.

Discussion of Final Airworthiness Directive

Comments

The FAA received no comments on the NPRM or on the determination of the cost to the public.

Conclusion

These products have been approved by the civil 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, that authority has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA reviewed the relevant data, considered any comments received, and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products. Except for minor editorial changes, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator.

Material Incorporated by Reference Under 1 CFR Part 51

EASA AD 2024–0234 specifies procedures for a special detailed inspection for discrepancies of the 2 pylon bolts at rib 9, left-hand and right-hand sides, and applicable corrective actions (repair). Discrepancies include washers that are not correctly aligned with the nut, cracks, scratches, corrosion, damage, and missing hardware. In addition, discrepancies include a no-go condition found after measuring the spot face depth with a “GO-NoGO GAUGE.” The compliance times for the applicable corrective actions range from before next flight to 3,000 flight cycles from completion of inspection.

The FAA reviewed Airbus Service Bulletin A350–54–P011, dated July 4, 2024. This material identifies affected airplanes specified in EASA AD 2024–0234.

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

Costs of Compliance

The FAA estimates this AD affects 17 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
8 work-hours × \$85 per hour = \$680	\$0	\$0	\$11,560

The FAA has received no definitive data on which to base the cost estimates for the on-condition actions specified in this AD.

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

- (1) Is not a "significant regulatory action" under Executive Order 12866,
- (2) Will not affect intrastate aviation in Alaska, and
- (3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2025–14–06 Airbus SAS: Amendment 39–23084; Docket No. FAA–2025–0628; Project Identifier MCAI–2024–00728–T.

(a) Effective Date

This airworthiness directive (AD) is effective August 25, 2025.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Airbus SAS Model A350–941 and –1041 airplanes, certificated in any category, having manufacturer serial numbers listed in Airbus Service Bulletin A350–54–P011, dated July 4, 2024.

(d) Subject

Air Transport Association (ATA) of America Code 54, Nacelles/pylons.

(e) Unsafe Condition

This AD was prompted by reports of deep spot faces that were detected on the production line on rib 9 at lower flange bolting with the lower spar. The FAA is issuing this AD to address deep spot faces on rib 9, which if not addressed, could result in reduced fatigue life and could adversely affect the structural integrity of the airplane.

(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 (EASA) AD 2024–0234, dated December 6, 2024 (EASA AD 2024–0234).

(h) Exception to EASA AD 2024–0234

(1) Where paragraph (2) of EASA AD 2024–0234 specifies "accomplish the corrective actions," this AD requires replacing that text with "accomplish the corrective actions, including any inspection instructions."

(2) Where paragraph (2) of EASA AD 2024–0234 specifies "Where the SB instructs to contact Airbus for approved repair instructions, this AD requires to contact Airbus for corrective action(s) instructions, and within the compliance time specified therein, to accomplish those instructions accordingly," this AD requires replacing that text with "Where the SB instructs to contact Airbus for instructions or inspections, this AD requires contacting Airbus for instructions and inspections, as applicable, and within the compliance time specified therein, accomplishing those instructions accordingly; except if any cracking is found, the cracking must be repaired before further flight using a method approved by the Manager, AIR–520, Continued Operational Safety Branch, FAA; or EASA; or Airbus SAS's EASA Design Organization Approval

(DOA). If approved by the DOA, the approval must include the DOA-authorized signature."

(3) This AD does not adopt the "Remarks" section of EASA AD 2024–0234.

(i) No Reporting Requirement

Although the material referenced in EASA AD 2024–0234 specifies to submit certain information to the manufacturer, this AD does not include that requirement.

(j) Additional AD Provisions

The following provisions also apply to this AD:

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

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

(3) *Required for Compliance (RC):* Except as required by paragraph (j)(2) of this AD, if any material contains procedures or tests that are identified as RC, those procedures and tests must be done to comply with this AD; any procedures or tests that are not identified as RC are recommended. Those procedures and tests that are not identified as RC may be deviated from using accepted methods in accordance with the operator's maintenance or inspection program without obtaining approval of an AMOC, provided the procedures and tests identified as RC can be done and the airplane can be put back in an airworthy condition. Any substitutions or changes to procedures or tests identified as RC require approval of an AMOC.

(k) Additional Information

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

(l) Material Incorporated by Reference

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

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

(i) Airbus Service Bulletin A350–54–P011, dated July 4, 2024.

(ii) European Union Aviation Safety Agency (EASA) AD 2024–0234, dated December 6, 2024.

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

(4) For Airbus material identified in this AD, contact Airbus SAS, Airworthiness Office—EAL, Rond-Point Emile Dewoitine No: 2, 31700 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 45 80; email continued-airworthiness.a350@airbus.com; website airbus.com.

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

(6) 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 July 9, 2025.

Peter A. White,

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

[FR Doc. 2025–13593 Filed 7–18–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–0345; Project Identifier MCAI–2024–00475–T; Amendment 39–23087; AD 2025–14–09]

RIN 2120–AA64

Airworthiness Directives; Airbus SAS Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is superseding Airworthiness Directive (AD) 2022–27–01, which applied to certain Airbus SAS Model A350–941 and –1041 airplanes. AD 2022–27–01 required replacing affected fasteners and applying additional head nut cap protection at the front and rear spars in the center wing box (CWB). Since the FAA issued AD 2022–27–01, the FAA determined that additional Airbus SAS Model A350 manufacturer serial numbers (MSNs) are affected by the same potential unsafe condition. This AD continues to require the actions in AD 2022–27–01 and

expands the applicability to include the additional Airbus SAS Model A350 MSNs. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective August 25, 2025.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of August 25, 2025.

ADDRESSES:

AD Docket: You may examine the AD docket at regulations.gov under Docket No. FAA–2025–0345; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

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

- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available at regulations.gov under Docket No. FAA–2025–0345.

FOR FURTHER INFORMATION CONTACT:

Kaitlyn Kosten, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone 404–545–5064; email kaitlyn.e.kosten@faa.gov.

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to supersede AD 2022–27–01, Amendment 39–22286 (87 FR 80026, December 29, 2022) (AD 2022–27–01). AD 2022–27–01 applied to certain Airbus SAS Model A350–941 and –1041 airplanes. AD 2022–27–01 required replacing affected fasteners and applying additional head nut cap protection at the front and rear spars in the CWB, as specified in EASA AD 2022–0080, dated May 9, 2022. The FAA issued AD 2022–27–01 to address fasteners installed in the CWB rotating

inside their fastener holes. The unsafe condition, if not addressed, could lead to loss of a fastener clamping and cracking of the nut sealant cover, possibly resulting, in case of lightning strike, in a fuel tank explosion and consequent loss of the airplane.

The NPRM was published in the **Federal Register** on March 13, 2025 (90 FR 11916). The NPRM was prompted by AD 2024–0161, dated August 19, 2024 (EASA AD 2024–0161) (also referred to as “the MCAI”), issued by EASA, which is the Technical Agent for the Member States of the European Union. The MCAI states that additional Airbus SAS Model A350 MSNs are affected by the same potential unsafe condition, and the service information has been revised to identify the additional airplanes. EASA AD 2024–0161 retains the requirements of EASA AD 2022–0080 and expands the applicability to include additional Airbus SAS Model A350 MSNs.

In the NPRM, the FAA proposed to continue to require the actions in AD 2022–27–01 and to expand the applicability to include the additional Airbus SAS Model A350 MSNs, as specified in EASA AD 2024–0161. The FAA is issuing this AD to address the unsafe condition on these products.

You may examine the MCAI in the AD docket at regulations.gov under Docket No. FAA–2025–0345.

Discussion of Final Airworthiness Directive

Comments

The FAA received a comment from ProTech Aero Services Limited, who supported the NPRM without change.

Conclusion

These products have been approved by the civil 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 reviewed the relevant data, considered the comment received, and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed EASA AD 2024–0161, which specifies procedures for replacing affected fasteners installed on the left-hand and right-hand CWB at the front and rear spar areas, and for adding head nut cap protection at the front and

rear spars in the CWB. This material is reasonably available because the interested parties have access to it through their normal course of business

or by the means identified in the ADDRESSES section.

Costs of Compliance

The FAA estimates that this AD affects 34 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Replace fasteners	Up to 83 work-hours × \$85 per hour = \$7,055	Up to \$17,716	Up to \$24,771	Up to \$842,214.

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

- (1) Is not a "significant regulatory action" under Executive Order 12866,
- (2) Will not affect intrastate aviation in Alaska, and
- (3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

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

The Amendment

Accordingly, under the authority delegated to me by the Administrator,

the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

- 2. The FAA amends § 39.13 by:
 - a. Removing Airworthiness Directive (AD) 2022–27–01, Amendment 39–22286 (87 FR 80026, December 29, 2022); and
 - b. Adding the following new AD:

2025–14–09 Airbus SAS: Amendment 39–23087; Docket No. FAA–2025–0345; Project Identifier MCAI–2024–00475–T.

(a) Effective Date

This airworthiness directive (AD) is effective August 25, 2025.

(b) Affected ADs

This AD replaces AD 2022–27–01, Amendment 39–22286 (87 FR 80026, December 29, 2022) (AD 2022–27–01).

(c) Applicability

This AD applies to Airbus SAS Model A350–941 and –1041 airplanes, certificated in any category, as identified in European Union Aviation Safety Agency (EASA) AD 2024–0161, dated August 19, 2024 (EASA AD 2024–0161).

(d) Subject

Air Transport Association (ATA) of America Code 57, Wings.

(e) Unsafe Condition

This AD was prompted a report that during flight and fatigue testing it was detected that some fasteners installed in the center wing box (CWB) rotated inside their fastener holes. The FAA is issuing this AD to address fasteners installed in the CWB rotating inside their fastener holes. The unsafe condition, if not addressed, could lead to loss of a fastener clamping and cracking of the nut sealant cover, possibly resulting, in case of lightning strike, in a fuel tank explosion and consequent loss of the airplane.

(f) Compliance

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

(g) Requirements

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, EASA AD 2024–0161.

(h) Exceptions to EASA AD 2024–0161

(1) Where EASA AD 2024–0161 refers to "23 May 2022 [the effective date of EASA AD 2022–0080]," this AD requires using February 2, 2023 (the effective date of AD 2022–27–01).

(2) This AD does not adopt the "Remarks" section of EASA AD 2024–0161.

(i) Additional AD Provisions

The following provisions also apply to this AD:

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

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

(ii) AMOCs approved previously for AD 2022–27–01 are approved as AMOCs for the corresponding provisions of EASA AD 2024–0161 that are required by paragraph (g) of this AD.

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

(3) *Required for Compliance (RC):* Except as required by paragraph (i)(2) of this AD, if any material contains procedures or tests that are identified as RC, those procedures and tests must be done to comply with this AD; any procedures or tests that are not identified as RC are recommended. Those procedures and tests that are not identified as RC may be deviated from using accepted methods in accordance with the operator's maintenance or inspection program without obtaining approval of an AMOC, provided the

procedures and tests identified as RC can be done and the airplane can be put back in an airworthy condition. Any substitutions or changes to procedures or tests identified as RC require approval of an AMOC.

(j) Additional Information

For more information about this AD, contact Kaitlyn Kosten, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone 404-545-5064; email kaitlyn.e.kosten@faa.gov.

(k) Material Incorporated by Reference

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

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

(i) European Union Aviation Safety Agency (EASA) AD 2024-0161, dated August 19, 2024.

(ii) [Reserved]

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

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

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

Issued on July 11, 2025.

Peter A. White,

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

[FR Doc. 2025-13594 Filed 7-18-25; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2024-1885; Project Identifier AD-2023-00995-E; Amendment 39-23081; AD 2025-14-03]

RIN 2120-AA64

Airworthiness Directives; General Electric Company Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain General Electric Company (GE) Model

CF34-10E2A1, CF34-10E6, CF34-10E6A1, CF34-10E7, CF34-10E7-B, CF34-10E5, and CF34-10E5A1 engines. This AD was prompted by a report of cracks found in the high-pressure turbine (HPT) front rotating air seal.

This AD requires performing repetitive fluorescent penetrant inspections (FPIs) to detect indications or linear indications (any indication which is four times longer than the width of that same indication) in the HPT front rotating air seal and, if necessary, replacing the HPT front rotating air seal or HPT rotor disk with parts eligible for installation as applicable. This AD also includes an optional terminating action to the repetitive FPIs. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective August 25, 2025.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of August 25, 2025.

ADDRESSES:

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 final rule, any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

- For GE material identified in this AD, 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. It is also available at regulations.gov under Docket No. FAA-2024-1885.

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:

Background

The FAA issued a supplemental notice of proposed rulemaking (SNPRM) 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, CF34-10E7-B, CF34-10E5, and CF34-10E5A1 engines. The SNPRM was published in the **Federal Register** on April 25, 2025 (90 FR 17345). The SNPRM 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 high edge contact stress at the interface between the HPT rotor disk and the rabbet surface of the HPT front rotating air seal. The SNPRM 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. The FAA has also determined that changes to the applicability are necessary, primarily based on comments received on the notice of proposed rulemaking (NPRM) (89 FR 59860; July 24, 2024) from several commenters and additional review by the FAA. The FAA is issuing this AD to address the unsafe condition on these products.

Discussion of Final Airworthiness Directive

Comments

The FAA received a comment from one individual commenter. The commenter supported the SNPRM without change.

Conclusion

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

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed GE CF34-10E Service Bulletin 72-0341 R02, dated September 24, 2021 (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 the ADDRESSES section.

Costs of Compliance

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

The FAA estimates the following costs to comply with this 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 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

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

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

- (1) Is not a “significant regulatory action” under Executive Order 12866,
- (2) Will not affect intrastate aviation in Alaska, and

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

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2025–14–03 General Electric Company:
Amendment 39–23081; Docket No. FAA–2024–1885; Project Identifier AD–2023–00995–E.

(a) Effective Date

This airworthiness directive (AD) is effective August 25, 2025.

(b) Affected ADs

None.

(c) Applicability

This AD applies to General Electric Company (GE) Model 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 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 front rotating air 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 rabbit 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) General Electric Company (GE) CF34-10E Service Bulletin 72-0341 R02, dated September 24, 2021.

(ii) [Reserved]

(3) For GE material identified in this AD, contact GE, 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 July 10, 2025.

Peter A. White,

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

[FR Doc. 2025-13644 Filed 7-18-25; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2025-1845; Airspace Docket No. 25-AEA-13]

RIN 2120-AA66

Amendment of Class E Airspace; Culpeper, VA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action changes the referenced NAILR Non-Directional Beacon (NDB) in the airspace legal description to Point in Space Coordinates due to the decommissioning of the NAILR NDB. This action also updates the name and geographical coordinates for UVA Culpeper Medical Center Heliport. This action does not change the airspace boundaries or operating requirements. **DATES:** Effective date 0901 UTC, October 2, 2025. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

ADDRESSES: A copy of this final rule and all background material may be viewed

online at www.regulations.gov using the FAA Docket number. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year. An electronic copy of this document may also be downloaded from the Office of the Federal Register's website at www.federalregister.gov.

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

FOR FURTHER INFORMATION CONTACT:

Marc Ellerbee, Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1701 Columbia Avenue, College Park, GA 30337; Telephone: (404) 305-5589.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

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

Incorporation by Reference

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

The Rule

The determination was made to decommission the NAILR NDB serving the Culpeper Regional Airport, Culpeper, VA. The NAILR NDB is used as a reference point for describing the Culpeper, VA Class E5 airspace, and part of the decommissioning process requires the amendment of associated FAA orders to reflect the change. The reference to the NAILR NDB in the Class E5 airspace description was identified for amendment to point in space coordinates in order to maintain the same airspace dimensions and proceed with the decommissioning process.

Accordingly, this action amends 14 CFR part 71 by removing the reference to NAILR NDB in the airspace legal description for the Culpeper, VA, Class E5 airspace and replacing it with Point in Space Coordinates (lat. 38°27'16" N, long. 77°54'19" W). This change is necessary due to the decommissioning of the NAILR NDB. This action also updates the heliport name and geographical coordinates for UVA Culpeper Medical Center Heliport.

Good Cause for Bypassing Notice and Comment

The Administrative Procedure Act (APA) authorizes agencies to dispense with ordinary notice and comment requirements for rules when the agency for "good cause" finds that those procedures are "impracticable, unnecessary, or contrary to the public interest." 5 U.S.C. 553(b)(B). Under this section, an agency, upon finding good cause, may issue a final rule without first publishing a proposed rule. This rule constitutes an administrative change that constitutes "a routine determination, insignificant in nature and impact, and inconsequential to the industry and to the public." *Mack Trucks, Inc. v. EPA*, 682 F.3d 87, 94 (D.C. Cir. 2012) (quoting *Util. Solid Waste Activities Grp. v. EPA*, 236 F.3d 749, 755 (D.C. Cir. 2001)); see also Attorney General's Manual on the Administrative Procedure Act (1947), at 31; U.S. Department of Transportation (DOT) Order 2100.6B, paragraph 11.j(1)(b) (saying proposed rules are not required for "[r]ules for which notice and comment is unnecessary to inform the rulemaking, such as rules correcting de minimis technical or clerical errors or rules addressing other minor and insubstantial matters, provided the reasons to forgo public comment are explained in the preamble to the final rule"). This amendment is ministerial in nature and will not impose any additional substantive restrictions or requirements on the persons affected by

these regulations as it does not affect the airspace boundaries or operating requirements. Accordingly, the FAA finds good cause that notice and public comment under 5 U.S.C. 553(b) is unnecessary.

Regulatory Notices and Analyses

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

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1G, "Environmental Impacts: Policies and Procedures," paragraph B-2.5. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant the preparation of an environmental assessment.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

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

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

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

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order JO 7400.11J, Airspace Designations and Reporting

Points, dated July 31, 2024, and effective September 15, 2024, is amended as follows:

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

* * * * *

AEA VA E5 Culpeper, VA [Amended]

Culpeper Regional Airport, VA
(Lat. 38°31'32" N, long. 77°51'35" W)
Culpeper Regional Airport, Point in Space
Coordinates

(Lat. 38°27'16" N, long. 77°54'19" W)

UVA Culpeper Medical Center Heliport

(Lat. 38°27'17" N, long. 78°00'52" W)

UDNEW WAYPOINT

(Lat. 38°27'54" N, long. 78°01'07" W)

That airspace extending upward from 700 feet above the surface of the Earth within a 6.5-mile radius of Culpeper Regional Airport and within 8 miles either side of the 217° bearing from the point in space coordinates lat. 38°27'16" N, long. 77°54'19" W to 16 miles southwest of the point in space coordinates lat. 38°27'16" N, long. 77°54'19" W, and that airspace within a 6.0-mile radius of the UDNEW WAYPOINT that serves the UVA Culpeper Medical Center Heliport.

* * * * *

Issued in College Park, Georgia, on July 17, 2025.

Patrick Young,

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

[FR Doc. 2025–13611 Filed 7–18–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket Number USCG–2025–0463]

RIN 1625–AA08

Special Local Regulation; 100th Annual Pony Swim, Chincoteague Inlet and Surrounding Waters, Sector Virginia Captain of the Port Zone

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary Special Local Regulation on the waters around Assateague, Chincoteague, and Wallops Islands, on Virginia's Eastern Shore. This action is necessary to provide for the safety of life on these navigable waters from potential hazards during the week of the 100th Annual Pony Roundup, Swim & Auction. All non-participants would be intermittently prohibited from entering, transiting

through, anchoring in, or remaining within the regulated area without permission from the Captain of the Port or a designated representative.

DATES: This rule is effective from 6 a.m. on July 26, 2025, through 10 p.m. on August 1, 2025.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG–USCG–2025–0463 in the search box and click “Search.” Next, in the Document Type column, select “Supporting & Related Material.”

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, call or email LCDR Justin Strassfield, Sector Virginia, Waterways Management Division, U.S. Coast Guard, Telephone: (571) 608–2969; or virginiawaterways@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

COTP Captain of the Port, Sector Virginia
 CFR Code of Federal Regulations
 DHS Department of Homeland Security
 FR Federal Register
 NPRM Notice of proposed rulemaking
 § Section
 SLR Special Local Regulation
 U.S.C. United States Code

II. Background Information and Regulatory History

A Captain of the Port, after approving plans for the holding of a “regatta or marine parade” (an organized water event of limited duration which is conducted according to a prearranged schedule, 33 CFR 100.05(a)) within his or her Captain of the Port Zone, is authorized to promulgate such special local regulations (SLRs) as he or she deems necessary to ensure safety of life on the navigable waters immediately prior to, during, and immediately after the approved regatta or marine parade. 33 CFR 100.35. This year, like each previous year, the Chincoteague Volunteer Fire Company notified the Coast Guard that it will be conducting a pony round up and auction. This requires closure of the Assateague Channel for a “pony swim,” the passage of the animals from Assateague Island to Chincoteague Island, and the sponsor submitted a permit application under 33 CFR 100.15, as it has in previous years. To provide for the closure of the Assateague Channel and to reserve sufficient space to designate spectator areas around the event, a permanent SLR was created in table 3 to paragraph (i)(3) to 33 CFR 100.501 to support this recurring, permitted marine event.

This year’s event is the 100th of its kind and it is therefore expected to

attract many more spectators than in previous years. Due to the expected increased number of spectators, increased vessel traffic, and an increased population on and around Chincoteague Island, the Captain of the Port, Sector Virginia (COTP) has determined this year’s event will present safety concerns over a significantly larger area than the regulated area of the permanent SLR.

In response, on June 16, 2025, the Coast Guard published a notice of proposed rulemaking (NPRM) titled Special Local Regulation; 100th Annual Pony Swim, Chincoteague Inlet and Surrounding Waters, Sector Virginia Captain of the Port Zone. There, we stated why we issued the NPRM and we invited comments on our proposed regulatory action related to this marine event. During the comment period that ended June 30, 2025, we received no comments.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Delaying the effective date of this rule is impracticable because immediate action is needed to respond to the potential safety hazards associated with the increased vessel traffic and associated navigational hazards connected with the channel closure, due to occur less than 30 days after this rule is published.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under the authority in 46 U.S.C. 70041. The Captain of the Port, Sector Virginia (COTP) has determined that potential hazards associated with increased concentration of vessels associated with the marine event starting on July 26th and lasting until August 1st. will be a safety concern for persons and property within the Outer Area described within this rule. The purpose of this rule is to ensure safety of vessels and the navigable waters in the Outer Area before, during, and after the scheduled event.

IV. Discussion of Comments, Changes, and the Rule

As noted above, we received no comments on our NPRM published June 16th, 2025. However, we have assessed that the use of the terms “Buffer Zone” and “Regulated Area,” as defined in the NPRM may be confusing. We have therefore substituted the term “Outer Area” for what we had referred to as the “Buffer Zone” in the NPRM, and we have substituted the term “Inner Area” for what we had referred to in the NPRM as the “Regulated Area.” In this

final rule, the term “Regulated Area” refers to the “Inner Area” and the “Outer Area” combined. These changes in terminology do not affect the intended operation of the rule.

This rule therefore establishes a temporary SLR with a “Regulated Area” consisting of an “Inner Area” and an “Outer Area.” The SLR will be in effect and subject to enforcement twenty-four hours a day, starting at 6 a.m. on July 26th, 2025 and ending at 10 p.m. on August 1, 2025. (This is in contrast to the permanent rule, which is in effect for two nonconsecutive days a year.) What we have defined as the “Inner Area” of this temporary SLR is the same geographic area as the entire “Regulated Area,” as defined in the permanent rule. The “Outer Area” consists of that portion the “Regulated Area” outside the “Inner Area.”

The COTP and Coast Guard Event Patrol Commander (PATCOM) will control the movement of all vessels and persons, including event participants, in both portions of the regulated area, as warranted by the circumstances, and may forbid movement within the Inner Area. The Inner Area includes all navigable waters encompassed by a boundary line connecting the following four points beginning 37 57’ N, 075 27’ W; then to 37 57’ N, 075 21’ W; thence to 37 52’ N, 075 21’ W; then to 37 52’ N, 075 27’ W and back to the beginning point, and provide a regulated area centered on the area within the Outer Area at the where the channel closure is planned between Assateague and Chincoteague Island. The duration of the zone is intended to ensure the safety of vessels and these navigable waters before, during, and after marine event. No vessel or person will be permitted to enter the regulated area without obtaining permission from the COTP or a designated representative.

V. Regulatory Analyses

We developed this 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.

A. Regulatory Planning and Review

Executive Orders 12866 (Regulatory Planning and Review) and 13563 (Improving Regulation and Regulatory Review) 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. Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of

harmonizing rules, and of promoting flexibility.

The Office of Management and Budget (OMB) has not designated this rule a “significant regulatory action,” under section 3(f) of Executive Order 12866. Accordingly, OMB has not reviewed it. The Coast Guard has determined it to be a nonsignificant regulatory action.

This regulatory action determination is based on the size, location, and duration of the SLR. In addition, we anticipate that vessel traffic would be able to safely transit normally through the entire regulated area during the evenings, when vessel traffic is usually low. (Non-participant vessels transiting through the Inner Area would have to request permission to transit the Inner Area, but we do not anticipate any reason to have to deny such requests during the evenings.) Moreover, within the Outer Area, beyond the immediate vicinity of the Pony Swim, the Coast Guard will only be controlling traffic when there are unsafe concentrations of marine traffic, or where the concentration of marine traffic would impact the safe transit of emergency services.

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 received no comments from the Small Business Administration on this rulemaking. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

While some owners or operators of vessels intending to transit the area encompassed by the Outer Area may be small entities, for the reasons stated in section V.A above, this rule will not have a significant economic impact on any vessel owner or operator.

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 rule. If the rule will 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.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency’s responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

C. Collection of Information

This rule will 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 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 rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does 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.

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 rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

F. Environment

We have analyzed this 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 determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves SLR lasting approximately seven days that would supplement existing Coast Guard authorities to manage traffic and existing navigation rules for the expected vessel concentrations associated with a high spectator marine event. It is categorically excluded from further review under paragraph L61 of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1.

List of Subjects in 33 CFR Part 100

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

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 100 as follows:

PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

■ 1. The authority citation for part 100 continues to read as follows:

Authority: 46 U.S.C. 70041; 33 CFR 1.05–1.

■ 2. Add § 100.T599–0463 to read as follows:

§ 100.T599–0463 100th Annual Pony Roundup, Swim & Auction, Chincoteague Island and Surrounding Waters, Virginia.

(a) *Regulated area.* The regulations in this section apply to the following area, consisting of an Inner Area and an Outer Area encompassed by the following: 37° 57′ N, 075° 27′ W; then to 37° 57′ N, 075° 21′ W; thence to 37° 52′ N, 075° 21′ W; then returning to 37° 52′ N, 075° 27′ W.

(b) *Inner Area.* The navigable waters of Assateague Channel from shoreline to shoreline, bounded to the east by a line drawn from latitude 37°55′01″ N, longitude 075°22′40″ W, thence south to latitude 37°54′50″ N, longitude 075°22′46″ W; and to the southwest by a line drawn from latitude 37°54′54″ N, longitude 075°23′00″ W, thence east to latitude 37°54′59″ N, longitude 075°22′49″ W.

(c) *Outer Area.* All navigable waters surrounding the inner area of regulated area from surface to bottom,

encompassed by a boundary line connecting the following four points beginning 37 57' N, 075 27' W; then to 37 57' N, 075 21' W; thence to 37 52' N, 075 21' W; then to 37 52' N, 075 27' W and back to the beginning point. All coordinates in this rule are based on WGS 84.

(d) *Definitions.* As used in this section—*Designated representative* means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel and a Federal, State, and local officer designated by or assisting the Captain of the Port Virginia (COTP) in the enforcement of the regulations in this section.

Participant means any person or vessel registered with the event sponsor as a participant in the event.

Regulated Area means an area where special local regulations apply to a specific described waterway to include creeks, sounds, bays, rivers, and oceans. Regulated areas include all navigable waters of a specific body of water described with intent to define boundaries where the Coast Guard enforces special local regulations. Boundaries may be described from shoreline to shoreline, reference bridges or other fixed structures, by points and lines defined by latitude and longitude. All coordinates provided reference Datum: WGS 1984.

(e) *Regulations.* (1) All non-participants are prohibited from entering, transiting through, anchoring in, or remaining within the Inner Area described in paragraph (b) of this section unless authorized by the Captain of the Port, Sector Virginia or their designated representative.

(2) To seek permission to enter or transit the Inner Area, contact the COTP or the COTP's representative by VHF/ FM Channel 16. Those in the Inner Area must comply with all lawful orders or directions given to them by the COTP or the designated representative.

(3) The Event PATCOM or official patrol vessel may forbid and control the movement of all persons and vessels in the Outer Area described in paragraph (c) or Inner Area described in paragraph (b). When hailed or signaled by an official patrol vessel, the person or vessel being hailed must immediately comply with all directions given. Failure to do so may result in expulsion from the Outer Area, citation for failure to comply, or both.

(4) *Approaching Bridge foundations.* Any vessel operating beneath a bridge anywhere within the regulated area must make a direct, immediate and expeditious passage beneath the bridge

while remaining within the navigable channel. No vessel may stop, moor, anchor or loiter beneath a bridge at any time. No vessel may approach within a 25-yard radius of any bridge foundation, support, stanchion, pier or abutment except as required for the direct, immediate and expeditious transit beneath a bridge.

(5) The COTP will provide notice of the Regulated Area through advanced notice via broadcast notice to mariners and by on-scene designated representatives.

(e) *Enforcement period.* This section will be subject to enforcement twenty-four hours a day starting at 6 a.m. on July 26th, 2025 and ending at 10 p.m. on August 1, 2025.

Dated: July 14, 2025.

Peggy M. Britton,

Captain, U.S. Coast Guard, Captain of the Port Sector Virginia.

[FR Doc. 2025-13655 Filed 7-18-25; 8:45 am]

BILLING CODE 9110-04-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 9 and 721

[EPA-HQ-OPPT-2023-0328; FRL-11825-03-OCSP]P

RIN 2070-AB27

Significant New Use Rules on Certain Chemical Substances (23-3.5e); Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; correction.

SUMMARY: EPA is making corrections to a final rule that appeared in the **Federal Register** of June 13, 2025 (FR Doc. 2025-10812). The final rule established significant new use rules (SNURs) under the Toxic Substances Control Act (TSCA) for chemical substances that were the subject of premanufacture notices (PMNs) and Orders issued by EPA pursuant to TSCA.

DATES: The final rule corrections are effective on August 12, 2025.

ADDRESSES: The docket for this action, identified under docket identification (ID) number EPA-HQ-OPPT-2023-0328, is available online at <https://www.regulations.gov> or in person at the Office of Pollution Prevention and Toxics Docket (OPPT Docket) in the Environmental Protection Agency Docket Center (EPA/DC). Please review the visitor instructions and additional information about the docket available at <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT: William Wysong, New Chemicals Division (7405M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; telephone number: (202) 564-4163; email address: wysong.william@epa.gov.

SUPPLEMENTARY INFORMATION: This action corrects certain regulatory amendments established in the final rule that appears in the **Federal Register** of June 13, 2025 (90 FR 24977 (FRL-11825-02-OCSP)) as listed here:

1. The amendment to the table in 40 CFR part 9 is removed because EPA subsequently issued a separate amendment to 40 CFR part 9 that makes this change obsolete and unnecessary. See FR Doc. 2025-11573 (90 FR 27785, June 30, 2025 (FRL-12001-01-OCSP)).

2. In the table of content, heading and regulatory provision for 40 CFR 721.11839 and 721.11840, the word “ethandiyl” in the name of the chemical substance was misspelled and is corrected to read “ethanediyI”.

3. In the regulatory provision for 40 CFR 721.11839 and 721.11840, the word “floatation” was misspelled and is corrected to read “flotation”.

4. In the regulatory provision for 40 CFR 721.11858, the phrase “and regulated blendstocks (40 CFR part 1090)” is repeated in the second sentence and is being removed to eliminate the redundancy.

5. In the table of content, heading and regulatory provision for 40 CFR 721.11861, the word “hetropolycyclic” in the name of the chemical substance was misspelled and is corrected to read “heteropolycyclic”.

The Agency is not providing a public comment opportunity prior to promulgation of these technical corrections, because such public comment is unnecessary under 5 U.S.C. 553(b)(B) of the Administrative Procedure Act (APA). The corrections established in this action are very minor and non-substantive technical corrections to regulations; thus, the corrections would not substantively alter the regulations established in the final rule in a way that would be of interest to the regulated community or the public. Therefore, pursuant to the APA section 553(b)(B), EPA finds good cause to promulgate these technical corrections without notice and comment.

Corrections

In FR Doc. 2025-10812 appearing at 90 FR 24977 in the **Federal Register** of Friday, June 13, 2025 (FRL-11825-02-OCSP), the following corrections are made to the regulatory text:

PART 9—[Corrected]

■ 1. On page 24980, in the third column, amendatory instructions 1 and 2 for 40 CFR part 9 and their accompanying regulatory text are removed.

■ 2. On page 24985, in the third column, in § 721.11839, the section heading and paragraphs (a)(1) and (a)(2)(iii) are corrected to read as follows:

§ 721.11839 Poly[oxy(methyl-1,2-ethanediyl)], .alpha.-(dithiocarboxy)-.omega.-(1-methylethoxy)-, sodium salt (1:1).

(a) * * *

(1) The chemical substance identified as poly[oxy(methyl-1,2-ethanediyl)], .alpha.-(dithiocarboxy)-.omega.-(1-methylethoxy)-, sodium salt (1:1) (PMN P-21-71; CASRN 2304726-53-0) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) * * *

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(f). It is a significant new use to use the substance other than as a flotation aid in sulfide ore mining at mines with valid permits (State, Federal, or Tribal) for operations and waste handling.

* * * * *

■ 3. On page 24986, in the first column, in § 721.11840, the section heading and paragraphs (a)(1) and (a)(2)(iii) are corrected to read as follows:

§ 721.11840 Poly[oxy(methyl-1,2-ethanediyl)], .alpha.-(dithiocarboxy)-.omega.-butoxy-, sodium salt (1:1).

(a) * * *

(1) The chemical substance identified as poly[oxy(methyl-1,2-ethanediyl)], .alpha.-(dithiocarboxy)-.omega.-butoxy-, sodium salt (1:1) (PMN P-21-72; CASRN 2304726-56-3) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) * * *

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(f). It is a significant new use to use the substance other than as a flotation aid in sulfide ore mining at mines with valid permits (State, Federal, or Tribal) for operations and waste handling.

* * * * *

■ 4. On page 24992, in the second column, in § 721.11858, paragraph (a)(2)(iii) is corrected to read as follows:

§ 721.11858 Hydrocarbons, C5-10.

(a) * * *

(2) * * *

(iii) *Industrial, commercial, and consumer activities.* Requirements as

specified in § 721.80(f). It is a significant new use to import, process, or use the substance other than as a feedstock for gasoline containing no more than 64% of the substance where the imported gasoline mixture is regulated under applicable EPA regulations for fuels, fuel additives, and regulated blendstocks (40 CFR part 1090) and registration of fuels and fuel additives (40 CFR part 79).

* * * * *

■ 5. On page 24993, in the first column, in § 721.11861, the section heading and paragraph (a)(1) are correct to read as follows:

§ 721.11861 Sulfonium, tricarbo-cyclic-, salt with [polyhydro-2-alkyl-5-(polyhalo-2-heteroalkyl)-alkano-1,3-heteropolycyclic]alkyl polyhaloaryl ester (1:1) (generic).

(a) * * *

(1) The chemical substance identified generically as sulfonium, tricarbo-cyclic-, salt with [polyhydro-2-alkyl-5-(polyhalo-2-heteroalkyl)-alkano-1,3-heteropolycyclic]alkyl polyhaloaryl ester (1:1) (PMN P-22-161) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section. The requirements of this section do not apply to quantities of the substance after they have been completely reacted or adhered (during photolithographic processes) onto a semiconductor wafer surface or similar manufactured article used in the production of semiconductor technologies.

* * * * *

Dated: July 16, 2025.

Mary Elissa Reaves,

Director, Office of Pollution Prevention and Toxics.

[FR Doc. 2025-13677 Filed 7-18-25; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MB Docket No. 25-139; RM-12001; DA 25-584; FR ID 303600]

Television Broadcasting Services Las Vegas, Nevada

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document amends the Table of TV Allotments (table) of the Federal Communications Commission's (Commission) rules by substituting channel 23 for channel 2 at Las Vegas,

Nevada in response to a Petition for Rulemaking filed by CHANNEL 33, INC. (Channel 33), the licensee of full power television station KHSV(TV), Las Vegas, Nevada. The staff engineering analysis finds that the proposal is in compliance with the Commission's principal community coverage and technical requirements. The substitution of channel 23 for channel 2 in the table will enhance service to viewers, especially in and around the station's community of license.

DATES: Effective July 21, 2025.

FOR FURTHER INFORMATION CONTACT:

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

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Report and Order*, MB Docket No. 25-139; RM-12001; DA 25-584, adopted July 8, 2025, and released July 8, 2025. The proposed rule was published at 90 FR 13578 on March 25, 2025. The full text of this document is available online at <https://www.fcc.gov/edocs>.

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

The Commission will send a copy of this *Report and Order* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A).

List of Subjects in 47 CFR Part 73

Television.

Federal Communications Commission.

Thomas Horan,

Chief of Staff, Media Bureau.

Final Rule

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

PART 73—RADIO BROADCAST SERVICES

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

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

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

§ 73.622 Digital television table of allotments.

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

[FR Doc. 2025-13628 Filed 7-18-25; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 140501394-5279-02]

RTID 0648-XF042

Fisheries of the South Atlantic; Commercial Closure for Blueline Tilefish in the South Atlantic

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS implements an accountability measure for the commercial harvest of blueline tilefish in the exclusive economic zone (EEZ) of the South Atlantic. NMFS estimates that commercial landings of blueline tilefish will soon reach the commercial annual catch limit (ACL) for the 2025 fishing year. Accordingly, NMFS closes the commercial sector for the harvest of blueline tilefish in the South Atlantic EEZ to protect the blueline tilefish resource from overfishing.

DATES: This temporary rule is effective from July 23 through December 31, 2025.

FOR FURTHER INFORMATION CONTACT: Mary Vara, NMFS Southeast Regional Office, telephone: 727-824-5305, email: mary.vara@noaa.gov.

SUPPLEMENTARY INFORMATION: The snapper-grouper fishery of the South Atlantic includes blueline tilefish and is

managed under the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (FMP). The FMP is implemented by NMFS under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) by regulations at 50 CFR part 622. All weights in this temporary rule are given in round weight.

Regulations at 50 CFR 622.193(z)(1)(i) specify the commercial ACL and in-season accountability measure for blueline tilefish in the South Atlantic. The commercial ACL is 117,148 pounds or 53,137 kilograms. NMFS is required to close the commercial harvest of blueline tilefish when NMFS projects commercial landings will reach or have reached the sector ACL. NMFS estimates that commercial landings of blueline tilefish for the 2025 fishing year will reach the commercial ACL by July 23. Accordingly, the commercial sector harvest of South Atlantic blueline tilefish is closed from July 23 through December 31, 2025.

During the commercial closure, all sale or purchase of blueline tilefish is prohibited. Because the harvest of blueline tilefish by the recreational sector is also closed for the rest of 2025 (90 FR 20809, May 16, 2025), during this commercial closure all harvest and possession of blueline tilefish in or from the South Atlantic EEZ is also prohibited through the end of 2025. The recreational bag and possession limits of zero blueline tilefish during the remainder of 2025 apply in state or Federal waters of the South Atlantic on a vessel for which NMFS has issued a valid commercial or charter vessel/headboat permit for South Atlantic snapper-grouper [50 CFR 622.193(z)(1)(i)].

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is required by 50 CFR 622.193(z)(1)(i), which was issued pursuant to section 304(b) of the Magnuson-Stevens Act, and is exempt from review under Executive Order 12866.

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment are unnecessary and contrary to the public interest. Such procedures are unnecessary because the regulations associated with the closure of the blueline tilefish commercial sector at 50 CFR 622.193(z)(1)(i) have already been subject to notice and public comment, and all that remains is to notify the

public of the closure. Prior notice and opportunity for public comment are contrary to the public interest because there is a need to immediately implement this action to protect blueline tilefish, because the capacity of the fishing fleet allows for rapid harvest of the commercial ACL. Prior notice and opportunity for public comment would require time and would potentially result in a harvest well in excess of the established commercial ACL.

For the reasons already stated, there is also good cause to waive the 30-day delay in the effectiveness of this action under 5 U.S.C. 553(d)(3).

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

Dated: July 17, 2025.

Kelly Denit,

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

[FR Doc. 2025-13670 Filed 7-17-25; 4:15 pm]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[Docket No. 241022-0278; RIN 0648-BO01]

Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2025-2026 Biennial Specifications and Management Measures; Inseason Adjustments

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

ACTION: Final rule; inseason adjustments to biennial groundfish management measures.

SUMMARY: This final rule announces routine inseason adjustments to management measures in commercial groundfish fisheries. These inseason adjustments will increase sablefish trip limits in the limited entry fixed gear and open access groundfish fisheries to allow more attainment of sablefish within the sector allocations. This action is intended to allow commercial fishing vessels to access more abundant groundfish stocks while protecting overfished and depleted stocks.

DATES: This final rule is effective July 21, 2025.

ADDRESSES: This final rule is accessible at the Office of the Federal Register website at https://www.federalregister.gov. Background information and documents are

available at the Pacific Fishery Management Council’s website at <http://www.pcouncil.org/>.

FOR FURTHER INFORMATION CONTACT:
Megan Mackey, Fishery Management Specialist, at 206–526–6140 or megan.mackey@noaa.gov.

SUPPLEMENTARY INFORMATION:

Background

The Pacific Coast Groundfish Fishery Management Plan (PCGFMP) and its implementing regulations at title 50 in the Code of Federal Regulations (CFR), part 660, subparts C through G, regulate fishing for groundfish seaward of Washington, Oregon, and California. Pacific Coast groundfish fisheries are managed using harvest specifications or limits (e.g., overfishing limits (OFL), acceptable biological catch (ABC), annual catch limits (ACL), and harvest guidelines (HG) recommended by the Pacific Fishery Management Council (Council) and based on the best scientific information available at that time (50 CFR 660.60(b)). During development of the harvest specifications, the Council recommends management measures (e.g., trip limits, area closures, and bag limits) that are meant to mitigate catch so as not to exceed the harvest specifications. Based on recommendations from the Council, NMFS develops and implements groundfish harvest specifications and management measures for 2-year periods (i.e., a biennium).

NMFS published the final rule to implement harvest specifications and management measures for the 2025–2026 biennium for most species managed under the PCGFMP on December 16, 2024 (89 FR 101514) (final rule). That final rule was effective January 1, 2025. In general, the management measures set at the start of the biennial harvest specifications cycle help the various sectors of the fishery attain, but not exceed, the annual allocations for each stock. During the fishing year, the Council, in

coordination with Pacific Coast Treaty Indian Tribes and the States of Washington, Oregon, and California, recommends adjustments to the management measures to achieve this goal.

A sablefish adjustment is warranted for the 2025 fishing year. The harvest specifications and mitigation measures developed for the 2025–2026 biennium used data through the 2023 fishing year. The adjustments to mitigation measures provided in this inseason action are based on updated information that was unavailable when the analysis for the current harvest specifications was completed. As new fisheries data becomes available, adjustments to mitigation measures are projected so as to help harvesters achieve but not exceed the annual allocations.

Sablefish is an important commercial species on the U.S. West Coast with vessels targeting sablefish with both trawl and fixed gear (including longline and pots/traps). Sablefish is managed with a coast-wide ACL that is apportioned north and south of 36° North latitude (N lat.). The sablefish market has stabilized recently and prices for product have increased in some areas. Considering the high sablefish allocations in 2025, fixed gear representatives for both limited entry fixed gear (LEFG) and open access (OA) sectors on the Council’s Groundfish Advisory Panel (GAP) requested that the Council’s Groundfish Management Team (GMT) analyze whether trip limit increases could be implemented for the remainder of 2025 to allow for greater opportunity in the fishery to utilize sablefish. At least some vessels in both the LEFG and OA sectors north and south of 36° N lat. have attained more than 90 percent of the Status Quo (SQ) sablefish trip limits on trips taken in 2025, and landings information to-date indicates growing utilization of the trip limits and participation in all four sector-areas compared to recent years. Nonetheless, attainment of the 2025 sablefish allocation for each sector is

projected to be low. Under SQ trip limits, LEFG landings north of 36° N lat. for the full year are projected to be only 17–20 percent of the 2025 landings target, while LEFG landings south of 36° N lat. for the full year are projected to be only 9–11 percent of the 2025 landings target. For the OA sector, under SQ trip limits, landings north of 36° N lat. for the full year are projected to be only 19–22 percent of the 2025 landings target, while landings south of 36° N lat. for the full year are projected to be only 0.9 percent of the 2025 landings target. Therefore, the GMT modeled sablefish trip limit increases for all four sector-areas and provided recommendations for precautionary increases, accounting for the uncertainty in impacts to shortspine thornyhead, which has a low allocation due to the most recent stock assessment. For both sectors north of 36° N lat., the GMT modeled an Option 1 that is identical to the next highest option modeled in the 2025–26 harvest specifications analysis. For both sectors south of 36° N lat., the Option 1 trip limits were requested by industry members.

At its June 2025 meeting, the Council reviewed the analytical documents drafted by its GMT and its GAP and recommended inseason adjustments to increase the LEFG and OA sablefish trip limits north and south of 36° N lat. to allow for more attainment of sablefish within the sector allocations.

Option 1 provides a precautionary increase while minimizing the risk of exceeding the shortspine thornyhead non-trawl allocation and annual catch target (ACT) north of 34° 27’ N lat. Given that sablefish attainments are projected to be low, but some vessels would benefit from higher trip limits, the Council recommended the Option 1 trip limit increases for LEFG and OA sablefish north and south of 36° N lat. as shown in table 1.

NMFS is approving and implementing this recommendation through this inseason action.

TABLE 1—NEW LEFG AND OA SABLEFISH TRIP LIMITS FOR NORTH AND SOUTH OF 36° N LAT.

Fishery	Area	New trip limit
LEFG	North of 36° N lat	5,500 lbs./week not to exceed 11,000 lbs./2 months.
	South of 36° N lat	3,000 lbs./week.
OA	North of 36° N lat	4,000 lbs./week not to exceed 8,000 lbs./2 months.
	South of 36° N lat	2,500 lbs./week not to exceed 7,500 lbs./2 months.

Classification

This final rule makes routine inseason adjustments to groundfish fishery management measures, based on the best scientific information available,

consistent with the PCGFMP and its implementing regulations.

This action is taken under the authority of 50 CFR 660.60(c) and is

exempt from review under Executive Order 12866.

The aggregate data upon which these actions are based are available for public inspection by contacting Megan Mackey

in NMFS West Coast Region (see **FOR FURTHER INFORMATION CONTACT** section above), or view at the NMFS West Coast Groundfish website: <https://www.fisheries.noaa.gov/species/west-coast-groundfish>.

Pursuant to 5 U.S.C. 553(b), NMFS finds good cause to waive prior public notice and an opportunity for public comment on this action, as notice and comment would be impracticable and contrary to the public interest. The routine adjustments to management measures in this document modify restrictive trip limits for sablefish while keeping catch within allocations established by the 2025–2026 harvest specifications. No aspect of this action is controversial, and changes of this nature were anticipated in the final rule for the 2025–2026 harvest specifications and management measures, which published on December 16, 2024 (89 FR 101514). Moreover, the sablefish trip limit increases implemented through this action were discussed at the Council’s June 2025 meeting, which included an opportunity for public comment.

Delaying implementation to allow for additional public comment would likely reduce the economic benefits of this action to the commercial fishing industry and the businesses that rely on

that industry, because it would be unlikely that the new regulations would be implemented in time to realize the projected benefits of the increased trip limits to fishing communities and the resource during the 2025 fishing year. A delay in implementation could also contribute to unnecessarily discarded and largely wasted fish for any fishermen who are attaining the lower trip limit, which could otherwise be landed to provide food and revenue, and responsible use of the resource. Therefore, providing a comment period for this action would likely significantly limit the economic benefits to the fishery, and would hamper the potential to achieve optimum yield from the affected fisheries.

For the same reasons, the NMFS finds good cause to waive the 30-day delay in effectiveness pursuant to 5 U.S.C. 553(d)(1) so that this final rule may become effective upon publication in the **Federal Register**. The adjustments to management measures in this document would affect commercial fisheries by increasing opportunity and allowing greater economic benefit; thus helping harvesters achieve but not exceed annual allocations. These adjustments were requested by the Council’s advisory bodies, as well as members of industry during the Council’s June 2025

meeting, and are recommended by the Council, following the opportunity for public comment at the June 2025 meeting. No aspect of this action is controversial, and routine changes of this nature were anticipated in the 2025–2026 biennial harvest specifications and management measures, which were established through a notice and comment rulemaking for (December 16, 2024 (89 FR 101514)).

List of Subjects in 50 CFR Part 660

Fisheries, Fishing, Indian fisheries.

Dated: July 16, 2025.

Kelly Denit,

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

For the reasons set out in the preamble, 50 CFR part 660 is amended as follows:

PART 660—FISHERIES OFF WEST COAST STATES

- 1. The authority citation for part 660 continues to read as follows:

Authority: 16 U.S.C. 1801 *et seq.*, 16 U.S.C. 773 *et seq.*, and 16 U.S.C. 7001 *et seq.*

- 2. Amend table 2b (North) to part 660, subpart E by revising the entry for “Sablefish” to read as follows:

TABLE 2b (NORTH) TO PART 660, SUBPART E—TRIP LIMITS FOR LIMITED ENTRY FIXED GEAR NORTH OF 40°10’ N LAT.

Species	Trip limit
Sablefish	5,500 lb/week not to exceed 11,000 lb/2 months.

- 3. Amend table 2b (South) to part 660, subpart E by revising the entries for “Sablefish (40°10’ N lat.–36° N lat.)” and “Sablefish (south of 36° N lat.)” to read as follows:

TABLE 2b (SOUTH) TO PART 660, SUBPART E—TRIP LIMITS FOR LIMITED ENTRY FIXED GEAR SOUTH OF 40°10’ N LAT.

Species	Trip limit
Sablefish (40°10’ N lat.–36° N lat.)	5,500 lb/week not to exceed 11,000 lb/2 months.
Sablefish (south of 36° N lat.)	3,000 lb/week.

- 4. Amend table 3b (North) to part 660, subpart F by revising the entry for “Sablefish” to read as follows:

TABLE 3b (NORTH) TO PART 660, SUBPART F—TRIP LIMITS FOR OPEN ACCESS NORTH OF 40°10' N LAT.

Species	Trip limit
* * * * *	* * * * *
Sablefish	4,000 lb/week not to exceed 8,000 lb/2 months.
* * * * *	* * * * *

■ 5. Amend table 3b (South) to part 660, and “Sablefish (south of 36° N lat.)” to subpart F by revising the entries for read as follows:
 “Sablefish (40°10' N lat.–36° N lat.)”

TABLE 3b (SOUTH) TO PART 660, SUBPART F—TRIP LIMITS FOR OPEN ACCESS SOUTH OF 40°10' N LAT.

Species	Trip limit
* * * * *	* * * * *
Sablefish (40°10' N lat.–36° N lat.)	4,000 lb/week not to exceed 8,000 lb/2 months.
Sablefish (south of 36° N lat.)	2,500 lb/week not to exceed 7,500 lb/2 months.
* * * * *	* * * * *

[FR Doc. 2025–13683 Filed 7–18–25; 8:45 am]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register

Vol. 90, No. 137

Monday, July 21, 2025

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

NUCLEAR REGULATORY COMMISSION

10 CFR Part 50

[Docket No. PRM-50-123; NRC-2020-0155]

Public Protective Actions During a General Emergency

AGENCY: Nuclear Regulatory Commission.

ACTION: Petition for rulemaking; consideration in the rulemaking process.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) will consider in its rulemaking process issues raised in a petition for rulemaking (PRM), PRM-50-123, submitted by Thomas McKenna. The petitioner requested that the NRC amend its regulations to ensure protective actions in the event of a general emergency will likely do more good than harm.

DATES: The docket for the petition for rulemaking, PRM-50-123, is closed on July 21, 2025.

ADDRESSES: Please refer to Docket ID NRC-2020-0155 when contacting the NRC about the availability of information for this action. You may obtain publicly available information related to this action by any of the following methods:

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2020-0155. Address questions about NRC dockets to Helen Chang; telephone: 301-415-3228; email: Helen.Chang@nrc.gov.

- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, at 301-415-4737, or by email to PDR.Resource@nrc.gov. For the

convenience of the reader, instructions about obtaining materials referenced in this document are provided in the "Availability of Documents" section.

- *NRC's PDR:* The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to PDR.Resource@nrc.gov or call 1-800-397-4209 or 301-415-4737, between 8 a.m. and 4 p.m. eastern time, Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT:

Philip Benavides, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-3246, email: Philip.Benavides@nrc.gov.

SUPPLEMENTARY INFORMATION:

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I. The Petition

The NRC received and docketed a petition for rulemaking dated June 1, 2020, filed by Thomas McKenna. On August 31, 2020, the NRC published a notice of docketing and request for public comment on the petition (85 FR 53690). The petitioner requested that the NRC amend its regulations in part 50 to title 10 of the *Code of Federal Regulations* (10 CFR), "Domestic Licensing of Production and Utilization Facilities," and that the NRC work with the U.S. Federal Emergency Management Agency (FEMA) to revise associated implementation guidance, supporting analysis, and materials and activities to ensure that protective actions in the event of a general emergency will likely do more good than harm considering the health hazards of both radiation exposure and protective actions.

A. Background

The Atomic Energy Act of 1954, as amended, authorizes the Commission to establish, by rule, minimum criteria for the issuance of licenses for utilization

facilities in a manner that protects the health and safety of the public. The Commission's emergency planning regulations are an important part of the regulatory framework for protecting public health and safety. Before it can issue an operating license or combined license for a nuclear power plant, the NRC is required by paragraph (a) of 10 CFR 50.47, "Emergency plans," to make a finding that there is reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency. The NRC bases its finding on its review of a license applicant's emergency plan. A licensee's emergency plan is considered adequate if it complies with the NRC's regulations, specifically, the 16 planning standards of § 50.47(b) and the content of emergency plan requirements in appendix E, "Emergency Planning and Preparedness for Production and Utilization Facilities," to part 50. The objective of the Commission's emergency planning regulations is to provide dose savings for a spectrum of radiological incidents that have the potential to produce offsite doses in excess of Federal protective action guides.

A general emergency is an emergency classification level indicating that events at a nuclear power plant are in progress or have occurred that involve either actual or imminent substantial core degradation or melting with potential for loss of containment integrity, or hostile action that results in an actual loss of physical control of the facility. During a general emergency, offsite releases can be reasonably expected to exceed exposure levels in the U.S. Environmental Protection Agency (EPA) Protective Action Guides (PAG) Manual EPA-400/R-17/001, "PAG Manual: Protective Action Guides and Planning Guidance for Radiological Incidents" (PAG Manual). Onsite and offsite emergency plans provide for public protective actions in response to a general emergency under § 50.47(b)(10). This regulation requires, in part, a range of protective actions for the plume exposure pathway emergency planning zone¹ for emergency workers

¹ A "plume exposure pathway emergency planning zone" is a geographic area, approximately 10 miles in radius, including and surrounding a commercial nuclear power plant, within which the health and safety of the general public could be adversely affected by radiological exposure from an emergency at the plant. This emergency planning

and the public. In developing this range of actions, consideration must be given to evacuation, sheltering, and, as a supplement to these, the prophylactic use of potassium iodide, as appropriate. Guidelines for the choice of protective actions during an emergency, consistent with Federal guidance, must be developed and in place.

In an emergency, a nuclear power reactor licensee would recommend protective actions to the offsite decision-maker (e.g., the Governor, Incident Commander), who would make any protective action decisions. The current NRC guidance for developing protective action strategies is contained in Supplement 3, "Guidance for Protective Action Strategies," to NUREG-0654/FEMA-REP-1, Revision 1, "Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants." This guidance provides an NRC-accepted method for implementing a range of protective actions for the plume exposure pathway emergency planning zone and is intended for use by nuclear power reactor licensees to develop site-specific protective action recommendation (PAR) procedures. Offsite response organizations also should use Supplement 3 to develop protective action strategy guidance for decision-makers.

The recommended dose criteria and their associated bases for protective actions for radiological incidents are in the PAG Manual. PAGs are the projected dose to an individual at which a specific protective action to reduce or avoid that dose is recommended. The PAG Manual provides PAGs to help decision-makers select appropriate protective actions under emergency conditions. As the EPA states in the PAG Manual, the decision to advise members of the public to take a protective action during a radiological emergency must be weighed against the action's inherent risks. The EPA established the PAGs by balancing the acceptable level of risk of health effects from radiation exposure in an emergency situation against the costs and risks associated with the protective action. The EPA considered the following principles in establishing exposure levels for the PAGs: (1) prevent acute effects, (2) reduce risk of chronic effects, and (3) balance protection with other important factors and ensure that actions result in more benefit than harm.

zone defines the area where predetermined, prompt protective measures may be necessary during an emergency at the plant that results in an offsite release.

B. Issues Raised in the Petition

The NRC identified four issues in the petition as follows:

Issue 1: NRC requirements and guidance on protective action strategies are outdated and do not reflect the results of the latest studies of nuclear power plant emergencies.

The petitioner requested that the NRC promptly conduct studies to better quantify the current understanding of health risks of protective actions and associated dislocations, which refers to people moving to and residing in a different location as a result of protective actions. In addition, the petitioner stated that the revisions to regulations and guidance need to be based on a probabilistic risk assessment of protective action strategies considering (1) updated estimates of important early and late radiation-induced health effects, (2) the detrimental health effects of protective actions and resulting dislocations, and (3) possible public response. The petitioner also requested that the revisions consider the application of the EPA PAGs, which the petitioner stated are an integral part of the NRC's protective action guidance. The petitioner requested that analyses should not be based on conservative assumptions that could distort the results.

Issue 2: The NRC does not provide tools to allow decision-makers and the public to balance the radiation health hazards versus the health hazards of the protective actions. Additionally, the petitioner requested that the NRC and stakeholders develop guidance for the public and public officials that would facilitate them making risk-informed decisions during planning and response, by balancing the hazards of radiation exposure, protective actions, and resulting dislocations.

Issue 3: NRC regulations and guidance do not state that protective actions should do more good than harm. The petitioner claimed that rulemaking may be the only effective approach to ensure that the term "adequate protective measures" in § 50.47 is interpreted to mean taking protective measures that will likely do more good than harm considering the health hazards of both radiation exposure and protective actions.

Issue 4: Dislocations resulting from taking protective actions consistent with NRC guidance upon declaration of a general emergency may cause more deaths among the public and elderly than deaths caused by radiation exposure due to the general emergency.

II. Public Comments on the Petition

A. Overview of Public Comments

On August 31, 2020, the NRC requested comments from interested persons on the petition. The comment period ended on November 16, 2020. The NRC received 14 public comments from 5 different entities. Two entities (Nuclear Energy Institute (NEI) and a private citizen) generally supported the petition, and two entities (Nuclear Energy Oversight Project (NEOP) and Beyond Nuclear) generally opposed the petition. One entity provided one comment that was outside the scope of the petition and did not express support or opposition.

B. NRC Response to Public Comments

The NRC binned the comments related to the petition into three categories. The following discussion provides a summary of each comment and the NRC's response to the comment.

1. Comments Supporting the Petition

Comment: The NRC received a comment stating that current guidance directs power reactor licensees to transmit protective action recommendations to offsite response organizations within 15 minutes of a general emergency declaration. The offsite response organizations then have 15 minutes to determine protective actions for the public. Protective action strategies should be revised to meet these time-based goals or the goals should be changed if additional decision-making time would aid in making better risk-informed decisions for protection of the public.

NRC Response: The NRC agrees, in part, with this comment. The NRC's regulations require prompt notification to the public and for licensees to have the capability to notify responsible State and local governmental agencies within 15 minutes after declaring an emergency. Under current guidance, licensees should issue protective action recommendations with the notification of a general emergency. The capability to decide upon appropriate protective action recommendations is typically included in these 15 minutes but is not a regulatory requirement. The 15-minute notification requirement is based on postulated accident scenarios in Appendices V and VI to NUREG-75/014, "Reactor Safety Study: An Assessment of Accident Risks in U.S. Commercial Nuclear Power Plants" (WASH-1400), from 1975, and assumes that the time from initiation of the event to the start of atmospheric release could be as short as 30 minutes. However, more recent State-of-the-Art Reactor

Consequence Analyses (SOARCA) studies and advanced reactor designs likely would not support continued use of the assumption of a release within 30 minutes, but instead indicate that more than 30 minutes would be available before the start of a release. The PAR process could be enhanced by considering the timing of the PAR decision and the timeliness of emergency declarations and notifications in relation to accident characteristics, specifically the accident timing, specific to the facility type. The NRC will consider this issue in its rulemaking process.

Comment: The NRC received a comment stating that the development of new protective action strategies and decision-making aids requires extensive stakeholder input and reviews that should include licensees, offsite response organizations, the Conference of Radiation Control Program Directors, and FEMA.

NRC Response: The NRC agrees with this comment. The NRC would provide opportunities for stakeholder input on new protective action strategies, whether as a revision to current guidance or as part of rulemaking. These opportunities would include public meetings and requests for public comment noticed in the **Federal Register**. In addition, the NRC regularly participates in radiological emergency preparedness (EP) conferences and meetings to keep key stakeholders, such as the Conference of Radiation Control Program Directors, aware of current EP activities. The NRC routinely consults with FEMA on radiological EP under the July 1, 2024, memorandum of understanding between the two agencies.

Comment: The NRC received a comment stating that requirements for implementation of new protective action strategies should allow time for budgeting, completion of procedure and dose projection software changes, and training by both licensees and offsite response organizations.

NRC Response: The NRC agrees with this comment. Whether through the rulemaking or guidance development process, the NRC will seek stakeholder input regarding the cumulative effects of regulation, including the timing and expected resource needs related to the implementation of new protective action strategies.

Comment: The NRC received a comment stating that the NRC should consider improvements to both the regulations and guidance that govern the consequence-based EP frameworks for the various types of facilities licensed by the NRC.

NRC Response: The NRC agrees with this comment. The NRC applies a graded approach to emergency preparedness in which the emergency planning requirements and criteria for a facility are commensurate with the relative radiological risk and potential hazards of the facility, among other considerations. This approach is risk-informed and consequence-oriented. Examples of how the NRC applies this regulatory framework can be found in the exemptions granted to the licensees of the Three Mile Island Nuclear Station, Pilgrim Nuclear Power Station, and Oyster Creek Nuclear Generating Station to reduce or eliminate EP requirements that were no longer necessary due to the decommissioning status of those facilities. The NRC also proposed this regulatory framework in the “Regulatory Improvements for Production and Utilization Facilities Transitioning to Decommissioning” proposed rule published in the **Federal Register** on March 3, 2022 (87 FR 12254).

Comment: The NRC received a comment stating that the Commission should consider the insights identified in the petition. For example, the petitioner noted that, in incident response dose assessment, protective actions should never be recommended based on worst case conservative dose assessments. The comment stated that the petitioner showed the harm that can occur from basing PARs on worst case dose assessments. Also, the EPA PAGs are set at levels well below those that would cause harm from radiological exposure. As a result, basing PARs on more realistic dose projections could also result in the harm described by the petitioner.

NRC Response: The NRC agrees, in part, with the comment. The NRC will consider the insights identified in the petition in the rulemaking. The NRC disagrees that more realistic dose projections could result in the harm described by the petitioner. Section 1.4.5 of the EPA PAG Manual discusses the level of conservatism built into the PAGs. The EPA encourages radiological assessors to use realistic inputs and to avoid overly conservative dose estimates that may lead to unnecessary protective actions. As such, realistic dose projections are more likely to reduce unnecessary protective actions and the risk of harm from those actions.

2. Comments Opposing the Petition

Comment: The NRC received a comment stating that evacuation planning and preparedness should be expanded, not diminished. The outcome of the petitioner’s request would be to

significantly diminish the nuclear industry’s liability for the precipitating accident and what can be extremely prolonged, complicated dislocation and recovery costs. Nuclear disasters should require that industry liability bear more, not less, responsibility to its victims.

NRC Response: The NRC disagrees with this comment. The NRC examined the EP planning basis in response to a petition for rulemaking requesting the NRC to expand emergency planning zones in light of the Chernobyl Nuclear Power Station and Fukushima Dai-ichi Nuclear Power Plant accidents (79 FR 19501; April 9, 2014). The NRC denied the petition and concluded that the basis for the current size of emergency planning zones is valid for existing reactors and that reasonable assurance exists that protective measures can and will be taken in the event of a radiological emergency at an existing nuclear power plant. Similar petitions for rulemaking to expand emergency planning were also denied on the grounds that an insufficient basis existed to amend the EP regulations (55 FR 5603; February 16, 1990).

A rulemaking to address this petition would not change the industry’s liability in the event of an accident at a nuclear power plant. The Price-Anderson Act (PAA) is a Federal statute enacted in 1957 to cover liability claims of members of the public for personal injury and property damage caused by a commercial nuclear power plant accident. The PAA limits the total amount of liability each nuclear power plant licensee faces in the event of an incident. If damages from the incident exceed this limit, then under the PAA, Congress will “thoroughly review the particular incident and will take whatever action is determined necessary and appropriate to protect the public from the consequences of a disaster of such magnitude.” Furthermore, there are other Federal authorities and funding mechanisms that could be used to respond to a nuclear/radiological incident depending on the circumstances. These include the Comprehensive Environmental Response, Compensation, and Liability Act and the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

Comment: The NRC received a comment stating that the NRC’s SOARCA program needs serious adjustment before using it to assess deaths from nuclear emergencies. The comment stated that, at the time SOARCA was released, there were concerns about the assumptions used for design failures of Mark I reactors, severe accident probabilities, availability of resources to mitigate

accidents, and the use of risk coefficients based on older studies.

NRC Response: The NRC disagrees with the comment. The NRC conducted the SOARCA project to develop best estimates of the offsite radiological health consequences for potential severe reactor accidents. While SOARCA had limitations (for example, not including spent fuel pool accidents and releases), it represents some of the most detailed reactor analyses ever completed at that time. Those analyses still serve as reasonable representations for how a severe reactor accident could progress and the magnitude of radiological consequences as a result of a release if operators and mitigation equipment are unable to prevent a release.

The initial SOARCA deterministic analyses of postulated accidents at the Peach Bottom Atomic Power Station and Surry Power Station indicated that all modeled accident scenarios progress more slowly and release smaller amounts of radioactive material than calculated in earlier studies, even if operators are unsuccessful in stopping the accident. The NRC followed the initial SOARCA studies with more detailed uncertainty analyses for a boiling water reactor with a Mark I containment (NUREG/CR-7155, "State-of-the-Art Reactor Consequence Analyses Project: Uncertainty Analysis of the Unmitigated Long-Term Station Blackout of the Peach Bottom Atomic Power Station"), a pressurized water reactor with a large dry containment ("State-of-the-Art Reactor Consequence Analyses Project: Uncertainty Analysis of the Unmitigated Short-Term Station Blackout of the Surry Power Station, Draft Report"), and a pressurized water reactor with an ice condenser containment (NUREG/CR-7245, "State-of-the-Art Reactor Consequence Analyses (SOARCA) Project: Sequoyah Integrated Deterministic and Uncertainty Analysis"). The three uncertainty analyses were summarized in "State-of-the-Art Reactor Consequence Analyses Project: Uncertainty Analyses for Station Blackout Scenarios." The uncertainty analyses corroborated the conclusions from the earlier SOARCA studies. The SOARCA studies were extensively peer-reviewed, and the NRC addressed public comments on the modeling approach and assumptions as described in Appendices B and C of NUREG-1935, "State-of-the-Art Reactor Consequence Analyses (SOARCA) Report."

Although these studies model protective actions and demonstrate that protective actions are effective for avoiding or reducing dose, the SOARCA studies were not used to assess the

relative efficacy of various protective action strategies. Additionally, the health risk models and risk coefficients from exposure to ionizing radiation, including mortality, are established through epidemiological studies and recommendations by scientific bodies such as the International Commission on Radiological Protection, the United Nations Scientific Committee on the Effects of Atomic Radiation, the National Council on Radiation Protection and Measurements, and the U.S. National Academy of Sciences (NAS) Biological Effects of Ionizing Radiation (BEIR). Specifically, the technical basis for the health risk parameters used in the SOARCA studies were based on the BEIR V risk models; see the NAS report titled, "Health Effects of Exposure to Low Levels of Ionizing Radiation: BEIR V," 1990. An NRC rulemaking to address this petition may benefit from SOARCA insights but would be supported by additional technical analyses specific to the issues raised in this petition for rulemaking.

Comment: The NRC received a comment stating that a serious meltdown with release of radiation and widespread contamination has occurred every 7 years on average, in contrast to the petitioner's assumption that severe consequences are improbable.

NRC Response: The NRC disagrees with the comment. Following the Fukushima Dai-ichi reactor accident, the NRC developed NUREG-2201, "Probabilistic Risk Assessment and Regulatory Decisionmaking: Some Frequently Asked Questions," to address complaints that probabilistic risk assessment-based estimates of the likelihood of major accidents were significantly smaller than simple statistical estimates based on international events (notably the accidents at Three Mile Island, Chernobyl, and Fukushima). Plant risk is heavily dependent on plant-specific details, and major safety improvements have been made to nuclear power plants in the United States over time in response to hypothetical and actual accidents. As such, statistical estimates of accident rates based solely on past accident data are not a valid indicator of future events. Nuclear power plant accidents are rare events, and the NRC has applied lessons learned following these accidents aimed at preventing future such occurrences. Even so, emergency preparedness is based on a spectrum of accidents, including those with a very low likelihood of occurring. The EP planning basis ensures regulatory requirements for emergency plans are effective regardless of the accident probability.

Comment: The NRC received a comment stating that thyroid cancer is the most recognized health impact from nuclear meltdowns, and thyroid cancer and other thyroid diseases need to be assessed in the context of this petition. Consideration of shelter-in-place replacing evacuation should focus on the protection of and disproportionate impacts of radiation on women, children, and fetuses. There are too many limitations and uncertainties to recommend risky shelter-in-place, instead of evacuation, in the event of a general emergency at nuclear facilities.

NRC Response: The NRC agrees, in part, with the comment. Although thyroid cancer is a risk associated with radiation exposure and some populations are more radiosensitive than others, any given accident will have its own set of circumstances to be considered in making decisions for public protective actions. The experience of actual reactor accidents has highlighted the need to consider a holistic view of public health and emphasized the importance of a risk-informed approach to protective action decision-making based on a balanced assessment of the risks. A focus on the stochastic risks (*i.e.*, the risk of cancer and genetic effects from exposure to ionizing radiation) at the expense of ignoring the cost and health risk of the protective action itself is contrary to the principles for the PAGs established by the EPA. A rulemaking would provide an opportunity to examine ways to reduce the uncertainties on implementation strategies for protective actions by making use of the known benefits and limitations of evacuation and shelter-in-place.

Comment: The NRC received a comment stating that the petitioner's argument aims to reduce public protection from the harmful effects of radiation exposure and diminish "defense-in-depth," the longstanding philosophical foundation of nuclear power oversight.

NRC Response: The NRC disagrees with the comment. Emergency preparedness exists as an independent layer of defense-in-depth. Emergency planning provides reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency. Enhancing protective action strategies would not alter the role emergency planning plays in defense-in-depth. These enhanced strategies would support the goal of defense in depth, which is to ensure that the public is protected from harm, as stated in NUREG/KM-0009, "Historical Review and Observations of Defense-in-Depth."

Comment: The NRC received a comment stating that any proposed rule related to a general emergency declaration at a commercial nuclear power plant should be considered in light of a “worst case” scenario. A worst-case scenario involves a loss of coolant accident in which the nuclear reactor core melts down through the bottom of the nuclear reactor vessel and containment building. The comment refers to the Fukushima Dai-ichi and Chernobyl nuclear power plant events as support for the use of a worst-case scenario.

NRC Response: The NRC agrees, in part, with the comment. The NRC’s EP planning basis considers the need for emergency planning in light of severe accidents, including the comment-provided scenario of a core melt-through and subsequent atmospheric release of radioactive materials. However, as described in NUREG–0396, “Planning Basis for the Development of State and Local Government Radiological Emergency Response Plans in Support of Light Water Nuclear Power Plants,” a combined NRC and EPA task force determined that radiological emergency planning should be based on a full spectrum of accidents and corresponding consequences tempered by probability considerations. This standard for developing emergency plans, which uses the consequences of various events and the likelihood of those consequences occurring, is known as a risk-informed, consequence-oriented approach. The risk-informed planning basis for EP established in NUREG–0396 was endorsed for use in the Commission’s policy statement, “Planning Basis for Emergency Responses to Nuclear Power Reactor Accidents,” dated October 23, 1979 (44 FR 61123). A rulemaking to address this petition should follow a risk-informed, consequence-oriented approach. This approach would allow an applicant or licensee to develop protective action strategies appropriate for its facility type.

Comment: The NRC received a comment stating that during a general emergency declaration involving a worst-case loss of coolant accident, in which the nuclear reactor core melts down through the bottom of the reactor vessel and containment building, there currently does not exist any NRC rule or regulation that would protect the health and safety of the public or protect the environment. To the extent that government officials would recommend shelter-in-place or evacuation, that advice would result in tens of thousands of deaths.

NRC Response: The NRC disagrees with the comment. NRC regulations exist to protect the health and safety of the public and protect the environment. For example, in the event of a loss of coolant accident, emergency core cooling systems, which are required by § 50.46, “Acceptance criteria for emergency core cooling systems for light-water nuclear power reactors,” would provide core cooling and prevent a significant core melt accident and large release of radioactive materials. In addition, as part of this regulatory framework, the EP regulations in § 50.47 provide reasonable assurance that adequate protective measures can and will be taken in the unlikely event that a significant radiological release were to occur.

Specific to radiological emergencies, the EPA provides guidance to decision-makers to recommend evacuation or shelter-in-place for the general public when whole body doses are projected to exceed established PAGs. In addition, protective actions such as evacuation and shelter-in-place are not unique to radiological events and are commonplace actions in response to a variety of hazards such as chemical spills, fires, and natural disasters. FEMA’s Comprehensive Preparedness Guide (CPG) 101 is the foundation for State, territorial, Tribal, and local emergency planning in the United States. The CPG 101 states that while the causes of emergencies can vary greatly, many of their effects do not. As such, planners can address common operational functions, including conducting evacuations and shelter operations, which are effective even though each emergency’s characteristics are different. Specific guidance for the use of evacuation and shelter-in-place is part of comprehensive emergency planning as described in the FEMA guidance on “Planning Considerations: Evacuation and Shelter-in-Place.”

The NRC has performed extensive studies, described in NUREG/CR–6864, Volume 1, “Identification and Analysis of Factors Affecting Emergency Evacuations,” and NUREG/CR–6981, “Assessment of Emergency Response Planning and Implementation for Large Scale Evacuations,” and found that evacuations, whether pre-planned or ad hoc, safely removed people from the affected area, saved lives, and reduced the potential number of injuries from the hazard. However, these studies did not examine the physical health impacts of prolonged displacements of populations as a result of evacuation or relocation to ensure that protective actions are properly balanced against the radiological risk. The NRC study in

NUREG/CR–7285, “Nonradiological Health Consequences from Evacuation and Relocation,” published in September 2021, examines the relative risk of experiencing negative health effects among populations displaced as a result of various emergency events. The results of this analysis are available to decision-makers to help assess the risk of evacuation as compared to the risk of sheltering-in-place and could be used as part of a technical basis for rulemaking.

3. Other Public Comments

Comment: The NRC received a comment stating that consideration should be given to potential revisions aimed at providing better alignment of the Design Basis Accident (DBA) dose criteria specified in regulation with the EPA PAGs. Currently this differential is substantial. The PAGs are set below the dose levels that would cause harm from radiation exposure, and protective actions based on these PAGs could result in harm from unnecessary evacuations. The design basis accident dose criteria should be better aligned with the PAGs. Consideration should be given to using 10 rem for the PAGs and for design basis accident dose criteria.

NRC Response: This comment is outside the scope of the petition because design basis accident dose criteria are not part of EP regulations. In addition, the EPA, not the NRC, has the authority to develop and revise the PAGs.

III. Reasons for Consideration

The NRC will consider all four issues raised in the PRM within its rulemaking process. The NRC will evaluate within its rulemaking process the current requirements and guidance for protective actions implemented during a general emergency at nuclear power plants to assess whether and how to incorporate risk insights considering the health hazards of both radiation exposure and protective actions. The remaining paragraphs of Section III summarize the NRC’s evaluation of the four assertions identified in the petition.

Evaluation of Petition Issues (Petitioner Assertions)

Issue 1: NRC requirements and guidance on protective action strategies are outdated and do not reflect the latest studies of nuclear power plant emergencies.

The petitioner stated that the fundamental problem with NRC requirements and guidance on protective action strategies is that they are based on analysis that is, in some cases, more than 40 years old and did not consider either (1) the health impact

of protective actions and resulting dislocations or (2) the latest analysis of nuclear power plant emergencies, which project much smaller releases and thus smaller radiation-induced health consequences. The petitioner asserted that the NRC requirements and guidance were not established on a truly risk-informed basis. Additionally, the petitioner observed that the latest NRC analysis of radiation-induced health consequences of general emergencies did not include (1) the consideration of all important early radiation-induced health effects (e.g., to the embryo/fetus), (2) probabilistic risk assessment of radiation-induced health effects for various protective action strategies as done in earlier studies, and (3) consideration of the health impact of protective actions.

NRC Evaluation: The petitioner's assertion that the latest NRC analysis of radiation-induced health consequences of general emergencies does not reflect the latest studies was made in reference to the insights available in the NRC's SOARCA studies. The SOARCA studies showed that mitigation efforts can effectively stop or slow an accident; some accidents take much longer to happen and release much less radioactive material than earlier analyses suggested; and the analyzed accidents would cause essentially zero immediate deaths and only a very small increase in the risk of long-term cancer deaths. Although the SOARCA studies did not assess all potential early radiation-induced health effects or assess the benefit of various protective action strategies, SOARCA did include a sensitivity analysis on the timing of protective actions and the health risks for various population cohorts including the general public, schools, and special facilities such as hospitals and nursing homes.

While SOARCA provides many useful insights, the SOARCA studies were performed after the EP rulemaking that established the current regulations and guidance ("Enhancements to Emergency Preparedness Regulations" (76 FR 72560; November 23, 2011)) and, thus, did not form the basis for current NRC regulations and guidance for protective action strategies. The current guidelines for the choice of protective actions are consistent with the PAG Manual, and early radiation-induced health effects were considered in establishing the PAGs. The guidance for protective action strategies is also risk-informed. In the mid-2000s, the NRC used the latest technical information available at the time to examine various protective action strategies as documented in Volumes 1–3 of NUREG/CR–6953,

"Review of NUREG–0654, Supplement 3, 'Criteria for Protective Action Recommendations for Severe Accidents.'" This study served as the basis for revisions to NUREG–0654, Revision 1, Supplement 3, published in 2011. The 2011 NRC guidance on protective action strategies places more emphasis on staged evacuation and sheltering-in-place as an alternative to radial evacuation when staged evacuation and sheltering-in-place are more protective. This guidance also provided ways to risk-inform implementing protective actions under various conditions including rapidly progressing events; impediments to evacuation such as adverse weather, earthquake impacts, or hostile action against the nuclear facility; and changes in wind direction or plant conditions.

The NRC partially agrees with the petitioner's assertions that the NRC's requirements and guidance on protective action strategies could be updated to reflect the latest studies of nuclear power plant emergencies and will evaluate this issue in its rulemaking process. The NRC does not agree that NRC guidance would result in excess evacuations or relocations, leading to excess deaths among the public, especially in the elderly. NRC guidance on protective action strategies is consistent with the principles established in the PAG Manual for early phase PAGs and is intended to reduce or avoid dose in the event of a general emergency. Licensees are responsible for terminating the general emergency declaration, but offsite response organizations are responsible for terminating protective actions for the public, the duration of which will vary depending on the severity of the event. Considering the risk of the protective actions alone, the effectiveness of evacuations was examined by the NRC as documented in NUREG/CR–6864, Volume 1, and the planning efforts important to implementing effective large-scale evacuations were assessed in the study published in NUREG/CR–6981, "Assessment of Emergency Response Planning and Implementation for Large Scale Emergencies." However, the NRC agrees that there are physical health effects of prolonged evacuation and relocation that should be considered in protective action decision-making and that these physical health effects are not explicitly considered in current guidance. Therefore, the NRC is considering the issues raised by the petitioner in a rulemaking process that will assess the physical health effects of prolonged evacuation and relocation.

Issue 2: The NRC does not provide tools to allow decision-makers and the public to balance the radiation health hazards versus the health hazards of the protective actions.

The petitioner asserted that to allow for risk-informed decisions, guidance is needed on balancing the health hazards of radiation exposure versus the health hazards of protective actions during planning and response.

NRC Evaluation: The NRC agrees, in part, with the assertion. The NRC guidance for protective action strategies in Supplement 3 to NUREG–0654, Revision 1, provides a development tool and is intended for use by nuclear power reactor licensees to develop site-specific protective action recommendation procedures. Offsite response organizations should use the tool to develop protective action strategy guidance for decision-makers. The development tool is risk-informed and based on a study of the efficacy of alternative protective action strategies in reducing consequences to the public from a spectrum of nuclear power plant core melt accidents, as described in Volumes 1–3 of NUREG/CR–6953. However, the tool is not optimized to balance radiation health hazards against the health hazards of the protective actions. The NRC will evaluate changes to guidance during either the rulemaking process or as part of a separate prior action, as appropriate.

Issue 3: NRC regulations and guidance do not state that protective actions should do more good than harm.

The petitioner observed that NRC regulations and guidance state that the overall objective of radiological emergency planning is to provide dose savings for a spectrum of accidents that could produce offsite doses in excess of the current Federal PAGs. However, no mention is made that protective actions should do more good than harm.

NRC Evaluation: The NRC agrees, in part, with the assertion. NRC EP regulations do not state that protective actions should do more good than harm, and NRC EP guidance documents do state dose savings as a primary objective of EP. However, EP regulations in § 50.47(b)(10) state that guidelines for the choice of protective actions during an emergency, consistent with Federal guidance, must be developed and in place. The PAG Manual does include the principle to balance protection with other important factors and ensure that actions result in more benefit than harm. However, as part of the rulemaking process, the NRC will consider potential amendments to its regulations to explicitly state that

protective actions should do more good than harm.

Issue 4: Dislocations resulting from taking protective actions consistent with NRC guidance upon declaration of a general emergency may cause more deaths among the public, especially in the elderly, than caused by radiation exposure due to the general emergency.

The petitioner estimated that dislocations resulting from protective actions triggered by declaration of a general emergency, under NRC guidance, may cause 12 times more deaths among the public and specifically 15 times more deaths among elderly residents of care facilities than caused by radiation exposure during a representative general emergency. The petitioner also estimated that dislocations resulting from protective actions triggered by dose projections during a general emergency where the EPA PAGs are projected to be exceeded, as called for by NRC guidance, may cause 24 to 600 times more deaths among the public and 30 to 750 times more deaths among the elderly residents

of care facilities than the radiation-induced deaths prevented by the relocation. The petitioner also asserted that—

[S]ome States may be using dose criteria lower than EPA PAGs (NRC 2013a) making them potentially more hazardous. These disparities could be even greater when protective actions are taken based on imprecise or conservative dose projections thus resulting in less dose saving than the PAG (footnotes omitted).

NRC Evaluation: The NRC agrees, in part, with the assertion. As documented in NUREG/CR-6864, Volume 1, the NRC studied the efficiency and effectiveness of public evacuations in response to emergency events and found that evacuations saved lives and reduced the potential number of injuries from the hazard. In addition, NRC regulations in § 50.47(b)(13) require general plans for recovery and reentry to be developed, including the framework for relaxing protective actions and allowing for return as described in NUREG-0654/FEMA-REP-1, Revision 2, “Criteria for Preparation and Evaluation of

Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants,” published December 2019. Although the magnitude of deaths caused by dislocations resulting from protective actions triggered by declaration of a general emergency is difficult to precisely estimate, the NRC studied the nonradiological health impacts of evacuations and relocations, and as reported in NUREG/CR-7285, the study supports the general assertion that prolonged dislocation results in (1) excess mortality among susceptible population groups and (2) other physical health consequences in the general population. The study also supports the petitioner’s assertion in that prolonged dislocations may cause more deaths among the public, especially in the elderly, than caused by radiation exposure.

IV. Availability of Documents

The documents identified in the following table are available to interested persons through one or more of the following methods, as indicated.

Document	Adams accession No./web link/ Federal Register citation
Petition for Rulemaking (PRM-50-123), “Public Protective Actions During a General Emergency,” June 1, 2020.	ML20176A313.
PRM-50-123, Petition for Rulemaking, Notice of Docketing and Request for Comment, “Public Protective Actions During a General Emergency,” August 31, 2020.	85 FR 53690.
Comment (001) of David Young on Behalf of the Nuclear Energy Institute, October 15, 2020	ML20289A632.
Comment (002) of Thomas Saporito on Behalf of Nuclear Energy Oversight Project, Inc., October 25, 2020.	ML20301A614.
Comment (003) of Cindy Folkers on Behalf of Beyond Nuclear, November 16, 2020	ML20321A255.
Comment (004) of Anonymous, November 14, 2020	ML21056A497.
Comment (005) of John Parillo, November 16, 2020	ML21056A495.
NUREG-0654/FEMA-REP-1, Revision 1, Supplement 3, “Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants: Guidance for Protective Action Strategies,” November 2011.	ML113010596.
NUREG-0654/FEMA-REP-1, Revision 2, “Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants,” December 2019.	https://www.fema.gov/sites/default/files/2020-08/fema_NUREG-0654-REP1-rev2_12-2019.pdf .
EPA-400/R-17/001, “PAG Manual: Protective Action Guides and Planning Guidance for Radiological Incidents,” January 2017.	https://www.epa.gov/sites/default/files/2017-01/documents/epa_pag_manual_final_revisions_01-11-2017_cover_disclaimer_8.pdf .
NUREG-75/014, “Reactor Safety Study: An Assessment of Accident Risks in U.S. Commercial Nuclear Power Plants,” (WASH-1400), Appendices V and VI, October 1975.	ML070530533 (App. V) ML070600389 (App. VI).
Memorandum of Understanding Between the Department of Homeland Security/Federal Emergency Management Agency and Nuclear Regulatory Commission Regarding Radiological Emergency Response Planning and Preparedness, July 1, 2024.	ML24184A043.
Three Mile Island Nuclear Station, Units 1 and 2—Exemptions from Certain Emergency Planning Requirements and Related Safety Evaluation (EPID L-2019-LLE-0016), December 1, 2020.	ML20244A292.
Pilgrim Nuclear Power Station—Exemptions from Certain Emergency Planning Requirements and Related Safety Evaluation (EPID L-2018-LLE-0011), December 18, 2019.	ML19142A043.
Oyster Creek Nuclear Generating Station—Exemptions from Certain Emergency Planning Requirements and Related Safety Evaluation (CAC NO. MG0153; EPID L-2017-LLE-0020), October 16, 2018.	ML18220A980.
Proposed Rule, “Regulatory Improvements for Production and Utilization Facilities Transitioning to Decommissioning,” March 3, 2022.	87 FR 12254.
Denial of Petition for Rulemaking (PRM-50-104), “Emergency Planning Zones,” April 9, 2014	79 FR 19501.
Denial of Petitions for Rulemaking (PRM-50-31, PRM-50-45, and PRM-50-46), “Emergency Preparedness at Nuclear Power Plants,” February 16, 1990.	55 FR 5603.
Price-Anderson Act, 1957	42 U.S.C. 2210, Public Law 85-256.
Comprehensive Environmental Response, Compensation, and Liability Act, 1980	42 U.S.C. 9601.
Robert T. Stafford Disaster Relief and Emergency Assistance Act, 1988	42 U.S.C. 5121 et seq., Public Law 93-288.
Disaster Relief Act, 1974 (as amended)	42 U.S.C. 5121 et seq., Public Law 100-707.

Document	Adams accession No./web link/ Federal Register citation
NUREG/CR-7155, "State-of-the-Art Reactor Consequence Analyses Project: Uncertainty Analysis of the Unmitigated Long-Term Station Blackout of the Peach Bottom Atomic Power Station," May 2016.	ML16133A461.
"State-of-the-Art Reactor Consequence Analyses Project: Uncertainty Analysis of the Unmitigated Short-Term Station Blackout of the Surry Power Station," Draft Report for Comment, August 2015.	ML15224A001.
NUREG/CR-7245, "State-of-the-Art Reactor Consequence Analyses (SOARCA) Project: Sequoyah Integrated Deterministic and Uncertainty Analysis," October 2019.	ML19296B786.
Conference Paper, 9th European Review Meeting on Severe Accident Research (ERMSAR 2019), "State-of-the-Art Reactor Consequence Analyses Project: Uncertainty Analyses for Station Blackout Scenarios," March 2019.	https://www.tandfonline.com/doi/full/10.1080/00295450.2021.1875737 .
NUREG-1935, "State-of-the-Art Reactor Consequence Analyses (SOARCA) Report," November 2012.	ML12332A053 (Package).
National Academy of Sciences, "Health Effects of Exposure to Low Levels of Ionizing Radiation: BEIR V," 1990.	https://www.nap.edu/catalog/1224/health-effects-of-exposure-to-low-levels-of-ionizing-radiation .
NUREG-2201, "Probabilistic Risk Assessment and Regulatory Decisionmaking: Some Frequently Asked Questions," September 2016.	ML16245A032.
NUREG/KM-0009, "Historical Review and Observations of Defense-in-Depth," April 2016	ML16104A071.
NUREG-0396, "Planning Basis for the Development of State and Local Government Radiological Emergency Response Plans in Support of Light Water Nuclear Power Plants," December 1978.	ML051390356.
NRC Policy Statement, "Planning Basis for Emergency Responses to Nuclear Power Reactor Accidents," October 23, 1979.	44 FR 61123.
FEMA Comprehensive Preparedness Guides (CPG) 101, Version 3.0, "Developing and Maintaining Emergency Operations Plans," September 2021.	https://www.fema.gov/emergency-managers/national-preparedness/plan .
FEMA Guidance, "Planning Considerations: Evacuation and Shelter-in-Place Guidance: State, Local, Tribal, and Territorial Partners," July 2019.	https://www.fema.gov/sites/default/files/2020-07/planning-considerations-evacuation-and-shelter-in-place.pdf .
NUREG/CR-6864, Vol. 1, "Identification and Analysis of Factors Affecting Emergency Evacuations: Main Report," January 2005.	ML050250245.
NUREG/CR-6981, "Assessment of Emergency Response Planning and Implementation for Large Scale Evacuations," October 2008.	ML082960499.
NUREG/CR-7285, "Nonradiological Health Consequences from Evacuation and Relocation," September 2021.	ML21252A104.
Final Rule, "Enhancements to Emergency Preparedness Regulations," November 23, 2011	76 FR 72560.
NUREG/CR-6953, Vol. 1, "Review of NUREG-0654, Supplement 3, 'Criteria for Protective Action Recommendations for Severe Accidents,'" December 2007.	ML080360602.
NUREG/CR-6953, Vol. 2, "Review of NUREG-0654, Supplement 3, 'Criteria for Protective Action Recommendations for Severe Accidents': Focus Groups and Telephone Survey," October 2008.	ML083110406.
NUREG/CR-6953, Vol. 3, "Review of NUREG-0654, Supplement 3, 'Criteria for Protective Action Recommendations for Severe Accidents': Technical Basis for Protective Action Strategies," August 2010.	ML102380087.

V. Conclusion

For the reasons cited in this document, the NRC will consider the four issues raised in the petition in its rulemaking process and as part of the development of related guidance. The NRC will evaluate the current requirements and guidance for protective actions implemented during a general emergency at nuclear power plants, assess whether changes are needed to consider risk insights into the health hazards of both radiation exposure and protective actions, and if changes are needed, determine the proper regulatory action.

The NRC tracks the status of all rules and PRMs on its website at <https://www.nrc.gov/about-nrc/regulatory/rulemaking/rules-petitions.html>. The public may monitor the docket for the rulemaking on the Federal rulemaking website, <https://www.regulations.gov>, by

searching on NRC-2025-0412. In addition, the Federal rulemaking website allows members of the public to receive alerts when changes or additions occur in a docket folder. To subscribe: (1) navigate to the docket folder (NRC-2020-0155); (2) click the "Subscribe" link; and (3) enter an email address and click on the "Subscribe" link. Publication of this document in the **Federal Register** closes Docket ID NRC-2020-0155 for PRM-50-123.

Dated: July 17, 2025.

For the Nuclear Regulatory Commission.

Carrie Safford,

Secretary of the Commission.

[FR Doc. 2025-13606 Filed 7-18-25; 8:45 am]

BILLING CODE 7590-01-P

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 310

[Docket ID: DoD-2025-OS-0177]

RIN 0790-AL67

Privacy Act of 1974; Implementation

AGENCY: Office of the Secretary of Defense (OSD), Department of Defense (DoD).

ACTION: Proposed rule.

SUMMARY: The Department of Defense (Department or DoD) is giving concurrent notice of a new Department-wide system of records pursuant to the Privacy Act of 1974 for the DoD-0025, "Counterintelligence Investigations and Collection Activities (CICA)" system of records and this proposed rulemaking.

In this proposed rulemaking, the Department proposes to exempt portions of this system of records from certain provisions of the Privacy Act to protect national security and law enforcement interests.

DATES: Send comments on or before September 19, 2025.

ADDRESSES: You may submit comments, identified by docket number and title, by either of the following methods:

* *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments.

* *Mail:* Department of Defense, Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, Regulatory Directorate, 4800 Mark Center Drive, Attn: Mailbox #24, Suite 05F16, Alexandria, VA 22350–1700.

Instructions: All submissions received must include the agency name and docket number or Regulation Identifier Number for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at <https://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: Ms. Rahwa Keleta, Defense Privacy and Civil Liberties Directorate, Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, Department of Defense, 4800 Mark Center Drive, Mailbox #24, Suite 05F16, Alexandria, VA 22350–1700; osd.mc-alex.oatsd-pclt.mbx.pcldsorn@mail.mil; (703) 571–0070.

SUPPLEMENTARY INFORMATION:

I. Background

In accordance with the Privacy Act of 1974, the DoD is establishing a new Department-wide system of records titled, “Counterintelligence Investigations and Collection Activities,” (CICA), DoD–0025. This system of records covers DoD’s maintenance of records about counterintelligence (CI) investigations and collection activities. The purpose of CICA is to determine whether an individual is acting for or on behalf of foreign powers organizations, or persons, or their agents, or international terrorist organizations or activities. Note. This differs from the purpose of Counterintelligence Functional Services (CIFS), DoD–0010, which is to protect Department resources and personnel from foreign adversaries who seek to exploit sensitive information,

operations, and agency programs to the detriment of the U.S. Government. It is also separate from the purpose of the DoD Insider Threat Management and Analysis Center (DITMAC) and DoD Component Insider Threat Records System, DUSDI 01–DoD, which addresses security functions. This system consists of both electronic and paper records and will be used by DoD components and offices to maintain records supporting the CI mission for the Department. Additional information about CICA may be found in the accompanying notice of a new system of records, published elsewhere in today’s issue of the **Federal Register**.

II. Privacy Act Exemption

The Privacy Act allows Federal agencies to exempt eligible records in a system of records from certain provisions of the Act, including those that provide individuals with a right to request access to and amendment of their own records. If an agency intends to exempt a particular system of records, it must first go through the rulemaking process to provide public notice and an opportunity to comment on the proposed exemption. This proposed rule explains why exemptions are being claimed for this system of records and invites public comment, which the DoD will consider before the issuance of a final rule implementing those exemptions.

The DoD proposes to modify 32 CFR part 310 to add a new Privacy Act exemption rule for the DoD–0025, CICA system of records. In this proposed rule, the Department proposes to exempt portions of this system of records from certain provisions of the Privacy Act because information in this system of records may fall within the scope of the following Privacy Act exemptions: 5 U.S.C. 552a(k)(1) and 5 U.S.C. 552a(k)(2).

The DoD is proposing to add a new Privacy Act exemption rule because records within this system of records may contain classified national security information and providing notice, access, amendment, and disclosure of accounting of those records to an individual, as well as certain recordkeeping requirements, may cause damage to national security. The Privacy Act, pursuant to 5 U.S.C. 552a(k)(1), authorizes agencies to claim an exemption for systems of records that contain information properly classified pursuant to executive order. The DoD therefore is proposing to claim an exemption from several provisions of the Privacy Act, including various access, amendment, disclosure of accounting, and certain recordkeeping

and notice requirements, to prevent disclosure of any information properly classified pursuant to executive order, as implemented by DoD Instruction 5200.01 and DoD Manual 5200.01, Volumes 1 and 3.

The DoD is also proposing this Privacy Act exemption rule because this system of records may contain investigatory material compiled for law enforcement purposes within the scope of 5 U.S.C. 552a(k)(2). This exemption authorizes agencies to claim an exemption for systems of records that contain investigatory materials compiled for law enforcement purposes, other than material within the scope of 5 U.S.C. 552a(j)(2). Because information in this system may contain such investigatory materials for the purpose of receiving, evaluating, and sharing lead information for investigative inquiry and follow-up, the Department is proposing to claim an exemption for this system pursuant to 5 U.S.C. 552a(k)(2).

The DoD therefore proposes to exempt this system from several provisions of the Privacy Act, including various access, amendment, disclosure of accounting, and certain record-keeping and notice requirements, to prevent identification of actual or potential subjects of investigation and/or identification of sources of investigative information so as to prevent harm to the underlying law enforcement purpose.

A notice of a new system of records for DoD–0025 is also published in this issue of the **Federal Register**.

Regulatory Analysis

Executive Order 12866, “Regulatory Planning and Review,” and Executive Order 13563, “Improving Regulation and Regulatory Review.”

Executive Orders 12866 and 13563 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. It has been determined that this rule is not a significant regulatory action.

Executive Order 14192, “Unleashing Prosperity Through Deregulation”

This rule is not an Executive Order 14192 regulatory action because this

rule is not significant under Executive Order 12866.

Section 202, Public Law 104–4, “Unfunded Mandates Reform Act”

Section 202(a) of the Unfunded Mandates Reform Act of 1995 (UMRA) (2 U.S.C. 1532(a)) requires agencies to assess anticipated costs and benefits before issuing any rule whose mandates may result in the expenditure by State, local, and Tribal Governments in the aggregate, or by the private sector, in any one year of \$100 million in 1995 dollars, updated annually for inflation. This rule will not mandate any requirements for State, local, or Tribal Governments, nor will it affect private sector costs.

Public Law 96–354, “Regulatory Flexibility Act” (5 U.S.C. Chapter 6)

The Acting Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency has certified that this rule is not subject to the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) because it would not, if promulgated, have a significant economic impact on a substantial number of small entities. This rule is concerned only with the administration of Privacy Act systems of records within the DoD. Therefore, the Regulatory Flexibility Act, as amended, does not require DoD to prepare a regulatory flexibility analysis.

Public Law 96–511, “Paperwork Reduction Act” (44 U.S.C. Chapter 35)

The Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*) was enacted to minimize the paperwork burden for individuals; small businesses; educational and nonprofit institutions; Federal contractors; State, local, and Tribal Governments; and other persons resulting from the collection of information by or for the Federal Government. The Act requires that agencies obtain approval from the Office of Management and Budget before using identical questions to collect information from ten or more persons. This rule does not impose reporting or recordkeeping requirements on the public.

Executive Order 13132, “Federalism”

Executive Order 13132 establishes certain requirements that an agency must meet when it promulgates a proposed rule that has Federalism implications, imposes substantial direct compliance costs on State and local governments, and is not required by statute, or has federalism implications and preempts state law. This rule will not have a substantial effect on State and local Governments.

Executive Order 13175, “Consultation and Coordination With Indian Tribal Governments”

Executive Order 13175 establishes certain requirements that an agency must meet when it promulgates a proposed rule (and subsequent final rule) that imposes substantial direct compliance costs on one or more Indian Tribes, preempts Tribal Law, or affects the distribution of power and responsibilities between the Federal Government and Indian Tribes. This rule will not have a substantial effect on Indian Tribal Governments.

List of Subjects in 32 CFR Part 310

Privacy.

Accordingly, 32 CFR part 310 is proposed to be amended as follows:

PART 310—PROTECTION OF PRIVACY AND ACCESS TO AND AMENDMENT OF INDIVIDUAL RECORDS UNDER THE PRIVACY ACT OF 1974

■ 1. The authority citation for 32 CFR part 310 continues to read as follows:

Authority: 5 U.S.C. 552a.

■ 2. Reserve paragraphs (e)(15)–(17).
 ■ 3. Amend § 310.13 is amended by adding paragraph (e)(18) to read as follows:

§ 310.13 Exemptions for DoD-wide systems.

* * * * *

(e) * * *

(18) *System identifier and name.*

DoD–0025, “Counterintelligence Investigations and Collection Activities, (CICA).”

(i) *Exemptions.* This system of records is exempt from 5 U.S.C. 552a(c)(3); (d)(1), (2), (3), and (4); (e)(1); (e)(4)(G), (H), and (I); and (f) of the Privacy Act.

(ii) *Authority.* 5 U.S.C. 552a(k)(1) and (k)(2).

(iii) *Exemption from the particular subsections.* Exemption from the particular subsections is justified for the following reasons:

(A) *Subsections (c)(3), (d)(1), and (d)(2).*

(1) *Exemption (k)(1).* Records in this system of records may contain information concerning individuals that is properly classified pursuant to executive order. Application of exemption (k)(1) for such records may be necessary because access to and amendment of the records, or release of the accounting of disclosures for such records, could reveal classified information. Disclosure of classified records to an individual may cause damage to national security.

(2) *Exemption (k)(2).* Records in this system of records may contain

investigatory material compiled for law enforcement purposes other than material within the scope of 5 U.S.C. 552a(j)(2). Application of exemption (k)(2) for such records may be necessary because access to, amendment of, or release of the accounting of disclosures of such records could: inform the record subject of an investigation of the existence, nature, or scope of an actual or potential law enforcement or disciplinary investigation, and thereby seriously impede law enforcement or prosecutorial efforts by permitting the record subject and other persons to whom he might disclose the records to avoid criminal penalties, civil remedies, or disciplinary measures; interfere with a civil or administrative action or investigation by allowing the subject to tamper with witnesses or evidence, and to avoid detection or apprehension, which may undermine the entire investigatory process; and result in an unwarranted invasion of the privacy of others. Amendment of such records could also impose a highly impracticable administrative burden by requiring investigations to be continuously reinvestigated.

(B) *Subsections (d)(3) and (4).* These subsections are inapplicable to the extent an exemption is claimed from (d)(2).

(C) *Subsection (e)(1).* Records within this system may be properly classified pursuant to executive order. Disclosure of classified records to an individual may cause damage to national security. Additionally, in the collection of information for investigatory or law enforcement purposes, it is not always possible to conclusively determine the relevance and necessity of particular information in the early stages of the investigation or adjudication. In some instances, it will be only after the collected information is evaluated in light of other information that its relevance and necessity for effective investigation and adjudication can be assessed. Accordingly, application of exemptions (k)(1) and (k)(2) may be necessary.

(D) *Subsections (e)(4)(G) and (H), and Subsection (f).* These subsections are inapplicable to the extent exemption is claimed from the access and amendment provisions of subsection (d). Because portions of this system are exempt from the individual access and amendment provisions of subsection (d) for the reasons noted above, the DoD is not required to establish requirements, rules, or procedures with respect to such access or amendment provisions. Providing notice to individuals with respect to the existence of records pertaining to them in the system of

records or otherwise setting up procedures pursuant to which individuals may access, view, and seek to amend records pertaining to themselves in the system would potentially undermine investigative efforts, reveal the identities of witnesses, potential witnesses, and confidential informants, and impose an undue administrative burden. Accordingly, application of exemptions (k)(1) and (k)(2) may be necessary.

(E) *Subsections (e)(4)(I)*. To the extent that this provision is construed to require more detailed disclosure than the broad information currently published in the system notice concerning categories of sources of records in the system, an exemption from this provision is necessary to protect national security and the confidentiality of sources and methods, and other classified information.

(iv) *Exempt records from other systems*. In the course of carrying out the overall purpose for this system, exempt records from other systems of records may in turn become part of the records maintained in this system. To the extent that copies of exempt records from those other systems of records are maintained in this system, the DoD claims the same exemptions for the records from those other systems that are entered into this system, as claimed for the prior system(s) of which they are a part, provided the reason for the exemption remains valid and necessary.

Dated: July 16, 2025.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025-13581 Filed 7-18-25; 8:45 am]

BILLING CODE 6001-FR-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket Number USCG-2025-0528]

RIN 1625-AA08

Special Local Regulations; Recurring Marine Events; Sector St. Petersburg

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard is proposing to revise its existing special local regulations by adding a new recurring event to an existing table. The Coast Guard is also proposing to expand a regulated area for one event and update the dates of existing events in the

Seventh Coast Guard District Captain of the Port (COTP) St. Petersburg. This action is necessary to provide for the safety of life on these navigable waters. We invite your comments on this proposed rulemaking.

DATES: Comments and related material must be received by the Coast Guard on or before August 20, 2025.

ADDRESSES: You may submit comments identified by docket number USCG-2025-0528 using the Federal Document Management System 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 Lieutenant Ryan McNaughton, Sector St. Petersburg Prevention Department, U.S. Coast Guard; telephone 813-918-7270, email ryan.a.mcnaughton@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
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

The Coast Guard proposes to amend the recurring marine events in the geographic boundaries of the Seventh Coast Guard District Captain of the Port (COTP) St. Petersburg Zone that are listed in 33 CFR 100.703, table 1 to § 100.703. The proposed rule would ensure that the public is informed of the most up to date recurring special local regulations. The current list under § 100.703, Table 1 to § 100.703 requires changes to three existing special local regulations and the addition of one new special local regulation. The purpose of this rulemaking is to ensure the safety of vessels and the navigable waters, during, and after the scheduled events. The Coast Guard is proposing this rulemaking under authority in 46 U.S.C 70041.

III. Discussion of Proposed Rule

This rule proposes to make the following changes in 33 CFR 100.703, Table 1 to § 100.703:

1. Revise Event No. 4, (Sarasota Powerboat Grand Prix/Powerboat P-1 USA, LLC) to reflect a Date/time change

to “One weekend (Friday, Saturday, and Sunday) in July; Time (Approximate) 8:00 a.m. to 6:00 p.m.”

2. Revise Event No. 6, (St. Petersburg Powerboat Grand Prix) to reflect a Date/time change to “One weekend (Friday, Saturday and Sunday) in September; Time (Approximate): 8:00 a.m. to 6:00 p.m.”

3. Revise Event No. 8, (OPA World Championships/Englewood Beach Waterfest) to reflect a Date/time change to “One weekend (Friday, Saturday, and Sunday) in October; Time (Approximate): 8:00 a.m. to 6:00 p.m.” Additionally, revise the regulated area to encompass “All waters of the Gulf of America encompassed within the following point: 26°54’15” N, 82°20’55” W, thence to position 26°53’53” N, 82°21’54” W, thence to position 26°55’54” N, 82°22’47” W, thence to position 26°56’11” N, 82°22’6” W, thence back to the original position 26°54’15” N, 82°20’55” W.”

4. Add a new event named Clearwater AquaX, which will be held annually “One weekend (Friday, Saturday, and Sunday) in August; Time (Approximate): 8:00 a.m. to 6:00 p.m.”

5. Reorganize the numbering of events at 33 CFR 100.703, Table 1.

6. The regulatory text we are proposing appears at the end of this document.

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.

A. Regulatory Planning and Review

Executive Orders 12866 (Regulatory Planning and Review) and 13563 (Improving Regulation and Regulatory Review) 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. Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility.

The Office of Management and Budget (OMB) has not designated this rule a “significant regulatory action” under section 3(f) of Executive Order 12866. Accordingly, OMB has not reviewed it.

This regulatory action determination is based on the size, location, and duration of the special local regulations. These areas are limited in size and duration and usually do not affect high vessel traffic areas. Moreover, the Coast

Guard would provide advance notice of the regulated areas to the local maritime community by Local Notice to Mariners, Broadcast Notice to Mariners via VHF-FM marine channel 16, and the rule would allow vessels to seek permission to enter the regulated area.

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 safety 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 revising existing recurring events to reflect date and time changes and includes an additional recurring event into the table. Normally such actions are categorically excluded from further review under paragraph L61 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 Document Management System at <https://www.regulations.gov>. To do so, go to <https://www.regulations.gov>, type USCG–2025–0528 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 100

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 100 as follows:

PART 100—Safety of Life on Navigable Waters

■ 1. The authority citation for part 100 continues to read as follows:

Authority: 46 U.S.C. 70041; 33 CFR 1.05–1.

■ 2. In § 100.703, revise Table 1 to read as follows:

§ 100.703 Special Local Regulations; Recurring Marine Events, Sector St. Petersburg.

* * * * *

TABLE 1 TO § 100.703—SPECIAL LOCAL REGULATIONS; RECURRING MARINE EVENTS, SECTOR ST. PETERSBURG
[Datum NAD 1983]

Date/time	Event/sponsor	Location	Regulated area
1. One Saturday in January; Time (Approximate): 11:30 a.m. to 2 p.m.	Gasparilla Invasion and Parade/ Ye Mystic Krewe of Gasparilla.	Tampa, Florida	<p><i>Location:</i> A regulated area is established consisting of the following waters of Hillsborough Bay and its tributaries north of 27°51'18" N and south of the John F. Kennedy Bridge: Hillsborough Cut "D" Channel, Seddon Channel, Sparkman Channel and the Hillsborough River south of the John F. Kennedy Bridge.</p> <p><i>Additional Regulation:</i></p> <ol style="list-style-type: none"> (1) Entrance into the regulated area is prohibited to all commercial marine traffic from 9 a.m. to 6 p.m. EST on the day of the event. (2) The regulated area will include a 100 yard Safety Zone around the vessel JOSE GASPARGAR while docked at the Tampa Yacht Club until 6 p.m. EST on the day of the event. (3) The regulated area is a "no wake" zone. (4) All vessels within the regulated area shall stay 50 feet away from and give way to all officially entered vessels in parade formation in the Gasparilla Marine Parade. (5) When within the marked channels of the parade route, vessels participating in the Gasparilla Marine Parade may not exceed the minimum speed necessary to maintain steerage. (6) Jet skis and vessels without mechanical propulsion are prohibited from the parade route. (7) Vessels less than 10 feet in length are prohibited from the parade route unless capable of safely participating. (8) Vessels found to be unsafe to participate at the discretion of a present Law Enforcement Officer are prohibited from the parade route. (9) Northbound vessels in excess of 65 feet in length without mooring arrangement made prior to the date of the event are prohibited from entering Seddon Channel unless the vessel is officially entered in the Gasparilla Marine Parade. (10) Vessels not officially entered in the Gasparilla Marine Parade may not enter the parade staging area box within the following coordinates: 27°53'53" N, 082°27'47" W; 27°53'22" N, 082°27'10" W; 27°52'36" N, 082°27'55" W; 27°53'02" N, 082°28'31" W.
2. One Saturday in February; Time (Approximate): 9:00 a.m. to 9:00 p.m.	Bradenton Area River Regatta/ City of Bradenton.	Bradenton, FL	<p><i>Location(s):</i></p> <p><i>Enforcement Area #1.</i> All waters of the Manatee River between the Green Bridge and the CSX Train Trestle contained within the following points: 27°30'43" N, 082°34'20" W, thence to position 27°30'44" N, 082°34'09" W, thence to position 27°30'00" N, 082°34'04" W, thence to position 27°29'58" N, 082°34'15" W, thence back to the original position, 27°30'43" N, 082°34'20" W.</p> <p><i>Enforcement Area #2.</i> All waters of the Manatee River contained within the following points: 27°30'35" N, 082°34'37" W, thence to position 27°30'35" N, 082°34'26" W, thence to position 27°30'26" N, 082°34'26" W, thence to position 27°30'26" N, 082°34'37" W, thence back to the original position, 27°30'35" N, 082°34'37" W.</p>
3. One weekend (Friday, Saturday, and Sunday) in March; Time (Approximate): 8:00 a.m. to 5:00 p.m.	Gulfport Grand Prix/Gulfport Grand Prix LLC.	Gulfport, FL	<p><i>Location(s):</i> (1) <i>Race Area.</i> All waters of Boca de Ciego contained within the following points: 27°44'10" N, 082°42'29" W, thence to position 27°44'07" N, 082°42'40" W, thence to position 27°44'06" N, 082°42'40" W, thence to position 27°44'04" N, 082°42'29" W, thence to position 27°44'07" N, 082°42'19" W, thence to position 27°44'08" N, 082°42'19" W, thence back to the original position, 27°44'10" N, 082°42'29" W.</p> <p>(2) <i>Buffer Zone.</i> All waters of Boca de Ciego encompassed within the following points: 27°44'10" N, 082°42'47" W, thence to position 27°44'01" N, 082°42'44" W, thence to position 27°44'01" N, 082°42'14" W, thence to position 27°44'15" N, 082°42'14" W.</p>
4. One weekend (Friday, Saturday and Sunday) in July; Time (Approximate): 8:00 a.m. to 6:00 p.m.	Sarasota Powerboat Grand Prix/ Powerboat P-1 USA, LLC.	Sarasota, FL	<p><i>Location:</i> All waters of the Gulf of America contained within the following points: 27°18'44" N, 082°36'14" W, thence to position 27°19'09" N, 082°35'13" W, thence to position 27°17'42" N, 082°34'00" W, thence to position 27°16'43" N, 082°34'49" W, thence back to the original position, 27°18'44" N, 082°36'14" W.</p>
5. One weekend (Friday, Saturday and Sunday) in August; Time (Approximate): 8:00 a.m. to 8:00 p.m.	Clearwater AquaX Grand Prix/ Powerboat P-1 USA, LLC.	Clearwater, FL	<p><i>Location:</i> All waters of the Gulf of America contained within the following points: 27°57'11" N, 82°50'17" W, thence to 27°57'13" N, 82°50'19" W, thence to 27°57'55" N, 82°50'10" W, thence to 27°57'53" N, 82°49'65" and along the shoreline back to the beginning point.</p>

TABLE 1 TO § 100.703—SPECIAL LOCAL REGULATIONS; RECURRING MARINE EVENTS, SECTOR ST. PETERSBURG—
Continued
[Datum NAD 1983]

Date/time	Event/sponsor	Location	Regulated area
6. One weekend (Friday, Saturday and Sunday) in September; Time (Approximate): 8:00 a.m. to 6:00 p.m.	St. Petersburg Powerboat Grand Prix.	St. Petersburg, FL ..	<i>Location:</i> All waters of the Tampa Bay encompassed within the following points: 27°46'56.22" N, 082°36'55.50" W, thence to position 27°47'08.82" N, 082°34'33.24" W, thence to position 27°46'06.96" N, 082°34'29.04" W, thence to position 27°45'59.22" N, 082°37'02.88" W, thence back to the original position 27°46'24.24" N, 082°37'30.24" W.
7. One weekend (Saturday and Sunday) in September; Time (Approximate): 8:00 a.m. to 4:00 p.m.	Clearwater Offshore Nationals/ Race World Offshore.	Clearwater, FL	<i>Locations:</i> (1) <i>Race Area.</i> All waters of the Gulf of America contained within the following points: 27°58'34" N, 82°50'09" W, thence to position 27°58'32" N, 82°50'02" W, thence to position 28°00'12" N, 82°50'10" W, thence to position 28°00'13" N, 82°50'10" W, thence back to the original position, 27°58'34" N, 82°50'09" W. (2) <i>Spectator Area.</i> All waters of Gulf of America seaward no less than 150 yards from the race area and as agreed upon by the Coast Guard and race officials. (3) <i>Enforcement Area.</i> All waters of the Gulf of America encompassed within the following points: 28°58'40" N, 82°50'37" W, thence to position 28°00'57" N, 82°49'45" W, thence to position 27°58'32" N, 82°50'32" W, thence to position 27°58'23" N, 82°49'53" W, thence back to position 28°58'40" N, 82°50'37" W.
8. One Thursday, Friday, and Saturday in October; Time (Approximate): 10:00 a.m. to 5:00 p.m.	Roar Offshore/OPA Racing LLC ..	Fort Myers Beach, FL.	<i>Location:</i> All waters of the Gulf of America west of Fort Myers Beach contained within the following points: 26°26'27" N, 081°55'55" W, thence to position 26°25'33" N, longitude 081°56'34" W, thence to position 26°26'38" N, 081°58'40" W, thence to position 26°27'25" N, 081°58'8" W, thence back to the original position 26°26'27" N, 081°55'55" W.
9. One weekend (Friday, Saturday, and Sunday) in October; Time (Approximate): 8:00 a.m. to 6:00 p.m.	OPA World Championships/Englewood Beach Waterfest.	Englewood Beach, FL.	<i>Location:</i> All waters of the Gulf of America encompassed within the following points: 26°54'15" N, 82°20'55" W, thence to position 26°53'53" N, 82°21'54" W, thence to position 26°55'54" N, 82°22'47" W, thence to position 26°56'11" N, 82°22'6" W, thence back to the original position 26°54'15" N, 82°20'55" W.

Dated: July 14, 2025.

Courtney A. Sergent,

Captain, U.S. Coast Guard, Captain of the Port Sector St. Petersburg.

[FR Doc. 2025–13675 Filed 7–18–25; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF EDUCATION

34 CFR Part 75

[Docket ID ED–2025–OS–0118]

**Proposed Priority and Definitions—
Secretary’s Supplemental Priority and
Definitions on Advancing Artificial
Intelligence in Education**

AGENCY: U.S. Department of Education.

ACTION: Proposed priority and definitions.

SUMMARY: The Secretary proposes a priority and related definitions for use in currently authorized discretionary grant programs, or such programs that may be authorized in the future. The Secretary may choose to use the entire priority for a grant program or a particular competition or may use one or more of the priority’s component parts. This priority and definitions augment the initial set of three Secretary’s Supplemental Priorities on Evidence-Based Literacy, Educational Choice, and Returning Education to the

States published as proposed priorities on May 21, 2025 (90 FR 21710).

DATES: We must receive your comments on or before August 20, 2025.

ADDRESSES: Comments must be submitted via the Federal eRulemaking Portal at *Regulations.gov*. See the **SUPPLEMENTARY INFORMATION** section for more details.

FOR FURTHER INFORMATION CONTACT: Zachary Rogers, U.S. Department of Education, 400 Maryland Avenue SW, Room 7W213, Washington, DC 20202–6450. Telephone: (202) 260–1144. Email: *SSP@ed.gov*.

If you are deaf, hard of hearing, or have a speech disability and wish to access telecommunications relay services, please dial 7–1–1.

SUPPLEMENTARY INFORMATION:
Invitation to Comment: We invite you to submit comments regarding the proposed priority and definitions. Comments must be submitted via the Federal eRulemaking Portal at *Regulations.gov*. However, if you require an accommodation or cannot otherwise submit your comments via *Regulations.gov*, please contact the program contact person listed under **FOR FURTHER INFORMATION CONTACT**. The Department will not accept comments by fax or by email, or comments submitted after the comment period closes. To ensure that the Department

does not receive duplicate copies, please submit your comments only once. Additionally, please include the Docket ID at the top of your comments.

Federal eRulemaking Portal: Go to *www.Regulations.gov* to submit your comments electronically. Information on using *Regulations.gov*, including instructions for accessing agency documents, submitting comments, and viewing the docket, is available on the site under “FAQ.” Also included on *Regulations.gov* is a commenter checklist that addresses how to submit effective comments.

In instances where individual submissions appear to be duplicates or near duplicates of comments prepared as part of a writing campaign, the Department may choose to post to *Regulations.gov* one representative sample comment along with the total comment count for that campaign. The Department will consider these comments along with all other comments received. In instances where individual submissions are bundled together (submitted as a single document or packaged together), the Department will post all of the substantive comments included in the submissions along with the total comment count for that document or package to *Regulations.gov*.

Comments containing personal threats will not be posted to *Regulations.gov*

and may be referred to the appropriate authorities.

During and after the comment period, you may inspect public comments about the proposed priority and definitions by accessing *Regulations.gov*. To inspect comments in person, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

Privacy Note: The Department's policy is to generally make all comments received from members of the public available for public viewing in their entirety on the Federal eRulemaking Portal at *Regulations.gov*. Therefore, commenters should be careful to include in their comments only information that they wish to make publicly available.

Assistance to Individuals with Disabilities in Reviewing the Rulemaking Record: On request, we will provide an appropriate accommodation or auxiliary aid to an individual with a disability who needs assistance to review the comments or other documents in the public rulemaking record for this document. If you want to schedule an appointment for this type of accommodation or auxiliary aid, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

Program Authority: 20 U.S.C. 1221e–3, 3474, 6301 *et seq.*, 5 U.S.C. 311 *et seq.*

Proposed Priority: This document contains one proposed priority.

Proposed Priority: Advancing Artificial Intelligence in Education

Background: Artificial Intelligence (AI) is rapidly reshaping the future of education, work, learning, and daily life. As AI becomes more integrated into the tools and systems that shape elementary, secondary, and postsecondary education, it is increasingly important for students to develop AI literacy. A strong foundation in AI literacy will help ensure students are prepared to navigate and contribute to a society where these technologies play a growing role in decision-making, communication, innovation, and career readiness.

Beyond serving as a subject of study, AI also offers powerful opportunities to enhance teaching and learning. When used effectively, AI tools have the potential to support personalized instruction, increase classroom engagement, and improve student outcomes. Educators are beginning to use AI-powered platforms to analyze student progress, identify learning gaps, and tailor support to individual needs. This work is only the beginning.

To move from passive users of AI to active creators and innovators, students must also understand foundational

computer science. Exposure to core concepts such as algorithms, data analysis, and computational thinking can deepen their understanding of how AI systems function. Incorporating computer science where appropriate can reinforce efforts to build meaningful AI literacy in educational settings.

This priority is designed to support efforts that expand student understanding of AI and its real-world applications. The priority will also promote the appropriate integration of AI into education, providing AI training for educators, and fostering early exposure to AI concepts and technology to develop an AI-ready workforce and the next generation of American AI innovators.

Proposed Priority: Projects or proposals to do one or more of the following:

(a) Expand the understanding of artificial intelligence through one or more of the following:

(i) Support the integration of AI literacy skills and concepts into teaching and learning practices to improve educational outcomes for students, including how to detect AI generated disinformation or misinformation online;

(ii) Expand offerings of AI and computer science education in K–12 education;

(iii) Expand offerings of AI and computer science courses as part of an institution of higher education's general education and/or core curriculum;

(iv) Embed AI and computer science into an institution of higher education's general preservice or in-service teacher professional development or teacher preparation programs;

(v) Provide professional development for educators on the integration of the fundamentals of AI into their respective subject areas;

(vi) Provide professional development in foundational computer science and AI, preparing educators to effectively teach AI in stand-alone computer science and other relevant courses, including instruction about how to use AI responsibly;

(vii) Partner with State educational agencies or local educational agencies to encourage the offering of dual-enrollment course opportunities to earn postsecondary credentials and industry-recognized credentials in AI coursework concurrent with high school education;

(viii) Create opportunities for high school students through the development or expansion of AI courses and career-relevant, in-demand certification programs; or

(ix) Support dissemination of appropriate methods of integrating AI into education.

(x) Build evidence of appropriate methods of integrating AI into education.

(b) Expand the appropriate use of artificial intelligence technology in education through one or more of the following:

(i) Use AI to support K–12 or postsecondary instruction, supplemental learning, or other assistance or resources to students who are gifted and talented (as defined in 20 U.S.C. 7801(27)), or those who are otherwise in need of accelerated or other advanced learning opportunities;

(ii) Use AI to support K–12 or postsecondary instruction, supplemental learning, or other assistance or resources to students who are below grade level, in need of remedial or developmental education, struggling to graduate with a regular credential from their education program, or otherwise in need of additional assistance to complete their program of study;

(iii) Use AI to support early intervention, K–12, or postsecondary instruction or services for children and students with disabilities and their families;

(iv) Integrate AI-driven tools into classrooms to personalize learning, improve student outcomes, and support differentiated instruction. This integration may include, but is not limited to, adaptive learning technologies, virtual teaching assistants, tutoring, and data analytics tools to support student progress;

(v) Provide resources and support for the use of AI in teaching and/or tutoring in an education program or teacher training program;

(vi) Provide resources and support for the use of AI in teacher preparation programs;

(vii) Use AI technology to improve teacher training and evaluation;

(viii) Promote efficiency in classroom and school operations through the application of AI technologies that reduce time-intensive administrative tasks; or

(ix) Use AI technology to provide high-quality instructional resources, high-impact tutoring, and college and career pathway exploration, advising, and navigation to improve educational outcomes.

Types of Priorities

When inviting applications for a competition using one or more priorities, we designate the type of each priority as absolute, competitive

preference, or invitational through a notice in the **Federal Register**. The effect of each type of priority follows:

Absolute priority: Under an absolute priority, we consider only applications that meet the priority (34 CFR 75.105(c)(3)).

Competitive preference priority: Under a competitive preference priority, we give competitive preference to an application by (1) awarding additional points, depending on the extent to which the application meets the priority (34 CFR 75.105(c)(2)(i)); or (2) selecting an application that meets the priority over an application of comparable merit that does not meet the priority (34 CFR 75.105(c)(2)(ii)).

Invitational priority: Under an invitational priority, we are particularly interested in applications that meet the priority. However, we do not give an application that meets the priority a preference over other applications (34 CFR 75.105(c)(1)).

Proposed Definitions

Artificial intelligence (AI) has the meaning set forth in 15 U.S.C. 9401(3).

Artificial intelligence (AI) literacy means the technical knowledge, durable skills, and future ready attitudes required to thrive in a world influenced by AI. It enables learners to engage, create with, manage, and design AI, while critically evaluating its benefits, risks, and implications.

Computer science means the study of computers and algorithmic processes, including their principles, their hardware and software designs, theories, computational thinking, coding, analytics, applications, machine learning, and Artificial Intelligence (AI).

Computer science often includes computer programming or coding as a tool to create software, including applications, games, websites, and tools to manage or manipulate data; or development and management of computer hardware and the other electronics related to sharing, securing, and using digital information. In addition to coding, the expanding field of computer science emphasizes computational thinking and interdisciplinary problem-solving to equip students with the skills and abilities necessary to apply computation to the digital world.

Computer science does not involve using computers for everyday tasks, such as browsing the internet or using tools like word processors, spreadsheets, or presentation software. Instead, it focuses on creating and developing technology, not just utilizing it.

Final Priority and Definitions: The Department will announce the final priority and definitions in a document in the **Federal Register**. We will determine the final priority and definitions after considering responses to the proposed priority and definitions and other information available to the Department. This document does not preclude us from proposing additional priorities, requirements, or definitions, subject to meeting applicable rulemaking requirements.

Note: This document does *not* solicit applications. In any year in which we choose to use the final priority and definitions, we invite applications through a notice in the **Federal Register**.

Executive Orders 12866, 13563, and 14192

Regulatory Impact Analysis

This proposed regulatory action is not a significant regulatory action subject to review by the Office of Management and Budget under section 3(f) of Executive Order 12866. Since this regulatory action is not a significant regulatory action under section 3(f) of Executive Order 12866, it is not considered an “Executive Order 14192 regulatory action.”

We have also reviewed this proposed regulatory action under Executive Order 13563. We are issuing the proposed priority and definitions only on a reasoned determination that their benefits would justify their minimal costs. The Department believes that this regulatory action is consistent with the principles in Executive Order 13563.

We also have determined that this regulatory action would not unduly interfere with State, local, and Tribal governments in the exercise of their governmental functions.

In accordance with these Executive Orders, the Department has assessed the potential costs and benefits, both quantitative and qualitative, of this regulatory action. The potential costs are those resulting from statutory requirements and those we have determined are necessary for administering the Department’s programs and activities.

Discussion of Costs and Benefits

The proposed priority would impose no or minimal costs on entities that receive discretionary grant award funds from the Department. Additionally, the benefits of implementing the proposed priority outweigh any associated costs, to the extent these de minimis costs even exist, because the proposed priority would result in higher quality grant application submissions.

Application submission and participation in competitive grant programs that might use the proposed priority and definitions is voluntary. We believe, based on the Department’s administrative experience, that entities preparing an application would not need to expend more resources than they otherwise would have in the absence of this proposed priority. Because the costs of carrying out activities would be paid for with program funds, the costs of implementation would not be a burden for any eligible applicants that earn a grant award, including small entities. We invite the public to comment on this discussion of estimated costs and benefits.

Intergovernmental Review: This action is subject to Executive Order 12372 and the regulations in 34 CFR part 79.

This document provides early notification of our specific plans and actions for this program.

Regulatory Flexibility Act Certification

This section considers the effects that the final regulations may have on small entities in the educational sector as required by the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.* The Secretary certifies that this proposed regulatory action would not have a substantial economic impact on a substantial number of small entities.

The U.S. Small Business Administration Size Standards define proprietary institutions as small businesses if they are independently owned and operated, are not dominant in their field of operation, and have total annual revenue below \$7,000,000. Nonprofit institutions are defined as small entities if they are independently owned and operated and not dominant in their field of operation. Public institutions are defined as small organizations if they are operated by a government overseeing a population below 50,000.

Paperwork Reduction Act: The proposed priority and definitions do not contain information collection requirements or affect the currently approved data collection.

Accessible Format: On request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**, individuals with disabilities can obtain this document in an accessible format. The Department will provide the requestor with an accessible format that may include Rich Text Format (RTF) or text format (txt), a thumb drive, an MP3 file, braille, large print, audiotape, compact disc, or another accessible format.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations at www.govinfo.gov. You may also access documents of the Department published in the **Federal Register** by using the article search feature at www.federalregister.gov.

Signing Authority

This document of the U.S. Department of Education was signed on July 17, 2025, by Linda McMahon, Secretary of Education. That document with the original signature and date is maintained by the U.S. Department of Education. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned has been authorized to sign the document in electronic format for publication, as an official document of the U.S. Department of Education. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Tracey St. Pierre,

Director, Office of the Executive Secretariat, Office of the Secretary, U.S. Department of Education.

[FR Doc. 2025-13650 Filed 7-18-25; 8:45 am]

BILLING CODE 4000-01-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 51 and 52

[EPA-HQ-OAR-2022-0381; FRL-9249-03-OAR]

RIN 2060-AV62

Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NNSR): Regulations Related To Project Emissions Accounting; Withdrawal of Proposed Rule

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; withdrawal.

SUMMARY: The U.S. Environmental Protection Agency (EPA) is withdrawing the proposed rule titled “Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NNSR): Regulations Related to Project Emissions Accounting” that published in the **Federal Register** on May 3, 2024. Based on comments received, the EPA has determined that there is insufficient justification for the proposed rule revisions to the New Source Review

(NSR) program applicability provisions under the Clean Air Act (CAA) and that the proposed revisions could result in unnecessary additional burden on regulated entities and State, Tribal, and local air agencies that implement the NSR regulations.

DATES: As of July 21, 2025, the proposed rule published on May 3, 2024, at 89 FR 36870, is withdrawn.

ADDRESSES: The EPA has established a docket for the Project Emissions Accounting rulemaking under Docket ID No. EPA-HQ-OAR-2022-0381. All documents in the docket are listed on the <https://www.regulations.gov> website. Although listed in the index, some information is not publicly available, e.g., Confidential Business Information or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available electronically through <https://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Ms. Jessica Montanez, Air Quality Policy Division, Office of Air Quality Planning and Standards (C504-03), Environmental Protection Agency, Post Office Box 12055, Research Triangle Park, NC 27711; telephone number: (919) 541-3407; email address: montanez.jessica@epa.gov.

SUPPLEMENTARY INFORMATION: As established under CAA, the NSR program is a preconstruction permitting program that requires certain stationary sources of air pollution to obtain permits prior to beginning construction. The NSR permitting program applies to both new construction and to modifications of existing sources, regardless of whether the source is in an area where the national ambient air quality standards (NAAQS) have been exceeded (nonattainment area) or if the source is in an area where the NAAQS have not been exceeded (attainment or unclassifiable area). NSR permits for major sources that are located in attainment or unclassifiable areas are referred to as Prevention of Significant Deterioration (PSD) permits. NSR permits for major sources located in nonattainment areas and that emit pollutants above the specified thresholds for which the area is in nonattainment are referred to as Nonattainment NSR (NNSR) permits. An existing major stationary source triggers major NSR permitting requirements when it undergoes a “major modification.” The EPA’s implementing regulations for NSR

establish a two-step process for determining major NSR applicability for projects at stationary sources. To be subject to major NSR requirements, the project must result in both (1) a significant emissions increase from the project (the determination of which is called “Step 1” of the NSR applicability analysis); and (2) a significant net emissions increase at the stationary source, taking account of emission increases and emission decreases attributable to other projects undertaken at the stationary source within a specific time frame (called “Step 2” of the NSR applicability analysis, or “contemporaneous netting”). Thus, a project is a major modification for a regulated NSR pollutant if it results in both a significant emissions increase and a significant net emissions increase for that pollutant across the stationary source.

On November 24, 2020, the EPA published a final rule titled “Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NNSR): Project Emissions Accounting” (85 FR 74890) (“Project Emissions Accounting rule”). The Project Emissions Accounting rule made clarifying revisions to the applicability procedures in the EPA’s NSR regulations that are used to determine whether a physical change or change in the method of operation (*i.e.*, a “project”) at an existing major stationary source will result in a significant emissions increase under Step 1 of the NSR applicability process. Specifically, the revisions made clear that both increases and decreases resulting from a project shall be accounted for under Step 1 of the NSR applicability process, consistent with an earlier EPA memorandum that interpreted the pre-existing regulations to allow for the same approach (termed “project emissions accounting”).¹ The EPA determined that a full accounting of emissions changes resulting from a project is more consistent with the definition of “modification” at CAA section 111(a)(4) because it ensures that projects that result in an overall decrease in emissions or in a *de minimis* increase in emissions will not be subject to the major NSR program.

The EPA received a petition for reconsideration on the Project Emissions Accounting rule dated

¹ Memorandum from E. Scott Pruitt, to Regional Administrators, “Project Emissions Accounting Under the New Source Review Preconstruction Permitting Program,” March 13, 2018. Available at: https://www.epa.gov/sites/production/files/2018-03/documents/nsr_memo_03-13-2018.pdf.

January 22, 2021 (“2021 petition”),² which the EPA denied on the grounds that the petition did not meet the CAA section 307(d)(7)(b) criteria for mandatory reconsideration. However, the EPA decided to undertake a discretionary rulemaking in response to the 2021 petition. As a result, the EPA issued a proposed rule that was published in the **Federal Register** on May 3, 2024.³ The proposed rule included a potential revision to the definition of “project” in the NSR regulations, additional recordkeeping and reporting requirements applicable to minor modifications at existing major stationary sources, and a potential requirement that decreases accounted for under the Step 1 significant emissions increase calculation be enforceable. The EPA provided a 60-day public comment period on the proposed rule that closed on July 2, 2024.

Based on a careful review of the proposed rule and comments received during the public notice period, the EPA has determined that the proposed rule did not provide sufficient justification of the benefits of the proposed revisions to the NSR regulations, and that the proposed revisions could result in additional burdens on regulated entities and State, Tribal, and local air agencies that implement the NSR regulations, which are not necessary to achieve the intended result. These burdens could disincentivize or delay environmentally and economically beneficial projects at stationary sources, including efficiency improvements.

The stated goal of the proposed rule was to improve implementation and strengthen enforceability of the NSR program provisions finalized in the 2020 Project Emissions Accounting rule. However, based on feedback the EPA received during the public comment process, the EPA agrees with several commenters that the changes the EPA proposed would impose additional burdens and uncertainty on regulated

stationary sources without clear and justifiable corresponding benefits.

For the proposed definition of “project,” the Agency proposed to codify in the NSR regulations the EPA’s interpretation and policy for determining whether changes at a facility should be grouped together or separated, as articulated in EPA’s 2018 final action on “project aggregation.”⁴ The EPA explained in the proposal that this change was intended to provide greater clarity as to the types of activities to be included in a single project and to address concerns of over- or under-aggregation in determining the scope of a project. However, after considering comments, the EPA agrees with State and industry commenters that the proposed definition of “project” could in fact lead to more uncertainty in permitting decisions rather than improve clarity and that there is insufficient evidence to show that aggregation concerns warrant making these changes to the NSR program. The EPA agrees with these commenters that this proposed definition could increase uncertainty by requiring State, Tribal, and local permitting authorities to use as controlling criteria terms like “substantially related,” “economic viability,” and “technical viability,” which were not defined in the proposed rule. Introducing these terms into the definition of “project” without further defining these terms may lead to inconsistent air permitting implementation results if different permitting authorities interpret these terms differently. In addition, the proposed rule did not include sufficient consideration and information on this issue to allow this issue to be fully addressed in public comments and resolved in a final rule.

Regarding aggregation concerns, commenters rightly observed that the EPA has not identified examples of over- or under-aggregation in prior permitting decisions, and that any issues of this nature that do arise can be handled through enforcement of existing NSR regulations. On top of these concerns, the EPA was not able to quantify any benefits from the proposed revisions to the “project” definition. After considering comments on the proposed rule, the EPA has been persuaded by commenters that the 2018 final action on project aggregation provides sufficient guidance on how individual projects should be considered, while maintaining needed

flexibility for permitting authorities and regulated sources to consider the particular facts on a case-by-case basis.

The EPA also agrees with similar concerns raised in comments on the proposed clarification of monitoring, recordkeeping and reporting requirements. The commenters noted that these proposed revisions to the monitoring, recordkeeping and reporting requirements could unnecessarily burden the permitting process and associated obligations without corresponding benefits. In the proposal, the EPA noted that the changes to monitoring, recordkeeping and reporting requirements were intended to clarify and strengthen existing requirements to provide increased transparency, and that in proposing these changes, the EPA sought to analyze the trade-off between compliance improvement with the burdens of additional data collection. Upon further consideration, the EPA agrees with commenters that the additional data collection burden on regulated entities outweighs theoretical benefits of increased transparency from additional reporting. As commenters correctly noted, the EPA did not provide examples or empirical evidence of insufficient recordkeeping, reporting, or monitoring to support these proposed changes, yet the proposed changes would have required additional, and in some instances redundant, data collection burdens on regulated sources.

Regarding the EPA’s proposal to make decreases in emissions accounted for in the Step 1 significant emissions increase calculation enforceable, commenters demonstrated that the rationale for this part of the proposal is inconsistent with the EPA’s rationale (reflected in prior NSR rulemakings) for other provisions in the EPA’s NSR regulations, and that implementation of this part of the proposal would restrict source operation for projects that involve projected decreases in emissions. In a 2002 final rule that reformed the major NSR program applicability provisions, the EPA determined that projected actual emissions should not be made enforceable through a permitting action, finding that doing so “may place an unmanageable resource burden on reviewing authorities” and that “the Act provides ample authority to enforce the major NSR requirements.”⁵ This same reasoning applies regardless whether a projection results in an increase or decrease in emissions, and the EPA did not receive any comments on the proposal that provided a compelling basis for requiring an enforceable

² Letter from Sanjay Narayan *et al.*, to Acting Administrator Jane Nishida, “Re: Petition for Reconsideration of ‘Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NNSR): Project Emissions Accounting,’ 85 FR 74890 (November 24, 2020), Docket ID No. EPA-HQ-OAR-2018-0048 and for Withdrawal of Guidance Memorandum titled ‘Project Emissions Accounting Under the New Source Review Preconstruction Permitting Program’ (March 13, 2018) (OAQPS-2020-683 and OAQPS-2020-223),” January 22, 2021, (“Petition for Reconsideration”), available at: https://www.epa.gov/system/files/documents/2021-10/final-nsr-accounting-rulereconsideration-petition-1_22_21.pdf.

³ “Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NNSR): Regulations Related to Project Emissions Accounting,” 89 FR 36870 (May 3, 2024).

⁴ Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NNSR): Aggregation; Reconsideration, 83 FR 57324 (November 15, 2018).

⁵ 67 FR 80186, at 80204 (December 31, 2002).

limitation in one instance but not the other.

Furthermore, the EPA agrees with commenters that, in some cases, requiring enforcement of a projected decrease in emissions from baseline levels can restrict operating flexibility and future project opportunities. This may be particularly true for projects that improve efficiency, which discourages source owners from pursuing environmentally and economically beneficial projects. Based on the foregoing, the EPA is withdrawing the proposed rule and does not plan to take further action at this time on the project emissions accounting provisions in the NSR regulations.

Lee Zeldin,
Administrator.

[FR Doc. 2025-13598 Filed 7-18-25; 8:45 am]

BILLING CODE 6560-50-P

OFFICE OF MANAGEMENT AND BUDGET

Office of Federal Procurement Policy

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Parts 11, 12, and 52

[FAR Case 2025-006, Docket No. FAR-2025-0006, Sequence No. 1]

RIN 9000-A079

Federal Acquisition Regulation: Ending Procurement and Forced Use of Paper Straws

AGENCY: Office of Federal Procurement Policy (OFPP), Office of Management and Budget; Department of Defense (DoD); General Services Administration (GSA); and National Aeronautics and Space Administration (NASA).

ACTION: Proposed rule.

SUMMARY: OFPP, DoD, GSA, and NASA, collectively referred to as the Federal Acquisition Regulatory Council (FAR Council), are proposing to amend the Federal Acquisition Regulation (FAR) to ensure agencies procure straws with the strength and durability of plastic in accordance with the National Strategy to End the Use of Paper Straws.

DATES: Interested parties should submit written comments to the Regulatory Secretariat Division at the address shown below on or before September

19, 2025, to be considered in the formation of the final rule.

ADDRESSES: Submit comments in response to FAR Case 2025-006 to the Federal eRulemaking portal at <https://www.regulations.gov> by searching for “FAR Case 2025-006”. Select the link “Comment Now” that corresponds with “FAR Case 2025-006”. Follow the instructions provided on the “Comment Now” screen. Please include your name, company name (if any), and “FAR Case 2025-006” on your attached document. If your comment cannot be submitted using <https://www.regulations.gov>, call or email the points of contact in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

Instructions: Please submit comments only and cite “FAR Case 2025-006” in all correspondence related to this case. Comments received generally will be posted without change to <https://www.regulations.gov>, including any personal and/or business confidential information provided. Public comments may be submitted as an individual, as an organization, or anonymously (see frequently asked questions at <https://www.regulations.gov/faq>). To confirm receipt of your comment(s), please check <https://www.regulations.gov>, approximately two to three days after submission to verify posting.

FOR FURTHER INFORMATION CONTACT: For clarification of content, contact FAR Policy at 202-969-4075 or by email at FARPolicy@gsa.gov. For information pertaining to status, publication schedules, or alternate instructions for submitting comments if <https://www.regulations.gov> cannot be used, contact the Regulatory Secretariat Division at 202-501-4755 or GSARegSec@gsa.gov. Please cite “FAR Case 2025-006.”

SUPPLEMENTARY INFORMATION:

I. Background

On February 10, 2025, the President issued Executive Order (E.O.) 14208, Ending Procurement and Forced Use of Paper Straws. Section 2(c) of the E.O. directed the Assistant to the President for Domestic Policy, in coordination with relevant agencies, to issue a National Strategy to End the Use of Paper Straws (“National Strategy”) that addresses contract policies that ban or penalize plastic straw purchase or use. The National Strategy, issued in March 2025, stated that the FAR Council should amend the FAR to ensure that no Federal agency procures paper straws, consistent with the policy in E.O. 14208. As part of these efforts, the FAR should be updated to include a performance requirement that beverage

straws procured and used under Federal contracts have the strength and durability of plastic straws and a provision that requires all Government contractors to represent that they do not use paper straws or penalize the use of plastic straws. The FAR Council is proposing to revise the FAR to align with the National Strategy.

II. Discussion and Analysis

The FAR Council is proposing the following amendments to the FAR to implement the National Strategy:

A. Minimum Performance Requirements

The proposed rule, if finalized, would amend FAR subpart 11.3, Acceptable Material, to add a minimum Government performance requirement for straws to be procured by agencies or provided for use in agency facilities under Government contracts. The new policy to be added at FAR 11.301(c)(3) would require such straws to have the strength and durability of plastic straws.

B. Representation

This proposed rule, if finalized, would also create a new solicitation provision at FAR 52.211-XX, Ending Procurement and Forced Use of Paper Straws, to be included in solicitations for the acquisition of straws or when the resultant contract may require the contractor to provide straws for use at a Federal facility. The new provision requires the offeror to represent that it does not have policies promoting the use of paper straws or penalizing the use of plastic straws, that it will not provide paper straws in performance of the contract, and that any straws provided by the offeror in performance of this contract will have the strength and durability of plastic straws. This provision is proposed to be included in the list of provisions that are applicable to the acquisition of commercial products and commercial services.

C. Justification

FAR subpart 23.1, Sustainable Products and Services, provides procedures to ensure agencies procure sustainable products and services to the maximum extent practicable, pursuant to certain statutory purchasing preference programs. One such program is the U.S. Department of Agriculture (USDA) BioPreferred Program. It is a statutory purchasing preference program that establishes minimum biobased content standards for certain products, to include paper straws. Established under the Farm Security and Rural Investment Act of 2002 and implemented through FAR subpart 23.1, the BioPreferred Program promotes the

procurement and use of biobased products across the Federal Government and includes paper straws among its designated product categories. Under this program, agencies are generally required to give procurement preference to designated biobased products unless the item is not reasonably available, fails to meet performance standards, or is not cost effective. Per FAR 23.103(a)(1), procuring sustainable products and services is considered practicable unless the sustainable product or service does not meet reasonable performance requirements. When it is not practicable, the contracting officer must obtain a written justification from the requiring activity and include it in the contract file (see FAR 23.104(a)). This proposed rule adds language at FAR 11.301(c)(3) to make clear that paper straws do not meet the Government's reasonable performance requirement, which serves as the written justification required by FAR 23.104(a).

III. Applicability to Contracts at or Below the Simplified Acquisition Threshold (SAT) and for Commercial Products (Including Commercially Available Off-the-Shelf (COTS) Items) or for Commercial Services

This rule proposes to add a new solicitation provision at FAR 52.211–XX, Ending Procurement and Forced Use of Paper Straws. The provision would be prescribed at FAR 11.302(b) for use in solicitations for the acquisition of straws or when the resultant contract may require the contractor to provide straws for use at a Federal facility. The provision would be applicable to acquisitions at or below the SAT, acquisitions for commercial products (including COTS items), and acquisitions of commercial services. It is necessary to apply this solicitation provision to these categories of acquisitions, since straws are a COTS item and are most frequently provided in contracts for commercial services and contracts valued at or below the SAT.

IV. Expected Impact of the Rule

The data, findings, and conclusions in this section are directly drawn from the March 2025 “National Strategy To End The Use of Paper Straws,” and the supporting analysis in E.O. 14208. The rule is expected to result in a net benefit. The reduced costs, superior performance, and decreased health and safety risks associated with use of plastic straws or biobased straws with the strength and durability of plastic significantly outweigh any de minimis compliance costs or any potential transitory costs of moving away from

ineffective paper straws. The facts of the case are clear and simple: paper straws cost more, are ineffective, carry increased health and safety risks, and unduly burden individuals with disabilities. The Domestic Policy Council (DPC) reached similar conclusions in their report to the President entitled “National Strategy To End The Use of Paper Straws” (March 2025). Paper straws have been forced into cafeterias at contractor and Federal Government facilities, veteran's health facilities, and military installations. Our Nation's veterans, military and their families, Government and contractor employees, and citizens or tourists visiting Government facilities deserve better than to be subjected to these costly, ineffective and hazardous paper straws. Concession contracts, such as those at the National Parks, are usually not issued using the FAR, so they are not covered by this rule.

The aggregated number of straws purchased directly or during performance of Government contracts at the locations noted above is not available to extrapolate overall saving and benefits. However, analysis of the individual metrics of cost, functionality and utility, health and safety, and equal protection all demonstrate the superior benefits of plastic straws or biobased straws with the strength and durability of plastic. In addition, the ideological policies of previous Administrations that sought to ban plastic straws in favor of forcing the use of paper straws wherever possible has had a chilling effect on those who would have otherwise preferred to apply commonsense and use plastic straws.

Cost. Market research shows that paper straws are offered for purchase at significantly higher prices than plastic straws and at incrementally higher prices than an American-made biobased alternative with the strength and durability of plastic. These price variances are present in various sizes, types, and quantities. For example, open-source commercial offerings for 7.75-inch drinking straws indicate market pricing of paper straws at a cost of three to six cents per straw while plastic straws are offered for less than a penny per straw. There is even an American-made biobased straw available with the strength and durability of plastic available for less than three cents per straw.

Functionality and utility. As noted by DPC, research supports the commonsense notion that paper straws fail to adequately perform their sole function. For example, researchers at North Carolina State University studied paper straws that are commonly found on the

market and demonstrated that after less than 30 minutes of exposure to liquid, paper straws experienced a 70 to 90 percent reduction in compressive strength (Gutierrez et al., 2019). As a result, use of paper straws does not achieve the expected level of satisfaction or happiness (utility) an individual should receive from consuming their beverage.

Safety risks. As also highlighted by DPC paper straws lose their functionality and structural integrity, they can disintegrate creating a choking hazard particularly for young children. The Netherlands and Finland have both issued official warnings about the dangers of paper straws. The Netherlands Food and Consumer Product Safety Authority (NVWA) found 400 people who reported that their child or someone with special needs choked on part of a paper straw that disintegrated during use. In 15 percent of these cases, the person choking on the paper straw required intervention to dislodge the paper straw and restore normal breathing. The NVWA determined that the risk posed by paper straws is severe enough to warrant a formal caution, and it advised parents and caregivers to be careful when young children and people with disabilities use paper straws. In its analysis, the NVWA noted that paper straws are dangerous choking hazards because they “become weak and disintegrate” during the course of normal use (McLaren-Kennedy, 2022).

Health risks. Not only are paper straws ineffective and pose safety risk, they also carry increased health risks. Paper straws have been linked to alarmingly higher rates of harmful perfluoroalkylated and polyfluoroalkylated substances (PFAS) which are widely acknowledged as harmful to humans and can lead to major health problems including liver damage, thyroid disease, obesity, fertility complications and even cancer. A team of scientists at the University of Antwerp in Belgium studied 39 different brands of straws and found higher PFAS chemicals in 90 percent (18/20) of the paper straws tested.

Unduly burden individuals with disabilities. The banning of plastic straws has also disproportionately impacted the disabled community. As proclaimed by the Center for Disability Rights on its website “Our needs matter”, plastic straws are “a tool disabled people rely on, rather than a frivolous, planet-killing item that can be easily done away with.”

De minimis compliance costs. The proposed rule requires a simple representation by the offeror that it does

not have policies promoting the use of paper straws or penalizing the use of plastic straws, that it will not provide paper straws in performance of the contract, and that any straws provided by the offeror in performance of this contract will have the strength and durability of plastic straws. The proposed rule also clearly establishes performance requirements related to drinking straws, and any offeror bidding on effected solicitation would be expected to meet those performance requirements.

Potential transitory costs.

Transitioning away from use of paper straws may result in short-term, transitory costs. However, as noted above, the price of plastic straws is significantly lower than paper, so these costs are expected to be recouped in the near term. Potential transitory costs may be experienced by contractors that supply straws to the Federal Government, either through direct order or during performance of a contract (e.g., cafeterias, snack stands, other food services), if they have excess inventory that can no longer be used. These contractors will assess their inventories and, if necessary, identify alternative acceptable products, revise supplier agreements to purchase compliant straws, and manage any excess inventory that no longer meets the Government’s minimum performance requirements (e.g., sell to other customers, donate, write-off). While there may be an initial cost to replace current inventories of paper straws to comply with this rule, these contractors should see significant savings over time

since the cost of plastic straws is significantly less than the cost of paper straws. The Government will likely achieve similar savings when procuring straws directly.

V. Executive Orders 12866, 13563, and 14192

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is a significant regulatory action and, therefore, is subject to review under Section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993.

This rule is subject to E.O. 14192, Unleashing Prosperity Through Deregulation. This rule is anticipated to be deregulatory under E.O. 14192. See discussion in the “Expected Impact of the Rule” section of this preamble.

VI. Regulatory Flexibility Act

The proposed rule, if finalized, may have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act 5 U.S.C. 601–612. The Initial Regulatory Flexibility Analysis (IRFA) is as follows:

1. *Reasons for the action.*

In accordance with Executive Order (E.O.) 14208, Ending the Procurement and Forced Use of Paper Straws, the Assistant to the President for Domestic Policy has issued a National Strategy to End the Use of Paper Straws. The National Strategy, issued in March 2025, states that OFPP, in coordination with the Federal Acquisition Regulatory Council, should amend the FAR to ensure that no Federal agency procures paper straws, consistent with the policy in E.O. 14208.

2. *Objectives of, and legal basis for, the rule.*

In accordance with the National Strategy, the objective of this rule is to propose amendments to the FAR to: (1) establish minimum performance requirements for straws to be procured by agencies or to be provided for use in agency facilities during performance of a contract, (2) make clear that paper straws do not meet the Government’s performance requirements, and (3) require certain offerors to represent that they will not provide paper straws in performance of the contract and that any straws provided under the contract will have the strength and durability of plastic. Promulgation of the FAR is authorized by 41 U.S.C. 1121(b); 40 U.S.C. 121(c); 10 U.S.C. chapter 4 and 10 U.S.C. chapter 137 legacy provisions (see 10 U.S.C. 3016); and 51 U.S.C. 20113.

3. *Description of and an estimate of the number of small entities to which the rule will apply.*

This rule would apply to small manufacturers of straws and small businesses who sell straws to the Government or provide straws for use in Federal facilities under Government contracts. The potential industries impacted by this rule and applicable business size standards are identified in the following table by North American Industry Classification System (NAICS) code:

NAICS	Industry	Size standard
326199	All other plastics product manufacturing	750 employees.
322299	All other converted paper product manufacturing	500 employees.
423840	Industrial supplies merchant wholesalers	125 employees.
423990	Other miscellaneous durable goods merchant wholesalers	100 employees.
722310	Food service contractors	\$47.0 million.
722320	Caterers	\$9.0 million.
722511	Full-service restaurants	\$11.5 million.
722513	Limited-service restaurants	\$13.5 million.
722514	Cafeterias, grill buffets, and buffets	\$34.0 million.
722515	Snack and nonalcoholic beverage bars	\$22.5 million.

According to data available in the Federal Procurement Data System for fiscal years 2022 through 2024, on average, the Government awards 33,862 contracts and delivery orders to 1,853 contractors in these NAICS codes, of which 32,700 were awarded to 1,284 small businesses.

4. *Description of projected reporting, recordkeeping, and other compliance requirements of the rule.*

This rule would require small entities that sell straws to the Federal Government or provide straws for use in Federal facilities during performance of a contract to ensure

that they are not providing paper straws and that the straws provided have the strength and durability of plastic. Solicitations for such acquisitions will require the offeror to represent by submission of their offer that they will comply with this requirement.

5. *Relevant Federal rules which may duplicate, overlap, or conflict with the rule.*

FAR subpart 23.1, Sustainable Products and Services, provides procedures to ensure agencies to procure sustainable products and services to the maximum extent practicable, pursuant to certain statutory purchasing preference programs. Per FAR 23.103(a)(1),

procuring sustainable products and services is considered practicable unless the sustainable product or service does not meet reasonable performance requirements. When this occurs, a written justification to procure other than the sustainable product or services is required to be included in the contract file (see FAR 23.104(a)). The USDA BioPreferred Program is a statutory purchasing preference program that establishes minimum biobased content standards for certain products, to include paper straws. The proposed language at FAR 11.301(c)(3) serves as the written justification required by FAR 23.104(a) and

makes clear that paper straws do not meet the Government's reasonable performance requirements.

6. *Description of any significant alternatives to the rule which accomplish the stated objectives of applicable statutes and which minimize any significant economic impact of the rule on small entities.*

There are no significant alternatives that would minimize the impact of the rule on small entities.

The Regulatory Secretariat Division has submitted a copy of the IRFA to the Chief Counsel for Advocacy of the Small Business Administration. A copy of the IRFA may be obtained from the Regulatory Secretariat Division. The FAR Council invites comments from small business concerns and other interested parties on the expected impact of this proposed rule on small entities.

The FAR Council will also consider comments from small entities concerning the existing regulations in subparts affected by the rule in accordance with 5 U.S.C. 610. Interested parties must submit such comments separately and should cite 5 U.S.C. 610 (FAR Case 2025-006), in correspondence.

VII. Paperwork Reduction Act

This rule does not contain any information collection requirements that require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. 3501-3521).

List of Subjects in 48 CFR Parts 11, 12, and 52

Government procurement.

William F. Clark,

Director, Office of Government-wide Acquisition Policy, Office of Acquisition Policy, Office of Government-wide Policy.

Therefore, OFPP, DoD, GSA, and NASA propose amending 48 CFR parts 11, 12, and 52 as set forth below:

PART 11—DESCRIBING AGENCY NEEDS

■ 1. The authority citation for 48 CFR part 11 is revised to read as follows:

Authority: 41 U.S.C. 1121(b); 40 U.S.C. 121(c); 10 U.S.C. chapter 4 and 10 U.S.C. chapter 137 legacy provisions (see 10 U.S.C. 3016); and 51 U.S.C. 20113.

■ 2. Amend section 11.301 by adding paragraph (c)(3) to read as follows:

11.301 Policy.

* * * * *

(c)(1) * * *

(2) * * *

(3) Straws procured by agencies or provided for use in agency facilities during performance of a contract must have the strength and durability of plastic straws. This section serves as a Governmentwide justification pursuant to 23.104(a) that paper straws identified in the USDA BioPreferred Program do not meet the Government's reasonable performance requirements for straws.

■ 3. Revise section 11.302 to read as follows:

11.302 Solicitation provision and contract clause.

(a) Insert the clause at 52.211-5, Material Requirements, in solicitations and contracts for supplies that are not commercial products.

(b) Insert the provision at 52.211-XX, Ending Procurement and Forced Use of Paper Straws, in solicitations for the acquisition of straws or when the resultant contract may require the contractor to provide straws for use at a Federal facility.

PART 12—ACQUISITION OF COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES

■ 4. The authority citation for 48 CFR part 12 is revised to read as follows:

Authority: 41 U.S.C. 1121(b); 40 U.S.C. 121(c); 10 U.S.C. chapter 4 and 10 U.S.C. chapter 137 legacy provisions (see 10 U.S.C. 3016); and 51 U.S.C. 20113.

■ 5. Amend section 12.301 by redesignating paragraphs (d)(10) through (14) as paragraphs (d)(11) through (15) and adding a new paragraph (d)(10) to read as follows:

12.301 Solicitation provisions and contract clauses for the acquisition of commercial products and commercial services.

* * * * *

(d) * * *

(10) 52.211-XX, Ending Procurement and Forced Use of Paper Straws, in solicitations as prescribed in 11.302(b).

* * * * *

PART 52—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

■ 6. The authority citation for 48 CFR part 52 continues to read as follows:

Authority: 41 U.S.C. 1121(b); 40 U.S.C. 121(c); 10 U.S.C. chapter 4 and 10 U.S.C. chapter 137 legacy provisions (see 10 U.S.C. 3016); and 51 U.S.C. 20113.

52.211-5 [Amended]

■ 7. Amend section 52.211-5 by removing from the introductory text "11.302" and adding "11.302(a)" in its place.

■ 8. Add section 52.211-XX to read as follows:

52.211-XX Ending Procurement and Forced Use of Paper Straws.

As prescribed in 11.302(b), insert the following provision:

Ending Procurement and Forced Use of Paper Straws (DATE)

(a) *Requirement.* Straws procured by agencies or provided for use in agency facilities during performance of a contract must have the strength and durability of plastic straws.

(b) *Representation.* By submission of its offer, the Offeror represents that—

(1) It does not have policies promoting the use of paper straws or penalizing the use of plastic straws;

(2) It will not provide paper straws in performance of this contract; and

(3) Any straws provided by the Offeror in performance of this contract will have the strength and durability of plastic straws.

(End of provision)

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

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE933]

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to a Marine Geophysical Surveys in the Cascadia Subduction Zone in the Northeast Pacific Ocean

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

ACTION: Notice; proposed incidental harassment authorization; request for comments on proposed authorization and possible renewal.

SUMMARY: NMFS has received a request from Scripps Institution of Oceanography (SIO) for authorization to take marine mammals incidental to a geophysical survey in the Cascadia Subduction Zone of the Northeast Pacific Ocean. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to issue an incidental harassment authorization (IHA) to incidentally take marine mammals during the specified activities. NMFS is also requesting comments on a possible one-time, 1-year renewal that could be issued under certain circumstances and if all requirements are met, as described in Request for Public Comments at the end of this notice. NMFS will consider public comments prior to making any final decision on the issuance of the requested MMPA authorization and agency responses will be summarized in the final notice of our decision.

DATES: Comments and information must be received no later than August 20, 2025.

ADDRESSES: Comments should be addressed to Permits and Conservation

Division Office of Protected Resources, National Marine Fisheries Service and should be submitted via email to ITP.Fleming@noaa.gov. Electronic copies of the application and supporting documents, as well as a list of the references cited in this document, may be obtained online at: <https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-research-and-other-activities>. In case of problems accessing these documents, please call the contact listed below.

Instructions: NMFS is not responsible for comments sent by any other method, to any other address or individual, or received after the end of the comment period. Comments, including all attachments, must not exceed a 25-megabyte file size. All comments received are a part of the public record and will generally be posted online at <https://www.fisheries.noaa.gov/permit/incidental-take-authorizations-under-marine-mammal-protection-act> without change. All personal identifying information (e.g., name, address) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information.

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.

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 preliminarily determined that the issuance of the proposed IHA qualifies to be categorically excluded from further NEPA review.

Summary of Request

On February 25, 2025, NMFS received a request from SIO for an IHA to take marine mammals incidental to a geophysical survey in the Cascadia Subduction Zone of the Northeast Pacific ocean. The application was deemed adequate and complete on May 13, 2025. NMFS proposes to authorize take of 24 species of marine mammals, by Level B harassment only. Neither SIO nor NMFS expect serious injury or mortality to result from this activity and, therefore, an IHA is appropriate.

Description of Proposed Activity

Overview

Researchers from the New Mexico Institute of Mining and Technology (New Mexico Tech) and Oregon State University, with funding from the U.S. National Science Foundation (NSF), propose to conduct a low-energy seismic survey, using airguns as the acoustic source, aboard the Research Vessel (R/V) *Sally Ride*, which is owned by the U.S. Navy and operated by the IHA applicant, SIO. The proposed survey would occur in September 2025 within the Cascadia Subduction Zone of the Northeast Pacific Ocean in the Exclusive Economic Zone (EEZ) of the United States, in water depths ranging from 2000 to 3500 m. To complete this 2-dimensional (2-D) multi-channel seismic (MCS) reflection survey, the R/V *Sally Ride* would tow a cluster of two 45 cubic inch (in³) Generator-Injector (GI)-airguns spaced 2 m apart, with a total discharge volume of 90 in³. The acoustic source would be towed at a depth of 4 m along the survey lines, while the receiver is towed in a 1000 m long solid-state hydrophone streamer. The airguns would fire at a shot interval of 12.5 to 15 m. Approximately 444 km of seismic data acquisition is planned. Airguns would introduce underwater sound into the marine environment and may result in incidental take of marine mammals.

The proposed study would acquire high-resolution 2-D seismic data to understand the thermal effects of fluid circulation in oceanic crust entering the Cascadia Subduction Zone. The seismic data would be used to define the basement topography and overlying sedimentary structure. This information is needed to both plan the heat flow survey and interpret the heat flow results. The survey builds upon research conducted by Lamont-Doherty Earth Observatory (L-DEO) pursuant to a 2022 IHA (87 FR 47985), that was prematurely halted because of a ship malfunction, and research conducted in 2024 in which heat flow data (no seismic data acquisition) was collected. Information about the previous survey is available at <https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-research-and-other-activities>.

Dates and Duration

The proposed IHA would be valid for the statutory maximum of one year from the date of effectiveness. It will become effective upon written notification from the applicant to NMFS, but not beginning later than one year from the date of issuance or extending beyond two years from the date of issuance. The *Sally Ride* is proposed to depart from Newport, Oregon on September 6, 2025 and return to Newport on September 8,

2025. The cruise is expected to consist of 3 days at sea, including 2 days of seismic operations and 1 day of transit. However, unforeseen circumstances, such as inclement weather, equipment maintenance and/or repair, transit to and from ports to survey locations, could delay operations.

Specific Geographic Region

The proposed survey would occur within an area bounded by the following approximate coordinates: 45°N/127°W, 47°N/127°W, 47°N/126°W, and 45°N/125.5°W, off the coasts of Oregon and Washington in the Northeast Pacific Ocean in the U.S. EEZ, in water depths ranging from 2000 m to 3,500 m. The region where the survey is proposed to occur is depicted in figure 1. Representative survey tracklines are shown; however, some deviation in actual tracklines, including the order of survey operations, could be necessary for reasons such as science drivers, poor data quality, inclement weather, or research vessel and/or equipment experiencing mechanical issues. Therefore, for the proposed survey, the tracklines could occur anywhere within the coordinates noted above and depicted below in figure 1. The *Sally Ride* would likely leave from and return to Newport, Oregon.

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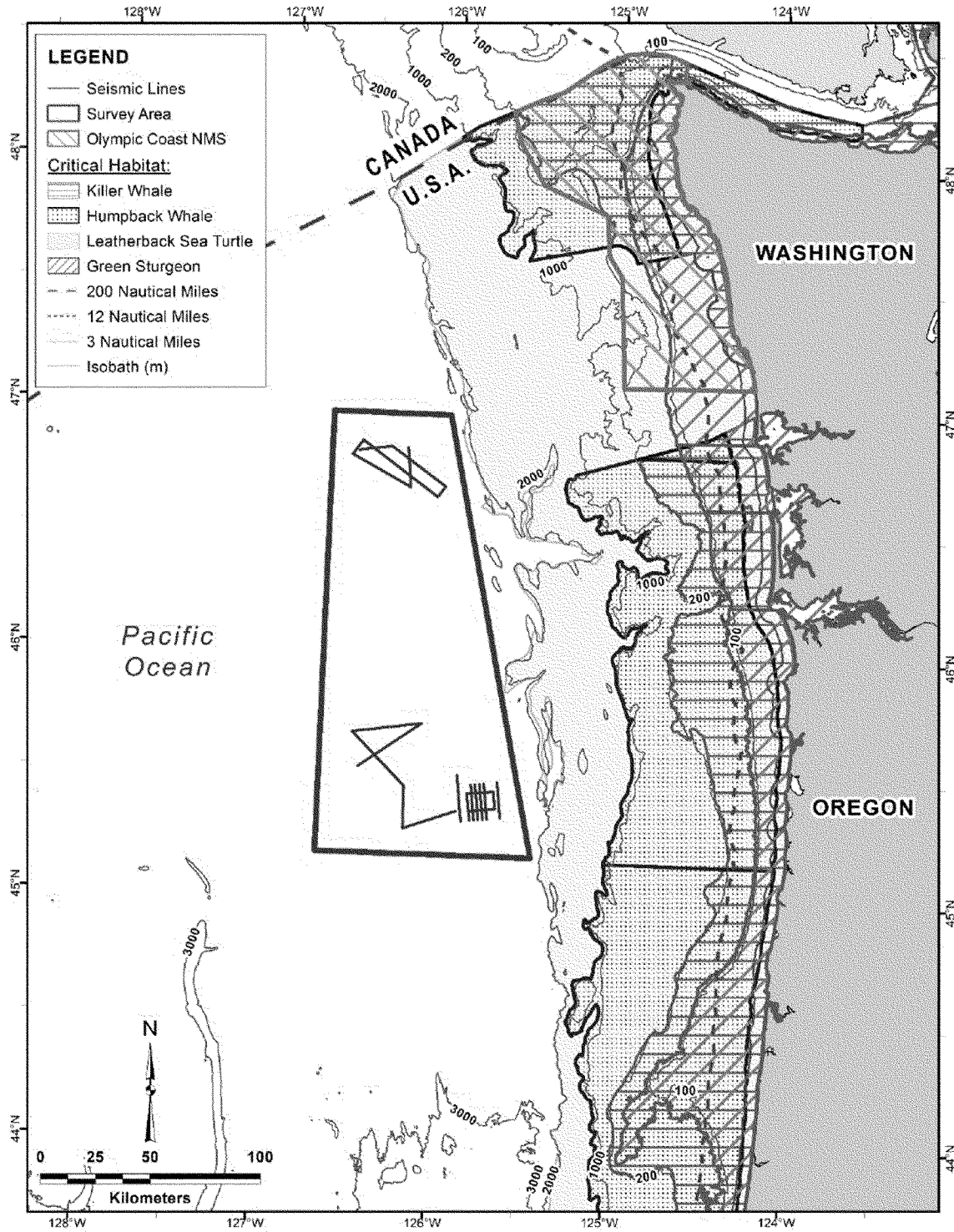


Figure 1. Location of the proposed seismic survey off Oregon and Washington in the Cascadia Subduction Zone. Representative survey tracklines are included in the figure; however, the tracklines could occur anywhere in the survey area.

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Detailed Description of the Specified Activity

The procedures to be used for the proposed survey would be similar to those used during previous seismic surveys and would use conventional seismic methodology. The survey would involve one source vessel, R/V *Sally Ride*, which is owned by the U.S. Navy and operated by SIO. During the low-energy 2D MCS seismic reflection survey *Sally Ride* would tow two GI airguns with a total discharge volume of 90 in³. The two inline airguns would be spaced 2 m apart. The receiving system would consist of a 1 km long solid-state hydrophone streamer. As the airguns are towed along the survey lines, the hydrophone streamer would transfer the data to the on-board processing system. Approximately 444 km of seismic data acquisition are planned. The survey would take place in water depths ranging from approximately 2,000 m to 3,500 m.

In addition to the operations of the airguns, the ocean floor would be mapped continuously with Kongsberg EM124 (12 kilohertz (kHz)) and Kongsberg EM712 (40–100 kHz) multibeam echosounders, and a Kongsberg BSP29 sub-bottom profiler (SBP). All planned geophysical data acquisition would be conducted by SIO with on-board assistance by scientists who have proposed the studies. The vessel would be self-contained, and the crew would live aboard the vessel. A Teledyne RDI Ocean Surveyor ADCP or Teledyne RDI 300 kHz Workhorse II Mariner surveyor acoustic Doppler current profiler (ADCP) would be used

to measure water current velocities. Take of marine mammals is not expected to occur incidental to the use of multibeam echosounder, SBP, ADCP, operations whether or not the airguns are operating simultaneously with the other sources. Given their characteristics (e.g., narrow downward-directed beam), marine mammals would experience no more than one or two brief ping exposures, if any exposure were to occur. NMFS does not expect that the use of these sources is likely to cause take of marine mammals.

Proposed mitigation, monitoring, and reporting measures are described in detail later in this document (please see Proposed Mitigation and Proposed Monitoring and Reporting).

Description of Marine Mammals in the Area of Specified Activities

Sections 3 and 4 of the application summarize available information regarding status and trends, distribution and habitat preferences, and behavior and life history of the potentially affected species. NMFS fully considered all of this information, and we refer the reader to these descriptions, instead of reprinting the information. Additional information regarding population trends and threats may be found in NMFS' Stock Assessment Reports (SARs; <https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-stock-assessments>) and more general information about these species (e.g., physical and behavioral descriptions) may be found on NMFS' website (<https://www.fisheries.noaa.gov/find-species>).

Table 1 lists all species or stocks for which take is expected and proposed to

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

Marine mammal abundance estimates presented in this document represent the total number of individuals that make up a given stock or the total number estimated within a particular study or survey area. NMFS' stock abundance estimates for most species represent the total estimate of individuals within the geographic area, if known, that comprises that stock. For some species, this geographic area may extend beyond U.S. waters. All managed stocks in this region are assessed in NMFS' U.S. Pacific and Alaska SARs. All values presented in table 1 are the most recent abundance estimates available at the time of publication (including from the draft 2024 SARs) and are available online at: <https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-stock-assessments>.

TABLE 1—SPECIES¹ WITH ESTIMATED TAKE FROM THE SPECIFIED ACTIVITIES

Common name	Scientific name	Stock	ESA/ MMPA status; Strategic (Y/N) ²	Stock abundance (CV, Nmin, most recent abundance survey) ³	PBR	Annual M/SI ⁴
Order Artiodactyla—Cetacea—Mysticeti (baleen whales)						
<i>Family Balaenopteridae</i>						
<i>(rorquals):</i>						
Blue whale	<i>Balaenoptera musculus</i>	Eastern N Pacific	E, D, Y	1,898 (0.085, 1,767, 2018)	4.1	≥18.6
Fin whale	<i>Balaenoptera physalus</i> <i>velifera</i> .	CA/OR/WA	E, D, Y	11,065 (0.405, 7,970, 2018) ..	80	≥43.4
Humpback whale	<i>Megaptera novaeangliae</i>	Central America/Southern Mexico—CA/OR/WA.	E, D, Y	1,496 (0.171, 1,284, 2021)	3.5	14.9
		Mainland Mexico—CA/OR/WA	T, D, Y	3,477 (0.101, 3,185, 2018)	43	22
		Hawai'i	-, -, N	11,278 (0.56, 7,265, 2020)	127	27.09
Minke whale	<i>Balaenoptera acutorostrata</i>	CA/OR/WA	-, -, N	915 (0.792, 509, 2018)	4.1	≥0.19
Sei whale	<i>Balaenoptera borealis</i>	Eastern N Pacific	E, D, Y	864 (0.40, 625, 2014)	1.25	UNK
Odontoceti (toothed whales, dolphins, and porpoises)						
<i>Family Physeteridae:</i>						
Sperm whale	<i>Physeter macrocephalus</i>	CA/OR/WA	E, D, Y	2,606 (0.135, 2,011, 2018)	4	0.52
<i>Family Kogiidae:</i>						
Dwarf sperm whale	<i>Kogia sima</i>	CA/OR/WA	-, -, N	UNK (UNK, UNK, 2014)	UND	0
Pygmy sperm whale	<i>Kogia breviceps</i>	CA/OR/WA	-, -, N	4,111 (1.12, 1,924, 2014)	19.2	0

TABLE 1—SPECIES ¹ WITH ESTIMATED TAKE FROM THE SPECIFIED ACTIVITIES—Continued

Common name	Scientific name	Stock	ESA/ MMPA status; Strategic (Y/N) ²	Stock abundance (CV, Nmin, most recent abundance survey) ³	PBR	Annual M/SI ⁴
<i>Family Ziphiidae (beaked whales):</i>						
Baird's beaked whale	<i>Berardius bairdii</i>	CA/OR/WA	- , - , N	1,363 (0.53, 894, 2018)	8.9	≥0.2
Cuvier's Beaked Whale	<i>Ziphius cavirostris</i>	CA/OR/WA	- , - , N	5,454 (0.27, 4,214, 2016)	42	<0.1
Mesoplodon beaked Whales.	<i>Mesoplodon spp.</i>	CA/OR/WA	- , - , N	3,044 (0.54, 1,967, 2014)	20	0.1
<i>Family Delphinidae:</i>						
Killer whale	<i>Orcinus orca</i>	Eastern North Pacific Off-shore. West Coast Transient	- , - , N - , - , N	300 (0.1, 276, 2012)	2.8	0
Northern right whale dolphin.	<i>Lissodelphis borealis</i>	CA/OR/WA	- , - , N	349 (N/A, 349, 2018)	3.5	0.4
Pacific white-sided dolphin	<i>Lagenorhynchus obliquidens</i>	CA/OR/WA	- , - , N	29,285 (0.72, 17,024, 2018) ..	163	≥6.6
Risso's dolphin	<i>Grampus griseus</i>	CA/OR/WA	- , - , N	34,999 (0.222, 29,090, 2018)	279	7
Short beaked common dolphin.	<i>Delphinus delphis</i>	CA/OR/WA	- , - , N	6,336 (0.32, 4,817, 2014)	46	≥3.7
<i>Family Phocoenidae (porpoises):</i>						
Dall's porpoise	<i>Phocoenoides dalli</i>	CA/OR/WA	- , - , N	1,056,308 (0.21, 888,971, 2018).	8,889	≥30.5
Order Carnivora—Pinnipedia						
<i>Family Otariidae (eared seals and sea lions):</i>						
California sea lion	<i>Zalophus californianus</i>	U.S.	- , - , N	257,606 (N/A, 233,515, 2014)	14,011	>321
Guadalupe fur seal	<i>Arctocephalus townsendi</i>	Mexico	T, D, Y	63,850 (N/A, 57,199, 2013) ...	1,959	≥10.0
Northern fur seal	<i>Callorhinus ursinus</i>	Eastern Pacific	- , D, Y	626,618 (0.2, 530,376, 2019)	11,403	373
Steller sea lion	<i>Eumetopias jubatus</i>	CA	- , - , N	19,634 (N/A, 8,788, 2022)	527	1.2
<i>Family Phocidae (earless seals):</i>						
Northern elephant seal	<i>Mirounga angustirostris</i>	California Breeding	- , - , N	36,308 (N/A, 36,308, 2022) ...	2,178	93.2

¹ Information on the classification of marine mammal species can be found on the web page for The Society for Marine Mammalogy's Committee on Taxonomy (<https://marinemammalscience.org/science-and-publications/list-marine-mammal-species-subspecies/>).

² Endangered Species Act (ESA) status: Endangered (E), Threatened (T)/MMPA status: Depleted (D). A dash (-) indicates that the species is not listed under the ESA or designated as depleted under the MMPA. Under the MMPA, a strategic stock is one for which the level of direct human-caused mortality exceeds PBR or which is determined to be declining and likely to be listed under the ESA within the foreseeable future. Any species or stock listed under the ESA is automatically designated under the MMPA as depleted and as a strategic stock.

³ NMFS marine mammal stock assessment reports online at: <https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-stock-assessment-reports-region>. CV is coefficient of variation; Nmin is the minimum estimate of stock abundance. In some cases, CV is not applicable.

⁴ 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.

As indicated above, all 24 species (with 26 managed stocks) in table 1 temporally and spatially co-occur with the activity to the degree that take is reasonably likely to occur. All species that could potentially occur in the proposed survey areas are included in table 2 of the IHA application.

Some species could potentially occur in the proposed survey area but are not likely to be encountered due to the rarity of their occurrence in conjunction with the brief survey duration. These species include North Pacific right whale (*Eubalaena japonica*), short-finned pilot whale (*Globicephala macrorhynchus*), bottlenose dolphin (*Tursiops truncatus*), false killer whale (*Pseudorca crassidens*), and striped dolphin (*Stenella coeruleoalba*). Therefore they are not discussed further beyond the explanation provided below.

Based on the very low abundance of North Pacific right whale, its rarity off the coasts of Washington and Oregon in recent decades, and the likelihood that

animals would be feeding in the Bering Sea and Gulf of Alaska at the time of the survey, it is unlikely that a North Pacific right whale would be encountered in the proposed survey area during the period of operations.

Although zero estimated Level B harassment exposures were calculated for short-finned pilot whales, bottlenose dolphins, false killer whales, and striped dolphins, SIO requested authorization for the incidental harassment of these species. However, all these species have rare historical occurrence in the project area, and short-finned pilot whales prefer warmer tropical waters, bottlenose dolphins tend to stay in coastal waters in lower latitudes, and false killer whales are rarely observed north of Baja, California. The likelihood that SIO would encounter these species in the proposed survey area is discountable and NMFS is not proposing to authorize take of these species.

In addition to what is included in sections 3 and 4 of the IHA application, and NMFS' website, further detail informing the regional occurrence for select species of particular or unique vulnerability (i.e., information regarding ESA listed or MMPA depleted species) is provided below.

Blue Whale

Based on modeling of the dynamic topography of the region, blue whales could occur in relatively high densities off Oregon during summer and fall (Pardo *et al.*, 2015; Hazen *et al.*, 2017). Recent phenology analysis of marine mammal sightings revealed a peak of blue whale density over the Oregon continental shelf in September, and their sighting rates in the region have increased over the past three decades as a response to environmental changes influencing prey availability shifting their range northward (Derville *et al.*, 2022). Densities along the U.S. west coast, including Oregon, were predicted

to be highest in shelf waters, with lower densities in deeper offshore areas (Becker *et al.*, 2012; Calambokidis *et al.*, 2015). Blue whales have been detected acoustically off Oregon (McDonald *et al.*, 1995; Stafford *et al.*, 1998; Von Saunder and Barlow 1999).

Long-term passive acoustic monitoring of three shelf, slope, and canyon sites off Washington found the highest number of call detections on the slope and the lowest at the canyon site (Rice *et al.*, 2021). Call rates were highest during fall and winter, but vocalizations were detected at all sites throughout the year (Rice *et al.*, 2021).

One sighting (four animals) was made during the June–July 2021 Lamont-Doherty Earth Observatory (L–DEO) Cascadia survey (RPS 2022a), but no sightings were made during L–DEO’s August 2022 Cascadia survey (RPS 2023), or LDEO’s April 2022 Cascadia survey (RPS 2022b).

Although rare, blue whales could be encountered in the survey area.

Fin Whale

Information about the seasonal distribution of fin whales in the North Pacific has been obtained from the detection of fin whale calls by bottom-mounted, offshore hydrophone arrays along the U.S. Pacific coast, in the central North Pacific, and in the western Aleutian Islands (Moore *et al.*, 1998, 2006; Watkins *et al.*, 2000a,b; Stafford *et al.*, 2007, 2009). Fin whale calls are recorded in the North Pacific year-round (*e.g.*, Moore *et al.*, 2006; Stafford *et al.*, 2007, 2009; Edwards *et al.*, 2015). In the central North Pacific, the Gulf of Alaska, and Aleutian Islands, call rates peak during fall and winter (Moore *et al.*, 1998, 2006; Watkins *et al.*, 2000a,b; Stafford *et al.*, 2009).

Fin whales are routinely sighted during surveys off Oregon and Washington (Barlow and Forney 2007; Barlow 2010, 2016; Adams *et al.*, 2014; Calambokidis *et al.*, 2015; Edwards *et al.*, 2015), including in coastal as well as offshore waters. They have also been detected acoustically in those waters during June–August (Edwards *et al.*, 2015).

During long-term passive acoustic monitoring at three sites (shelf, slope, canyon) off northwestern Washington during 2004–2013, the highest number of call detections were recorded at the canyon site; most detections were made during fall and winter, but calls were detected throughout the year at all three sites (Rice *et al.*, 2021). Fin whales are likely to be encountered in the proposed survey area.

Four fin whale sightings (eight individuals) were made during the

August 2022 L–DEO Cascadia Survey (RPS 2023). Seventeen sightings (33 animals) were made during the June–July 2021 L–DEO Cascadia survey (RPS 2022a), and 1 sighting (3 animals) was made during the April 2022 L–DEO survey off Oregon (RPS 2022b).

Fin whale could be encountered in the survey area.

Humpback Whale

The humpback whale is the most common species of large cetacean reported off the coasts of Oregon and Washington from May–November (Calambokidis *et al.*, 2000, 2004; Henry *et al.*, 2020). The highest numbers have been reported off Oregon during May and June and off Washington during July–September (Calambokidis *et al.*, 2000; Calambokidis and Barlow 2004). Based on data from 2016–2021, Derville *et al.*, (2022) reported that the peak in humpback occurrence on the shelf of Oregon occurs during August. Humpbacks occur primarily over the continental shelf and slope during the summer, with few reported in offshore pelagic waters (Calambokidis and Barlow 2004, 2015; Becker *et al.*, 2012; Barlow 2016; Derville *et al.*, 2022).

During long-term (2004–2013) passive acoustic monitoring at three sites on the shelf, slope, and a canyon off northwestern Washington, the highest number of call detections were recorded at the canyon site and lowest at the slope site (Rice *et al.*, 2021). Most detections occurred during fall and winter, but calls were also detected at all sites during August and September (Rice *et al.*, 2021). Similarly, monitoring with acoustic recorders deployed at different locations off Washington during 2008–2013 showed that call rates were highest during fall and winter (Emmons *et al.*, 2020).

Seven sightings (11 individuals) were reported during the L–DEO Cascadia survey in August 2022 (RPS 2023). Eighty-three sightings totaling 210 humpbacks were made during the June–July 2021 L–DEO Cascadia Subduction Zone seismic survey off the coast of the Pacific Northwest (including Washington, Oregon, and southern British Columbia (B.C)) (RPS 2022a), and 11 sightings of 24 animals were made during the April 2022 L–DEO survey off Oregon (RPS 2022b).

Humpback whale could be encountered in the survey area.

The 2022 Alaska and Pacific SARs described a revised stock structure for humpback whales, which modifies the previous stocks designated under the MMPA to align more closely with the ESA-designated distinct population segments (DPSs) (Caretta *et al.*, 2023;

Young *et al.*, 2023). Specifically, the three previous North Pacific humpback whale stocks (the CA/OR/WA stock and the Central and Western North Pacific stocks) were replaced by five stocks, largely corresponding with the ESA-designated DPSs. These include Western North Pacific and Hawaii stocks and a Central America/Southern Mexico-CA/OR/WA stock (which corresponds with the Central America DPS). The remaining two stocks, corresponding to the Mexico DPS, are the Mainland Mexico-CA/OR/WA and Mexico-North Pacific stocks (Caretta *et al.*; Young *et al.*, 2023). The former stock is expected to occur along the west coast from California to southern British Columbia, while the latter stock may occur across the Pacific, from northern British Columbia through the Gulf of Alaska and Aleutian Islands/Bering Sea region to Russia.

Within the project area, three humpback whale stocks may occur: The Central America/Southern Mexico—CA—OR—WA stock, which corresponds with the Central America DPS (found all along the west coast, but most common off California and Oregon; the Central America DPS is listed as endangered under the ESA); the Mainland Mexico—CA—OR—WA stock, which corresponds with the Mexico DPS (found all along the west coast; the Mexico DPS is listed as threatened under the ESA), and the Hawaii stock, which corresponds with the Hawaii DPS (found predominately off Washington and southern British Columbia; the Hawaii DPS is not listed under the ESA). According to Wade (2021), the probability that whales encountered in Oregon and California waters are from a given DPS are as follows: Central America DPS (42 percent); Mexico DPS (58 percent); Hawaii DPS (0 percent). The probability that humpback whales encountered in Washington and British Columbia waters are as follows: Central America DPS (6 percent); Mexico DPS (25 percent); Hawaii DPS (69 percent). Wade (2021) notes that the majority of humpback whales that may be found off of Washington are likely moving north of the United States border and feeding primarily off of southern British Columbia.

Sei Whale

Sei whales are rare in the waters off Oregon and Washington (Brueggeman *et al.*, 1990; Barlow 1994, 1997). Less than 20 confirmed sightings were reported in that region during extensive surveys during 1991–2018 (Hill and Barlow 1992; Carretta and Forney 1993; Mangels and Gerrodette 1994; Von Saunder and Barlow 1999; Barlow 2003,

2010, 2014; Forney 2007; Carretta *et al.*, 2024).

A total of two sightings (four individuals) were reported during L-DEO Cascadia Survey (RPS 2023). No sei whales were sighted during the June–July 2021 L-DEO Cascadia survey (RPS 2022a), or the April 2022 L-DEO survey off Oregon (RPS 2022b).

Sei whales could be encountered during the proposed survey, although this species is considered rare in these waters.

Sperm Whale

Sperm whales are distributed widely across the North Pacific (Rice 1989). Sperm whales were sighted during surveys off Oregon in October 2011 and off Washington in June 2011 (Adams *et al.*, 2014). Carretta *et al.* (2024) also reported numerous sperm whale sightings off Oregon and Washington during shipboard surveys. Sperm whales were detected acoustically in waters off Oregon and Washington in August 2016 during the NMFS Southwest Fisheries Science Center (SWFSC) Passive Acoustics Survey of Cetacean Abundance Levels (PASCAL) study using drifting acoustic recorders (Keating *et al.*, 2018). Oleson *et al.* (2009) noted a significant diel pattern in the occurrence of sperm whale clicks at offshore and inshore monitoring locations off Washington, whereby clicks were more commonly heard during the day at the offshore site and at night at the inshore location, suggesting possible diel movements up and down the slope in search of prey. During long-term passive acoustic monitoring of three sites on the shelf, slope, and at a canyon off Washington during 2004–2013, sperm whale clicks were detected year-round with the highest number of call detections at the slope site (Rice *et al.*, 2021). Similarly, monitoring at acoustic recorders deployed at different locations off Washington during 2008–2013 showed clicks were detected year-round (Emmons *et al.*, 2020).

There were no sightings of sperm whale reported during L-DEO Cascadia Survey conducted in August 2022 (RPS 2023), the L-DEO Cascadia Survey conducted in June–July 2021 (RPS 2022a), or the L-DEO survey conducted in April 2022 (RPS 2022b). However, sperm whales could be encountered in the proposed survey area.

Guadalupe Fur Seal

While at sea, Guadalupe fur seal is solitary but typically gathers in the hundreds to thousands at breeding sites. During the summer breeding season, most adults occur at rookeries in Mexico

(Norris 2020; Carretta *et al.*, 2021). Following the breeding season, adult males tend to move northward to forage. Several rehabilitated Guadalupe fur seals that were satellite tagged and released in central California traveled as far north as B.C. (Norris 2020). Guadalupe fur seals could be encountered during the proposed seismic surveys, but most animals are likely to occur at their breeding sites farther south at the time of the surveys.

There were no sightings of Guadalupe fur seal reported during L-DEO Cascadia Survey conducted in August 2022 (RPS 2023), the L-DEO Cascadia Survey conducted in June–July 2021 (RPS 2022a), or the L-DEO survey conducted in April 2022 (RPS 2022b). Guadalupe fur seal could be encountered in the survey area.

Northern Fur Seal

The northern fur seal breeding season spans from about May through November, with adult males usually coming ashore in May–August (though sometimes be present until November) and adult females coming ashore from June–November (Young *et al.* 2024). When not on rookery islands in the Bering seal, Russia, and southern and central California, northern fur seals are primarily pelagic (Young *et al.*, 2024), spending 7–8 months feeding at sea after reproduction (Roppel 1984), typically in areas of upwelling along the continental slopes and over seamounts (Gentry 1981).

Males usually migrate only as far south as the Gulf of Alaska (Kajimura 1984). Ream *et al.* (2005) showed that migrating females moved over the continental shelf as they migrated southeasterly. Instead of following depth contours, their travel corresponded with movements of the Alaska Gyre and the North Pacific Current (Ream *et al.* 2005). Pups from the California stock also migrate to Washington, Oregon, and northern California after weaning (Lea *et al.*, 2009).

Tagged adult northern fur seals were tracked from the Pribilof Islands to the waters off Washington/Oregon/California, with recorded movement throughout the proposed survey area (Pelland *et al.*, 2014). Tracked adult male fur seals that were tagged on St. Paul Island in the Bering Sea in October 2009, wintered in the Bering Sea or northern North Pacific Ocean; females migrated to the Gulf of Alaska and the California Current, including off the west coasts of Haida Gwaii and Vancouver Island (Sterling *et al.*, 2014). Some individuals reach California by December, after which time numbers

increase off the west coast of North America (Ford 2014). The peak density shift over the course of the winter and spring, with peak densities occurring in California in February, April off Oregon and Washington, and May off B.C. and Southeast Alaska (Ford 2014).

Bonnell *et al.* (1992) noted the presence of northern fur seals year-round off Oregon/Washington, with the greatest numbers (87 percent) occurring in January–May. Northern fur seals were seen as far out from the coast as 185 km, and numbers increased with distance from land; they were 5–6 times more abundant in offshore waters than over the shelf or slope (Bonnell *et al.*, 1992). The highest densities were seen in the Columbia River plume (~46° N) and in deep offshore waters (>2,000 m) off central and southern Oregon (Bonnell *et al.*, 1992). The waters off Washington are a known foraging area for adult females, and concentrations of fur seals were also reported to occur near Cape Blanco, Oregon, at ~42.8° N (Pelland *et al.* 2014). While zero northern fur seals were reported during L-DEO's Cascadia survey conducted in August 2022 (RPS 2023), three northern fur seals were seen during the 2021 L-DEO Cascadia survey (RPS 2022a), and five were seen during the April 2022 L-DEO survey off Oregon (RPS 2022b). Northern fur seals could be observed in the proposed survey area, in particular females and juveniles. However, adult females are generally ashore from June through November (during the planned survey period).

Marine Mammal Hearing

Hearing is the most important sensory modality for marine mammals underwater, and exposure to anthropogenic sound can have deleterious effects. To appropriately assess the potential effects of exposure to sound, it is necessary to understand the frequency ranges marine mammals are able to hear. Not all marine mammal species have equal hearing capabilities (*e.g.*, Richardson *et al.*, 1995; Wartzok and Ketten, 1999; Au and Hastings, 2008). To reflect this, Southall *et al.* (2007, 2019) recommended that marine mammals be divided into hearing groups based on directly measured (behavioral or auditory evoked potential techniques) or estimated hearing ranges (behavioral response data, anatomical modeling, *etc.*). Generalized hearing ranges were chosen based on the ~65 decibel (dB) threshold from composite audiograms, previous analyses in NMFS (2018), and/or data from Southall *et al.* (2007) and Southall *et al.* (2019). We note that the names of two hearing groups and the generalized hearing ranges of all marine mammal hearing

groups have been recently updated (NMFS 2024) as reflected below in table 2.

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

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

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

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

Potential Effects of Specified Activities on Marine Mammals and Their Habitat

This section provides a discussion of the ways in which components of the specified activity may impact marine mammals and their habitat. The Estimated Take of Marine Mammals section later in this document includes a quantitative analysis of the number of individuals that are expected to be taken by this activity. The Negligible Impact Analysis and Determination section considers the content of this section, the Estimated Take of Marine Mammals section, and the Proposed Mitigation section, to draw conclusions regarding the likely impacts of these activities on the reproductive success or survivorship of individuals and whether those impacts are reasonably expected to, or reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival.

Description of Active Acoustic Sound Sources

This section contains a brief technical background on sound, the characteristics of certain sound types, and on metrics used in this proposal inasmuch as the information is relevant to the specified activity and to a discussion of the potential effects of the specified activity on marine mammals found later in this document.

Sound travels in waves, the basic components of which are frequency, wavelength, velocity, and amplitude. Frequency is the number of pressure waves that pass by a reference point per unit of time and is measured in hertz (Hz) or cycles per second. Wavelength is the distance between two peaks or corresponding points of a sound wave

(length of one cycle). Higher frequency sounds have shorter wavelengths than lower frequency sounds, and typically attenuate (decrease) more rapidly, except in certain cases in shallower water. Amplitude is the height of the sound pressure wave or the "loudness" of a sound and is typically described using the relative unit of the dB. A sound pressure level (SPL) in dB is described as the ratio between a measured pressure and a reference pressure (for underwater sound, this is 1 microPascal (µPa)) and is a logarithmic unit that accounts for large variations in amplitude; therefore, a relatively small change in dB corresponds to large changes in sound pressure. The source level (SL) represents the SPL referenced at a distance of 1 m from the source (referenced to 1 µPa) while the received level is the SPL at the listener's position (referenced to 1 µPa).

Root mean square (RMS) is the quadratic mean sound pressure over the duration of an impulse. Root mean square is calculated by squaring all of the sound amplitudes, averaging the squares, and then taking the square root of the average (Urick, 1983). Root mean square accounts for both positive and negative values; squaring the pressures makes all values positive so that they may be accounted for in the summation of pressure levels (Hastings and Popper, 2005). This measurement is often used in the context of discussing behavioral effects, in part because behavioral effects, which often result from auditory cues, may be better expressed through averaged units than by peak pressures.

Sound exposure level (SEL; represented as dB re 1 µPa²-s) represents the total energy contained within a pulse and considers both intensity and duration of exposure. Peak sound pressure (also referred to as zero-to-peak sound pressure or 0–p) is the maximum

instantaneous sound pressure measurable in the water at a specified distance from the source and is represented in the same units as the RMS sound pressure. Another common metric is peak-to-peak sound pressure (pk–pk), which is the algebraic difference between the peak positive and peak negative sound pressures. Peak-to-peak pressure is typically approximately 6 dB higher than peak pressure (Southall *et al.*, 2007).

When underwater objects vibrate or activity occurs, sound-pressure waves are created. These waves alternately compress and decompress the water as the sound wave travels. Underwater sound waves radiate in a manner similar to ripples on the surface of a pond and may be either directed in a beam or beams or may radiate in all directions (omnidirectional sources), as is the case for pulses produced by the airguns considered here. The compressions and decompressions associated with sound waves are detected as changes in pressure by aquatic life and man-made sound receptors such as hydrophones.

Even in the absence of sound from the specified activity, the underwater environment is typically loud due to ambient sound. Ambient sound is defined as environmental background sound levels lacking a single source or point (Richardson *et al.*, 1995), and the sound level of a region is defined by the total acoustical energy being generated by known and unknown sources. These sources may include physical (e.g., wind and waves, earthquakes, ice, atmospheric sound), biological (e.g., sounds produced by marine mammals, fish, and invertebrates), and anthropogenic (e.g., vessels, dredging, construction) sound. A number of sources contribute to ambient sound, including the following (Richardson *et al.*, 1995):

Wind and waves—The complex interactions between wind and water surface, including processes such as breaking waves and wave-induced bubble oscillations and cavitation, are a main source of naturally occurring ambient sound for frequencies between 200 Hz and 50 kHz (Mitson, 1995). In general, ambient sound levels tend to increase with increasing wind speed and wave height. Surf sound becomes important near shore, with measurements collected at a distance of 8.5 km from shore showing an increase of 10 dB in the 100 to 700 Hz band during heavy surf conditions;

Precipitation—Sound from rain and hail impacting the water surface can become an important component of total sound at frequencies above 500 Hz, and possibly down to 100 Hz during quiet times;

Biological—Marine mammals can contribute significantly to ambient sound levels, as can some fish and snapping shrimp. The frequency band for biological contributions is from approximately 12 Hz to over 100 kHz; and

Anthropogenic—Sources of ambient sound related to human activity include transportation (surface vessels), dredging and construction, oil and gas drilling and production, seismic surveys, sonar, explosions, and ocean acoustic studies. Vessel noise typically dominates the total ambient sound for frequencies between 20 and 300 Hz. In general, the frequencies of anthropogenic sounds are below 1 kHz and, if higher frequency sound levels are created, they attenuate rapidly. Sound from identifiable anthropogenic sources other than the activity of interest (e.g., a passing vessel) is sometimes termed background sound, as opposed to ambient sound.

The sum of the various natural and anthropogenic sound sources at any given location and time, which comprise “ambient” or “background” sound, depends not only on the source levels (as determined by current weather conditions and levels of biological and human activity) but also on the ability of sound to propagate through the environment. In turn, sound propagation is dependent on the spatially and temporally varying properties of the water column and sea floor, and is frequency-dependent. As a result of this dependence on a large number of varying factors, ambient sound levels can be expected to vary widely over both coarse and fine spatial and temporal scales. Sound levels at a given frequency and location can vary by 10–20 dB from day to day (Richardson *et al.*, 1995). The result is

that, depending on the source type and its intensity, sound from a given activity may be a negligible addition to the local environment or could form a distinctive signal that may affect marine mammals. Details of source types are described in the following text.

Sounds are often considered to fall into one of two general types: Pulsed and non-pulsed. The distinction between these two sound types is important because they have differing potential to cause physical effects, particularly with regard to hearing (e.g., NMFS, 2018; Ward, 1997 in Southall *et al.*, 2007). Please see Southall *et al.* (2007) for an in-depth discussion of these concepts.

Pulsed sound sources (e.g., airguns, explosions, gunshots, sonic booms, impact pile driving) produce signals that are brief (typically considered to be less than one second), broadband, atonal transients (American National Standards Institute (ANSI), 1986, 2005; Harris, 1998; National Institute for Occupational Health and Safety (NIOSH), 1998; International Organization for Standardization (ISO), 2003) and occur either as isolated events or repeated in some succession. Pulsed sounds are all characterized by a relatively rapid rise from ambient pressure to a maximal pressure value followed by a rapid decay period that may include a period of diminishing, oscillating maximal and minimal pressures, and generally have an increased capacity to induce physical injury as compared with sounds that lack these features.

Non-pulsed sounds can be tonal, narrowband, or broadband, brief or prolonged, and may be either continuous or non-continuous (ANSI, 1995; NIOSH, 1998). Some of these non-pulsed sounds can be transient signals of short duration but without the essential properties of pulses (e.g., rapid rise time). Examples of non-pulsed sounds include those produced by vessels, aircraft, machinery operations such as drilling or dredging, vibratory pile driving, and active sonar systems (such as those used by the U.S. Navy). The duration of such sounds, as received at a distance, can be greatly extended in a highly reverberant environment.

Airgun arrays produce pulsed signals with energy in a frequency range from about 10–2,000 Hz, with most energy radiated at frequencies below 200 Hz. The amplitude of the acoustic wave emitted from the source is equal in all directions (*i.e.*, omnidirectional), but airgun arrays do possess some directionality due to different phase delays between guns in different

directions. Airgun arrays are typically tuned to maximize functionality for data acquisition purposes, meaning that sound transmitted in horizontal directions and at higher frequencies is minimized to the extent possible.

Acoustic Effects

Here, we discuss the effects of active acoustic sources on marine mammals.

*Potential Effects of Underwater Sound*¹—Anthropogenic sounds cover a broad range of frequencies and sound levels and can have a range of highly variable impacts on marine life, from none or minor to potentially severe responses, depending on received levels, duration of exposure, behavioral context, and various other factors. The potential effects of underwater sound from active acoustic sources can potentially result in one or more of the following: Temporary or permanent hearing impairment; non-auditory physical or physiological effects; behavioral disturbance; stress; and masking (Richardson *et al.*, 1995; Gordon *et al.*, 2004; Nowacek *et al.*, 2007; Southall *et al.*, 2007; Götz *et al.*, 2009). The degree of effect is intrinsically related to the signal characteristics, received level, distance from the source, and duration of the sound exposure. In general, sudden, high level sounds can cause hearing loss, as can longer exposures to lower level sounds. Temporary or permanent loss of hearing, if it occurs at all, will occur almost exclusively in cases where a noise is within an animal’s hearing frequency range. We first describe specific manifestations of acoustic effects before providing discussion specific to the use of airgun arrays.

Richardson *et al.* (1995) described zones of increasing intensity of effect that might be expected to occur, in relation to distance from a source and assuming that the signal is within an animal’s hearing range. First is the area within which the acoustic signal would be audible (potentially perceived) to the animal, but not strong enough to elicit any overt behavioral or physiological response. The next zone corresponds with the area where the signal is audible to the animal and of sufficient intensity to elicit behavioral or physiological response. Third is a zone within which, for signals of high intensity, the received level is sufficient to potentially cause discomfort or tissue damage to auditory or other systems. Overlaying these zones to a certain extent is the

¹ Please refer to the information given previously (*Description of Active Acoustic Sound Sources*) regarding sound, characteristics of sound types, and metrics used in this document.

area within which masking (*i.e.*, when a sound interferes with or masks the ability of an animal to detect a signal of interest that is above the absolute hearing threshold) may occur; the masking zone may be highly variable in size.

We describe the more severe effects of certain non-auditory physical or physiological effects only briefly as we do not expect that use of airgun arrays are reasonably likely to result in such effects (see below for further discussion). Potential effects from impulsive sound sources can range in severity from effects such as behavioral disturbance or tactile perception to physical discomfort, slight injury of the internal organs and the auditory system, or mortality (Yelverton *et al.*, 1973). Non-auditory physiological effects or injuries that theoretically might occur in marine mammals exposed to high level underwater sound or as a secondary effect of extreme behavioral reactions (*e.g.*, change in dive profile as a result of an avoidance reaction) caused by exposure to sound include neurological effects, bubble formation, resonance effects, and other types of organ or tissue damage (Cox *et al.*, 2006; Southall *et al.*, 2007; Zimmer and Tyack, 2007; Tal *et al.*, 2015). The survey activities considered here do not involve the use of devices such as explosives or mid-frequency tactical sonar that are associated with these types of effects.

Marine mammals, like all mammals, develop increased hearing thresholds over time due to age-related degeneration of auditory pathways and sensory cells of the inner ear. This natural, age-related hearing loss is contrasted by noise-induced hearing loss (Møller, 2012). Marine mammals exposed to high-intensity sound or to lower-intensity sound for prolonged periods can experience a noise-induced hearing threshold shift (TS), which NMFS defines as a change, usually an increase, in the threshold of audibility at a specified frequency or portion of an individual's hearing range above a previously established reference level as a result of noise exposure (NMFS, 2018, 2024). The amount of TS is customarily expressed in dB. Noise-induced hearing TS can be temporary (TTS) or permanent (PTS), and higher-level sound exposures are more likely to cause PTS or other auditory injury (AUD INJ). As described in NMFS (2018, 2024) there are numerous factors to consider when examining the consequence of TS, including, but not limited to, the signal temporal pattern (*e.g.*, impulsive or non-impulsive), likelihood an individual would be exposed for a long enough duration or

to a high enough level to induce a TS, the magnitude of the TS, time to recovery (seconds to minutes or hours to days), the frequency range of the exposure (*i.e.*, spectral content), the hearing frequency range of the exposed species relative to the signal's frequency spectrum (*i.e.*, how animal uses sound within the frequency band of the signal; *e.g.*, Kastelein *et al.*, 2014), and the overlap between the animal and the source (*e.g.*, spatial, temporal, and spectral).

Auditory Injury (AUD INJ)

NMFS (2024) defines AUD INJ as damage to the inner ear that can result in destruction of tissue, such as the loss of cochlear neuron synapses or auditory neuropathy (Houser, 2021; Finneran, 2024). AUD INJ may or may not result in a PTS. PTS is subsequently defined 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). PTS does not generally affect more than a limited frequency range, and an animal that has incurred PTS has some level of hearing loss at the relevant frequencies; typically animals with PTS or other AUD INJ are not functionally deaf (Au and Hastings, 2008; Finneran, 2016). For marine mammals, AUD INJ is considered to be possible when sound exposures are sufficient to produce 40 dB of TTS measured after exposure (Southall *et al.* 2007, 1019). AUD INJ levels for marine mammals are estimates, as with the exception of a single study unintentionally inducing PTS in a harbor seal (*Phoca vitulina*) (Reichmuth *et al.* 2019), there are no empirical data measuring AUD INJ in marine mammals largely due to the fact that, for various ethical reasons, experiments involving anthropogenic noise exposure at levels inducing AUD INJ are not typically pursued or authorized (NMFS, 2024).

Temporary Threshold Shift (TTS)

TTS is a temporary, reversible 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) that represents primarily tissue fatigue (Henderson *et al.*, 2008), and is not considered an AUD INJ. Based on data from marine mammal TTS measurements (see Southall *et al.*, 2007, 2019), a TTS of 6 dB is considered the minimum threshold shift clearly larger than any day-to-day or session-to-session variation in a subject's normal hearing ability (Finneran *et al.*, 2000, 2002; Schlundt *et al.*, 2000). While

experiencing TTS, the hearing threshold rises, and a sound must be at a higher level in order to be heard (Finneran 2015).

In terrestrial and marine mammals, TTS can last from minutes or hours to days (*i.e.*, there is recovery back to baseline/pre-exposure levels), can occur within a specific frequency range (*i.e.*, an animal might only have a temporary loss of hearing sensitivity within a limited frequency band of its auditory range), and can be of varying amounts (*e.g.*, an animal's hearing sensitivity might be reduced by only 6 dB or reduced by 30 dB). In many cases, hearing sensitivity recovers rapidly after exposure to the sound ends. While there are data on sound levels and durations necessary to elicit mild TTS for marine mammals, recovery is complicated to predict and dependent on multiple factors. Depending on the degree (elevation of threshold in dB), duration (*i.e.*, recovery time), and frequency range of TTS, and the context in which it is experienced, TTS can have effects on marine mammals ranging from discountable to serious. For example, a marine mammal may be able to readily compensate for a brief, relatively small amount of TTS in a non-critical frequency range that occurs during a time where ambient noise is lower and there are not as many competing sounds present. Alternatively, a larger amount and longer duration of TTS sustained during time when communication is critical for successful mother/calf interactions could have more serious impacts.

Finneran *et al.* (2015) measured hearing thresholds in 3 captive bottlenose dolphins before and after exposure to 10 pulses produced by a seismic airgun in order to study TTS induced after exposure to multiple pulses. Exposures began at relatively low levels and gradually increased over a period of several months, with the highest exposures at peak SPLs from 196 to 210 dB and cumulative (unweighted) SELs from 193–195 dB. No substantial TTS was observed. In addition, behavioral reactions were observed that indicated that animals can learn behaviors that effectively mitigate noise exposures (although exposure patterns must be learned, which is less likely in wild animals than for the captive animals considered in this study). The authors note that the failure to induce more significant auditory effects was likely due to the intermittent nature of exposure, the relatively low peak pressure produced by the acoustic source, and the low-frequency energy in airgun pulses as compared with the frequency range of best sensitivity for

dolphins and other high-frequency cetaceans.

The amount and onset of TTS depends on the exposure frequency. Sounds at low frequencies, well below the region of best sensitivity for a species or hearing group, are less hazardous than those at higher frequencies, near the region of best sensitivity (Finneran and Schlundt, 2013). At low frequencies, onset-TTS exposure levels are higher compared to those in the region of best sensitivity (*i.e.*, a low frequency noise would need to be louder to cause TTS onset when TTS exposure level is higher), as shown for harbor porpoises and harbor seals (Kastelein *et al.*, 2019a, 2019c). Note that in general, harbor seals and harbor porpoises have a lower TTS onset than other measured pinniped or cetacean species (Finneran, 2015).

Critical questions remain regarding the rate of TTS growth and recovery after exposure to intermittent noise and the effects of single and multiple pulses. Data at present are also insufficient to construct generalized models for recovery and determine the time necessary to treat subsequent exposures as independent events. More information is needed on the relationship between auditory evoked potential and behavioral measures of TTS for various stimuli. For summaries of data on TTS in marine mammals or for further discussion of TTS onset thresholds, please see Southall *et al.* (2007, 2019), Finneran and Jenkins (2012), Finneran (2015), and NMFS (2018).

Behavioral Effects—Behavioral disturbance may include a variety of effects, including subtle changes in behavior (*e.g.*, minor or brief avoidance of an area or changes in vocalizations), more conspicuous changes in similar behavioral activities, and more sustained and/or potentially severe reactions, such as displacement from or abandonment of high-quality habitat. Behavioral responses to sound are highly variable and context-specific, and any reactions depend on numerous intrinsic and extrinsic factors (*e.g.*, species, state of maturity, experience, current activity, reproductive state, auditory sensitivity, time of day), as well as the interplay between factors (*e.g.*, Richardson *et al.*, 1995; Wartzok *et al.*, 2003; Southall *et al.*, 2007, 2019; Weilgart, 2007; Archer *et al.*, 2010). Behavioral reactions can vary not only among individuals but also within an individual, depending on previous experience with a sound source, context, and numerous other factors (Ellison *et al.*, 2012), and can vary depending on characteristics associated

with the sound source (*e.g.*, whether it is moving or stationary, number of sources, distance from the source). Please see appendices B–C of Southall *et al.* (2007) for a review of studies involving marine mammal behavioral responses to sound.

Available studies show wide variation in response to underwater sound; therefore, it is difficult to predict specifically how any given sound in a particular instance might affect marine mammals perceiving the signal. If a marine mammal does react briefly to an underwater sound by changing its behavior or moving a small distance, the impacts of the change are unlikely to be significant to the individual, let alone the stock or population. However, if a sound source displaces marine mammals from an important feeding or breeding area for a prolonged period, impacts on individuals and populations could be significant (*e.g.*, Lusseau and Bejder, 2007; Weilgart, 2007; National Research Council (NRC), 2005). There are broad categories of potential response, which we describe in greater detail here, that include alteration of dive behavior, alteration of foraging behavior, effects to breathing, interference with or alteration of vocalization, avoidance, and flight.

Changes in dive behavior can vary widely, and may consist of increased or decreased dive times and surface intervals as well as changes in the rates of ascent and descent during a dive (*e.g.*, Frankel and Clark, 2000; Ng and Leung, 2003; Nowacek *et al.*, 2004; Goldbogen *et al.*, 2013a,b). Variations in dive behavior may reflect disruptions in biologically significant activities (*e.g.*, foraging) or they may be of little biological significance. The impact of an alteration to dive behavior resulting from an acoustic exposure depends on what the animal is doing at the time of the exposure and the type and magnitude of the response.

Disruption of feeding behavior can be difficult to correlate with anthropogenic sound exposure, so it is usually inferred by observed displacement from known foraging areas, the appearance of secondary indicators (*e.g.*, bubble nets or sediment plumes), or changes in dive behavior. As for other types of behavioral response, the frequency, duration, and temporal pattern of signal presentation, as well as differences in species sensitivity, are likely contributing factors to differences in response in any given circumstance (*e.g.*, Croll *et al.*, 2001; Nowacek *et al.*, 2004; Madsen *et al.*, 2006; Yazvenko *et al.*, 2007a,b). A determination of whether foraging disruptions affect fitness consequences would require

information on or estimates of the energetic requirements of the affected individuals and the relationship between prey availability, foraging effort and success, and the life history stage of the animal.

Visual tracking, passive acoustic monitoring (PAM), and movement recording tags were used to quantify sperm whale behavior prior to, during, and following exposure to airgun arrays at received levels in the range 140–160 dB at distances of 7–13 km, following a phase-in of sound intensity and full array exposures at 1–13 km (Madsen *et al.*, 2006; Miller *et al.*, 2009). Sperm whales did not exhibit horizontal avoidance behavior at the surface. However, foraging behavior may have been affected. The sperm whales exhibited 19 percent less vocal, or buzz, rate during full exposure relative to post exposure, and the whale that was approached most closely had an extended resting period and did not resume foraging until the airguns had ceased firing. The remaining whales continued to execute foraging dives throughout exposure; however, swimming movements during foraging dives were 6 percent lower during exposure than control periods (Miller *et al.*, 2009). These data raise concerns that seismic surveys may impact foraging behavior in sperm whales, although more data are required to understand whether the differences were due to exposure or natural variation in sperm whale behavior (Miller *et al.*, 2009).

Changes in respiration naturally vary with different behaviors and alterations to breathing rate as a function of acoustic exposure can be expected to co-occur with other behavioral reactions, such as a flight response or an alteration in diving. However, respiration rates in and of themselves may be representative of annoyance or an acute stress response. Various studies have shown that respiration rates may either be unaffected or could increase, depending on the species and signal characteristics, again highlighting the importance in understanding species differences in the tolerance of underwater noise when determining the potential for impacts resulting from anthropogenic sound exposure (*e.g.*, Kastelein *et al.*, 2001, 2005, 2006; Gailey *et al.*, 2007, 2016).

Marine mammals vocalize for different purposes and across multiple modes, such as whistling, echolocation click production, calling, and singing. Changes in vocalization behavior in response to anthropogenic noise can occur for any of these modes and may result from a need to compete with an increase in background noise or may reflect increased vigilance or a startle

response. For example, in the presence of potentially masking signals, humpback whales and killer whales have been observed to increase the length of their songs or amplitude of calls (Miller *et al.*, 2000; Fristrup *et al.*, 2003; Foote *et al.*, 2004; Holt *et al.*, 2012), while right whales have been observed to shift the frequency content of their calls upward while reducing the rate of calling in areas of increased anthropogenic noise (Parks *et al.*, 2007). In some cases, animals may cease sound production during production of aversive signals (Bowles *et al.*, 1994).

Cerchio *et al.* (2014) found that the number of humpback whales singing off the coast of northern Angola decreased with increasing received level of noise, suggesting that humpback whale communication was disrupted to some extent by the survey activity. Castellote *et al.* (2012) reported that fin whales moved away from the acoustic source and out of the study area, and this displacement persisted for a time period well beyond the 10-day duration of seismic airgun activity, providing evidence that fin whales may avoid an area for an extended period in the presence of increased noise. The authors hypothesize that fin whale acoustic communication is modified to compensate for increased background noise and that a sensitization process may play a role in the observed temporary displacement.

Seismic pulses at average received levels of 131 dB re 1 $\mu\text{Pa}^2\text{-s}$ caused blue whales to increase call production (Di Iorio and Clark, 2010). In contrast, McDonald *et al.* (1995) tracked a blue whale with seafloor seismometers and reported that it stopped vocalizing and changed its travel direction at a range of 10 km from the acoustic source vessel (estimated received level 143 dB pk-pk). Blackwell *et al.*, (2015) suggested that bowhead whales may adjust their vocal output in an effort to compensate for noise before ceasing vocalization effort and ultimately deflecting from the acoustic source. These studies demonstrate that even low levels of noise received far from the source can induce changes in vocalization and/or behavior for mysticetes.

Habituation can occur when an animal's response to a stimulus wanes with repeated exposure, usually in the absence of unpleasant associated events (Wartzok *et al.*, 2003). Animals are most likely to habituate to sounds that are predictable and unvarying. It is important to note that habituation is appropriately considered as a "progressive reduction in response to stimuli that are perceived as neither aversive nor beneficial," rather than as,

more generally, moderation in response to human disturbance (Bejder *et al.*, 2009).

The opposite process is sensitization, when an unpleasant experience leads to subsequent responses, often in the form of avoidance, at a lower level of exposure. As noted, behavioral state may affect the type of response. For example, animals that are resting may show greater behavioral change in response to disturbing sound levels than animals that are highly motivated to remain in an area for feeding (Richardson *et al.*, 1995; NRC, 2003; Wartzok *et al.*, 2003). Controlled experiments with captive marine mammals have shown pronounced behavioral reactions, including avoidance of loud sound sources (Ridgway *et al.*, 1997). Observed responses of wild marine mammals to loud pulsed sound sources (typically seismic airguns or acoustic harassment devices) have been varied but often consist of avoidance behavior or other behavioral changes suggesting discomfort (Morton and Symonds, 2002; see also Richardson *et al.*, 1995; Nowacek *et al.*, 2007). Gray whales are known to change direction—deflecting from customary migratory paths—in order to avoid noise from seismic surveys (Malme *et al.*, 1984). Humpback whales show avoidance behavior in the presence of an active seismic array during observational studies and controlled exposure experiments in western Australia (McCauley *et al.*, 2000). Avoidance may be short-term, with animals returning to the area once the noise has ceased (*e.g.*, Bowles *et al.*, 1994; Goold, 1996; Stone *et al.*, 2000; Morton and Symonds, 2002; Gailey *et al.*, 2007). Longer-term displacement is possible, however, which may lead to changes in abundance or distribution patterns of the affected species in the affected region if habituation to the presence of the sound does not occur (*e.g.*, Bejder *et al.*, 2006; Teilmann *et al.*, 2006). However, many delphinids approach acoustic source vessels with no apparent discomfort or obvious behavioral change (*e.g.*, Barkaszi *et al.*, 2012, Barkaszi and Kelly, 2019).

Forney *et al.* (2017) detail the potential effects of noise on marine mammal populations with high site fidelity, including displacement and auditory masking, noting that a lack of observed response does not imply absence of fitness costs and that apparent tolerance of disturbance may have population-level impacts that are less obvious and difficult to document. Avoidance of overlap between disturbing noise and areas and/or times of particular importance for sensitive

species may be critical to avoiding population-level impacts because (particularly for animals with high site fidelity) there may be a strong motivation to remain in the area despite negative impacts. Forney *et al.* (2017) state that, for these animals, remaining in a disturbed area may reflect a lack of alternatives rather than a lack of effects.

A flight response is a dramatic change in normal movement to a directed and rapid movement away from the perceived location of a sound source. The flight response differs from other avoidance responses in the intensity of the response (*e.g.*, directed movement, rate of travel). Relatively little information on flight responses of marine mammals to anthropogenic signals exist, although observations of flight responses to the presence of predators have occurred (Connor and Heithaus, 1996). The result of a flight response could range from brief, temporary exertion and displacement from the area where the signal provokes flight to, in extreme cases, marine mammal strandings (Evans and England, 2001). However, it should be noted that response to a perceived predator does not necessarily invoke flight (Ford and Reeves, 2008), and whether individuals are solitary or in groups may influence the response.

Behavioral disturbance can also impact marine mammals in more subtle ways. Increased vigilance may result in costs related to diversion of focus and attention (*i.e.*, when a response consists of increased vigilance, it may come at the cost of decreased attention to other critical behaviors such as foraging or resting). These effects have generally not been demonstrated for marine mammals, but studies involving fish and terrestrial animals have shown that increased vigilance may substantially reduce feeding rates (*e.g.*, Beauchamp and Livoreil, 1997; Fritz *et al.*, 2002; Purser and Radford, 2011). In addition, chronic disturbance can cause population declines through reduction of fitness (*e.g.*, decline in body condition) and subsequent reduction in reproductive success, survival, or both (*e.g.*, Harrington and Veitch, 1992; Daan *et al.*, 1996; Bradshaw *et al.*, 1998). However, Ridgway *et al.* (2006) reported that increased vigilance in bottlenose dolphins exposed to sound over a 5-day period did not cause any sleep deprivation or stress effects.

Stress Responses—An animal's perception of a threat may be sufficient to trigger stress responses consisting of some combination of behavioral responses, autonomic nervous system responses, neuroendocrine responses, or immune responses (*e.g.*, Seyle, 1950;

Moberg, 2000). In many cases, an animal's first and sometimes most economical (in terms of energetic costs) response is behavioral avoidance of the potential stressor. Autonomic nervous system responses to stress typically involve changes in heart rate, blood pressure, and gastrointestinal activity. These responses have a relatively short duration and may or may not have a significant long-term effect on an animal's fitness.

Neuroendocrine stress responses often involve the hypothalamus-pituitary-adrenal system. Virtually all neuroendocrine functions that are affected by stress—including immune competence, reproduction, metabolism, and behavior—are regulated by pituitary hormones. Stress-induced changes in the secretion of pituitary hormones have been implicated in failed reproduction, altered metabolism, reduced immune competence, and behavioral disturbance (e.g., Moberg, 1987; Blecha, 2000). Increases in the circulation of glucocorticoids are also equated with stress (Romano *et al.*, 2004).

The primary distinction between stress (which is adaptive and does not normally place an animal at risk) and distress is the cost of the response. During a stress response, an animal uses glycogen stores that can be quickly replenished once the stress is alleviated. In such circumstances, the cost of the stress response would not pose serious fitness consequences. However, when an animal does not have sufficient energy reserves to satisfy the energetic costs of a stress response, energy resources must be diverted from other functions. This state of distress will last until the animal replenishes its energetic reserves sufficiently to restore normal function.

Relationships between these physiological mechanisms, animal behavior, and the costs of stress responses are well-studied through controlled experiments and for both laboratory and free-ranging animals (e.g., Holberton *et al.*, 1996; Hood *et al.*, 1998; Jessop *et al.*, 2003; Krausman *et al.*, 2004; Lankford *et al.*, 2005). Stress responses due to exposure to anthropogenic sounds or other stressors and their effects on marine mammals have also been reviewed (Fair and Becker, 2000; Romano *et al.*, 2002b) and, more rarely, studied in wild populations (e.g., Romano *et al.*, 2002a). For example, Rolland *et al.*, (2012) found that noise reduction from reduced ship traffic in the Bay of Fundy was associated with decreased stress in North Atlantic right whales. These and other studies lead to a reasonable expectation that some marine mammals

will experience physiological stress responses upon exposure to acoustic stressors and that it is possible that some of these would be classified as "distress." In addition, any animal experiencing TTS would likely also experience stress responses (NRC, 2003).

Auditory Masking—Sound can disrupt behavior through masking, or interfering with, an animal's ability to detect, recognize, or discriminate between acoustic signals of interest (e.g., those used for intraspecific communication and social interactions, prey detection, predator avoidance, navigation) (Richardson *et al.*, 1995; Erbe *et al.*, 2016). Masking occurs when the receipt of a sound is interfered with by another coincident sound at similar frequencies and at similar or higher intensity, and may occur whether the sound is natural (e.g., snapping shrimp, wind, waves, precipitation) or anthropogenic (e.g., shipping, sonar, seismic exploration) in origin. The ability of a noise source to mask biologically important sounds depends on the characteristics of both the noise source and the signal of interest (e.g., signal-to-noise ratio, temporal variability, direction), in relation to each other and to an animal's hearing abilities (e.g., sensitivity, frequency range, critical ratios, frequency discrimination, directional discrimination, age or TTS hearing loss), and existing ambient noise and propagation conditions.

Under certain circumstances, significant masking could disrupt behavioral patterns, which in turn could affect fitness for survival and reproduction. It is important to distinguish TTS and PTS, which persist after the sound exposure, from masking, which occurs during the sound exposure. Because masking (without resulting in a TS) is not associated with abnormal physiological function, it is not considered a physiological effect, but rather a potential behavioral effect.

The frequency range of the potentially masking sound is important in predicting any potential behavioral impacts. For example, low-frequency signals may have less effect on high-frequency echolocation sounds produced by odontocetes but are more likely to affect detection of mysticete communication calls and other potentially important natural sounds such as those produced by surf and some prey species. The masking of communication signals by anthropogenic noise may be considered as a reduction in the communication space of animals (e.g., Clark *et al.*, 2009) and may result in energetic or other

costs as animals change their vocalization behavior (e.g., Miller *et al.*, 2000; Foote *et al.*, 2004; Parks *et al.*, 2007; Di Iorio and Clark, 2010; Holt *et al.*, 2009). Masking may be less in situations where the signal and noise come from different directions (Richardson *et al.*, 1995), through amplitude modulation of the signal, or through other compensatory behaviors (Houser and Moore, 2014). Masking can be tested directly in captive species (e.g., Erbe, 2008), but in wild populations it must be either modeled or inferred from evidence of masking compensation. There are few studies addressing real-world masking sounds likely to be experienced by marine mammals in the wild (e.g., Branstetter *et al.*, 2013).

Masking affects both senders and receivers of acoustic signals and can potentially have long-term chronic effects on marine mammals at the population level as well as at the individual level. Low-frequency ambient sound levels have increased by as much as 20 dB (more than three times in terms of SPL) in the world's ocean from pre-industrial periods, with most of the increase from distant commercial shipping (Hildebrand, 2009). All anthropogenic sound sources, but especially chronic and lower-frequency signals (e.g., from vessel traffic), contribute to elevated ambient sound levels, thus intensifying masking.

Masking effects of pulsed sounds (even from large arrays of airguns) on marine mammal calls and other natural sounds are expected to be limited, although there are few specific data on this. Because of the intermittent nature and low duty cycle of seismic pulses, animals can emit and receive sounds in the relatively quiet intervals between pulses. However, in exceptional situations, reverberation occurs for much or all of the interval between pulses (e.g., Simard *et al.*, 2005; Clark and Gagnon, 2006), which could mask calls. Situations with prolonged strong reverberation are infrequent. However, it is common for reverberation to cause some lesser degree of elevation of the background level between airgun pulses (e.g., Gedamke, 2011; Guerra *et al.*, 2011, 2016; Klinck *et al.*, 2012; Guan *et al.*, 2015), and this weaker reverberation presumably reduces the detection range of calls and other natural sounds to some degree. Guerra *et al.* (2016) reported that ambient noise levels between seismic pulses were elevated as a result of reverberation at ranges of 50 km from the seismic source. Based on measurements in deep water of the Southern Ocean, Gedamke (2011) estimated that the slight elevation of

background noise levels during intervals between seismic pulses reduced blue and fin whale communication space by as much as 36–51 percent when a seismic survey was operating 450–2,800 km away. Wittekind *et al.* (2016) reported that airgun sounds could reduce the communication range of blue and fin whales 2,000 km from the seismic source. Nieukirk *et al.* (2012) and Blackwell *et al.* (2013) noted the potential for masking effects from seismic surveys on large whales.

Some baleen and toothed whales are known to continue calling in the presence of seismic pulses, and their calls usually can be heard between the pulses (*e.g.*, Nieukirk *et al.* 2012; Thode *et al.* 2012; Sciacca *et al.* 2016). Cerchio *et al.* (2014) suggested that the breeding display of humpback whales off Angola could be disrupted by seismic sounds, as singing activity declined with increasing received levels. In addition, some cetaceans are known to change their calling rates, shift their peak frequencies, or otherwise modify their vocal behavior in response to airgun sounds (*e.g.*, Di Iorio and Clark 2010; Castellote *et al.* 2012; Blackwell *et al.* 2013, 2015). The hearing systems of baleen whales are more sensitive to low-frequency sounds than are the ears of the small odontocetes that have been studied directly (*e.g.*, MacGillivray *et al.*, 2014). The sounds important to small odontocetes are predominantly at much higher frequencies than are the dominant components of airgun sounds, thus limiting the potential for masking. In general, masking effects of seismic pulses are expected to be minor, given the normally intermittent nature of seismic pulses.

Vessel Noise

Vessel noise from the *Sally Ride* could affect marine animals in the proposed survey areas. Houghton *et al.* (2015) proposed that vessel speed is the most important predictor of received noise levels, and Putland *et al.* (2017) also reported reduced sound levels with decreased vessel speed. However, some energy is also produced at higher frequencies (Hermannsen *et al.*, 2014); low levels of high-frequency sound from vessels has been shown to elicit responses in harbor porpoise (Dyndo *et al.*, 2015).

Vessel noise, through masking, can reduce the effective communication distance of a marine mammal if the frequency of the sound source is close to that used by the animal, and if the sound is present for a significant fraction of time (*e.g.*, Richardson *et al.* 1995; Clark *et al.*, 2009; Jensen *et al.*, 2009; Gervaise *et al.*, 2012; Hatch *et al.*,

2012; Rice *et al.*, 2014; Dunlop 2015; Jones *et al.*, 2017; Putland *et al.*, 2017). In addition to the frequency and duration of the masking sound, the strength, temporal pattern, and location of the introduced sound also play a role in the extent of the masking (Branstetter *et al.*, 2013, 2016; Finneran and Branstetter 2013; Sills *et al.*, 2017). Branstetter *et al.* (2013) reported that time-domain metrics are also important in describing and predicting masking.

Baleen whales are thought to be more sensitive to sound at these low frequencies than are toothed whales (*e.g.*, MacGillivray *et al.* 2014), possibly causing localized avoidance of the proposed survey area during seismic operations. Many odontocetes show considerable tolerance of vessel traffic, although they sometimes react at long distances if confined by ice or shallow water, if previously harassed by vessels, or have had little or no recent exposure to vessels (Richardson *et al.* 1995). Pirotta *et al.* (2015) noted that the physical presence of vessels, not just ship noise, disturbed the foraging activity of bottlenose dolphins. There is little data on the behavioral reactions of beaked whales to vessel noise, though they seem to avoid approaching vessels (*e.g.*, Würsig *et al.*, 1998) or dive for an extended period when approached by a vessel (*e.g.*, Kasuya, 1986).

In summary, project vessel sounds would not be at levels expected to cause anything more than possible localized and temporary behavioral changes in marine mammals, and would not be expected to result in significant negative effects on individuals or at the population level. In addition, in all oceans of the world, large vessel traffic is currently so prevalent that it is commonly considered a usual source of ambient sound (NSF-USGS, 2011).

Vessel Strike

Vessel collisions with marine mammals, or vessel strikes, can result in death or serious injury of the animal. Wounds resulting from vessel strike may include massive trauma, hemorrhaging, broken bones, or propeller lacerations (Knowlton and Kraus, 2001). An animal at the surface may be struck directly by a vessel, a surfacing animal may hit the bottom of a vessel, or an animal just below the surface may be cut by a vessel's propeller. Superficial strikes may not kill or result in the death of the animal. These interactions are typically associated with large whales (*e.g.*, fin whales), which are occasionally found draped across the bulbous bow of large commercial vessels upon arrival in port. Although smaller cetaceans are more

maneuverable in relation to large vessels than are large whales, they may also be susceptible to strike. The severity of injuries typically depends on the size and speed of the vessel, with the probability of death or serious injury increasing as vessel speed increases (Knowlton and Kraus, 2001; Laist *et al.*, 2001; Vanderlaan and Taggart, 2007; Conn and Silber, 2013). Impact forces increase with speed, as does the probability of a strike at a given distance (Silber *et al.*, 2010; Gende *et al.*, 2011).

Pace and Silber (2005) also found that the probability of death or serious injury increased rapidly with increasing vessel speed. Specifically, the predicted probability of serious injury or death increased from 45 to 75 percent as vessel speed increased from 10 to 14 knots (kn, 26 kilometer per hour (kph)), and exceeded 90 percent at 17 kn (31 kph). Higher speeds during collisions result in greater force of impact, but higher speeds also appear to increase the chance of severe injuries or death through increased likelihood of collision by pulling whales toward the vessel (Clyne, 1999; Knowlton *et al.*, 1995). In a separate study, Vanderlaan and Taggart (2007) analyzed the probability of lethal mortality of large whales at a given speed, showing that the greatest rate of change in the probability of a lethal injury to a large whale as a function of vessel speed occurs between 8.6 and 15 kn (28 kph). The chances of a lethal injury decline from approximately 80 percent at 15 kn (28 kph) to approximately 20 percent at 8.6 kn (16 kph). At speeds below 11.8 kn (22 kph), the chances of lethal injury drop below 50 percent, while the probability asymptotically increases toward 100 percent above 15 kn (28 kph).

The *Sally Ride* will travel at a speed of 5 kn (9 kph) while towing seismic survey gear. At this speed, both the possibility of striking a marine mammal and the possibility of a strike resulting in serious injury or mortality are discountable. At average transit speed, the probability of serious injury or mortality resulting from a strike is less than 50 percent. However, the likelihood of a strike actually happening is again discountable. Vessel strikes, as analyzed in the studies cited above, generally involve commercial shipping, which is much more common in both space and time than is geophysical survey activity. Jensen and Silber (2004) summarized vessel strikes of large whales worldwide from 1975–2003 and found that most collisions occurred in the open ocean and involved large vessels (*e.g.*, commercial shipping). No such incidents were reported for

geophysical survey vessels during that time period.

It is possible for vessel strikes to occur while traveling at slow speeds. For example, a hydrographic survey vessel traveling at low speed (5.5 kn (10 kph)) while conducting mapping surveys off the central California coast struck and killed a blue whale in 2009. The State of California determined that the whale had suddenly and unexpectedly surfaced beneath the hull, with the result that the propeller severed the whale's vertebrae, and that this was an unavoidable event. This strike represents the only such incident in approximately 540,000 hours of similar coastal mapping activity ($p = 1.9 \times 10^{-6}$; 95 percent confidence interval = $0-5.5 \times 10^{-6}$; NMFS, 2013). In addition, a research vessel reported a fatal strike in 2011 of a dolphin in the Atlantic, demonstrating that it is possible for strikes involving smaller cetaceans to occur. In that case, the incident report indicated that an animal apparently was struck by the vessel's propeller as it was intentionally swimming near the vessel. While indicative of the type of unusual events that cannot be ruled out, neither of these instances represents a circumstance that would be considered reasonably foreseeable or that would be considered preventable.

Although the likelihood of the vessel striking a marine mammal is low, we propose a robust vessel strike avoidance protocol (see Proposed Mitigation), which we believe eliminates any foreseeable risk of vessel strike during transit. We anticipate that vessel collisions involving a seismic data acquisition vessel towing gear, while not impossible, represent unlikely, unpredictable events for which there are no preventive measures. Given the proposed mitigation measures, the relatively slow speed of the vessel towing gear, the presence of bridge crew watching for obstacles at all times (including marine mammals), and the presence of marine mammal observers, the possibility of vessel strike is discountable and, further, were a strike of a large whale to occur, it would be unlikely to result in serious injury or mortality. No incidental take resulting from vessel strike is anticipated, and this potential effect of the specified activity will not be discussed further in the following analysis.

Stranding—Marine mammals strand for a variety of reasons, such as infectious agents, biotoxins, starvation, fishery interaction, vessel strike, unusual oceanographic or weather events, sound exposure, or combinations of these stressors sustained concurrently or in series,

though numerous studies suggest that the physiology, behavior, habitat relationships, age, or condition of cetaceans may cause them to strand or might predispose them to strand when exposed to another phenomenon. These suggestions are consistent with the conclusions of numerous other studies that have demonstrated that combinations of dissimilar stressors commonly combine to kill an animal or dramatically reduce its fitness, even though one exposure without the other does not produce the same result (Chroussos, 2000; Creel, 2005; DeVries *et al.*, 2003; Fair and Becker, 2000; Foley *et al.*, 2003; Moberg, 2000; Relyea, 2005a; 2005b, Romero, 2004; Sih *et al.*, 2004).

There is no conclusive evidence that exposure to airgun noise results in behaviorally-mediated forms of injury. Behaviorally-mediated injury (*i.e.*, mass stranding events) has been primarily associated with beaked whales exposed to mid-frequency active (MFA) sonar. MFA sonar operates at higher frequencies and emits longer pulses than airguns (D'Amico *et al.*, 2009, Dragoset, 1990).

One should therefore not expect the same reaction to airgun noise as to these other sources, especially low-energy airgun noise. The potential for stranding to occur as a result of this survey is so unlikely as to be discountable.

Entanglement—Entanglements occur when marine mammals become wrapped around cables, lines, nets, or other objects suspended in the water column. During seismic operations, numerous cables, lines, and other objects primarily associated with the airgun array and hydrophone streamers will be towed behind the *Sally Ride* near the water's surface. However, we are not aware of any cases of entanglement of marine mammals in seismic survey equipment. Although entanglement with the streamer is theoretically possible, it has not been documented during tens of thousands of miles of NSF-sponsored seismic cruises or, to our knowledge, during hundreds of thousands of miles of industrial seismic cruises. There are relatively few deployed devices, and no interaction between marine mammals and any such device has been recorded during prior NSF surveys using the devices. There are no meaningful entanglement risks posed by the proposed survey, and entanglement risks are not discussed further in this document.

Anticipated Effects on Marine Mammal Habitat

Effects to Prey—Marine mammal prey varies by species, season, and location

and, for some, is not well documented. Fish react to sounds which are especially strong and/or intermittent low-frequency sounds, and behavioral responses such as flight or avoidance are the most likely effects. However, the reaction of fish to airguns depends on the physiological state of the fish, past exposures, motivation (*e.g.*, feeding, spawning, migration), and other environmental factors. Several studies have demonstrated that airgun sounds might affect the distribution and behavior of some fishes, potentially impacting foraging opportunities or increasing energetic costs (*e.g.*, Fewtrell and McCauley, 2012; Pearson *et al.*, 1992; Skalski *et al.*, 1992; Santulli *et al.*, 1999; Paxton *et al.*, 2017), though the bulk of studies indicate no or slight reaction to noise (*e.g.*, Miller and Cripps, 2013; Dalen and Knutsen, 1987; Peña *et al.*, 2013; Chapman and Hawkins, 1969; Wardle *et al.*, 2001; Jorgenson and Gyselman, 2009; Cott *et al.*, 2012; Boeger *et al.*, 2006), and that, most commonly, while there are likely to be impacts to fish as a result of noise from nearby airguns, such effects will be temporary. For example, investigators reported significant, short-term declines in commercial fishing catch rate of gadid fishes during and for up to 5 days after seismic survey operations, but the catch rate subsequently returned to normal (Engås *et al.*, 1996; Engås and Lokkeborg, 2002). Other studies have reported similar findings (Hassel *et al.*, 2004).

Skalski *et al.*, (1992) also found a reduction in catch rates—for rockfish (*Sebastes* spp.) in response to controlled airgun exposure—but suggested that the mechanism underlying the decline was not dispersal but rather decreased responsiveness to baited hooks associated with an alarm behavioral response. A companion study showed that alarm and startle responses were not sustained following the removal of the sound source (Pearson *et al.*, 1992). Therefore, Skalski *et al.* (1992) suggested that the effects on fish abundance may be transitory, primarily occurring during the sound exposure itself. In some cases, effects on catch rates are variable within a study, which may be more broadly representative of temporary displacement of fish in response to airgun noise (*i.e.*, catch rates may increase in some locations and decrease in others) than any long-term damage to the fish themselves (Streever *et al.*, 2016).

SPLs of sufficient strength have been known to cause injury to fish and fish mortality and, in some studies, fish auditory systems have been damaged by airgun noise (McCauley *et al.*, 2003;

Popper *et al.*, 2005; Song *et al.*, 2008). However, in most fish species, hair cells in the ear continuously regenerate and loss of auditory function likely is restored when damaged cells are replaced with new cells. Halvorsen *et al.* (2012) showed that a TTS of 4–6 dB was recoverable within 24 hours for one species. Impacts would be most severe when the individual fish is close to the source and when the duration of exposure is long; both of which are conditions unlikely to occur for this survey that is necessarily transient in any given location and likely result in brief, infrequent noise exposure to prey species in any given area. For this survey, the sound source is constantly moving, and most fish would likely avoid the sound source prior to receiving sound of sufficient intensity to cause physiological or anatomical damage. In addition, ramp-up may allow certain fish species the opportunity to move further away from the sound source.

A comprehensive review (Carroll *et al.*, 2017) found that results are mixed as to the effects of airgun noise on the prey of marine mammals. While some studies suggest a change in prey distribution and/or a reduction in prey abundance following the use of seismic airguns, others suggest no effects or even positive effects in prey abundance. As one specific example, Paxton *et al.* (2017), which describes findings related to the effects of a 2014 seismic survey on a reef off of North Carolina, showed a 78 percent decrease in observed nighttime abundance for certain species. It is important to note that the evening hours during which the decline in fish habitat use was recorded (via video recording) occurred on the same day that the seismic survey passed, and no subsequent data is presented to support an inference that the response was long-lasting. Additionally, given that the finding is based on video images, the lack of recorded fish presence does not support a conclusion that the fish actually moved away from the site or suffered any serious impairment. In summary, this particular study corroborates prior studies indicating that a startle response or short-term displacement should be expected.

Available data suggest that cephalopods are capable of sensing the particle motion of sounds and detect low frequencies up to 1–1.5 kHz, depending on the species, and so are likely to detect airgun noise (Kaifu *et al.*, 2008; Hu *et al.*, 2009; Mooney *et al.*, 2010; Samson *et al.*, 2014). Auditory injuries (lesions occurring on the statocyst sensory hair cells) have been reported upon controlled exposure to

low-frequency sounds, suggesting that cephalopods are particularly sensitive to low-frequency sound (André *et al.*, 2011; Solé *et al.*, 2013). Behavioral responses, such as inking and jetting, have also been reported upon exposure to low-frequency sound (McCauley *et al.*, 2000b; Samson *et al.*, 2014). Similar to fish, however, the transient nature of the survey leads to an expectation that effects will be largely limited to behavioral reactions and would occur as a result of brief, infrequent exposures.

With regard to potential impacts on zooplankton, McCauley *et al.* (2017) found that exposure to airgun noise resulted in significant depletion for more than half the taxa present and that there were two to three times more dead zooplankton after airgun exposure compared with controls for all taxa, within 1 km of the airguns. However, the authors also stated that in order to have significant impacts on r-selected species (*i.e.*, those with high growth rates and that produce many offspring) such as plankton, the spatial or temporal scale of impact must be large in comparison with the ecosystem concerned, and it is possible that the findings reflect avoidance by zooplankton rather than mortality (McCauley *et al.*, 2017). In addition, the results of this study are inconsistent with a large body of research that generally finds limited spatial and temporal impacts to zooplankton as a result of exposure to airgun noise (*e.g.*, Dalen and Knutsen, 1987; Payne, 2004; Stanley *et al.*, 2011). Most prior research on this topic, which has focused on relatively small spatial scales, has showed minimal effects (*e.g.*, Kostyuchenko, 1973; Booman *et al.*, 1996; Sætre and Ona, 1996; Pearson *et al.*, 1994; Bolle *et al.*, 2012).

A modeling exercise was conducted as a follow-up to the McCauley *et al.* (2017) study (as recommended by McCauley *et al.*), in order to assess the potential for impacts on ocean ecosystem dynamics and zooplankton population dynamics (Richardson *et al.*, 2017). Richardson *et al.* (2017) found that for copepods with a short life cycle in a high-energy environment, a full-scale airgun survey would impact copepod abundance up to 3 days following the end of the survey, suggesting that effects such as those found by McCauley *et al.* (2017) would not be expected to be detectable downstream of the survey areas, either spatially or temporally.

Notably, a more recently described study produced results inconsistent with those of McCauley *et al.* (2017). Researchers conducted a field and laboratory study to assess if exposure to

airgun noise affects mortality, predator escape response, or gene expression of the copepod *Calanus finmarchicus* (Fields *et al.*, 2019). Immediate mortality of copepods was significantly higher, relative to controls, at distances of 5 m or less from the airguns. Mortality 1 week after the airgun blast was significantly higher in the copepods placed 10 m from the airgun but was not significantly different from the controls at a distance of 20 m from the airgun. The increase in mortality, relative to controls, did not exceed 30 percent at any distance from the airgun. Moreover, the authors caution that even this higher mortality in the immediate vicinity of the airguns may be more pronounced than what would be observed in free-swimming animals due to increased flow speed of fluid inside bags containing the experimental animals. There were no sublethal effects on the escape performance or the sensory threshold needed to initiate an escape response at any of the distances from the airgun that were tested. Whereas McCauley *et al.* (2017) reported an SEL of 156 dB at a range of 509–658 m, with zooplankton mortality observed at that range, Fields *et al.* (2019) reported an SEL of 186 dB at a range of 25 m, with no reported mortality at that distance. Regardless, if we assume a worst-case likelihood of severe impacts to zooplankton within approximately 1 km of the acoustic source, the brief time to regeneration of the potentially affected zooplankton populations does not lead us to expect any meaningful follow-on effects to the prey base for marine mammals.

A review article concluded that, while laboratory results provide scientific evidence for high-intensity and low-frequency sound-induced physical trauma and other negative effects on some fish and invertebrates, the sound exposure scenarios in some cases are not realistic to those encountered by marine organisms during routine seismic operations (Carroll *et al.*, 2017). The review finds that there has been no evidence of reduced catch or abundance following seismic activities for invertebrates, and that there is conflicting evidence for fish with catch observed to increase, decrease, or remain the same. Further, where there is evidence for decreased catch rates in response to airgun noise, these findings provide no information about the underlying biological cause of catch rate reduction (Carroll *et al.*, 2017).

In summary, impacts of the specified activity on marine mammal prey species will likely generally be limited to behavioral responses, the majority of prey species will be capable of moving

out of the area during the survey, a rapid return to normal recruitment, distribution, and behavior for prey species is anticipated, and, overall, impacts to prey species will be minor and temporary. Prey species exposed to sound might move away from the sound source, experience TTS, experience masking of biologically relevant sounds, or show no obvious direct effects. Mortality from decompression injuries is possible in close proximity to a sound, but only limited data on mortality in response to airgun noise exposure are available (Hawkins *et al.*, 2015). The most likely impacts for most prey species in the survey area would be temporary avoidance of the area. The proposed survey would move through an area relatively quickly, limiting exposure to multiple impulsive sounds. In all cases, sound levels would return to ambient once the survey moves out of the area or ends and the noise source is shut down and, when exposure to sound ends, behavioral and/or physiological responses are expected to end relatively quickly (McCauley *et al.*, 2000). The duration of fish avoidance of a given area after survey effort stops is unknown, but a rapid return to normal recruitment, distribution, and behavior is anticipated. While the potential for disruption of spawning aggregations or schools of important prey species can be meaningful on a local scale, the mobile and temporary nature of this survey and the likelihood of temporary avoidance behavior suggest that impacts would be minor.

Acoustic Habitat—Acoustic habitat is the soundscape—which encompasses all of the sound present in a particular location and time, as a whole—when considered from the perspective of the animals experiencing it. Animals produce sound for, or listen for sounds produced by, conspecifics (communication during feeding, mating, and other social activities), other animals (finding prey or avoiding predators), and the physical environment (finding suitable habitats, navigating). Together, sounds made by animals and the geophysical environment (*e.g.*, produced by earthquakes, lightning, wind, rain, waves) make up the natural contributions to the total acoustics of a place. These acoustic conditions, termed acoustic habitat, are one attribute of an animal's total habitat.

Soundscapes are also defined by, and acoustic habitat influenced by, the total contribution of anthropogenic sound. This may include incidental emissions from sources such as vessel traffic, or may be intentionally introduced to the marine environment for data acquisition

purposes (as in the use of airgun arrays). Anthropogenic noise varies widely in its frequency content, duration, and loudness and these characteristics greatly influence the potential habitat-mediated effects to marine mammals (please see also the previous discussion on masking under *Acoustic Effects*), which may range from local effects for brief periods of time to chronic effects over large areas and for long durations. Depending on the extent of effects to habitat, animals may alter their communications signals (thereby potentially expending additional energy) or miss acoustic cues (either conspecific or adventitious). For more detail on these concepts see, *e.g.*, Pijanowski *et al.*, 2011; Francis and Barber, 2013; Lillis *et al.*, 2014.

Problems arising from a failure to detect cues are more likely to occur when noise stimuli are chronic and overlap with biologically relevant cues used for communication, orientation, and predator/prey detection (Francis and Barber, 2013). Although the signals emitted by seismic airgun arrays are generally low frequency, they would also likely be of short duration and transient in any given area due to the nature of these surveys. As described previously, exploratory surveys such as these cover a large area but would be transient rather than focused in a given location over time and therefore would not be considered chronic in any given location.

Based on the information discussed herein, we conclude that impacts of the specified activity are not likely to have more than short-term adverse effects on any prey habitat or populations of prey species. Further, any impacts to marine mammal habitat are not expected to result in significant or long-term consequences for individual marine mammals, or to contribute to adverse impacts on their populations.

Estimated Take of Marine Mammals

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

Harassment is the only type of take expected to result from these activities. Except with respect to certain activities not pertinent here, section 3(18) of the MMPA defines "harassment" as any act of pursuit, torment, or annoyance, which (i) has the potential to injure a marine mammal or marine mammal stock in the wild (Level A harassment); or (ii) has the potential to disturb a marine mammal or marine mammal

stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering (Level B harassment).

Authorized takes would be by Level B harassment only, in the form of behavioral reactions and/or TTS for individual marine mammals resulting from exposure to noise from the use of seismic airguns. Based on the nature of the activity and the anticipated effectiveness of the mitigation measures (*i.e.*, shutdown) discussed in detail below in the Proposed Mitigation section, Level A harassment is neither anticipated nor proposed to be authorized.

As described previously, no serious injury or mortality is anticipated or proposed to be authorized for this activity. Below we describe how the proposed take numbers are estimated.

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

Acoustic Criteria

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

Level B Harassment—Though significantly driven by received level, the onset of behavioral disturbance from anthropogenic noise exposure is also informed to varying degrees by other factors related to the source or exposure context (*e.g.*, frequency, predictability, duty cycle, duration of the exposure,

signal-to-noise ratio, distance to the source), the environment (e.g., bathymetry, other noises in the area, predators in the area), and the receiving animals (hearing, motivation, experience, demography, life stage, depth) and can be difficult to predict (e.g., Southall *et al.*, 2007, 2021, Ellison *et al.*, 2012). Based on what the available science indicates and the practical need to use a threshold based on a metric that is both predictable and measurable for most activities, NMFS typically uses a generalized acoustic threshold based on received level to estimate the onset of behavioral harassment. NMFS generally predicts that marine mammals are likely to be behaviorally harassed in a manner considered to be Level B harassment when exposed to underwater anthropogenic noise above root-mean-squared pressure received levels (RMS SPL) of 120 dB (referenced to 1 micropascal (re 1 μ Pa)) for continuous (e.g., vibratory pile driving, drilling) and

above RMS SPL 160 dB re 1 μ Pa for non-explosive impulsive (e.g., seismic airguns) or intermittent (e.g., scientific sonar) sources. Generally speaking, Level B harassment take estimates based on these behavioral harassment thresholds are expected to include any likely takes by TTS as, in most cases, the likelihood of TTS occurs at distances from the source less than those at which behavioral harassment is likely. TTS of a sufficient degree can manifest as behavioral harassment, as reduced hearing sensitivity and the potential reduced opportunities to detect important signals (conspecific communication, predators, prey) may result in changes in behavior patterns that would not otherwise occur.

SIO's proposed activity includes the use of impulsive seismic sources (i.e., airguns), and therefore the RMS SPL thresholds of 160 dB re 1 μ Pa is applicable.

Level A harassment—NMFS' Updated Technical Guidance for Assessing the

Effects of Anthropogenic Sound on Marine Mammal Hearing (Version 3.0) (Updated Technical Guidance, 2024) identifies dual criteria to assess AUD INJ (Level A harassment) to five different underwater marine mammal groups (based on hearing sensitivity) as a result of exposure to noise from two different types of sources (impulsive or non-impulsive). SIO's proposed activity includes the use of impulsive sources (i.e., airguns).

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

TABLE 3—THRESHOLDS IDENTIFYING THE ONSET OF AUDITORY INJURY

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

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

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

Ensonified Area

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

The 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 Updated 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.

The proposed survey would entail the use of a cluster of two GI airguns with a total discharge volume of 90 in³ (1,475 cc) at a tow depth of 4 m. L-DEO model results are used to determine the 160 dB RMS radius for the airgun source down to a maximum depth of 2,000 m. Received sound levels have been

predicted by L-DEO's model (Diebold *et al.* 2010) as a function of distance from the airguns. This modeling approach uses ray tracing for the direct wave traveling from the airguns to the receiver and its associated source ghost (reflection at the air-water interface in the vicinity of the airguns), in a constant-velocity half-space (infinite homogeneous ocean layer, unbounded by a seafloor). In addition, propagation measurements of pulses from the 36-airgun array at a tow depth of 6 m have been reported in deep water (~1,600 m), intermediate water depth on the slope (~600–1,100 m), and shallow water (~50 m) in the Gulf of America (previously Gulf of Mexico) (Tolstoy *et al.* 2009; Diebold *et al.* 2010).

For deep and intermediate water cases, the field measurements cannot be used readily to derive the harassment isopleths, as at those sites the calibration hydrophone was located at a roughly constant depth of 350–550 m, which may not intersect all the SPL isopleths at their widest point from the sea surface down to the assumed maximum relevant water depth (~2000 m) for marine mammals. At short ranges, where the direct arrivals dominate and the effects of seafloor interactions are minimal, the data at the deep sites are suitable for comparison with modeled levels at the depth of the calibration hydrophone. At longer ranges, the comparison with the model—constructed from the maximum SPL through the entire water column at varying distances from the airgun array—is the most relevant.

In deep and intermediate water depths at short ranges, sound levels for direct arrivals recorded by the calibration hydrophone and L–DEO model results for the same array tow depth are in good alignment (see figures 12 and 14 in Diebold *et al.* 2010). Consequently, isopleths falling within this domain can be predicted reliably by the L–DEO model, although they may be imperfectly sampled by measurements recorded at a single depth. At greater distances, the calibration data show that seafloor-reflected and sub-seafloor-refracted arrivals dominate, whereas the direct arrivals become weak and/or incoherent (see figures 11, 12, and 16 in Diebold *et al.* 2010). Aside from local topography effects, the region around the critical distance is where the observed levels rise closest to the model curve. However, the observed sound

levels are found to fall almost entirely below the model curve. Thus, analysis of the Gulf of America calibration measurements demonstrates that although simple, the L–DEO model is a robust tool for conservatively estimating isopleths.

The proposed low-energy survey would acquire data with two GI airguns at a tow depth of 4 m. For deep water (>1,000 m), we use the deep-water radii obtained from the L–DEO model results down to a maximum water depth of 2,000 m for the airguns.

L–DEO’s modeling methodology is described in greater detail in SIO’s application. The estimated distances to the Level B harassment isopleth for the proposed airgun configuration are shown in table 4.

TABLE 4—PREDICTED RADIAL DISTANCES FROM THE *Sally Ride* SEISMIC SOURCE TO ISOPLETH CORRESPONDING TO LEVEL B HARASSMENT THRESHOLD

Airgun configuration	Tow depth (m)	Separation (m)	Water depth (m)	Predicted distances (in m) to the Level B harassment threshold
Two 45 in ³ airguns	4	2	>1,000	505

TABLE 5—MODELED RADIAL DISTANCE TO ISOPLETHS CORRESPONDING TO LEVEL A HARASSMENT THRESHOLDS

	Low frequency cetaceans	High frequency cetaceans	Very high frequency cetaceans	Phocid pinnipeds	Otariid pinnipeds
PTS SEL _{cum}	4	1.3	37.5	3.5	1.3
PTS Peak	18.0	0	0	0.3	0

The largest distance (in bold) of the dual criteria (SEL_{cum} or Peak) was used to estimate threshold distances and potential takes by Level A harassment.

Table 5 presents the modeled Level A harassment isopleths for each marine mammal hearing group based on L–DEO modeling incorporated in the companion user spreadsheet, for the low-energy surveys with the shortest shot interval (*i.e.* greatest potential to cause injury based on accumulated sound energy) (NMFS 2018, 2024).

Predicted distances to Level A harassment isopleths, which vary based on marine mammal hearing groups, were calculated based on modeling performed by L–DEO using the Nucleus software program and the NMFS user spreadsheet, described below. The acoustic thresholds for impulsive sounds contained in the NMFS Technical Guidance were presented as dual metric acoustic thresholds using both SEL_{cum} and peak sound pressure metrics (NMFS, 2016). As dual metrics, NMFS considers onset of PTS (Level A harassment) to have occurred when

either one of the two metrics is exceeded (*i.e.*, metric resulting in the largest isopleth). The SEL_{cum} metric considers both level and duration of exposure, as well as auditory weighting functions by marine mammal hearing group.

The SEL_{cum} for the two GI airguns is derived from calculating the modified farfield signature. The farfield signature is often used as a theoretical representation of the source level. To compute the farfield signature, the source level is estimated at a large distance (right) below the airguns (*e.g.*, 9 km), and this level is back projected mathematically to a notional distance of 1 m from the geometrical center of the two airguns. However, it has been recognized that the source level from the theoretical farfield signature is never physically achieved at the source when the source is an array of multiple airguns separated in space (Tolstoy *et*

al., 2009). Near the source (at short ranges, distances <1 km), the pulses of sound pressure from each individual airgun in the source array do not stack constructively as they do for the theoretical farfield signature. The pulses from the different airguns spread out in time such that the source levels observed or modeled are the result of the summation of pulses from a few airguns, not the full array (Tolstoy *et al.*, 2009). At larger distances, away from the source, sound pressure of the two airguns stack coherently, but not within one time sample, resulting in smaller source levels (a few dB) than the source level derived from the farfield signature. Because the farfield signature does not take into account the large array effect near the source and is calculated as a point source, the farfield signature is not an appropriate measure of the sound source level for large arrays. See SIO’s

application for further detail on acoustic modeling.

In consideration of the received sound levels in the near-field as described above, we expect the potential for Level A harassment of any species to be de minimis, even before the likely moderating effects of aversion and/or other compensatory behaviors (e.g., Nachtigall *et al.*, 2018) are considered. We do not anticipate that auditory injury or Level A harassment is a likely outcome for any species and do not propose to authorize any take by Level A harassment for any species, given the very small modeled zones of injury for those species (estimated zones are less than 38 m for all species), in context of distributed source dynamics.

The Level B harassment estimates are based on a consideration of the number of marine mammals that could be within the area around the operating airguns where received levels of sound ≥ 160 dB re 1 μ Pa RMS are predicted to occur. The estimated numbers are based on the densities (numbers per unit area) of marine mammals expected to occur in the area in the absence of seismic surveys. To the extent that marine mammals tend to move away from seismic sources before the sound level

reaches the criterion level and tend not to approach an operating airgun array, these estimates likely overestimate the numbers actually exposed to the specified level of sound.

Marine Mammal Occurrence

In this section we provide information about the occurrence of marine mammals, including density or other relevant information which will inform the take calculations.

Ship surveys for cetaceans in slope and offshore waters of Oregon and Washington were conducted by NMFS/SWFSC in 1991, 1993, 1996, 2001, 2005, 2008, 2014, and 2018 and synthesized by Becker *et al.* (2020). These surveys were conducted up to ~556 km from shore typically from July to November, but included the months of June and December in 2018 (Becker *et al.* 2020). These data were used by SWFSC to develop spatial models of cetacean densities for the California Current Ecosystem (CCE). Although Becker *et al.* (2020) did not include updated densities for sperm or small beaked whales, these models were provided to SIO by Elizabeth Becker via pers. comm. in January 2025 (see application). The density models for cetaceans in the CCE

were available in the form 10 x 10 km grid cells in Geographic Information System layers. There were 215 grid cells that overlapped with the survey area and an “all touched” method, in which any cell that overlapped any amount of the survey area was included in the calculations. The densities in the grid cells that overlap the proposed survey area were averaged to calculate densities for each species.

For species for which densities were not available from Becker *et al.* (2020), SIO used annual densities developed from the U.S. Navy Northwest Training and Testing Study Area (DON 2019).

Except California sea lion, SIO initially used the highest densities for spring, summer, or fall from DON (2019). Following discussion with NMFS, SIO updated the abundance estimates informing the density values by projecting the population growth based on information in the SARs, and then updated the density values accordingly. However, since the draft 2024 SAR includes up-to-date revisions to population estimates for Guadalupe fur seal, northern elephant seal, and northern fur seal (California stock), those population estimates did not require population growth corrections.

TABLE 6—MODELED MARINE MAMMAL DENSITY VALUES AND DAILY ENSONIFIED AREA FOR SIO’S PROPOSED SURVEY

Species	Density (#/km ²)	Daily ensonified area (km ²)	Number of seismic days	Source
Blue whale	0.000025	221	2	Becker 2020.
Fin whale	0.004482	221	2	Becker 2020.
Humpback whale	0.000480	221	2	Becker 2020.
Minke whale	0.000869	221	2	Becker 2020.
Sei whale	0.000400	221	2	DON 2019, MSEL 2021.
Sperm whale	0.002731	221	2	Becker personal communication, 2025.
Baird’s beaked whale	0.000051	221	2	Becker 2020.
Mesoplodont and Cuviers beaked whale.	0.002320	221	2	Becker personal communication, 2025.
Killer whale	0.000920	221	2	DON 2019, MSEL 2021.
Northern right whale dolphin	0.116618	221	2	Becker 2020.
Pacific white-sided dolphin	0.069054	221	2	Becker 2020.
Risso’s dolphin	0.014357	221	2	Becker 2020.
Short beaked common dolphin	0.001305	221	2	Becker 2020.
Dwarf and pygmy sperm whale	0.001630	221	2	DON 2019, MSEL 2021.
Dall’s porpoise	0.047357	221	2	Becker 2020.
California sea lion	0.71400	221	2	DON 2019, MSEL 2021; 70–450 km from shore’ distance band.
Guadalupe fur seal	0.032833	221	2	Based on DON 2019, summer/fall; 200 m isobaths to 300 km from shore distance band.
Northern fur seal	0.011340	221	2	Based on DON 2019, summer/fall; (>130 km to 463 km from shore distance band.
Steller sea lion	0.002771	221	2	Based on DON 2019, summer; 200 m isobaths to 300 km from shore distance band.
Northern elephant seal	0.030137	221	2	Based on DON 2019, fall.

Take Estimation

Here we describe how the information provided above is synthesized to produce a quantitative estimate of the

take that is reasonably likely to occur and proposed for authorization.

In order to estimate the number of marine mammals predicted to be

exposed to sound levels that would result in Level B harassment, radial distances from the airguns to the predicted isopleth corresponding to the

Level A and Level B harassment thresholds are calculated, as described above. Those radial distances are then used to calculate the area(s) around the airguns predicted to be ensonified to sound levels that exceed the harassment thresholds. The distance for the 160-dB Level B harassment threshold (based on SIO model results) was used to draw a buffer around the area expected to be ensonified (*i.e.*, the survey area). The

ensonified areas were then increased by 25 percent to account for potential delays, which is the equivalent to adding 25 percent to the proposed line km to be surveyed. The density for each species in table 6 were then multiplied by the daily ensonified areas expected to be ensonified (increased as described above), and then multiplied by the number of survey days (2) to estimate

the potential takes (see appendix B of SIO's application). SIO assumed that their estimates of marine mammal exposures above harassment thresholds equate to take and requested authorization of those takes. Those estimates in turn form the basis for our proposed take authorization numbers. Estimated exposures and proposed take numbers for authorization are shown in table 7.

TABLE 7—ESTIMATED TAKE PROPOSED FOR AUTHORIZATION

Species	Stock	Estimated takes by Level B harassment	Proposed takes by Level B harassment	Population abundance	Percent of population
Blue whale	Eastern N. Pacific	20.01	³ 2	1,898	<1
Fin whale	CA/OR/WA	2.48	2	11,065	<1
Humpback whale	Central America/Southern Mexico—CA/OR/WA. Mainland Mexico—CA/OR/WA. Hawai'i	20.27	³ 4 2	1,496 3,477 11,278	<1 <1 <1
Minke whale	CA/OR/WA	20.48	1	915	<1
Sei whale	Eastern N Pacific	20.22	⁶ 2	864	<1
Sperm whale	CA/OR/WA	1.51	⁵ 7	2,606	<1
Baird's beaked whale	CA/OR/WA	20.03	⁵ 7	1,363	<1
Mesoplodont ¹ and goose-beaked whales.	CA/OR/WA	1.28	⁵ 2	3,044	<1
Killer whale	Eastern N Pacific Offshore ... West Coast Transient	0.51	⁶ 7	300 349	2.3 2.0
Northern right whale dolphin	CA/OR/WA	64.43	64	29,285	<1
Pacific white-sided dolphin	CA/OR/WA	38.15	⁵ 55	34,999	<1
Risso's dolphin	CA/OR/WA	7.93	⁵ 19	6,336	<1
Short beaked common dolphin.	CA/OR/WA	0.72	⁵ 156	1,056,308	<1
Dwarf sperm whale	CA/OR/WA	0.90	1	UNK	(⁶)
Pygmy sperm whale	CA/OR/WA			4,111	<1
Dall's porpoise	CA/OR/WA	26.17	26	16,498	<1
California sea lion	U.S	39.45	39	257,606	<1
Guadalupe fur seal	Mexico	18.14	18	63,850	<1
Northern fur seal	Eastern Pacific California	6.27	6	626,618 19,634	<1 <1
Steller sea lion	Eastern	1.53	2	36,308	<1
Northern elephant seal	California breeding	16.65	17	194,907	<1

¹ Includes: Stejneger's, Hubbs' and Blainsville's beaked whales.

² Although estimated take results in less than 1, NMFS proposes to authorize one group given observations reported during previous surveys in the project area in 2021 and 2022 (RPS 2022a, RPS 2022b, RPS 2023).

³ Proposed take has been increased to mean group size from Becker *et al.* 2020.

⁴ We assume that these takes may come from any stock.

⁵ Proposed take has been increased to mean group size from Barlow 2016.

⁶ No information is available to provide a reliable population estimate for this stock.

Proposed Mitigation

In order to issue an IHA under section 101(a)(5)(D) of the MMPA, NMFS must set forth the permissible methods of taking pursuant to the activity, and other means of effecting the least practicable impact on the species or stock and its habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance, and on the availability of the species or stock for taking for certain subsistence uses (latter not applicable for this action). NMFS regulations require applicants for incidental take authorizations to include

information about the availability and feasibility (economic and technological) of equipment, methods, and manner of conducting the activity or other means of effecting the least practicable adverse impact upon the affected species or stocks, and their habitat (50 CFR 216.104(a)(11)).

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

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

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

The mitigation requirements described in the following were proposed by SIO in its adequate and complete application or are the result of subsequent coordination between NMFS and SIO. SIO has agreed that all of the mitigation measures are practicable. NMFS has fully reviewed the specified activities and the mitigation measures included in the application to determine if the mitigation measures would result in the least practicable adverse impact on marine mammals and their habitat, as required by the MMPA, and has determined the proposed measures are appropriate. NMFS describes these below as proposed mitigation requirements, and has included them in the proposed IHA.

Vessel-Based Visual Mitigation Monitoring

Visual monitoring requires the use of trained observers (herein referred to as visual protected species observers (PSOs)) to scan the ocean surface for the presence of marine mammals. The area to be scanned visually includes primarily the shutdown zone (SZ), within which observation of certain marine mammals requires shutdown of the acoustic source, a buffer zone, and to the extent possible depending on conditions, the surrounding waters. The buffer zone means an area beyond the SZ to be monitored for the presence of marine mammals that may enter the SZ. During pre-start clearance monitoring (*i.e.*, before ramp-up begins), the buffer zone also acts as an extension of the SZ in that observations of marine mammals within the buffer zone would also prevent airgun operations from beginning (*i.e.*, ramp-up). The buffer zone encompasses the area at and below the sea surface from the edge of the 0–100 m SZ, out to a radius of 200 m from the edges of the airguns (100–200 m). This 200-m zone (SZ plus buffer zone) represents the pre-start clearance zone. Visual monitoring of the SZ and adjacent waters (buffer plus surrounding waters) is intended to establish and, when visual conditions allow, maintain zones around the sound source that are clear of marine mammals, thereby reducing or eliminating the potential for injury and minimizing the potential for more severe behavioral reactions for animals occurring closer to the vessel. Visual monitoring of the buffer zone is intended to (1) provide additional protection to marine mammals that may be in the vicinity of the vessel during pre-start clearance, and (2) during

airgun use, aid in establishing and maintaining the SZ by alerting the visual observer and crew of marine mammals that are outside of, but may approach and enter, the SZ.

During survey operations (*e.g.*, any day on which use of the airguns are planned to occur and whenever the airguns are in the water, whether activated or not), a minimum of two visual PSOs must be on duty and conducting visual observations at all times during daylight hours (*i.e.*, from 30 minutes prior to sunrise through 30 minutes following sunset). SIO also plans to employ two PSOs to conduct visual monitoring 30 minutes before and during ramp-ups. Visual monitoring of the pre-start clearance zone (*i.e.*, the shutdown zone and the buffer zone) must begin no less than 30 minutes prior to ramp-up and monitoring must continue until 1 hour after use of the airguns ceases or until 30 minutes past sunset. Visual PSOs shall coordinate to ensure 360° visual coverage around the vessel from the most appropriate observation posts and shall conduct visual observations using binoculars and the naked eye while free from distractions and in a consistent, systematic, and diligent manner.

PSOs shall establish and monitor the SZ and buffer zone. These zones shall be based upon the radial distance from the edges of the airguns (rather than being based on the center of the array or around the vessel itself). During use of the airguns (*i.e.*, anytime airguns are active, including ramp-up), detections of marine mammals within the buffer zone (but outside the SZ) shall be communicated to the operator to prepare for the potential shutdown of the airguns. Any observations of marine mammals by crew members shall be relayed to the PSO team. During good conditions (*e.g.*, daylight hours; Beaufort sea state (BSS) 3 or less), visual PSOs shall conduct observations when the airguns are not operating for comparison of sighting rates and behavior with and without use of the airguns and between acquisition periods, to the maximum extent practicable.

Visual PSOs may be on watch for a maximum of 4 consecutive hours followed by a break of at least 1 hour between watches and may conduct a maximum of 12 hours of observation per 24-hour period.

Establishment of Shutdown and Pre-Start Clearance Zones

A SZ is a defined area within which occurrence of a marine mammal triggers mitigation action intended to reduce the potential for certain outcomes (*e.g.*,

auditory injury, disruption of critical behaviors). The PSOs would establish a minimum SZ with a 100-m radius. The 100-m SZ would be based on radial distance from the edge of the airguns (rather than being based on the center of the airguns or around the vessel itself). With certain exceptions (described below), if a marine mammal appears within or enters this zone, the airguns would be shut down.

The pre-start clearance zone is defined as the area that must be clear of marine mammals prior to beginning ramp-up of the airguns and includes the SZ plus the buffer zone. Detections of marine mammals within the pre-start clearance zone would prevent airgun operations from beginning (*i.e.*, ramp-up).

The 100-m SZ is intended to be precautionary in the sense that it would be expected to contain sound exceeding the injury criteria for all cetacean hearing groups, (based on the dual criteria of SEL_{cum} and peak SPL), while also providing a consistent, reasonably observable zone within which PSOs would typically be able to conduct effective observational effort. Additionally, a 100-m SZ is expected to minimize the likelihood that marine mammals will be exposed to levels likely to result in more severe behavioral responses. Although significantly greater distances may be observed from an elevated platform under good conditions, we expect that 100 m is likely regularly attainable for PSOs using the naked eye during typical conditions. The pre-start clearance zone simply represents the addition of a buffer to the SZ, doubling the SZ size during pre-clearance.

An extended SZ of 500 m must be implemented for all beaked whales, a large whale with a calf, and groups of six or more large whales. No buffer of this extended SZ is required, as NMFS concludes that this extended SZ is sufficiently protective to mitigate harassment to these groups.

Pre-Start Clearance and Ramp-Up

Ramp-up (sometimes referred to as “soft start”) means the gradual and systematic increase of emitted sound levels from an airgun array. The intent of pre-start clearance observation (30 minutes) is to ensure no marine mammals are observed within the pre-start clearance zone (or extended SZ, for beaked whales, a large whale with a calf, and groups of six or more large whales) prior to the beginning of ramp-up. During the pre-start clearance period is the only time observations of marine mammals in the buffer zone would prevent operations (*i.e.*, the beginning of

ramp-up). The intent of the ramp-up is to warn marine mammals of pending seismic survey operations and to allow sufficient time for those animals to leave the immediate vicinity prior to the sound source reaching full intensity. A ramp-up procedure, involving a stepwise increase in the number of airguns firing and total volume until all operational airguns are activated and the full volume is achieved, is required at all times as part of the activation of the airguns. All operators must adhere to the following pre-start clearance and ramp-up requirements:

- The operator must notify a designated PSO of the planned start of ramp-up as agreed upon with the lead PSO; the notification time should not be less than 60 minutes prior to the planned ramp-up in order to allow the PSOs time to monitor the pre-start clearance zone (and extended SZ) for 30 minutes prior to the initiation of ramp-up (pre-start clearance);
- Ramp-ups shall be scheduled so as to minimize the time spent with the source activated prior to reaching the designated run-in;
- One of the PSOs conducting pre-start clearance observations must be notified again immediately prior to initiating ramp-up procedures and the operator must receive confirmation from the PSO to proceed;
- Ramp-up may not be initiated if any marine mammal is within the applicable shutdown or buffer zone. If a marine mammal is observed within the pre-start clearance zone (or extended SZ, for beaked whales, a large whale with a calf, and groups of six or more large whales) during the 30 minute pre-start clearance period, ramp-up may not begin until the animal(s) has been observed exiting the zones or until an additional time period has elapsed with no further sightings (15 minutes for small odontocetes and pinnipeds, and 30 minutes for all mysticetes and all other odontocetes, including sperm whales, kogia, beaked whales, and large delphinids, such as Risso's dolphins);
- Ramp-up must begin by activating one GI airgun followed by the second, with each stage lasting no less than 5 minutes. The operator must provide information to the PSO documenting that appropriate procedures were followed;
- PSOs must monitor the pre-start clearance zone and extended SZ during ramp-up, and ramp-up must cease and the source must be shut down upon detection of a marine mammal within the applicable zone. Once ramp-up has begun, detections of marine mammals within the buffer zone do not require shutdown, but such observation shall be

communicated to the operator to prepare for the potential shutdown;

- Ramp-up may occur at times of poor visibility if appropriate monitoring has occurred with no observations in the 30 minutes prior to beginning ramp-up. No monitoring is required as a prerequisite to nighttime ramp-up.
- If the airguns are shut down for brief periods (*i.e.*, less than 30 minutes) for reasons other than implementation of prescribed mitigation (*e.g.*, mechanical difficulty), it may be activated again without ramp-up if PSOs have maintained constant visual observation and no visual observations of marine mammals have occurred within the pre-start clearance zone (or extended SZ, where applicable). For any longer shutdown, pre-start clearance observation and ramp-up are required; and
- Testing of the airguns involving all elements requires ramp-up. Testing limited to individual source elements or strings does not require ramp-up but does require pre-start clearance of 30 minutes.

Shutdown

The shutdown of an airgun array requires the immediate de-activation of all individual airgun elements of the array. Any PSO on duty will have the authority to call for shutdown of the airgun array if a marine mammal is detected within the applicable SZ. The operator must also establish and maintain clear lines of communication directly between PSOs on duty and crew controlling the airguns to ensure that shutdown commands are conveyed swiftly while allowing PSOs to maintain watch. When the airguns are active (*i.e.*, anytime one or more airguns is active, including during ramp-up) and a marine mammal appears within or enters the applicable SZ the airguns will be shut down. When shutdown is called for by a PSO, the airguns will be immediately deactivated and any dispute resolved only following deactivation.

Following a shutdown, airgun activity would not resume until the marine mammal has cleared the SZ. The animal would be considered to have cleared the SZ if it is visually observed to have departed the SZ (*i.e.*, animal is not required to fully exit the buffer zone where applicable), or it has not been seen within the SZ for 15 minutes for small odontocetes and pinnipeds or 30 minutes for all mysticetes and all other odontocetes, including sperm whales, kogia, beaked whales, and large delphinids, such as Risso's dolphin.

The shutdown requirement is waived for specific genera of small dolphins if an individual is detected within the SZ.

The small dolphin group is intended to encompass those members of the Family Delphinidae most likely to voluntarily approach the source vessel for purposes of interacting with the vessel and/or airguns (*e.g.*, bow riding). This exception to the shutdown requirement applies solely to the specific genera of small dolphins (*Lagenorhynchus*, *Lissodelphis*, and *Delphinus*).

We include this small dolphin exception because shutdown requirements for these species under all circumstances represent practicability concerns without likely commensurate benefits for the animals in question. Small dolphins are generally the most commonly observed marine mammals in the specific geographic region and would typically be the only marine mammals likely to intentionally approach the vessel. As described above, auditory injury is extremely unlikely to occur for high-frequency cetaceans (*e.g.*, delphinids), as this group is relatively insensitive to sound produced at the predominant frequencies in an airgun pulse while also having a relatively high threshold for the onset of auditory injury (*i.e.*, permanent threshold shift).

A large body of anecdotal evidence indicates that small dolphins commonly approach vessels and/or towed arrays during active sound production for purposes of bow riding with no apparent effect observed (*e.g.*, Barkaszi *et al.*, 2012; Barkaszi and Kelly, 2019). The potential for increased shutdowns resulting from such a measure would require the *Sally Ride* to revisit the missed track line to reacquire data, resulting in an overall increase in the total sound energy input to the marine environment and an increase in the total duration over which the survey is active in a given area. Although other high-frequency hearing specialists (*e.g.*, large delphinids) are no more likely to incur auditory injury than are small dolphins, they are much less likely to approach vessels. Therefore, retaining a shutdown requirement for large delphinids would not have similar impacts in terms of either practicability for the applicant or corollary increase in sound energy output and time on the water. We do anticipate some benefit for a shutdown requirement for large delphinids in that it simplifies somewhat the total range of decision-making for PSOs and may preclude any potential for physiological effects other than to the auditory system as well as some more severe behavioral reactions for any such animals in close proximity to the *Sally Ride*.

Visual PSOs shall use best professional judgment in making the decision to call for a shutdown if there

is uncertainty regarding identification (*i.e.*, whether the observed marine mammal(s) belongs to one of the delphinid genera for which shutdown is waived or one of the species with a larger SZ).

SIO must implement shutdown if a marine mammal species for which take was not authorized or a species for which authorization was granted but the authorized takes have been met approaches the Level B harassment zones. SIO must also implement shutdown if any large whale (defined as a sperm whale or any baleen whale species) with a calf (defined as an animal less than two-thirds the body size of an adult observed to be in close association with an adult) and/or an aggregation of six or more large whales are observed at any distance.

Vessel Strike Avoidance Mitigation Measures

Vessel personnel should use an appropriate reference guide that includes identifying information on all marine mammals that may be encountered. Vessel operators must comply with the below measures except under extraordinary circumstances when the safety of the vessel or crew is in doubt or the safety of life at sea is in question. These requirements do not apply in any case where compliance would create an imminent and serious threat to a person or vessel or to the extent that a vessel is restricted in its ability to maneuver and, because of the restriction, cannot comply.

Vessel operators and crews must maintain a vigilant watch for all marine mammals and slow down, stop their vessel, or alter course, as appropriate and regardless of vessel size, to avoid striking any marine mammal. A single marine mammal at the surface may indicate the presence of submerged animals in the vicinity of the vessel; therefore, precautionary measures should always be exercised. A visual observer aboard the vessel must monitor a vessel strike avoidance zone around the vessel (separation distances stated below). Visual observers monitoring the vessel strike avoidance zone may be third-party observers (*i.e.*, PSOs) or crew members, but crew members responsible for these duties must be provided sufficient training to (1) distinguish marine mammals from other phenomena and (2) broadly to identify a marine mammal as a large whale (defined in this context as sperm whales or baleen whales), or other marine mammals.

Vessel speeds must be reduced to 10 kn (18.5 kph) or less when mother/calf pairs, pods, or large assemblages of

cetaceans are observed near a vessel. All vessels must maintain a minimum separation distance of 100 m from sperm whales and all mystecites. All vessels must, to the maximum extent practicable, attempt to maintain a minimum separation distance of 50 m from all other marine mammals, with an understanding that at times this may not be possible (*e.g.*, for animals that approach the vessel).

When marine mammals are sighted while a vessel is underway, the vessel shall take action as necessary to avoid violating the relevant separation distance (*e.g.*, attempt to remain parallel to the animal's course, avoid excessive speed or abrupt changes in direction until the animal has left the area). If marine mammals are sighted within the relevant separation distance, the vessel must reduce speed and shift the engine to neutral, not engaging the engines until animals are clear of the area. This does not apply to any vessel towing gear or any vessel that is navigationally constrained.

NMFS conducted an independent evaluation of the applicant's proposed measures, and has preliminarily determined that the proposed mitigation measures provide the means of effecting the least practicable impact on the affected species or stocks and their habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance.

Proposed Monitoring and Reporting

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

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

- Occurrence of marine mammal species or stocks in the area in which take is anticipated (*e.g.*, presence, abundance, distribution, density);
- Nature, scope, or context of likely marine mammal exposure to potential

stressors/impacts (individual or cumulative, acute or chronic), through better understanding of: (1) action or environment (*e.g.*, source characterization, propagation, ambient noise); (2) affected species (*e.g.*, life history, dive patterns); (3) co-occurrence of marine mammal species with the activity; or (4) biological or behavioral context of exposure (*e.g.*, age, calving or feeding areas);

- Individual marine mammal responses (behavioral or physiological) to acoustic stressors (acute, chronic, or cumulative), other stressors, or cumulative impacts from multiple stressors;

- How anticipated responses to stressors impact either: (1) long-term fitness and survival of individual marine mammals; or (2) populations, species, or stocks;

- Effects on marine mammal habitat (*e.g.*, marine mammal prey species, acoustic habitat, or other important physical components of marine mammal habitat); and,

- Mitigation and monitoring effectiveness.

The monitoring and reporting requirements described in the following were proposed by SIO in its adequate and complete application or are the result of subsequent coordination between NMFS and SIO. SIO has agreed that all of the monitoring and reporting measures are practicable. NMFS describes those below as proposed requirements, and has included them in the proposed IHA.

Vessel-Based Visual Monitoring

As described above, PSO observations would take place during daytime airgun operations. Two visual PSOs would be on duty at all times during daytime hours. The operator will work with the selected third-party observer provider to ensure PSOs have all equipment (including backup equipment) needed to adequately perform necessary tasks, including accurate determination of distance and bearing to observed marine mammals. SIO must use dedicated, trained, and NMFS-approved PSOs. At least one visual PSO aboard the vessel must have a minimum of 90 days at-sea experience working in those roles, respectively, with no more than 18 months elapsed since the conclusion of the at-sea experience. One visual PSO with such experience shall be designated as the lead for the entire protected species observation team. The lead PSO shall serve as primary point of contact for the vessel operator and ensure all PSO requirements per the IHA are met. To the maximum extent practicable, the experienced PSOs

should be scheduled to be on duty with those PSOs with appropriate training but who have not yet gained relevant experience. The PSOs must have no tasks other than to conduct observational effort, record observational data, and communicate with and instruct relevant vessel crew with regard to the presence of marine mammals and mitigation requirements. PSO resumes shall be provided to NMFS for approval. Monitoring shall be conducted in accordance with the following requirements:

- PSOs shall be independent, dedicated, trained visual PSOs and must be employed by a third-party observer provider;
- PSOs shall have no tasks other than to conduct visual observational effort, collect data, and communicate with and instruct relevant vessel crew with regard to the presence of protected species and mitigation requirements (including brief alerts regarding maritime hazards); and
- PSOs shall have successfully completed an approved PSO training course appropriate for their designated task (visual).
- NMFS must review and approve PSO resumes accompanied by a relevant training course information packet that includes the name and qualifications (*i.e.*, experience, training completed, or educational background) of the instructor(s), the course outline or syllabus, and course reference material as well as a document stating successful completion of the course;
- PSOs must successfully complete relevant training, including completion of all required coursework and passing (80 percent or greater) a written and/or oral examination developed for the training program;
- PSOs must have successfully attained a bachelor's degree with a major in one of the natural sciences; and
- The educational requirements may be waived if the PSO has acquired the relevant skills through alternate experience. Requests for such a waiver shall be submitted to NMFS and must include written justification. Requests shall be granted or denied (with justification) by NMFS within 1 week of receipt of submitted information. Alternate experience that may be considered includes, but is not limited to (1) secondary education and/or experience comparable to PSO duties; (2) previous work experience conducting academic, commercial, or government-sponsored protected species surveys; or (3) previous work experience as a PSO; the PSO should demonstrate good standing and consistently good performance of PSO duties.

- For data collection purposes, PSOs shall use standardized electronic data collection forms. PSOs shall record detailed information about any implementation of mitigation requirements, including the distance of animals to the airguns and description of specific actions that ensued, the behavior of the animal(s), any observed changes in behavior before and after implementation of mitigation, and if shutdown was implemented, the length of time before any subsequent ramp-up of the airgun array. If required mitigation was not implemented, PSOs should record a description of the circumstances. At a minimum, the following information must be recorded:
 - Vessel name, vessel size and type, maximum speed capability of vessel;
 - Dates (MM/DD/YYYY) of departures and returns to port with port name;
 - PSO names and affiliations, PSO ID (initials or other identifier);
 - Date (MM/DD/YYYY) and participants of PSO briefings;
 - Visual monitoring equipment used (description);
 - PSO location on vessel and height (meters) of observation location above water surface;
 - Watch status (description);
 - Dates (MM/DD/YYYY) and times (Greenwich Mean Time (GMC)/Coordinated Universal Time (UTC)) of survey on/off effort and times (GMC/UTC) corresponding with PSO on/off effort;
 - Vessel location (decimal degrees) when survey effort began and ended and vessel location at beginning and end of visual PSO duty shifts;
 - Vessel location (decimal degrees) at 30-second intervals if obtainable from data collection software, otherwise at practical regular interval;
 - Vessel heading (compass heading) and speed (knots) at beginning and end of visual PSO duty shifts and upon any change;
 - Water depth (meters) (if obtainable from data collection software);
 - Environmental conditions while on visual survey (at beginning and end of PSO shift and whenever conditions changed significantly), including BSS and any other relevant weather conditions including cloud cover, fog, sun glare, and overall visibility to the horizon;
 - Factors that may have contributed to impaired observations during each PSO shift change or as needed as environmental conditions changed (description) (*e.g.*, vessel traffic, equipment malfunctions); and
 - Vessel/Survey activity information (and changes thereof) (description),

such as airgun power output while in operation, number and volume of airguns operating, tow depth of the airguns, and any other notes of significance (*i.e.*, pre-start clearance, ramp-up, shutdown, testing, shooting, ramp-up completion, end of operations, streamers, *etc.*).

- Upon visual observation of any marine mammals, the following information must be recorded:
 - Sighting ID (numeric);
 - Watch status (sighting made by PSO on/off effort, opportunistic, crew, alternate vessel/platform);
 - Location of PSO/observer (description);
 - Vessel activity at the time of the sighting (*e.g.*, deploying, recovering, testing, shooting, data acquisition, other);
 - PSO who sighted the animal/ID;
 - Time/date of sighting (GMT/UTC, MM/DD/YYYY);
 - Initial detection method (description);
 - Sighting cue (description);
 - Vessel location at time of sighting (decimal degrees);
 - Water depth (meters);
 - Direction of vessel's travel (compass direction);
 - Speed (knots) of the vessel from which the observation was made;
 - Direction of animal's travel relative to the vessel (description, compass heading);
 - Bearing to sighting (degrees);
 - Identification of the animal (*e.g.*, genus/species, lowest possible taxonomic level, or unidentified) and the composition of the group if there is a mix of species;
 - Species reliability (an indicator of confidence in identification) (1 = unsure/possible, 2 = probable, 3 = definite/sure, 9 = unknown/not recorded);
 - Estimated distance to the animal (meters) and method of estimating distance;
 - Estimated number of animals (high/low/best) (numeric);
 - Estimated number of animals by cohort (adults, yearlings, juveniles, calves, group composition, *etc.*);
 - Description (as many distinguishing features as possible of each individual seen, including length, shape, color, pattern, scars or markings, shape and size of dorsal fin, shape of head, and blow characteristics);
 - Detailed behavior observations (*e.g.*, number of blows/breaths, number of surfaces, breaching, spyhopping, diving, feeding, traveling; as explicit and detailed as possible; note any observed changes in behavior);

- Animal's closest point of approach (meters) and/or closest distance from any of the airguns;
- Description of any actions implemented in response to the sighting (e.g., delays, shutdown, ramp-up) and time and location of the action.
- Photos (Yes/No);
- Photo Frame Numbers (List of numbers); and
- Conditions at time of sighting (Visibility; Beaufort Sea State).

Reporting

SIO shall submit a draft comprehensive report on all activities and monitoring results within 90 days of the completion of the survey or expiration of the IHA, whichever comes sooner. The report must describe all activities conducted and sightings of marine mammals, must provide full documentation of methods, results, and interpretation pertaining to all monitoring, and must summarize the dates and locations of survey operations and all marine mammal sightings (dates, times, locations, activities, associated survey activities). The draft report shall also include geo-referenced time-stamped vessel tracklines for all time periods during which airguns were operating. Tracklines should include points recording any change in airgun status (e.g., when the sources began operating, when they were turned off, or when they changed operational status such as from two airguns to single gun or vice versa). Geographic Information System files shall be provided in Environmental Systems Research Institute shapefile format and include the UTC date and time, latitude in decimal degrees, and longitude in decimal degrees. All coordinates shall be referenced to the WGS84 geographic coordinate system. In addition to the report, all raw observational data shall be made available. The report must summarize data collected as described above in Proposed Monitoring and Reporting. A final report must be submitted within 30 days following resolution of any comments on the draft report.

Reporting Injured or Dead Marine Mammals

Discovery of injured or dead marine mammals—In the event that personnel involved in the survey activities discover an injured or dead marine mammal, SIO shall report the incident to the Office of Protected Resources (OPR) as soon as feasible. The report must include the following information:

- Time, date, and location (latitude/longitude) of the first discovery (and

updated location information if known and applicable);

- Species identification (if known) or description of the animal(s) involved;
- Condition of the animal(s) (including carcass condition if the animal is dead);
- Observed behaviors of the animal(s), if alive;
- If available, photographs or video footage of the animal(s); and
- General circumstances under which the animal was discovered.

Vessel strike—In the event of a strike of a marine mammal by any vessel involved in the activities covered by the authorization, SIO shall report the incident to OPR as soon as feasible. The report must include the following information:

- Time, date, and location (latitude/longitude) of the incident;
- Vessel's speed during and leading up to the incident;
- Vessel's course/heading and what operations were being conducted (if applicable);
- Status of all sound sources in use;
- Description of avoidance measures/requirements that were in place at the time of the strike and what additional measure were taken, if any, to avoid strike;
- Environmental conditions (e.g., wind speed and direction, BSS, cloud cover, visibility) immediately preceding the strike;
- Species identification (if known) or description of the animal(s) involved;
- Estimated size and length of the animal that was struck;
- Description of the behavior of the marine mammal immediately preceding and following the strike;
- If available, description of the presence and behavior of any other marine mammals present immediately preceding the strike;
- Estimated fate of the animal (e.g., dead, injured but alive, injured and moving, blood or tissue observed in the water, status unknown, disappeared); and
- To the extent practicable, photographs or video footage of the animal(s).

Negligible Impact Analysis and Determination

NMFS has defined negligible impact as an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival (50 CFR 216.103). A negligible impact finding is based on the lack of likely adverse effects on annual rates of

recruitment or survival (i.e., population-level effects). An estimate of the number of takes alone is not enough information on which to base an impact determination. In addition to considering estimates of the number of marine mammals that might be "taken" through harassment, NMFS considers other factors, such as the likely nature of any impacts or responses (e.g., intensity, duration), the context of any impacts or responses (e.g., critical reproductive time or location, foraging impacts affecting energetics), as well as effects on habitat, and the likely effectiveness of the mitigation. We also assess the number, intensity, and context of estimated takes by evaluating this information relative to population status. Consistent with the 1989 preamble for NMFS' implementing regulations (54 FR 40338, September 29, 1989), the impacts from other past and ongoing anthropogenic activities are incorporated into this analysis via their impacts on the baseline (e.g., as reflected in the regulatory status of the species, population size and growth rate where known, ongoing sources of human-caused mortality, or ambient noise levels).

To avoid repetition, the discussion of our analysis applies to all species listed in table 1, given that the anticipated effects of this activity on these different marine mammal stocks are expected to be similar. There is little information about the nature or severity of the impacts, or the size, status, or structure of any of these species or stocks that would lead to a different analysis for this activity.

NMFS does not anticipate that serious injury or mortality would occur as a result of SIO's planned survey, even in the absence of mitigation, and no serious injury or mortality is proposed to be authorized. As discussed in the Potential Effects of Specified Activities on Marine Mammals and their Habitat section above, non-auditory physical effects and vessel strike are not expected to occur. NMFS expects that all potential take would be in the form of Level B behavioral harassment in the form of temporary avoidance of the area or decreased foraging (if such activity was occurring), responses that are considered to be of low severity, and with no lasting biological consequences (e.g., Southall *et al.*, 2007, 2021). These low-level impacts of behavioral harassment are not likely to impact the overall fitness of any individual or lead to population level effects of any species. As described above, Level A harassment is not expected to occur given the estimated small size of the Level A harassment zones.

In addition, the maximum expected Level B harassment zone around the survey vessel is 505 m. Therefore, the ensonified area surrounding the vessel is relatively small compared to the overall distribution of animals in the area and their use of the habitat. Feeding behavior is not likely to be significantly impacted as prey species are mobile and are broadly distributed throughout the survey area; therefore, marine mammals that may be temporarily displaced during survey activities are expected to be able to resume foraging once they have moved away from areas with disturbing levels of underwater noise. Because of the short duration (two survey days) and temporary nature of the disturbance and the availability of similar habitat and resources in the surrounding area, the impacts to marine mammals and marine mammal prey species are not expected to cause significant or long-term fitness consequences for individual marine mammals or their populations.

Additionally, the acoustic “footprint” of the proposed survey would be very small relative to the ranges of all marine mammals that would potentially be affected. Sound levels would increase in the marine environment in a relatively small area surrounding the vessel compared to the range of the marine mammals within the proposed survey area. The seismic airguns would be active 24 hours per day throughout the duration of the proposed survey. However, the very brief overall duration of the proposed survey (2 survey days) would further limit potential impacts that may occur as a result of the proposed activity.

Of the marine mammal species that are likely to occur in the survey area, the following species are listed as endangered or threatened under the ESA: humpback whale (Central America and Mexico Distinct Population Segments), sei whale, fin whale, blue whale, sperm whale, and Guadalupe fur seal. The take numbers proposed for authorization for these species (table 7) are minimal relative to their modeled population sizes; therefore, we do not expect population-level impacts to any of these species. Moreover, the actual range of the populations extends past the area covered by the model, so modeled population sizes are likely smaller than their actual population size. Lastly, as previously described, meaningful impacts from the seismic survey are even less likely to occur for high-frequency cetaceans (*e.g.*, delphinids), as this group is relatively insensitive to sound produced at the predominant frequencies in an airgun pulse. The other marine mammal

species that may be taken by harassment during SIO’s seismic survey are not listed as threatened or endangered under the ESA or depleted under the MMPA. There is no designated critical habitat for any ESA-listed marine mammals within the survey area.

There are no rookeries, mating, or calving grounds known to be biologically important to marine mammals within the survey area, and there are no feeding areas known to be biologically important to marine mammals within the survey area.

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

- No Level A harassment, serious injury, or mortality is anticipated or authorized;
- The proposed activity is temporary and of very short duration (3 days total with 3 days of planned survey activity);
- The anticipated impacts of the proposed activity on marine mammals would be temporary behavioral changes due to avoidance of the ensonified area, which is relatively small (see tables 4 and 5);
- The availability of alternative areas of similar habitat value for marine mammals to temporarily vacate the survey area during the proposed survey to avoid exposure to sounds from the activity is readily abundant;
- The potential adverse effects on fish or invertebrate species that serve as prey species for marine mammals from the proposed survey would be temporary and spatially limited and impacts to marine mammal foraging would be minimal; and,
- The proposed mitigation measures are expected to reduce the number and severity of takes, to the extent practicable, by visually and/or acoustically detecting marine mammals within the established zones and implementing corresponding mitigation measures (*e.g.*, delay; shutdown).

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

Small Numbers

As noted previously, only take of small numbers of marine mammals may

be authorized under sections 101(a)(5)(A) and (D) of the MMPA for specified activities other than military readiness activities. The MMPA does not define small numbers and so, in practice, where estimated numbers are available, NMFS compares the number of individuals taken to the most appropriate estimation of abundance of the relevant species or stock in our determination of whether an authorization is limited to small numbers of marine mammals. When the predicted number of individuals to be taken is fewer than one-third of the species or stock abundance, the take is considered to be of small numbers (see 86 FR 5322, January 19, 2021). Additionally, other qualitative factors may be considered in the analysis, such as the temporal or spatial scale of the activities.

The number of takes NMFS proposes to authorize is below one-third of the modeled abundance for all relevant populations (specifically, take of individuals is equal or less than 2 percent of the modeled abundance of each affected population, see table 7). This is conservative because the modeled abundance represents a population of the species and we assume all takes are of different individual marine mammals, which is likely not the case. Some individuals may be encountered multiple times in a day, but PSOs would count them as separate individuals if they cannot be identified.

There is no abundance information available for the CA/WA/OR stock of dwarf sperm whale. However, the take numbers proposed for authorization are sufficiently small (one take by Level B harassment) that we can safely assume that they are small relative to any reasonable assumption of likely population abundance for this stock.

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

Unmitigable Adverse Impact Analysis and Determination

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

Endangered Species Act

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

NMFS is proposing to authorize take of humpback whale (Central America and Mexico Distinct Population Segments), sei whale, fin whale, blue whale, sperm whale, and Guadalupe fur seal which are listed under the ESA.

The Permits and Conservation Division has requested initiation of section 7 consultation with the Interagency Cooperation Division for the issuance of this IHA. NMFS will conclude the ESA consultation prior to reaching a determination regarding the proposed issuance of the authorization.

Proposed Authorization

As a result of these preliminary determinations, NMFS proposes to issue an IHA to SIO for conducting a marine geophysical survey in the Cascadia Subduction Zone in the Northeast Pacific Ocean, provided the previously mentioned mitigation, monitoring, and reporting requirements are incorporated. A draft of the proposed IHA can be found at: <https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-research-and-other-activities>.

Request for Public Comments

We request comment on our analyses, the proposed authorization, and any other aspect of this notice of proposed IHA for the proposed marine geophysical survey. We also request comment on the potential renewal of this proposed IHA as described in the paragraph below. Please include with your comments any supporting data or literature citations to help inform decisions on the request for this IHA or a subsequent renewal IHA.

On a case-by-case basis, NMFS may issue a one-time, 1-year renewal IHA following notice to the public providing an additional 15 days for public comments when (1) up to another year of identical or nearly identical activities as described in the Description of Proposed Activity section of this notice is planned or (2) the activities as described in the Description of

Proposed Activity section of this notice would not be completed by the time the IHA expires and a renewal would allow for completion of the activities beyond that described in the *Dates and Duration* section of this notice, provided all of the following conditions are met:

- A request for renewal is received no later than 60 days prior to the needed renewal IHA effective date (recognizing that the renewal IHA expiration date cannot extend beyond 1 year from expiration of the initial IHA).

- The request for renewal must include the following:

(1) An explanation that the activities to be conducted under the requested renewal IHA are identical to the activities analyzed under the initial IHA, are a subset of the activities, or include changes so minor (*e.g.*, reduction in pile size) that the changes do not affect the previous analyses, mitigation and monitoring requirements, or take estimates (with the exception of reducing the type or amount of take).

(2) A preliminary monitoring report showing the results of the required monitoring to date and an explanation showing that the monitoring results do not indicate impacts of a scale or nature not previously analyzed or authorized.

- Upon review of the request for renewal, the status of the affected species or stocks, and any other pertinent information, NMFS determines that there are no more than minor changes in the activities, the mitigation and monitoring measures will remain the same and appropriate, and the findings in the initial IHA remain valid.

Dated: July 17, 2025.

Shannon Bettridge,

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

[FR Doc. 2025-13687 Filed 7-18-25; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XF049]

Mid-Atlantic Fishery Management Council (MAFMC); Public Meeting

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

ACTION: Notice of public meeting.

SUMMARY: The Mid-Atlantic Fishery Management Council's Mackerel, Squid,

and Butterfish Monitoring Committee will hold a public meeting.

DATES: The meeting will be held on Tuesday, July 29, 2025, from 1:30 p.m.–2:30 p.m. For agenda details, see

SUPPLEMENTARY INFORMATION.

ADDRESSES: The meeting will be held via webinar. Connection information will be posted to the Council's calendar prior to the meeting at www.mafmc.org.

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 Mid-Atlantic Fishery Management Council's Mackerel, Squid, and Butterfish Monitoring Committee will meet via webinar on Tuesday, July 29, 2025, from 1:30 p.m. until 2:30 p.m. The purpose of this meeting is for the Monitoring Committee to develop recommendations regarding the management of *Illex* squid for 2026–2028 annual specifications. More information on this fishery is available at <https://www.mafmc.org/msb>.

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids 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: July 17, 2025.

Rey Israel Marquez,

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

[FR Doc. 2025-13659 Filed 7-18-25; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XF032]

Endangered Species; File No. 27918

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

ACTION: Notice; issuance of permit.

SUMMARY: Notice is hereby given that Kristen Hart, Ph.D., U.S. Geological Survey, Wetlands and Aquatic Research Center, 3321 College Avenue, Davie, FL 33314, has been issued a permit to take green (*Chelonia mydas*), Kemp's ridley

(*Lepidochelys kempii*), loggerhead (*Caretta caretta*), and hawksbill (*Eretmochelys imbricata*) sea turtles for purposes of scientific research.

ADDRESSES: The permit and related documents are available for review upon written request via email to NMFS.Pr1Comments@noaa.gov.

FOR FURTHER INFORMATION CONTACT: Amy Hapeman or Erin Markin, Ph.D., (301) 427-8401.

SUPPLEMENTARY INFORMATION: On April 30, 2025, notice was published in the **Federal Register** (90 FR 17911) that a request for a scientific research permit to take sea turtles had been submitted by the above-named individual. The requested permit has been issued under the authority of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*) and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222-226).

The permit authorizes sea turtle research at study sites across the northern Gulf of America, Atlantic Ocean, and U.S. Virgin Islands. Researchers may capture sea turtles by hand, dip net, strike net, tangle net, cast net, or trawl and perform the following procedures prior to release: measurements, biological sampling, temporary marking, photographs, instrument attachments, tracking, and weighing. In addition, in lieu of directed captures, researchers may perform these methods on animals legally caught during relocation trawling efforts. The permit takes effect on October 1, 2025, and is valid for 10 years.

Issuance of this permit, as required by the ESA, was based on a finding that such permit (1) was applied for in good faith, (2) will not operate to the disadvantage of such endangered or threatened species, and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: July 17, 2025.

Shannon Bettridge,

Chief, Marine Mammal and Sea Turtle Conservation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2025-13686 Filed 7-18-25; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XF031]

Marine Mammals; File No. 28931

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; issuance of permit.

SUMMARY: Notice is hereby given that a permit has been issued to Passion Planet, 33-34 Rathbone Place, London, W1T 1JN, United Kingdom (Responsible Party: David Allen) to conduct commercial and educational photography of marine mammals.

ADDRESSES: The permit and related documents are available for review upon written request via email to NMFS.Pr1Comments@noaa.gov.

FOR FURTHER INFORMATION CONTACT: Amy Hapeman, (301) 427-8401.

SUPPLEMENTARY INFORMATION: On May 23, 2025, notice was published in the **Federal Register** (90 FR 22063) that a request for a permit to conduct commercial and educational photography had been submitted by the above-named applicant. The requested permit has been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*) and the regulations governing the taking and importing of marine mammals (50 CFR part 216).

The permit authorizes the permit holder to film marine mammals feeding on menhaden in the New York Bight for a three-part documentary series. Filmmakers may observe and collect footage of humpback whales (*Megaptera novaeangliae*), short-beaked common dolphins (*Delphinus delphis*), bottlenose dolphins (*Tursiops truncatus*), Risso's dolphins (*Grampus griseus*), and gray seals (*Halichoerus grypus*) from a vessel, underwater with a pole cam, and via an unmanned aircraft system. The permit is valid through July 31, 2027.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), a final determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Dated: July 16, 2025.

Shannon Bettridge,

Chief, Marine Mammal and Sea Turtle Conservation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2025-13583 Filed 7-18-25; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XE967]

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Ferndale Refinery Dock Maintenance and Pile Replacement Project Activities in Ferndale, Washington

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

ACTION: Notice; request for comments on proposed renewal incidental harassment authorization.

SUMMARY: NMFS received a request from Phillips 66 for the renewal of their currently active incidental harassment authorization (IHA) (hereinafter, the "initial IHA") to take marine mammals incidental to Ferndale Refinery Dock Maintenance and Pile Replacement Activities in Ferndale, Washington. Activities described in the initial IHA will not be completed prior its expiration. IHA Renewal activities are nearly identical to those covered in the initial authorization. Pursuant to the Marine Mammal Protection Act (MMPA), prior to issuing the initial IHA, NMFS requested comments on both the proposed IHA and the potential for renewing the initial IHA if certain requirements were satisfied. The renewal requirements have been satisfied, and NMFS is now providing an additional 15-day comment period to allow for any additional comments on the proposed renewal not previously provided during the initial 30-day comment period.

DATES: Comments and information must be received no later than August 5, 2025.

ADDRESSES: Comments should be addressed to the Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service, and should be submitted via email to ITP.Gatzke@noaa.gov. Electronic copies of the original application, renewal request, and supporting documents (including NMFS **Federal Register** notices of the original proposed and final authorizations, and the previous IHA), as well as a list of the 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.

Instructions: NMFS is not responsible for comments sent by any other method, to any other address or individual, or received after the end of the comment period. Comments, including all attachments, must not exceed a 25-megabyte file size. All comments received are a part of the public record and will generally be posted online at <https://www.fisheries.noaa.gov/permit/incidental-take-authorizations-under-marine-mammal-protection-act> without change. All personal identifying information (e.g., name, address) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information.

FOR FURTHER INFORMATION CONTACT: Jennifer Gatzke, 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 such species or stocks for taking for certain subsistence uses (referred to here as “mitigation”); and requirements pertaining to the monitoring and reporting of the takings. The definition of all applicable MMPA statutory 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 the NMFS’s

implementing regulations at 50 CFR 216.103.

NMFS’s regulations implementing the MMPA at 50 CFR 216.107(e) indicate that IHAs may be renewed for additional periods of time not to exceed 1 year for each reauthorization. In the notice of proposed IHA for the initial IHA, NMFS described the circumstances under which we would consider issuing a renewal for this activity, and requested public comment on a potential renewal under those circumstances. Specifically, on a case-by-case basis, NMFS may issue a one-time 1-year renewal of an IHA following notice to the public providing an additional 15 days for public comments when (1) up to another year of identical, or nearly identical, activities as described in the Detailed Description of Specified Activities section of the initial IHA issuance notice is planned or (2) the activities as described in the Description of the Specified Activities and Anticipated Impacts section of the initial IHA issuance notice would not be completed by the time the initial IHA expires and a renewal would allow for completion of the activities beyond that described in the **DATES** section of the notice of issuance of the initial IHA, provided all of the following conditions are met:

1. A request for renewal is received no later than 60 days prior to the needed renewal IHA effective date (recognizing that the renewal IHA expiration date cannot extend beyond 1 year from expiration of the initial IHA).

2. The request for renewal must include the following:

- An explanation that the activities to be conducted under the requested renewal IHA are identical to the activities analyzed under the initial IHA, are a subset of the activities, or include changes so minor (e.g., reduction in pile size) that the changes do not affect the previous analyses, mitigation and monitoring requirements, or take estimates (with the exception of reducing the type or amount of take); and

- A preliminary monitoring report showing the results of the required monitoring to date and an explanation showing that the monitoring results do not indicate impacts of a scale or nature not previously analyzed or authorized.

Upon review of the request for renewal, the status of the affected species or stocks, and any other pertinent information, NMFS determines that there are no more than minor changes in the activities, the mitigation and monitoring measures will remain the same and appropriate,

and the findings in the initial IHA remain valid.

An additional public comment period of 15 days (for a total of 45 days), with direct notice by email, phone, or postal service to commenters on the initial IHA, is provided to allow for any additional comments on the proposed renewal. A description of the renewal process may be found on our website at: <https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-harassment-authorization-renewals>. Any comments received on the potential renewal, along with relevant comments on the initial IHA, have been considered in the development of this proposed IHA renewal, and a summary of agency responses to applicable comments is included in this notice. NMFS will consider any additional public comments prior to making any final decision on the issuance of the requested renewal, and agency responses will be summarized in the final notice of our decision.

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 a renewal IHA) with respect to potential impacts on the human environment.

This action is consistent with categories of activities identified in Categorical Exclusion B4 (incidental take authorizations with no anticipated serious injury or mortality) of the Companion Manual for NOAA Administrative Order 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 determined that the issuance of the initial IHA qualified to be categorically excluded from further NEPA review. NMFS has preliminarily determined that the application of this categorical exclusion remains appropriate for this renewal IHA.

History of Request

On August 9, 2024, NMFS issued an IHA to Phillips 66 to take marine mammals incidental to construction activities at the Ferndale Refinery Dock in Ferndale, Washington (89 FR 66057), effective from August 9, 2024 through August 8, 2025. Figure 1 shows the location of this project in the Strait of

Georgia in the northeast Puget Sound,
WA.

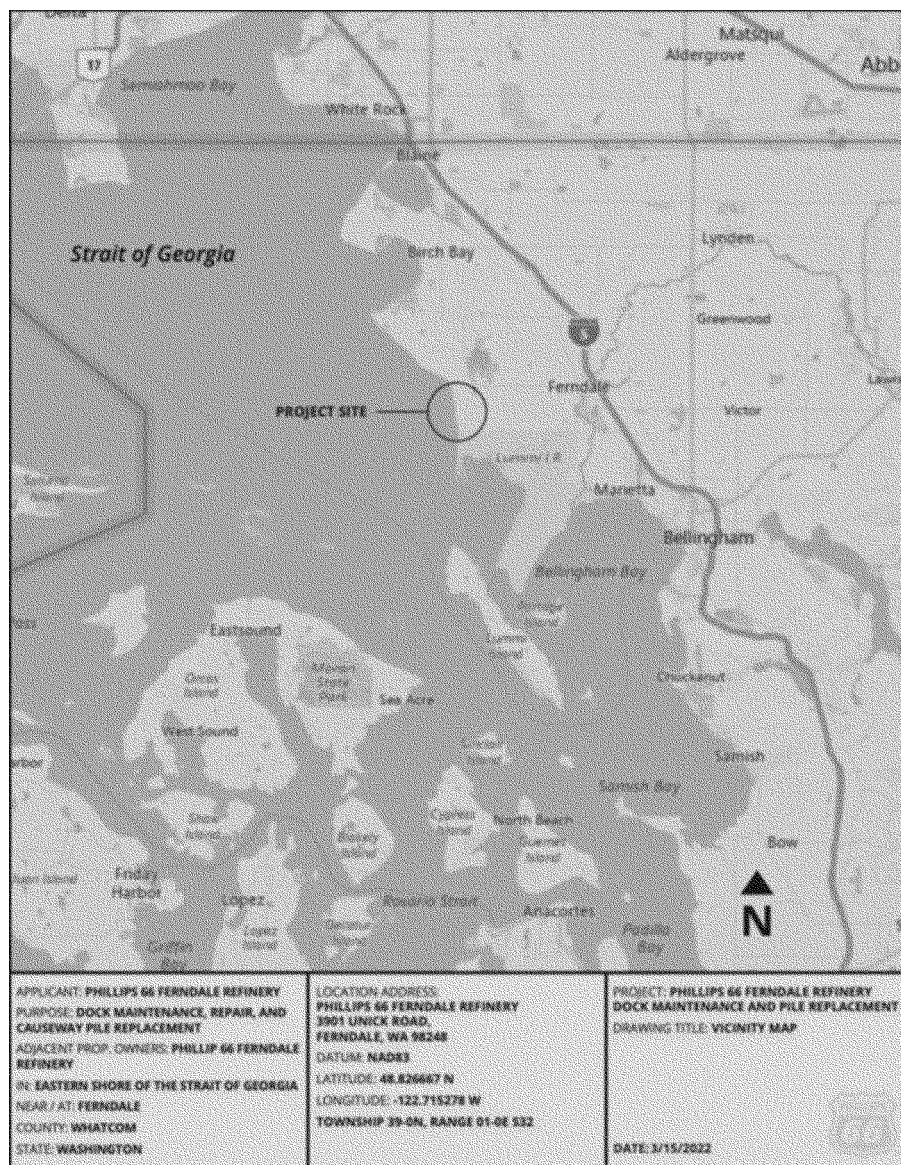


Figure 1.—Vicinity Map Showing the Strait of Georgia in the Northeast Puget Sound, WA

On May 29, 2025, NMFS received an application for the renewal of that initial IHA. As described in the application for renewal IHA, the activities for which incidental take is requested are nearly identical to those covered in the initial authorization, consisting of activities that are covered by the initial authorization but will not be completed prior to its expiration. Phillips 66 submitted a revised version on June 5, 2025, which was deemed adequate and complete. As required, the applicant also provided a preliminary monitoring report which confirms that

the applicant has implemented the required mitigation and monitoring, and which also shows that no impacts of a scale or nature not previously analyzed or authorized have occurred as a result of the activities conducted. The initial authorization with incidental take calculations, species discussion, along with the monitoring report and a more detailed map, are available on our website at <https://www.fisheries.noaa.gov/action/incidental-take-authorization-phillips-66-cos-ferndale-refinery-dock-maintenance-and-pile>.

Description of the Specified Activities and Anticipated Impacts

The purpose of the project is to strengthen the existing timber and steel

pier that has long served as a petroleum loading facility, and replace it with a new steel structure that meets current industry best practices. The continuing project will require vibratory pile installation and is expected to take 15 intermittent days between August 1, 2025 and October 31, 2025 since marine conditions are expected to be relatively calm during this period. This IHA renewal would be valid for a period of 1 year from August 9, 2025, through August 8, 2026.

The planned work is nearly identical to the activities analyzed for this IHA and the same monitoring plan will be implemented during pile driving to minimize impacts to marine mammals in the project area. Relative to the initial

construction plans, there are 54 piles of 116 remaining to drive. Phillips 66 also requested a minor change to add 4 additional piles to the project to complete all pile driving work on the causeway (58 piles total). These additional piles incorporate the maintenance of a foam building for fire suppression into the current approved Joint Aquatic Resources Permit Application for the causeway maintenance. NMFS reviewed the plan for the additional four piles at the terminal end of the dock and determined that it would not change our original analysis.

The additional piles are of the same size and materials, requiring only 48 minutes of additional vibratory driving time to complete installation. NMFS has determined that the amount of take proposed for authorization through this renewal IHA is sufficient to cover any

marine mammal take likely to result from this insignificant incremental increase in pile driving activity.

A detailed description of the demolition and construction activities for which take is proposed here may be found in the Notices of the Proposed and Final IHAs for the initial authorization. The location, timing, and nature of the activities, including the types of equipment planned for use, are nearly identical to those described in the previous notices (89 FR 53046; June 25, 2024, 89 FR 66057, August 14, 2024). The activities are identical, but are a subset of the initial work, except for the minor change of the addition of the four support piles.

The proposed renewal would be effective for a period not exceeding 1 year from the date of expiration of the initial IHA.

Description of Marine Mammals

A description of the marine mammals in the area of the activities for which authorization of take is proposed here, including information on abundance, status, distribution, and hearing, may be found in the Notices of the Proposed IHA for the initial authorization. NMFS has reviewed the monitoring data from the initial IHA, recent Stock Assessment Reports, information on relevant Unusual Mortality Events, and other scientific literature, and determined there is no new information that affects which species or stocks have the potential to be affected or the pertinent information in the Description of the Marine Mammals in the Area of Specified Activities contained in the supporting documents for the initial IHA.

TABLE 1—SPECIES FOR WHICH TAKE COULD OCCUR IN THE PROJECT AREA

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—Cetacea—Mysticeti (baleen whales)						
<i>Family Balaenopteridae (rorquals):</i>						
Humpback Whale ..	<i>Megaptera novaeangliae.</i>	Central America/Southern Mexico—CA/OR/WA.	E, D, Y	1,494 (0.171, 1,284, 2021).	3.5	14.9
Humpback Whale ..	<i>Megaptera novaeangliae.</i>	Mainland Mexico—CA/OR/WA.	T, D, Y	3,477 (0.101, 3,185, 2018).	43	22
Humpback Whale ..	<i>Megaptera novaeangliae.</i>	Hawaii	-, -, N	11,278 (0.56, 7,265, 2020).	127	27.09
Odontoceti (toothed whales, dolphins, and porpoises)						
<i>Family Delphinidae:</i>						
Killer Whale	<i>Orcinus orca</i>	Eastern North Pacific Southern Resident.	E, D, Y	73 (N/A, 73, 2022)	0.13	0
Killer Whale	<i>Orcinus orca</i>	West Coast Transient ...	-, -, N	349 (N/A, 349, 2018)	3.5	0.4
<i>Family Phocoenidae (porpoises):</i>						
Harbor porpoise	<i>Phocoena phocoena</i>	Washington Inland Waters.	-, -, N	11,233 (0.37, 8,308, 2015).	66	≥7.2
Order Carnivora—Pinnipedia						
<i>Family Otariidae (eared seals and sea lions):</i>						
California Sea Lion	<i>Zalophus californianus</i>	U.S.	-,-; N	257,606 (N/A, 233,515, 2014).	14,011	>321
Steller Sea Lion	<i>Eumetopias jubatus</i>	Eastern	-,-; N	36,308 (N/A, 36,308, 2022).	2,178	93.2
<i>Family Phocidae (earless seals):</i>						
Harbor Seal	<i>Phoca vitulina</i>	Washington Northern Inland Waters.	-, -, N	16,451 (0.07, 15,462, 2019).	928	40

¹ Information on the classification of marine mammal species follows The Society for Marine Mammalogy's Committee on Taxonomy (<https://www.marinemammal.org/science-and-publications/list-marine-mammal-species-subspecies/>). 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.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-stock-assessments>. 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.

Potential Effects on Marine Mammals and Their Habitat

A description of the potential effects of the specified activity on marine mammals and their habitat for the activities for which an authorization of incidental take is proposed here may be found in the Notice of the Proposed IHA for the initial authorization (89 FR 53046, June 25, 2024). NMFS has reviewed the monitoring data from the initial IHA, recent draft Stock Assessment Reports, information on

relevant Unusual Mortality Events, and other scientific literature, and determined that there is no new information that affects our initial analysis of impacts on marine mammals and their habitat.

Estimated Take

A detailed description of the methods and inputs used to estimate take for the specified activity are found in the Notice of the Proposed IHA for the initial authorization (89 FR 53046, June

25, 2024). Specifically, the source levels, days of operation (reduced to 15 days in this renewal), and marine mammal density/occurrence data applicable to this authorization remain unchanged from the previously issued IHA. Similarly, the stocks taken, methods of take, and types of take remain unchanged from the previously issued IHA. The number of takes, reduced to a subset of the initial IHA (smaller number of piles and days pile driving), are indicated below in table 2.

TABLE 2—PROPOSED TAKE OF MARINE MAMMALS BY LEVEL B HARASSMENT BY SPECIES, STOCK/REGION, ABUNDANCE, DENSITY, AND PERCENT OF TAKE BY STOCK FOR 15 DAYS OF PILE DRIVING

Common name	Stock (region characterized)	Stock abundance	Density (animals/km ²)	Total proposed take	Proposed take as percentage of stock
Harbor porpoise	Washington Inland Waters (North Puget Sound).	11,233	2.16	192	1.71
Steller sea lion	Eastern U.S. (North Puget Sound/San Juan Islands (Fall)).	36,308	0.0027	15	0.03
California sea lion	U.S. (North Puget Sound/San Juan Islands (Fall)).	257,606	0.0179	45	0.02
Harbor seal	Washington Northern Inland (North Puget Sound/San Juan Islands (Fall)).	16,451	0.76	67	0.61

Description of Proposed Mitigation, Monitoring and Reporting Measures

The proposed mitigation, monitoring, and reporting measures included as requirements in this authorization are identical to those included in the **Federal Register** notice announcing the issuance of the initial proposed IHA, and the discussion of the least practicable adverse impact included in that document remains accurate (89 FR 53046, June 25, 2024; 89 FR 66057, August 14, 2024). The following measures are proposed for this renewal:

(a) The Holder must employ Protected Species Observer (PSOs) and establish monitoring locations. The Holder must monitor the project area to the maximum extent possible based on the required number of PSOs, required monitoring locations, and environmental conditions.

(b) Monitoring must take place from 30 minutes prior to initiation of pile driving activity (*i.e.*, pre-start clearance monitoring) through 30 minutes post-completion of pile driving activity.

(c) 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. Pile driving may commence following 30 minutes of observation when the determination is made that the shutdown zones are clear of marine mammals.

(d) If a marine mammal is observed entering or within the shutdown zones, pile driving activity must be delayed or halted. Pile driving must be commenced or resumed as described in condition 4(e) of this IHA.

(e) 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 without re-detection of the animal.

(f) Specific measures for avoiding take of killer whales and humpback whales:

(i) Prior to the start of pile driving activities each day, the Holder must contact the Orca Network to obtain the latest sightings information for killer whales and humpback whales.

(ii) The Holder must delay or halt pile driving activities if Southern Resident Killer Whale (SRKW), unidentified killer whale (*i.e.* transient) or humpback whales are sighted within the vicinity of the project area and are approaching the Level B harassment zones during in-water activities.

(iii) If a SRKW, unidentified killer whale, or humpback whale enters the Level B harassment zone undetected, in-water pile driving must be suspended immediately upon detection and must not resume until the animal exits the Level B harassment zone or 15 minutes

have passed without re-detection of the animal.

(g) Pile driving activity must be halted (as described in condition 4(d) of initial IHA) upon observation of either 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.

(h) The Holder, construction supervisors and crews, PSOs, and relevant Phillips 66 staff must avoid direct physical interaction with marine mammals during construction activity. If a marine mammal comes within 10 meters 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.

Comments and Responses

As noted previously, NMFS published a notice of a proposed IHA (89 FR 53046, June 25, 2024) and solicited public comments on both our proposal to issue the initial IHA for Ferndale Refinery Dock Maintenance and Pile Replacement Project Activities in Ferndale, Washington and on the potential for a renewal IHA, should certain requirements be met. No public comments were received following the notice announcing the proposed

issuance of the initial IHA (89 FR 53046, June 25, 2024).

Preliminary Determinations

The proposed action is identical to that of the initial authorization in terms of effects. The minor change of four additional piles does not modify our findings. The same marine mammals are affected, and the potential effects and estimated take are a subset of the initial IHA. Mitigation and monitoring remain the same as the initial authorization.

With a subset of estimated take, the extensive analysis, as well as the associated findings included in the prior documents remain applicable. We found that the previous IHA had a negligible impact, and with the issuance of a renewal, the taking would be small relative to population size.

NMFS has preliminarily concluded that there is no new information suggesting that our analysis or findings should change from those reached for the initial IHA. Based on the information and analysis 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; (4) Phillip 66'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

Section 7(a)(2) of the Endangered Species Act of 1973 (ESA: 16 U.S.C. 1531 *et seq.*) requires that each Federal agency ensure 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. No incidental take of ESA-listed species is proposed for authorization or expected to result from this activity. Therefore, NMFS has determined that formal consultation under section 7 of the ESA is not required for this proposed action.

Proposed Renewal IHA and Request for Public Comment

As a result of these preliminary determinations, NMFS proposes to issue a renewal IHA to Phillips 66 for conducting the Ferndale Refinery Dock Maintenance and Pile Replacement Project in Ferndale, Washington, from August 9, 2025 through August 8, 2026, provided the previously described mitigation, monitoring, and reporting requirements are incorporated. A draft of the proposed and final initial IHA can be found at <https://www.fisheries.noaa.gov/permit/incidental-take-authorizations-under-marine-mammal-protection-act>. We request comments on our analyses, the proposed renewal IHA, and any other aspect of this notice. Please include with your comments any supporting data or literature citations to help inform our final decision on the request for this renewal IHA.

Dated: July 17, 2025.

Shannon Bettridge,

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

[FR Doc. 2025-13684 Filed 7-18-25; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XF041]

Mid-Atlantic Fishery Management Council (MAFMC); Public Meeting

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

ACTION: Notice of public meeting.

SUMMARY: The Mid-Atlantic Fishery Management Council's Summer Flounder, Scup, and Black Sea Bass Monitoring Committee will hold a public webinar meeting.

DATES: The meeting will be held on Thursday, July 31, 2025, from 10 a.m.–4 p.m. For agenda details, see

SUPPLEMENTARY INFORMATION.

ADDRESSES: The meeting will be held via webinar. Connection information will be posted to the Council's calendar prior to the meeting at www.mafmc.org.

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 Mid-Atlantic Fishery Management Council's Summer Flounder, Scup, and Black Sea Bass Monitoring Committee will meet via webinar on Thursday, July 31, 2025, from 10 a.m.–4 p.m. The purpose of this meeting is for the Monitoring Committee to: (1) Review recent stock assessment information, 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, commercial quotas, and recreational harvest limits for summer flounder, scup, and black sea bass for 2026–2027; and to (3) Review commercial management measures for all three species and recommend changes if needed.

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids 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: July 17, 2025.

Rey Israel Marquez,

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

[FR Doc. 2025-13658 Filed 7-18-25; 8:45 am]

BILLING CODE 3510-22-P

COMMODITY FUTURES TRADING COMMISSION

Agency Information Collection Activities Under OMB Review

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 ("PRA"), this notice announces that the Information Collection Request ("ICR") abstracted below has been forwarded to the Office of Information and Regulatory Affairs ("OIRA"), of the Office of Management and Budget ("OMB"), for review and comment. The ICR describes the nature of the information collection and its expected costs and burden.

DATES: Comments must be submitted on or before August 20, 2025.

ADDRESSES: Written comments and recommendations for the proposed information collection should be submitted within 30 days of this notice's publication to OIRA, at <https://www.reginfo.gov/public/do/PRAMain>. Please find this particular information

collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the website’s search function. Comments can be entered electronically by clicking on the “comment” button next to the information collection on the “OIRA Information Collections Under Review” page, or the “View ICR—Agency Submission” page. A copy of the supporting statement for the collection of information discussed herein may be obtained by visiting <https://www.reginfo.gov/public/do/PRAMain>.

In addition to the submission of comments to <https://Reginfo.gov> as indicated above, a copy of all comments submitted to OIRA may also be submitted to the Commodity Futures Trading Commission (the “Commission” or “CFTC”) by clicking on the “Submit Comment” box next to the descriptive entry for OMB Control No. 3038–0078, at <https://comments.cftc.gov/FederalRegister/PublicInfo.aspx>.

Or by either of the following methods:

- **Mail:** Christopher Kirkpatrick, Secretary of the Commission, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581.

- **Hand Delivery/Courier:** Same as Mail above.

All comments must be submitted in English, or if not, accompanied by an English translation. Comments submitted to the Commission should include only information that you wish to make available publicly. If you wish the Commission to consider information that you believe is exempt from disclosure under the Freedom of Information Act (“FOIA”), a petition for confidential treatment of the exempt information may be submitted according to the procedures established in § 145.9 of the Commission’s regulations.¹ The Commission reserves the right, but shall have no obligation, to review, pre-screen, filter, redact, refuse or remove any or all of your submission from <https://www.cftc.gov> that it may deem to be inappropriate for publication, such as obscene language. All submissions that have been redacted or removed that contain comments on the merits of the ICR will be retained in the public comment file and will be considered as required under the Administrative Procedure Act and other applicable laws, and may be accessible under FOIA.

FOR FURTHER INFORMATION CONTACT: Catherine Brescia, Attorney Advisor, Market Participants Division,

Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581; (202) 418–5465; email: cbrescia@cftc.gov.

SUPPLEMENTARY INFORMATION:

Title: Conflicts of Interest Policies and Procedures by Futures Commission Merchants and Introducing Brokers (OMB Control No. 3038–0078).

Abstract: On April 3, 2012, the Commission adopted Commission regulation 1.71 (Conflicts of interest policies and procedures by futures commission merchants and introducing brokers² pursuant to sections 4d(c)³ of the Commodity Exchange Act (“CEA”).⁴ Commission regulation 1.71 generally requires that, among other things, futures commission merchants (“FCM”)⁵ and introducing brokers (“IB”):⁶ (1) develop conflicts of interest systems, procedures, and disclosures; (2) adopt and implement written policies and procedures reasonably designed to ensure compliance with their conflicts of interest and disclosure obligations; and (3) maintain specified records related to those requirements.⁷ The Commission believes that the information collection obligations imposed by Commission regulation 1.71 are essential to (i) ensuring that FCMs and IBs develop and maintain the conflicts of interest systems, procedures and disclosures required by the CEA, and Commission regulations, and (ii) the effective evaluation of these registrants’ actual compliance with the CEA and Commission regulations.

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.⁸ On May 9, 2025, the Commission published in the **Federal Register** notice of the proposed extension of this information collection and provided 60 days for public comment on the proposed extension, 90 FR 19687 (“60-Day Notice”). The Commission did not receive any relevant comments on the 60-Day Notice.

Burden Statement: The Commission is revising its estimate of the burden for this collection to reflect the current

² 17 CFR 1.71.

³ 7 U.S.C. 6d(c).

⁴ 77 FR 20198 (Apr. 3, 2012).

⁵ For the definition of FCM, see section 1a(28) of the CEA and Commission regulation 1.3. 7 U.S.C. 1a(49) and 17 CFR 1.3.

⁶ For the definitions of IB, see section 1a(31) of the CEA and Commission regulation 1.3. 7 U.S.C. 1a(33) and 17 CFR 1.3.

⁷ See 17 CFR 1.71.

⁸ 44 U.S.C. 3512, 5 CFR 1320.5(b)(2)(i) and 1320.8(b)(3)(v).

number of respondents and estimated burden hours. The respondent burden for this collection is estimated to be as follows:

Number of Registrants: 956 (61 FCMs and 895 IBs).⁹

Estimated Average Burden Hours per Registrant: 44.5.

Estimated Aggregate Burden Hours: 42,542.

Frequency of Recordkeeping: Annually or on occasion.

There are no capital costs or operating and maintenance costs associated with this collection.

(Authority: 44 U.S.C. 3501 *et seq.*)

Dated: July 17, 2025.

Robert Sidman,

Deputy Secretary of the Commission.

[FR Doc. 2025–13654 Filed 7–18–25; 8:45 am]

BILLING CODE 6351–01–P

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

[Docket Number DARS–2025–0038; OMB Control Number 0704–0441]

Information Collection Requirement; Defense Federal Acquisition Regulation Supplement (DFARS) Part 246, Quality Assurance, and Related Clauses

AGENCY: Defense Acquisition Regulations System; Department of Defense (DoD).

ACTION: Notice and request for comments regarding a proposed extension of an approved information collection requirement.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, DoD announces the proposed extension of a public information collection requirement and seeks public comment on the provisions thereof. DoD invites comments on: whether the proposed collection of information is necessary for the proper performance of the functions of DoD, including whether the information will have practical utility; the accuracy of DoD’s estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on

⁹ The 60-Day Notice reflected an estimate of 959 respondents. Based on this number of respondents, the Commission had previously estimated that the annual burden hours for all respondents totaled 42,675.5. These estimates have been updated based on the most recent available data on the total number of respondents as shown here.

¹ 17 CFR 145.9.

respondents, including through the use of automated collection techniques or other forms of information technology. The Office of Management and Budget (OMB) has approved this information collection for use under Control Number 0704-0441 through November 30, 2025. DoD proposes that OMB approve an extension of the information collection requirement, to expire three years after the approval date.

DATES: DoD will consider all comments received by September 19, 2025.

ADDRESSES: You may submit comments, identified by OMB Control Number 0704-0441, using either of the following methods:

- *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments.
- *Email:* osd.dfars@mail.mil. Include OMB Control Number 0704-0441 in the subject line of the message.

Comments received generally will be posted without change to <https://www.regulations.gov>, including any personal information provided.

FOR FURTHER INFORMATION CONTACT: David Johnson, at 202-913-5764.

SUPPLEMENTARY INFORMATION:

Title and OMB Number: Defense Federal Acquisition Regulation Supplement (DFARS) Part 246, Quality Assurance, and Related Clauses in DFARS 252.46; OMB Control Number 0704-0441.

Affected Public: Businesses or other for-profit and not-for-profit institutions.
Respondent's Obligation: Required to obtain or retain benefits.

Frequency: On occasion.
Number of Respondents: 62,761.
Responses Per Respondent: 4.
Annual Responses: 253,008.
Average Burden Per Response: approximately 64 hours.

Annual Burden Hours: 16,253,658 (includes 220,158 reporting hours and 16,033,500 recordkeeping hours).

Needs and Uses: The information collections under OMB Control Number 0704-0441 pertain to all information that offerors or contractors must submit related to DFARS contract quality assurance programs.

a. 252.246-7003, Notification of Potential Safety Issues. Contracting officers require timely notification of potential safety defects so that (1) systems and equipment likely affected by the situation can be readily identified, and (2) appropriate engineering investigation and follow-on actions can be taken to establish and mitigate risk.

b. 252.246-7005, Notice of Warranty Tracking of Serialized Items. The information provided by offerors under

this solicitation provision alerts contracting officers in those cases where the offeror is proposing to provide a warranty for an individual contract line item for which DoD has not specified a warranty in the solicitation. The warranty notice will permit the Government to recognize and utilize any warranty after contract award.

c. 252.246-7006, Warranty Tracking of Serialized Items. The information provided by contractors allows DoD to track warranties for item unique identification (IUID) required items in the IUID registry to obtain maximum utility of warranties provided on contracted items. The identification and enforcement of warranties is essential to the effectiveness and efficiency of DoD's material readiness. Providing visibility and accountability of warranty data associated with acquired goods, from the identification of the requirement to the expiration date of the warranted item, significantly enhances DoD's ability to take full advantage of warranties, resulting in—

- (1) Reduced costs;
- (2) Ability to recognize benefits included at no additional cost;
- (3) Ability to compare performance against Government-specified warranties; and
- (4) Identification of sufficient durations for warranties for specific goods.

d. 252.246-7008, Sources of Electronic Parts. The contracting officer uses the information to ensure that the contractor performs the traceability of parts, additional inspection, testing, and authentication required when an electronic part is not obtained from a trusted supplier. The Government may also use this information to more actively perform acceptance.

The provision at DFARS 252.246-7005 and the clauses at DFARS 252.246-7006 and 252.246-7008 implement requirements of section 818 of the National Defense Authorization Act for Fiscal Year 2012, as amended.

Jennifer D. Johnson,

Editor/Publisher, Defense Acquisition Regulations System.

[FR Doc. 2025-13625 Filed 7-18-25; 8:45 am]

BILLING CODE 6001-FR-P

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

[Docket Number DARS-2025-0039; OMB Control Number 0704-0549]

Information Collection Requirement; Defense Federal Acquisition Regulation Supplement (DFARS) Contractors Performing Private Security Functions Outside the United States

AGENCY: Defense Acquisition Regulations System; Department of Defense (DoD).

ACTION: Notice and request for comments regarding a proposed extension of an approved information collection requirement.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, DoD announces the proposed extension of a public information collection requirement and seeks public comment on the provisions thereof. DoD invites comments on: whether the proposed collection of information is necessary for the proper performance of the functions of DoD, including whether the information will have practical utility; the accuracy of DoD's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology. The Office of Management and Budget (OMB) has approved this information collection for use under Control Number 0704-0549 through November 30, 2025. DoD proposes that OMB approve an extension of the information collection requirement, to expire three years after the approval date.

DATES: DoD will consider all comments received by September 19, 2025.

ADDRESSES: You may submit comments, identified by OMB Control Number 0704-0549, using either of the following methods:

- *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments.
- *Email:* osd.dfars@mail.mil. Include OMB Control Number 0704-0549 in the subject line of the message.

Comments received generally will be posted without change to <https://www.regulations.gov>, including any personal information provided.

FOR FURTHER INFORMATION CONTACT: Ms. Saleemah McMillan, at 202-308-5383.

SUPPLEMENTARY INFORMATION:

Title and OMB Number: Defense Federal Acquisition Regulation Supplement (DFARS) part 225, Foreign Acquisition, and Defense Contractors Performing Private Security Functions Outside the United States; OMB Control Number 0704–0549.

Affected Public: Businesses or other for-profit and not-for-profit institutions.

Respondent's Obligation: Required to obtain or retain benefits.

Frequency: On occasion.

Number of Respondents: 10.

Responses per Respondent: 4.

Annual Responses: 40.

Average Burden per Response: 0.5 hour.

Annual Burden Hours: 20.

Needs and Uses: Geographic combatant commanders are required by section 862 of the National Defense Authorization Act for Fiscal Year 2008, as amended, to establish procedures and assign responsibilities for ensuring that contractors and contractor personnel report certain security incidents when performing private security functions in covered operational areas. The clause at DFARS 252.225–7039, Defense Contractors Performing Private Security Functions Outside the United States, requires contractors and subcontractors performing private security functions in designated operational areas outside the United States to comply with 32 CFR 159 and any orders, directives, and instructions contained in the contract on reporting the following types of incidents to the geographic combatant commander if and when they occur:

(a) A weapon is discharged by personnel performing private security functions.

(b) Personnel performing private security functions are attacked, killed, or injured.

(c) Persons are killed or injured or property is destroyed as a result of conduct by contractor personnel.

(d) A weapon is discharged against personnel performing private security functions or personnel performing such functions believe a weapon was so discharged.

(e) Active, non-lethal countermeasures (other than the discharge of a weapon) are employed by personnel performing private security functions in response to a perceived immediate threat.

Jennifer D. Johnson,

Editor/Publisher, Defense Acquisition Regulations System.

[FR Doc. 2025–13626 Filed 7–18–25; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE**Office of the Secretary**

[Docket ID: DOD–2025–HA–0210]

Proposed Collection; Comment Request

AGENCY: The Office of the Assistant Secretary of Defense for Health Affairs (OASD(HA)), Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995*, the Defense Health Agency announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: 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; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by September 19, 2025.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

Mail: Department of Defense, Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, Regulatory Directorate, 4800 Mark Center Drive, Mailbox #24 Suite 05F16, Alexandria, VA 22350–1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and

associated collection instruments, please write to Defense Health Agency, 7700 Arlington Blvd., Falls Church, VA 22042, Amanda Grifka, 703–681–1771.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Provider Beliefs Regarding the Deadlift and their Effect on Patient Management; OMB Control Number 0720–PBRD.

Needs and Uses: The United States Army implemented the Army Combat Fitness Test (ACFT) as the fitness test of record in October 2020. The ACFT contains six events, including the maximum deadlift (MDL), which is a three-repetition maximum lift using a hex (or trap) style bar. Currently, there is a paucity of literature regarding healthcare provider beliefs and the deadlift exercise. Despite limited evidence of positive association for lumbopelvic injuries and deadlift, there are concerns about the deadlift being a part of the ACFT. Given the mandatory nature of the MDL as part of the U.S. Army's annual fitness requirement, it is imperative to understand the beliefs providers possess as patients are likely to seek them out following an episode of low back pain. Their beliefs may significantly influence treatment behaviors which could positively or negatively affect patient outcomes which may affect days on limited duty, deploy ability statistics, and/or return to duty rates, all of which directly influence military readiness.

The primary aim of the survey is to assess if provider beliefs regarding the deadlift exercise differ among various healthcare provider disciplines within the military healthcare system and assess if these differences are consistent with validated treatment orientations for lower back pain, and if differences in beliefs influence treatment behaviors for a patient presenting with a deadlift injury.

Affected Public: Individuals or households.

Annual Burden Hours: 125.

Number of Respondents: 500.

Responses per Respondent: 1.

Annual Responses: 500.

Average Burden per Response: 15 minutes.

Frequency: On occasion.

Dated: July 16, 2025.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025–13634 Filed 7–18–25; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE**Office of the Secretary****[Docket ID: DOD–2025–HA–0218]****Proposed Collection; Comment Request**

AGENCY: The Office of the Assistant Secretary of Defense for Health Affairs (OASD(HA)), Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995*, the Defense Health Agency announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: 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; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by September 19, 2025.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

Mail: Department of Defense, Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, Regulatory Directorate, 4800 Mark Center Drive, Mailbox #24 Suite 05F16, Alexandria, VA 22350–1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and

associated collection instruments, please write to Defense Health Agency, 7700 Arlington Blvd., Falls Church, VA 22042, Amanda Grifka, 703–681–1771.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: TRICARE Prime Enrollment, Disenrollment, and Change of Primary Care Manager (PCM); DD 2876; OMB Control Number 0720–0008.

Needs and Uses: The information collection is necessary to obtain non-active-duty TRICARE beneficiary's personal information, which is needed to (1) Complete enrollment into TRICARE Prime health plan, (2) change the beneficiary's enrollment (new Primary Care Manager, enrolled region, add/drop a dependent, etc.), or (3) disenroll the beneficiary. This information is required to ensure the beneficiary's benefits and claims are administered based on their plan of choice. Without this information, each non-active-duty TRICARE beneficiary is automatically defaulted into direct care only, limiting their health care options to military hospitals and clinics. These beneficiaries would have no TRICARE coverage when using the TRICARE network of providers for services not available at their local military hospital or clinic.

Affected Public: Individuals or households.

Annual Burden Hours: 354,626.

Number of Respondents: 709,252.

Responses per Respondent: 2.

Annual Responses: 1,418,504.

Average Burden per Response: 15 minutes.

Frequency: On occasion.

Dated: July 16, 2025.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025–13640 Filed 7–18–25; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE**Office of the Secretary****[Docket ID: DOD–2025–HA–0219]****Proposed Collection; Comment Request**

AGENCY: The Office of the Assistant Secretary of Defense for Health Affairs (OASD(HA)), Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995*, the Defense Health Agency (DHA)

announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: 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; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by September 19, 2025.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

Mail: Department of Defense, Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, Regulatory Directorate, 4800 Mark Center Drive, Mailbox #24 Suite 05F16, Alexandria, VA 22350–1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to Defense Health Agency, 7700 Arlington Blvd., Falls Church, VA 22042, Amanda Grifka, 703–681–1771.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Professional Qualifications Medical/Peer Reviewers; DHA Form 780; OMB Control Number 0720–0005.

Needs and Uses: The information collection requirement is necessary to obtain and record the professional qualifications of medical and peer reviewers utilized within TRICARE. The form is included as an exhibit in an appeal or hearing case file as evidence of the reviewer's professional

qualifications to review the medical documentation contained in the case file.

Affected Public: Business or other for profit.

Annual Burden Hours: 20.

Number of Respondents: 60.

Responses per Respondent: 1.

Annual Responses: 60.

Average Burden per Response: 20 minutes.

Frequency: As required.

Dated: July 16, 2025.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025–13639 Filed 7–18–25; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD–2025–HA–0214]

Proposed Collection; Comment Request

AGENCY: The Office of the Assistant Secretary of Defense for Health Affairs (OASD(HA)), Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995*, the Defense Health Agency announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: 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; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by September 19, 2025.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

Mail: Department of Defense, Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and

Transparency, Regulatory Directorate, 4800 Mark Center Drive, Mailbox #24 Suite 05F16, Alexandria, VA 22350–1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to Defense Health Agency, 7700 Arlington Blvd., Falls Church, VA 22042, Amanda Grifka, 703–681–1771.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: TRICARE Retail Refunds User Account Access Request; OMB Control Number 0720–0032.

Needs and Uses: The information collection requirement is necessary to obtain and record refund amounts between the DoD and pharmaceutical manufacturers. The DoD quarterly provides pharmaceutical manufacturers with itemized utilization data on covered drugs dispensed to TRICARE beneficiaries through TRICARE retail network pharmacies. These manufacturers validate the refund amounts calculated from the difference in price between the Federal Ceiling Prices and the direct commercial contract sales price. Once the refund amounts are validated, the pharmaceutical manufacturers directly pay the Defense Health Agency Government account.

Affected Public: Businesses or other for-profit.

Annual Burden Hours: 9,600.

Number of Respondents: 300.

Responses per Respondent: 4.

Annual Responses: 1,200.

Average Burden per Response: 8 hours.

Frequency: On occasion.

Dated: July 16, 2025.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025–13651 Filed 7–18–25; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD–2025–HA–0216]

Proposed Collection; Comment Request

AGENCY: The Office of the Assistant Secretary of Defense for Health Affairs (OASD(HA)), Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995*, the Defense Health Agency announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: 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; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by September 19, 2025.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

Mail: Department of Defense, Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, Regulatory Directorate, 4800 Mark Center Drive, Mailbox #24 Suite 05F16, Alexandria, VA 22350–1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and

associated collection instruments, please write to Defense Health Agency, 7700 Arlington Blvd., Falls Church, VA 22042, Amanda Grifka, 703-681-1771.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Applicant for TRICARE-Provider Status: Corporation Services Provider; DD 3030; OMB Control Number 0720-0020.

Needs and Uses: This information collection requirement is necessary to ensure that the conditions are met for authorization as a TRICARE/CHAMPUS Corporate Service Provider. Respondents are freestanding corporations and foundations seeking authorization under the TRICARE/CHAMPUS program to provide otherwise covered professional services to eligible TRICARE/CHAMPUS beneficiaries.

Affected Public: Businesses or other for-profit.

Annual Burden Hours: 2,000.

Number Of Respondents: 6,000.

Responses per Respondent: 1.

Annual Responses: 6,000.

Average Burden per Response: 20 minutes.

Frequency: On occasion.

Dated: July 16, 2025.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025-13649 Filed 7-18-25; 8:45 am]

BILLING CODE 6001-FR-P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD-2025-HA-0216]

Proposed Collection; Comment Request

AGENCY: The Office of the Assistant Secretary of Defense for Health Affairs (OASD(HA)), Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995*, the Defense Health Agency announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: 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; the accuracy of the agency's estimate of the burden of the proposed information collection; ways

to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by September 19, 2025.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

Mail: Department of Defense, Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, Regulatory Directorate, 4800 Mark Center Drive, Mailbox #24 Suite 05F16, Alexandria, VA 22350-1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to Defense Health Agency, 7700 Arlington Blvd., Falls Church, VA 22042, Amanda Grifka, 703-681-1771.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Applicant for TRICARE-Provider Status: Corporation Services Provider; DD 3030; OMB Control Number 0720-0020.

Needs and Uses: This information collection requirement is necessary to ensure that the conditions are met for authorization as a TRICARE/CHAMPUS Corporate Service Provider. Respondents are freestanding corporations and foundations seeking authorization under the TRICARE/CHAMPUS program to provide otherwise covered professional services to eligible TRICARE/CHAMPUS beneficiaries.

Affected Public: Businesses or other for-profit.

Annual Burden Hours: 2,000.

Number of Respondents: 6,000.

Responses per Respondent: 1.

Annual Responses: 6,000.

Average Burden per Response: 20 minutes.

Frequency: On occasion.

Dated: July 16, 2025.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025-13636 Filed 7-18-25; 8:45 am]

BILLING CODE 6001-FR-P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD-2025-HA-0212]

Proposed Collection; Comment Request

AGENCY: The Office of the Assistant Secretary of Defense for Health Affairs (OASD(HA)), Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995*, the Defense Health Agency announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: 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; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by September 19, 2025.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

Mail: Department of Defense, Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, Regulatory Directorate, 4800 Mark Center Drive, Mailbox #24 Suite 05F16, Alexandria, VA 22350-1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions

from members of the public is to make these submissions available for public viewing on the internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to Defense Health Agency, 7700 Arlington Blvd., Falls Church, VA 22042, Amanda Grifka, 703-681-1771.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Childbirth and Breastfeeding Demonstration Survey; OMB Control Number 0720-0070.

Needs and Uses: This survey will be used to evaluate the Childbirth and Breastfeeding Support Demonstration (CBSD), as part of the mandated Reports to Congress. CBSD is a project that will cover services of certain extra medical providers (certified labor doulas, certified lactation consultants, and certified lactation counselors) over a 5-year period. The project is mandated by Congress in the National Defense Authorization Act for Fiscal Year 2021, Section 746. The survey will solicit information from TRICARE beneficiaries who have given birth in the specified reporting period. Results will be used to assist in evaluating the effectiveness of the CBSD project.

Affected Public: Individuals.
Annual Burden Hours: 988.
Number of Respondents: 5,925.
Responses per Respondent: 1.
Annual Responses: 5,925.
Average Burden per Response: 10 minutes.
Frequency: Annually.

Dated: July 16, 2025.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025-13643 Filed 7-18-25; 8:45 am]

BILLING CODE 6001-FR-P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD-2025-HA-0217]

Proposed Collection; Comment Request

AGENCY: The Office of the Assistant Secretary of Defense for Health Affairs (OASD(HA)), Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995*, the Defense Health Agency announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: 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; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by September 19, 2025.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

Mail: Department of Defense, Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, Regulatory Directorate, 4800 Mark Center Drive, Mailbox #24 Suite 05F16, Alexandria, VA 22350-1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to Defense Health Agency, 7700 Arlington Blvd., Falls Church, VA 22042, Amanda Grifka, 703-681-1771.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Diagnosis Related Groups (DRG) Reimbursement; OMB Control Number 0720-0017.

Needs and Uses: The DoD Authorization Act, 1984 (Pub. L. 98-94) amended Title 10, section 1079(j)(2)(A) of the United States Code, providing the Civilian Health and Medical Program of

the Uniformed Services (CHAMPUS) with the statutory authority to reimburse institutional providers based on diagnosis-related groups (DRGs). The TRICARE/CHAMPUS DRG-based payment system is modeled on the Medicare Prospective Payment System and was implemented on October 1, 1987. The TRICARE/CHAMPUS DRG-based payments apply only to hospital's operating costs and do not include any amounts for hospitals' capital or direct medical education costs. Any hospital subject to the DRG-based payment system, except for children's hospitals (whose capital and direct medical education costs are incorporated in the children's hospital differential), who want to be reimbursed for allowed capital and direct medical education costs must submit a request for payment to the TRICARE/CHAMPUS contractor. The request allows TRICARE to collect the information necessary to properly reimburse hospitals for its share of these costs.

Affected Public: Individuals or households.

Annual Burden Hours: 5,600.

Number of Respondents: 5,600.

Responses per Respondent: 1.

Annual Responses: 5,600.

Average Burden per Response: 1 hour.

Frequency: On occasion.

Dated: July 16, 2025.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025-13641 Filed 7-18-25; 8:45 am]

BILLING CODE 6001-FR-P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD-2025-HA-0213]

Proposed Collection; Comment Request

AGENCY: The Office of the Assistant Secretary of Defense for Health Affairs (OASD(HA)), Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995*, the Defense Health Agency announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: 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; the accuracy of the

agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by September 19, 2025.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

Mail: Department of Defense, Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, Regulatory Directorate, 4800 Mark Center Drive, Mailbox #24 Suite 05F16, Alexandria, VA 22350-1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to Defense Health Agency, 7700 Arlington Blvd., Falls Church, VA 22042, Amanda Grifka, 703-681-1771.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: MHS GENESIS Patient Registration Module and Patient Portal; OMB Control Number 0720-0064.

Needs and Uses: The information collection requirement is necessary to provide and document medical care; determine eligibility for benefits and entitlements; adjudicate claims; determine whether a third party is responsible for the cost of Military Health System provided healthcare and recover that cost; and evaluate fitness for duty and medical concerns which may have resulted from an occupational or environmental hazard. Obtaining this information is essential for the DoD to provide medical care and recover costs.

Affected Public: Individuals or households.

Annual Burden Hours: 334,873.

Number of Respondents: 2,870,338.
Responses per Respondent: 1.
Annual Responses: 2,870,338.
Average Burden per Response: 7 minutes.

Frequency: On occasion.

Dated: July 16, 2025.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025-13635 Filed 7-18-25; 8:45 am]

BILLING CODE 6001-FR-P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD-2025-OS-0178]

Privacy Act of 1974; System of Records

AGENCY: Department of Defense (DoD).

ACTION: Notice of a new system of records.

SUMMARY: In accordance with the Privacy Act of 1974, the DoD is establishing a new Department-wide system of records titled, "Counterintelligence Investigations and Collection Activities (CICA)," DoD-0025. This system of records covers DoD's maintenance of records about counterintelligence (CI) investigations and collection activities. The purpose of CICA is to determine whether an individual is acting for or on behalf of foreign powers organizations, or persons, or their agents, or international terrorist organizations or activities.

This differs from the purpose of Counterintelligence Functional Services (CIFS), DoD-0010, which protects Department resources and personnel from foreign adversaries who seek to exploit sensitive information, operations, and agency programs to the detriment of the U.S. Government. It is also separate from the purpose of the DoD Insider Threat Management and Analysis Center (DITMAC) and DoD Component Insider Threat Records System, DUSDI 01-DoD, which addresses security functions. Additionally, DoD is issuing a Notice of Proposed Rulemaking, which proposes to exempt this system of records from certain provisions of the Privacy Act, elsewhere in today's issue of the **Federal Register**.

DATES: This system of records is effective upon publication; however, comments on the Routine Uses will be accepted on or before August 20, 2025. The Routine Uses are effective at the close of the comment period, unless comments have been received from

interested members of the public that require modification and republication of the notice.

ADDRESSES: You may submit comments, identified by docket number and title, by either of the following methods:

* *Federal Rulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments.

* *Mail:* Department of Defense, Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, Regulatory Directorate, 4800 Mark Center Drive, Attn: Mailbox 24, Suite 05F16, Alexandria, VA 22350-1700.

Instructions: All submissions received must include the agency name and docket number for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at <https://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: Ms. Rahwa Keleta, Privacy and Civil Liberties Directorate, Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, Department of Defense, 4800 Mark Center Drive, Mailbox #24, Suite 05F16, Alexandria, VA 22350-1700; osd.mc-alex.oatsd-pclt.mbx.pcldsorn@mail.mil; (703) 571-0070.

SUPPLEMENTARY INFORMATION:

I. Background

DoD is establishing the "Counterintelligence Investigations and Collection Activities, (CICA)," DoD-0025 as a new DoD-wide Privacy Act system of records. This system of records will ultimately replace multiple systems of records currently maintained at the component level for the same purpose. A DoD-wide system of records notice (SORN) supports multiple DoD paper or electronic recordkeeping systems operated by more than one DoD component that maintain the same kind of information about individuals for the same purpose. Establishment of DoD-wide SORNs helps DoD standardize the rules governing the collection, maintenance, use, and sharing of personal information in key areas across the enterprise. DoD-wide SORNs also reduce duplicative and overlapping SORNs published by separate DoD components. The creation of DoD-wide SORNs is expected to make locating relevant SORNs easier for DoD personnel and the public, and create

efficiencies in the operation of the DoD privacy program.

CI investigations are formal investigative activities undertaken by the Military Department CI Organizations to determine whether an individual is acting for or on behalf of foreign powers organizations, or persons, or their agents, or international terrorist organizations or activities, and to determine actions required to neutralize such acts. They are investigations in which there is a reasonable belief a member of the U.S. military; a civilian employee or contractor of DoD; or an individual having access to DoD installations, personnel, or information, is engaged in spying or poses a threat to national security. CI collection activities are conducted to acquire information to answer collection requirements to determine if foreign intelligence entities present a threat to U.S. operations, personnel, organizations, or programs. These collection activities may provide the foundation for operations and activities to counter, influence, or negate these threats. They include documents review, liaisons with U.S. and foreign intelligence security, military, and law-enforcement entities.

DoD SORNs have been published in the **Federal Register** and are available from the address in **FOR FURTHER INFORMATION CONTACT** or at the Defense Privacy, Civil Liberties Directorate website at <https://pclt.defense.gov/DIRECTORATES/Privacy-and-Civil-Liberties-Directorate/Privacy/SORNs/>.

II. Privacy Act

Under the Privacy Act, a “system of records” is a group of records under the control of an agency from which information is retrieved by the name of an individual or by some identifying number, symbol, or other identifying particular assigned to the individual. In the Privacy Act, an individual is defined as a U.S. citizen or lawful permanent resident.

In accordance with 5 U.S.C. 552a(r) and Office of Management and Budget (OMB) Circular No. A-108, DoD has provided a report of this system of records to the OMB and to Congress.

Dated: July 16, 2025.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

SYSTEM NAME AND NUMBER:

Counterintelligence Investigations and Collection Activities (CICA), DoD-0025.

SECURITY CLASSIFICATION:

Unclassified; Classified.

SYSTEM LOCATION:

A. Department of Defense (Department or DoD), located at 1000 Defense Pentagon, Washington, DC 20301-1000, and other Department installations, offices, or mission locations.

B. Information may also be stored within a government-certified cloud, implemented and overseen by the Department’s Chief Information Officer (CIO), 6000 Defense Pentagon, Washington, DC 20301-6000.

SYSTEM MANAGER(S):

The system managers for this system of records are as follows:

A. Director for Defense Counterintelligence, Law Enforcement and Security, Office of the Under Secretary of Defense for Intelligence and Security, 1000 Defense, Pentagon, Washington, DC 20301-1100, who is also responsible for implementing policy for the Counterintelligence Collection Activities and Counterintelligence Investigations programs within the Department.

B. Commander, United States Air Force Office of Special Investigations (AFOSI), Department of the Air Force (including Space Command), 27130 Telegraph Road, Quantico, VA 22134, phone number (571) 305-8044.

C. Deputy Chief of Staff for Intelligence, Headquarters, Department of the Army, 1001 Army Pentagon, Washington, DC 20310-1001.

D. Director, United States Naval Criminal Investigation Service (NCIS), Department of the Navy (Navy and Marine Corps), 27130 Telegraph Road, Quantico, 22134.

Note 1. Whereas each component conducts counterintelligence functional services, as described in Counterintelligence Functional Services (CIFS), DoD-0010, the Military Department Counterintelligence Organizations (MDCOs) are the only organizations within the DoD that may conduct counterintelligence investigations, as described in this SORN.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

National Security Agency Act of 1959, as amended (Pub. L. 86-36) (codified at 50 U.S.C. 3601 *et seq.*); the Foreign Intelligence Surveillance Act (FISA), as amended (Pub. L. 95-511) (codified at 50 U.S.C. 1801 *et seq.*); 44 U.S.C. Subchapter II (3551-3559), Information Security (Federal Information Security Modernization Act of 2014 (FISMA)); 50 U.S.C. 3381, Coordination of Counterintelligence Activities; Executive Order (E.O.) 12333, as amended, United States intelligence

activities; E.O. 13526, Classified National Security Information; National Security Directive 42, National Policy for the Security of National Security Telecommunications and Information Systems; E.O. 9397 (SSN), as amended by E.O. 13478.

PURPOSE(S) OF THE SYSTEM:

A. To investigate alleged acts by an individual for or on behalf of a foreign power seeking to harm or undermine the security of the United States.

B. To obtain information to answer counterintelligence collection requirements and determine if foreign intelligence entities present a threat to U.S. operations, personnel, organizations, or programs. These activities may provide the foundation for operations and activities to counter, influence, or negate these threats and include document reviews, liaisons with U.S. and foreign intelligence security, military, and law-enforcement entities, and counterintelligence collection activities.

C. To support case management to include case tracking, evidence, statements, reports, and other records necessary to support appropriate administrative, disciplinary, and adjudicative action.

D. To compile statistical information to accomplish management studies, quality control, fulfill mandatory training requirements, and to ensure that completed investigations are legally sufficient.

Note 2. This differs from the purpose of Counterintelligence Functional Services (CIFS), DoD-0010, which is to protect Department resources and personnel from foreign adversaries who seek to exploit sensitive information, operations, and agency programs to the detriment of the U.S. Government. It is also separate from the purpose of the DoD Insider Threat Management and Analysis Center (DITMAC) and DoD Component Insider Threat Records System, DUSDI 01-DoD, which addresses security functions.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals involved in, mentioned in, and/or supporting CI investigations and collection activities, including by not limited to complainants, sources, subjects, and witnesses; individuals within DoD’s investigatory jurisdiction, including military and civilian personnel or contract employees.

CATEGORIES OF RECORDS IN THE SYSTEM:

CI investigations and collection activities records include CI awareness and reporting records, threat assessment

records, incident assessment records, and records produced as a result of CI specialized technical services, *e.g.*, Technical Surveillance and Countermeasures. These records may contain the following data elements as necessary:

A. Personal information such as: names, social security numbers (SSN), DoD/ID numbers, employee identification numbers, date and place of birth, addresses, contact information, biometric information, fingerprints and retinal data, medical/psychological information, travel identification information (passport, visa, resident alien), driver's license information (state, number, and expiration date, etc.), biographic information, family and dependent information, sex, race/ethnicity, and property information.

B. Employment information such as: position/title, rank/grade, duty station; work address, email address, supervisor's name and contact information, military records, personnel security information, employment personnel files, financial information (to include tax identification information), financial reports and transaction data, and education and training records.

Note 3. Records supporting the counterintelligence mission, which safeguards Department resources and personnel against foreign adversaries seeking to exploit sensitive information, operations, and programs, potentially harming the U.S. Government are maintained under Counterintelligence Functional Services (CIFS), DoD-0010. However, such records may become part of this system when they are necessary to accomplish the purpose of this system.

Note 4. Records supporting the insider threat program, which focuses on security functions, are maintained under the DoD Insider Threat Management and Analysis (DITMAC) and DoD Component Insider Threat Records System, DUSDI 01-DoD. However, such records may become part of this system when they are necessary to accomplish the purpose of this system.

RECORD SOURCE CATEGORIES:

Records and information stored in this system of records are obtained from: complainants, sources, subjects, or witnesses, government sources (Federal, state, local, tribal and foreign), social media, periodicals, newspapers, information from commercial databases, and information from classified sources to include intelligence reports, security sources, law enforcement information, and correspondence.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act of 1974, as amended, all or a portion of the records or information contained herein may specifically be disclosed outside the DoD as a Routine Use pursuant to 5 U.S.C. 552a(b)(3) as follows:

A. To contractors, grantees, experts, consultants, students, and others performing or working on a contract, service, grant, cooperative agreement, or other assignment for the Federal government when necessary to accomplish an agency function related to this system of records.

B. To the appropriate Federal, State, local, territorial, tribal, foreign, or international law enforcement authority or other appropriate entity where a record, either alone or in conjunction with other information, indicates a violation or potential violation of law, whether criminal, civil, or regulatory in nature.

C. To any component of the Department of Justice for the purpose of representing the DoD, or its components, officers, employees, or members in pending or potential litigation to which the record is relevant and necessary.

D. In an appropriate proceeding before a court, grand jury, or administrative or adjudicative body or official, when the DoD or other Agency representing the DoD determines that the records are relevant and necessary to the proceeding; or in an appropriate proceeding before an administrative or adjudicative body when the adjudicator determines the records to be relevant to the proceeding.

E. To the National Archives and Records Administration for the purpose of records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906.

F. To a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of, and at the request of, the individual who is the subject of the record.

G. To appropriate agencies, entities, and persons when (1) the DoD suspects or confirms that there has been a breach of the system of records; (2) the DoD has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, the DoD (including its information systems, programs, and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities, and persons is

reasonably necessary to assist in connection with the DoD's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

H. To another Federal agency or Federal entity, when the DoD determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

I. To another Federal, State or local agency for the purpose of comparing to the agency's system of records or to non-Federal records, in coordination with an Office of Inspector General in conducting an audit, investigation, inspection, evaluation, or other review as authorized by the Inspector General Act of 1978, as amended.

J. To such recipients and under such circumstances and procedures as are mandated by Federal statute or treaty.

K. To third parties during the course of an authorized inquiry to the extent necessary to obtain information pertinent to the inquiry, provided disclosure is appropriate to the proper performance of the official duties of the DoD official making the disclosure.

L. To U.S. Government agencies or organizations for the purpose of notifying, coordinating, or addressing actual or potential compromises of classified information.

M. To appropriate Federal, state, local, territorial, tribal, foreign or international agencies for the purpose of counterintelligence activities authorized by U.S. law or Executive Order, or for the purpose of executing or enforcing laws designed to protect the national security or homeland security of the United States, including those relating to the sharing of records or information concerning terrorism, homeland security, or law enforcement.

N. To designated officers, contractors, and employees of Federal, state, local, territorial, tribal, international, or foreign agencies for the purpose of the hiring, detailing, licensing, or retention of an individual, the conduct of a suitability or security investigation, the letting of a contract, or the issuance of a license, grant or other benefit, to the extent that the information is relevant and necessary to the agency's decision on the matter.

O. To the DOJ and other Federal, State, or local government prosecuting

or litigating agencies, for the purpose of satisfying obligations under *Giglio* (405 U.S. 150 (1972)) and *Henthorn* (931 F.2d 29 (9th Cir. 1991)), as well as the DOJ United States Attorneys' Manual, Section 9–5.100 and DoD IG Instruction 5500.1, DOJ Requirements for Potential Impeachment Information (*Giglio* Policy), or DoD OIG initiated notifications of similar information.

P. To the Department of State when it requires information to consider and/or provide a disclosure of information, or an informed response to a request for information, from a foreign, international, or intergovernmental agency, authority, or organization about an enforcement, counterintelligence, or national security matter with transnational implications.

Q. To the news media and the public, with the approval of the Under Secretary of Defense for Intelligence and Security in consultation with counsel, when there exists a legitimate public interest in the disclosure of the information, when disclosure is necessary to preserve confidence in the integrity of DoD, or when disclosure is necessary to demonstrate the accountability of DoD's officers, employees, or individuals covered by the system, except to the extent the Under Secretary determines that release of the specific information in the context of a particular case would constitute a clearly unwarranted invasion of personal privacy.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Records may be stored electronically or on paper in secure facilities in a locked drawer behind a locked door. Electronic records may be stored locally on digital media; in agency-owned cloud environments; or in vendor Cloud Service Offerings certified under the Federal Risk and Authorization Management Program (FedRAMP).

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Records may be retrieved by personal and employment data elements that may identify the individual to whom the reporting pertains, including, but not limited to, name, social security number, DoD/ID or employment identification number, and email address.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records are maintained and disposed of in accordance with National Archives and Records Administration Schedules and authorized DoD component Records Disposition Schedules. The retention period for specific records may be

obtained by contacting the system manager for the Component.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

DoD safeguards records in this system of records according to applicable rules, policies, and procedures, including all applicable DoD automated systems security and access policies. DoD policies require the use of controls to minimize the risk of compromise of personally identifiable information (PII) in paper and electronic form and to enforce access by those with a need to know and with appropriate clearances. Additionally, DoD has established security audit and accountability policies and procedures which support the safeguarding of PII and detection of potential PII incidents. DoD routinely applies administrative, technical, and physical safeguards to information systems and paper recordkeeping systems such as the following: multifactor authentication, including CAC authentication and password; physical token as required; physical and technological access controls governing access to data; network encryption to protect data transmitted over the network; disk encryption security disks storing data; key management services to safeguard encryption keys; masking of sensitive data as practicable; mandatory information assurance and privacy training for individuals who will have access to sensitive data; identification and marking of PII; physical access safeguards including multifactor identification physical access controls, detection and electronic alert systems for access to servers and other network infrastructure, and electronic intrusion detection systems in DoD facilities.

RECORD ACCESS PROCEDURES:

Individuals seeking access to their records should follow the procedures in 32 CFR part 310. Individuals should address written inquiries to the DoD component with oversight of the records, as the component has Privacy Act responsibilities concerning access, amendment, and disclosure of the records within this system of records. The public may identify the contact information for the appropriate DoD office through the following website: www.FOIA.gov. Signed written requests should contain the name and number of this system of records notice along with the full name, current address, email address, and date of birth of the individual. In addition, the requester must provide either a notarized statement or an unsworn declaration

made in accordance with 28 U.S.C. 1746, in the appropriate format:

If executed outside the United States: "I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date). (Signature)."

If executed within the United States, its territories, possessions, or commonwealths: "I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)."

CONTESTING RECORD PROCEDURES:

Individuals seeking to amend or correct the content of records about them should follow the procedures in 32 CFR part 310.

NOTIFICATION PROCEDURES:

Individuals seeking to determine whether information about themselves is contained in this system of records should follow the instructions for Record Access Procedures above.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

DoD has exempted records maintained in this system from 5 U.S.C. 552a(c)(3); (d)(1), (2), (3) and (4); (e)(1); (e)(4)(G), (H) and (I); and (f) of the Privacy Act, pursuant to 5 U.S.C. 552a(k)(1) and (k)(2) as applicable. An exemption rule for this system has been promulgated in accordance with the requirements of 5 U.S.C. 553(b)(1), (2), and (3), (c), and (e) and published in 32 CFR part 310. In addition, when exempt records received from other systems of records become part of this system, DoD also claims the same exemptions for those records that are claimed for the prior system(s) of records of which they were a part, and claims any additional exemptions set forth here.

HISTORY:

None.

[FR Doc. 2025–13582 Filed 7–18–25; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD–2025–HA–0214]

Proposed Collection; Comment Request

AGENCY: The Office of the Assistant Secretary of Defense for Health Affairs (OASD(HA)), Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995*, the Defense Health Agency announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: 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; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by September 19, 2025.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

Mail: Department of Defense, Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, Regulatory Directorate, 4800 Mark Center Drive, Mailbox #24 Suite 05F16, Alexandria, VA 22350-1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to Defense Health Agency, 7700 Arlington Blvd., Falls Church, VA 22042, Amanda Grifka, 703-681-1771.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: TRICARE Retail Refunds User Account Access Request; OMB Control Number 0720-0032.

Needs and Uses: The information collection requirement is necessary to obtain and record refund amounts between the DoD and pharmaceutical manufacturers. The DoD quarterly

provides pharmaceutical manufacturers with itemized utilization data on covered drugs dispensed to TRICARE beneficiaries through TRICARE retail network pharmacies. These manufacturers validate the refund amounts calculated from the difference in price between the Federal Ceiling Prices and the direct commercial contract sales price. Once the refund amounts are validated, the pharmaceutical manufacturers directly pay the Defense Health Agency Government account.

Affected Public: Businesses or other for-profit.

Annual Burden Hours: 9,600.

Number of Respondents: 300.

Responses per Respondent: 4.

Annual Responses: 1,200.

Average Burden per Response: 8 hours.

Frequency: On occasion.

Dated: July 16, 2025.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025-13632 Filed 7-18-25; 8:45 am]

BILLING CODE 6001-FR-P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD-2025-HA-0215]

Proposed Collection; Comment Request

AGENCY: The Office of the Assistant Secretary of Defense for Health Affairs (OASD(HA)), Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995*, the Defense Health Agency announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: 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; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by September 19, 2025.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

Mail: Department of Defense, Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, Regulatory Directorate, 4800 Mark Center Drive, Mailbox #24 Suite 05F16, Alexandria, VA 22350-1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to Defense Health Agency, 7700 Arlington Blvd., Falls Church, VA 22042, Amanda Grifka, 703-681-1771.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: TRICARE Select Survey of Civilian Providers; OMB Control Number 0720-0031.

Needs and Uses: The TRICARE Select Survey of Civilian Providers (TSS-P) is an annual survey designed to gather data on providers (physicians including primary care physicians, specialist, and mental health providers and non-physician behavioral health providers) to assess the extent to which they are aware of the overall TRICARE program, accept new TRICARE patients specifically, the extent to which these providers accept Medicare patients, and reasons if they are not. Results from the TSS-P survey is now required by TRICARE Managed Care Support Contractors for use in mandatory evaluations of the effectiveness of their network providers and programs in supporting TRICARE.

Affected Public: Individuals.

Annual Burden Hours: 642.

Number of Respondents: 7,700.

Responses per Respondent: 1.

Annual Responses: 7,700.

Average Burden per Response: 5 minutes.

Frequency: Annually.

Dated: July 16, 2025.

Stephanie J. Bost,

*Alternate OSD Federal Register Liaison
Officer, Department of Defense.*

[FR Doc. 2025-13631 Filed 7-18-25; 8:45 am]

BILLING CODE 6001-FR-P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD-2025-HA-0211]

Proposed Collection; Comment Request

AGENCY: The Office of the Assistant Secretary of Defense for Health Affairs (OASD(HA)), Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995*, the Defense Health Agency (DHA) announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: 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; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by September 19, 2025.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

Mail: Department of Defense, Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, Regulatory Directorate, 4800 Mark Center Drive, Mailbox #24 Suite 05F16, Alexandria, VA 22350-1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at <http://www.regulations.gov>

www.regulations.gov as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to Defense Health Agency, 7700 Arlington Blvd., Falls Church, VA 22042, Amanda Grifka, 703-681-1771.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Centralized Credentials and Quality Assurance System (CCQAS); OMB Control Number 0720-0071.

Needs and Uses: CCQAS is a DoD, DHA system governed within the overall corporate sponsorship and policies of the OASD/HA. The information collection requirement is necessary to operate, manage, evaluate, and improve DoD clinical quality management and risk management programs. This information is essential for the DHA and DoD Services to support credentialing, privileging, and healthcare risk management of Active Duty, Reserve, Guard, Civil Service, contractors, and volunteer direct health care providers within the Military Health System.

Affected Public: Individuals or households.

Annual Burden Hours: 750,000.
Number of Respondents: 62,500.
Responses per Respondent: 3.
Annual Responses: 187,500.
Average Burden per Response: 4 hours.

Frequency: As required.

Dated: July 16, 2025.

Stephanie J. Bost,

*Alternate OSD Federal Register Liaison
Officer, Department of Defense.*

[FR Doc. 2025-13633 Filed 7-18-25; 8:45 am]

BILLING CODE 6001-FR-P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD-2025-HA-0220]

Proposed Collection; Comment Request

AGENCY: The Office of the Assistant Secretary of Defense for Health Affairs (OASD(HA)), Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995*, the Defense Health Agency announces a

proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: 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; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by September 19, 2025.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

Mail: Department of Defense, Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, Regulatory Directorate, 4800 Mark Center Drive, Mailbox #24 Suite 05F16, Alexandria, VA 22350-1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to Defense Health Agency, 7700 Arlington Blvd., Falls Church, VA 22042, Amanda Grifka, 703-681-1771.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Statement of Personal Injury: Possible Third-Party Liability; DD 2527; OMB Control Number 0720-0003.

Needs and Uses: When a claim for TRICARE benefits is identified as involving possible third-party liability and the information is not submitted with the claim, the TRICARE contractors request that the injured party (or a designee) complete DD Form 2527. To protect the interests of the U.S.

Government, the contractor suspends claims processing until the requested third-party liability information is received. The contractor conducts a preliminary evaluation based upon the collection of information and refers the case to a designated appropriate legal officer of the Uniformed Services. The responsible Uniformed Services legal officer uses the information as a basis for asserting and settling the U.S. Government's claim. When appropriate, the information is forwarded to the Department of Justice as the basis for litigation.

Affected Public: Individuals or households.

Annual Burden Hours: 47,023.

Number of Respondents: 188,090.

Responses per Respondent: 1.

Annual Responses: 188,090.

Average Burden per Response: 15 minutes.

Frequency: As required.

Dated: July 16, 2025.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025-13638 Filed 7-18-25; 8:45 am]

BILLING CODE 6001-FR-P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD-2025-HA-0006]

Submission for OMB Review; Comment Request

AGENCY: Office of the Assistant Secretary of Defense for Health Affairs (OASD(HA)), Department of Defense (DoD).

ACTION: 30-Day information collection notice.

SUMMARY: The DoD has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act.

DATES: Consideration will be given to all comments received by August 20, 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: Reginald Lucas, (571) 372-7574, whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Assistance Reporting Tool; OMB Control Number 0720-0060.

Type of Request: Reinstatement.

Number of Respondents: 157,073.

Responses per Respondent: 1.

Annual Responses: 157,073.

Average Burden per Response: 15 minutes.

Annual Burden Hours: 39,268.

Needs and Uses: The Assistance Reporting Tool (ART) is a secure web-based system that captures feedback on, and authorization related to TRICARE benefits. Users are comprised of Military Health System (MHS) customer service personnel, to include Beneficiary Counseling and Assistance Coordinators, Debt Collection Assistance Officers, personnel, family support, recruiting command, case managers, and others who serve in a customer service support role. The ART is also the primary means by which Defense Health Agency-Great Lakes staff capture medical authorization determinations and claims assistance information for remotely located service members, line of duty care, and for care under the transitional care for service-related conditions benefit. ART data reflects the customer service mission within the MHS: It helps customer service staff users prioritize and manage their case workload; it allows users to track beneficiary inquiry workload and resolution, of which a major component is educating beneficiaries on their TRICARE benefits.

Affected Public: Business or other for-profit; individuals or households.

Frequency: On occasion.

Respondent's Obligation: Voluntary.

DOD Clearance Officer: Mr. Reginald Lucas.

Dated: July 16, 2025.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025-13637 Filed 7-18-25; 8:45 am]

BILLING CODE 6001-FR-P

DEPARTMENT OF EDUCATION

[Docket No.: ED-2025-SCC-0019]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Rural Education Achievement Program: Small, Rural School Achievement Program and Rural and Low-Income School Program Application

AGENCY: Office of Elementary and Secondary Education (OESE), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act (PRA) of 1995, the Department is proposing an extension without change of a currently approved information collection request (ICR).

DATES: Interested persons are invited to submit comments on or before August 20, 2025.

ADDRESSES: Written comments and recommendations for proposed information collection requests should be submitted within 30 days of publication of this notice. Click on this link www.reginfo.gov/public/do/PRAMain to access the site. Find this information collection request (ICR) by selecting "Department of Education" under "Currently Under Review," then check the "Only Show ICR for Public Comment" checkbox. *Reginfo.gov* provides two links to view documents related to this information collection request. Information collection forms and instructions may be found by clicking on the "View Information Collection (IC) List" link. Supporting statements and other supporting documentation may be found by clicking on the "View Supporting Statement and Other Documents" link.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Victoria Hammer, (202) 260-1438.

SUPPLEMENTARY INFORMATION: The Department is especially interested in public comment addressing the following issues: (1) is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note

that written comments received in response to this notice will be considered public records.

Title of Collection: Rural Education Achievement Program: Small, Rural School Achievement Program and Rural and Low-Income School Program Application.

OMB Control Number: 1810–0646.

Type of Review: Extension without change of a currently approved ICR.

Respondents/Affected Public: State, Local, and Tribal Governments.

Total Estimated Number of Annual Responses: 4,565.

Total Estimated Number of Annual Burden Hours: 4,120.

Abstract: The Department administers two formula grant programs under Title V, Part B (Rural Education Achievement Program (REAP)) of the Elementary and Secondary Education Act of 1965 (ESEA): the Small, Rural School Achievement (SRSA) program, administered by the Department, which makes awards directly to local educational agencies (LEAs); and the Rural and Low-Income School (RLIS) program, awarded by the Department to State Educational Agencies (SEAs), which then make awards to and administer the program for LEAs. The Department may also make RLIS awards directly to LEAs in States that do not submit an approvable RLIS application to the Department. These LEAs that apply directly to the Department for RLIS funding are known as Specially Qualified Agencies (SQAs).

The information provided to the Department enables the Department to make eligibility determinations for LEAs and to calculate formula allocations for each eligible LEA. Form 1 consists of the REAP Eligibility Spreadsheet through which SEAs provide to the Department eligibility and allocation data for both the RLIS and SRSA programs. Form 2 consists of the application package for LEAs under the SRSA program. Form 3 consists of the application package for SQAs under the RLIS program. This is a request for extension of the current information collection package (OMB #1810–0646), updated for the future fiscal years in which the collection would apply.

Ross Santy,

Chief Data Officer, Office of Planning, Evaluation and Policy Development.

[FR Doc. 2025–13666 Filed 7–18–25; 8:45 am]

BILLING CODE 4000–01–P

ELECTION ASSISTANCE COMMISSION

Sunshine Act Meetings

AGENCY: Election Assistance Commission.

ACTION: Sunshine Act notice; notice of public meeting.

SUMMARY: Public Meeting: U.S. Election Assistance Commission Technical Guidelines Development Committee Virtual Meeting.

DATES: Friday, August 8, 2025; 1–4 p.m. ET.

ADDRESSES: The virtual meeting is open to the public and will be livestreamed on the U.S. Election Assistance Commission YouTube Channel: <https://www.youtube.com/channel/UCpN6i0g2rlF4ITWhwvBwwZw>.

FOR FURTHER INFORMATION CONTACT: Kristen Muthig, Telephone: (202) 897–9285, Email: kmuthig@eac.gov.

SUPPLEMENTARY INFORMATION:

Purpose: In accordance with the Government in the Sunshine Act (Sunshine Act), Public Law 94–409, as amended (5 U.S.C. 552b), the U.S. Election Assistance Commission (EAC) will hold another virtual meeting of the EAC Technical Guidelines Development Committee (TGDC). Members of the TGDC will lead the meeting to continue the discussion of version 2.1 of the Voluntary Voting System Guidelines.

Background: Section 221 of the Help America Vote Act (HAVA) of 2002 (52 U.S.C. 20971(b)) requires that the EAC adopt Voluntary Voting System Guidelines and to provide for the testing, certification, decertification, and recertification of voting system hardware and software.

The TGDC was established in accordance with the requirements of Section 221 of the Help America Vote Act of 2002 (Pub. L. 107–252, codified at 52 U.S.C. 20961), to act in the public interest to assist the Executive Director of the EAC in the development of Voluntary Voting System Guidelines.

Status: This meeting will be open to the public.

Seton Parsons,

Associate Counsel, U.S. Election Assistance Commission.

[FR Doc. 2025–13588 Filed 7–17–25; 11:15 am]

BILLING CODE 4810–71–P

DEPARTMENT OF ENERGY

[Docket No. 25–81–LNG]

Golden Pass LNG Terminal LLC; Application for Blanket Authorization To Export Previously Imported Liquefied Natural Gas

AGENCY: Office of Fossil Energy and Carbon Management, Department of Energy.

ACTION: Notice of application.

SUMMARY: The Office of Fossil Energy and Carbon Management (FECM) of the Department of Energy (DOE) gives notice (Notice) of receipt of an application (Application), filed on June 26, 2025, by Golden Pass LNG Terminal LLC (GPLNG). GPLNG requests blanket authorization to export liquefied natural gas (LNG) previously imported into the United States by vessel from foreign sources in a volume equivalent to 50 billion cubic feet (Bcf) of natural gas on a cumulative basis over a two-year period. GPLNG filed the Application under the Natural Gas Act (NGA).

DATES: Protests, motions to intervene, or notices of intervention, as applicable, requests for additional procedures, and written comments are to be filed as detailed in the Public Comment Procedures section no later than 4:30 p.m., Eastern time, August 20, 2025.

ADDRESSES:

Electronic Filing by Email (Strongly Encouraged): fergas@hq.doe.gov.

Postal Mail, Hand Delivery, or Private Delivery Services (e.g., FedEx, UPS, etc.)

U.S. Department of Energy (FE–34), Office of Regulation, Analysis, and Engagement, Office of Fossil Energy and Carbon Management, Forrestal Building, Room 3E–056, 1000 Independence Avenue SW, Washington, DC 20585.

Due to potential delays in DOE's receipt and processing of mail sent through the U.S. Postal Service, we encourage respondents to submit filings electronically to ensure timely receipt.

FOR FURTHER INFORMATION CONTACT:

Jennifer Wade or Peri Ulrey, U.S. Department of Energy (FE–34) Office of Regulation, Analysis, and Engagement, Office of Resource Sustainability, Office of Fossil Energy and Carbon Management, Forrestal Building, Room 3E–042, 1000 Independence Avenue SW, Washington, DC 20585, (202) 586–4749 or (202) 586–7893, jennifer.wade@hq.doe.gov or peri.ulrey@hq.doe.gov

Cassandra Bernstein, U.S. Department of Energy (GC–76), Office of the Assistant General Counsel for Energy Delivery and Resilience, Forrestal Building, Room 6D–033, 1000 Independence Avenue SW, Washington,

DC 20585, (240) 780-1691,
cassandra.bernstein@hq.doe.gov.

SUPPLEMENTARY INFORMATION: GPLNG requests a short-term blanket authorization to export LNG that has been previously imported into the United States from foreign sources for a two-year period. GPLNG states that it will export the LNG from the GPLNG terminal located in Sabine Pass, Texas, to any country with the capacity to import LNG via ocean-going carrier and with which trade is not prohibited by U.S. law or policy. This includes both countries with which the United States has entered into a free trade agreement (FTA) requiring national treatment for trade in natural gas (FTA countries) and all other countries (non-FTA countries). This Notice applies only to the portion of the Application requesting authority to export the LNG to non-FTA countries pursuant to section 3(a) of the NGA, 15 U.S.C. 717b(a). GPLNG requests the term of the new authorization to commence on October 1, 2025. GPLNG further states that it does not seek authorization to export domestically produced natural gas or LNG.

GPLNG requests this authorization on its own behalf and as agent for other parties that hold title to the LNG at the time of export. Additional details can be found in GPLNG's Application, posted on the DOE website at <https://www.energy.gov/sites/default/files/2025-07/GPLNG%20Application%20for%20Blanket%20Authorization%20to%20Export%2006.26.2025.pdf>.

DOE Evaluation

In reviewing GPLNG's Application, DOE will consider any issues required by law or policy. DOE will consider domestic need for the natural gas, as well as any other issues determined to be appropriate, including whether the arrangement is consistent with DOE's policy of promoting competition in the marketplace by allowing commercial parties to freely negotiate their own trade arrangements. Parties that may oppose this Application should comment in their responses on these issues.

The National Environmental Policy Act (NEPA), 42 U.S.C. 4321 *et seq.*, requires DOE to give appropriate consideration to the environmental effects of its proposed decisions. No final decision will be issued in this proceeding until DOE has met its NEPA responsibilities.

Public Comment Procedures

In response to this Notice, any person may file a protest, comments, or a motion to intervene or notice of intervention, as applicable. Interested

parties will be provided 30 days from the date of publication of this Notice in which to submit comments, protests, motions to intervene, or notices of intervention.

Any person wishing to become a party to the proceeding must file a motion to intervene or notice of intervention. The filing of comments or a protest with respect to the Application will not serve to make the commenter or protestant a party to this proceeding, although protests and comments received from persons who are not parties will be considered in determining the appropriate action to be taken on the Application. All protests, comments, motions to intervene, or notices of intervention must meet the requirements specified by DOE's regulations in 10 CFR part 590, including the service requirements.

Filings may be submitted using one of the following methods:

- (1) Submitting the filing electronically at fergas@hq.doe.gov;
- (2) Mailing the filing to the Office of Regulation, Analysis, and Engagement at the address listed in the **ADDRESSES** section; or
- (3) Hand delivering the filing to the Office of Regulation, Analysis, and Engagement at the address listed in the **ADDRESSES** section.

For administrative efficiency, DOE prefers filings to be filed electronically. All filings must include a reference to "Docket No. 25-81-LNG" or "Golden Pass LNG Terminal LLC Application" in the title line.

For electronic submissions: Please include all related documents and attachments (e.g., exhibits) in the original email correspondence. Please do not include any active hyperlinks or password protection in any of the documents or attachments related to the filing. All electronic filings submitted to DOE must follow these guidelines to ensure that all documents are filed in a timely manner.

The Application and any filed protests, motions to intervene, notices of intervention, and comments will be available electronically on the DOE website at www.energy.gov/fecm/regulation.

A decisional record on the Application will be developed through responses to this Notice by parties, including the parties' written comments and replies thereto. Additional procedures will be used as necessary to achieve a complete understanding of the facts and issues. If an additional procedure is scheduled, notice will be provided to all parties. If no party requests additional procedures, a final Order may be issued based on the

official record, including the Application and responses filed by parties pursuant to this Notice, in accordance with 10 CFR 590.316.

Signed in Washington, DC, on July 16, 2025.

Amy Sweeney,

Director, Office of Regulation, Analysis, and Engagement, Office of Resource Sustainability.

[FR Doc. 2025-13599 Filed 7-18-25; 8:45 am]

BILLING CODE 6450-01-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: EC19-57-003.
Applicants: The Vanguard Group, Inc., Vanguard Global Advisors, LLC, Vanguard Asset Management, Ltd., Vanguard Investments Australia Ltd., Vanguard Fiduciary Trust Company.

Description: Request for Extension of Blanket Authorizations Under Section 203 of the Federal Power Act of The Vanguard Group, Inc., et al.

Filed Date: 7/11/25.

Accession Number: 20250711-5196.

Comment Date: 5 p.m. ET 8/1/25.

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

Docket Numbers: EG25-389-000.
Applicants: Casey Fork Solar, LLC.
Description: Casey Fork Solar, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 7/15/25.

Accession Number: 20250715-5140.

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

Docket Numbers: EG25-390-000.
Applicants: Nevada Cogeneration Associates #2.

Description: Nevada Cogeneration Associates #2 submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 7/16/25.

Accession Number: 20250716-5044.

Comment Date: 5 p.m. ET 8/6/25.

Docket Numbers: EG25-391-000.
Applicants: Westlands Cherry, LLC.
Description: Westlands Cherry, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 7/16/25.

Accession Number: 20250716-5099.

Comment Date: 5 p.m. ET 8/6/25.

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

Docket Numbers: ER22–2946–004.
Applicants: Red Oak Power, LLC.
Description: Compliance filing: Reactive Service Tariff—PJM Schedule 2 Notice to be effective 9/1/2023.
Filed Date: 7/15/25.
Accession Number: 20250715–5147.
Comment Date: 5 p.m. ET 8/5/25.
Docket Numbers: ER25–1892–000.
Applicants: Midcontinent Independent System Operator, Inc., Union Electric Company.
Description: Refund Report: Union Electric Company submits tariff filing per 35.19a(b): 2025–07–16_SA 2012 Ameren MO (UEC)-California, MO 2nd Rev WDS Refund Report to be effective N/A.
Filed Date: 7/16/25.
Accession Number: 20250716–5111.
Comment Date: 5 p.m. ET 8/6/25.
Docket Numbers: ER25–2856–000.
Applicants: Casey Fork Solar, LLC.
Description: Initial Rate Filing: Market Based Rate to be effective 7/16/2025.
Filed Date: 7/15/25.
Accession Number: 20250715–5145.
Comment Date: 5 p.m. ET 8/5/25.
Docket Numbers: ER25–2857–000.
Applicants: Pacific Gas and Electric Company.
Description: 205(d) Rate Filing: WDT SA 56: Extension to PWRPA SA and IA to be effective 9/23/2025.
Filed Date: 7/16/25.
Accession Number: 20250716–5000.
Comment Date: 5 p.m. ET 8/6/25.
Docket Numbers: ER25–2858–000.
Applicants: Iron Springs Solar, LLC.
Description: Initial rate filing: Filing of Shared Facilities Agreement to be effective 9/15/2025.
Filed Date: 7/16/25.
Accession Number: 20250716–5027.
Comment Date: 5 p.m. ET 8/6/25.
Docket Numbers: ER25–2859–000.
Applicants: Iron Springs BESS LLC.
Description: Initial rate filing: Certificate of Concurrence to be effective 9/15/2025.
Filed Date: 7/16/25.
Accession Number: 20250716–5030.
Comment Date: 5 p.m. ET 8/6/25.
Docket Numbers: ER25–2860–000.
Applicants: Red Oak Power, LLC, Strategic PPAV II, LLC.
Description: Red Oak Power, LLC and Strategic PPAV II, LLC request a one-time, limited waiver of the 90-day prior notice requirement set forth in Schedule 2 to the PJM OATT.
Filed Date: 7/16/25.
Accession Number: 20250716–5040.
Comment Date: 5 p.m. ET 8/6/25.
Docket Numbers: ER25–2861–000.
Applicants: Basin Electric Power Cooperative.

Description: Tariff Amendment: Basin Electric Notice of Cancellation of Open Access Transmission Tariff to be effective 7/16/2025.
Filed Date: 7/16/25.
Accession Number: 20250716–5056.
Comment Date: 5 p.m. ET 8/6/25.
Docket Numbers: ER25–2862–000.
Applicants: Basin Electric Power Cooperative.
Description: Tariff Amendment: Basin Electric Notice of Cancellation of Rate Schedules to be effective 7/16/2025.
Filed Date: 7/16/25.
Accession Number: 20250716–5058.
Comment Date: 5 p.m. ET 8/6/25.
Docket Numbers: ER25–2863–000.
Applicants: Basin Electric Power Cooperative.
Description: Tariff Amendment: Basin Electric Notice of Cancellation of MBR Tariff to be effective 7/16/2025.
Filed Date: 7/16/25.
Accession Number: 20250716–5060.
Comment Date: 5 p.m. ET 8/6/25.
Docket Numbers: ER25–2864–000.
Applicants: Basin Electric Power Cooperative.
Description: Tariff Amendment: Basin Electric Notice of Cancellation of Other Tariffs and Agreements to be effective 7/16/2025.
Filed Date: 7/16/25.
Accession Number: 20250716–5062.
Comment Date: 5 p.m. ET 8/6/25.
Docket Numbers: ER25–2865–000.
Applicants: California Independent System Operator Corporation.
Description: 205(d) Rate Filing: 2025–07–16 LGIA Between CAISO, SDG&E and Arlington—Saddle Mountain Solar to be effective 9/15/2025.
Filed Date: 7/16/25.
Accession Number: 20250716–5087.
Comment Date: 5 p.m. ET 8/6/25.
Docket Numbers: ER25–2866–000.
Applicants: Northern States Power Company, a Wisconsin corporation.
Description: 205(d) Rate Filing: 2025–07–16 NSPW ATCO—Devel and Jt Coord Agrmt—LRTP 6–176–0.0.0 Concur to be effective 6/2/2025.
Filed Date: 7/16/25.
Accession Number: 20250716–5106.
Comment Date: 5 p.m. ET 8/6/25.
Docket Numbers: ER25–2867–000.
Applicants: El Paso Electric Company.
Description: 205(d) Rate Filing: Service Agreement No. 423, EPE Long-Term Firm PTP Transmission SA with Tri-State to be effective 9/1/2025.
Filed Date: 7/16/25.
Accession Number: 20250716–5107.
Comment Date: 5 p.m. ET 8/6/25.
Docket Numbers: ER25–2868–000.
Applicants: Faraday Energy Storage LLC.

Description: 205(d) Rate Filing: Certificate of Concurrence to SFA to be effective 9/1/2025.
Filed Date: 7/16/25.
Accession Number: 20250716–5110.
Comment Date: 5 p.m. ET 8/6/25.
Docket Numbers: ER25–2869–000.
Applicants: AEP Texas Inc.
Description: 205(d) Rate Filing: AEPTX-Corpus Battery Storage (Lynx BESS) 1st Amended Gen Interconnection Agr. to be effective 6/23/2025.
Filed Date: 7/16/25.
Accession Number: 20250716–5113.
Comment Date: 5 p.m. ET 8/6/25.
Docket Numbers: ER25–2870–000.
Applicants: Faraday Energy Storage II LLC.
Description: 205(d) Rate Filing: Certificate of Concurrence to SFA to be effective 9/1/2025.
Filed Date: 7/16/25.
Accession Number: 20250716–5117.
Comment Date: 5 p.m. ET 8/6/25.
 The filings are accessible in the Commission's eLibrary system (<https://elibrary.ferc.gov/idmws/search/fercgensearch.asp>) by querying the docket number.
 Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.
 eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.
 The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or OPP@ferc.gov.

Dated: July 16, 2025.

Carlos D. Clay,
 Deputy Secretary.

[FR Doc. 2025–13612 Filed 7–18–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Project No. 2987–000]

Joe Vavuris and Ryan Wiegel; Notice of Existing Licensee's Failure To File a Timely Notice of Intent To File a Subsequent License Application, and Soliciting Notices of Intent To File a License Application and Pre-Application Documents

The current license for the Cornwell Hydroelectric Project No. 2987 (Cornwell Project) was issued to the original licensees, Howard Wayne and Verna Jean Cornwell, on May 7, 1980.¹ The license was transferred to the current licensees, Joe Vavuris and Ryan Wiegel on August 18, 2008.² The original license was issued for a term of 50 years, ending April 30, 2030. The 6-kilowatt (kW) project is located in the Klamath National Forest on a tributary of Merrill Creek in Siskiyou County, California.

The Cornwell Project consists of: (1) a small intake box; (2) a 4,000-foot-long aluminum and PVC pipe, 6-inches in diameter that delivers water to the turbine; (3) a powerhouse that contains a 6-inch diameter Pelton turbine, a 12 kW single phase generator, a load controller and; (4) a 1.5-foot-long, 5-feet-wide and 2-feet-deep metal open box that delivers water back to Merrill Creek.

At least five years before the expiration of a license for a minor water power project in which sections 14 and 15 of the Federal Power Act were waived, the Commission's regulations require the licensee to file with the Commission a notice of intent (NOI) that contains an unequivocal statement of the licensee's intention to file or not to file an application for a subsequent license, details on the principal project works and installed plant capacity, and other information.³

If such a licensee does not inform the Commission that it intends to file an application for, in this case, a subsequent license for the project, the licensee may not file an application for a subsequent license, either individually or in conjunction with an entity or entities that are not currently licensees of the project.⁴

¹ See *Howard Wayne and Verna Jean Cornwell*, 11 FERC ¶ 62,092 (1980).

² See *Howard and Verna Cornwell, Joe Vavuris and Ryan Wiegel*, 124 FERC ¶ 62,137 (2008).

³ 18 CFR 16.19(b) (2024) (citing 18 CFR 16.6(b)). Section 16.19(b) applies to licenses not subject to Parts 14 and 15 of the Federal Power Act.

⁴ 18 CFR 16.24(b) (2024).

Because the current license expires on April 30, 2030, the NOI was due to be filed no later than the close of business on April 30, 2025. Joe Vavuris and Ryan Wiegel, the current licensee for the Cornwell Project, failed to file an NOI by this date.

Any party interested in filing a license application for the Cornwell Project No. 2987 must first file a NOI⁵ and pre-application document (PAD)⁶ pursuant to Part 5 of the Commission's regulations. Although the integrated licensing process is the default pre-filing process, section 5.3(b) of the Commission's regulations allows a potential license applicant to request to use alternative licensing procedures when it files its NOI.⁷

This notice sets a deadline of 120 days from the date of this notice for interested applicants, other than the existing licensee, to file NOIs, PADs, and requests to use an alternative licensing process.

Applications for a subsequent license from potential (non-licensee) applicants must be filed with the Commission at least 24 months prior to the expiration of the current license.⁸ Because the current license expires on April 30, 2030, applications for license for this project must be filed by April 30, 2028.⁹

Questions concerning this notice should be directed to Shannon Archuleta at (503) 552–2739 or shannon.archuleta@ferc.gov.

Dated: July 16, 2025.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2025–13624 Filed 7–18–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Docket No. CP25–30–000]

Florida Gas Transmission, LLC; Notice of Revised Schedule for Environmental Review of the South Central Louisiana Project

This notice identifies the Federal Energy Regulatory Commission staff's revised schedule for the completion of the environmental assessment (EA) for

Florida Gas Transmission, LLC's South Central Louisiana Project.¹ The first notice of schedule, issued on February 20, 2025, identified July 25, 2025 as the EA issuance date. However, staff is reliant on an outstanding environmental information response from the applicant in order to finalize the EA. As a result, staff has revised the schedule for issuance of the EA.

Schedule for Environmental Review

Issuance of the EA—August 25, 2025
90-day Federal Authorization Decision
Deadline²—November 23, 2025

If a schedule change becomes necessary, an additional notice will be provided so that the relevant agencies are kept informed of the project's progress.

Additional Information

In order to receive notification of the issuance of the EA and to keep track of all formal issuances and submittals in specific dockets, the Commission offers a free service called eSubscription. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to <https://www.ferc.gov/ferc-online/overview> to register for eSubscription.

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

Additional information about the Project is available from the Commission's Office of External Affairs at (866) 208–FERC or on the FERC website (www.ferc.gov). Using the “eLibrary” link, select “General Search” from the eLibrary menu, enter the

¹ For tracking purposes under the National Environmental Policy Act, the unique identification number for documents relating to this environmental review is EAXX–019–20–000–1739964549.

² The Commission's deadline applies to the decisions of other federal agencies, and state agencies acting under federally delegated authority, that are responsible for federal authorizations, permits, and other approvals necessary for proposed projects under the Natural Gas Act. Per 18 CFR 157.22(a), the Commission's deadline for other agency's decisions applies unless a schedule is otherwise established by federal law.

⁵ 18 CFR 5.5 (2024).

⁶ 18 CFR 5.6 (2024).

⁷ 18 CFR 5.3(b) (2024).

⁸ 18 CFR 16.20 (2024).

⁹ To the extent an interested applicant files an NOI and PAD and elects or is required to use the Commission's ILP, a process plan will be issued within 180 days of this notice, which accelerates the steps of the ILP to allow for filing a subsequent license application by the April 30, 2028, deadline.

selected date range and “Docket Number” excluding the last three digits (*i.e.*, CP25–30), and follow the instructions. For assistance with access to eLibrary, the helpline can be reached at (866) 208–3676, TTY (202) 502–8659, or at FERCOnlineSupport@ferc.gov. The eLibrary link on the FERC website also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rule makings.

Dated: July 16, 2025.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2025–13620 Filed 7–18–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EF25–7–000]

Western Area Power Administration; Notice of Filing

Take notice that on July 10, 2025, Western Area Power Administration submitted a tariff filing: Formula Rates for Western Area Power Administration—Rate Order No. WAPA–219_Rocky Mountain Region—Loveland Area Projects transmission—Annual Transmission Revenue Requirement, to be effective April 1, 2026.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission’s Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission’s Home Page (<http://www.ferc.gov>). From the Commission’s Home Page on the internet, this information is available on eLibrary. The full text of this document is

available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field.

User assistance is available for eLibrary and the Commission’s website during normal business hours from FERC Online Support at 202–502–6652 (toll free at 1–866–208–3676) or email at ferconlinesupport@ferc.gov, or the Public Reference Room at (202) 502–8371, TTY (202) 502–8659. Email the Public Reference Room at public.referenceroom@ferc.gov.

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the “eFiling” link at <http://www.ferc.gov>. Persons unable to file electronically may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 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, environmental justice communities, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or OPP@ferc.gov.

Comment Date: 5:00 p.m. Eastern Time on August 11, 2025.

Dated: July 16, 2025.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2025–13622 Filed 7–18–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EF25–6–000]

Western Area Power Administration; Notice of Filing

Take notice that on July 10, 2025, Western Area Power Administration

submitted a tariff filing: Formula Rates for Western Area Power Administration—Rate Order No. WAPA–218_Upper Great Plains—Annual Transmission Revenue Requirement, to be effective April 1, 2026.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission’s Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant.

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the “eFiling” link at <http://www.ferc.gov>. Persons unable to file electronically may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 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: 5:00 p.m. Eastern Time on August 11, 2025.

Dated: July 16, 2025.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2025–13621 Filed 7–18–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CD25–11–000]

Rancho California Water District; Notice of Preliminary Determination of a Qualifying Conduit Hydropower Facility and Soliciting Comments and Motions To Intervene

On July 8, 2025, Rancho California Water District filed a notice of intent to

construct a qualifying conduit hydropower facility, pursuant to section 30 of the Federal Power Act (FPA). The proposed Washington Avenue In-Line Turbine Generator Hydroelectric Project would have an installed capacity of 105 kilowatts (kW) and would be located at the Santa Rosa Water Reclamation Facility, in Murrieta, Riverside County, California.

Applicant Contact: Michael Guirguis, LEE & RO, Inc., 1199 Fullerton Road, City of Industry, CA 91748, 626–912–3391, *Michael.Guirguis@lee-ro.com*.

FERC Contact: Christopher Chaney, 202–502–6778, *christopher.chaney@ferc.gov*.

Qualifying Conduit Hydropower Facility Description: The project would consist of: (1) one turbine generating unit with a capacity of 105 kW and (2) appurtenant facilities.

A qualifying conduit hydropower facility is one that is determined or deemed to meet all the criteria shown in the table below.

TABLE 1—CRITERIA FOR QUALIFYING CONDUIT HYDROPOWER FACILITY

Statutory provision	Description	Satisfies (Y/N)
FPA 30(a)(3)(A)	The conduit the facility uses is a tunnel, canal, pipeline, aqueduct, flume, ditch, or similar manmade water conveyance that is operated for the distribution of water for agricultural, municipal, or industrial consumption and not primarily for the generation of electricity.	Y
FPA 30(a)(3)(C)(i)	The facility is constructed, operated, or maintained for the generation of electric power and uses for such generation only the hydroelectric potential of a non-federally owned conduit.	Y
FPA 30(a)(3)(C)(ii)	The facility has an installed capacity that does not exceed 40 megawatts	Y
FPA 30(a)(3)(C)(iii)	On or before August 9, 2013, the facility is not licensed, or exempted from the licensing requirements of Part I of the FPA.	Y

Preliminary Determination: The proposed Washington Avenue In-Line Turbine Generator Hydroelectric Project will not alter the primary purpose of the conduit, which is for municipal use. Therefore, based upon the above criteria, Commission staff preliminarily determines that the operation of the project described above satisfies the requirements for a qualifying conduit hydropower facility, which is not required to be licensed or exempted from licensing.

Comments and Motions to Intervene: Deadline for filing comments, comments contesting whether the facility meets the qualifying criteria, and motions to intervene: August 15, 2025.

Anyone may submit comments or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210 and 385.214. Any motions to intervene must be received on or before the specified deadline date for the particular proceeding.

Filing and Service of Responsive Documents: All filings must (1) bear in all capital letters the “COMMENTS,” “COMMENTS CONTESTING QUALIFICATION FOR A CONDUIT HYDROPOWER FACILITY,” or “MOTION TO INTERVENE,” as applicable; (2) state in the heading the name of the applicant and the project number of the application to which the filing responds; (3) state the name, address, and telephone number of the person filing; and (4) otherwise comply with the requirements of sections

385.2001 through 385.2005 of the Commission’s regulations.¹ All comments contesting Commission staff’s preliminary determination that the facility meets the qualifying criteria must set forth their evidentiary basis.

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 comments or motions to intervene, the public is encouraged to contact OPP at (202) 502–6595 or *OPP@ferc.gov*.

The Commission strongly encourages electronic filing. Please file motions to intervene and comments using the Commission’s eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp*. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp*. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov*, (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may send a paper copy. Submissions sent via the U.S. Postal Service must be

addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

Locations of Notice of Intent: 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 website at *http://www.ferc.gov/docs-filing/elibrary.asp*. Enter the docket number (*i.e.*, CD25–11) in the docket number field to access the document. You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. Copies of the notice of intent can be obtained directly from the applicant. For assistance, call toll-free 1–866–208–3676 or email *FERCOnlineSupport@ferc.gov*. For TTY, call (202) 502–8659.

Dated: July 16, 2025.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2025–13619 Filed 7–18–25; 8:45 am]

BILLING CODE 6717–01–P

¹ 18 CFR 385.2001–2005 (2024).

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission****[Docket No. AD25–3–000]****Billing Procedures for Annual Charges for the Costs of Other Federal Agencies for Administering Part I of the Federal Power Act Notice Reporting Costs for Other Federal Agencies' Administrative Annual Charges for Fiscal Year 2024**

1. The Federal Energy Regulatory Commission (Commission) is required to determine the reasonableness of costs incurred by other Federal agencies (OFAs)¹ in connection with their participation in the Commission's proceedings under the Federal Power Act (FPA) Part I² when those agencies seek to include such costs in the administrative charges licensees must pay to reimburse the United States for the cost of administering Part I.³ The Commission's *Order on Remand and Acting on Appeals of Annual Charge Bills*⁴ determined which costs are eligible to be included in the administrative annual charges. This order also established a process whereby the Commission would annually request each OFA to submit cost data, using a form⁵ specifically designed for this purpose. In addition, the order established requirements for detailed cost accounting reports and other documented analyses to explain the cost assumptions contained in the OFAs' submissions.

2. The Commission has completed its review of the forms and supporting documentation submitted by the U.S. Department of the Interior (Interior), the U.S. Department of Agriculture (Agriculture), and the U.S. Department of Commerce (Commerce) for fiscal year (FY) 2024. This notice reports the costs the Commission included in its

¹ The OFAs include: the U.S. Department of the Interior (Bureau of Land Management, Bureau of Reclamation, National Park Service, U.S. Fish and Wildlife Service, Office of the Solicitor, Office of Environmental Policy & Compliance); the U.S. Department of Agriculture (U.S. Forest Service); the U.S. Department of Commerce (National Marine Fisheries Service); and the U.S. Army Corps of Engineers.

² 16 U.S.C. 791a–823d (2018).

³ See *id.* 803(e)(1) and 42 U.S.C. 7178 (2018).

⁴ 107 FERC ¶ 61,277, *order on reh'g*, 109 FERC ¶ 61,040 (2004).

⁵ Other Federal Agency Cost Submission Form, available at <https://www.ferc.gov/docs-filing/forms.asp#ofa>.

administrative annual charges for FY 2025.

Scope of Eligible Costs

3. The basis for eligible costs that should be included in the OFAs' administrative annual charges is prescribed by the Office of Management and Budget's (OMB) Circular A–25—*User Charges* and the Federal Accounting Standards Advisory Board's Statement of Federal Financial Accounting Standards (SFFAS) Number 4—*Managerial Cost Accounting Concepts and Standards for the Federal Government*. Circular A–25 establishes Federal policy regarding fees assessed for government services and provides specific information on the scope and type of activities subject to user charges. SFFAS Number 4 provides a conceptual framework for federal agencies to determine the full costs of government goods and services.

4. Circular A–25 provides for user charges to be assessed against recipients of special benefits derived from federal activities beyond those received by the general public.⁶ With regard to licensees, the special benefit derived from federal activities is the license to operate a hydropower project. The guidance provides for the assessment of sufficient user charges to recover the full costs of services associated with these special benefits.⁷ SFFAS Number 4 defines full costs as the costs of resources consumed by a specific governmental unit that contribute directly or indirectly to a provided service.⁸ Thus, pursuant to OMB requirements and authoritative accounting guidance, the Commission must base its OFA administrative annual charge on all direct and indirect costs incurred by agencies in administering Part I of the FPA. The special form the Commission designed for this purpose, the “Other Federal Agency Cost Submission Form,” captures the full range of costs recoverable under the FPA and the referenced accounting guidance.⁹

5. Our guidance directs the OFAs to ensure that the costs are for FPA Part I activities and that the documented costs are segregated between activities

⁶ OMB Circular A–25 6.

⁷ OMB Circular A–25 6.a.2.

⁸ SFFAS Number 4 ¶ 7.

⁹ For the past few years, the form has excluded “Other Direct Costs” to avoid the possibility of confusion that occurred in earlier years as to whether costs were being entered twice as “Other Direct Costs” and “Overhead.”

covering municipal projects from those for non-municipal projects. This year, we also asked the OFAs to provide additional narrative descriptions of the type of work performed in administering FPA Part I (including a list of the projects for which work was performed during the covered period) and a detailed description of what managerial/administrative or other activities are included in the non-specific category.

Commission Review of OFA Cost Submittals

6. The Commission received cost forms and other supporting documentation from the Departments of the Interior, Agriculture, and Commerce. The Commission completed a review of each OFA's cost submission forms and supporting reports. In its examination of the OFAs' cost data, the Commission considered each agency's ability to demonstrate a system or process which effectively captured, isolated, and reported FPA Part I costs as required by the “Other Federal Agency Cost Submission Form.”

7. The Commission held a Technical Conference on March 20, 2025 to report its initial findings to licensees and OFAs. Representatives for several licensees and most of the OFAs attended the conference. Following the technical conference, a transcript was posted, and licensees had the opportunity to submit comments to the Commission regarding its initial review.

8. Idaho Falls Group (Idaho Falls) filed written comments noting that it appreciated that most of the OFAs provided extensive lists of projects, but that it would prefer that the OFAs provide narrative descriptions of the work done for each project rather than broad descriptions of the types of work performed among the projects listed. Idaho Falls also stated that it agreed with the disallowances announced at the technical conference.

9. After full consideration of the comments presented, and in accordance with the previously cited guidance, the Commission accepted as reasonable any costs reported via the cost submission forms that were clearly documented in the OFAs' accompanying reports and/or analyses. These documented costs will be included in the administrative annual charges for FY 2025.

Summary of Reported & Accepted Costs for Fiscal Year 2024

FIGURE 1

	Municipal		Non-municipal		Total	
	Reported	Accepted	Reported	Accepted	Reported	Accepted
Department of Interior						
Bureau of Indian Affairs			447,691		447,691	
Bureau of Land Management			75,721		75,721	
Bureau of Reclamation						
National Park Service	265,478	265,478	607,179	607,179	872,657	872,657
U.S. Fish and Wildlife Service	92,718	92,718	1,102,507	1,102,507	1,195,225	1,195,225
Office of the Solicitor	185,143	185,143	180,832	180,832	365,975	365,975
Office of Environmental Policy & Compliance	14,199	14,199	97,244	97,244	111,443	111,443
Department of Agriculture						
U.S. Forest Service	398,410	390,487	1,361,179	1,334,103	1,759,589	1,724,589
Department of Commerce						
National Marine Fisheries Service	1,150,972	1,148,336	1,074,833	1,075,604	2,225,805	2,223,939
Total	2,106,920	2,096,361	4,947,187	4,397,469	7,054,106	6,493,828

10. Figure 1 summarizes the total reported costs incurred by Interior, Agriculture, and Commerce with respect to their participation in administering Part I of the FPA. Additionally, Figure 1 summarizes the reported costs that the Commission determined were clearly documented and accepted for inclusion in its FY 2025 administrative annual charges.

Summary Findings of Commission’s Costs Review

11. As presented in Figure 1, the Commission has determined that \$6,493,828 of the \$7,054,106 in total reported costs were reasonable and clearly documented in the OFAs’ accompanying reports and/or analyses. Based on this finding, 8% of the total reported cost was determined to be unreasonable. The Commission notes the most significant issue with the documentation provided by the OFAs was the lack of detailed description of type of work performed and a list of projects for work performed during the fiscal year.

12. The cost reports that the Commission determined were clearly documented and supported could be traced to detailed cost-accounting reports, which reconciled to data

provided from agency financial systems or other pertinent source documentation. A further breakdown of these costs is included in the Appendix to this notice, along with an explanation of how the Commission determined their reasonableness.

Points of Contact

13. If you have any questions regarding this notice, please contact Raven Rodriguez at (202) 502–6276.

Dated: July 16, 2025.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2025–13617 Filed 7–18–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CD25–10–000]

Rancho California Water District; Notice of Preliminary Determination of a Qualifying Conduit Hydropower Facility and Soliciting Comments and Motions To Intervene

On July 8, 2025, Rancho California Water District filed a notice of intent to

construct a qualifying conduit hydropower facility, pursuant to section 30 of the Federal Power Act (FPA). The proposed Upper Valle De Los Caballos In-Line Turbine Generator Hydroelectric (UVDC) Project would have an installed capacity of 348 kilowatts (kW) and would be located near Temecula, Riverside County, California.

Applicant Contact: Michael Guirguis, LEE & RO, Inc., 1199 Fullerton Road, City of Industry, CA 91748, 626–912–3391, Michael.Guirguis@lee-ro.com.

FERC Contact: Christopher Chaney, 202–502–6778, christopher.chaney@ferc.gov.

Qualifying Conduit Hydropower Facility Description: The project would consist of: (1) one turbine generating unit with a capacity of 348 kW and (2) appurtenant facilities.

A qualifying conduit hydropower facility is one that is determined or deemed to meet all the criteria shown in the table below.

TABLE 1—CRITERIA FOR QUALIFYING CONDUIT HYDROPOWER FACILITY

Statutory provision	Description	Satisfies (Y/N)
FPA 30(a)(3)(A)	The conduit the facility uses is a tunnel, canal, pipeline, aqueduct, flume, ditch, or similar manmade water conveyance that is operated for the distribution of water for agricultural, municipal, or industrial consumption and not primarily for the generation of electricity.	Y
FPA 30(a)(3)(C)(i)	The facility is constructed, operated, or maintained for the generation of electric power and uses for such generation only the hydroelectric potential of a non-federally owned conduit.	Y
FPA 30(a)(3)(C)(ii)	The facility has an installed capacity that does not exceed 40 megawatts	Y

TABLE 1—CRITERIA FOR QUALIFYING CONDUIT HYDROPOWER FACILITY—Continued

Statutory provision	Description	Satisfies (Y/N)
FPA 30(a)(3)(C)(iii)	On or before August 9, 2013, the facility is not licensed, or exempted from the licensing requirements of Part I of the FPA.	Y

Preliminary Determination: The proposed UVDC Project will not alter the primary purpose of the conduit, which is for municipal use. Therefore, based upon the above criteria, Commission staff preliminarily determines that the operation of the project described above satisfies the requirements for a qualifying conduit hydropower facility, which is not required to be licensed or exempted from licensing.

Comments and Motions to Intervene: Deadline for filing comments, comments contesting whether the facility meets the qualifying criteria, and motions to intervene: August 15, 2025.

Anyone may submit comments or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210 and 385.214. Any motions to intervene must be received on or before the specified deadline date for the particular proceeding.

Filing and Service of Responsive Documents: All filings must (1) bear in all capital letters the “COMMENTS,” “COMMENTS CONTESTING QUALIFICATION FOR A CONDUIT HYDROPOWER FACILITY,” or “MOTION TO INTERVENE,” as applicable; (2) state in the heading the name of the applicant and the project number of the application to which the filing responds; (3) state the name, address, and telephone number of the person filing; and (4) otherwise comply with the requirements of sections 385.2001 through 385.2005 of the Commission’s regulations.¹ All comments contesting Commission staff’s preliminary determination that the facility meets the qualifying criteria must set forth their evidentiary basis.

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 comments or motions to intervene, the public is

encouraged to contact OPP at (202) 502–6595 or OPP@ferc.gov.

The Commission strongly encourages electronic filing. Please file motions to intervene and comments using the Commission’s eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may send a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

Locations of Notice of Intent: 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 website at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number (*i.e.*, CD25–10) in the docket number field to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. Copies of the notice of intent can be obtained directly from the applicant. For assistance, call toll-free 1–866–208–3676 or email FERCOnlineSupport@ferc.gov. For TTY, call (202) 502–8659.

Dated: July 16, 2025.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2025–13618 Filed 7–18–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EF25–8–000]

Western Area Power Administration; Notice of Filing

Take notice that on July 10, 2025, Western Area Power Administration submitted a tariff filing: Formula Rates under Colorado River Storage Project_CRCMT-Annual Transmission Revenue Requirement_WAPA–220 to be effective April 1, 2026.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission’s Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant.

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the “eFiling” link at <http://www.ferc.gov>. Persons unable to file electronically may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 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

¹ 18 CFR 385.2001–2005 (2024).

public is encouraged to contact OPP at (202) 502-6595 or OPP@ferc.gov.

Comment Date: 5:00 p.m. Eastern Time on August 11, 2025.

Dated: July 16, 2025.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2025-13623 Filed 7-18-25; 8:45 am]

BILLING CODE 6717-01-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2025-0049; FRL-12717-01-OCSPP]

Agency Information Collection Activities; Proposed New Collection and Request for Comment; Bilingual Pesticide Labeling Tracking (EPA ICR No. 7795.01; OMB Control No. 2070-NEW)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA), this document announces the availability of and solicits public comment on the following Information Collection Request (ICR) that EPA is planning to submit to the Office of Management and Budget (OMB): Bilingual Pesticide Labeling Tracking (EPA ICR No. 7795.01 and OMB Control No. 2070-NEW). This ICR represents a new request. Before submitting the ICR to OMB for review and approval under the PRA, EPA is soliciting comments on specific aspects of the information collection that is summarized in this document. The ICR and accompanying material are available in the docket for public review and comment.

DATES: Comments must be received on or before September 19, 2025.

ADDRESSES: Submit your comments, identified by docket identification (ID) number Docket ID No. EPA-HQ-OPP-2025-0049, online at <https://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT: Carolyn Siu, Office of Program Support (Mail Code 7602M), Office of Chemical Safety and Pollution Prevention,

Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; telephone number: (202) 566-1204; email address: siu.carolyn@epa.gov.

SUPPLEMENTARY INFORMATION:

I. What information is EPA particularly interested in?

Pursuant to PRA section 3506(c)(2)(A) (44 U.S.C. 3506(c)(2)(A)), EPA specifically solicits comments and information to enable it to:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility.
2. Evaluate the accuracy of the Agency's estimates 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.
4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses. In particular, EPA is requesting comments from very small businesses (those that employ less than 25) on examples of specific additional efforts that EPA could make to reduce the paperwork burden for very small businesses affected by this collection.

II. What information collection activity or ICR does this action apply to?

Title: Bilingual Pesticide Labeling Tracking.

EPA ICR No.: 7795.01.

OMB Control No.: 2070-NEW.

ICR Status: This ICR is for a new information collection activity. Under the PRA, 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 OMB control numbers for EPA's regulations in title 40 of the Code of Federal Regulations (CFR), after appearing in the **Federal Register** when approved, are displayed either by publication in the **Federal Register** or by other appropriate means, such as on the related collection instrument or form, if applicable. The display of OMB control numbers for certain EPA regulations is consolidated in 40 CFR part 9.

Abstract: This is a new information collection activity that covers the

paperwork burden for the tracking the adoption of bilingual labeling of pesticide products. This ICR was developed as part of a requirement by the Pesticide Registration Improvement Act (PRIA). PRIA was enacted in 2004 and established a new system for registering pesticides including fees and guaranteed decision times, along with funding for farmworker protection activities. PRIA was reauthorized in 2007, 2012, 2019, and most recently on December 29, 2022 (PRIA 5). PRIA 5 amended the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) to require bilingual language translation for sections of the end-use pesticide product labels where translation is available in the EPA Spanish Translation Guide for Pesticide Labeling (or the Spanish Translation Guide). PRIA 5 requires that each registered pesticide product released for shipment include either the bilingual language translation for sections of the labeling contained in EPA's Spanish Translation Guide for Pesticide Labeling on the pesticide product container, or a link to such translation via scannable technology or other electronic methods readily accessible on the product label.

The ICR, which is available in the docket along with other related materials, provides a detailed explanation of the collection activities and the burden estimate that is only briefly summarized here:

Form number(s): 8570-30 and 8350-05.

Respondents/affected entities: Entities potentially affected by this ICR include pesticide importers, pesticide manufacturers and government establishments responsible for agricultural pest and weed regulation. North American Industrial Classification System (NAICS) codes identified in question 12 of the ICR.

Respondent's obligation to respond: Mandatory. 40 CFR 152.

Estimated number of potential respondents: 1,152.

Frequency of response: Annually.

Total estimated average number of responses for each respondent: 4.

Total estimated respondent burden: 27,784 hours (per year). Burden is defined at 5 CFR 1320.3(b).

Total estimated respondent costs: \$3,648,965 (per year), includes \$0 annualized capital investment or maintenance and operational costs.

III. Are there changes in the estimates from the last approval?

This is a new collection.

IV. What is the next step in the process for this ICR?

EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval pursuant to 5 CFR 1320.12. EPA will issue another **Federal Register** document pursuant to 5 CFR 1320.5(a)(1)(iv) to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB. If you have any questions about this ICR or the approval process, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

Authority: 44 U.S.C. 3501 *et seq.*

Dated: July 17, 2025.

Nancy B. Beck,

*Principal Deputy Assistant Administrator,
Office of Chemical Safety and Pollution
Prevention.*

[FR Doc. 2025–13674 Filed 7–18–25; 8:45 am]

BILLING CODE 6560–50–P

EXPORT-IMPORT BANK

[Public Notice: EIB–2025–0006]

Application for Final Commitment for a Long-Term Loan or Financial Guarantee in Excess of \$100 Million: AP300021XX

AGENCY: Export-Import Bank of the United States.

ACTION: Notice.

SUMMARY: This Notice is to inform the public, in accordance with the Export-Import Bank Act of 1945, as amended, the Export-Import Bank of the United States (“EXIM”) has received an application for final commitment for a long-term loan or financial guarantee in excess of \$100 million. Comments received within the comment period specified below will be presented to the EXIM Board of Directors prior to final action on this Transaction.

DATES: Comments must be received on or before August 15, 2025 to be assured of consideration before final consideration of the transaction by the Board of Directors of EXIM.

ADDRESSES: Comments may be submitted through *Regulations.gov* at *www.regulations.gov*. To submit a comment, enter *EIB–2025–0006* under the heading “Enter Keyword or ID” and select Search. Follow the instructions provided at the Submit a Comment screen. Please include your name, company name (if any) and *EIB–2025–0006* on any attached document.

SUPPLEMENTARY INFORMATION:

Reference: AP300021XX.

Purpose and Use:

Brief description of the purpose of the transaction: To support the export of U.S.-manufactured locomotive kits to Kazakhstan.

Brief non-proprietary description of the anticipated use of the items being exported: To provide freight rail transport within Kazakhstan and between Kazakhstan and other countries.

To the extent that EXIM is reasonably aware, the item(s) being exported are not expected to produce exports or provide services in competition with the exportation of goods or provision of services by a United States industry.

Parties:

Principal Supplier: Wabtec Corporation.

Obligor: KTZ Freight Transportation LLP.

Guarantor(s): National Company Kazakhstan Temir Zholy JSC, Kaztemirtrans JSC, KTZ Passenger Locomotives LLP.

Description of Items Being Exported: Locomotive kits.

Information on Decision: Information on the final decision for this transaction will be available in the “Board Agenda and Meeting Minutes” on <https://www.exim.gov/news/meeting-minutes>.

Confidential Information: Please note that this notice does not include confidential or proprietary business information; information which, if disclosed, would violate the Trade Secrets Act; or information which would jeopardize jobs in the United States by supplying information that competitors could use to compete with companies in the United States.

Authority: Section 3(c)(10) of the Export-Import Bank Act of 1945, as amended (12 U.S.C. 635a(c)(10)).

Deidre Hodge,

Assistant Corporate Secretary.

[FR Doc. 2025–13662 Filed 7–18–25; 8:45 am]

BILLING CODE 6690–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0971; FR ID 304387]

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 September 19, 2025. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to 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: 3060–0971.

Title: Request for Audits and State Commissions’ Access to Numbering Resource Application Information (47 CFR 52.15).

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for profit and State, Local or Tribal government.

Number of Respondents and Responses: 35 respondents; 2,615 responses.

Estimated Time per Response: 0.166 hours–3 hours.

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

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. 151, 153, 154, 201–205, and 251.

Total Annual Burden: 448 hours.

Total Annual Cost: No cost.

Needs and Uses: There are two Paperwork Reduction Act related obligations under this OMB Control Number: 1. The North American Numbering Plan Administrator (NANPA), the Pooling Administrator, or a state commission may draft a request to the auditor stating the reason for the request, such as misleading or inaccurate data, and attach supporting documentation; and 2. Requests for copies of providers' applications for numbering resources may be made directly to providers. The information collected will be used by the FCC, state commissions, the NANPA and the Pooling Administrator to verify the validity and accuracy of such data and to assist state commissions in carrying out their numbering responsibilities, such as area code relief.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2025–13653 Filed 7–18–25; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL DEPOSIT INSURANCE CORPORATION

RIN 3064–ZA48

Request for Information on Industrial Banks and Industrial Loan Companies and Their Parent Companies

AGENCY: Federal Deposit Insurance Corporation.

ACTION: Request for information and comment.

SUMMARY: The Federal Deposit Insurance Corporation (FDIC) is soliciting comments from interested parties on the FDIC's approach to evaluating the statutory factors applicable to certain filings submitted by industrial banks and industrial loan companies.

DATES: Comments must be received on or before September 19, 2025.

ADDRESSES: Interested parties are invited to submit written comments, identified by RIN 3064–ZA48, by any of the following methods:

- *Agency Website:* <https://www.fdic.gov/resources/regulations/>

federal-registerpublications/. Follow the instructions for submitting comments on the agency website.

- *Email:* comments@fdic.gov. Include RIN 3064–ZA48 in the subject line of the message.

- *Mail:* Jennifer Jones, Deputy Executive Secretary, Attention: Comments RIN 3064–ZA48, 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 550 17th Street NW building (located on F Street NW) on business days between 7 a.m. and 5 p.m.

- *Public Inspection:* Comments received, including any personal information provided, may be posted without change to <https://www.fdic.gov/resources/regulations/federal-register-publications/>. Commenters should submit only information that the commenter wishes to make available publicly. The FDIC may review, redact, or refrain from posting all or any portion of any comment that it may deem to be inappropriate for publication, such as irrelevant or obscene material. The FDIC may post only a single representative example of identical or substantially identical comments, and in such cases will generally identify the number of identical or substantially identical comments represented by the posted example. All comments that have been redacted, as well as those that have not been posted, that contain comments on the merits of this document will be retained in the public comment file and will be considered as required under all applicable laws. All comments may be accessible under the Freedom of Information Act.

FOR FURTHER INFORMATION CONTACT:

Catherine Topping, Counsel, (202) 898–3975, ctopping@fdic.gov; Gregory Feder, Counsel, (202) 898–8724, gfeder@fdic.gov; Rachel Harrison, Attorney, (703) 562–6471, racharrison@fdic.gov, Legal Division; Scott Leifer, Senior Review Examiner, (781) 794–5645, sleifer@fdic.gov; Melanie Sheow, Review Examiner, (202) 898–3518, msheow@fdic.gov, Division of Risk Management; Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.

SUPPLEMENTARY INFORMATION:

I. Policy Objectives

Renewed interest in the industrial bank charter has highlighted the need for greater clarity and transparency regarding the FDIC's approach to evaluating the statutory factors

applicable to certain filings¹ submitted by industrial banks and industrial loan companies (together, industrial banks).² Through this request for information and comment (RFI), the FDIC is seeking to review the nature and structure of companies that have applied, or may in the future apply, for an industrial bank charter and Federal deposit insurance, or for FDIC approval or non-objection to enter into other corporate transactions involving industrial banks, and the issues those applications and notices may present. This review will inform potential changes to how the agency evaluates the statutory factors in the context of the unique aspects of industrial bank business plans and the issues presented by the range of companies that may form an industrial bank.

II. Background Information

The FDIC monitors, evaluates, and takes necessary action to ensure the safety and soundness of State nonmember banks,³ including industrial banks. Because industrial banks are excluded from the definition of “bank” for purposes of the BHCA, a company can control an industrial bank without being subject to the BHCA's activities restrictions or Federal Reserve Board (FRB) supervision and regulation. Industrial banks are otherwise generally subject to the same restrictions and requirements, regulatory oversight, and safety and soundness examinations as any other State nonmember bank under Federal law. This regulatory framework includes various laws and regulations that may affect an industrial bank's relationship to, and transactions with, its parent and affiliates, such as restrictions under the Federal Reserve Act governing transactions with affiliates,⁴ anti-tying provisions of the

¹ Part 354 of the FDIC's Rules and Regulations (12 CFR part 354) applies to changes in bank control subject to 12 U.S.C. 1817(j), merger transactions subject to 12 U.S.C. 1828(c), and applications for Federal deposit insurance subject to 12 U.S.C. 1816 where the industrial bank is or would be controlled by a company that is not subject to Federal consolidated supervision.

² Herein, the term “industrial bank” means any insured State-chartered bank that is an industrial bank, industrial loan company, or other similar institution that is excluded from the definition of “bank” in the Bank Holding Company Act (BHCA) pursuant to 12 U.S.C. 1841(c)(2)(H). State laws refer to both industrial loan companies and industrial banks. For purposes of this RFI, the FDIC is treating the two types of institutions as the same. The term industrial bank does not include limited purpose trust companies and credit card banks that also are exempt from the definition of “bank” pursuant to section 1841(c)(2).

³ See, e.g., 12 U.S.C. 1811, 1818, 1821, 1831o–1, 1831p–1.

⁴ See 12 U.S.C. 1828(j)(1)(A); 12 CFR part 223.

BHCA,⁵ and insider lending regulations.⁶

A. The Industrial Bank Charter

Under the Federal Deposit Insurance Act (FDI Act), industrial banks are “State banks,”⁷ and all the existing FDIC-insured industrial banks are “State nonmember banks.”⁸ As a result, the FDIC is the appropriate Federal banking agency for industrial banks.⁹ Each industrial bank is also regulated by its respective State chartering authority.

The Competitive Equality Banking Act of 1987 (CEBA) excluded industrial banks from the definition of “bank” in the BHCA.¹⁰ As a result, a company can control an industrial bank without causing that company to be a bank holding company subject to the BHCA’s activities restrictions or FRB supervision and regulation.

B. 2020–2021 Rulemaking—Part 354

On February 23, 2021, the FDIC published a final rule governing the parent companies of industrial banks, codified at 12 CFR part 354 of the FDIC Rules and Regulations (part 354), which took effect on April 1, 2021.¹¹ Part 354 codified the FDIC’s practice of requiring, in connection with certain filings, certain conditions and written commitments for each deposit insurance application approval, non-objection to a change in control notice, and merger application approval that would result in an industrial bank becoming a subsidiary of a company that is not subject to Federal consolidated supervision. Part 354 also requires that, before any industrial bank may become a subsidiary of a company that is not subject to Federal consolidated supervision, such industrial bank and parent company must enter into one or more written agreements with the FDIC. Additionally, part 354 requires the FDIC’s prior written approval for certain actions proposed by the industrial bank, such as making a material change in its business plan. Part 354 applies to any industrial bank that becomes a subsidiary of a company not subject to Federal consolidated supervision as a result of a change in bank control or

⁵ For purposes of section 106 of the BHCA, an industrial bank is treated as a “bank” and is subject to the anti-tying restrictions therein. See 12 U.S.C. 1843(h)(1).

⁶ See 12 CFR 337.3.

⁷ 12 U.S.C. 1813(a)(2).

⁸ 12 U.S.C. 1813(e)(2). Historically, industrial banks have elected not to become members of the Federal Reserve System.

⁹ 12 U.S.C. 1813(q)(2).

¹⁰ Public Law 100–86, 101 Stat. 552 (Aug. 10, 1987).

¹¹ 86 FR 10703 (Feb. 23, 2021).

merger, or that is granted deposit insurance, on or after April 1, 2021.

C. Industry Profile

Industrial banks have existed since Arthur Morris established the Fidelity Savings and Trust Company of Norfolk, Virginia, in 1910. These State-chartered and -supervised entities operated like finance companies, providing loans to wage earners who could not otherwise obtain credit in an era when commercial banks typically did not offer this type of credit. In the mid-1980s, commercial firms became increasingly interested in chartering industrial banks and other types of institutions that were excluded from the BHCA’s definition of “bank.”¹² When CEBA was enacted in 1987, CEBA generally made all banks that were insured by the FDIC “banks” for the purposes of the BHCA, with certain exceptions, including industrial banks that meet certain statutory requirements.¹³

The industrial bank industry has evolved since the enactment of CEBA. The industry experienced significant asset growth between 1987 and 2006 when total assets held by industrial banks grew from \$4.2 billion to \$213 billion.¹⁴ The Government Accountability Office reported in 2012 that “[t]he ILC industry experienced significant asset growth in the 2000s, and ILCs evolved from small, limited-purpose institutions to a diverse group of insured financial institutions with a variety of business lines.”¹⁵ The ownership structure and business models of industrial banks evolved as industrial banks were acquired or formed by a variety of firms, including, among others, BMW, Target, Pitney Bowes, and Harley Davidson.

For instance, certain companies established industrial banks, in part, to

¹² At that time, the BHCA defined a bank as an entity that both made commercial loans and accepted demand deposits. If an entity performed only one of these tasks, it was not a bank under the BHCA. 12 U.S.C. 1841(c) (1986). Such an entity became known as a “nonbank bank” because it was not a bank for BHCA purposes, yet it was a bank for other purposes, including, for example, deposit insurance. As a result, a company that controlled a nonbank bank was not subject to regulation and supervision as a bank holding company.

¹³ See 12 U.S.C. 1841(c)(2)(H).

¹⁴ Most of the growth during this period is attributable to financial services firms that controlled industrial banks offering sweep deposit programs to provide Federal deposit insurance for customers’ available cash balances and to a large credit card issuer moving its credit card operations from its Delaware-chartered credit card bank to its Utah-chartered industrial bank.

¹⁵ U.S. Government Accountability Office, GAO–12–160, Characteristics and Regulation of Exempt Institutions and the Implications of Removing the Exemptions 13 (Jan. 2012), available at <https://www.gao.gov/products/GAO-12-160>.

support the sale of the manufactured products (e.g., automobiles) or other services, whereas certain retailers established industrial banks to issue general purpose credit cards. Lending programs offered by these companies for their products and services are funded, at least in part, by FDIC-insured deposits, which typically come at a lower cost compared to other forms of funding.

In addition, certain companies also formed or acquired industrial banks to provide access to Federal deposit insurance for brokerage customers’ cash management account balances. The cash balances their customers maintain with a securities affiliate are swept into insured, interest-bearing accounts at the industrial bank subsidiary, thereby providing the brokerage customers with FDIC-insured deposits while that cash is held for future investment.

In 2005, Wal-Mart Bank’s application for Federal deposit insurance drew extensive public attention to the industrial bank charter.¹⁶ In 2006, The Home Depot filed a change in control notice in connection with its proposed acquisition of a Utah chartered industrial bank. Numerous public comments were received with respect to both filings, which were ultimately withdrawn. Thereafter, on July 28, 2006, the FDIC imposed a six-month moratorium on FDIC action with respect to deposit insurance applications and change in control notices involving industrial banks.¹⁷ Also, on August 23, 2006, the FDIC published a notice and request for comment on a wide range of issues concerning industrial banks.¹⁸ The moratorium was effective through January 31, 2007, at which time the FDIC extended the moratorium one additional year for deposit insurance applications and change in control notices for industrial banks that would be owned by commercial companies.¹⁹ The moratorium was not applicable to

¹⁶ See FDIC, Industrial Loan Companies and Industrial Banks Comments, available at <https://fdic.gov/federal-register-publications/industrial-loan-companies-and-industrial-banks-comments>.

¹⁷ See Moratorium on Certain Industrial Loan Company Applications and Notices, 71 FR 43482 (Aug. 1, 2006).

¹⁸ See Industrial Loan Companies and Industrial Banks, 71 FR 49456 (Aug. 23, 2006). The notice included questions concerning the risk profile of the industrial bank industry, safety and soundness issues uniquely associated with ownership of such institutions, the FDIC’s practice with respect to evaluating and making determinations on industrial bank applications and notices, whether a distinction should be made when the industrial bank is owned by an entity that is commercial in nature, and the adequacy of the FDIC’s supervisory approach with respect to industrial banks.

¹⁹ See Moratorium on Certain Industrial Bank Applications and Notices, 72 FR 5290 (Feb. 5, 2007).

industrial banks to be owned by financial companies. In 2010, through passage of the Dodd-Frank Act, Congress imposed a three-year moratorium on the FDIC's approval of deposit insurance applications or non-objection to any change in control for industrial banks that would be owned or controlled by a commercial firm.²⁰ The moratorium expired in July 2013, without any further action by Congress.

Since 2008, there have been three newly established industrial banks. Applications from Nelnet Bank, Draper, Utah, and Square Financial Services, Inc., Salt Lake City, Utah, were approved in March 2020 and the industrial banks became FDIC-insured in November 2020 and March 2021, respectively. Most recently, the FDIC approved an industrial bank deposit insurance application from Thrivent Bank, Salt Lake City, Utah, on June 20, 2024, and the bank commenced operations on June 1, 2025. As part of the approvals, the FDIC required each industrial bank and their parent companies to enter into written agreements with the FDIC that contained provisions consistent with the requirements of part 354.

As of March 31, 2025, there were 23 industrial banks²¹ with \$247.4 billion in aggregate total assets. Of those 23 industrial banks, one institution, UBS Bank USA, representing \$116.3 billion in total assets, is controlled by a bank holding company subject to FRB supervision. Six industrial banks reported total assets of \$10 billion or more; eight industrial banks reported total assets of \$1 billion or more but less than \$10 billion; and the remaining nine reported total assets of less than \$1 billion. The industrial bank sector today includes a diverse group of insured financial institutions operating a variety of business models. A significant number of the existing industrial banks support the commercial or specialty finance operations of their parent company and are funded through sources other than core deposits.

²⁰ Public Law 111–203, title VI, section 603(a), 124 Stat. 1597 (2010). Section 603(a) also imposed a moratorium on FDIC action on deposit insurance applications by credit card banks and trust banks owned or controlled by a commercial firm. The Dodd-Frank Act defined a “commercial firm” for this purpose as a company that derives less than 15 percent of its annual gross revenues from activities that are financial in nature, as defined in section 4(k) of the BHCA (12 U.S.C. 1843(k)), or from ownership or control of depository institutions.

²¹ Of the 23 industrial banks existing as of March 31, 2025, 15 were chartered in Utah, three in Nevada, three in California, one in Hawaii, and one in Minnesota. As noted below, one additional industrial bank opened on June 1, 2025.

D. Supervision Framework

Because industrial banks are insured State nonmember banks, they are subject to the FDIC Rules and Regulations applicable to State nonmember banks, as well as other provisions of law, including restrictions under the Federal Reserve Act governing transactions with affiliates,²² anti-tying provisions of the BHCA,²³ and insider lending regulations.²⁴ Industrial banks are also subject to regular examination, including examinations focused on safety and soundness; anti-money laundering and countering the financing of terrorism compliance; compliance with consumer protection laws and regulations, including those related to fair lending; the Community Reinvestment Act; information technology; and trust services. Pursuant to section 10(b)(4) of the FDI Act, the FDIC has the authority to examine the affairs of any industrial bank affiliate, including the parent company, as may be necessary to determine the relationship between the institution and the affiliate, and the effect of such relationship on the depository institution.²⁵

In addition, under section 38A(b) of the FDI Act,²⁶ the FDIC is required to impose a requirement on companies that directly or indirectly own or control an industrial bank to serve as a source of financial strength for that institution.²⁷ Subsection (d) of section 38A provides explicit statutory authority for the appropriate Federal banking agency to require reports from a controlling company to assess the ability of the company to comply with the source of strength requirement, and to enforce compliance by such company.²⁸

In granting deposit insurance, the FDIC must consider the factors in section 6 of the FDI Act; these factors generally focus on the safety and soundness of the proposed institution and any risk it may pose to the Deposit Insurance Fund (DIF).²⁹ The Change in

²² See 12 U.S.C. 1828(j)(1)(A); 12 CFR part 223.

²³ For purposes of section 106 of the BHCA, an industrial bank is treated as a “bank” and is subject to the anti-tying restrictions therein. See 12 U.S.C. 1843(h)(1).

²⁴ See 12 CFR 337.3.

²⁵ 12 U.S.C. 1820(b)(4).

²⁶ Public Law 111–203, 124 Stat. 1616 (July 21, 2010), codified at 12 U.S.C. 1831o–1(b).

²⁷ 12 U.S.C. 1831o–1(b).

²⁸ 12 U.S.C. 1831o–1(d).

²⁹ Such factors are the financial history and condition of the depository institution, the adequacy of the depository institution's capital structure, the future earnings prospects of the depository institution, the general character and fitness of the management of the depository institution, the risk presented by such depository

Bank Control Act and the Bank Merger Act each have their own factors that the FDIC must consider.³⁰

Part 354 requires capital and liquidity maintenance agreements (CALMAs) and other written agreements between the FDIC, industrial banks, and controlling parties of industrial banks, as well as the imposition of prudential conditions when approving or non-objection to certain filings involving an industrial bank. Many of part 354's provisions reflected the FDIC's prior experience in reviewing industrial bank filings.

As noted above, the universe of industrial banks is relatively small. For the most part, the existing industrial banks (all but three became FDIC-insured between 1984 and 2006) fared similarly to other types of financial institutions during previous banking crises.³¹ Of the 24 industrial banks, six are subject to written agreements (two are subject to capital maintenance agreements, one is subject to only a CALMA, and three are subject to both CALMAs and parent company agreements).³² More recently, a wide

institution to the DIF, the convenience and needs of the community to be served by such depository institution, and whether the depository institution's corporate powers are consistent with the purposes of the FDI Act. See 12 U.S.C. 1816.

³⁰ The Change in Bank Control Act provides that the FDIC may disapprove a proposed acquisition if it would be monopolistic or anti-competitive in such a manner that the public interest or convenience and needs of the community do not outweigh the anti-competitive effect; either the financial condition of any acquiring person or the future prospects of the institution is such as might jeopardize the financial stability of the bank or prejudice the interests of the depositors of the bank; the competence, experience, or integrity of any acquiring person or of any of the proposed management personnel indicates that it would not be in the interest of the depositors of the bank, or in the interest of the public to permit such person to control the bank; any acquiring person neglects, fails, or refuses to furnish the FDIC all the information required by the FDIC; or the FDIC determines that the proposed transaction would result in an adverse effect on the Deposit Insurance Fund. See 12 U.S.C. 1817(j)(7). The Bank Merger Act generally prohibits the approval of monopolistic or otherwise anticompetitive transactions, and requires the responsible agency to consider, the financial and managerial resources and future prospects of the existing and proposed institutions, the convenience and needs of the community to be served, the risk to the stability of the United States banking or financial system, and the money laundering record of insured depository institutions involved in the merger transaction. See 12 U.S.C. 1828(c).

³¹ During the 2008–09 Financial Crisis, several parent companies pursued conversions of an industrial bank to a commercial bank, which required approval of the parent company to become a BHC subject to regulation and supervision by the FRB. The conversions allowed the respective companies to access programs such as the FDIC's Temporary Liquidity Guarantee Program and the Troubled Asset Relief Program administered by the Department of the Treasury.

³² Previously 10 other industrial banks (that have since merged, converted, or voluntarily liquidated)

Continued

variety of firms have expressed interest in establishing industrial banks.

E. Other Considerations

Previously withdrawn applications by proposed industrial banks have, in some instances, presented challenges to the evaluation of the statutory factors. For example, Wal-Mart Bank's application to form an industrial bank led to extensive concerns regarding the potential anti-competitive effects of the proposal and whether it was consistent with the purpose of the industrial bank charter. Increased interest in forming an industrial bank controlled by foreign parents has raised concerns, including those related to cross-jurisdictional challenges, organizational complexities, and data governance and privacy. Commenters have also raised concerns with industrial banks whose business plans are wholly dependent on the operations, products, services and customers of the parent.

The FDIC is actively reviewing many of these issues and proposes to comprehensively review the nature and structure of companies that have applied or may apply for an industrial bank charter and Federal deposit insurance and the issues those applications could present in the context of the FDIC's evaluation of the applicable statutory factors. Public comments will inform the FDIC's policy approach to industrial bank filings.

III. Request for Comment

Specifically, the FDIC is soliciting comments as follows:

A. Information Relevant to Evaluation of Applicable Statutory Factors

Section 6 of the FDI Act requires the FDIC to consider the following statutory factors when reviewing an application for deposit insurance, including from a proposed industrial bank:

- The financial history and condition of the depository institution;
- The adequacy of the depository institution's capital structure;
- The future earnings prospects of the depository institution;

were also subject to CALMAs and/or parent company agreements. The FDIC began imposing additional prudential requirements in Orders granting Federal deposit insurance in March 2004. The FDIC described its imposition of additional prudential requirements in *FDIC: The FDIC's Supervision of Industrial Loan Companies: A Historical Perspective—Summer 2004 Vol. 1, Issue 1*. GAO further described the FDIC's approach in pages 41–44 of its 2005 audit, *Industrial Loan Corporations: Recent Asset Growth and Commercial Interest Highlight Differences in Regulatory Authority*, available at <https://www.gao.gov/products/gao-05-621>.

- The general character and fitness of the management of the depository institution;

- The risk presented by such depository institution to the DIF;
- The convenience and needs of the community to be served by such depository institution; and
- Whether the depository institution's corporate powers are consistent with the purposes of this chapter.

The FDIC also considers filings from companies seeking to acquire an industrial bank through a change in control or merger transaction. The FDIC considers the statutory factors applicable to each filing it receives.³³ For filings subject to FDIC non-objection or approval under the Change in Bank Control Act or the Bank Merger Act, the FDIC is required to consider statutory factors set forth in each of those statutes.³⁴

1. General

1. How should the FDIC apply the statutory factors of the FDI Act to industrial bank applications? In what ways, if any, should the statutory factors be applied differently to industrial bank applicants than to other types of applicants? Which factors in particular and why?

2. How should the FDIC's evaluation of the statutory factors be tailored based on the size, complexity, and nature of the parent and affiliates of a proposed industrial bank?

3. How should the FDIC tailor its analysis if the parent of a proposed industrial bank is (1) a retail company, (2) a company that is financial in nature, (3) a manufacturing or other industrial company, or (4) a technology company?

4. How should the FDIC analyze an application in which an affiliate of a proposed industrial bank already provides the same lending (or other) services the proposed industrial bank would provide to customers of the parent organization?

2. Adequacy of Capital Structure

5. How should the FDIC assess an industrial bank applicant's capital adequacy? How should this assessment compare to other types of depository institutions?

3. Risk to the DIF

6. How should the FDIC assess an industrial bank applicant's risk to the DIF? Do certain industrial bank applicants' proposed business models, including those that involve significant or material reliance on their parent

company—*e.g.*, for the generation of deposit funding or the acquisition of lending assets—present unique risks to the DIF? How does material reliance on a parent company that is generally understood to be financial in nature compare to material reliance on a parent company that is generally understood to be non-financial in nature (including in the non-industrial bank context)? What different considerations, if any, come into play in evaluating these different types of parent companies?

7. How should the size and market share of the parent company and its affiliates and the diversity of products and services they offer relate to the risk presented by the proposed industrial bank? How should the FDIC analyze this in the context of an industrial bank application?

8. Do industrial banks present different types of resolvability concerns depending on the nature of the parent company and its affiliates or the business plan of the industrial bank? To what extent do such concerns vary depending on whether the parent and its affiliates are (1) retail companies (including internet-based); (2) companies that are generally understood to be financial in nature (*e.g.*, insurance companies and credit providers) (3) manufacturing companies (auto, agricultural); (4) companies based/ domiciled in a foreign jurisdiction; or (5) financial or other technology companies? If so, please explain how. How should such concerns factor into the FDIC's analysis of industrial bank applications, particularly with respect to risk to the DIF?

9. To the extent an industrial bank presents a heightened level of risk to the DIF, are there mitigants the FDIC should consider? For example, should the FDIC require the industrial bank and/or corporate parent of such an industrial bank to submit resolution plans,³⁵ impose growth restrictions, or impose activities or other restrictions as a condition of approval? To what extent are these conditions, or others, satisfactory mitigants?

4. Convenience and Needs of the Community

10. How should the FDIC assess the convenience and needs of a community

³⁵ Part 354 includes a provision whereby FDIC may require a Covered Company and industrial bank to commit to provide to the FDIC, and implement and adhere to, a contingency plan that sets forth recovery actions to address significant financial or operational stress that could threaten the safe and sound operation of the industrial bank and strategies for the orderly disposition of such industrial bank without the need for the appointment of a receiver or conservator. 12 CFR 354.4(b).

³³ See notes 29, 30 above.

³⁴ See 12 U.S.C. 1817(j) and 1828(c).

to be served by an industrial bank applicant? How should this assessment compare to other types of depository institutions?

11. If forming an industrial bank would enable the parent company or its affiliates to offer products and services (including the provision of credit) at a reduced cost, should the related consumer benefits be viewed favorably for purposes of the convenience and needs factor?

12. If a proposed industrial bank provides lower-cost credit for purposes of purchasing products that are essential to American households or commercial firms, how should this be considered for purposes of the convenience and needs factor?

5. Whether the Depository Institution's Corporate Powers Are Consistent With the Purposes of This Chapter

13. How should the FDIC assess whether an industrial bank applicant's corporate powers are consistent with the purposes of the FDI Act? Are there certain types of applications that implicate this statutory factor?

6. Other Statutory Factors

14. How should the FDIC assess the other statutory factors under the FDI Act, Change in Bank Control Act, and Bank Merger Act with respect to a filing involving a proposed industrial bank?

B. Characteristics of Industrial Bank Parent Companies

The FDIC is seeking comment on certain characteristics of potential industrial bank parent companies.

1. Foreign-Owned Industrial Banks

15. Do applications relating to industrial banks controlled by foreign parent companies present unique considerations? If so, what are those considerations? Are there different types of foreign parents that present different issues?

16. Are there mitigants the FDIC could consider with respect to foreign-based parent companies? For example, should a foreign parent be required to pre-position resources (e.g., capital, liquidity) in the United States for the benefit of the industrial bank? If so, how could such a pre-positioning requirement be structured? What other measures, if any, should the FDIC consider to address concerns raised by foreign ownership?

2. Size and Market Share

17. How should the FDIC evaluate industrial bank applicants with parents that are dominant in one or more nonfinancial industries? To what extent

should this analysis depend on (a) the size and market share of the parent, (b) the businesses the parent company is engaged in, and (c) the proposed size and proposed business model of the industrial bank?

18. With respect to the proposed business model of an industrial bank applicant with a large parent that dominant in certain markets, how should the FDIC view proposals to establish a full-service bank serving customers nationwide, a "captive" bank serving only customers of the parent company, or other models?

19. Does an industrial bank with a parent of a certain size and/or market share have a greater ability to scale? To what extent should this be viewed positively or negatively? What potential impact would this have on the banking industry and the provision of banking services in the United States? Please explain the characteristics of such companies, and whether and how such considerations should influence the FDIC's analysis of such applications.

20. What tools can the FDIC use to address such concerns, if any? Can/should the FDIC consider imposing size, product, and activity limits on an industrial bank as a condition of the approval or non-objection order? If so, what type of limitations would be appropriate? How should such limitations be structured, implemented, and enforced over the long term?

21. Would a larger, more complex parent with diverse product lines (e.g., retail e-commerce, cloud hosting, AI, etc.) be better able to weather economic downturns and thus be better able to serve as a source of strength to the industrial bank? On the other hand, could a bank in a larger corporate organization be subject to inattention or low prioritization by a parent?

22. How should the FDIC view the potential benefits that may stem from the extension of affordable banking/credit products and services from an industrial bank with a large parent company dominant in certain markets?

23. How should the FDIC view the costs and risks that may stem from an industrial bank with a large parent company dominant in certain markets? What impact would such institutions have on the competitive landscape for banking?

3. Non-Financial Companies

24. What are the potential societal costs and benefits of permitting companies that are generally non-financial in nature to establish an industrial bank? How should such costs and benefits be factored into the FDIC's analysis of the statutory factors? Are

there approaches the FDIC can pursue to mitigate any potential societal costs?

25. What are the advantages and disadvantages of retail companies forming industrial banks?

26. What are the advantages and disadvantages of manufacturing and other industrial companies forming industrial banks?

27. What are the advantages and disadvantages of technology companies forming industrial banks?

28. To the extent nonfinancial companies are already offering financial products and services, how should this impact the FDIC's framework for analyzing industrial bank applicants?

29. If nonfinancial companies begin offering payment stablecoins, how, if at all, should that impact the FDIC's analytical framework?

30. Do nonfinancial companies present particular privacy or data protection issues? When, if at all, would it be appropriate for the FDIC to consider imposing heightened requirements specific to industrial banks and nonfinancial parent companies and affiliates regarding the use of consumer financial data for commercial purposes?

4. Other Considerations

31. Should the FDIC consider factors such as funding sources and degree of leverage for purposes of determining the ability of the parent to serve as a source of strength? For example, are publicly traded and/or less-levered firms better able and more likely to serve as a source of strength to a subsidiary industrial bank in comparison to private and/or more-levered firms? What other aspects of the parent's funding profile should be considered for this purpose, e.g., contingent lines of credit, on-balance sheet liquidity?

32. What conditions should the FDIC consider including in an order of approval or non-objection to ensure the parent company for an industrial bank serves as a source of strength? Should these conditions be tailored to the size and complexity of the parent and the types of products and services it provides and, if so, how? Should certain enhanced conditions apply to parent companies that meet or exceed a certain size or complexity threshold? If so, what should they be and why?

C. Existing Regulatory and Supervisory Framework

As noted above, while industrial bank parents are not necessarily subject to the BHCA and Federal consolidated supervision, industrial banks are otherwise subject to the same restrictions and requirements,

regulatory oversight, and safety and soundness exams as any other kind of insured depository institution.

33. In general, how effective is the regulatory and supervisory framework for industrial banks? To what extent, if at all, should the existing regulatory and supervisory framework inform the FDIC's evaluation of applications?

34. How effective are existing restrictions that apply to industrial banks, such as Sections 23A and 23B of the Federal Reserve Act and Regulation W, and limits on lending to a single counterparty? Are there modifications that can be made to those restrictions—through policymaking or in the form of nonstandard conditions—to better address potential concerns?

D. General Request for Information and Comment

35. The FDIC requests all comments regarding the industrial bank charter and supervision of industrial banks. To the extent possible, provide specific examples, including data, to support or illustrate your comments.

Federal Deposit Insurance Corporation.

By order of the Board of Directors.

Dated at Washington, DC, on July 15, 2025.

Debra A. Decker,

Executive Secretary.

[FR Doc. 2025–13589 Filed 7–18–25; 8:45 am]

BILLING CODE 6714–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

World Trade Center Health Program Scientific/Technical Advisory Committee; Notice of Charter Renewal

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice of charter renewal.

SUMMARY: The Centers for Disease Control and Prevention (CDC), within the Department of Health and Human Services (HHS), announces the renewal of the charter of the World Trade Center (WTC) Health Program Scientific/Technical Advisory Committee (STAC).

FOR FURTHER INFORMATION CONTACT: Tania Carreón-Valencia, Ph.D., M.S., Designated Federal Officer, World Trade Center Health Program Scientific/Technical Advisory Committee, National Institute for Occupational Safety and Health, Centers for Disease Control and Prevention, 1600 Clifton Road NE, Mailstop R-12, Atlanta,

Georgia 30329–4027. Telephone: (513) 841–4515; Email: TCarreonValencia@cdc.gov.

SUPPLEMENTARY INFORMATION: CDC is providing notice under 5 U.S.C. 1001–1014 of the renewal of the charter of the WTC Health Program STAC. The STAC was established by Title I of Public Law 111–347 (the James Zadroga 9/11 Health and Compensation Act of 2010), as amended by Public Laws 114–113, 116–59, and 117–328. This charter has been renewed for a two-year period through May 12, 2027.

The Director, Office of Strategic Business Initiatives, Office of the Chief Operating Officer, Centers for Disease Control and Prevention, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry.

Kalwant Smagh,

Director, Office Strategic Business Initiatives, Office of the Chief Operating Officer, Centers for Disease Control and Prevention.

[FR Doc. 2025–13586 Filed 7–18–25; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS–10539]

Agency Information Collection Activities: Submission for OMB Review; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. Under the Paperwork Reduction Act of 1995 (PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, and to allow a second opportunity for public comment on the notice. Interested persons are invited to send comments regarding the burden estimate or any other aspect of this collection of information, including the necessity and utility of the proposed information

collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance the quality, utility, and clarity of the information to be collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments on the collection(s) of information must be received by the OMB desk officer by August 20, 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.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, please access the CMS PRA website by copying and pasting the following web address into your web browser: <https://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing>.

FOR FURTHER INFORMATION CONTACT: William Parham at (410) 786–4669.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. The term “collection of information” is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires federal agencies to publish a 30-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice that summarizes the following proposed collection(s) of information for public comment:

1. *Type of Information Collection Request:* Reinstatement with change of a previously approved collection; *Title of Information Collection:* Medicare and Medicaid Programs: Home Health Facilities (HHAs) and Supporting Regulations; *Use:* Home health services

are covered for the elderly and disabled under the Hospital Insurance (Part A) and Supplemental Medical Insurance (Part B) benefits of the Medicare program and are described in section 1861(m) of the Social Security Act (the Act) (42 U.S.C. 1395x). These services must be furnished by, or under arrangement with, an HHA that participates in the Medicare program, and be provided on a visiting basis in the beneficiary's home. They may include the following:

- Part-time or intermittent skilled nursing care furnished by or under the supervision of a registered nurse.
- Physical therapy, speech-language pathology, or occupational therapy.
- Medical social services under the direction of a physician.
- Part-time or intermittent home health aide services.
- Medical supplies (other than drugs and biologicals) and durable medical equipment.
- Services of interns and residents if the HHA is owned by or affiliated with a hospital that has an approved medical education program.
- Services at hospitals, Skilled Nursing Facilities (SNFs), or rehabilitation centers when they involve equipment too cumbersome to bring to the home.

Under the authority of sections 1861(o), 1871 and 1891 of the Act, the Secretary has established in regulations the requirements that an HHA must meet to participate in the Medicare program. These requirements are set forth in 42 CFR part 484 as Conditions of Participation for Home Health Agencies. The CoPs apply to an HHA as an entity as well as the services furnished to each individual under the care of the HHA, unless a condition is specifically limited to Medicare beneficiaries. Under section 1891(b) of the Act, the Secretary is responsible for assuring that the CoPs, and their enforcement, are adequate to protect the health and safety of individuals under the care of an HHA and to promote the effective and efficient use of Medicare funds. To implement this requirement, State survey agencies generally conduct surveys of HHAs to determine whether they are complying with the CoPs. *Form Number:* CMS-10539 (OMB Control Number: 0938-1299); *Frequency:* Annually; *Affected Public:* Private Sector (Business or other for-profit, and not-for-profit institutions); *Number of Respondents:* 20,765; *Number of Responses:* 12,300,588 *Total Annual Hours:* 870,000. (For policy questions regarding this collection contact Claudia

Molinar at claudia.molinar@cms.hhs.gov.)

William N. Parham, III,

Director, Division of Information Collections and Regulatory Impacts, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2025-13673 Filed 7-18-25; 8:45 am]

BILLING CODE 4120-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifiers: CMS-10464]

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. Under the Paperwork Reduction Act of 1995 (PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information (including each proposed extension or reinstatement of an existing collection of information) and to allow 60 days for public comment on the proposed action. Interested persons are invited to send comments regarding our burden estimates or any other aspect of this collection of information, including the necessity and utility of the proposed information collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance the quality, utility, and clarity of the information to be collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments must be received by September 19, 2025.

ADDRESSES: When commenting, please reference the document identifier or OMB control number. To be assured consideration, comments and recommendations must be submitted in any one of the following ways:

1. Electronically. You may send your comments electronically to <http://www.regulations.gov>. Follow the instructions for "Comment or Submission" or "More Search Options" to find the information collection

document(s) that are accepting comments.

2. By *regular mail*. You may mail written comments to the following address: CMS, Office of Strategic Operations and Regulatory Affairs, Division of Regulations Development, Attention: Document Identifier/OMB Control Number: _____, Room C4-26-05, 7500 Security Boulevard, Baltimore, Maryland 21244-1850.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, please access the CMS PRA website by copying and pasting the following web address into your web browser: <https://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing>.

FOR FURTHER INFORMATION CONTACT: William N. Parham at (410) 786-4669.

SUPPLEMENTARY INFORMATION:

Contents

This notice sets out a summary of the use and burden associated with the following information collections. More detailed information can be found in each collection's supporting statement and associated materials (see **ADDRESSES**).

CMS-10464 Agent/Broker Data Collection in Federally-Facilitated Health Insurance Exchanges

Under the PRA (44 U.S.C. 3501-3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. The term "collection of information" is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA requires federal agencies to publish a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice.

Information Collections

1. *Type of Information Collection Request:* Extension of a currently approved collection; *Title of Information Collection:* Agent/Broker Data Collection in Federally-Facilitated Health Insurance Exchanges; *Use:* The Patient Protection and Affordable Care Act, Public Law 111-148, enacted on

March 23, 2010, and the Health Care and Education Reconciliation Act, Public Law 111–152, enacted on March 30, 2010 (collectively, “Affordable Care Act”), expands access to health insurance for individuals and employees of small businesses through the establishment of new Affordable Insurance Exchanges (Exchanges), also called Marketplaces, including the Small Business Health Options Program (SHOP).

Section 1312(e) of the Affordable Care Act and 45 CFR 155.220(a)(1) expands the role of agents/brokers by permitting them to enroll qualified individuals or small employers/employees in qualified health plans (QHPs) through the Exchanges and assist individuals in applying for Advance Premium Tax Credits (APTCs) and Cost Sharing Reductions (CSRs). To participate as facilitators to enrollment, agents/brokers must register with the FFE, complete a training course covering eligibility and enrollment criteria for assisting in QHP enrollment, and sign agreements that formalize their understanding and commitment to adhere to the rules of the program. This requirement is specific to the FFE and does not automatically apply to State-based Exchanges (SBEs). *Form Number:* CMS–10464 (OMB control number: 0938–1204); *Frequency:* Annually; *Affected Public:* Private Sector—Business or other for-profits; *Number of Respondents:* 100,000; *Number of Responses:* 100,000; *Total Annual Hours:* 12,000. (For questions regarding this collection, contact Madeline Pellish at 301–492–4390).

William N. Parham, III,

Director, Division of Information Collections and Regulatory Impacts, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2025–13676 Filed 7–18–25; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2018–D–1922]

Formal Meetings Between the Food and Drug Administration and Sponsors or Applicants of Biosimilar User Fee Act Products; Guidance for Industry; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the availability of a final

guidance for industry entitled “Formal Meetings Between the FDA and Sponsors or Applicants of BsUFA Products.” This guidance provides recommendations to industry on formal meetings between FDA and sponsors or applicants relating to the development and review of proposed biosimilar, including interchangeable biosimilar, products regulated by the Center for Drug Evaluation and Research (CDER) or the Center for Biologics Evaluation and Research (CBER). This guidance finalizes the draft guidance of the same title issued on August 11, 2023.

DATES: The announcement of the guidance is published in the **Federal Register** on July 21, 2025.

ADDRESSES: You may submit either electronic or written comments on Agency guidances at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to <https://www.regulations.gov> will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else’s Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on <https://www.regulations.gov>.

- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see “Written/Paper Submissions” and “Instructions”).

Written/Paper Submissions

Submit written/paper submissions as follows:

- *Mail/Hand Delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and

identified, as confidential, if submitted as detailed in “Instructions.”

Instructions: All submissions received must include the Docket No. FDA–2018–D–1922 for “Formal Meetings Between the Food and Drug Administration and Sponsors or Applicants of Biosimilar User Fee Act Products.” Received comments will be placed in the docket and, except for those submitted as “Confidential Submissions,” publicly viewable at <https://www.regulations.gov> or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240–402–7500.

- **Confidential Submissions—**To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states “THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.” The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on <https://www.regulations.gov>. Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as “confidential.” Any information marked as “confidential” will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA’s posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: <https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf>.

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to <https://www.regulations.gov> and insert the docket number, found in brackets in the heading of this document, into the “Search” box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240–402–7500. You may submit comments on any guidance at any time (see 21 CFR 10.115(g)(5)).

Submit written requests for single copies of this guidance to the Division of Drug Information, Center for Drug

Evaluation and Research, Food and Drug Administration, 10001 New Hampshire Ave., Hillandale Building, 4th Floor, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your requests. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the guidance document.

FOR FURTHER INFORMATION CONTACT:

Mustafa Ünlü, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 22, Rm. 1139, Silver Spring, MD 20993, 301–796–3396; or Phillip Kurs, Center for Biologics Evaluation and Research, Food and Drug Administration, 240–402–7911.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a final guidance for industry entitled “Formal Meetings Between the FDA and Sponsors or Applicants of BsUFA Products.” This guidance provides recommendations to industry on formal meetings between FDA and sponsors or applicants relating to the development and review of proposed biosimilar, including interchangeable biosimilar, products regulated by CDER or CBER. This guidance does not apply to meetings associated with the development of products intended for submission in, or review of, new drug applications or abbreviated new drug applications under section 505 of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 355), biologics license applications under section 351(a) of the Public Health Service Act (PHS Act) (42 U.S.C. 262(a)), or submissions for devices under the FD&C Act. For the purposes of this guidance, a formal meeting includes any meeting that is requested by a sponsor or applicant following the procedures provided in this guidance and includes meetings conducted in any format (*i.e.*, in-person, virtual (video conference), teleconference, or written response only). This guidance discusses the principles of good meeting management practices and describes standardized procedures for requesting, preparing, scheduling, conducting, and documenting such formal meetings.

This guidance finalizes the draft guidance entitled “Formal Meetings Between the FDA and Sponsors or Applicants of BsUFA Products” issued on August 11, 2023 (88 FR 54622). FDA considered comments received on the draft guidance as the guidance was finalized. Changes from the draft to the final guidance include clarification that

requesting a Biosimilar Initial Advisory meeting is not a requirement prior to joining the Biosimilar Biological Product Development program, additional description of in-person meetings and core attendees, and a description regarding the maximum number of questions that should be submitted within a single meeting request. In addition, editorial changes were made to improve clarity.

This guidance is being issued consistent with FDA’s good guidance practices regulation (21 CFR 10.115). The guidance represents the current thinking of FDA on “Formal Meetings Between the FDA and Sponsors or Applicants of BsUFA Products.” It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations.

II. Paperwork Reduction Act of 1995

While this guidance contains no collection of information, it does refer to previously approved FDA collections of information. The previously approved collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3521). The collections of information in 21 CFR part 312 related to the submission of an investigational new drug application have been approved under OMB control number 0910–0014. The collections of information in section 351(k) of the PHS Act and 21 CFR part 601 relating to the submission of biosimilar applications and biosimilar user fee applications have been approved under OMB control number 0910–0718.

III. Electronic Access

Persons with access to the internet may obtain the guidance at <https://www.fda.gov/drugs/guidance-compliance-regulatory-information/guidances-drugs>, <https://www.fda.gov/vaccines-blood-biologics/guidance-compliance-regulatory-information-biologics/biologics-guidances>, <https://www.fda.gov/regulatory-information/search-fda-guidance-documents>, or <https://www.regulations.gov>.

Dated: July 16, 2025.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–13682 Filed 7–18–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2025–D–1797]

E21 Inclusion of Pregnant and Breastfeeding Women in Clinical Trials; International Council for Harmonisation; Draft Guidance for Industry; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the availability of a draft guidance for industry entitled “E21 Inclusion of Pregnant and Breastfeeding Women in Clinical Trials.” The draft guidance was prepared under the auspices of the International Council for Harmonisation of Technical Requirements for Pharmaceuticals for Human Use (ICH). The draft guidance is intended to provide general principles on the conduct of clinical trials that include pregnant and breastfeeding women to inform evidence-based decisions on safe and effective use of medicinal products by these populations. The draft guidance includes approaches to generating data that support informed decision-making on the safety, dosing, and efficacy of medicinal products during pregnancy and breastfeeding. Additionally, the draft guidance includes recommendations for recruiting and retaining pregnant and breastfeeding women in clinical trials, while reducing burden and harm on these participants.

DATES: Submit either electronic or written comments on the draft guidance by September 19, 2025 to ensure that the Agency considers your comment on this draft guidance before it begins work on the final version of the guidance.

ADDRESSES: You may submit comments on any guidance at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to <https://www.regulations.gov> will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or

anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on <https://www.regulations.gov>.

- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see "Written/Paper Submissions" and "Instructions").

Written/Paper Submissions

Submit written/paper submissions as follows:

- *Mail/Hand Delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA-305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in "Instructions."

Instructions: All submissions received must include the Docket No. FDA-2025-D-1797 for "E21 Inclusion of Pregnant and Breastfeeding Women in Clinical Trials." Received comments will be placed in the docket and, except for those submitted as "Confidential Submissions," publicly viewable at <https://www.regulations.gov> or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240-402-7500.

- **Confidential Submissions**—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states "THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION." The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on <https://www.regulations.gov>. Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as

"confidential." Any information marked as "confidential" will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: <https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf>.

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to <https://www.regulations.gov> and insert the docket number, found in brackets in the heading of this document, into the "Search" box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240-402-7500.

You may submit comments on any guidance at any time (see 21 CFR 10.115(g)(5)).

Submit written requests for single copies of the draft guidance to the Division of Drug Information, Center for Drug Evaluation and Research, Food and Drug Administration, 10001 New Hampshire Ave., Hillandale Building, 4th Floor, Silver Spring, MD 20993-0002, or the Office of Communication, Outreach and Development, Center for Biologics Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 3128, Silver Spring, MD 20993-0002. Send one self-addressed adhesive label to assist that office in processing your requests. The guidance may also be obtained by mail by calling Center for Biologics Evaluation and Research at 1-800-835-4709 or 240-402-8010. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the draft guidance document.

FOR FURTHER INFORMATION CONTACT:

Regarding the guidance: Leyla Sahin, Center for Drug Evaluation and Research, Food and Drug Administration, Leyla.Sahin@fda.hhs.gov; or Phillip Kurs, Center for Biologics Evaluation and Research, Food and Drug Administration, 240-402-7911; or Office of Women's Health, 10903 New Hampshire Ave., Bldg. 32, Rm. 2333, Silver Spring, MD 20993-0002, 301-796-9440.

Regarding the ICH: Brooke Dal Santo, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6304, Silver Spring, MD 20993-0002, 301-348-1967, Brooke.DalSanto@fda.hhs.gov.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a draft guidance for industry entitled "E21 Inclusion of Pregnant and Breastfeeding Women in Clinical Trials." The draft guidance was prepared under the auspices of ICH. ICH seeks to achieve greater regulatory harmonization worldwide to ensure that safe, effective, high-quality medicines are developed, registered, and maintained in the most resource-efficient manner.

By harmonizing the regulatory requirements in regions around the world, ICH guidelines enhance global drug development, improve manufacturing standards, and increase the availability of medications. For example, ICH guidelines have substantially reduced duplicative clinical studies, prevented unnecessary animal studies, standardized the reporting of important safety information, and standardized marketing application submissions.

The six Founding Members of the ICH are the FDA; the Pharmaceutical Research and Manufacturers of America; the European Commission; the European Federation of Pharmaceutical Industries Associations; the Japanese Ministry of Health, Labour, and Welfare; and the Japanese Pharmaceutical Manufacturers Association. The Standing Members of the ICH Association include Health Canada and Swissmedic. ICH membership continues to expand to include other regulatory authorities and industry associations from around the world (refer to <https://www.ich.org/>).

ICH works by engaging global regulatory and industry experts in a detailed, science-based, and consensus-driven process that results in the development of ICH guidelines. The regulators around the world are committed to consistently adopting these consensus-based guidelines, realizing the benefits for patients and for industry.

As a Founding Regulatory Member of ICH, FDA plays a major role in the development of each of the ICH guidelines, which FDA then adopts and issues as guidance for industry. FDA's guidance documents do not establish legally enforceable responsibilities. Instead, they describe the Agency's current thinking on a topic and should be viewed only as recommendations, unless specific regulatory or statutory requirements are cited.

The recommendations found in this draft guidance are the product of the Efficacy Working Group of the ICH. Comments about this draft will be

considered by FDA and the Efficacy Expert Working Group.

The draft guidance outlines strategies and considerations for developing and implementing clinical studies that include pregnant or breastfeeding women. This draft guidance includes approaches to plan, collect data, evaluate outcomes, and monitor safety of pregnant and breastfeeding women participating in clinical trials safely and ethically. Additionally, the draft guidance includes recommendations for recruiting and retaining pregnant and breastfeeding women in clinical trials. The draft guidance also emphasizes reduction of burden on pregnant and breastfeeding women participating in these trials.

This draft guidance has been left in the original ICH format. The final guidance will be reformatted and edited to conform with FDA's good guidance practices regulation (21 CFR 10.115) and style before publication. The draft guidance, when finalized, will represent the current thinking of FDA on "E21 Inclusion of Pregnant and Breastfeeding Women in Clinical Trials." It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations.

As we develop final guidance on this topic, FDA will consider comments on costs or cost savings the guidance may generate, relevant for Executive Order 14192.

II. Paperwork Reduction Act of 1995

While this guidance contains no collection of information, it does refer to previously approved FDA collections of information. The previously approved collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3521). The collections of information in 21 CFR part 11 relating to electronic records and signatures have been approved under OMB control number 0910–0303. The collections of information in 21 CFR parts 50 and 56 relating to the protection of human subjects, informed consent, and institutional review boards have been approved under OMB control number 0910–0130. The collections of information in 21 CFR part 58 relating to good laboratory practice for nonclinical laboratory studies have been approved under OMB control number 0910–0119. The collections of information in 21 CFR 201.56 and 201.57 relating to the content and format requirements of labeling for prescription drug products have been

approved under OMB control number 0910–0572. The collections of information in 21 CFR 310.305 and 314.80 relating to submission of adverse drug experience reports have been approved under OMB control number 0910–0230. The collections of information in 21 CFR part 312 relating to the investigational new drug application pathway, which includes clinical trials, clinical trial design, benefit-risk planning, and submission of IND safety reports and reports of serious and unexpected adverse events have been approved under OMB control number 0910–0014. The collections of information in 21 CFR part 314 relating to the content and format of investigational new drugs applications, regulatory requirements relating to postmarketing study commitments, and risk evaluation and mitigation strategies relating to benefit-risk assessments, have been approved under OMB control number 0910–0001.

III. Electronic Access

Persons with access to the internet may obtain the draft guidance at <https://www.regulations.gov>, <https://www.fda.gov/drugs/guidance-compliance-regulatory-information/guidances-drugs>, <https://www.fda.gov/vaccines-blood-biologics/guidance-compliance-regulatory-information-biologics/biologics-guidances>, or <https://www.fda.gov/regulatory-information/search-fda-guidance-documents>.

Dated: July 15, 2025

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–13680 Filed 7–18–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Deafness and Other Communication Disorders; Notice of Meeting

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

The meeting will be open to the public as indicated below, with attendance limited to space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the Contact Person listed below

in advance of the meeting. The meeting can be accessed from the NIH Videocast at the following link: <https://videocast.nih.gov/>.

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

Name of Committee: National Deafness and Other Communication Disorders Advisory Council.

Date: September 4–5, 2025.

Open: September 04, 2025, 1:00 p.m. to 5:00 p.m.

Agenda: staff reports on divisional, programmatic, and special activities.

Address: National Institutes of Health, Neuroscience Center, Rooms 1135/45/55, 6001 Executive Boulevard, Rockville, MD 20852, In Person and Virtual Meeting.

Closed: September 05, 2025, 9:00 a.m. to 9:40 a.m.

Agenda: To review and evaluate BSC Report.

Address: National Institutes of Health, Neuroscience Center, Rooms 1135/45/55, 6001 Executive Boulevard, Rockville, MD 20852, In Person and Virtual Meeting.

Closed: September 05, 2025, 10:00 a.m. to 1:05 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Neuroscience Center, Rooms 1135/45/55, 6001 Executive Boulevard, Rockville, MD 20852, In Person and Virtual Meeting.

Contact Person: Rebecca Wagenaar-Miller, Ph.D., Director, Division of Extramural Activities, NIDCD/NIH, 6001 Executive Boulevard, Bethesda, MD 20892, (301) 496–8693, rebecca.wagenaar-miller@nih.gov

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

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

(Catalogue of Federal Domestic Assistance Program Nos. 93.173, Biological Research Related to Deafness and Communicative Disorders, National Institutes of Health, HHS)

Dated: July 17, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–13669 Filed 7–18–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

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

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

Name of Committee: Center for Scientific Review Special Emphasis Panel; Career Development Review in Alzheimer's Disease and Related Dementias.

Date: August 19, 2025.

Time: 9:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Kristin L McNally, Ph.D., Scientific Review Officer, Scientific Review Program, Immunology Review Branch, National Institutes of Health, Hamilton, MT 59840, mcnallyk@niaid.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Collaborative Applications: Review of Complex Integrated Multi-Component Projects in Aging Research.

Date: August 20–21, 2025.

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

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Bo-Shiun Chen, Ph.D., Scientific Review Officer, Scientific Review Branch, NINDS/NIH NCS, 6001 Executive Blvd., Suite 3208, NCS 9529, Bethesda, MD 20892, (301) 496–9223, bo-shiun.chen@nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844,

93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: July 16, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–13584 Filed 7–18–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Amended Notice of Meeting

Notice is hereby given of a change in the meeting of the Center for Scientific Review Special Emphasis Panel, Cellular and Molecular Aspects of the Blood-Brain Barrier and Neurovascular System and Therapeutic Strategies, August 07, 2025, 09:00 a.m. to August 07, 2025, 05:30 p.m., National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD, 20892 which was published in the **Federal Register** on July 02, 2025, 90 FR 29030, Doc.2025–12382

This meeting is being amended to change the contact person from Eric Tucker to Jacek Topczewski, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, Bethesda, MD 20892, topczewskij2@csr.nih.gov. The meeting is closed to the public.

Dated: July 16, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–13585 Filed 7–18–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2025–0097]

Notification of the Removal of Conditions of Entry on Vessels Arriving From the Republic of Djibouti

AGENCY: Coast Guard, DHS.

ACTION: Notice.

SUMMARY: The Coast Guard announces that it is removing the conditions of entry on vessels arriving from the Republic of Djibouti.

DATES: The policy announced in this notice is effective on July 21, 2025.

FOR FURTHER INFORMATION CONTACT: For information about this document call or

email J.J. Hudson, Chief, Office of International and Domestic Port Security, United States Coast Guard, telephone 571–607–6445, Juliet.J.Hudson@uscg.mil.

SUPPLEMENTARY INFORMATION:

Background and Purpose

The authority for this notice is 5 U.S.C. 552(a) (“Administrative Procedure Act”), 46 U.S.C. 70110 (“Maritime Transportation Security Act”), and Department of Homeland Security Delegation No. 0170.1(II)(97.f). As delegated, section 70110(a) authorizes the Coast Guard to impose conditions of entry on vessels arriving in U.S. waters from ports that the Coast Guard has not found to maintain effective anti-terrorism measures.

In 2019, the Coast Guard determined that effective anti-terrorism measures were not in place in the ports of Djibouti. Accordingly, conditions of entry were imposed on vessels arriving from Djibouti. Based on recent assessments, the Coast Guard has determined that Djibouti is maintaining effective anti-terrorism measures, and is, accordingly, removing the conditions of entry announced in previously published Notices. With this notice, the current list of countries assessed and not maintaining effective anti-terrorism measures is as follows: *Cambodia, Cameroon, Comoros, Cuba, Equatorial Guinea, Federated States of Micronesia, The Gambia, Guinea-Bissau, Iran, Iraq, Libya, Madagascar, Nauru, Nigeria, Sao Tome and Principe, Seychelles, Sudan, Syria, Timor-Leste, Venezuela, Yemen*. The current Port Security Advisory is available at: <http://www.dco.uscg.mil/Our-Organization/Assistant-Commandant-for-Prevention-Policy-CG-5P/International-Domestic-Port-Assessment/>.

Thomas G. Allan Jr.,

Vice Admiral, USCG, Acting Deputy Commandant for Operations.

[FR Doc. 2025–13656 Filed 7–18–25; 8:45 am]

BILLING CODE P

DEPARTMENT OF HOMELAND SECURITY

[Docket No. ICEB–2023–0014]

Privacy Act of 1974; System of Records

AGENCY: U.S. Immigration and Customs Enforcement, Department of Homeland Security.

ACTION: Notice of a Modified System of Records.

SUMMARY: In accordance with the Privacy Act of 1974, the Department of Homeland Security (DHS) proposes to modify and reissue a DHS system of records titled, “DHS/U.S. Immigration and Customs Enforcement (ICE)–006 ICE Intelligence Records Systems (IIRS).” The IIRS system of records incorporates ICE systems that contain raw intelligence and intelligence products collected to support its law enforcement intelligence, counterterrorism, and homeland security mission. DHS/ICE is modifying this system of records notice (SORN) to: document the decommissioning of two technology systems and reflect the information collected and maintained by DHS/ICE program offices in accordance with their respective missions; update and clarify the categories of individuals; update the categories of records; and update routine uses. Additionally, this notice includes non-substantive changes to simplify the formatting and text of the previously published notice. This modified system will be included in DHS’s inventory of record systems.

DATES: Submit comments on or before August 20, 2025. This modified system will be effective upon publication. New or modified routine uses will be effective August 20, 2025.

ADDRESSES: You may submit comments, identified by docket number ICEB–2023–0014 by one of the following methods:

- *Federal e-Rulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Fax:* (202) 343–4010.
- *Mail:* Roman Jankowski, Chief Privacy Officer, Privacy Office, Department of Homeland Security, Washington, DC 20528–0655.

Instructions: All submissions received must include the agency name and docket number ICEB–2023–0014. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

Docket: For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: For general questions, please contact: ICEPrivacy@dhs.gov, U.S. Immigration and Customs Enforcement, 500 12th Street SW, Washington, DC 20356. For privacy questions, please contact: Roman Jankowski, Privacy@hq.dhs.gov, Chief Privacy Officer, Privacy Office, U.S. Department of Homeland Security, Washington, DC 20528–0655.

SUPPLEMENTARY INFORMATION:

I. Background

In accordance with the Privacy Act of 1974, 5 U.S.C. 552a, the Department of Homeland Security (DHS)/U.S. Immigration and Customs Enforcement (ICE) proposes to modify and reissue a current DHS system of records titled, “DHS/ICE–006 ICE Intelligence Records Systems (IIRS) System of Records.” IIRS contains information collected to support DHS/ICE’s law enforcement intelligence, counterterrorism, and homeland security mission. This information includes raw intelligence collected by DHS/ICE’s Homeland Security Investigations (HSI) Office of Intelligence (INTEL), public source information, and information initially collected by ICE pursuant to its immigration and enforcement authorities, which is then analyzed and incorporated into law enforcement intelligence products.

ICE systems whose records are covered by IIRS allow ICE to manage intelligence requirements and leverage intelligence capabilities and to conduct sophisticated and complex analysis of criminals and their networks in support of HSI investigations and investigative priorities, classified communications program, and emergency management and continuity functions. Furthermore, the systems allow ICE to produce timely, comprehensive, and accurate analysis that enables criminal investigators to identify, prioritize, disrupt, and dismantle transnational terrorist and criminal networks and identify any other individual or organization that threatens national security or seeks to exploit the customs and immigration laws of the United States.

As part of the intelligence process, ICE investigators and analysts must review large amounts of data to identify and understand relationships between individuals, entities, threats, and events to generate law enforcement intelligence products that provide ICE operational units with actionable information for law enforcement, intelligence, and other homeland security purposes. To automate and expedite this process, ICE uses several information technology systems, tools, and applications to allow for the efficient research and analysis of data from a variety of sources.

DHS/ICE is updating this system of records notice to document the decommissioning of two ICE technology systems, (1) ICE Gangs and (2) the Intelligence Fusion System (IFS). Both have been decommissioned in an effort to consolidate the various analytical interface applications within ICE. DHS/ICE is also updating the IIRS System of

Records Notice to clarify the categories of individuals covered under this system of records to include informants associated with immigration investigations, law enforcement investigations, and other activities conducted by ICE and individuals who have made credible threats against ICE personnel or facilities; and updating the categories of records collected to include social media and location-related data.

Finally, ICE/DHS is updating, adding to, and consolidating the following routine uses within the IIRS System of Records Notice:

- Routine Uses A through I are being updated to be consistent with DHS standard routine uses and all other routine uses have been re-lettered accordingly.

- Routine Use B has been moved to Routine Use J.

- Routine Use E has been modified and Routine Use F has been added to conform to Office of Management and Budget (OMB) Memorandum M–17–12 “Preparing for and Responding to a Breach of Personally Identifiable Information,” (Jan. 3, 2017).

- Routine Use G is being added as a DHS standard routine use that covers law enforcement referrals. This routine use requires that a record, either on its face or in conjunction with other information, indicates a violation or potential violation of the law.

- Routine Use M and N have been consolidated and re-lettered to Routine Use P.

- Routine Use U is being updated to be consistent with the DHS standard routine use for technology and is now Routine Use W. This modification eliminates the need for one routine use previously identified as Routine Use V. That routine use has been removed.

- Routine Use Y has been added to permit the sharing of information related to actual or prospective claims filed against DHS.

Non-substantive language changes have been made to additional routine uses to clarify disclosure policies that are standard across DHS and to align with previously published DHS system of records notices.

Consistent with the DHS information sharing mission, information maintained in the DHS/ICE–006 IIRS System of Records may be shared with other DHS components that have a need to know the information to carry out their national security, law enforcement, immigration, intelligence, or other homeland security functions. In addition, ICE may share information with appropriate federal, state, local,

tribal, territorial, foreign, or international government agencies consistent with the routine uses set forth in this system of records notice.

Additionally, DHS is issuing a Notice of Proposed Rulemaking to exempt this system of records from certain provisions of the Privacy Act elsewhere in the **Federal Register**. This modified system will be included in DHS's inventory of record systems.

II. Privacy Act

The fair information practice principles found in the Privacy Act underpin the statutory framework governing the means by which Federal Government agencies collect, maintain, use, and disseminate personally identifiable information. The Privacy Act applies to information that is maintained in a "system of records." A "system of records" is a group of any records under the control of an agency from which information is retrieved by the name of an individual or by some identifying number, symbol, or other identifying particular assigned to the individual. In the Privacy Act, an individual is defined to encompass U.S. citizens and lawful permanent residents.

Additionally, the Judicial Redress Act (JRA) provides covered persons with a statutory right to make requests for access and amendment to covered records, as defined by the Judicial Redress Act, along with judicial review for denials of such requests. In addition, the Judicial Redress Act prohibits disclosures of covered records, except as otherwise permitted by the Privacy Act. Under the Judicial Redress Act, a "covered person" means a natural person (other than an "individual" as defined under the Privacy Act) who is a citizen of a covered country.

Below is the description of the DHS/ICE-006 Intelligence Records System of Records.

In accordance with 5 U.S.C. 552a(r), DHS has provided a report of this system of records to the Office of Management and Budget and to Congress.

SYSTEM NAME AND NUMBER:

Department of Homeland Security (DHS)/U.S. Immigration and Customs Enforcement (ICE)—006 ICE Intelligence Records System (IRS).

SECURITY CLASSIFICATION:

Sensitive But Unclassified, Classified.

SYSTEM LOCATION:

Records are maintained at ICE Headquarters in Washington, DC, ICE field offices, or designated cloud computing environments.

SYSTEM MANAGER(S):

Deputy Assistant Director, Homeland Security Investigations Cyber and Operational Technology Division, 202–732–5200, 500 12th Street SW, Washington, DC 20536.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

8 U.S.C. secs. 1103, 1105, 1225(d)(3), 1324(b)(3), 1357(a), and 1360(b); 19 U.S.C. secs. 1 and 1509.

PURPOSE(S) OF THE SYSTEM:

The purpose of this system is:

(a) To support ICE's collection, analysis, reporting, and distribution of criminal and civil law enforcement, immigration administration, terrorism, intelligence, and homeland security information in support of ICE's law enforcement and immigration administration mission;

(b) To produce criminal and civil law enforcement analysis and intelligence reporting that provides actionable information to ICE's law enforcement and immigration administration personnel and to other appropriate government agencies;

(c) To enhance the efficiency and effectiveness of the research and analysis process for DHS law enforcement, immigration, and intelligence personnel through information technology tools that provide for advanced search and analysis of various datasets, including commercial data and open sources;

(d) To facilitate multi-jurisdictional informational exchange between ICE and other law enforcement agencies regarding known and suspected members of transnational organized crime and associates; and

(e) To identify potential criminal activity, immigration violations; threats to homeland security, ICE personnel, and ICE facilities; to uphold and enforce the law; and to ensure public safety.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Categories of individuals covered by this system include the following:

(1) Individuals (e.g., subjects, victims, witnesses, associates, informants) associated with current or previous immigration and law enforcement investigations and other activities conducted by ICE;

(2) Individuals associated with law enforcement investigations or activities conducted by other federal, state, tribal, territorial, local, or foreign agencies where there is a potential nexus to ICE's law enforcement and immigration enforcement responsibilities or homeland security in general;

(3) Individuals known or appropriately suspected to be or have

been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism;

(4) Individuals involved in, associated with, or who have reported suspicious activities, threats, or other incidents reported by domestic and foreign government agencies, multinational or non-governmental organizations, critical infrastructure owners and operators, private sector entities and organizations, and individuals;

(5) Individuals who are the subjects of, or otherwise identified in, classified or unclassified intelligence reporting received or reviewed by ICE;

(6) Individuals who are known or suspected gang members or associates;

(7) Individuals not implicated in activities in violation of laws enforced or administered by ICE, but with pertinent knowledge of some circumstance of a case or record subject. Such records may contain any information, including personal identification data, that may assist ICE in discharging its responsibilities generally (e.g., information which may assist in identifying and locating such individuals);

(8) Individuals identified in law enforcement, intelligence, crime, and incident reports (including financial reports under the Bank Secrecy Act and law enforcement bulletins) produced by DHS and other government agencies;

(9) Individuals identified in U.S. visa, border, immigration, and naturalization benefit data, including arrival and departure data;

(10) Individuals identified in DHS law enforcement and immigration records;

(11) Individuals whose passports have been lost or stolen;

(12) Individuals identified in public news reports that may be pertinent to the ICE mission; and

(13) Individuals who have made credible threats against ICE personnel or facilities.

CATEGORIES OF RECORDS IN THE SYSTEM:

Categories of records in this system may include:

- Biographic information (e.g., name, date of birth, Social Security number, A-Number, citizenship/immigration status, passport information, addresses, phone numbers);

- Records of immigration enforcement activities or law enforcement investigations and activities conducted by ICE;

- Information (including documents and electronic data) collected by DHS from or about individuals during investigative activities and border searches;

- Records of immigration enforcement activities and law

enforcement investigations/activities that have a possible nexus to ICE's law enforcement and immigration enforcement responsibilities or homeland security in general;

- Law enforcement, intelligence, crime, and incident reports (including financial reports under the Bank Secrecy Act and law enforcement bulletins) produced by DHS and other government agencies;
- U.S. visa, border, immigration, and naturalization benefit data, including arrival and departure data;
- Terrorist watchlist information compiled by DHS and other terrorism related information regarding threats, activities, and incidents;
- Watchlist information compiled by DHS regarding individuals associated with Transnational Organized Crime and other related criminal threats, activities, and incidents.
- Lost and stolen passport data;
- Records pertaining to known or suspected terrorists, terrorist incidents, activities, groups, and threats;
- ICE-generated intelligence requirements, analysis, reporting, and briefings;
- Third party intelligence reporting, such as information from investigative and intelligence reports prepared by law enforcement agencies and agencies of the U.S. intelligence community;
- Articles, public-source data, and other published information on individuals and events of interest to ICE, including social media account information and social media posts, internet protocol addresses, and usernames;
- Records and information from government data systems or retrieved from commercial data providers in the course of intelligence research, analysis, and reporting;
- Reports of suspicious activities, threats, or other incidents generated by ICE and third parties;
- Additional information about known and suspected transnational organized crime actors and associates such as, gang affiliation, physical description, photos of the individual, field interview notes, and criminal history information;
- Audio and video records retained in support of ICE's law enforcement, national security, or other homeland security missions;
- Additional information about confidential sources or informants;
- Metadata, which may include but is not limited to transaction date, time, location, and frequency;
- Biometric information, including facial images, iris images, and fingerprints; and

- Location-Related Records, including geotags from metadata associated with other record categories collected; geolocation information derived from authorized law enforcement activities, ICE-owned devices, witness accounts, or commercially available data; location tracking tools that maintain a list of tracking devices or personal mobile devices by serial number/Mobile Directory Number (MDN)/International Mobile Equipment Identity (IMEI)/Mobile Equipment ID (MEID)/AD_ID number, and their current locations using Global Positioning System (GPS) and/or assisted Cellular Tower coordinates. These location tracking tools are not only deployed on targets of investigations, vehicles of interest in investigations, contraband, but also on the official vehicles owned by ICE and used by agents and officers in the field, and geographic areas of interest related to criminal and intelligence investigations and activities.

RECORD SOURCE CATEGORIES:

Records are obtained from federal, state, local, territorial, tribal, or other domestic agencies, foreign agencies, multinational or non-governmental organizations, critical infrastructure owners and operators, private sector entities and organizations, individuals, commercial data providers, and public sources such as news media outlets and the internet.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, all or a portion of the records or information contained in this system may be disclosed outside DHS as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

- A. To the Department of Justice (DOJ), including the U.S. Attorneys Offices, or other federal agencies conducting litigation or proceedings before any court, adjudicative, or administrative body, when it is relevant and necessary to the litigation and one of the following is a party to the litigation or has an interest in such litigation:
 1. DHS or any component thereof;
 2. Any employee or former employee of DHS in his/her official capacity;
 3. Any employee or former employee of DHS in his/her individual capacity, only when DOJ or DHS has agreed to represent the employee; or
 4. The United States or any agency thereof.
- B. To a congressional office from the record of an individual in response to

an inquiry from that congressional office made at the request of the individual to whom the record pertains.

C. To the National Archives and Records Administration (NARA) or General Services Administration pursuant to records management inspections being conducted under the authority of 44 U.S.C. secs. 2904 and 2906.

D. To an agency or organization for the purpose of performing audit or oversight operations as authorized by law, but only such information as is necessary and relevant to such audit or oversight function.

E. To appropriate agencies, entities, and persons when (1) DHS suspects or has confirmed that there has been a breach of the system of records; (2) DHS has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, DHS (including its information systems, programs, and operations), the federal government, or national security; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with DHS's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

F. To another federal agency or federal entity, when DHS determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

G. To an appropriate federal, state, tribal, local, territorial, international, or foreign law enforcement agency or other appropriate authority charged with investigating or prosecuting a violation or enforcing or implementing a law, rule, regulation, or order, when a record, either on its face or in conjunction with other information, indicates a violation or potential violation of law, which includes criminal, civil, or regulatory violations and such disclosure is proper and consistent with the official duties of the person making the disclosure.

H. To contractors and their agents, grantees, experts, consultants, and others performing or working on a contract, service, grant, cooperative agreement, or other assignment for DHS, when necessary to accomplish an agency function related to this system of records. Individuals provided

information under this routine use are subject to the same Privacy Act requirements and limitations on disclosure as are applicable to DHS officers and employees.

I. To the Department of Justice (DOJ), Civil Rights Division, for the purpose of responding to matters within the DOJ's jurisdiction to include allegations of fraud and/or nationality discrimination.

J. To a federal, state, tribal, local, territorial, international, or foreign government agency or entity for the purpose of consulting with that agency or entity: (1) to assist in making a determination regarding redress for an individual in connection with the operations of a DHS component or program; (2) to verify the identity of an individual seeking redress in connection with the operations of a DHS component or program; or (3) to verify the accuracy of information submitted by an individual who has requested such redress on behalf of another individual.

K. To a former employee of DHS, in accordance with applicable regulations, for purposes of responding to an official inquiry by a federal, state, local, tribal, territorial, government entity, or professional licensing authority; or facilitating communications with a former employee that may be relevant and necessary for personnel-related or other official purposes where the Department requires information or consultation assistance from the former employee regarding a matter within that person's former area of responsibility.

L. To an appropriate federal, state, local, tribal, territorial, foreign, or international agency, if the information is relevant and necessary to the agency's decision concerning the hiring or retention of an individual or the issuance, grant, renewal, suspension or revocation of a security clearance, license, contract, grant, or other benefit; or if the information is relevant and necessary to a DHS decision concerning the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit and when disclosure is appropriate to the proper performance of the official duties of the person receiving the information.

M. To appropriate federal, state, local, tribal, territorial, or foreign governmental agencies or multilateral governmental organizations for the purpose of protecting the vital interests of a data subject or other persons, including to assist such agencies or organizations in preventing exposure to or transmission of a communicable or

quarantinable disease or to combat other significant public health threats; appropriate notice will be provided of any identified health risk.

N. To a public or professional licensing organization when such information indicates, either by itself or in combination with other information, a violation or potential violation of professional standards, or reflects on the moral, educational, or professional qualifications of an individual who is licensed or who is seeking to become licensed.

O. To appropriate federal, state, tribal, local, territorial, or foreign government agencies or organizations, international organizations, or multilateral governmental organizations lawfully engaged in collecting law enforcement intelligence information, whether civil or criminal, or charged with investigating, prosecuting, enforcing or implementing civil or criminal laws, rules, regulations, orders, license, or treaty where DHS determines that the information will enable these entities to carry out their law enforcement responsibilities.

P. To third parties during the course of a law enforcement investigation to the extent necessary to obtain information pertinent to the investigation, provided that disclosure is appropriate to the proper performance of the official duties of the officer making the disclosure.

Q. To federal, state, local, tribal, or territorial government agencies, or other appropriate entities or individuals, or through established liaison channels to selected foreign governments, in order to provide national security, intelligence, counterintelligence, or other information for the purposes of intelligence, counterintelligence, or antiterrorism activities authorized by U.S. law, Executive Order, or other applicable national security directive.

R. To federal and foreign government intelligence or counterterrorism agencies where DHS becomes aware of an indication of a threat or potential threat to national or international security for which the information may be useful in countering the threat or potential threat, or when such use is to assist in anti-terrorism efforts, and disclosure is appropriate to the proper performance of the official duties of the person making the disclosure.

S. To an organization or individual in either the public or private sector, either foreign or domestic, where there is a reason to believe that the recipient is or could become the target of a particular terrorist activity or conspiracy, to the extent that the information is relevant to the protection of life or property and

disclosure is appropriate to the proper performance of the official duties of the person making the disclosure.

T. To international, foreign, intergovernmental, and multinational agencies, authorities, and organizations in accordance with law and formal or informal international agreements or arrangements.

U. To the Department of State in the processing of petitions or applications for benefits under the Immigration and Nationality Act, and all other immigration and nationality laws including treaties and reciprocal agreements, or when the Department of State requires information to consider and/or provide an informed response to a request for information from a foreign, international, or intergovernmental agency, authority, or organization about an enforcement operation with transnational implications.

V. To appropriate federal, state, local, tribal, territorial, or foreign governmental agencies or multilateral governmental organizations, with the approval of the Chief Privacy Officer, when DHS is aware of a need to utilize relevant data for purposes of developing, implementing, and testing new software and technologies for the purpose of data sharing to enhance and support homeland security, national security, or law enforcement.

W. To federal, state, local, territorial, tribal, international, or foreign criminal, civil, or regulatory law enforcement authority where the information is necessary for collaboration, coordination and deconfliction of law enforcement investigative matters and prosecutions to avoid duplicative or disruptive efforts and for the safety of law enforcement officers who may be working on related law enforcement investigations and law enforcement intelligence matters.

X. To prospective claimants and their attorneys for the purpose of negotiating the settlement of an actual or prospective claim against DHS or its current or former employees, in advance of the initiation of formal litigation or proceedings.

Y. To the news media and the public, with the approval of the Chief Privacy Officer in consultation with counsel, when there exists a legitimate public interest in the disclosure of the information, when disclosure is necessary to preserve confidence in the integrity of DHS, or when disclosure is necessary to demonstrate the accountability of DHS's officers, employees, or individuals covered by the system, except to the extent that the Chief Privacy Officer determines that release of the specific information in the

context of a particular case would constitute a clearly unwarranted invasion of personal privacy.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

DHS/ICE records in this system are stored electronically or on paper in secure facilities in a locked drawer behind a locked door. The records are stored on magnetic disc, tape, digital media, and CD-ROM.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

DHS/ICE may retrieve records by personal identifiers such as, but not limited to, name, A-Number, phone number, address, Social Security number, or passport number. Records may also be retrieved by non-personal information such as transaction date, entity/institution name, description of goods, value of transactions, and other information.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Intelligence information reports (IIR) will be retained for 22 years after cutoff in accordance with ICE records schedule DAA-0567-2016-0003-0007. Other intelligence records will be retained in accordance with their corresponding disposition within ICE record schedule DAA-0567-2016-0003, to include finished intelligence products (permanent records) and reports and analysis (destroyed 22 years at cut off at end of fiscal year). Records associated with an investigative case file will be retained for 20 years in accordance with legacy customs schedule N1-36-86-1-161.3 (inv 7B), with the exception of N1-36-86-1/162.38, Neutrality Investigative Files, which are permanent records.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

DHS/ICE safeguards records in this system according to applicable rules and policies, including all applicable DHS automated systems security and access policies. DHS/ICE has imposed strict controls to minimize the risk of compromising the information that is being stored. Access to the computer system containing the records in this system is limited to those individuals who have a need to know the information for the performance of their official duties and who have appropriate clearances or permissions.

RECORD ACCESS PROCEDURES:

The Secretary of Homeland Security has exempted this system from the notification, access, and amendment

procedures of the Privacy Act, and the Judicial Redress Act if applicable, because it is a law enforcement system. However, ICE will consider individual requests to determine whether or not information may be released. Thus, individuals seeking access to and notification of any record contained in this system of records, or seeking to contest its content, may submit a request in writing to the Chief Privacy Officer and ICE FOIA Officer, whose contact information can be found at <http://www.dhs.gov/foia>. If an individual believes more than one component maintains Privacy Act records concerning him or her, the individual may submit the request to the Chief Privacy Officer and Chief Freedom of Information Act Officer, Department of Homeland Security, Washington, DC 20528-0655. Even if neither the Privacy Act nor the Judicial Redress Act provide a right of access, certain records about you may be available under the Freedom of Information Act.

When an individual is seeking records about himself or herself from this system of records or any other Departmental system of records, the individual's request must conform with the Privacy Act regulations set forth in 6 CFR part 5. The individual must first verify his/her identity, meaning that the individual must provide his/her full name, current address, and date and place of birth. The individual must sign the request, and the individual's signature must either be notarized or submitted under 28 U.S.C. 1746, a law that permits statements to be made under penalty of perjury as a substitute for notarization. While no specific form is required, an individual may obtain forms for this purpose from the Chief Privacy Officer and Chief Freedom of Information Act Officer, <http://www.dhs.gov/foia> or (866) 431-0486. In addition, the individual should:

- Explain why he or she believes the Department would have information being requested;
- Identify which component(s) of the Department he or she believes may have the information;
- Specify when the individual believes the records would have been created; and
- Provide any other information that will help the FOIA staff determine which DHS component agency may have responsive records;

If the request is seeking records pertaining to another living individual, the request must include an authorization from the individual whose

record is being requested, authorizing the release to the requester.

Without the above information, the component(s) may not be able to conduct an effective search, and the individual's request may be denied due to lack of specificity or lack of compliance with applicable regulations.

CONTESTING RECORD PROCEDURES:

For records covered by the Privacy Act or covered Judicial Redress Act records, individuals may make a request for amendment or correction of a record of the Department about the individual by writing directly to the Department component that maintains the record, unless the record is not subject to amendment or correction. The request should identify each particular record in question, state the amendment or correction desired, and state why the individual believes that the record is not accurate, relevant, timely, or complete. The individual may submit any documentation that would be helpful. If the individual believes that the same record is in more than one system of records, the request should state that and be addressed to each component that maintains a system of records containing the record.

NOTIFICATION PROCEDURES:

See "Record Access Procedures" above.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

The Secretary of Homeland Security, pursuant to 5 U.S.C. 552a(j)(2) of the Privacy Act, has exempted this system from 5 U.S.C. 552a(c)(3) and (4); (d); (e)(1), (e)(2), (e)(3), (e)(4)(G), (e)(4)(H), (e)(5), and (e)(8); (f); and (g). Additionally, the Secretary of Homeland Security, pursuant to 5 U.S.C. 552a(k)(1) and (k)(2), has exempted from this system the following provisions of the Privacy Act, subject to the limitations set forth in those subsections: 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (e)(4)(H), and (f).

HISTORY:

75 FR 9233 (March 1, 2010); 73 FR 74735 (December 9, 2008).

* * * * *

Roman Jankowski,

Chief Privacy Officer, Department of Homeland Security.

[FR Doc. 2025-13613 Filed 7-18-25; 8:45 am]

BILLING CODE 9111-28-P

DEPARTMENT OF HOMELAND SECURITY

[Docket No. ICEB–2024–0013]

Privacy Act of 1974; System of Records

AGENCY: U.S. Immigration and Customs Enforcement, Department of Homeland Security.

ACTION: Notice of a modified system of records.

SUMMARY: In accordance with the Privacy Act of 1974, the Department of Homeland Security (DHS) proposes to modify and reissue a current DHS system of records titled, “DHS/U.S. Immigration and Customs Enforcement (ICE)–008 Search, Arrest, and Seizure Records (SAS).” ICE collects and maintains information in the SAS in order to document searches of individuals and property, arrests of individuals, and detentions and seizures of property and goods pursuant to ICE law enforcement authorities. ICE is updating this system of records notice to modify the purpose of the system; modify existing, and add new, categories of individuals; modify and update the categories of records; and update, modify, and remove routine uses. Additionally, this notice includes non-substantive changes to simplify the formatting and text of the previously published notice. All exemptions listed for this system in the existing system of records notice will continue to be applicable for this updated notice, as currently implemented in 6 CFR part 5, Appendix C. This updated system will be included in DHS’s inventory of record systems.

DATES: Submit comments on or before August 20, 2025. This modified system will be effective upon publication. New or modified routine uses will be effective August 20, 2025.

ADDRESSES: You may submit comments, identified by docket number ICEB–2024–0013 by one of the following methods:

- *Federal e-Rulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Fax:* 202–343–4010.

- *Mail:* Roman Jankowski, Chief Privacy Officer, Privacy Office, Department of Homeland Security, Washington, DC 20528–0655.

Instructions: All submissions received must include the agency name and docket number ICEB–2024–0013. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

Docket: For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: For general questions, please contact: U.S. Immigration and Customs Enforcement (ICE), 500 12th Street SW, Mail Stop 5004, Washington, DC 20536. For privacy questions, please contact: Roman Jankowski, Privacy@hq.dhs.gov, Chief Privacy Officer, Department of Homeland Security, Washington, DC 20528–0655.

SUPPLEMENTARY INFORMATION:

I. Background

In accordance with the Privacy Act of 1974, 5 U.S.C. 552a, the Department of Homeland Security (DHS)/U.S. Immigration and Customs Enforcement (ICE) proposes to modify and reissue a current DHS system of records notice (SORN) titled, “DHS/ICE–008 Search, Arrest, and Seizure Records (SAS).” SAS systems maintain records regarding searches of individuals and property, arrests of individuals, and detentions and seizures of property and goods in support of the ICE statutory law enforcement, immigration, counterterrorism, and homeland security missions. This information consists of audio and video data, including Body Worn Camera (BWC) footage, recorded during the search, seizure, or arrest of a person or goods in furtherance of ICE law enforcement actions. These actions include investigations of potential criminal activity and threats to national security; enforcing immigration and customs laws; and upholding and enforcing the law and ensuring public safety.

The system of records notice’s scope includes advanced technological methods employed by ICE during searches and seizures which includes ICE’s use of new and emerging information technology (IT). The term IT includes computers; support equipment (including imaging devices, input, output, and storage devices necessary for security and surveillance); equipment designed to be controlled by the central processing unit of a computer; software; firmware and similar procedures; services (including support services); and related resources. ICE employs IT to improve law enforcement search, arrest, and seizure efficacy to better counter the methods of increasingly sophisticated criminal actors. Information on law enforcement personnel who have created the records or participated in a search, arrest, and seizure is also shared with systems

supported by the SAS System of Records Notice.¹

The purpose of this system remains to document all information and activity related to ICE searches of individuals and property, arrests of individuals, and seizures of goods, as well as related information about the individuals or entities suspected of violations of laws and regulations enforced by ICE. The system is also intended to facilitate communication between ICE and foreign and domestic law enforcement agencies for the purpose of enforcement and administration of laws, including immigration and customs laws. A supplemental purpose is to increase agency transparency to the public regarding interactions between ICE and the populace by documenting ICE law enforcement actions, such as through the use of BWCs; this increased transparency will lead to greater accountability by the agency.

The following list includes the full explanation of changes to this system of records notice:

(1) The purpose of the system has been modified to include the documentation of enforcement actions between ICE and the public via video and audio recording. This includes audio and video documentation for which express consent is not required (e.g., via a body worn camera in public view with no reasonable expectation of privacy). The purpose of the audio and video recording of interactions with the public is to improve policing practices and build community trust and legitimacy. ICE interactions that may be recorded include, but are not limited to, interactions arising out of:

- At-large arrests, including searches incident(al) to that arrest;
- Search, arrest, and seizure related detentions, however brief, including frisks conducted during the detentions;
- Execution of, and attempting execution, criminal and administrative arrest warrants;
- Execution of search warrants, including during the time securing the location to be searched as well as the ultimate search of the locations; and
- Questioning of any individual encountered during the above-listed activities in the field.

(2) The categories of individuals have been updated to include individuals with knowledge of the alleged activity, witnesses, and witness bystanders; as well as victims, detainees, and other individuals (minors and non-minors)

¹ Such systems include the following: Telecommunications Linking (TLS) System, Title III Tracking, Body Worn Camera (BWC) System, ICE Case Management (ICM) System, and Repository for Analytics in a Virtualized Environment (RAVEN).

whose images and audio are captured incidentally by search, arrest, or seizure activity through the use of recording devices such as body worn cameras, security camera footage, and bystander smart phone or other mobile device. It must be noted that only individuals are covered by this notice for those recordings where ICE retrieves information by a personal identifier in their normal course of business.

(3) The categories of records have been modified to include biometric information, geolocation data records, open-source social media tool use data records, commercial data, records derived from advances in IT hardware/software, advances in currency/financial information (e.g., cryptocurrency), and video/audio that may be obtained during a search, arrest, or seizure.

(4) ICE is modifying Routine Uses A through I to conform to DHS guidance. ICE is also adding routine uses K, O, P, and re-lettering several routine uses to account for the newly added routine uses. Below is a summary of those routine uses and their corresponding letter.

Routine Use A is being updated to include disclosures before “any court, adjudicative or administrative body when it is relevant or necessary to the litigation and one of the following is a party to the litigation or has an interest in such litigation:”

Routine Use E is being modified and a new Routine Use F has been added to conform to Office of Management and Budget (OMB) Memorandum M–17–12 “Preparing for and Responding to a Breach of Personally Identifiable Information,” (Jan. 3, 2017).

Routine Use K is being added to allow DHS to exchange relevant data in furtherance of coordinating and collaborating with other organizations for the purpose of developing, testing and/or implementing new software or technology solutions which have a purpose that is related to the purpose of this system of records;

Routine Use O is being added to permit sharing of identifying information with federal, state, local, tribal, territorial, international, or foreign government agencies or entities for the purpose of consulting with those agencies or entities for purposes of assisting with an individual’s request for redress;

Routine Use P is being added to clarify the disclosure to the Department of State, “when it requires information to consider and/or provide an informed response to a request for information from a foreign, international, or intergovernmental agency, authority, or organization about an alien or an

enforcement operation with transnational implications;”

Additionally, this notice includes non-substantive changes to simplify formatting and text of the previously published notice.

Consistent with DHS’s information sharing mission, information stored in the DHS/ICE–008 Search, Arrest, and Seizure system of records may be shared with other DHS Components that have a need to know the information to carry out their national security, law enforcement, immigration, intelligence, or other homeland security functions. In addition, ICE may share information with appropriate federal, state, local, tribal, territorial, foreign, or international government agencies consistent with the routine uses set forth in this system of records notice.

This modified system will be included in DHS’s inventory of record systems.

II. Privacy Act

The fair information practice principles found in the Privacy Act underpin the statutory framework governing the means by which Federal Government agencies collect, maintain, use, and disseminate individuals’ records. The Privacy Act applies to information that is maintained in a “system of records.” A “system of records” is a group of any records under the control of an agency from which information is retrieved by the name of an individual or by some identifying number, symbol, or other identifying particular assigned to the individual. In the Privacy Act, an individual is defined to encompass U.S. citizens and lawful permanent residents. Additionally, the Judicial Redress Act (JRA) provides covered persons with a statutory right to make requests for access and amendment to covered records, as defined by the Judicial Redress Act, along with judicial review for denials of such requests. In addition, the Judicial Redress Act prohibits disclosures of covered records, except as otherwise permitted by the Privacy Act. Under the Judicial Redress Act, a “covered person” refers to a natural person who is a citizen of a covered country.

Below is the description of the DHS/ICE–008 Search, Arrest, and Seizure System of Records.

In accordance with 5 U.S.C. 552a(r), DHS has provided a report of this system of records to the Office of Management and Budget and to Congress.

SYSTEM NAME AND NUMBER:

Department of Homeland Security (DHS)/U.S. Immigration and Customs

Enforcement (ICE)–008 Search, Arrest, and Seizure Records.

SECURITY CLASSIFICATION:

Unclassified, Law Enforcement Sensitive.

SYSTEM LOCATION:

Records are maintained at the U.S. Immigration and Customs Enforcement Headquarters in Washington DC and field offices, or designated cloud computing environments. Records are maintained in such systems as the following: Telecommunications Linking (TLS) System, Title III Tracking, Body Worn Camera (BWC) System, ICE Case Management (ICM) System, and Repository for Analytics in a Virtualized Environment (RAVEN).

SYSTEM MANAGER(S):

Deputy Assistant Director, Homeland Security Investigations Cyber and Operational Technology Division, 202–732–5200, 500 12th Street SW, Washington, DC 20536.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

6 U.S.C. 202–203; 8 U.S.C. 1357; 18 U.S.C. 554; 8 U.S.C. 2518; 19 U.S.C. 66; 19 U.S.C. 1431; 19 U.S.C. 1509; 19 U.S.C. 1603; 19 U.S.C. 2072; 21 U.S.C. 967; 22 U.S.C. 2778; other applicable authorities from Title 18, United States Code; and Title 19, United States Code as delegated by the Secretary of Homeland Security under his or her authority granted by the Homeland Security Act of 2002 (Pub. L. 107–296); 31 CFR part 103; 19 U.S.C. 66, 1618, 1625; 19 U.S.C. 19 CFR parts 171 and 172.

PURPOSE(S) OF THE SYSTEM:

The purpose of this system is to:

(1) Document relevant information and activity related to ICE searches of individuals and property; arrests of individuals; seizures of goods, property, and non-physical property (data, bank accounts); as well as related information about the individuals or entities suspected of violations of laws and regulations enforced by ICE.

(2) Collect video/audio documentation of interactions:

- (i) Between ICE and partner law enforcement and the public in furtherance of an active search, arrest, and seizure;
- (ii) Between ICE and individuals who are aliens or foreign nationals encountered near/on the United States border; and
- (iii) During significant public events requiring ICE’s involvement to ensure documentation of a search, arrest, or seizure so long as the sole purpose is not to record individuals who are

engaged in activity protected by the First Amendment.

(3) Facilitate communication between ICE and foreign and domestic law enforcement agencies for the purpose of enforcement and administration of laws, including immigration and customs laws.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Categories of individuals covered by this system include:

(1) Individuals who violated, or are believed to have violated, the laws and regulations enforced by ICE or partner law enforcement agencies, including those who have been administratively or criminally charged with violations of such laws and regulations;

(2) Individuals related to arrested individuals, including guardians or custodians of minors, sponsors, or hosts of individuals who are dependent guests or visitors;

(3) Individuals who are witnesses, and individuals who may have knowledge of alleged illegal activity (e.g., victims, associates) related to a search, arrest, and/or seizure;

(4) Individuals who may be recorded incidentally by video or audio during a search, arrest, and/or seizure;

(5) Owners, claimants, and other interested parties relating to detained seized, seized and/or forfeited goods and property;

(6) Law enforcement personnel (e.g., ICE personnel, foreign and domestic law enforcement partners, and task force participants) or other assigned government personnel both directly involved in law enforcement duties and encountered incidentally to enforcement duties.

CATEGORIES OF RECORDS IN THE SYSTEM:

Categories of records in this system may include:

Information about individuals:

- Name;
- Nationality;
- Aliases;
- Social Security number;
- A-Number;
- Citizenship;
- Date and place of birth;
- Physical description of individual;
- Addresses;
- Telephone numbers;
- Occupation;
- Place of business;
- Driver's license number and other license information for owners and operators of vehicles, aircraft, and vessels;
- Other biographical information;
- Passport and visa information;
- Criminal history;

- Immigration status and history;
- Employment history;
- Business information, including occupation and place of business;
 - Information related to the individual's entry into and exit from the United States;
 - Suspicious financial activity, currency transaction reports, and currency or monetary instrument reports;
 - Biometric information (i.e., fingerprints, voiceprints or voice audio recognition, iris images, photographs, DNA samples, and any unique numerical identifiers assigned to biometrics for administrative purposes) collected as a result of a search or arrest. DNA samples are collected and sent to the FBI. DNA samples are not retained or analyzed by ICE; and
 - Information pertaining to ICE's collection of DNA samples, limited to the date and time of a successful collection and confirmation from the FBI that the sample was able to be sequenced. ICE does not receive or maintain the results of the FBI's DNA analysis (i.e., DNA sequences).

Information about the search, seizure, or detention of goods or property, or the search or arrest of individuals:

- Search/arrest/seizure/detention:
 - Date;
 - Arrest location (public or non-public), including location of safehouse.
 - License and registration number of vehicles, aircraft, vessels, merchandise, goods, and other assets;
 - License plate vehicle tag number and registration information, including image of license plate characters and associated temporal and location information;
 - Individual and/or contraband's mode of entry (e.g., marine vessel), including a description of entry points(s);
 - Photographs related to searches, detentions, seizures, or arrests including those captured incidentally by search, arrest, and seizure activity;
 - Search, arrest, and seizure audio and or video footage/recordings, overt or covert, of ICE and partner law enforcement encounters, searches, seizures, stops, arrests, or other interactions (i.e., between ICE personnel and the public) including those captured incidentally by search, arrest, and seizure activity from a device mounted on a:
 - Mobile object, including a mobile vehicle or vessel (e.g., uncrewed aerial vehicles (UAS or sUAS); submersible vessels; land vehicles);
 - Stationary object; and
 - Individual, including
 - Law enforcement personnel (e.g., BWC footage); and

- Citizen witnesses recording a law enforcement encounter(s) with the public (e.g., on a mobile device);
 - Forms that are part of the search arrest seizure process (e.g., declaration forms submitted to U.S. Customs and Border Protection (CBP));
 - Receipts of:
 - Cash, currency (e.g., crypto currency) or banking records; and
 - Goods, or other property seized, detained, or forfeited;
 - Description of goods or other property seized, detained, searched, or forfeited;
 - Estimated foreign value of seized goods or other property;
 - Duty paid and owed;
 - Domestic value of seized goods or other property;
 - Notices provided to owners, claimants, or other interested parties pertaining to seized goods or other property;
 - Reports of arrests, searches, detentions, and seizures by ICE including the circumstances of the seizure, including reports from other law enforcement agencies;
 - Section of law violated;
 - Warrant number;
 - Location tracking related data (e.g., geolocation coordinates, Global Positioning System (GPS) use, and cell tower coordinates);
 - Information, including that which is received from other governmental agencies, confidential sources, and other sources pertaining to search, arrest, and seizure activity, as well as search, arrest, and seizure referrals from other agencies, tips, and other leads pertaining to potential violations of U.S. customs and immigration law, as well as other laws and regulations within ICE's jurisdiction; and
 - Information about other law enforcement personnel (e.g., other Federal governmental and State and Local agencies) involved in an enforcement action, including: name, badge number, and station location.
- Any other evidence in any form collected during the course of a search, arrest, or seizure or contained within documents relating to such an action, including:
- Papers, photographs, video, electronic recordings, electronic data, digital, virtual, non-fungible, or video records that was obtained, seized, or otherwise lawfully acquired from any source during the course of a search, arrest, seizure, to the extent relevant and necessary for the performance of ICE's statutory enforcement authorities. This includes footage created from ICE's use of body-worn cameras.
 - Seized or detained records in both paper and electronic form, including

computers, computer records, disks, hard drives, flash drives and other electronic media and storage devices;

- Digital evidence including cyber forensics (*e.g.*, computer code which could reveal a nation-state's or cyber criminal's signature);
- Internet protocol (IP) address, name, and uniform resource locator (URL), including those of website(s) seized; and
- Metadata (data about data) which may include geolocation data, device unique identifier, video clip unique identifier, video clip file name, and video category tags.

RECORD SOURCE CATEGORIES:

Records are obtained from individuals who have been subject to search or arrest; owners, claimants, and other interested parties of detained, seized, and/or forfeited property; ICE personnel and ICE IT systems described in Privacy Impact Assessments which are wholly or partially covered by the SAS System of Records Notice; other federal agencies, and state, tribal, local and foreign law enforcement agencies; confidential sources; members of the public; and third-party commercial data brokers, sources or aggregators, or record holders. Sources of information also include: public records; publicly available information including social media; import and export records systems; immigration and admission records systems; victims; witnesses; and those individuals with knowledge of the alleged activity.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, all or a portion of the records or information contained in this system may be disclosed outside DHS as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

A. To the Department of Justice (DOJ), including Offices of the U.S. Attorneys Offices, or other federal agency conducting litigation or proceedings before any court, adjudicative, or administrative body, when it is relevant or necessary to the litigation and one of the following is a party to the litigation or has an interest in such litigation:

1. DHS or any component thereof;
2. Any employee or former employee of DHS in his/her official capacity;
3. Any employee or former employee of DHS in his/her individual capacity, only when DOJ or DHS has agreed to represent the employee; or
4. The United States or any agency thereof.

B. To a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of the individual to whom the record pertains.

C. To the National Archives and Records Administration (NARA) or General Services Administration pursuant to records management inspections being conducted under the authority of 44 U.S.C. 2904 and 2906.

D. To an agency, or organization, or individual for the purpose of performing audit or oversight operations as authorized by law, but only such information as is necessary and relevant to such audit or oversight function.

E. To appropriate agencies, entities, and persons when (1) DHS suspects or has confirmed that there has been a breach of the system of records; (2) DHS has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, DHS (including its information systems, programs, and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with DHS's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

F. To another federal agency or federal entity, when DHS determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

G. To an appropriate federal, state, tribal, local, international, or foreign law enforcement agency or other appropriate authority charged with investigating or prosecuting a violation or enforcing or implementing a law, rule, regulation, or order, when a record, either on its face or in conjunction with other information, indicates a violation or potential violation of law, which includes criminal, civil, or regulatory violations and such disclosure is proper and consistent with the official duties of the person making the disclosure.

H. To contractors and their agents, grantees, experts, consultants, and others performing or working on a contract, service, grant, cooperative agreement, or other assignment for DHS, when necessary to accomplish an agency function related to this system of

records. Individuals provided information under this routine use are subject to the same Privacy Act requirements and limitations on disclosure as are applicable to DHS officers and employees.

I. To a federal agency for a statistical or research purpose, including the development of methods or resources to support statistical or research activities, provided that the records support DHS programs and activities that relate to the purpose(s) stated in this SORN, and will not be used in whole or in part in making any determination regarding an individual's rights, benefits, or privileges under federal programs, or published in any manner that identifies an individual.

J. To third parties during the course of a law enforcement investigation to the extent necessary to obtain information pertinent to the investigation, provided disclosure is appropriate to the proper performance of the official duties of the ICE employee making the disclosure.

K. To appropriate federal, state, local, tribal, or foreign governmental agencies or multilateral governmental organizations, with the approval of the Chief Privacy Officer, when DHS is aware of a need to use relevant data, that relate to the purpose(s) stated in this SORN, for purposes of developing, testing, and/or implementing new technology.

L. To international and foreign governmental authorities in accordance with the law and formal or informal international arrangements.

M. To a court, magistrate, or administrative tribunal in the course of presenting evidence, including disclosures to opposing counsel or witnesses in the course of civil discovery, litigation, or settlement negotiations or in connection with criminal law proceedings or in response to a judge-approved subpoena from a court of competent jurisdiction.

N. To an appropriate federal, state, local, tribal, foreign, or international agency, if the information is relevant and necessary to a requesting agency's decision concerning the hiring or retention of an individual, or issuance of a security clearance, license, contract, grant, or other benefit, or if the information is relevant and necessary to a DHS decision concerning the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit and disclosure is appropriate to the proper performance of the official duties of the person making the request.

O. To federal, state, local, tribal, territorial, international, or foreign government agencies or entities for the purpose of consulting with those agencies or entities: (1) To assist in making a determination regarding redress for an individual in connection with the operations of a DHS component or program; (2) to verify the identity of an individual seeking redress in connection with the operations of a DHS component or program; or (3) to verify the accuracy of information submitted by an individual who has requested redress on behalf of another individual.

P. To the Department of State when it requires information to consider and/or provide an informed response to a request for information from a foreign, international, or intergovernmental agency, authority, or organization about an alien or an enforcement operation with transnational implications.

Q. To the news media and the public, with the approval of the Chief Privacy Officer in consultation with counsel, when there exists a legitimate public interest in the disclosure of the information, when disclosure is necessary to preserve confidence in the integrity of DHS, or when disclosure is necessary to demonstrate the accountability of DHS's officers, employees, or individuals covered by the system, except to the extent the Chief Privacy Officer determines that release of the specific information in the context of a particular case would constitute a clearly unwarranted invasion of personal privacy.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

DHS/ICE stores records in this system electronically or on paper in secure facilities in a locked drawer behind a locked door. The records may also be stored on magnetic disc, tape, digital media, and CD-ROM. Records covered by this system of records notice may reside on the same on-premise servers or in a FedRAMP authorized cloud computing environment.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

ICE may retrieve records by any of the personal identifier's stored in the system including individual's name, Social Security number, ICE case number, biometric identification or algorithm (*e.g.*, facial recognition, fingerprint, voice recognition), warrant number, or vehicle, vessel (*e.g.*, marine), or aircraft number. Records may also be retrieved by non-personal information such as search, arrest, and seizure observation device (*e.g.*, camera

identification number), serial number/footage and date, description and value of goods or currency seized, encounter date and details, location (*e.g.*, jurisdiction or hideout coordinates), and other information.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

The retention period for information contained in search, arrest, and seizure systems varies depending on the type of data. Biometric and biographical records are maintained for seventy-five (75) years in accordance with DHS schedule DA-0563-2013-0001-0006. Investigative case files are retained for twenty years (20) years after the case closure in accordance with N1-36-86-1-161.3 (inv 7B) and Neutrality/Munitions Investigative case files, which are permanent records, in accordance with N1-36-86-1-162.38. Evidentiary recordings are retained in accordance with the applicable ICE retention schedule—this is contingent on the information that is captured in the recording. For example, if the recording captures a use of force incident, it will be retained in accordance with DAA-0567-2015-0008-0001 for 45 years. Non-evidentiary video and audio recordings and associated identification information are retained for sixty (60) days in accordance with DAA-0567-2021-0001-0001. Disposal of paper files occurs by burning or shredding; electronic data is disposed of using methods approved by the DHS Chief Information Security Officer.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

ICE safeguards records in this system according to applicable rules and policies, including all applicable DHS automated system security access policies. ICE has imposed strict controls to minimize the risk of compromising the information that is being stored. Access to the computer system containing the records in this system is limited to those individuals who have a need to know the information for the performance of their official duties and who have appropriate clearances or permissions. For any records covered by this system of records notice that reside in a cloud computing environment, those environments will have undergone a robust FedRAMP authorization process to validate strict controls are employed to protect the confidentiality, integrity, and availability of the records.

RECORD ACCESS PROCEDURES:

The Secretary of Homeland Security has exempted this system from the

notification, access, and amendment procedures of the Privacy Act, and the Judicial Redress Act if applicable, because it is a law enforcement system. However, ICE will consider individual requests to determine whether or not information may be released. Thus, individuals seeking access to, and notification of any record contained in this system of records, or seeking to contest its content, may submit a request in writing to the DHS Chief Privacy Officer and the ICE FOIA Officer, whose contact information can be found at <http://www.dhs.gov/foia>. If an individual believes more than one component maintains Privacy Act records concerning him or her, the individual may submit the request to the Chief Privacy Officer and Chief Freedom of Information Act Officer, Department of Homeland Security, Washington, DC 20528-0655. Certain records about an individual may be available under the Freedom of Information Act if they are not available under the Privacy Act or the Judicial Redress Act.

When an individual is seeking records about himself or herself from this system of records or any other Departmental system of records, the individual's request must conform with the Privacy Act regulations set forth in 6 CFR part 5. The individual must first verify his/her identity, meaning that the individual must provide his/her full name, current address, and date and place of birth. The individual must sign the request, and the individual's signature must either be notarized or submitted under 28 U.S.C. 1746, a law that permits statements to be made under penalty of perjury as a substitute for notarization. While no specific form is required, an individual may obtain forms for this purpose from the Chief Privacy Officer and Chief Freedom of Information Act Officer, <http://www.dhs.gov/foia> or 1-866-431-0486. In addition, the individual should:

- Explain why he or she believes the Department would have information being requested;
- Identify which component(s) of the Department he or she believes may have the information;
- Specify when the individual believes the records would have been created; and
- Provide any other information that will help the FOIA staff determine which DHS component agency may have responsive records.

If the request is seeking records pertaining to another living individual, the request must include an authorization from the individual whose

record is being requested, authorizing the release to the requester.

Without the above information, the component(s) may not be able to conduct an effective search, and the individual's request may be denied due to lack of specificity or lack of compliance with applicable regulations.

CONTESTING RECORD PROCEDURES:

For records covered by the Privacy Act or covered Judicial Redress Act records, individuals may make a request for amendment or correction of a record by writing directly to the Department component that maintains the record, unless the record is not subject to amendment or correction. The request should identify each record in question, state the amendment or correction desired, and state why the individual believes that the record is not accurate, relevant, timely, or complete. The individual may submit any documentation that would be helpful. If the individual believes that the same record is in more than one system of records, the request should state that and be addressed to each component that maintains a system of records containing the record. See "Record Access Procedures" above.

NOTIFICATION PROCEDURES:

See "Records Access Procedures" above.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

The Secretary of Homeland Security, pursuant to 5 U.S.C. 552a(j)(2), has exempted this system from the following provisions of the Privacy Act: 5 U.S.C. 552a(c)(3) and (4); (d); (e)(1), (e)(2), (e)(3), (e)(4)(G), and (e)(4)(H), (e)(5), and (e)(8); (f); and (g). Additionally, the Secretary of Homeland Security, pursuant to 5 U.S.C. 552a(k)(2), has exempted this system from the following provisions of the Privacy Act, subject to the limitations set forth in those subsections: 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (e)(4)(H), and (f). In addition, to the extent a record contains information from other exempt systems of records, ICE will rely on the exemptions claimed for those original systems.

HISTORY:

73 FR 74732 (December 9, 2008).

* * * * *

Roman Jankowski,

Chief Privacy Officer, Department of Homeland Security.

[FR Doc. 2025-13609 Filed 7-18-25; 8:45 am]

BILLING CODE 9111-28-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-7104-N-11; OMB Control No.: 2577-0281]

60-Day Notice of Proposed Information Collection: Jobs Plus Pilot Program

AGENCY: Office of the Assistant Secretary for Public and Indian Housing (PIH), HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comments from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* September 19, 2025.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Written comments and recommendations for the proposed information collection can be sent within 60 days of publication of this notice to www.regulations.gov. Interested persons are also invited to submit comments regarding this proposal and comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Dawn Martin, Program Analyst, Department of Housing and Urban Development, 451 7th Street SW, Room 3180, Washington, DC 20410-5000.

FOR FURTHER INFORMATION CONTACT: Ms. Dawn Martin, Program Analyst, Department of Housing and Urban Development, 451 7th Street SW, Washington, DC 20410; email PIH-PRAPubliccomments@hud.gov, telephone (202) 402-6488. This is not a

toll-free number. HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit <https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs>.

Copies of available documents submitted to OMB may be obtained from Ms. Martin.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Jobs Plus.

OMB Approval Number: 2577-0281.

Type of Request: Revision of currently approved collection.

Form Number: SF-424, SF-LLL, HUD 2880, HUD-50144, HUD 50153, HUD 424B, SF425.

Description of the need for the information and proposed use: The information collection is required to administer the Jobs Plus program, including applying for funds and grantee reporting.

Respondents: Potential applicants and grantees (which includes public housing agencies).

Estimated Number of Respondents: 103 annually.

Estimated Number of Responses: 459 annually.

Frequency of Response: Frequency of response varies depending on what information is being provided (e.g., once per year for applications and four times per year for grantee reporting).

Average Hours per Response: Burden hours per response for Jobs Plus grant applications submitted in response to a Notice of Funding Opportunity (NOFO) is 60.5. Burden hours per response for information collections related to grant administration, including grantee reporting and program management, is 35.

Total Estimated Burdens: Total burden hours are estimated to be 6,432. Total burden cost is estimated to be \$313,688.64.

Information collection	Number of respondents annually	Responses annually (frequency)	Total responses annually	Burden hours per response	Total burden hours annually	Hourly cost (salary)	Total burden cost annually
NOFO/Grant Application Collection							
SF-424 Application for Federal Assistance (4040-0004)	48	1	48	0	0	\$0.00	\$0.00
HUD-2880 Applicant Disclosure (2501-0044)	48	1	48	0	0	0.00	0.00
Certification Regarding Lobbying	48	1	48	0.25	12	48.77	585.24
SF-LLL- Lobbying (4040-0013)	48	1	48	0	0	0.00	0.00

Information collection	Number of respondents annually	Responses annually (frequency)	Total responses annually	Burden hours per response	Total burden hours annually	Hourly cost (salary)	Total burden cost annually
HUD 424B Assurances and Certifications (2501-0044)	48	1	48	0	0	0.00	0.00
Map	48	1	48	2	96	48.77	4,681.92
MOU between PHA and WDB	48	1	48	2	96	48.77	4,681.92
Match/Leverage Commitment Letters	48	1	48	10	480	48.77	23,409.60
Schedule	48	1	48	2	96	48.77	4,681.92
Organizational chart	48	1	48	1	48	48.77	2,340.96
Executive, summary documentation	48	1	48	3	144	48.77	7,022.88
Rating Factor 1—Capacity	48	1	48	10	480	48.77	23,409.60
Rating Factor 2—Need	48	1	48	8	384	48.77	18,727.68
Rating Factor 3—Soundness of Approach	48	1	48	12	576	48.77	28,091.52
Detailed Program Budget	48	1	48	3	144	48.77	7,022.88
Summary Jobs Plus Budget (Form HUD-50144)	48	1	48	2	96	48.77	4,681.92
Narrative to Program Budget	48	1	48	4	192	48.77	9,363.84
Rating Factor 4—Match/Leverage table	48	1	48	1	48	48.77	2,340.96
Rating Factor 5—Preference Points Documentation (HUD-50153 or other)	48	1	48	0.25	12	48.77	585.24
Sub-Total NOFO/Application Collection .....	.....	.....	48	60.5	904	.....	\$141,628.08
Grant Administration Collection							
Code of Conduct (if not on HUD website, if recently updated, if not previously submitted)	8	1	8	1	8	48.77	390.16
HUD-1044/Grant Agreement	10	1	10	0	0	48.77	0.00
Quarterly reporting	55	4	220	10	2200	48.77	107,294.00
Annual reporting	55	1	55	8	440	48.77	21,458.80
Workplan	55	1	55	14	770	48.77	37,552.90
Budget (HUD-50144)	55	1	55	2	110	48.77	5,364.70
Federal Financial Report (Form SF-425) (4040-0014)	8	1	8	0	0	0.00	0.00
Sub-Total—Non-NOFO/Application Collection .....	.....	.....	411	35	3,528	.....	172,060.56
Grand Totals	103	.....	459	95.5	6,432	.....	313,688.64

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) The accuracy of the agency’s estimate of the burden of the proposed collection of information;

(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 on those who are to respond; including the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

HUD encourages interested parties to submit comments in response to these questions.

C. Authority

Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Laura Kunkel,

Acting Director, Office of Policy, Programs, and Legislative Initiatives.

[FR Doc. 2025-13597 Filed 7-18-25; 8:45 am]

BILLING CODE 4210-67-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-7092-N 23; OMB Control No.: 2535-New]

30-Day Notice of Proposed Information Collection: Supply Chain Risk Management (SCRM) Questionnaire

AGENCY: Office of Policy Development and Research, Chief Data Officer, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comments from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 30 days of public comment.

DATES: Comments Due Date: August 20, 2025.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. 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: Anna Guido, Clearance Officer, Paperwork Reduction Act Division, PRAD, Department of Housing and Urban Development, 451 7th Street SW, Room 8210, Washington, DC 20410; email at Anna.P.Guido@hud.gov, telephone (202) 402-5535. This is not a toll-free number. HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit <https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs>. Copies of available documents submitted to OMB may be obtained from Ms. Guido.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A. The **Federal Register** notice that solicited public comment on the information collection for a period of 60 days was published on March 26, 2025 at 90 FR 13775.

A. Overview of Information Collection

Title of Information Collection: Supply Chain Risk Management (SCRM) Questionnaire.

OMB Approval Number: 2535-New.

Type of Request: New collection.

Form Number: None.

Description of the need for the information and proposed use:

HUD has implemented a department-wide supply chain risk management program. HUD will collect information to evaluate the supply chain risk management practices of its current and prospective vendors. In compliance with Executive Order 14017, America’s Supply Chains; Executive Order 14028, Improving the Nation’s Cybersecurity; the Federal Acquisition Supply Chain Security Act (FASCESA); and incorporating guidance published in the National Institute of Standards and Technology (NIST) Special Publication (SP) 800–161, Cyber Security Supply Chain Risk Management Practices for Systems and Organizations; the U.S. Department of Housing and Urban Development (HUD) has implemented a Department-wide supply chain risk

management (SCRM) program. This initiative will include updated and applicable policy, procedures, and documentation that present the structure of the HUD SCRM Program and establish the guidance for performing vendor supply chain risk assessments. The HUD SCRM Program enables the Department to implement executive orders, legal authorities, regulatory orders, and federal guidance which includes a consistent process for identifying supply chain risk in current and future vendor relationships. As a part of this Program, HUD will collect information to evaluate the supply chain risk management practices of its current and prospective vendors through a HUD SCRM Questionnaire.

Information collection	Number of respondents	Frequency of response	Responses per annum	Burden hour per response	Annual burden hour	Hourly cost per response ¹	Annual cost
Pre-Award Vendor Questionnaire Response	240	1	240	4	960	\$55.06	\$52,857.60
Annual Current Vendor Questionnaire Response	110	1	110	2	220	55.06	12,113.20
Total	350	1	350	6	1,180	.....	64,970.80

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) The accuracy of the agency’s estimate of the burden of the proposed collection of information;

(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 on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses. HUD encourages interested parties to submit comment in response to these questions.

C. Authority

Section 2 of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507.

Anna Guido,
Department Clearance Officer, Office of Policy Development and Research, Chief Data Officer.

[FR Doc. 2025–13602 Filed 7–18–25; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–7092–N 21; OMB Control No.: 2502–0418]

30-Day Notice of Proposed Information Collection: Multifamily Insurance Benefits Claims Package

AGENCY: Office of Policy Development and Research, Chief Data Officer, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comments from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 30 days of public comment.

DATES: *Comments Due Date:* August 20, 2025.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. 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: Anna Guido, Clearance Officer, Paperwork Reduction Act Division, PRAD, Department of Housing and Urban Development, 451 7th Street SW, Room 8210, Washington, DC 20410; email at Anna.P.Guido@hud.gov, telephone (202) 402–5535. This is not a toll-free number. HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit <https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs>. Copies of available documents submitted to OMB may be obtained from Ms. Guido.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in

¹ Hourly cost estimated using U.S. Bureau of Labor Statistics data for 2024 wage category: Sales

and Office Occupation, Information industry41–4011 Sales Representatives, Wholesale and

Manufacturing, Technical and Scientific Products <https://data.bls.gov/oesprofile/>.

Section A. The **Federal Register** notice that solicited public comment on the information collection for a period of 60 days was published on December 11, 2024 at 89 FR 99893.

A. Overview of Information Collection

Title of Information Collection: Multifamily Insurance Benefits Claims Package.

OMB Approval Number: 2502-0418.
Type of Request: Extension of a currently approved collection.

Form Number: HUD-2741; HUD-2742; HUD-2744-A; HUD-2744-B; HUD-2744-C; HUD-2744-D; HUD-2744-E; HUD-434; HUD-1044-D.

Description of the need for the information and proposed use: A lender with an insured multifamily mortgage

pays an annual insurance premium to the Department. When and if the mortgage goes into default, the lender may elect to file a claim for FHA Multifamily insurance benefits with the Department. HUD needs this information to determine if FHA multifamily insurance claims submitted to HUD are accurate, valid and support payment.

Information collection	Number of respondents	Frequency of response	Responses per annum	Burden hours per response	Annual burden hours	Hourly cost per response	Annual cost
Businesses or other for-profit organizations							
Statement of Taxes, HUD FORM-434	72	1	72	0.5	36	31.98	1,151.28
Fiscal Instructions for Filing for Multifamily Insurance Benefits, HUD FORM-2741	72	1	72	2.0	144	31.98	4,605.12
Fiscal Data in Support of Claim for Multifamily Mortgage, HUD FORM-2742	72	1	72	0.5	36	31.98	1,151.28
Allocation of Mortgagee Receipts and Disbursements—Schedule A, HUD FORM-2744-A	72	1	72	1.25	90	31.98	2,878.20
Mortgagee Report of Project Collections—Schedule B, HUD FORM-2744-B	72	1	72	0.75	54	31.98	1,726.92
Mortgagee Report of Project Disbursements—Schedule C, HUD FORM-2744-C	72	1	72	0.5	36	31.98	1,151.28
Mortgagee Report of Other Disbursements—Schedule D, HUD FORM-2744-D	72	1	72	0.25	18	31.98	575.64
Mortgagee Report of Special Escrow—Schedule E, HUD FORM-2744-E	72	1	72	0.25	18	31.98	575.64
Multifamily Insurance Benefit Claim Payment Information in Support of Claim Treasury Financial Communication System for Mortgage Wiring Instructions., HUD FORM-1044-D	72	1	72	0.5	36	31.98	1,151.28
Sub-Totals	72		72		468		14,966.64
Local or Tribal Government							
Statement of Taxes HUD FORM-434	38	1	38	0.5	19	31.98	607.62
Fiscal Instructions for Filing for Multifamily Insurance Benefits, HUD FORM-2741	38	1	38	2.0	76	31.98	2430.48
Fiscal Data in Support of Claim for Multifamily Mortgage Insurance Benefits, HUD FORM-2742	38	1	38	0.5	19	31.98	607.62
Allocation of Mortgagee Receipts and Disbursements—Schedule A, HUD FORM-2744-A	38	1	38	1.25	47.50	31.98	1519.05
Mortgagee Report of Project Collections—Schedule B, HUD FORM-2744-B	38	1	38	0.75	28.50	31.98	911.43
Mortgagee Report of Project Disbursements—Schedule C, HUD FORM-2744-C	38	1	38	0.5	19	31.98	607.62
Mortgagee Report of Other Disbursements—Schedule D, HUD FORM-2744-D	38	1	38	0.25	9.50	31.98	303.81
Mortgagee Report of Special Escrow—Schedule E, HUD FORM-2744-E	38	1	38	0.25	9.50	31.98	303.81
Multifamily Insurance Benefit Claim Payment Information in Support of Claim Treasury Financial Communication System for Mortgage Wiring Instructions., HUD FORM-1044-D	38	1	38	0.5	19	31.98	607.62
Sub-Totals	38		38		247		7,899.06
Totals	110		110		715		22,865.70

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) The accuracy of the agency’s estimate of the burden of the proposed collection of information;

(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 on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

C. Authority

Section 2 of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507.

Anna Guido,
Department Clearance Officer, Office of Policy Development and Research, Chief Data Officer.

[FR Doc. 2025-13603 Filed 7-18-25; 8:45 am]

BILLING CODE 4210-67-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-7092-N 22; OMB Control No.: 2502-0538]

30-Day Notice of Proposed Information Collection: Application for Fee or Roster Personnel (Appraisers) Designation and Appraisal Reports

AGENCY: Office of Policy Development and Research, Chief Data Officer, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comments from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 30 days of public comment.

DATES: *Comments Due Date:* August 20, 2025.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. 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:

Anna Guido, Clearance Officer, Paperwork Reduction Act Division, PRAD, Department of Housing and Urban Development, 451 7th Street SW, Room 8210, Washington, DC 20410; email at Anna.P.Guido@hud.gov, telephone (202) 402-5535. This is not a toll-free number. HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit <https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs>. Copies of available documents submitted to OMB may be obtained from Ms. Guido.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A. The **Federal Register** notice that solicited public comment on the information collection for a period of 60 days was published on December 27, 2024 at 89 FR 105622.

A. Overview of Information Collection

Title of Information Collection: Application for Fee or Roster Personnel (Appraisers) Designation and Appraisal Reports.

OMB Approval Number: 2502-0538.

Type of Request: This is an extension of a currently approved collection.

Form Number: HUD 92563-A, HUD 92564-CN.

Description of the need for the information and proposed use: Accurate and thorough Appraisal reporting is critical to the accuracy of underwriting for the mortgage insurance process. The need for accuracy is increased for a Federal Housing Administration (FHA) insured mortgage since buyers tend to have more limited income and lower equity in the properties. This collection of information provides a more thorough and complete appraisal of prospective HUD-insured single-family properties ensuring that mortgages are acceptable for FHA insurance and thereby protect the interest of HUD, the taxpayers, and the FHA insurance fund. The collection allows HUD to maintain an effective appraisal program with the ability to discipline appraisers and inform potential homeowners of the benefits of purchasing an independent home inspection.

Information collection	Number of respondents	Frequency of response	Responses per annum	Burden hour per response	Annual burden hours	Hourly cost per response	Annual cost
HUD-92563-A	820	1	820	0.2	164	\$37.10	\$6,084
State License	22,973	1	22,973	0.05	1,149	37.10	42,614.92
HUD-92564-CN	633,494	1	633,494	0.02	12,670	33.74	427,481.75
Total	657,287	.....	657,287	.....	13,983	.....	476,181.07

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) The accuracy of the agency’s estimate of the burden of the proposed collection of information;

(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 on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

C. Authority

Section 2 of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507.

Anna Guido,

Department Clearance Officer, Office of Policy Development and Research, Chief Data Officer.

[FR Doc. 2025-13605 Filed 7-18-25; 8:45 am]

BILLING CODE 4210-67-P

DEPARTMENT OF THE INTERIOR

Geological Survey

[Docket No. USGS-2025-0014; OMB Control Number 1028-0051; GX.25.GG00.99600.00]

Agency Information Collection Activities; Earthquake Hazards Program Research and Monitoring

AGENCY: U.S. Geological Survey, Interior.

ACTION: Notice of Information Collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act (PRA) of 1995, the U.S. Geological Survey (USGS) is proposing to renew an information collection.

DATES: Interested persons are invited to submit comments on or before September 19, 2025.

ADDRESSES: You may submit comments by one of the following methods:

▪ *Internet:* <https://www.regulations.gov>. Search for and submit comments on Docket No. USGS–2025–0014.

▪ *U.S. Mail:* USGS, Information Collections Clearance Officer, 12201 Sunrise Valley Drive, MS 159, Reston, VA 20192.

FOR FURTHER INFORMATION CONTACT: Jill Franks, USGS Earthquake Hazards Program, by email at jfranks@usgs.gov, or by telephone at 571–294–1718. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION: In accordance with the PRA (44 U.S.C. 3501 *et seq.*) and 5 CFR 1320.8(d)(1), all information collections require approval under the PRA. As part of our continuing effort to reduce paperwork and respondent burdens, we invite the public and other Federal agencies to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

We are especially interested in public comment addressing the following:

- (1) Whether or not the collection of information is necessary for the proper performance of the functions of the agency, including whether or not the information will have practical utility;
- (2) The accuracy of our estimate of the burden for this collection of information, including the validity of the methodology and assumptions used;
- (3) Ways to enhance the quality, utility, and clarity of the information to be collected; and
- (4) How the agency might minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of response.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this ICR. Before including your address, phone number,

email address, or other personally identifiable information (PII) in your comment, you should be aware that your entire comment—including your PII—may be made publicly available at any time. While you can ask us in your comment to withhold your PII from public review, we cannot guarantee that we will be able to do so.

Abstract: Research and monitoring findings are essential to fulfilling the USGS's responsibility under the Earthquake Hazards Reduction Act to develop earthquake hazard assessments and record earthquake activity nationwide. Residents, emergency responders, engineers, and the general public rely on the USGS for this accurate and scientifically sound information. The USGS Earthquake Hazards Program funds external investigators to carry out these important activities. In response to our program announcements, investigators submit proposals for research and monitoring activities on earthquake hazard assessments, earthquake causes and effects, and earthquake monitoring. This information is used as the basis for selection and award of projects meeting the USGS's Earthquake Hazards Program objectives. Final reports of research and monitoring findings are required for each funded proposal; annual progress reports are required for awards of a two- to five-year duration. Final reports are made available to the general public at the website <https://www.usgs.gov/programs/earthquake-hazards/science/external-grants>.

Title of Collection: Earthquake Hazards Program Research and Monitoring.

OMB Control Number: 1028–0051.

Form Number: None.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: Research scientists, engineers, and the general public.

Total Estimated Number of Annual Respondents: 370 (250 applications and narratives and 120 annual and final reports).

Total Estimated Number of Annual Responses: 370 (250 applications and narratives and 120 annual and final reports).

Estimated Completion Time per Response: 45 hours per proposal application response and 9 hours per final or annual progress report.

Total Estimated Number of Annual Burden Hours: 12,330 (11,250 hours per application and 1,080 hours per final or annual progress report).

Respondent's Obligation: Participation is voluntary, but necessary to receive benefits.

Frequency of Collection: Annually and once every 3 to 5 years, depending on the duration of the award.

Total Estimated Annual Nonhour Burden Cost: There are no non-hour cost burdens associated with this Information Collection.

An agency may not conduct or sponsor, nor is a person is required to respond to a collection of information unless it displays a currently valid OMB control number.

The authority for this action is the PRA of 1995 (44 U.S.C. 3501 *et seq.*).

Jill Franks,

Associate Program Coordinator, External Grants, USGS, Natural Hazards.

[FR Doc. 2025–13671 Filed 7–18–25; 8:45 am]

BILLING CODE 4338–11–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act

On July 16, 2025, the Department of Justice lodged a proposed consent decree with the United States District Court for the Eastern District of Illinois in the lawsuit entitled *United States v. State of Illinois*, Civil Action No. 25–cv–8122 [Docket No. 3].

The United States filed this lawsuit under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) against defendant the State of Illinois (State). The complaint requests recovery of costs that the United States incurred responding to releases of hazardous substances at the NPL–8 subarea of the Ottawa Radiation Areas Superfund Site in Ottawa, Illinois. The complaint also seeks injunctive relief. Under the consent decree, the State has agreed to perform valuable in-kind services relating to the radiation contamination in support of the remedial action that the U.S. Environmental Protection Agency will be implementing at NPL–8. These services are valued estimated to cost approximately \$10.49 million. In return, the United States provides a covenant not to sue the State under sections 106 and 107 of CERCLA.

The publication of this notice opens a period for public comment on the consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. State of Illinois*, D.J. Ref. No. 90–11–3–06883/3. All comments must be submitted no later

than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	Send them to:
By email	<i>pubcomment-ees.enrd@usdoj.gov.</i>
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, D.C. 20044–7611.

Any comments submitted in writing may be filed in whole or in part on the public court docket without notice to the commenter.

During the public comment period, the consent decree may be examined and downloaded at this Justice Department website: <https://www.justice.gov/enrd/consent-decrees>. If you require assistance accessing the consent decree, you may request assistance by email or by mail to the addresses provided above for submitting comments.

Laura Thoms,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2025–13661 Filed 7–18–25; 8:45 am]

BILLING CODE 4410–15–P

DEPARTMENT OF LABOR

Employee Benefits Security Administration

Agency Information Collection Activities; Notification of Public

AGENCY: Employee Benefits Security Administration (EBSA), Department of Labor.

ACTION: Discontinuance of an Information Collection.

SUMMARY: The Department of Labor (the Department), in accordance with the Paperwork Reduction Act, is providing the general public and Federal agencies with notice of the discontinuance of a collection of information under control number 1210–0114, “Plan Assets”—Insurance Company General Accounts.

DATES: Existing collection of information will be discontinued if the final rule at 90 FR 28009 becomes effective on September 2, 2025.

SUPPLEMENTARY INFORMATION:

I. Current Actions

The Department published a Direct Final Rule (final rule) on July 1, 2025

(90 FR 28009) which would remove 29 CFR 2550.401c–1 from the Code of Federal Regulations. The final rule is effective September 2, 2025, unless significant adverse comments are received by July 31, 2025. When effective, the final rule will remove regulatory provisions that contain collection-of-information requirements that have been reviewed and approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501 *et seq.*) and OMB’s regulations at 5 CFR part 1320. The existing collection-of-information requirements were approved under OMB Control Number 1210–0114. OMB last renewed its approval of the requirements on October 22, 2024.

The regulation being removed, 29 CFR 2550.401c–1, imposes specific requirements on insurers that are parties to Transition Policies in order to ensure that the fiduciaries acting on behalf of plans have adequate information and understanding of how the Transition Policies work. The information collection requirement contained within 29 CFR 2550.401c–1 requires that an insurer that issues and maintains a Transition Policy to or for the benefit of an employee benefit plan must disclose to the plan fiduciary, initially upon issuance of the policy and on an annual basis, to the extent that the policy is not a guaranteed benefit policy: (1) the methods by which income and expenses of the insurer’s general account are allocated to the policy, the actual annual return to the plan, and other pertinent information; (2) the extent to which alternative arrangements supported by the assets of the insurer’s separate accounts are available; (3) any rights under the policy to transfer funds to a separate account and the terms governing such right; and (4) the extent to which support by assets of the insurer’s separate accounts might pose differing risks to the plan.

When 29 CFR 2550.401c–1 is removed, the underlying requirements for the information collections would no longer exist. In EBSA’s most recent supporting statement for the information collection requirements contained in 29 CFR 2550.401c–1, subject to uncertainty, the estimated burden on employers is 112,498 hours, and a cost burden of \$960. When effective, the final rule would therefore remove the burden and associated costs in those amounts.

Signed at Washington, DC, this 14th day of July 2025.

Janet Dhillon,

Acting Assistant Secretary, Employee Benefits Security Administration, U.S. Department of Labor.

[FR Doc. 2025–13657 Filed 7–18–25; 8:45 am]

BILLING CODE 4510–29–P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; National Longitudinal Survey of Youth 1997

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Bureau of Labor Statistics (BLS)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that the agency receives on or before August 20, 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.

Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency’s estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

FOR FURTHER INFORMATION CONTACT: Nicole Bouchet by telephone at 202–693–0213, or by email at DOL_PRA_PUBLIC@dol.gov.

SUPPLEMENTARY INFORMATION: The National Longitudinal Survey of Youth 1997 (NLSY97) includes a sample of respondents who were born in the years 1980 through 1984 and lived in the United States when the survey began in

1997. The primary objective of the survey is to study the transition from full-time schooling to the establishment of careers and families. The longitudinal focus of the survey requires information to be collected about the same individuals over many years in order to trace their education, training, work experience, fertility, income, and program participation. One of the goals of the Department of Labor is to produce and disseminate timely, accurate, and relevant information about the U.S. labor force. BLS contributes to this goal by gathering information about the labor force and labor market and disseminating it to policymakers and the public so that participants in those markets can make more informed, and thus more efficient, choices. Research based on the NLSY97 contributes to the formation of national policy in the areas of education, training, employment programs, and school-to-work transitions. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on February 27, 2025 (90 FRN 10831).

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. See 5 CFR 1320.5(a) and 1320.6.

Agency: DOL–BLS.

Title of Collection: National Longitudinal Survey of Youth 1997.

OMB Control Number: 1220–0157.

Affected Public: Individuals and Households.

Total Estimated Number of Respondents: 6,441.

Total Estimated Number of Responses: 6,541.

Total Estimated Annual Time Burden: 7,632 hours.

Total Estimated Annual Other Costs Burden: \$0.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Nicole Bouchet,

Senior Paperwork Reduction Act Analyst.

[FR Doc. 2025–13573 Filed 7–18–25; 8:45 am]

BILLING CODE 4510–24–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice: 25–026]

Notice of Intent To Grant an Exclusive, Co-Exclusive or Partially Exclusive Patent License

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Notice of intent to grant exclusive, co-exclusive or partially exclusive patent license.

SUMMARY: NASA hereby gives notice of its intent to grant an exclusive, co-exclusive or partially exclusive patent license to practice the inventions described and claimed in the patents and/or patent applications listed in **SUPPLEMENTARY INFORMATION** below.

DATES: The prospective exclusive, co-exclusive or partially exclusive license may be granted unless NASA receives written objections including evidence and argument, no later than August 5, 2025 that establish that the grant of the license would not be consistent with the requirements regarding the licensing of federally owned inventions as set forth in the Bayh-Dole Act and implementing regulations. Competing applications completed and received by NASA no later than August 5, 2025 will also be treated as objections to the grant of the contemplated exclusive, co-exclusive or partially exclusive license. Objections submitted in response to this notice will not be made available to the public for inspection and, to the extent permitted by law, will not be released under the Freedom of Information Act.

ADDRESSES: *Objections and Further Information:* Written objections relating to the prospective license or requests for further information may be submitted to Agency Counsel for Intellectual Property, NASA Headquarters at Email: hq-patentoffice@mail.nasa.gov. Questions may be directed to Phone: (202) 358–0646.

SUPPLEMENTARY INFORMATION: NASA intends to grant an exclusive, co-exclusive, or partially exclusive patent license in the United States to practice the inventions described and claimed in: U.S. Patent No. 9,445,779 titled “INFRASONIC STETHOSCOPE FOR MONITORING PHYSIOLOGICAL PROCESSES” and U.S. Patent No. 9,867,591 titled “INFRASONIC STETHOSCOPE FOR MONITORING PHYSIOLOGICAL PROCESSES” to QuakeLogic, Inc., having its principal place of business in 4010 Foothills Blvd. Suite 103 #194, Roseville, California 95747. The fields of use may be limited. NASA has not yet made a final

determination to grant the requested license and may deny the requested license even if no objections are submitted within the comment period.

This notice of intent to grant an exclusive, co-exclusive or partially exclusive patent license is issued in accordance with 35 U.S.C. 209(e) and 37 CFR 404.7(a)(1)(i). The patent rights in these inventions have been assigned to the United States of America as represented by the Administrator of the National Aeronautics and Space Administration. The prospective license will comply with the requirements of 35 U.S.C. 209 and 37 CFR 404.7.

Information about other NASA inventions available for licensing can be found online at <http://technology.nasa.gov>.

Trenton J. Roche,

*Agency Counsel for Intellectual Property,
National Aeronautics and Space
Administration.*

[FR Doc. 2025–13608 Filed 7–18–25; 8:45 am]

BILLING CODE 7510–13–P

NATIONAL CREDIT UNION ADMINISTRATION

Renewal of Agency Information Collection of a Previously Approved Collection; Request for Comments

AGENCY: National Credit Union Administration (NCUA).

ACTION: Notice of submission to the Office of Management and Budget.

SUMMARY: As required by the Paperwork Reduction Act of 1995, The National Credit Union Administration (NCUA) is submitting the following extensions of currently approved collections to the Office of Management and Budget (OMB) for renewal.

DATES: Written comments should be received on or before August 20, 2025 to be assured 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 submission may be obtained by contacting Dacia Rogers at (703) 518–6547, emailing PRAComments@ncua.gov, or viewing the entire information collection request at www.reginfo.gov.

SUPPLEMENTARY INFORMATION:

OMB Number: 3133–0209.
Title: NCUA Template—Large Credit Union Data Collection.

Type of Review: Extension of a previously approved collection.

Abstract: The NCUA issued regulation under 12 CFR part 702, subpart C, “Capital Planning and Stress Testing” regarding capital planning and stress testing for federally insured credit unions with \$10 billion or more in assets and supervised by Office of National Examinations and Supervision (covered credit unions). The rule authorizes covered credit unions to conduct stress tests in accordance with the NCUA’s requirements. Section § 702.306 provides for the necessary requirements for those credit unions to conduct supervisory stress tests. The “NCUA Template—Large Credit Union Data Collection” was developed for the credit unions to provide NCUA with the specific data needed to evaluate their internal assessments of capital adequacy and to ensure their capital resources are sufficient.

Affected Public: Private Sector: Not-for-profit institutions.

Estimated Number of Respondents: 37.

Estimated Number of Responses per Respondent: 4.405405405.

Estimated Total Annual Responses: 163.

Estimated Hours per Response: 22.94479.

Estimated Total Annual Burden Hours: 3,740.

Reason for Change: Increase in the number of new credit unions expected to exceed the asset threshold over the next three years.

OMB Number: 3133–0207.

Title: Subordinated Debt, 12 CFR part 702, subpart D.

Type of Review: Extension of a previously approved collection.

Abstract: Subpart D of Part 702 addresses limits on loans to other credit unions; an expansion of the borrowing rule to clarify that federal credit unions (FCUs) can borrow from any source; revisions to the risk-based capital (RBC) rule, and the payout priorities in an involuntary liquidation rule to account for Subordinated Debt and Grandfathered Secondary Capital; and cohering changes to part 741 to account for the other changes proposed in this rule that apply to federally insured, state-chartered credit unions (FISCUs). The borrowing authority granted to FCUs by the FCU Act, along with FCUs’ statutory authority to enter into contracts and exercise incidental powers necessary or required to enable the FCUs to effectively carry on their business, supports the legal analysis

that FCUs are authorized to incur indebtedness through the issuance of debt securities of the type contemplated by this proposed rule. This rule permits LICUs, Complex Credit Unions, and New Credit Unions to issue Subordinated Debt Notes for purposes of regulatory capital treatment. It contains a series of requirements in respect of the Subordinated Debt and Subordinated Debt Note, disclosures and offering materials, repayment (including prepayment), and regulatory capital treatment.

Affected Public: Private Sector: Not-for-profit institutions.

Estimated Number of Respondents: 2,500.

Estimated Number of Responses per Respondent: 1.1564.

Estimated Total Annual Responses: 2,891.

Estimated Hours per Response: 1.817018.

Estimated Total Annual Burden Hours: 5,253.

Reason for Change: Estimated number of respondents decreased due to the number of credit unions with outstanding borrowing.

Request for Comments: Comments submitted in response to this notice will be summarized and included in the request for Office of Management and Budget approval. All comments will become a matter of public record. The public is invited to submit comments concerning: (a) whether the collection of information is necessary for the proper performance of the function of the agency, including whether the information will have practical utility; (b) the accuracy of the agency’s estimate of the burden of the collection of information, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of the information on the respondents, including the use of automated collection techniques or other forms of information technology.

By the National Credit Union Administration Board.

Melane Conyers-Ausbrooks,
Secretary of the Board.

[FR Doc. 2025–13627 Filed 7–18–25; 8:45 am]

BILLING CODE 7535–01–P

NATIONAL CREDIT UNION ADMINISTRATION

Sunshine Act Meetings

TIME AND DATE: 10:00 a.m., Thursday, July 24, 2025.

PLACE: Board Room, 7th Floor, Room 7B, 1775 Duke Street (All visitors must use Diagonal Road Entrance), Alexandria, VA 22314–3428.

STATUS: Open.

MATTERS TO BE CONSIDERED:

1. Board Briefing, Artificial Intelligence.
2. Board Briefing, Ombudsman Overview and Update.
3. Board Briefing, Central Liquidity Facility.

CONTACT PERSON FOR MORE INFORMATION: Melane Conyers-Ausbrooks, Secretary of the Board, Telephone: 703–518–6304.

Melane Conyers-Ausbrooks,

Secretary of the Board.

[FR Doc. 2025–13706 Filed 7–17–25; 4:15 pm]

BILLING CODE 7535–01–P

NATIONAL SCIENCE FOUNDATION

Sunshine Act Meetings

The National Science Board (NSB) hereby gives notice of the scheduling of meetings of the Committee on Awards and Facilities (A&F) and of the Board 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: A&F meeting—Tuesday, July 22, 2025, from 1 p.m.–2:10 p.m. Eastern.

NSB meeting—Wednesday, July 23, 2025, from 9:25 a.m.–3:50 p.m. Eastern.

PLACE: The meetings will be held by videoconference through NSF headquarters, 2415 Eisenhower Avenue, Alexandria, VA 22314. The open session of the meeting will be webcast live on the NSB YouTube channel. The link is: <https://youtube.com/live/9Os9sAAcsjM?feature=share>.

STATUS: Some of the sessions will be open and others will be closed to the public. See the full description below.

MATTERS TO BE CONSIDERED:

Tuesday, July 22, 2025

A&F Committee Closed Session 1:00–2:10 p.m.

- Chair’s remarks on the agenda
- Information Item: Legend-1000
- Discussion and vote on National Geophysical Facility (NGF) Operations and Maintenance Award

Wednesday, July 23, 2025

Plenary Board Meeting

Closed Session: 9:25–10:35 a.m.

- Acting Chair’s Opening Remarks about the agenda
 - Approval of Closed Plenary

- minutes—May 2025
- Merit Review Report Discussion
- NSF 2026–2030 Strategic Plan Update
- A&F Report and Action Item—
 - Information item: Legend 1000
 - NGF Operations and Maintenance Award

Plenary Board Meeting

Open Session: 10:45 a.m.–12:00 p.m.

- Acting Chair's Remarks
 - Acknowledgements
 - Activities Report
 - Approval of Open Plenary Minutes—December 2024 and May 2025
- Approval of NSB's 2026 Meeting Calendar
- Panel—The Power of Science and Technology Research: Driving American Innovation
 - A.N. Sreeram, Dow
 - Bill Daly, NVIDIA
 - Wen Hsieh, Matter Venture Partners
 - Moderator, NSB Member Ryan Panchadsaram

Plenary Board Meeting

Open Session: 1:00–2:25 p.m.

- NSB Honorary Awards: Award Presentation and Panel Discussion
 - Robert W. Conn, Vannevar Bush Award
 - Rocco Mennella and Jane Hemelt, NSB Science and Society Award
 - Moderator, NSB External Engagement Chair Dorota Grejner-Brzezinska
- *Indicators 2026*: Discovery Report, Brief, and Fact Sheet
- Graduate Research Fellowship Update
- Gold Standard Science Update
- Merit Review Digest Overview

Plenary Board Meeting

Executive Closed Session: 2:35–3:50 p.m.

- Acting Chair's Opening Remarks about the agenda
 - Approval of closed Executive Plenary Closed minutes—May 2025
- NSF Staffing
- NSF Relocation
- NSF Director Search
- NSB Election of Board Chair, possible election of Vice Chair

PORTIONS OPEN TO THE PUBLIC:

Wednesday, July 23, 2025

10:45 a.m.–12:00 p.m. Plenary NSB
1:00 p.m.–2:25 p.m. Plenary NSB

PORTIONS CLOSED TO THE PUBLIC:

Tuesday, July 22, 2025

1:00 p.m.–2:10 p.m. A&F

Wednesday, July 23, 2025

9:25 a.m.–10:35 a.m. Plenary NSB

2:35 p.m.–3:50 p.m. Executive Plenary NSB

Members of the public are advised that the *NSB provides some flexibility around start and end times*. A session may be allowed to run over by as much as 15 minutes if the Chair decides the extra time is warranted. The next session will start no later than 15 minutes after the noticed start time. If a session ends early, the next meeting may start up to 15 minutes earlier than the noticed start time. Sessions will not vary from the times noticed by more than 15 minutes.

CONTACT PERSON FOR MORE INFORMATION:

The NSB Office contact is Christopher Blair, cblair@nsf.gov, 703–292–7000. The NSB Public Affairs contact is Nadine Lymn, nlymn@nsf.gov, 703–292–2490. Please refer to the NSB website for additional information: <https://www.nsf.gov/nsb>.

Ann Bushmiller,

Senior Counsel to the National Science Board.
[FR Doc. 2025–13591 Filed 7–17–25; 11:15 am]

BILLING CODE 7555–01–P

NATIONAL SCIENCE FOUNDATION

Request for Public Comment: National Plan for Arctic Research

AGENCY: National Science Foundation (NSF).

ACTION: Request for information.

SUMMARY: The Interagency Arctic Research Policy Committee (IARPC), chaired by the National Science Foundation, seeks public input from all interested parties on national needs regarding the Arctic and the research necessary to address those needs. The public input provided in response to this RFI will inform the update of the five-year National Arctic Research Plan for 2027–2031.

DATES: Written responses are due by October 15, 2025.

ADDRESSES: Interested individuals and organizations should submit comments electronically via email to IARPCPlan@nsf.gov. Send written submissions to Roberto Delgado, Office of Polar Programs, National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314.

Instructions:

Response to this RFI is voluntary. Please note that all submissions received in response to this notice may be publicly posted or otherwise released in their entirety. Do not include in your submissions any copyrighted material; information of a confidential nature, such as personal or proprietary

information; or any information you would not like to be made publicly available. NSF will not respond to individual submissions. A response to this RFI will not be viewed as a binding commitment to develop or pursue the project or ideas discussed. This RFI is not accepting applications for financial assistance or financial incentives. Responses containing references, studies, research, and other empirical data that are not widely published should include copies of or electronic links to the referenced materials. Responses from minors, or responses containing profanity, vulgarity, threats, or other inappropriate language or content will not be considered. Comments submitted in response to this notice are subject to the Freedom of Information Act (FOIA). Please note that the United States Government will not pay for response preparation, or for the use of any information contained in a response.

FOR FURTHER INFORMATION CONTACT:

Please contact the IARPC Executive Secretary, Dr. Lesley Anderson, at 571–565–6963, or by email at leanders@associates.nsf.gov.

SUPPLEMENTARY INFORMATION: The Arctic Research and Policy Act of 1984 (ARPA), 15 U.S.C. Chapter 67, provides for a comprehensive national policy to identify and address national research needs and objectives in the Arctic. The ARPA established an Arctic Research Commission (USARC), designated the National Science Foundation as the lead agency responsible for implementing Arctic research policy, and established an Interagency Arctic Research Policy Committee (IARPC). The ARPA legislation charges the IARPC, in cooperation with the USARC, to develop and establish an integrated national Arctic research policy that will guide Federal agencies in implementing their research programs in the Arctic.

About the Arctic Research Plan

IARPC is required by law to prepare and execute a 5-year Arctic Research Plan, which helps to coordinate the overall Federal effort in Arctic research. To date, three five-year Arctic Research Plans have been released and implemented, the most recent covering 2022–2026, and the current Implementation Plan for 2025–2026 is available here. As required by the ARPA legislation, IARPC works in partnership with USARC, as well as with representatives from Arctic communities, federally recognized Tribal groups, the State of Alaska, the private sector, non-governmental organizations, research institutions, and

the academic community. Accordingly, the current Plan is being implemented by nine collaboration teams and eleven communities of practice which are co- led by Federal agency staff and non-Federal individuals with subject matter expertise.

These Arctic Research Plans reflect the goals and missions of the Federal agencies supporting research in the Arctic and focus on research which will be enhanced through collaboration among Federal agencies, as opposed to agencies working alone. The updated Arctic Research Plan will guide Federal coordination of Arctic research for the period 2027–2031, positioning the United States to remain a global leader in Arctic research and stewardship for many years to come.

Seeking Public Input

As called for in the ARPA, IARPC seeks input from any interested individuals and organizations to ensure that the research interests and needs of all are addressed appropriately in the updated Plan. IARPC is committed to an open engagement process throughout the development of the Plan.

In particular, IARPC is interested in feedback in response to the following questions regarding what updates should be made to the Arctic Research Plan 2027–2031:

1. What are the critical issues and needs where federally-funded science, engineering, and technology research should provide knowledge to promote sound decision-making at all levels related to the Arctic?
2. What are examples of research questions that address these issues?

Background

For context, the current Plan “Arctic Research Plan 2022–2026” has four policy drivers, four priority areas, and five foundational activities.

The policy drivers for the Arctic Research Plan FY2022–2026 are:

- Enhance the well-being of Arctic residents;
 - Advance stewardship of the Arctic environment;
 - Strengthen national and regional security; and
 - Improve understanding of the Arctic as a component of planet Earth
- The priority areas for the Arctic Research Plan FY2022–2026 are:
- Community Resilience and Health
 - Sustainable Economies and Livelihoods
 - Risk Management and Hazard Mitigation

The foundational activities for the current Arctic Research Plan, which are

meant to undergird the priority areas, are:

- Data management
- Education and Training
- Monitoring, Observation, Modeling and Prediction
- Technology Innovation and Application
- Tribal Consultation and Effective Processes

For the full Arctic Research Plan 2022–2026, see: <https://www.iarpc.collaborations.org/uploads/cms/documents/final-arp-2022-2026-20211214.pdf>.

For the full Arctic Research Plan 2017–2021, see: https://www.iarpc.collaborations.org/download.axd?file=iarpc_arctic_research_plan_2017-2021.pdf.

For the full Arctic Research Plan 2013–2017, see: https://www.iarpc.collaborations.org/uploads/cms/documents/arctic_research_2013.pdf.

(Authority: 42 U.S.C. 1861.)

Dated: July 17, 2025.

Suzanne H. Plimpton,

Reports Clearance Officer, National Science Foundation.

[FR Doc. 2025–13642 Filed 7–18–25; 8:45 am]

BILLING CODE 7555–01–P

NATIONAL SCIENCE FOUNDATION

Astronomy and Astrophysics Advisory Committee; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation (NSF) announces the following meeting:

Name and Committee Code: Astronomy and Astrophysics Advisory Committee (13883) (Virtual).

Date and Time: August 15, 2025; 10 a.m.–6 p.m. eastern time.

Place: NSF 2415 Eisenhower Avenue, Alexandria, VA 22314 | Virtual.

This is a virtual meeting. Members and the public may attend this meeting virtually via Zoom. Attendance information for the meeting will be forthcoming on the AAAC website: <https://www.nsf.gov/mps/ast/aaac.jsp>.

Registration for the virtual meeting can be accessed via the following link: https://nsf.zoomgov.com/webinar/register/WN_JB19nvj0RAOnNBCyYmKzVA.

Type of Meeting: Open.

Contact Person: Dr. Jacqueline Keane, Program Director, Division of Astronomical Sciences, Suite W 9147, National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314; Telephone: 703–292–8123.

Purpose of Meeting: To hear presentations of current programming by representatives from NSF, NASA, DOE and other agencies relevant to astronomy and astrophysics; to discuss current and potential areas of cooperation between the agencies; to formulate recommendations for continued and new areas of cooperation and mechanisms for achieving them.

Agenda: To provide updates on Agency activities and to discuss the Committees draft annual report due 15 March 2026.

Dated: July 17, 2025.

Crystal Robinson,

Committee Management Officer.

[FR Doc. 2025–13672 Filed 7–18–25; 8:45 am]

BILLING CODE 7555–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2025–0001]

Sunshine Act Meetings

TIME AND DATE: Weeks of July 21, 28, and August 4, 11, 18, 25, 2025. The schedule for Commission meetings is subject to change on short notice. The NRC Commission Meeting Schedule can be found on the internet at: <https://www.nrc.gov/public-involve/public-meetings/schedule.html>.

PLACE: The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings or need this meeting notice or the transcript or other information from the public meetings in another format (e.g., braille, large print), please notify Anne Silk, NRC Disability Program Specialist, at 301–287–0745, by videophone at 240–428–3217, or by email at Anne.Silk@nrc.gov. Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

STATUS: Public.

Members of the public may request to receive the information in these notices electronically. If you would like to be added to the distribution, please contact the Nuclear Regulatory Commission, Office of the Secretary, Washington, DC 20555, at 301–415–1969, or by email at Betty.Thweatt@nrc.gov or Samantha.Miklaszewski@nrc.gov.

MATTERS TO BE CONSIDERED:

Week of July 21, 2025

There are no meetings scheduled for the week of July 21, 2025.

Week of July 28, 2025—Tentative

There are no meetings scheduled for the week of July 28, 2025.

Week of August 4, 2025—Tentative

There are no meetings scheduled for the week of August 4, 2025.

Week of August 11, 2025—Tentative

There are no meetings scheduled for the week of August 11, 2025.

Week of August 18, 2025—Tentative

There are no meetings scheduled for the week of August 18, 2025.

Week of August 25, 2025—Tentative

There are no meetings scheduled for the week of August 25, 2025.

CONTACT PERSON FOR MORE INFORMATION:

For more information or to verify the status of meetings, contact Wesley Held at 301-287-3591 or via email at Wesley.Held@nrc.gov.

The NRC is holding the meetings under the authority of the Government in the Sunshine Act, 5 U.S.C. 552b.

Dated: July 17, 2025.

For the Nuclear Regulatory Commission.

Wesley W. Held,

Policy Coordinator, Office of the Secretary.

[FR Doc. 2025-13647 Filed 7-17-25; 4:15 pm]

BILLING CODE 7590-01-P

OFFICE OF SPECIAL COUNSEL**Senior Executive Service Performance Review Board**

AGENCY: U.S. Office of Special Counsel (OSC).

ACTION: Notice.

SUMMARY: In accordance with 5 U.S.C. 4314(c)(4), the U.S. Office of Special Counsel (OSC) announces the appointment of members to the agency's Senior Executive Service (SES) Performance Review Board (PRB). The PRB is responsible for reviewing and evaluating the initial appraisal of a senior executive's performance by the supervisor, along with any response by the senior executive, and making recommendations to the appointing authority regarding the performance of the senior executive. This notice supersedes all prior notices of the PRB membership.

DATES: These appointments are effective upon publication of this notice.

ADDRESSES: U.S. Office of Special Counsel, 1730 M Street NW, Suite 218, Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT: Jessica McDaniels, Chief Human Capital

Officer, U.S. Office of Special Counsel, at (202) 804-7038 or HCO@osc.gov.

SUPPLEMENTARY INFORMATION: Pursuant to 5 U.S.C. 4314(c), each agency must establish one or more SES Performance Review Boards. The PRB shall review and evaluate the initial performance appraisal of a senior executive, any response to the appraisal, and make recommendations to the appointing authority regarding the executive's performance.

The following individuals have been appointed to serve as members of the OSC SES Performance Review Board:

- Charles Baldis, Senior Counsel and Designee of the Acting Special Counsel
- Karen Gorman, Principal Deputy Special Counsel
- Bruce Fong, Associate Special Counsel
- Karl Kammann, Chief Operating Officer

Dated: July 16, 2025.

Barbara Wheeler Jones,

Chief, Case Review Division, U.S. Office of Special Counsel.

[FR Doc. 2025-13587 Filed 7-18-25; 8:45 am]

BILLING CODE P

POSTAL REGULATORY COMMISSION

[Docket Nos. K2025-140; MC2025-1566 and K2025-1559; MC2025-1575 and K2025-1568]

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:* July 23, 2025.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at <https://www.prc.gov>. Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202-789-6820.

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Introduction

II. Public Proceeding(s)
III. Summary Proceeding(s)

I. Introduction

Pursuant to 39 CFR 3041.405, the Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to Competitive negotiated service agreement(s). The request(s) may propose the addition of a negotiated service agreement from the Competitive product list or the modification of an existing product currently appearing on the Competitive product list.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (<http://www.prc.gov>). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3011.301.¹

Section II identifies the docket number(s) associated with each Postal Service request, if any, that will be reviewed in a public proceeding as defined by 39 CFR 3010.101(p), the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each such request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 and 39 CFR 3000.114 (Public Representative). 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

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).

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)*: K2025–140; *Filing Title*: USPS Request Concerning Amendment One to Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 520, with Materials Filed Under Seal; *Filing Acceptance Date*: July 15, 2025; *Filing Authority*: 39 CFR 3035.105 and 39 CFR 3041.505; *Public Representative*: Evan Wise; *Comments Due*: July 23, 2025.

2. *Docket No(s)*: MC2025–1566 and K2025–1559; *Filing Title*: USPS Request to Add Priority Mail Contract 905 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: July 15, 2025; *Filing Authority*: 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative*: Gregory Stanton; *Comments Due*: July 23, 2025.

3. *Docket No(s)*: MC2025–1575 and K2025–1568; *Filing Title*: USPS Request to Add Priority Mail Express International, Priority Mail International & First-Class Package International Service Contract 78 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: July 15, 2025; *Filing Authority*: 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative*: Maxine Bradley; *Comments Due*: July 23, 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. 2025–13579 Filed 7–18–25; 8:45 am]

BILLING CODE 7710–FW–P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 35681; 812–15753]

Morgan Stanley Pathway Funds and Consulting Group Advisory Services LLC

July 17, 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 section 15(a) of the Act, as well as from certain disclosure requirements in rule 20a–1 under the Act, Item 19(a)(3) of Form N–1A, Items 22(c)(1)(ii), 22(c)(1)(iii), 22(c)(8) and 22(c)(9) of Schedule 14A under the Securities Exchange Act of 1934, and sections 6–07(2)(a), (b), and (c) of Regulation S–X (“Disclosure Requirements”).

SUMMARY OF APPLICATION: The requested exemption would permit Applicants to enter into and materially amend subadvisory agreements with subadvisers without shareholder approval and would grant relief from the Disclosure Requirements as they relate to fees paid to the subadvisers.

APPLICANTS: Morgan Stanley Pathway Funds and Consulting Group Advisory Services LLC.

FILING DATES: The application was filed on April 11, 2025, and amended on May 29, 2025 and June 4, 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 August 11, 2025, and should be accompanied by proof of service on the 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.

ADDRESSES: The Commission: *Secretarys-Office@sec.gov*. Applicants: John J. O’Brien, Esq., Morgan, Lewis & Bockius LLP, *john.obrien@morganlewis.com*, with a copy to Eric Metallo, Morgan Stanley, *eric.metallo@morganstanley.com*.

FOR FURTHER INFORMATION CONTACT: Trace W. Rakestraw, Senior Special Counsel, 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’ application, dated June 4, 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. 2025–13681 Filed 7–18–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meetings

TIME AND DATE: 2:00 p.m. on Thursday, July 24, 2025.

PLACE: The meeting will be held via remote means and at the Commission’s headquarters, 100 F Street NE, Washington, DC 20549.

STATUS: This meeting will be closed to the public.

MATTERS TO BE CONSIDERED:

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the closed meeting. Certain staff members who have an interest in the matters also may be present.

In the event that the time, date, or location of this meeting changes, an announcement of the change, along with the new time, date, and/or place of the meeting will be posted on the Commission’s website at <https://www.sec.gov>.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552(b)(3), (5), (6), (7), (8), 9(B)

and (10) and 17 CFR 200.402(a)(3), (a)(5), (a)(6), (a)(7), (a)(8), (a)(9)(ii) and (a)(10), permit consideration of the scheduled matters at the closed meeting.

The subject matter of the closed meeting will consist of the following topics:

- Institution and settlement of injunctive actions;
- Institution and settlement of administrative proceedings;
- Resolution of litigation claims; and
- Other matters relating to examinations and enforcement proceedings.

At times, changes in Commission priorities require alterations in the scheduling of meeting agenda items that may consist of adjudicatory, examination, litigation, or regulatory matters.

CONTACT PERSON FOR MORE INFORMATION: For further information, please contact Vanessa A. Countryman from the Office of the Secretary at (202) 551-5400.

Authority: 5 U.S.C. 552b.

Dated: July 17, 2025.

Vanessa A. Countryman,
Secretary.

[FR Doc. 2025-13646 Filed 7-17-25; 4:15 pm]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-103478; File No. SR-NYSEAMER-2025-41]

Self-Regulatory Organizations; NYSE American LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Modify the NYSE American Options Fee Schedule To Restructure the Presentation of the Manual Billable Rebate Program and Delete Obsolete Pricing

July 16, 2025.

Pursuant to Section 19(b)(1) ¹ of the Securities Exchange Act of 1934

(“Act”) ² and Rule 19b-4 thereunder, ³ notice is hereby given that, on July 8, 2025, NYSE American LLC (“NYSE American” or the “Exchange”) filed with the Securities and Exchange Commission (the “Commission”) the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to modify the NYSE American Options Fee Schedule (“Fee Schedule”) to modify and restructure the presentation of the Manual Billable Rebate Program and to remove obsolete pricing. The Exchange proposes to implement this change effective July 8, 2025. ⁴ The proposed rule change is available on the Exchange’s website at www.nyse.com, at the principal office of the Exchange, and at the Commission’s Public Reference Room.

II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization’s Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of this filing is to modify the Fee Schedule to restructure the presentation of the Manual Billable Rebate Program (the “Rebate Program”) and to remove obsolete pricing as described herein.

The Rebate Program is available to participants in the Floor Broker Fixed Cost Prepayment Incentive Program (the “FB Prepay Program”), which is an incentive program that allows Floor Brokers that prepay certain of their annual Eligible Fixed Costs to be eligible for the Rebate Program. ⁵ Participating Floor Brokers may be eligible for rebates based on their monthly executions of manual billable sides as well as on combined manual billable and QCC contracts.

Currently, the Rebate Program is presented in table form as shown below and provides that rebates (including the “Additional” rebates) are payable back to the first billable side, with qualifying participants being eligible to receive only one “Additional” rebate.

Tier	Manual billable rebate qualification	Rebate per billable side
1	Execute 500,000 manual billable sides	(\$0.05)
2	Execute 1.1 million manual billable sides	(\$0.07)
	Achieve Tier 1 or 2, plus execute 3.5 million Firm Facilitation sides	Additional (\$0.02)
	Execute 5 million combined manual billable and QCC billable contracts	(\$0.10)
	Execute 7 million combined manual billable and QCC billable contracts	Additional (\$0.01)
	Execute 10 million combined manual billable and QCC billable contracts	Additional (\$0.02)

The Exchange proposes to relocate this information regarding rebates on manual billable volume into paragraphs

(and eliminate the table) because it believes this presentation would make it easier for market participants to

navigate and understand. As proposed,

¹ 15 U.S.C. 78s(b)(1).

² 15 U.S.C. 78a.

³ 17 CFR 240.19b-4.

⁴ On June 11, 2025, the Exchange filed to amend the Fee Schedule (NYSEAMER-2025-34) and

withdrew such filing on June 26, 2025 (NYSEAMER-2025-36), which latter filing the Exchange withdrew on July 8, 2025.

⁵ Manual billable volume includes transactions for which at least one side is subject to manual transaction fees and unless specified excludes

QCCs, and any volume calculated to achieve Strategy Cap, regardless of whether this cap is achieved. See Fee Schedule, Section III.E.1., Floor Broker Fixed Cost Prepayment Incentive Program (the “FB Prepay Program”).

the Rebate Program would be described as follows.⁶

Participants in the FB Prepay Program that achieve the following monthly qualifications will be eligible for rebates through the Manual Billable Rebate Program, payable on a monthly basis. Participating Floor Brokers that execute at least 500,000 manual billable sides in a month are eligible for a rebate of (\$0.05) per billable side, payable back to the first billable side. Participants that execute at

least 1.1 million manual billable sides in a month are eligible for an additional rebate of (\$0.02) per billable side, payable back to the first billable side.

Participants that execute at least 500,000 manual billable sides may be eligible for an additional rebate of (\$0.02) per billable side, payable back to the first billable side, if they also execute at least 3.5 million Firm Facilitation sides. Alternatively, Participants in the FB Prepay Program that execute at least 5 million combined manual billable and

QCC billable contracts in a month are eligible for a rebate of (\$0.10) per billable side, payable back to the first billable side. Participants that achieve this combined volume threshold may also be eligible for one additional rebate based on combined QCC and manual billable contracts, payable back to the first billable side, as shown in the table below. Participants that qualify for both rebates would be entitled only to the greater of the two.

Qualifying volume	Additional rebate per billable side
Execute combined manual billable and QCC billable contracts exceeding 5 million by at least 40%	(\$0.01)
OR	OR
Execute combined manual billable and QCC billable contracts exceeding 5 million by at least 100%	(\$0.02)

The Exchange notes that, currently, it sets forth the above volume thresholds for each Additional Rebate for combined manual billable and QCC billable contracts (“combined threshold”) in raw numbers (e.g., at least 7 million or 10 million). The Exchange believes that utilizing percentages going forward will provide Floor Brokers with a better representation of the volume required to earn the Additional or “step up” rebate. For example, a participating Floor Broker that exceeds the 5 million combined threshold by 40% will earn an additional (\$0.01) and one that exceeds it by 100% (i.e., doubles it) will earn an additional (\$0.02). In other words, as restructured, the 5 million combined threshold will operate as the “base” threshold and Floor Brokers may strive to increase their base combined volume by 40% or 100% to earn the highest rebate available.

The Exchange believes this proposed change to restructure the presentation of the Rebate Program, which does not change the amount of the rebates or the qualifying criteria, would make it easier for market participants—specifically Floor Brokers—to understand the monthly volume required to earn the rebates offered.

Finally, the Exchange proposes to eliminate reference to the Three-Month Manual Volume Program, which is no longer available to FB Prepay participants, as the program expired at the end of May 2025 per the Fee Schedule and therefore this text is obsolete.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,⁷ in general, and furthers the objectives of Sections

6(b)(4) and (5) of the Act,⁸ in particular, because it provides for the equitable allocation of reasonable dues, fees, and other charges among its members, issuers and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers or dealers.

The Exchange believes that the proposed rule change to restructure the presentation of the Rebate Program, is reasonable, equitable, and not unfairly discriminatory because it would improve the readability of the Fee Schedule making it easier to discern the rebates available to Floor Brokers participating in the FB Prepay Program, thus reducing potential investor confusion making the Fee Schedule easier to navigate and understand. Further, the Exchange believes the proposal to delete reference to obsolete pricing (i.e., the Three-Month Manual Volume Program) is reasonable, equitable, and not unfairly discriminatory because it would promote clarity, transparency, and internal consistency and therefore reduce potential investor confusion making the Fee Schedule easier to navigate and understand.

The proposed rule change is equitable and not unfairly discriminatory because it would impact all similarly situated market participants (i.e., FB Prepay Participants) on an equal basis. The Exchange believes that the proposed change would promote investor protection and the public interest because the restructured rule text would enhance and improve the readability of the Fee Schedule thus reducing any potential confusion regarding rebates available to all Floor Brokers participating in the FB Prepay Program.

The Exchange is not proposing any substantive change to the FB Prepay Program or the Rebate Program.

B. Self-Regulatory Organization’s Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act, the Exchange does not believe that the proposed changes would impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Instead, as discussed above, the proposed change relates solely to restructuring the presentation of the Rebate Program and, accordingly, would not have any impact on intramarket or intermarket competition. The proposed change is designed to improve the readability of the Fee Schedule and to reduce (or avoid) any potential confusion regarding rebates available to Floor Brokers participating in the FB Prepay Program.

C. Self-Regulatory Organization’s Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change is effective upon filing pursuant to Section 19(b)(3)(A)⁹ of the Act and subparagraph (f)(2) of Rule 19b-4¹⁰ thereunder, because it establishes a due, fee, or other charge imposed by the Exchange.

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may

⁶ See proposed Fee Schedule, Section III.E.1., Floor Broker Fixed Cost Prepayment Incentive Program (the “FB Prepay Program”).

⁷ 15 U.S.C. 78f(b).

⁸ 15 U.S.C. 78f(b)(4) and (5).

⁹ 15 U.S.C. 78s(b)(3)(A).

¹⁰ 17 CFR 240.19b-4(f)(2).

temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B)¹¹ of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include file number SR-NYSEAMER-2025-41 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.
- All submissions should refer to file number SR-NYSEAMER-2025-41. 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;

¹¹ 15 U.S.C. 78s(b)(2)(B).

you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-NYSEAMER-2025-41 and should be submitted on or before August 11, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹²

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2025-13578 Filed 7-18-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-103475; File No. SR-LTSE-2025-15]

Self-Regulatory Organizations; Long-Term Stock Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Fee Schedule To Adopt Certain Market Data Fees

July 16, 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 July 3, 2025, Long-Term Stock Exchange, Inc. ("LTSE" or "Exchange") filed with the Securities and Exchange Commission ("Commission" or "SEC") a proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange is filing with the Securities and Exchange Commission ("Commission") a proposed rule change to establish a new section (D. Market Data Fees) in the LTSE Fee Schedule for its proprietary market data feeds, Depth of Book, Top of Book and Last Sale (each an "Exchange Data Feed" and collectively, the "Exchange Data Feeds") and adopt fees for the Depth of Book and Top of Book Feeds effective July 3, 2025.³

¹² 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ See Securities Exchange Act Release No. 34-101226 (October 1, 2024), 89 FR 81587 (October 08, 2024) (SR-LTSE-2024-06). See also Securities

The text of the proposed rule change is available at the Exchange's website at <https://longtermstockexchange.com/>, at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the 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 self-regulatory organization has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange is proposing to establish a new section (D. Market Data Fees) in the Long-Term Stock Exchange Fee Schedule for its proprietary market data feeds, Depth of Book, Top of Book and Last Sale (each an "Exchange Data Feed" and collectively, the "Exchange Data Feeds") and adopt fees for the Depth of Book and Top of Book Feeds. The Exchange is proposing to implement the proposed fees effective July 3, 2025.⁴

Proposed Market Data Pricing

The Exchange offers three separate data feeds to subscribers—Depth of

Exchange Act Release No. 100783 (August 20, 2024), 89 FR 68481 (August 26, 2024) (SR-LTSE-2024-03) (Order Approving a Proposed Rule Change to Transition to a New Trading Platform and Amend its Trading Rules).

⁴ See Securities Exchange Act Release No. 34-103076 (May 20, 2025) 90 FR 22339 (May 27, 2025) (SR-LTSE-2025-08), which was filed on May 12, 2025, and replaced SR-LTSE-2025-05. See Securities Exchange Act Release No. 34-102735 (March 27, 2025) 90 FR 14507 (April 2, 2025) (SR-LTSE-2025-05), which was filed on March 14, 2025, and replaced SR-LTSE-2025-02. See Securities Exchange Act Release No. 34-102498 (February 27, 2025), 90 FR 11335 (March 5, 2025) (SR-LTSE-2025-02) which was filed on February 14, 2025, and replaced SR-LTSE-2024-12. See Securities Exchange Act Release No. 34-102097 (January 3, 2025) 90 FR 2054 (January 10, 2025) (SR-LTSE-2024-12), which was filed on December 20, 2024. The fees were initially adopted in SR-LTSE-2024-08, see Securities Exchange Act Release No. 34-101584 (November 12, 2024), 89 FR 90782 (November 18, 2024) (SR-LTSE-2024-08). The Exchange is now withdrawing and replacing this filing with SR-LTSE-2025-15.

Book, Top of Book and Last Sale.⁵ The Exchange notes that there is no requirement that any market participant subscribe to a particular Exchange Data Feed or any Exchange Data Feed whatsoever, but instead, a market participant may choose to maintain subscriptions to those Exchange Data Feeds it deems appropriate based on the firm's business model. The proposed Exchange Data Feed fees will be the same for each subscriber regardless of size or type of market participant. The proposed pricing for each of the Exchange Data Feeds is set forth below.

Depth of Book

The Depth of Book feed is an LTSE-only market data feed that contains all displayed orders for securities trading on the Exchange (*i.e.*, top and depth-of-book order data), order executions (*i.e.*, last sale data), order cancellations, order modifications, order identification numbers, and administrative messages.⁶ For the receipt of access to the Depth of Book feed the Exchange proposes to charge \$2,500 per data recipient per month. The proposed fee would be charged to any data recipient that receives the Depth of Book feed for the purpose of either internal use within the firm and/or external distribution to Affiliates⁷ or for External Use.⁸ The proposed fee for Depth of Book will be charged only once per data recipient per month per subscribing entity.

Top of Book

The Top of Book feed is a LTSE-only market data feed that contains top of book quotations based on equity orders entered into the trading system as well as administrative messages and last sale

⁵ See LTSE Rule 11.330. Data Products. The Exchange notes that in the Rulebook these feeds are defined as the LTSE MEMOIR Depth, LTSE MEMOIR Top and LTSE MEMOIR Last Sale. However, the Exchange is simplifying these names for purposes of simplicity within the LTSE Fee Schedule.

⁶ See LTSE Rule 11.330(a)(1).

⁷ "Affiliates" is defined as any Data Recipient meaning any entity that directly or indirectly meaning any entity that directly or indirectly Controls, is Controlled by, or is under common Control with Data Recipient. An Affiliate of Data Recipient is entitled to the same rights granted to Data Recipient hereunder including the right to use and distribute the Market Data to other Persons subject to the terms of the Exchange Data Agreement. See Long-Term Stock Exchange, Inc. Exchange Data Agreement. Internal distribution includes the sharing of any Exchange data product to other legal entities affiliated with the firm that have been disclosed to the Exchange.

⁸ "External Use" is defined as the distribution of Market Data to Persons who are not officers, employees or Affiliates of the Distributor. See Long-Term Stock Exchange, Inc. Exchange Data Agreement. External distribution includes a firm that receives an Exchange data product and then distributes that data to a third-party or one or more data recipients outside the firm.

data.⁹ For the receipt of access to the Top of Book feed the Exchange proposes to charge \$500 per data recipient per month. The proposed fee would be charged to any data recipient that receives the Top of Book feed for the purpose of either internal distribution within the Company and/or with Affiliates or external distribution for External Use. The proposed fee for Top of Book will be charged only once per month per subscribing entity.

Last Sale

The Last Sale feed is a LTSE-only market data feed that contains only execution information based on equity orders entered into the System as well as administrative messages.¹⁰ For the receipt of access to the Last Sale feed the Exchange proposes to charge \$0 per month.

In proposing to charge fees for Exchange Data Feeds, the Exchange has sought to be especially diligent in assessing those fees in a transparent way against its own aggregate costs of providing the related services. It has also sought to carefully and transparently assess the impact on market participants—both generally and in relation to other market participants, *i.e.*, to assure the fees will not create a financial burden on any participant and will not have an undue impact in particular on smaller market participants and competition among market participants in general. The Exchange believes that this level of diligence and transparency is called for by the requirements of Section 19(b)(1) under the Act,¹¹ and Rule 19b-4 thereunder,¹² with respect to the types of information self-regulatory organizations ("SROs") should provide when filing fee changes, and Section 6(b) of the Act,¹³ which requires, among other things, that exchange fees be reasonable and equitably allocated,¹⁴ not designed to permit unfair discrimination,¹⁵ and that they not impose a burden on competition not necessary or appropriate in furtherance of the purposes of the Act.¹⁶ This rule change proposal addresses those requirements, and the analysis and data in each of the sections that follow are designed to clearly and

comprehensively show how they are met.¹⁷

Cost Analysis

The Exchange notes it operates a unique model where the LTSE trading system and certain associated services are provided on an outsourced basis by MEMX Technologies LLC ("MEMX Technologies").¹⁸ As such, a large portion of the Exchange's technology costs, including those related to Exchange Data Feeds, are incorporated into the overall fees that the Exchange pays MEMX Technologies as part of its multi-year arrangement to provide a trading system and associated services.¹⁹ Because of this arrangement, the Exchange does not possess the same level of specificity for cost drivers related to market data as other exchanges have detailed within their own similar filings. However, the Exchange recognizes that the fees it pays MEMX Technologies are for the services MEMX Technologies provides to the Exchange and the associated costs incurred by MEMX Technologies. These services and costs include maintaining a team of highly skilled network engineers, fees charged to MEMX Technologies by the third-party data center operator for the servers and equipment LTSE utilizes, costs associated with projects and initiatives designed to improve overall network performance and stability, and costs associated with fully supporting advances in infrastructure and expansion of network level services, including customer monitoring, alerting and reporting. There are also significant technology expenses related to establishing and maintaining information security services, enhanced network monitoring and customer reporting, as well as Regulation SCI

¹⁷ In 2019, Commission staff published guidance suggesting the types of information that SROs may use to demonstrate that their fee filings comply with the standards of the Act ("Fee Guidance"). While LTSE understands that the Fee Guidance does not create new legal obligations on SROs, the Fee Guidance is consistent with LTSE's view about the type and level of transparency that exchanges should meet to demonstrate compliance with their existing obligations when they seek to charge new fees. See Staff Guidance on SRO Rule Filings Relating to Fees (May 21, 2019), available at <https://www.sec.gov/about/staff-guidance-sro-rule-filings-fees>.

¹⁸ The Exchange and MEMX Technologies executed a Development, License and Services Agreement on January 23, 2024, with accompanying Schedules (collectively, the "DLSA"). MEMX Technologies, an affiliate of the MEMX Exchange, is in the business of developing technology systems for use in the financial industry. See SR-LTSE-2024-03.

¹⁹ The DLSA with MEMX Technologies entails both fixed and variable costs. The Exchange used both types of costs when determining aggregated monthly costs detailed below.

⁹ See LTSE Rule 11.330(a)(2).

¹⁰ See LTSE Rule 11.330(a)(3).

¹¹ 15 U.S.C. 78s(b)(1).

¹² 17 CFR 240.19b-4.

¹³ 15 U.S.C. 78f(b).

¹⁴ 15 U.S.C. 78f(b)(4).

¹⁵ 15 U.S.C. 78f(b)(5).

¹⁶ 15 U.S.C. 78f(b)(8).

mandated processes, associated with the MEMX Technologies network technology that are borne by the Exchange. Most of the specific expenses for market data fees and the Exchange’s DSLA with MEMX Technologies are combined, and therefore the Exchange discusses these expenses, and the portion allocated to market data as part of the “Third-Party Expenses” Cost Driver below.

Further, while the Exchange has been operating since September 2020, it only entered the DLSA with MEMX Technologies in January of 2024 and launched the new trading system in September 2024. Therefore, the Exchange’s most recent publicly available financial statement (2023 Audited Unconsolidated Financial Statement) does not reflect the current costs associated with development and operation of market data on LTSE. Accordingly, the Exchange believes it is more appropriate to justify its fees utilizing a recent monthly billing cycle and extrapolated annualized costs on a going-forward basis.

LTSE recently calculated its aggregate monthly costs for providing Exchange Data Feeds at \$223,336 for 2025.²⁰ Before the launch of the new trading system in September 2024 the Exchange

did not offer any market data products. Now, in order to cover some of the aggregate costs of providing the Exchange Data Feeds to market participants (both Members and non-Members) the Exchange is proposing to modify its Fee Schedule and charge the Exchange Market Data Fees detailed herein.

In order to determine the Exchange’s costs for providing the services associated with the Exchange Data Feeds, the Exchange conducted an extensive review in which the Exchange analyzed every expense item in the Exchange’s general expense ledger to determine whether each such expense relates to the services associated with the Market Data Fees, and, if such expense did so relate, what portion (or percentage) of such expense actually supports those services. The sum of all such portions of expenses represents the total cost of the Exchange to provide the services associated with the Exchange Data Feeds. For the avoidance of doubt, no expense amount was allocated twice. The Exchange is also providing detailed information regarding the Exchange’s cost allocation methodology—namely, information that explains the Exchange’s rationale for determining that it was reasonable to allocate certain

expenses described in this filing towards the total cost to provide Exchange Data Feeds.

The Exchange believes that the Market Data Fees are fair and reasonable because they will only cover a portion of the total annual expense that the Exchange projects to incur in connection with providing the services associated with the proposed Market Data Fees versus the total annual revenue of the Exchange projects to collect in connection with providing those services. Based on market data usage as of May 1st, 2025, as well as projected use through the remainder of the year, the Exchange would generate monthly revenues for 2025 of approximately \$52,000, which will result in a loss for the Exchange.

Costs Related to Offering Market Data

The following chart details the individual line-item costs considered by LTSE to be related to offering market data as well as the percentage of the Exchange’s overall costs per year in that area (e.g., as set forth below, the Exchange allocated approximately 18% of its overall Human Resources cost to offering market data for a total of \$591,228 per year).

Cost drivers	Allocated monthly costs	Allocated yearly costs	% of All
Third-Party Expenses	\$154,349	\$1,852,188	17
Human Resources	49,274	591,228	9
Data Center	19,713	236,552	39
Total	223,336	2,680,027	.....

Below are additional details regarding each of the line-item costs considered by LTSE to be related to offering the Exchange Data Feeds.

Third-Party Expenses

As discussed above, LTSE has undertaken a unique model where it has outsourced its trading system and related technology to a third-party technology provider, MEMX Technologies. With this arrangement LTSE receives, among other things, (1) a state-of-the-art trading engine used to generate and disseminate the Exchange Data Feeds; (2) servers used at the Exchange’s primary and back-up data centers specifically for the Exchange Data Feeds; and (3) hardware and software to operate and monitor physical assets necessary to offer the Exchange Data Feeds. MEMX

Technologies provides personnel to support the use and operation of the LTSE trading platform including but not limited to, monitoring the network, managing system development and testing, facilitating connection changes and access changes, as well as performing normal maintenance operations. The Exchange has an additional third-party vendor which assists the Exchange with services related to monitoring the trading system. Together these two third-parties account for all the Third-Party expenses. The Exchange’s Third-Party expenses include both fixed and variable costs, but only fixed costs relate to providing market data.

The Exchange took the annual costs for each of these two third-party providers to determine what portion (or percentage) of these costs related to

providing market data and thus bears a relationship that is, “in nature and closeness,” directly related to market data. There are four major core technology cost buckets associated with operating the Exchange: (1) the Member Gateways which include physical and logical connectivity, (2) connectivity to the Securities Information Processor (“SIP”), (3) the Trading Engine, and (4) any downstream services which include system reporting, etc. The Exchange then reviewed each of these technology cost buckets in great detail and determined the percentage each of these buckets should be allocated to the total cost of the third-party expense, with Member Gateways, the SIP and the Trading Engine each accounting for 30% of the costs related to a third-party provider, and downstream services being allocated the remaining 10%.

²⁰ The aggregate monthly costs were determined by taking the individual cost drivers detailed below

and their yearly costs and dividing by twelve months.

Using this breakdown for both third-party providers, the Exchange determined the portion of each of these costs that was associated with providing market data, connectivity services or neither. Here, the Exchange determined that the 20% (of the overall 30%) allocated to the cost of the Trading Engine should be associated with the cost of providing market data. Additionally, the Exchange determined an allocation of 5% (of the overall 30%) for the cost of the Member Gateway was appropriate to associate with the cost of providing market data, as well as 5% (of the overall 10%) for the costs to provide downstream services. Blended together that is 17% of the overall third-party expenses.

Human Resources

In addition to the cost of personnel of outsourced third-party providers that are allocated in the Third-Party Expense section above, LTSE then calculated an allocation of LTSE employee time for employees whose functions include providing services necessary to offer the Exchange Data Feeds, including performance thereof, as well as personnel with ancillary functions related to establishing and providing such services (such as information security and finance personnel). The Exchange notes that while MEMX Technologies maintains its own network support services, due to the Exchange's independent regulatory oversight obligations, the Exchange and its staff provide certain direct network support services to Members and non-Members, including network monitoring, reporting and support services.

The Exchange also allocated Human Resources costs to provide market data to a limited subset of LTSE personnel with ancillary functions related to monitoring and enabling market data (such as information security and finance personnel), for which the Exchange allocated cost on an employee-by-employee basis (*i.e.*, only including those personnel who do support functions related to providing market data) and then applied a smaller allocation to such employees. Blended together, Human Resources costs to provide market data accounted for 9% of all Human Resource costs. The Exchange notes that it has fewer than fifty (50) employees, and each department leader has direct knowledge of the time spent by each employee with respect to the various tasks necessary to operate the Exchange. The estimates of Human Resources cost were therefore determined by consulting with such department leaders, determining which employees are involved in tasks related

to providing market data, and confirming that the proposed allocations were reasonable based on an understanding of the percentage of their time such employees devote to tasks related to providing market data. The Exchange notes that senior level executives were only allocated Human Resources costs to the extent the Exchange believed they are involved in overseeing tasks related to providing market data. The Human Resources cost was calculated using a blended rate of compensation reflecting salary, equity and bonus compensation, benefits, payroll taxes, and 401(k) matching contributions.

Data Center

In addition to the data center costs included by the Exchange per its DSLA with MEMX Technologies which are allocated in the Third-Party Expenses above, the Exchange also maintains its own footprint in a third-party data center.²¹ Data center costs include an allocation of the costs the Exchange incurs to monitor its trading platform, as well as the costs to maintain its equipment in the data center. The Exchange does not own the data center facilities, but instead, leases space in a data center operated by a third-party.

The Exchange has two third-party vendors that account for the Data Center expenses. Consistent with the exercise above, the Exchange took the annual costs for each of these two Data Center vendors to determine what portion (or percentage) of these costs related to providing market data and thus bears a relationship that is, "in nature and closeness," directly related to market data. The Exchange then reviewed each of the technology cost buckets detailed above and determined the percentage each of these buckets should be allocated to the total cost of the Data Center expenses, with Member Gateways, the SIP and the Trading Engine each accounting for 30% of the costs related to a third-party provider, and downstream services being allocated the remaining 10%. Using this breakdown for all Data Center vendors the Exchange determined the portion of each of these costs was associated with providing market data, connectivity services or neither. Here, the Exchange determined that the 15% allocation for the cost of the Member Gateway (of the overall 30%) should be associated with the cost of providing market data. Additionally, the Exchange determined an allocation of 18% (of the overall 30%) for the cost of the Trading Engine

²¹ LTSE has a presence in the Secaucus NY4 data center that is operated by Equinix.

was appropriate to associate with the cost of providing market data, as well as 6% (of the overall 10%) should be associated with the cost to provide downstream services. Blended together that is 39% of the overall data center expenses.

Proposed Fees—Additional Discussion

In conducting its cost analysis, the Exchange did not allocate any of its expenses in full to any core service and did not double-count any expenses. Instead, as described above, the Exchange identified and allocated applicable cost drivers across its core services and used the same approach to analyzing costs to form the basis of a separate proposal to adopt fees for connectivity services (the "Connectivity Filing")²² and this filing proposing fees for Exchange Data Feeds. Thus, the Exchange's allocations of cost across core services were based on real costs of operating the Exchange and were not double counted across the core services or their associated revenue streams.

LTSE believes the proposed fees for Exchange Data Feeds are fair and reasonable as a form of cost recovery for the Exchange's aggregate costs of offering market data. The proposed fees are expected to generate monthly revenue of approximately \$52,000²³ providing partial cost recovery to the Exchange for the aggregate costs of offering Exchange Data Feeds, based on a methodology that narrowly limits the cost drivers that are allocated to those closely and directly related to the particular service. The proposed fees for Exchange Data Feeds are designed to permit the Exchange to cover a portion of costs for providing Exchange Data Feeds, which the Exchange believes is fair and reasonable after taking into account the costs related to creating, generating, and disseminating the Exchange Data Feeds. LTSE notes that like other exchanges, it is after all, a for-profit business. Accordingly, while the Exchange believes in transparency

²² See Securities Exchange Act Release No. 34-102322 (February 3, 2025), 90 FR 9175 (February 7, 2025) (SR-LTSE-2025-01) which was filed on January 23, 2025, and replaced SR-LTSE-2024-09. See Securities Exchange Act Release No. 34-101851 (December 9, 2024), 89 FR 101057 (December 13, 2024) (SR-LTSE-2024-09) which was filed on November 27, 2024, and replaced SR-LTSE-2024-07. See also Securities Exchange Act Release No. 34-101320 (October 11, 2024), 89 FR 83731 (October 17, 2024) (SR-LTSE-2024-07). The fees were initially adopted in SR-LTSE-2024-06, see Securities Exchange Act Release No. 34-101226 (October 1, 2024), 89 FR 81587 (October 8, 2024) (SR-LTSE-2024-06).

²³ As stated above, the Exchange launched its new trading platform on September 23, 2024. This expected revenue is based on market data usage as of May 1st, 2025, as well as projected use through the remainder of the year.

around costs and potential margins, as well as periodic review of revenues and applicable costs (as discussed below), the Exchange does not believe that these estimates should form the sole basis of whether or not a proposed fee is reasonable or can be adopted. Instead, the Exchange believes that the information should be used solely to confirm that an Exchange is not earning supra-competitive profits, and the Exchange believes its Cost Analysis and related projections demonstrate this fact. As a general matter, the Exchange believes that its costs will remain relatively similar in future years. It is possible however that such costs will either decrease or increase. To the extent the Exchange sees growth in use of Exchange Data Feeds it will receive additional revenue to offset future cost increases. However, if use of Exchange Data Feeds is static or decreases, the Exchange might not realize the revenue that it anticipates or needs in order to cover applicable costs. Accordingly, the Exchange is committing to conduct a one-year review after implementation of these fees. The Exchange expects that it may propose to adjust fees at that time, to increase fees in the event that revenues fail to cover costs and a reasonable mark-up of such costs.

Similarly, the Exchange expects that it would propose to decrease fees in the event that revenue materially exceeds current projections. In addition, the Exchange will periodically conduct a review to inform its decision making on whether a fee change is appropriate (e.g., to monitor for costs increasing/decreasing or subscribers increasing/decreasing, etc. in ways that suggest the then-current fees are becoming dislocated from the prior cost-based analysis) and expects that it would propose to increase fees in the event that revenues fail to cover its costs and a reasonable mark-up, or decrease fees in the event that revenue or the mark-up materially exceeds current projections. In the event that the Exchange determines to propose a fee change, the results of a timely review, including an updated cost estimate, will be included in the rule filing proposing the fee change. More generally, the Exchange believes that it is appropriate for an exchange to refresh and update information about its relevant costs and revenues in seeking any future changes to fees, and the Exchange commits to do so.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with

the provisions of Section 6(b)²⁴ of the Act in general and furthers the objectives of Section 6(b)(4)²⁵ of the Act, in particular, in that it is designed to provide for the equitable allocation of reasonable dues, fees and other charges among its Members and other persons using its facilities. Additionally, the Exchange believes that the proposed fees are consistent with the objectives of Section 6(b)(5)²⁶ of the Act in that they are designed to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to a free and open market and national market system, and, in general, to protect investors and the public interest, and, particularly, are not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange notes prior to addressing the specific reasons the Exchange believes the proposed fees and fee structure are reasonable, equitably allocated and not unreasonably discriminatory, that the proposed fee structure described above is consistent with the fee structure used by the Investors Exchange LLC (“IEX”).²⁷ As such, the Exchange believes it is adopting a model that is easily understood by Members and non-Members, most of which also subscribe to market data products from other exchanges, including IEX. For this reason, the Exchange believes that the proposed fees described above are consistent with the Act generally, and Section 6(b)(5)²⁸ of the Act in particular.

Reasonableness

With regard to reasonableness, the Exchange understands that the Commission has traditionally taken a market-based approach to examine whether the SRO making the fee proposal was subject to significant competitive forces in setting the terms of the proposal. The Exchange understands that in general the analysis considers whether the SRO has demonstrated in its filing that (i) there are reasonable substitutes for the product or service; (ii) “platform” competition constrains the ability to set

the fee; and/or (iii) revenue and cost analysis shows the fee would not result in the SRO taking supracompetitive profits. If the SRO demonstrates that the fee is subject to significant competitive forces, the Exchange understands that in general the analysis will next consider whether there is any substantial countervailing basis to suggest the fee’s terms fail to meet one or more standards under the Act. The Exchange further understands that if the filing fails to demonstrate that the fee is constrained by competitive forces, the SRO must provide a substantial basis, other than competition, to show that it is consistent with the Act, which may include production of relevant revenue and cost data pertaining to the product or service.

The Exchange has not determined its proposed overall market data fees based on assumptions about market competition, instead relying upon a cost-plus model to determine a reasonable fee structure that is informed by the Exchange’s understanding of different uses of the products. In this context, the Exchange believes the proposed fees overall are fair and reasonable as a form of partial cost recovery, plus provide the possibility of a reasonable return for Exchange’s aggregate costs of offering the Exchange Data Feeds. The Exchange believes the proposed fees are reasonable because they are designed to generate annual revenue to recoup some of Exchange’s annual costs of providing Exchange Data Feeds. Accordingly, the Exchange believes that this fee methodology is reasonable because it allows the Exchange to recoup some or all of its expenses for providing Exchange Data Feeds. The Exchange also believes that the proposed fees are reasonable because they are less than the fees charged by another exchange²⁹ with comparable market data products, notwithstanding that another exchange may have different system architectures that may result in different cost structures for the provision of market data.

The Exchange believes the proposed fees for the Exchange Data Feeds are reasonable when compared to fees for comparable products at MEMX LLC (“MEMX”).³⁰ Specifically, the fees for MEMX’s MEMOIR Depth Feed,³¹

²⁴ 15 U.S.C. 78f.

²⁵ 15 U.S.C. 78f(b)(4).

²⁶ 15 U.S.C. 78f(b)(5).

²⁷ Similar to LTSE, IEX did not initially charge for market data but now charges \$2,500 per month for its Depth of Book Feed (DEEP Feed) and \$500 per month for its Top of Book Feed (TOPS Feed). All other market data products on IEX are free.

²⁸ 15 U.S.C. 78f(b)(5).

²⁹ See the MEMX fee schedule, available at <https://info.memxtrading.com/equities-trading-resources/us-equities-fee-schedule/>.

³⁰ *Id.*

³¹ For its Depth of Book feed, MEMX charges \$1,500 for internal distributors and \$2,500 for external distributors.

MEMOIR Top Feed³² and MEMOIR Last Sale Feed³³ in most instances are priced higher than the proposed Exchange Data Feeds. The Exchange notes that MEMX also has fees for enterprise-level distribution, which can result in monthly fees of up to \$5,000 for Depth of Book feed and \$10,000 for Top of Book and Last Sale feed. LTSE does not charge for enterprise-level distribution.

Specifically with respect to the Depth of Book feed, the Exchange believes that the proposed fees for such feed are reasonable because the Depth of Book feed contains more information than the Top of Book and Last Sale data feeds. The Top of Book and Last Sale data feeds, as described above, can be utilized to trade on the Exchange but contain less information than that available on the Depth of Book feed (*i.e.*, even for a subscriber who takes both feeds, such feeds do not contain depth-of-book information). Thus, the Exchange believes it reasonable for the products to be priced as proposed, with Last Sale having no fee, Top of Book priced at \$500, and Depth of Book priced at \$2500.

Equitable Allocation

The Exchange believes that its proposed fees are reasonable, fair, and equitable, and not unfairly discriminatory because they are designed to align fees with services provided. The Exchange believes that the proposed fees are equitably allocated because they will apply uniformly to all data recipients that choose to subscribe to the Exchange Data Feeds. Any firm that chooses to subscribe to one or more Exchange Data Feeds is subject to the same Fee Schedule, regardless of what type of business they operate, and the decision to subscribe to one or more Exchange Data Feeds is based on objective differences in usage of Exchange Data Feeds among different firms, which are still ultimately in the control of any particular firm. The Exchange believes the proposed pricing among Exchange Data Feeds is equitably allocated because it is based upon the amount of information contained in each data feed. The Top of Book and Last Sale data feeds, as described above, can be utilized to trade on the Exchange but contain less information than that is available on the Depth of Book feed (*i.e.*, even for a subscriber who takes both feeds, such feeds do not contain depth-

of-book information). Thus, the Exchange believes it is an equitable allocation of fees for the products to be priced as proposed, with Last Sale having no fee, Top of Book priced at \$500, and Depth of Book priced at \$2500.³⁴

The Proposed Fees Are Not Unfairly Discriminatory

The Exchange believes that the proposed fees are not unfairly discriminatory because they would apply to all data recipients that choose to subscribe to the same Exchange Data Feed(s). Any subscriber that chooses to subscribe to the Exchange Data Feeds is subject to the same Fee Schedule, regardless of what type of business they operate. Because the proposed fees for Depth of Book are higher, subscribers seeking lower cost options may instead choose to receive data from the SIPs or through the Top of Book and/or Last Sale feed for a lower cost. Alternatively, subscribers can choose to pay for the Depth of Book feed in order to receive data in a single feed with depth-of-book information if such information is valuable to subscribers. The Exchange notes that subscribers can also choose to subscribe to a combination of data feeds for redundancy purposes or to use different feeds for different purposes. In sum, each subscriber has the ability to choose the best business solution for itself. The Exchange does not believe it is unfairly discriminatory to base pricing upon the amount of information contained in each data feed. As described above, the Top of Book and Last Sale data feeds can be utilized to trade on the Exchange but contain less information than that is available on the Depth of Book feed (*i.e.*, even for a subscriber who takes both feeds, such feeds do not contain depth-of-book information). Thus, the Exchange believes it is not unfairly discriminatory for the products to be priced as proposed, with Last Sale having no fee, Top of Book priced at \$500, and Depth of Book priced at \$2500.³⁵

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act,³⁶ the Exchange 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.

Intramarket Competition

The Exchange does not believe that the proposed fees for Exchange Data Feeds place certain market participants at a relative disadvantage to other market participants because, as noted above, the proposed fees are associated with usage of Exchange Data Feeds by each market participant based on the type of business they operate, and the decision to subscribe to one or more Exchange Data Feeds is based on objective differences in usage of Exchange Data Feeds among different firms, which are still ultimately in the control of any particular firm, and such fees do not impose a barrier to entry to smaller participants. Accordingly, the proposed fees for Exchange Data Feeds do not favor certain categories of market participants in a manner that would impose a burden on competition; rather, the allocation of the proposed fees reflects the types of Exchange Data Feeds consumed by various market participants and their usage thereof.

Intermarket Competition

The Exchange does not believe the proposed fees place an undue burden on competition on other SROs that is not necessary or appropriate. In particular, market participants are not forced to subscribe to any of the Exchange Data Feeds, as described above. Additionally, another exchange has similar market data fees in place for their participants, but with comparable and in many cases higher rates for market data feeds.³⁷ The proposed fees are based on actual costs and are designed to enable the Exchange to recoup a portion of its costs related to providing market data. Competing equities exchanges are free to adopt comparable fee structures subject to the SEC rule filing process.

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

This proposed rule change establishes dues, fees or other charges among its members and, as such, may take effect upon filing with the Commission pursuant to Section 19(b)(3)(A)(ii) of the Act³⁸ and paragraph (f)(2) of Rule 19b-

³² For its Top of Book feed, MEMX charges \$750 for internal distributors and \$2,000 for external distributors.

³³ For its Last Sale feed, MEMX charges \$500 for internal distributors and \$2,000 for external distributors.

³⁴ The Exchange believes it is equitable and appropriate to provide the Last Sale data for free.

³⁵ The Exchange believes it is not unfairly discriminatory to provide the Last Sale data for free.

³⁶ 15 U.S.C. 78f(b)(8).

³⁷ See supra, footnote 28 [sic] referencing MEMX Exchange.

³⁸ 15 U.S.C. 78b(3)(A)(ii).

4 thereunder.³⁹ Accordingly, the proposed rule change would take effect upon filing with the Commission.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend the rule change if it appears to the Commission that the action is necessary or appropriate in the public interest, for the protection of investors, or would otherwise further the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

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-LTSE-2025-15 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-LTSE-2025-15. 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-LTSE-2025-15 and should be submitted on or before August 11, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁴⁰

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025-13575 Filed 7-18-25; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-103476; File No. SR-NYSEARCA-2025-50]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Amending Rule 7.18-E To Effectuate Amendments to Second Restatement of the CTA Plan and the Restated CQ Plan and To Make Confirming Changes to Rules 1.1, 7.11-E, and 7.35-E

July 16, 2025.

Pursuant to Section 19(b)(1)¹ of the Securities Exchange Act of 1934 ("Act")² and Rule 19b-4 thereunder,³ notice is hereby given that, on July 2, 2025, NYSE Arca, Inc. ("NYSE Arca" or the "Exchange") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Rule 7.18-E ("Halts") to effectuate amendments to Second Restatement of the CTA Plan and the Restated CQ Plan (together, the "Amended CTA Plan"). In addition, the Exchange proposes to make conforming changes to Rules 1.1, 7.11-E, and 7.35-E. The proposed rule

change is available on the Exchange's website at www.nyse.com, at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

NYSE Arca, Inc. ("NYSE Arca" or the "Exchange") proposes to amend Rule 7.18-E ("Halts") to effectuate amendments to Second Restatement of the CTA Plan and the Restated CQ Plan (together, the "Amended CTA Plan").⁴ The proposed changes would amend the rule's categories of regulatory and operational halts, improve the rule's clarity, and adopt defined terms from the Amended CTA Plan.⁵ In addition,

⁴ On February 3, 2021, the CTA/CQ Plan participants ("Participants") filed Amendment 36 to the Second Restatement of the CTA Plan and Amendment 27 to the Restated CQ Plan, to revise provisions governing regulatory and operational halts. See Letter from Robert Books, Chair, CTA/CQ Operating Committee, to Vanessa Countryman, Secretary, Securities and Exchange Commission, dated February 3, 2021. The SEC approved the amendments on May 28, 2021 (the "Amended CTA Plan"). See Securities Exchange Act Release No. 92070 (May 28, 2021), 86 FR 29849 (June 3, 2021) (SR-CTA/CQ-2021-01). The SEC also approved similar amendments to the Nasdaq UTP Plan. See Securities Exchange Act Release No. 92071 (May 28, 2021), 86 FR 29846 (June 3, 2021) (S7-24-89) (the "Amended Nasdaq UTP Plan"). The Amended CTA Plan and the Amended Nasdaq UTP Plan include provisions requiring Participant self-regulatory organizations ("SROs") to honor a Regulatory Halt declared by the Primary Listing Market. The provisions in the Amended CTA Plan and the Amended Nasdaq UTP Plan include provisions similar to the changes proposed by the Exchange in this filing.

⁵ The Exchange notes that this proposed rule change is based on a similar rule change filed by the Nasdaq Stock Market LLC ("Nasdaq") that was approved by the SEC in 2022. See Securities Exchange Act Release No. 95069 (June 8, 2022), 87 FR 36018 (June 14, 2022) (SR-NASDAQ-2022-017). In addition, the Exchange's affiliate exchanges, NYSE American LLC ("NYSE American") and New York Stock Exchange LLC ("NYSE"), have filed similar rule changes. See Securities Exchange Act

³⁹ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 15 U.S.C. 78a.

³ 17 CFR 240.19b-4.

³⁹ 17 CFR 240.19b-4(f)(2).

the Exchange proposes to make conforming changes to Rules 1.1, 7.11–E, and 7.35–E.

Background

The Exchange has been working with other SROs to establish common criteria and procedures for halting and resuming trading in equity securities in the event of regulatory or operational issues. These common standards are designed to ensure that events that might impact multiple exchanges are handled in a consistent manner that is transparent. The Exchange believes that implementation of these common standards will assist the SROs in maintaining fair and orderly markets. Notwithstanding the development of these common standards, the Exchange will retain discretion in certain instances as to whether and how to handle halts, as is discussed below.

Every U.S.-listed equity security has its primary listing on a specific stock exchange (its “Primary Listing Market”)⁶ that is responsible for a number of regulatory functions. These include confirming that the security continues to meet the exchange’s listing standards, monitoring trading in that security, and taking action to halt trading in the security when necessary to protect investors and to ensure a fair and orderly market. While these core responsibilities remain with the Primary Listing Market, trading in the security can occur on multiple exchanges that have unlisted trading privileges for the security or in the over-the-counter market, regulated by the Financial Industry Regulatory Authority, Inc. (“FINRA”). The exchanges and FINRA are responsible for monitoring activity on the markets over which they have oversight, but also must abide by the regulatory decisions made by the Primary Listing Market. For example, a venue trading a security pursuant to unlisted trading privileges

must halt trading in that security during a Regulatory Halt, which is a defined term under the proposed rules,⁷ and may only trade the security once the Primary Listing Market has cleared the security to resume trading.

All SROs have rules that require them to honor a Regulatory Halt. The Exchange, as a Primary Listing Market, also has rules outlining the circumstances in which it will halt trading in its listed securities, including situations in which such halts are for regulatory purposes—and therefore are applicable to all markets trading the security—or for operational purposes, which would not halt trading in other markets.⁸ However, the trading halt rules are not consistent across SROs. Consequently, events that might constitute a Regulatory Halt for securities listed on one Primary Listing Market theoretically might not be grounds for a Regulatory Halt in securities listed on another Primary Listing Market. Such inconsistency among exchange rules could lead to confusion in circumstances such as a cross-market event, including, for example, “Extraordinary Market Activity.”⁹

While the Exchange’s existing rules generally have worked as intended to afford the Exchange authority to initiate a Regulatory Halt in appropriate cases, the Exchange proposes to amend its rules to conform to the Amended CTA Plan.

The complex and interconnected market structure of the United States relies on consolidated market data processed and disseminated by the SIPs. In certain circumstances, the loss of this information or issues with the accuracy or timeliness of the information might cause a Primary Listing Market to determine that a trading halt is appropriate. The Exchange believes that providing further details in its rules will assist market participants in better understanding how various scenarios could be handled.

As noted above, the proposed changes that would be uniformly applied across SROs are those that relate to cross-market events as set forth in the Amended CTA Plan. However, there will still be situations where personnel at the Primary Listing Market will need to determine the impact of the cross-market event on the securities listed on

its market and use discretion in deciding whether to halt trading in some or all securities during a cross-market event that affects securities listed on different markets. In making a determination as to whether to declare a Regulatory Halt, the Primary Listing Market will consider the totality of information available concerning the severity of the issue, its likely duration, and its potential impact on Member Firms¹⁰ and other market participants, and it will make a good-faith determination that the criteria for declaring a Regulatory Halt have been satisfied and that a Regulatory Halt is appropriate. Moreover, the Primary Listing Market will consult, if feasible, with the affected Trading Center(s), other Plan Participants, or the Processor, as applicable, regarding the scope of the issue and what steps are being taken to address the issue. Once a Regulatory Halt has been declared, the Primary Listing Market would continue to evaluate the circumstances to determine when trading may resume in accordance with its rules.

While the Exchange and the other SROs intend to harmonize certain aspects of their trading halt rules, other elements of the rules will continue to be unique to each market. The Exchange believes that this is appropriate to reflect different products listed or traded on each market and the unique relationship of the Primary Listing Market to its listed companies. It is anticipated that these unique rules would most likely be invoked in cases where the Primary Listing Market’s decision on whether to institute a Regulatory Halt turns on specific information related to an individual security or issuer, such as the dissemination of news and the issuer’s ability to meet listing standards, rather than broader market issue stemming from Extraordinary Market Activity or the loss of consolidated market data from a SIP.

The Exchange will implement all of the changes proposed herein in conjunction with other SROs implementing the necessary rule changes. The Exchange will publish a trader notice at least 30 business days before implementing the proposed changes.

Proposed Exchange Rule Changes

The Exchange proposes to amend Rule 7.18–E to add new definitions and proposed categories of regulatory and

Release No. 102810 (April 10, 2025), 90 FR 16041 (April 16, 2025) (SR–NYSEAMER–2025–19); Securities Exchange Act Release No. 103356 (June 30, 2025) (SR–NYSE–2025–21). Several exchanges that do not operate Primary Listing Markets have also filed similar rule changes. See Securities Exchange Act Release Nos. 96574 (December 22, 2022), 87 FR 80213 (December 29, 2022) (SR–Phlx–2022–49); 97093 (March 9, 2023), 88 FR 16045 (March 15, 2023) (SR–PEARL–2023–11); and 97824 (June 29, 2023), 88 FR 43159 (July 6, 2023) (SR–MEMX–2023–11).

⁶ The Exchange proposes to incorporate into Rule 7.18–E the same definition of “Primary Listing Market” as appears in Section XI(a)(i)(H) of the Amended CTA Plan: “‘Primary Listing Market’ means the national securities exchange on which an Eligible Security is listed. If an Eligible Security is listed on more than one national securities exchange, Primary Listing Market means the exchange on which the security has been listed the longest.”

⁷ See proposed Rule 7.18–E(a)(11).

⁸ See generally current Rules 7.18–E and 7.13–E.

⁹ The proposed definition of Extraordinary Market Activity encompasses a market event that affects multiple markets. See Amended CTA Plan, Section XI(a)(i)(A), which defines “Extraordinary Market Activity.” Proposed Rule 7.18–E(a)(1) would incorporate this definition by reference.

¹⁰ “Member Firm” means a member as that term is defined in Section 3(a)(3) of the Securities Exchange Act. See Amended CTA Plan, Section XI(a)(1)(F) and proposed Rule 7.18–E(a)(6).

operational halts that are designed to address the type of market-wide events described in the Amended CTA Plan. Amended Rule 7.18–E would also cross-reference the Exchange’s current halt authority. Because current subsections of Rule 7.18–E would be renumbered, the Exchange proposes to update a cross reference to Rule 7.18–E in Rule 7.35–E. The Exchange also proposes to rename Rule 7.18–E from “Halts” to “Trading Halts.”

Definitions

Amended Rule 7.18–E(a) would set forth definitions, many of which cross-reference definitions in the Amended CTA Plan.¹¹ The proposed definitions would apply to both the proposed new halt authority as well as the Exchange’s halt authority under its current rules.

First, the Exchange proposes to add the definition of “*Primary Listing Market*”¹² to Rule 7.18–E, which will have the same meaning as in the Amended CTA Plan, Section XI(a)(i)(H). As is currently the case under the Exchange’s rules and under the Amended CTA Plan, all Regulatory Halt decisions are made by the market on which the security has its primary listing. This reflects the regulatory responsibility that the Primary Listing Market has for fair and orderly trading in the securities that list on its market and its direct access to its listed companies, which are required to advise it of certain events and maintain lines of communication with the Primary Listing Market. The proposed definition makes clear that if a security is listed on more than one market (a dually-listed security), the Primary Listing Market means the exchange on which the security has been listed the longest. This provision matches language used in the definition of “*Primary Listing Exchange*” in the Limit Up-Limit Down Plan and will avoid conflict in the event of dually-listed securities.

Second, the Exchange proposes to add a definition for the term “*Extraordinary Market Activity*,”¹³ which would be a new definition for the Exchange. The Exchange proposes that this term would

¹¹ The Exchange notes that these terms are defined identically in the Amended CTA Plan and the Amended Nasdaq UTP Plan, such that there will be uniformity in the meaning of the terms among such plans as well as among the rules of the SROs. The Exchange proposes to adopt in Rule 7.18–E(a) all of the definitions in the Amended CTA Plan Section XI(a)(i) except for definition of “*Regular Trading Hours*” at Section XI(a)(i)(I), because the Exchange uses different terminology for its trading sessions and those terms are already defined in the Exchange’s rules. See Rule 7.34–E(a) defining “*Early Trading Session*,” “*Core Trading Session*,” and “*Late Trading Session*.”

¹² See proposed Rule 7.18–E(a)(9).

¹³ See proposed Rule 7.18–E(a)(1).

have the same meaning as in the Amended CTA Plan:

“*Extraordinary Market Activity*” means a disruption or malfunction of any electronic quotation, communication, reporting, or execution system operated by, or linked to, the Processor or a Trading Center or a member of such Trading Center that has a severe and continuing negative impact, on a market-wide basis, on quoting, order, or trading activity or on the availability of market information necessary to maintain a fair and orderly market. For purposes of this definition, a severe and continuing negative impact on quoting, order, or trading activity includes (i) a series of quotes, orders, or transactions at prices substantially unrelated to the current market for the security or securities; (ii) duplicative or erroneous quoting, order, trade reporting, or other related message traffic between one or more Trading Centers or their members; or (iii) the unavailability of quoting, order, transaction information, or regulatory messages for a sustained period.¹⁴

The Exchange notes that the three scenarios included in the proposed new definition would not be exhaustive. This enables the Primary Listing Market to act in the best interests of the market when confronted with unexpected events. However, the Exchange believes that the three scenarios included in the rule cover many of the events that are most likely to occur.

Third, the Exchange proposes to add a set of new definitions that would be specific to events involving the SIP. While the Exchange recognizes that many events involving the SIP would also meet the definition of “*Extraordinary Market Activity*” as defined in the Amended CTA Plan, the Exchange believes that the critical role of the SIPs in market infrastructure weighs in favor having the Exchange’s rules specify how such events would be handled. The definitions of “*SIP Outage*,”¹⁵ “*Material SIP Latency*,”¹⁶ “*SIP Halt*,”¹⁷ and “*SIP Halt Resume Time*”¹⁸ are intended to provide specificity to address this subset of potential market issues. In addition, the Exchange is proposing to define terms related to SIP governance needed in order to understand these definitions:

- “*Processor*” or “*SIP*”¹⁹ would have the same meaning as the term “*Processor*” in the Nasdaq UTP Plan or the CTA Plan, as applicable.²⁰

¹⁴ See Amended CTA Plan, Section XI(a)(i)(H).

¹⁵ See proposed Rule 7.18–E(a)(14).

¹⁶ See proposed Rule 7.18–E(a)(5).

¹⁷ See proposed Rule 7.18–E(a)(12).

¹⁸ See proposed Rule 7.18–E(a)(13).

¹⁹ See proposed Rule 7.18–E(a)(10).

²⁰ See, e.g., Amended CTA Plan, Section I(x), which provides: “*Processor*” means the organization designated as recipient and processor of last sale price information furnished by

- “*SIP Plan*”²¹ would be defined as “the national market system plan governing the SIP, as applicable.”

- “*Operating Committee*”²² would be defined as having the same meaning as in the CTA Plan, namely the committee charged with administering the CTA Plan.

- “*Trading Center*”²³ would have the same meaning as in Rule 600(b)(95) of Regulation NMS.

The Exchange proposes to adopt a category of Regulatory Halt, called a “*SIP Halt*,”²⁴ that would have the same meaning as that term is defined in the Amended CTA Plan, namely “a Regulatory Halt to trading in one or more securities that a Primary Listing Market declares in the event of a SIP Outage or Material SIP Latency.”²⁵ This new category of Regulatory Halt would address situations where the Primary Listing Market declares a Regulatory Halt in one or more securities as a result of a SIP Outage²⁶ or a Material SIP Latency.²⁷

Fourth, the Exchange proposes to add a definition of “*Regulatory Halt*,”²⁸ which would be a new defined term that incorporates the Exchange’s existing regulatory halt authority as well as the proposed new regulatory halt authority. The Exchange proposes that the term would have the same meaning as in the Amended CTA Plan,²⁹ as follows:

a halt declared by the Primary Listing Market in trading in one or more securities on all Trading Centers for regulatory purposes, including for the dissemination of material

Participants pursuant to this CTA Plan, as Section V describes.”

²¹ See proposed Rule 7.18–E(a)(15).

²² See proposed Rule 7.18–E(a)(7).

²³ See proposed Rule 7.18–E(a)(16).

²⁴ See proposed Rule 7.18–E(a)(12).

²⁵ See Amended CTA Plan, Section XI(a)(1)(K).

²⁶ “*SIP Outage*” means “a situation in which the Processor has ceased, or anticipates being unable, to provide updated and/or accurate quotation or last sale price information in one or more securities for a material period that exceeds the time thresholds for an orderly failover to backup facilities established by mutual agreement among the Processor, the Primary Listing Market for the affected securities, and the Operating Committee unless the Primary Listing Market, in consultation with the Processor and the Operating Committee, determines that resumption of accurate data is expected in the near future.” See Amended CTA Plan, Section XI(a)(1)(M).

²⁷ “*Material SIP Latency*” means “a delay of quotation or last sale price information in one or more securities between the time data is received by the Processor and the time the Processor disseminates the data over the high speed line or over the “high speed line” under the CQ Plan, which delay the Primary Listing Market determines, in consultation with, and in accordance with, publicly disclosed guidelines established by the Operating Committee, to be (a) material and (b) unlikely to be resolved in the near future.” See Amended CTA Plan, Section XI(a)(1)(E).

²⁸ See proposed Rule 7.18–E(a)(11).

²⁹ See Amended CTA Plan, Section XI(a)(1)(J).

news, news pending, suspensions, or where otherwise necessary to maintain a fair and orderly market. A Regulatory Halt includes a trading pause triggered by Limit Up Limit Down,³⁰ a halt based on Extraordinary Market Activity, a trading halt triggered by a Market-Wide Circuit Breaker,³¹ and a SIP Halt.

The term “Regulatory Halt” would include the various existing reasons for a Regulatory Halt that are currently enumerated in the Exchange’s rules and Company Guide, as well as the proposed new categories of Regulatory Halt from the Amended CTA Plan: (1) a SIP Halt (due to a SIP Outage or Material SIP Latency), (2) a halt based on Extraordinary Market Activity, and (3) a halt in the event of a national, regional, or localized disruption that necessitates a Regulatory Halt to maintain a fair and orderly market.

Fifth, the Exchange proposes to add a definition of “Operational Halt,”³² which would be a new definition for the Exchange. The Exchange proposes that this term would have the same meaning as in the Amended CTA Plan, which is: “a halt in trading in one or more securities only on a Market declared by such Participant and is not a Regulatory Halt.”³³ An Operational Halt is effective only on the Exchange; other markets are not required to halt trading in the affected securities. In practice, the Exchange has always had the capacity to implement operational halts and local trading suspensions in specified circumstances, but such halts are not currently referred to as “operational halts” in the Exchange’s rules.³⁴ The proposed change would provide greater clarity on when an Operational Halt may be implemented and the process for halting and resuming trading in the event of an Operational Halt. An Operational Halt is not a Regulatory Halt.

Regulatory Halts

Proposed Rule 7.18–E(b) would set forth requirements relating to Regulatory Halts.

Authority To Initiate a Regulatory Halt

Proposed Rule 7.18–E(b)(1) would describe the Exchange’s authority to initiate a Regulatory Halt. In this subsection, the Exchange would identify all of the bases for its Regulatory Halt authority, including cross-referencing to

current rules describing existing halt authority and by adding the new Regulatory Halt authority consistent with the Amended CTA Plan.

Proposed Rule 7.18–E(b)(1)(A) would describe “Mandatory Halts,” where the Exchange must issue a Regulatory Halt. The proposed rule would identify five categories of mandatory Regulatory Halts:

- Pursuant to Rule 7.11–E concerning Limit Up Limit Down.³⁵ (Proposed Rule 7.18–E(b)(1)(A)(i)). This proposed rule would effectuate the definition of Regulatory Halt in proposed Rule 7.18–E(a)(11), which cross-references Section XI(a)(1)(J) of the Amended CTA Plan.

- Pursuant to Rule 7.12–E concerning Market-Wide Circuit Breaker.³⁶ (Proposed Rule 7.18–E(b)(1)(A)(ii)). This proposed rule would effectuate the definition of Regulatory Halt in proposed Rule 7.18–E(a)(11), which cross-references Section XI(a)(1)(J) of the Amended CTA Plan.

- For a security for which the Exchange is the Primary Listing Market before the end of the Late Trading Session on the day immediately before the market effective date of a reverse stock split (“Reverse Stock Split Halt”). (Proposed Rule 7.18–E(b)(1)(A)(iii)). This proposed rule is based on current Rule 7.18–E(e) and would effectuate Section XI(a)(iii)(1) of the Amended CTA Plan, which provides that a Primary Listing Exchange may declare a Regulatory Halt “as provided for in the rules of the Primary Listing Market.” The Exchange proposes to delete current Rule 7.18–E(e) as duplicative of the proposed rule text.

- If the Exchange becomes aware that, with respect to Derivative Securities Products listed on the Exchange for which a Net Asset Value (“NAV”) (and in the case of Managed Fund Shares under NYSE Rule 8.600 and Managed Trust Securities under NYSE Rule 8.700, a Disclosed Portfolio) is disseminated, such NAV or Disclosed Portfolio is not being disseminated to all market participants at the same time (“Dissemination Halt”). (Proposed Rule 7.18–E(b)(1)(A)(iv)). This proposed rule is based on current Rule 7.18–E(d)(2) and would effectuate Section XI(a)(iii)(1) of the Amended CTA Plan, which provides that a Primary Listing Exchange may declare a Regulatory Halt “as provided for in the rules of the Primary Listing Market.” The Exchange proposes to delete current Rule 7.18–

E(d)(2) as duplicative of the proposed rule text.

- As provided for elsewhere in the Rules of the Exchange, including but not limited to Rules 5.1–E, 5.3–E, 5.5–E, 8.3–E, 8.12–E, 8.100–E, 8.200–E, 8.204–E, 8.400–E, 8.500–E, 8.600–E, 8.601–E, 8.700–E, and 8.900–E concerning requirements for listing, delisting, and maintaining listings of certain types of securities, and regarding the public dissemination of material information (Proposed Rule 7.18–E(b)(1)(A)(v)). This proposed rule would effectuate Section XI(a)(iii)(1) of the Amended CTA Plan, which provides that a Primary Listing Exchange may declare a Regulatory Halt “as provided for in the rules of the Primary Listing Market.”

Proposed Rule 7.18–E(b)(1)(B) would describe “Discretionary Halts,” where “the Exchange may declare a Regulatory Halt in trading for any security for which it is the Primary Listing Market.” The proposed rule would list four bases for the Exchange to declare a discretionary Regulatory Halt:

- For a security that is the subject of an initial pricing on the Exchange and that has not been listed on a national securities exchange immediately prior to initial pricing (an “Initial Listing Regulatory Halt”). (Proposed Rule 7.18–E(b)(1)(B)(i)). This proposed rule is identical to rules on the Exchange’s affiliate exchanges NYSE and NYSE American and therefore is not novel.³⁷

- If the Exchange determines that there is a SIP Outage, Material SIP Latency, or Extraordinary Market Activity. (Proposed Rule 7.18–E(b)(1)(B)(ii)). This proposed rule would effectuate Section XI(a)(iii)(2) of the Amended CTA Plan, which provides this authority.

- In the event of national, regional, or localized disruption that necessitates a Regulatory Halt to maintain a fair and orderly market. (Proposed Rule 7.18–E(b)(1)(B)(iii)). This proposed rule would effectuate Section XI(a)(iii)(3) of the Amended CTA Plan, which provides this authority.

- As provided for elsewhere in the Rules of the Exchange, including but not limited to Rules 5.1–E, 5.3–E, 5.5–E, 8.3–E, 8.12–E, 8.100–E, 8.200–E, 8.204–E, 8.400–E, 8.500–E, 8.600–E, 8.601–E, 8.700–E, and 8.900–E concerning requirements for listing, delisting, and maintaining listings of certain types of securities, and regarding the public dissemination of material information (Proposed Rule 7.18–E(b)(1)(B)(iv)). This proposed rule would effectuate Section XI(a)(iii)(1) of the Amended CTA Plan,

³⁷ See current NYSE American Rule 7.18E(e) and current NYSE Rule 123D(d).

³⁰ The Exchange proposes to incorporate the Amended CTA Plan’s definition of “Limit Up Limit Down.” See proposed Rule 7.18–E(a)(2).

³¹ The Exchange proposes to incorporate the Amended CTA Plan’s definition of “Market-Wide Circuit Breaker.” See proposed Rule 7.18–E(a)(4).

³² See proposed Rule 7.18–E(a)(8).

³³ See Amended CTA Plan, Section XI(a)(1)(G).

³⁴ See Rule 7.13–E (Trading Suspensions).

³⁵ Rule 7.11–E is the Exchange’s rule governing Limit Up Limit Down.

³⁶ Rule 7.12–E is the Exchange’s rule governing Market-Wide Circuit Breaker.

which provides that a Primary Listing Exchange may declare a Regulatory Halt “as provided for in the rules of the Primary Listing Market.”

Communications

Proposed Rule 7.18–E(b)(2) would describe communications, consistent with Section XI(a)(viii) of the Amended CTA Plan. The proposed rule would provide that whenever, in the exercise of its regulatory functions, the Exchange as Primary Listing Market for an Eligible Security determines it is appropriate to initiate a Regulatory Halt, it will notify all other Participants and the Processor of such Regulatory Halt as well as provide notice that a Regulatory Halt has been lifted using such protocols and other emergency procedures as may be mutually agreed to between the Operating Committee and the Exchange. The Processor shall disseminate to Participants notice of the Regulatory Halt (as well as notice of the lifting of a Regulatory Halt) through the high speed line or through the “high speed line” under the CQ Plan, and any other means the Processor, in its sole discretion, considers appropriate. Each Participant shall be required to continuously monitor these communication protocols established by the Operating Committee and the Processor during market hours, and the failure of a Participant to do so shall not prevent the Exchange from initiating a Regulatory Halt in accordance with the SIP Plan and the procedures specified in these rules.

Initiating a Regulatory Halt

Proposed Rule 7.18–E(b)(3) would specify how the Exchange, as a Primary Listing Market, would initiate a Regulatory Halt. The proposed rule is consistent with the procedures for initiating a Regulatory Halt as set forth in the Section XI(a)(iv) of the Amended CTA Plan.

Proposed Rule 7.18–E(b)(3)(A) would provide, consistent with Section XI(a)(iv)(A) of the Amended CTA Plan, that the start time of a Regulatory Halt would be when the Primary Listing Market declares the halt, regardless of whether an issue with communications impacts the dissemination of the notice. This proposal would provide market participants with certainty on the official start time of the Regulatory Halt. Under the proposed rule, the start time is fixed by the Primary Listing Market; it is not dependent on whether notice is disseminated immediately. This will avoid possible disagreement if the Regulatory Halt time were tied to dissemination or receipt of notification, which may occur at different times. The

Exchange recognizes that in situations where communication is interrupted, trades may continue to occur until news of the Regulatory Halt reaches all trading centers. However, a fixed “official” Regulatory Halt start time will allow SROs to revisit trades after the fact and determine in a consistent manner whether specific trades should stand.

Second, proposed Rule 7.18–E(b)(3)(B) would provide, consistent with Section XI(a)(iv)(B) of the Amended CTA Plan, that if the SIP is unable to disseminate notice of a Regulatory Halt or the Exchange is not open for trading, the Exchange would take reasonable steps to provide notice of a Regulatory Halt in the manner set forth in the Amended CTA Plan. Currently, after receiving notice from the Primary Listing Market, the SIP disseminates an automated, machine-readable trade halt messages to notify Trading Centers to automatically halt their order matching and order dissemination systems. Many Trading Centers rely solely on such SIP dissemination of a Regulatory Halt. Proposed Rule 7.18–E(b)(3)(B) would provide that the Exchange would take additional, reasonable steps to notify Trading Centers of a Regulatory Halt. The Amended CTA Plan provides that if the SIP is unable to disseminate notice of a Regulatory Halt, the other available means of dissemination that a Primary Listing Market could use would include:

- Proprietary data feeds that contain the same quote and trade information that the Exchange also sends to the applicable SIP;
- Posting on a publicly available Exchange website; or
- System status messages that are disseminated to market participants who sign up to receive such messages.³⁸

These additional sources for notice of a Regulatory Halt would provide redundancy if either the SIP or the Exchange is unable to communicate via the existing automated procedures. Although it may take longer for market participants to react to messages received in less automated formats, the use of multiple forms of dissemination will increase the likelihood that participants receive this important information. It will also assist participants that do not subscribe to the Exchange’s proprietary feeds in getting regulatory notices. As noted above, in situations where communication is interrupted, the Exchange and other SROs would retain the ability to break

trades that occurred after the start of the Regulatory Halt in appropriate circumstances, thereby lessening the potential impact on participants that were delayed in halting trading.

Proposed Rule 7.18–E(b)(3)(C) would provide, consistent with Section XI(a)(iv)(C) of the Amended CTA Plan, that except in exigent circumstances, the Exchange would not declare a Regulatory Halt retroactive to a time earlier than the notice of such halt. Feedback from market participants has been that it is very disruptive to trading when the Primary Listing Market sets the start of a trading halt for a time earlier than the notice of the halt.³⁹ Therefore, in almost all situations the trading halt will start at the time of the notice or at a point in time thereafter. However, the Exchange would retain the authority to implement a retroactive halt to deal with unexpected and significant situations that represent exigent circumstances. While it is difficult in advance to provide an exhaustive list of when retroactive application of a trading halt would be in the public interest, one situation where a halt was applied retroactively was when the Primary Listing Market erroneously lifted a Regulatory Halt. In that case, the Primary Listing Market instituted a Regulatory Halt retroactively so that it coincided with the time the original halt was lifted in error.

Proposed Rule 7.18–E(b)(3)(D) would provide, consistent with Section XI(a)(iii)(B) of the Amended CTA Plan, that in making a determination to declare a Regulatory Halt in trading any security for which the Exchange is the Primary Listing Market, the Exchange will consider the totality of information available concerning the severity of the issue, its likely duration, and potential impact on Member Firms and other market participants and will make a good-faith determination that the criteria for declaring the Regulatory Halt have been satisfied and that a Regulatory Halt is appropriate. The Exchange will consult, if feasible, with the affected Trading Center(s), other SIP Plan Participants, or the Processor, as applicable, regarding the scope of the issue and what steps are being taken to address the issue. Once a Regulatory Halt has been declared, the Exchange will continue to evaluate the circumstances to determine when trading may resume in accordance with its Rules.

³⁹ As noted previously, this is measured as the point in time when the Primary Listing Market declares the halt, regardless of whether there is a delay in dissemination of the notice or in receipt of the notice by participants.

³⁸ See Amended CTA Plan, Section XI(a)(iv)(B)(1)–(3).

UTP Regulatory Halt

Proposed Rule 7.18–E(b)(4) would specify how the Exchange would respond to Regulatory Halts declared by other Primary Listing Markets, referred to by the Exchange as a “UTP Regulatory Halt.”⁴⁰

Proposed Rule 7.18–E(b)(4)(A) would provide that the Exchange would halt trading in a UTP Security when the Primary Listing Market declares a Regulatory Halt for any such securities. This proposed rule text is based on Section XI(a)(iii) of the Amended CTA Plan, as well as the first sentence of current Rule 7.18–E(a),⁴¹ which provides in part that if the UTP Listing Market declares a UTP Regulatory Halt, the Exchange will halt trading in that security.

Proposed Rule 7.18–E(b)(4)(B)(i), (ii), and (iii) would set forth rules for trading halts in UTP Derivative Securities Products.⁴² This proposed rule text is based on current Rule 7.18–E(d)(1)(A), (B), and (C) with non-substantive differences to replace the term “Exchange’s Normal Trading Hours” with the term “Core Trading Session,”⁴³ and the term “primary listing market” with the term “Primary Listing Market” in proposed Rule 7.18–E(b)(4)(B)(ii) and (iii)(a) and (b). The Exchange proposes to delete current Rule 7.18–E(d)(1) and its sub-paragraphs as duplicative of the proposed rule text.

Resumption of Trading After a Regulatory Halt

The SROs have jointly developed processes to govern the resumption of trading in the event of a Regulatory Halt. While the actual process of re-launching trading will remain unique to each exchange (for example, trading in

Exchange-listed securities resumes on the Exchange in most cases pursuant to Rule 7.35–E), the proposed rule would harmonize certain common elements of the reopening process that would benefit from consistency across markets. These common elements include the primacy of the Primary Listing Market in resumption decisions, the requirement that the Primary Listing Market make its determination to resume trading in good faith, and certain parts of the complex process for reopening trading after a SIP Halt. With respect to a SIP Halt, common elements of the reopening process include the interaction among SROs (including the Primary Listing Market with the SIP), the requirement that the Primary Listing Market terminate a SIP Halt with a notification that specifies a SIP Halt Resume Time, the minimum quoting times before resumption of trading, the cutoff time after which trading would not resume during Core Trading Hours, and the time when trading may resume if the Primary Listing Market does not open a security within the amount of time specified in its rules after the SIP Halt Resume Time.

Proposed Rule 7.18–E(b)(5) provides the process for resuming trading upon the conclusion of Regulatory Halts other than SIP Halts. This new rule would effectuate Section XI(a)(v) of the Amended CTA Plan.

Proposed Rule 7.18–E(b)(5)(A) would make clear that the Exchange, as the Primary Listing Market, is responsible for declaring a resumption of trading when it makes a good-faith determination that trading may resume in a fair and orderly manner in accordance with its rules.

Proposed Rule 7.18–E(b)(5)(B) would provide that the Exchange would resume trading after a Regulatory Halt other than a SIP Halt with a Trading Halt Auction pursuant to Rule 7.35–E, except in the situations enumerated in sub-paragraphs (i) through (v).

Sub-paragraph (i) would specify that the Exchange would resume trading after a Limit Up Limit Down trading pause as specified in Rule 7.11–E.

Sub-paragraph (ii) would specify that the Exchange would resume trading after a Market-Wide Circuit Breaker halt as specified in Rule 7.12–E.

Sub-paragraph (iii) would specify that the Exchange would resume trading after a Reverse Stock Split Halt with a Trading Halt Auction at 9:00 a.m. ET on the effective date of the reverse stock split.

Sub-paragraph (iv) would specify that the Exchange would resume trading after a Dissemination Halt when the

NAV or Disclosed Portfolio is available to all market participants.

Sub-paragraph (v) would specify that the Exchange would resume trading after an Initial Listing Regulatory Halt when the security is open for trading.⁴⁴

Sub-paragraph (vi) would provide that the Exchange would resume trading after a UTP Regulatory Halt other than a SIP Halt by starting to accept orders after the Exchange receives notification⁴⁵ from the UTP Listing Market that the Regulatory Halt has been terminated, provided that during Core Trading Hours, the Exchange will not resume trading in any security that is subject to the Limit Up Limit Down Plan until the Exchange receives the first Price Band in that security. This proposed rule text is based on the first sentence of current Rule 7.18–E(a), and the Exchange proposes to delete the first sentence of current Rule 7.18–E(a) as duplicative of this new rule text.⁴⁶ Sub-paragraph (v) would further provide that the Exchange would not conduct a Trading Halt Auction to resume trading after a Regulatory Halt in a UTP Security.

Proposed Rule 7.18–E(b)(6) would address resumption of trading after a SIP Halt. This new rule would effectuate Section XI(a)(vi) of the Amended CTA Plan.

Proposed Rule 7.18–E(b)(6)(A) would establish rules for the resumption of trading following a SIP Halt initiated by the Exchange. Proposed Rule 7.18–E(b)(6)(A)(i), which is based on Section XI(a)(vi)(A) of the Amended CTA Plan, would provide that the Exchange would determine when a SIP Halt would end, which would be defined as the “SIP Halt Resume Time,” which is also defined in the Proposed Amended CTA Plan.⁴⁷ As further proposed, in making this determination, the Exchange would make a good-faith determination and consider the totality of information to determine whether resuming trading

⁴⁴ This language regarding the termination of an Initial Listing Regulatory Halt when the security is open for trading is identical to the language used in current NYSE American Rule 7.18E(e), and therefore is not novel.

⁴⁵ The manner and timing of such notice would be determined by the UTP Listing Market.

⁴⁶ The Exchange does not propose to include the second sentence of current Rule 7.18–E(a) in the proposed rule, as that sentence is inconsistent with the first sentence (upon which proposed Rule 7.18–E(b)(5)(B)(v) is based), and would permit the Exchange to resume trading in a security affected by a UTP Regulatory Halt other than a SIP Halt before the UTP Listing Market has provided notification that the halt has ended and before the Exchange receives the first LULD Price Bands in that security. The Exchange accordingly proposes to delete the second sentence of current Rule 7.18–E(a).

⁴⁷ See Amended CTA Plan, Section XI(a)(i)(L).

⁴⁰ The term “UTP Listing Market” is defined in Rule 1.1 to mean the primary listing market for a UTP Security. The term “UTP Security” is defined in Rule 1.1 to mean a security that is listed on a UTP Listing Market and that trades on the Exchange pursuant to unlisted trading privileges. The term “UTP Regulatory Halt” is defined in Rule 1.1. The Exchange proposes a non-substantive amendment to this definition to cross-reference the definition of “Regulatory Halt” in proposed Rule 7.18–E and delete the clause “that requires all market centers to halt trading in that security” as duplicative of the proposed new definition of Regulatory Halt, described above.

⁴¹ As discussed below, the Exchange proposes to delete current Rule 7.18–E(a) in its entirety as no longer applicable.

⁴² The term “UTP Derivative Securities Product” is defined in Rule 1.1 to mean a security that meets the definition of “derivative securities product” in Rule 19b–4(e) under the Securities Exchange Act of 1934 and that trades on the Exchange pursuant to unlisted trading privileges.

⁴³ The term “Core Trading Hours” is defined in Rule 1.1 to mean the hours of 9:30 a.m. Eastern Time through 4:00 p.m. Eastern Time or such other hours as may be determined by the Exchange from time to time.

would promote a fair and orderly market.

The SROs' experience with such events is that communication among SROs, SIPs, and market participants is the best way to ensure that the Primary Listing Market has access to available information and to coordinate the reopening of trading in an orderly manner. In addition, the SROs anticipate that market participants and other affected entities will have access to information about the issue causing the SIP Halt, the duration of the halt, and the resumption process through updated communications from the SIP processor, Operating Committee, and Primary Listing Market. Accordingly, the proposed Rule 7.18–E(b)(6)(A)(i) would further provide that when determining whether to resume trading, the Exchange would include input from the SIP processor, the Operating Committee, or the operator of the system in question (as well as any Trading Center(s) to which such system is linked), regarding operational readiness to resume trading. The rule would further provide that the Exchange would retain discretion to delay the SIP Halt Resume Time if it believes trading would not resume in a fair and orderly manner.

Under proposed Rule 7.18–E(b)(6)(A)(ii), the Exchange would terminate a SIP Halt with a notification that specifies the SIP Halt Resume Time. Section XI(a)(vi)(B) of the Amended CTA Plan directs the Primary Listing Market to specify in its rules (a) the minimum notice it will provide of a SIP Halt Resume Time, during which period market participants may enter orders in the affected securities, and (b) the last SIP Halt Resume Time before the end of regular trading hours. In accordance with that direction, Proposed Rule 7.18–E(b)(6)(A)(ii) would state that the Exchange would provide for a minimum five-minute notice of a SIP Halt Resume Time, which is sufficiently in advance of resumption to permit market participants to prepare their systems for trading.

In addition, proposed Rule 7.18–E(b)(6)(A)(ii) would establish that during Core Trading Hours, the last SIP Halt Resume Time would be 15 minutes before the end of Core Trading Hours, e.g., 3:45 p.m. ET. The Exchange believes that a SIP Halt Resume Time after 3:45 p.m. ET would interrupt a fair and orderly closing process. Accordingly, in such case, the Exchange would not run a Closing Auction and would establish Official Closing Prices for securities affected by the SIP Halt pursuant to subparagraphs (2) and (3) of the definition of “Official Closing Price”

in Rule 1.1, which set forth how the Exchange will determine the Official Closing Price if the Exchange is unable to conduct a closing transaction in one or more securities due to a systems or technical issue. In such case, the Exchange would disseminate a SIP Halt Resume Time after Core Trading Hours.

Proposed Rule 7.18–E(b)(6)(A)(ii) would further provide the Exchange, as the Primary Listing Market, with discretion to stagger the SIP Halt Resume Times for multiple securities in order to reopen in a fair and orderly manner. For example, this discretion could be used to open trading in a small number of symbols to ensure that systems are operating normally before resuming trading in the remaining symbols.

Proposed Rule 7.18–E(b)(6)(A)(iii) would provide that for a SIP Halt initiated by the Exchange, the Exchange would reopen trading with a Trading Halt Auction. Because a SIP Halt is a Regulatory Halt, such Trading Halt Auction would be subject to the extension logic and widened auction collars as described in Rule 7.35–E(e)(5)–(7).

Proposed Rule 7.18–E(b)(6)(B) would address resumption of trading after a SIP Halt initiated by a UTP Listing Market. The proposed rule would provide that for UTP Securities affected by a SIP Halt, during Core Trading Hours, the Exchange may resume trading in the affected security after trading in the affected security has resumed on the UTP Listing Market or notice has been received from the UTP Listing Market that such trading may resume. The proposed rule would further provide that during Core Trading Hours, if the UTP Listing Market does not open a security within the amount of time listed by the rules of the Primary Listing Market, the Exchange may resume trading in that security, provided that the Exchange will not resume trading in any security that is subject to the Limit Up Limit Down Plan until it receives the first Price Band in that security.⁴⁸ Outside of Core Trading Hours, the Exchange may resume trading in an affected UTP Security after the SIP Halt Resume Time.

⁴⁸ The Exchange's proposal to wait for the first Limit Up Limit Down Price Band in the affected UTP Security before resuming trading after a SIP Halt initiated by a UTP Listing Market is consistent with the Exchange's practice for resuming trading in affected UTP Securities after other types of Regulatory Halts. See proposed Rule 7.18–E(b)(5)(B)(vi) and current Rule 7.18–E(a).

Order Processing During a Regulatory Halt, Including SIP Halts

Proposed Rule 7.18–E(b)(7) would describe how the Exchange would process new and existing orders during a Regulatory Halt. This proposed rule text is based on current Rule 7.18–E(b) and (c), with differences described below. The Exchange proposes to delete current Rule 7.18–E(b) and (c) and their sub-paragraphs as duplicative of the proposed rule text.

Proposed Rule 7.18–E(b)(7)(A) would address how the Exchange would process new and existing orders during a Regulatory Halt that will reopen with a Trading Halt Auction. This proposed rule is based on current Rule 7.18–E(c) with differences to use new terminology relating to Regulatory Halts instead of referring to “securities listed on the Exchange during a halt, suspension or pause.” The Exchange also proposes to specify that the order processing described in this rule would only be applicable for Regulatory Halts if the Exchange reopens with a Trading Halt Auction. Proposed Rules 7.18–E(b)(7)(A)(i)–(vi) are based on current Rule 7.18–E(c)(1)–(6) without any substantive differences.

Proposed Rule 7.18–E(b)(7)(B) would address how the Exchange would process new and existing orders in a UTP Security during a UTP Regulatory Halt (including a SIP Halt initiated by a UTP Listing Market). This proposed rule text is based on current Rule 7.18–E(b) with non-substantive differences to use new terminology. Proposed Rule 7.18–E(b)(7)(B)(i)–(vi) are based on current Rule 7.18–E(b)(1)–(6) without any substantive differences.

Operational Halts

The Exchange proposes to address Operational Halts in proposed Rule 7.18–E(c). As noted above, an Operational Halt is non-regulatory in nature and applies only to the exchange that calls the halt. As described above, the Exchange has always had the capacity to implement operational halts and local trading suspensions in specified circumstances, but such halts are not currently referred to as “operational halts” in the Exchange's rules.⁴⁹ As part of the Exchange's assessment with other SROs of the halting and resumption of trading, the Exchange believes that the markets would benefit from greater clarity

⁴⁹ See Rule 7.13–E (Trading Suspensions). The Exchange also notes that its proposed Rule 7.18–E(c) regarding Operational Halts is substantially identical to the revised NYSE American, Nasdaq, Phlx, MIAx Pearl, and MEMX rules cited in note 4 above, and is therefore not novel.

regarding when an Operational Halt may be appropriate. In part, the proposed change is designed to cover situations similar to those that might constitute a Regulatory Halt but where the impact is limited to a single market. For example, just as a market disruption might trigger a Regulatory Halt for Extraordinary Market Activity (as defined in the Amended CTA Plan) if it affects multiple markets, a disruption at the Exchange, such as a technical issue affecting trading in one or more securities, could impact trading on the Exchange so significantly that an Operational Halt is appropriate in one or more securities. In such an instance, it would be in the public interest to institute an Operational Halt to minimize the impact of a disruption that, if trading were allowed to continue, might negatively affect a greater number of market participants. An Operational Halt does not implicate other trading centers.

Proposed Rule 7.18–E(c)(1) would specify the Exchange’s authority to initiate an Operational Halt, which is discretionary, and provide that the Exchange may declare an Operational Halt for any security trading on the Exchange if it is experiencing Extraordinary Market Activity on the Exchange (Proposed Rule 7.18–E(c)(1)(A)) or when otherwise necessary to maintain a fair and orderly market or in the public interest (Proposed Rule 7.18–E(c)(1)(B)).

Under proposed Rule 7.18–E(c)(2), the Exchange would notify the Processor if it has concerns about its ability to collect and transmit quotes, orders, or last sale prices, or where it has declared an Operational Halt or suspension of trading in one or more Eligible Securities (as that term is defined in the CTA Plan), pursuant to the procedures adopted by the Operating Committee.

Proposed Rule 7.18–E(c)(3) would set out rules for order processing during an Operational Halt. In such case, proposed Rule 7.18–E(c)(3)(A) would provide that the Exchange would cancel all unexecuted orders resting on the NYSE Arca Book, including Auction-Only Orders, and proposed Rule 7.18–E(c)(3)(B) would provide that the Exchange would reject all other incoming order instructions until the Exchange resumes trading. The Exchange currently processes new and existing orders in this manner when it suspends trading.⁵⁰ The Exchange proposes to include this processing in Rule 7.18–E to specify that this processing would also be applicable to when the Exchange resumes trading

following an Operational Halt in an Exchange-listed security.

Proposed Rule 7.18–E(c)(4) would specify how the Exchange resumes trading after an Operational Halt. Proposed Rule 7.18–E(c)(4)(A) would provide that the Exchange would resume trading following an Operational Halt when it determines that trading may resume in a fair and orderly manner consistent with the Exchange’s rules. Proposed Rule 7.18–E(c)(4)(B) would address “Communications,” and provide that trading in a halted security shall resume at the time specified by the Exchange in a notice. It would further specify that Exchange will notify all other Plan participants and the SIP of such Operational Halt as well as provide notice that an Operational Halt has been lifted using such protocols and other emergency procedures as may be mutually agreed to between the Operating Committee and the Exchange. If the SIP is unable to disseminate notice of an Operational Halt or the Exchange is not open for trading, the Exchange would take reasonable steps to provide notice of an Operational Halt, which shall include both the type and start time of the Operational Halt. Each Plan participant shall continuously monitor communication protocols established by the Operating Committee and the Processor during market hours to disseminate notice of an Operational Halt, and the failure of a participant to do so shall not prevent the Exchange from initiating an Operational Halt.

Conforming Changes to Other Rules

The Exchange also proposes non-substantive amendments of three other rules.

First, as noted above, the Exchange proposes a non-substantive amendment to the definition of “UTP Regulatory Halt” in Rule 1.1 to cross-reference the definition of “Regulatory Halt” in proposed Rule 7.18–E and delete the clauses “trade, suspension, halt, or pause” and “that requires all market centers to halt trading in that security” as duplicative of the proposed new definition of Regulatory Halt.

Second, the Exchange proposes to amend Rule 7.11–E (Limit Up-Limit Down Plan and Trading Pauses in Individual Securities Due to Extraordinary Market Volatility). Current Rule 7.11–E(b)(2) provides that if a primary listing market other than the Exchange issues a Trading Pause, the Exchange will resume trading as provided for in Rule 7.18–E(a) regarding UTP Regulatory Halts. The Exchange proposes to replace the term “primary listing market” with “UTP Listing Market” for clarity, and proposes to

change the current cross-reference to Rule 7.18–E(a) to refer instead to amended Rule 7.18–E(b)(5)(B)(vi), which would encompass the provisions of current Rule 7.18–E(a).

Third, the Exchange proposes to amend Rules 7.35–E(e)(3) and (e)(8) to update cross-references from current Rule 7.18–E(c) to proposed Rule 7.18–E(b)(7)(A).

Implementation

The Exchange will implement the changes proposed herein in conjunction with the Processors and the other SROs implementing the necessary rule changes and related technology and procedural changes. The Exchange will publish a trader notice at least 30 business days before implementing the proposed changes.

2. Statutory Basis

The Exchange believes that its proposal is consistent with the requirements of the Act and the rules and regulations thereunder that are applicable to a national securities exchange, and, in particular, with the requirements of Section 6(b) of the Act.⁵¹ Specifically, the proposal is consistent with Section 6(b)(5) of the Act⁵² because it would promote just and equitable principles of trade, remove impediments to, and perfect the mechanism of, a free and open market and a national market system, and, in general, protect investors and the public interest.

As described above, the Exchange and other SROs are seeking to adopt harmonized rules related to halting and resuming trading in U.S.-listed equity securities. The Exchange believes that the proposed rules will provide greater transparency and clarity with respect to the situations in which trading will be halted and the process through which that halt will be implemented and terminated. Particularly, the proposed changes seek to achieve consistent results for participants across U.S. equities exchanges and in the over-the-counter market while maintaining a fair and orderly market, protecting investors, and protecting the public interest. Based on the foregoing, the Exchange believes that the proposed rules are consistent with Section 6(b)(5) of the Act⁵³ because they will foster cooperation and coordination with persons engaged in regulating and facilitating transactions in securities.

As discussed previously, the Exchange believes that the various

⁵¹ 15 U.S.C. 78f(b).

⁵² 15 U.S.C. 78f(b)(5).

⁵³ 15 U.S.C. 78f(b)(5).

⁵⁰ See current Rule 7.18–E(c).

provisions of the proposed rules that will apply to all SROs are focused on the type of cross-market event where a consistent approach will assist market participants and reduce confusion during a crisis. Because market participants often trade the same security across multiple venues and trade securities listed on different exchanges as part of a common strategy, the Exchange believes that the proposed rules will lessen the risk that market participants holding a basket of securities will have to deal with divergent outcomes depending on where the securities are listed or traded. Conversely, the proposed rules would still allow individual SROs to react differently to events that impact various securities or markets in different ways. This avoids the “brittle market” risk where an isolated event at a single market forces all markets trading equities securities to halt or halts trading in all securities where the issue affected only a subset of securities. By addressing both concerns, the Exchange believes that the proposed rules further the Act’s goal of maintaining fair and orderly markets.

The Exchange believes that the proposed rule’s focus of responsibility on the Primary Listing Market for decisions related to a Regulatory Halt and the resumption of trading is consistent with the Act, which itself imposes obligations on exchanges with respect to issuers that are listed. As is currently the case, the Primary Listing Market would be responsible for the many regulatory functions related to its listings, including the determination of when to declare a Regulatory Halt. While these core responsibilities remain with the Primary Listing Market, trading in the security can occur on multiple exchanges that have unlisted trading privileges for the security or in the over-the-counter market, regulated by FINRA. These other venues are responsible for monitoring activity on their own markets, but also have agreed to honor a Regulatory Halt.

The proposed changes relating to Regulatory Halts would ensure that all SROs handle the situations covered therein in a consistent manner that would prevent conflicting outcomes in cross-market events, and ensure that all Trading Centers recognize a Regulatory Halt declared by the Primary Listing Market. The changes are consistent with and implement the Amended CTA Plan. While the proposed rules recognize one Primary Listing Market for each security, the rules do not prevent an issuer from switching its listing to another national securities exchange that would thereafter assume the

responsibilities of Primary Listing Market for that security. Similarly, the proposed rules set forth a fair and objective standard to determine which exchange will be the Primary Listing Market in the case of dually-listed securities: the exchange on which the security has been listed the longest.

The Exchange believes that the other definitions in the proposed rules are also consistent with the Act. For example, the proposed rules would define what constitutes Extraordinary Market Activity, consistent with the definition of that term in the Amended CTA Plan, thereby furthering the Act’s goal of promoting fair and orderly markets. The Exchange is also proposing to adopt definitions for “SIP Outage,” “Material SIP Latency” and “SIP Halt,” to explicitly address situations that may disrupt the markets, and these definitions are identical to the definitions in the Amended CTA Plan. The proposed rules specify when the Exchange should seek information from the Operating Committee, other SROs, and market participants as well as means for dissemination of important information to the market, consistent with the Amended CTA Plan. The Exchange believes these provisions strike the right balance in outlining a process to address unforeseen events without preventing SROs from taking action needed to protect the market.

The Exchange believes that the proposed rules, which make halts consistent across exchange rules, is consistent with the Act in that it will foster cooperation and coordination with persons engaged in regulating the equities markets. In particular, the Exchange believes it is important for SROs to coordinate when there is a widespread and significant event, as multiple Trading Centers are affected in such an event. Further, while the Exchange recognizes that the proposed rule will not guarantee a consistent result on every market in all situations, the Exchange does believe that it will assist in that outcome. While the proposed rule relating to Regulatory Halts focuses primarily on the kinds of cross-market events that would likely impact multiple markets, individual SROs will still retain flexibility to deal with unique products or smaller situations confined to a particular market. To that end, the Exchange has retained some existing elements of Rule 7.18–E that focus on its unique products and the processes it has developed over time to interact with its issuers.

Also consistent with the Act, and with the Amended CTA Plan, is the Exchange’s proposal in Rule 7.18–E(c) to address Operational Halts, which are

non-regulatory in nature and apply only to the exchange that declares the halt. As noted earlier, the Exchange has always had the capacity to implement operational halts and local trading suspensions, but such halts are not currently referred to as “operational halts” in the Exchange’s rules.⁵⁴ The Exchange also notes that its proposed Rule 7.18–E(c) regarding Operational Halts is substantially identical to the revised NYSE American, Nasdaq, Phlx, MIAX Pearl, and MEMX rules cited above,⁵⁵ and is therefore not novel.

The Exchange believes that the markets would benefit from greater clarity regarding when an Operational Halt may be appropriate. In part, the proposed change is designed to cover situations similar to those that might constitute a Regulatory Halt, but where the impact is limited to a single market. For example, just as a market disruption might trigger a Regulatory Halt for Extraordinary Market Activity if it affects multiple markets, so could a disruption at the Exchange, such as a technical issue affecting trading in one or more securities, impact trading on the Exchange so significantly that an Operational Halt is appropriate in one or more securities. In such an instance, it would be in the public interest to institute an Operational Halt to minimize the impact of a disruption that, if trading were allowed to continue, might negatively affect a greater number of market participants. An Operational Halt does not implicate other trading centers.

B. Self-Regulatory Organization’s Statement on Burden on Competition

The Exchange believes the proposal is consistent with Section 6(b)(8) of the Act⁵⁶ in that it does not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act as explained below.

Importantly, the Exchange believes the proposal would not impose a burden on intermarket competition but rather would alleviate any burden on competition because it is the result of a collaborative effort by all SROs to harmonize and improve the process related to the halting and resumption of trading in U.S.-listed equity securities. In this area, the Exchange believes that all SROs should have consistent rules to the extent possible in order to provide additional transparency and certainty to market participants and to avoid inconsistent outcomes that could cause

⁵⁴ See Rule 7.13–E (Trading Suspensions).

⁵⁵ See *supra* note 5.

⁵⁶ 15 U.S.C. 78f(b)(8).

confusion and erode market confidence. The proposed changes would ensure that all SROs handle the situations covered therein in a consistent manner and ensure that all Trading Centers handle a Regulatory Halt consistently. The Exchange understands that all other Primary Listing Markets intend to file proposals that are substantially similar to this proposed rule change.

The Exchange does not believe that its proposals concerning Operational Halts impose an undue burden on competition. Under its existing rules, the Exchange already possesses discretionary authority to impose halts and trading suspensions for various reasons. The proposed rule change clarifies and broadens the circumstances in which the Exchange may impose such Operational Halts, and specifies procedures for both imposing and lifting them. The Exchange does not intend for these proposals to have any competitive impact whatsoever. Indeed, the Exchange expects that other exchanges will adopt similar rules and procedures to govern operational halts, to the extent that they have not done so already.

The Exchange does not believe that the proposed rule change imposes a burden on intramarket competition because the proposed rule would apply to all market participants equally. In addition, information regarding the halting and resumption of trading will be disseminated using several freely-accessible sources to ensure broad availability of information in addition to the SIP data and proprietary data feeds offered by the Exchange and other SROs that are available to subscribers.

In addition, the proposed rule change includes several provisions related to the declaration and timing of trading halts and the resumption of trading designed to avoid any advantage to those who can react more quickly than other participants. The proposed rules give the Exchanges the ability to declare the timing of a Regulatory Halt immediately. The SROs retain the discretion to cancel trades that occur after the time of the Regulatory Halt. The proposed rule change also allows for the staggered resumption of trading to assist firms in reentering the market after a SIP Halt affecting multiple securities, in order to reopen in a fair and orderly manner. In addition, the proposed rule change encourages early and frequent communication among the SROs, SIPs, and market participants to enable the dissemination of timely and accurate information concerning the market to market participants.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act⁵⁷ and Rule 19b-4(f)(6) thereunder.⁵⁸ Because the proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative prior to 30 days from the date on which it was filed, or such shorter time as the Commission may designate, if consistent with the protection of investors and the public interest, the proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act and Rule 19b-4(f)(6)(iii) thereunder.

A proposed rule change filed under Rule 19b-4(f)(6)⁵⁹ normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b-4(f)(6)(iii),⁶⁰ the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest.

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B)⁶¹ of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

⁵⁷ 15 U.S.C. 78s(b)(3)(A)(iii).

⁵⁸ 17 CFR 240.19b-4(f)(6).

⁵⁹ 17 CFR 240.19b-4(f)(6).

⁶⁰ 17 CFR 240.19b-4(f)(6)(iii).

⁶¹ 15 U.S.C. 78s(b)(2)(B).

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-NYSEARCA-2025-50 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-NYSEARCA-2025-50. 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-NYSEARCA-2025-50 and should be submitted on or before August 11, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁶²

Sherry R. Haywood,
Assistant Secretary.

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BILLING CODE 8011-01-P

⁶² 17 CFR 200.30-3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103477; File No. 4–861]

Self-Regulatory Organizations; 24X National Exchange LLC; Notice of Filing of Proposed Minor Rule Violation Plan

July 16, 2025.

Pursuant to Section 19(d)(1) of the Securities Exchange Act of 1934 (“Act”),¹ and Rule 19d–l(c)(2) thereunder,² notice is hereby given that on July 8, 2025, 24X National Exchange LLC (“24X” or the “Exchange”) filed with the Securities and Exchange Commission (“Commission”) a proposed minor rule violation plan (“MRVP”) with sanctions not exceeding \$2,500 which would not be subject to the provisions of Rule 19d–l(c)(1) of the Act³ requiring that a self-regulatory organization (“SRO”) promptly file notice with the Commission of any final disciplinary action taken with respect to any person or organization.⁴ In accordance with Rule 19d–l(c)(2) under the Act, the Exchange proposes to designate certain specified rule violations as minor rule violations and requests that it be relieved of the prompt reporting requirements regarding such violations, provided it gives notice of such violations to the Commission on a quarterly basis.

The Exchange proposes to include in its MRVP the procedures included in Exchange Rule 8.15 (“Imposition of Fines for Minor Violation(s) of Rules”) and the violations included in Rule 8.15.01 (“List of Exchange Rule Violations and Recommended Fine Schedule Pursuant to Rule 8.15”).⁵ According to the Exchange’s proposed MRVP, under Rule 8.15(a), the Exchange may impose a fine (not to exceed \$2,500) on any Member, associated person of a Member, or registered or

non-registered employee of a Member, for any violation of a Rule of the Exchange which violation the Exchange shall have determined is minor in nature, as set forth in Rule 8.15.01. The Exchange may aggregate similar violations generally if the conduct was unintentional, there was no injury to public investors, or the violations resulted from a single systemic problem or cause that has been corrected. In any action taken by the Exchange pursuant to Rule 8.15, the person against whom a fine is imposed shall be served with a written statement, signed by an authorized officer of the Exchange, setting forth (i) the Rule or Rules alleged to have been violated; (ii) the act or omission constituting each such violation; (iii) the fine imposed for each such violation; and (iv) the date by which such determination becomes final and such fine becomes due and payable to the Exchange. Pursuant to paragraph (c) of Rule 8.15, if the person against whom a fine is imposed pursuant to Rule 8.15 pays such fine, that payment shall be deemed to be a waiver by such person of such person’s right to a disciplinary proceeding under Rules 8.1 through 8.13 and any review of the matter by the Appeals Committee or by the Board. Any person against whom a fine is imposed pursuant to Rule 8.15 may contest such a finding pursuant to paragraph (d) of Rule 8.15 by filing with the Exchange not later than the date by which such determination must be contested (such date to be not less than 15 business days after the date of service of the written statement by the Exchange) a written response meeting the requirements provided in Rule 8.5 at which point the matter shall become a disciplinary proceeding subject to the provisions of Rules 8.1 through 8.13.

The Exchange proposes that, as set forth in Exchange Rule 8.15.01, violations of the following rules would be appropriate for disposition under the MRVP: Rule 4.2 and Interpretations thereunder (requiring the submission of responses to Exchange requests for trading data within specified time period); Rule 11.9(a)(5) (requirement to identify short sale orders as such); Rule 11.9(f) (requirement to comply with locked and crossed market rules); Rule 3.5 (Advertising Practices); Rule 12.11 Interpretations and Policy .01 and Exchange Act Rule 604 (failure to properly display limit orders); Rule 4.2 and Interpretations thereunder (related to the requirement to furnish Exchange-related order, market and transaction data, as well as financial or regulatory records and information); Rule

11.20(a)(1) (requirement for Market Makers to maintain continuous two-sided quotations); and Rules 4.5 through 4.16 (Consolidated Audit Trail Compliance Rules).

Upon the Commission’s declaration of effectiveness of the MRVP, the Exchange will provide to the Commission a quarterly report for any actions taken on minor rule violations under the MRVP. The quarterly report will include: the Exchange’s internal file number for the case, the name of the individual and/or organization, the nature of the violation, the specific rule provision violated, the fine imposed, the number of times the rule violation occurred, and the date of the disposition.

Based on compliance with the above, the Exchange requests that the rule violations designated in Exchange Rule 8.15.01 be designated as minor rule violations subject to a minor rule violation reporting plan and that the Exchange be relieved of the current reporting requirements regarding such violations. In addition, going forward, to the extent that there are any changes to the rules applicable to the Exchange’s MRVP, the Exchange requests that the Commission deem such changes to be modifications to the Exchange’s MRVP.

I. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed MRVP 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 No. 4–861 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 No. 4–861. 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 MRVP that are filed with the Commission, and all written communications relating to the

¹ 15 U.S.C. 78s(d)(1).

² 17 CFR 240.19d–1(c)(2).

³ 17 CFR 240.19d–1(c)(1).

⁴ The Commission adopted amendments to paragraph (c) of Rule 19d–l to allow SROs to submit for Commission approval plans for the abbreviated reporting of minor disciplinary infractions. See Securities Exchange Act Release No. 21013 (June 1, 1984), 49 FR 23828 (June 8, 1984). Any disciplinary action taken by an SRO against any person for violation of a rule of the SRO which has been designated as a minor rule violation pursuant to such a plan filed with and declared effective by the Commission is not considered “final” for purposes of Section 19(d)(1) of the Act if the sanction imposed consists of a fine not exceeding \$2,500 and the sanctioned person has not sought an adjudication, including a hearing, or otherwise exhausted his administrative remedies.

⁵ The Exchange received its grant of registration on November 27, 2024, which included approving the rules that govern the Exchange.

proposed MRVP 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 proposed MRVP 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 No. 4-861 and should be submitted on or before August 11, 2025.

II. Date of Effectiveness of the Proposed Minor Rule Violation Plan and Timing for Commission Action

Pursuant to Section 19(d)(l) of the Act and Rule 19d-1(c)(2) thereunder,⁶ after August 11, 2025, the Commission may, by order, declare the Exchange's proposed MRVP effective if the plan is consistent with the public interest, the protection of investors, or otherwise in furtherance of the purposes of the Act. The Commission in its order may restrict the categories of violations to be designated as minor rule violations and may impose any other terms or conditions to the proposed MRVP, File No. 4-861, and to the period of its effectiveness, which the Commission deems necessary or appropriate in the public interest, for the protection of investors or otherwise in furtherance of the purposes of the Act.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁷

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2025-13577 Filed 7-18-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-103473; File No. SR-NYSEARCA-2025-38]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change To Amend the Rules Governing the Listing and Trading of Shares of the Bitwise Bitcoin ETF Trust and the Bitwise Ethereum ETF in Order To Permit In-Kind Creations and Redemptions

July 16, 2025.

On May 21, 2025, NYSE Arca, Inc. ("NYSE Arca" or the "Exchange") filed with the Securities and Exchange Commission ("Commission"), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 19b-4 thereunder,² a proposed rule change to amend the rules governing the listing and trading of shares of the Bitwise Bitcoin ETF Trust and the Bitwise Ethereum ETF to permit in-kind creations and redemptions. On June 4, 2025, the Exchange filed Amendment No. 1 to the proposed rule change that replaced and superseded the original filing in its entirety.³ On June 30, the Exchange filed Amendment No. 2 to the proposed rule change that replaced and superseded the original filing as amended by Amendment No. 1, in its entirety. The proposed rule change, as amended by Amendment No. 2 was published for comment in the **Federal Register** on July 14, 2025.⁴

Section 19(b)(2) of the Act⁵ provides that within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for this proposed rule change is July 25, 2025. The Commission is extending this 45-day time period.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ See Securities Exchange Act Release No. 103198 (June 5, 2025), 90 FR 24683 (June 11, 2025). The Commission has received no comments regarding the proposed rule change.

⁴ See Securities Exchange Act Release No. 103407 (July 9, 2025), 90 FR 31390.

⁵ 15 U.S.C. 78s(b)(2).

The Commission finds it appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change, and the issues raised therein. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,⁶ designates September 8, 2025, as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR-NYSEARCA-2025-38).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁷

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2025-13574 Filed 7-18-25; 8:45 am]

BILLING CODE 8011-01-P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21187 and #21188; TEXAS Disaster Number TX-20056]

Administrative Declaration of a Disaster for the State of Texas

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a notice of an Administrative declaration of a disaster for the State of Texas dated July 17, 2025.

Incident: Cooper Apartment Complex Fire.

DATES: Issued on July 17, 2025.

Incident Period: June 23, 2025.

Physical Loan Application Deadline Date: September 15, 2025.

Economic Injury (EIDL) Loan Application Deadline Date: April 17, 2026.

ADDRESSES: Visit the MySBA Loan Portal at <https://lending.sba.gov> to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Sharon Henderson, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205-6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be submitted online using the MySBA Loan Portal <https://lending.sba.gov> or other locally announced locations.

⁶ 15 U.S.C. 78s(b)(2).

⁷ 17 CFR 200.30-3(a)(31).

⁶ 15 U.S.C. 78s(d)(1); 17 CFR 240.19d-1(c)(2).

⁷ 17 CFR 200.30-3(a)(44).

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: Tarrant.

Contiguous Counties:

Texas: Dallas, Denton, Ellis, Johnson, Parker, Wise.

The Interest Rates are:

	Percent
<i>For Physical Damage:</i>	
Homeowners with Credit Available Elsewhere	5.625
Homeowners without Credit Available Elsewhere	2.813
Businesses with Credit Available Elsewhere	8.000
Businesses without Credit Available Elsewhere	4.000
Non-Profit Organizations with Credit Available Elsewhere ...	3.625
Non-Profit Organizations without Credit Available Elsewhere	3.625
<i>For Economic Injury:</i>	
Business and Small Agricultural Cooperatives without Credit Available Elsewhere	4.000
Non-Profit Organizations without Credit Available Elsewhere	3.625

The number assigned to this disaster for physical damage is 211875 and for economic injury is 211880.

The State which received an EIDL Declaration is Texas.

(Catalog of Federal Domestic Assistance Number 59008)

(Authority: 13 CFR 1234.3(b).)

James Stallings,

Associate Administrator, Office of Disaster Recovery and Resilience.

[FR Doc. 2025-13685 Filed 7-18-25; 8:45 am]

BILLING CODE 8026-09-P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21181 and #21182; OREGON Disaster Number OR-20012]

Administrative Declaration of a Disaster for the State of Oregon

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a notice of an Administrative declaration of a disaster for the State of OREGON dated July 16, 2025.

Incident: Rowena Wildfire.

DATES: Issued on July 16, 2025.

Incident Period: June 11, 2025 through June 19, 2025.

Physical Loan Application Deadline Date: September 15, 2025.

Economic Injury (EIDL) Loan Application Deadline Date: April 16, 2026.

Application Deadline Date: April 16, 2026.

ADDRESSES: Visit the MySBA Loan Portal at <https://lending.sba.gov> to apply for a disaster assistance loan.

apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Sharon Henderson, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205-6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be submitted online using the MySBA Loan Portal <https://lending.sba.gov> or other locally announced locations. Please contact the SBA disaster assistance customer service center by email at disastercustomerservice@sba.gov or by phone at 1-800-659-2955 for further assistance.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Wasco.

Contiguous Counties:

Oregon: Clackamas, Gilliam, Hood River, Jefferson, Marion, Sherman, Wheeler.

Washington: Klickitat.

The Interest Rates are:

	Percent
<i>For Physical Damage:</i>	
Homeowners with Credit Available Elsewhere	5.625
Homeowners without Credit Available Elsewhere	2.813
Businesses with Credit Available Elsewhere	8.000
Businesses without Credit Available Elsewhere	4.000
Non-Profit Organizations with Credit Available Elsewhere ...	3.625
Non-Profit Organizations without Credit Available Elsewhere	3.625
<i>For Economic Injury:</i>	
Business and Small Agricultural Cooperatives without Credit Available Elsewhere	4.000
Non-Profit Organizations without Credit Available Elsewhere	3.625

The number assigned to this disaster for physical damage is 211815 and for economic injury is 211820.

The States which received an EIDL Declaration are Oregon, Washington.

(Catalog of Federal Domestic Assistance Number 59008)

(Authority: 13 CFR 123.3(b).)

James Stallings,

Associate Administrator, Office of Disaster Recovery and Resilience.

[FR Doc. 2025-13616 Filed 7-18-25; 8:45 am]

BILLING CODE 8026-09-P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration # 21176 and # 21177; TEXAS Disaster Number TX-20058]

Presidential Declaration Amendment of a Major Disaster for Public Assistance Only for the State of Texas

AGENCY: U.S. Small Business Administration.

ACTION: Amendment 3.

SUMMARY: This is an amendment of the Presidential declaration of a major disaster for Public Assistance Only for the State of TEXAS (FEMA-4879-DR), dated July 6, 2025.

Incident: Severe Storms, Straight-line Winds, and Flooding.

DATES: Issued on July 16, 2025.

Incident Period: July 2, 2025 and continuing.

Physical Loan Application Deadline Date: September 4, 2025.

Economic Injury (EIDL) Loan Application Deadline Date: April 6, 2026.

ADDRESSES: Visit the MySBA Loan Portal at <https://lending.sba.gov> to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Sharon Henderson, 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 Private Non-Profit organizations in the State of TEXAS, dated July 6, 2025, is hereby amended to include the following areas as adversely affected by the disaster.

Primary Counties: Coke, Concho, Williamson.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59008)

(Authority: 13 CFR 123.3(b).)

James Stallings,

Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2025-13667 Filed 7-18-25; 8:45 am]

BILLING CODE 8026-09-P

SOCIAL SECURITY ADMINISTRATION

[Docket No: SSA–2025–0123]

Agency Information Collection Activities: Proposed Request and Comment Request

The Social Security Administration (SSA) publishes a list of information collection packages requiring clearance by the Office of Management and Budget (OMB) in compliance with Public Law 104–13, the Paperwork Reduction Act of 1995, effective October 1, 1995. This notice includes revisions of OMB-approved information collections.

SSA is soliciting comments on the accuracy of the agency’s burden estimate; the need for the information; its practical utility; ways to enhance its quality, utility, and clarity; and ways to minimize burden on respondents, including the use of automated collection techniques or other forms of information technology. Mail, email, or fax your comments and recommendations on the information collection(s) to the OMB Desk Officer and SSA Reports Clearance Officer at the following addresses or fax numbers.

(OMB) Office of Management and Budget, Attn: Desk Officer for SSA.

(SSA) Social Security Administration, OLCA, Attn: Reports Clearance Director, Mail Stop 3253 Altmeyer, 6401 Security Blvd., Baltimore, MD 21235, Fax: 833–410–1631, Email address: *OR.Reports.Clearance@ssa.gov*.

Or you may submit your comments online through <https://www.reginfo.gov/public/do/PRAmain> by clicking on Currently under Review—Open for Public Comments and choosing to click on one of SSA’s published items. Please

reference Docket ID Number [SSA–2025–0123] in your submitted response.

I. The information collections below are pending at SSA. SSA will submit them to OMB within 60 days from the date of this notice. To be sure we consider your comments, we must receive them no later than September 19, 2025. Individuals can obtain copies of the collection instrument by writing to the above email address.

1. *Continuing Disability Review Report—20 CFR 404.1589 & 416.989—0960–0072*. Sections 221(i), 1614(a)(3)(H)(ii)(I) and 1633(c)(1) of the Social Security Act (Act) require SSA to periodically review the cases of individuals who receive benefits under Title II or Title XVI based on disability to determine if their disability continues. SSA considers adults eligible for disability payments if they continue to be unable to do substantial gainful activity because of their impairments, and we consider Title XVI children eligible for disability payment if they have marked and severe functional limitations because of their impairments. To assess claimants’ ongoing disability payment eligibility, SSA uses the information gathered through the Continuing Disability Review Report to complete a mandatory review for the continue disability review (CDR).

SSA also uses the Continuing Disability Review Report to obtain information on sources of medical treatment; participation in vocational rehabilitation programs (if any); attempts to work (if any); and recipients’ assessments when they believe their conditions improved. Title II or Title XVI disability recipients can complete the Continuing Disability Review Report using one of three modalities: (1) a

paper application or fillable PDF (using Form SSA–454–BK); (2) a field office interview, during which SSA employees enter claimant’s data directly into the Electronic Disability Collection System (EDCS); or (3) using an online system (i454), which is a web-based modality that provides recipients a fully electronic platform for submitting information to increase accessibility and enhance automation. When SSA initiates a medical CDR, we send a mailed notice to the individual with a disability informing that individual that SSA requires a CDR. The mailed notice provides instructions to the recipient on how to assist the agency with initiating the CDR and gives the individual the option to complete a paper SSA–454 or an i454 for adult only disabled individuals. When an individual requires a CDR, a claims specialist (CS) mails the paper Form SSA–454–BK, and the respondent completes the form, and sends or brings it back to SSA; or the CS interviews the respondent and enters the information into the appropriate EDCS screens; or adult disabled individuals submit the information electronically using the i454 internet application. Regardless of the modality the respondent uses to complete the information (paper, EDCS, or internet versions), SSA electronically stores the information provided in EDCS. The respondents complete the SSA–454–BK by themselves with self-help information available, or a representative may complete the paper form or electronic application on their behalf. The respondents are Title II or Title XVI disability recipients or their representatives.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)	Average theoretical hourly cost amount (dollars) **	Average wait time in field office and teleservice centers (minutes) ***	Total annual opportunity cost (dollars) ****
SSA–454–BK (paper version)	249,194	1	* 600	2,491,940	** \$13.30	*** 23	**** \$34,413,271
Electronic Disability Collect System (EDCS)	267,975	1	* 600	2,679,750	** 13.30	*** 180	**** 46,332,878
i454 (Internet)	45,763	1	* 600	457,630	** 13.30	.....	**** 6,086,479
Totals	562,932	.....	.....	5,629,320	.....	.....	**** 86,832,628

* The estimated time of 600 minutes to complete Form SSA–454–BK is an average for the respondents, who are Title II or Title XVI disability recipients or their representatives. Some of these respondents may take longer to complete the forms and submit the information, while others will complete the forms faster, which is why we use average time estimates to calculate time burdens for these information collections. These estimates were originally developed, and are still based on, our current management information data.

** We based this figure on the average DI payments based on SSA’s current FY 2025 data (<https://www.ssa.gov/legislation/2024FactSheet.pdf>).

*** We based this figure on the average FY 2025 wait times for field offices (23 minutes) and for teleservice centers (180 minutes), based on SSA’s current management information data. This figure reflects the data posted on our public facing website (800 number performance | SSA) on the date we drafted this notice. As the figures fluctuate daily, the wait times may be different on the publication date of this notice.

**** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. *There is no actual charge to respondents to complete the application.*

number (SSN) verification service available to private businesses and other requesting parties. To use the system, private businesses and requesting parties must register with SSA and obtain valid consent from SSN holders prior to verification. We collect the information to verify if the submitted name and SSN match the information in SSA records. After completing a registration process and paying the fee, the requesting party can use the CBSV process to submit a file containing the names of number holders who gave valid consent, along with each number holder's accompanying SSN and date of birth (if available) to obtain real-time results using a web service application or SSA's Business Services Online (BSO) application. SSA matches the information against the SSA master file

of SSNs, using SSN, name, date of birth, and gender code (if available). The requesting party retrieves the results file from SSA, which indicates only a match or no match for each SSN submitted.

Under the CBSV process, the requesting party does not submit the consent forms of the number holders to SSA. SSA requires each requesting party to retain a valid consent form for each SSN verification request. The requesting party retains the consent forms in either electronic or paper format.

SSA added a strong audit component to ensure the integrity of the CBSV process. At the discretion of the agency, we require audits (called "compliance reviews") with the requesting party paying all audit costs. Independent certified public accounts (CPAs) conduct these reviews to ensure

compliance with all the terms and conditions of the party's agreement with SSA, including a review of the consent forms. CPAs conduct the reviews at the requesting party's place of business to ensure the integrity of the process. In addition, SSA reserves the right to perform unannounced onsite inspections of the entire process, including review of the technical systems that maintain the data and transaction records. The respondents to the CBSV collection are the participating companies; members of the public who consent to the SSN verification; and CPAs who provide compliance review services.

Type of Request: Revision of an OMB-approved information collection.

Time Burden:

Requirement	Number of respondents	Frequency of response	Number of responses	Average burden per response (minutes)	Estimated total annual burden (hours)	Average theoretical hourly cost amount (dollars) *	Total annual opportunity cost (dollars) **
Participating Companies							
Registration process for new participating companies	*** 8	1	8	120	16	* \$45.04	*** \$721
Creation of file with SSN holder identification data; maintaining required documentation/forms	52	**** 251	13,052	60	13,052	* 45.04	** 587,862
Using the system to upload request file, check status, and download results file	52	251	13,052	5	1,088	* 45.04	** 49,004
Storing Consent Forms	52	251	13,052	60	13,052	* 45.04	** 587,862
Activities related to compliance review	52	251	13,052	60	13,052	* 45.04	** 587,862
Totals	216	.....	52,213	.....	52,224**	.....	** 1,813,311
Participating Companies Who Opt for External Testing Environment (ETE)							
ETE Registration Process (includes reviewing and completing ETE User Agreement)	19	1	19	180	57	* \$45.04	** \$2,567
Web Service Transactions	19	50	950	1	16	* 45.04	** 721
Reporting Issues Encountered on Web service testing (e.g., reports on application's reliability)	19	50	950	1	16	* 45.04	** 721
Reporting changes in users' status (e.g., termination or changes in users' employment status; changes in duties of authorized users)	19	1	19	60	19	* 45.04	** 856
Cancellation of Agreement	19	1	19	30	10	* 45.04	** 450
Dispute Resolution	19	1	19	120	38	* 45.04	** 1,711
Totals	114	.....	3,004	.....	156	.....	7,026
People Whose SSNs SSA Will Verify							
Reading and signing authorization for SSA to release SSN verification (Form SSA-89)	597,295	1	597,295	3	29,865	* \$13.30	** \$397,205
Responding to CPA re-contact	3,074	1	3,074	5	256	* 45.04	** 11,530
Totals	600,369	.....	600,369	.....	30,121**	.....	** 408,735

* We based this figure on the average DI payments based on SSA's current FY 2025 data (<https://www.ssa.gov/legislation/2024FactSheet.pdf>), and on the average Business and Financial operations occupations hourly salaries, as reported by Bureau of Labor Statistics data (Occupational Employment and Wage Statistics).

** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. *There is no actual charge to respondents to complete the application.*

*** One-time registration process approximately 10 new participating companies per year.

**** Please note there are 251 Federal business days per year on which a requesting party could submit a file.

There is one CPA respondent conducting compliance reviews and preparing written reports of findings. The average burden per the 52 responses is 3,120 minutes for a total burden of 6,400 hours annually.

3. *Statement for Determining Continuing Entitlement for Special Veterans Benefits (SVB)—0960-0782.* Title VIII of the Act provides for the payment of Special Veterans benefits (SVB) to certain World War II veterans who reside outside of the United States. SSA regularly reviews individuals' claims for SVB to determine their continued eligibility and correct

payment amounts. SSA requires individuals living outside the United States receiving SVB to report any changes to SSA that may affect their benefits. These include changes such as: (1) a change in mailing address or residence; (2) an increase or decrease in a pension, annuity, or other recurring benefit; (3) a return or visit to the United States for a calendar month or longer; or

(4) an inability to manage benefits. SSA uses Form SSA-2010-F6, to collect this information. All beneficiaries have face-to-face interviews with the Federal Benefits Unit (FBU) every year who assist them in completing this form. Respondents are SVB beneficiaries living outside the United States. *Type of Request:* Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)	Average theoretical hourly cost amount (dollars)**	Average wait for teleservice centers (minutes)***	Total annual opportunity cost (dollars)****
SSA-2010	30	1	20	10	\$32.66 *	180 **	\$3,266 ***

* We based this figure on average U.S. worker's hourly wages, as reported by Bureau of Labor Statistics data (Occupational Employment and Wage Statistics).
 ** We based this figure on the average FY 2025 wait times for telephone centers (180 minutes), based on SSA's current management information data. This figure reflects the data posted on our public facing website (800 number performance | SSA) on the date we drafted this notice. As the figures fluctuate daily, the wait times may be different on the publication date of this notice.
 *** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. *There is no actual charge to respondents to complete the application.*

4. *Fee Agreement for Representation before the Social Security Administration—0960-0810.* The Act requires individuals who represent a claimant before the agency and want to receive a fee for their services to obtain SSA's authorization of the fee. One way to obtain the authorization is to submit the fee agreement to the agency either in writing or through using Form SSA-1693, Fee Agreement for Representation

before the Social Security Administration. Since representatives currently use fee agreements which vary in length, content, and complexity, submission of a free-form fee agreement may cause delays in SSA's review time. SSA encourages respondents to use Form SSA-1693 to submit the information either using the paper form or the electronically submittable e1693 through SSA's website. SSA uses the

information from the SSA-1693 to review the request and authorize any fee to representatives who seek to charge and collect a fee from a claimant. The respondents are the representatives who help claimants through the application process, and the claimants who they represent. *Type of Request:* Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)	Average theoretical hourly cost amount (dollars) *	Total annual opportunity cost (dollars) **
Form SSA-1693	4,225	1	12	845	* \$60.26	** \$50,920
e1693	1,745	1	13	378	* 60.26	** 22,778
Written Agreements on Representative's Stationary	1,575,773	1	20	525,257	* 60.26	** 31,651,987
Totals	1,581,743	.....	.....	526,480	.....	** 31,725,685

* We based this figure on the averaged total of the average Lawyer's Legal Services wages, and the average U.S. worker's hourly wages (Occupational Employment and Wage Statistics) as reported by Bureau of Labor Statistics data.
 ** This figure does not represent actual costs that SSA is imposing on recipients, of, Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. *There is no actual charge to respondents to complete the application.*

5. *mySocial Security—Security Authentication PIN—20 CFR 401.45—0960-0846.* To mitigate fraud concerns, in April 2025, SSA increased the level of identity proofing needed for respondents to make payment method changes during phone interactions for direct deposit changes. While necessary to protect the public and the integrity of SSA's programs, this limits the accessibility of the phone as a service channel for direct deposit changes as they require identity proofing. To bridge this gap, SSA published a New Emergency Request FRN on April 18, 2025, at 90 FR 16583, then, upon OMB's

approval of the Emergency Clearance, implemented a hybrid identity proofing process called the *my Social Security—Security Authentication PIN (SAP)* that provides identity-proofing parity with our online modality, as well as in-person verification for the direct deposit request. Utilizing the SAP process provides the necessary identity verification to allow direct deposit revisions via phone or in person, while ensuring fraud protection through verification of the identity of the individual prior to accessing or revising their account.

OMB granted a six-month Emergency approval for the *my Social Security—Security Authentication PIN (SAP)* collection. We are publishing this 60-day comment period Notice to initiate the full information collection request renewal for the SAP process. We received public comments on the Emergency FRN which we will address within the documentation for the full renewal.

Background

Our prior telephone process for direct deposit required respondents to use knowledge-based questions to verify

their identity matching SSA's records. Depending upon the situation, the requested information or action, and the judgement of potential misrepresentation of the caller, the SSA technician asked additional approved questions to verify the customer's identity. While this process was sufficient fraud protection and authentication under current NIST specifications for access to non-sensitive information, it still poses a fraud risk for respondents who wish to complete tasks for which our automated telephone system, or internet platforms normally request higher levels of identity proofing and authentication. Knowledge-based methods are susceptible to compromise by fraudulent actors who have become increasingly capable of obtaining the answers to knowledge-based questions. Direct deposit changes provide an opportunity for attackers to convert beneficiary payments to their own use. Consequently, we consider the establishment of or revisions to direct deposit account information to be a higher risk task meriting a heightened identity assurance standard. To ensure that higher level of identity verification, we instituted the SAP process.

Description of the Security Authentication PIN (SAP) Process

SSA implemented the hybrid SAP process to digitally verify the identity of a telephone or in person customer when requesting changes to their account or record for direct deposit. This supports the agency's changes to its identity proofing policy for direct deposit enrollments, updates or cancellations. It allows for higher authentication over the phone, and for in-person requests, where respondents could provide acceptable forms of identification (*e.g.*, State ID/driver's license, U.S. Passport, etc.), the SAP allows for an alternate method for respondents who may not have the requisite documentation with them.

Whether over the phone or in person, when a respondent requests changes to their direct deposit the automated telephone system or field office intake technician moves the respondent to a dedicated queue for direct deposit changes which allows for a shorter wait time (either on the phone or in person). Then an SSA technician asks if the respondent has a *my* Social Security account. If they do, the technician asks the respondent to log into the account through a dedicated link (www.ssa.gov/pin), or sends the link to the respondent via email or text message so that the respondent may authenticate using their online account and generate an eight-

digit SAP. The SAP is valid for three hours and generates immediately when the respondent selects "Generate PIN" from the link the technician provided. There is no limit to the number of SAPs a customer can generate during a single transaction.

To ease the burden on customers, SSA created the user-friendly vanity URL (a custom, short-cut URL) that navigates respondents directly to the SAP generation page, allowing them to quickly and easily generate the SAP after accessing their account. This feature reduces the burden on the respondent to navigate within their online account, authenticate, and generate the SAP.

The process works as follows:

For respondents who contact SSA by telephone for direct deposit:

- The SSA technician will first requires the respondent to provide his or her Social Security Number (SSN).
- The technician will then ask if the respondent has a *my* Social Security account.
 - If the answer is Yes:
 - The technician asks the respondent to login to the account using the vanity URL (www.ssa.gov/pin) or provides the URL through a text or email message.
 - The link prompts the respondent to sign into the account using multifactor authentication, then directs them to the page to generate the SAP.
 - The respondent uses the link to generate the SAP by selecting "Generate PIN." The SAP is valid for three hours.
 - The technician asks the respondent to verbally recount the SAP.
 - The technician enters the SAP into the system to verify the respondent's identity.
 - If the SAP matches in the system, the technician continues with the call and helps with direct deposit requests.
 - If the SAP does not match in the system, the technician asks the respondent to generate a new SAP and proceeds again through the above steps.
 - If the answer is No:
 - The technician instructs the respondent to create a *my* Social Security account using *Login.gov* or *ID.me* (OMB Control No. 0960-0789), and requests that the respondent call back once they create the account.
 - *Note:* If the respondent does not want to create a *my* Social Security account, the technician directs the respondent to visit a local field office and present identification documents in person.

For Respondents who visit SSA in person to request direct deposit changes but do not have an identity document:

- The SSA technician will first requires the respondent to provide his or her Social Security Number (SSN).

- After the respondent provides the SSN, the technician requests acceptable forms of identification (*e.g.*, State ID/driver's license, U.S. Passport, etc.).

- If the respondent does not have an acceptable form of identification, the technician asks if the respondent has a *my* Social Security account.

- If the answer is Yes:
 - The technician asks the respondent to log into their account using the vanity URL (www.ssa.gov/pin) or provides the URL through a text or email message.
 - The technician waits for the respondent to log into their account and may assist if the respondent needs help.
 - The respondent generates the SAP using the "Generate PIN" button and shares the SAP with the technician.
 - The technician enters the SAP into the system to verify the respondent's identity.
 - If the SAP matches, the technician continues with the direct deposit changes.
 - If the SAP does not match, the technician asks the respondent to generate a new SAP and proceeds again through the steps above.
- If the answer is No:
 - The technician instructs the respondent to create a *my* Social Security account using *Login.gov* or *ID.me*. If the respondent needs help creating the account, the technician assists with creation.
 - *Note:* if the respondent does not wish to create an account, the technician directs the respondent to find acceptable identification documents and return to the field office to present them in person.

- If the SAP matches, the technician continues with the direct deposit changes.

- If the SAP does not match, the technician asks the respondent to generate a new SAP and proceeds again through the steps above.

- If the answer is No:
 - The technician instructs the respondent to create a *my* Social Security account using *Login.gov* or *ID.me*. If the respondent needs help creating the account, the technician assists with creation.
 - *Note:* if the respondent does not wish to create an account, the technician directs the respondent to find acceptable identification documents and return to the field office to present them in person.

Information the Security Authentication PIN Tool Will Collect

While the public-facing SAP tool itself does not collect any information, the process of creating or logging into a *my* Social Security account requires the respondent to submit several pieces of identifying information (such as an email address, a password, selecting a multi-factor authentication method, and completing identity proofing, which entails uploading an ID and taking a selfie) to both sign up or login using *ID.me* or *Login.gov*. We obtained OMB approval for this process under OMB No. 0960-0789. However, as the transmittal of the vanity URL, generation of the SAP, and the requirement to share the SAP with the technician impose an additional time burden on the public, we are accounting for that time burden here.

For Respondents who cite a dire need situation to conduct business over the phone (who are unable to generate the SAP or visit a field office):

SSA understands that there are some dire need situations which require the respondents to use the phone for direct deposit changes when they are unable to visit a field office, use SSA's online service, or use SAP process for direct deposit changes. These dire need situations include respondents who: are restricted from visiting a field office; are homebound or institutionalized; or have another extreme hardship such as an inability to travel or use our online services. For these respondents, we offer an exception process, which allows the respondents to submit the request for the exception through a personal

interview with a technician using Form SSA-553, Special Determination. The technician initiates the exception process during the interview for the SAP process if the respondent is unable to complete the process or visit a field office due to severe restrictions. In those cases, the SSA technician, or SSA management, completes the fillable PDF version of the SSA-553 during the personal interview. The technician then submits the completed SSA-533 to SSA management who reviews the request and decides whether to grant the exception based on the information provided. If management grants the

exception, the respondent uses knowledge-based authentication over the phone prior to completing their direct deposit changes. Since this process is less effective in mitigating fraud, SSA limits the use of this request to dire need situations. SSA technicians determine dire need on a case-by-case basis.

The respondents are individuals who wish to do business with SSA over the telephone or in person for the purposes of direct deposit enrollments, updates or cancellations.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)	Average theoretical hourly cost amount (dollars) *	Average combined wait time for teleservice center or field office in the dedicated direct deposit queue (minutes) **	Total annual opportunity cost (dollars) ***
Respondents requesting phone-based assistance direct deposit changes using the SAP Process	598,443	1	+ 8	79,792	* \$32.66	6	*** \$4,560,512
Respondents requesting direct deposit changes who failed SAP over the phone	36,096	1	4	2,406	* 32.66	6	*** 196,483
Respondents requesting direct deposit in a field office who need identity proofing via SAP	** 608	1	+ 10	101	* 32.66	23	*** 10,908
Respondents who decline to use SAP and visit a field office for in-person identity proofing to make the direct deposit change	1,729,045	1	8	230,539	* 32.66	23	*** 29,176,484
Respondents requesting an exception for dire need situations using the SSA-553	23,244	1	5	1,937	* 32.66	15	*** 253,050
Totals	2,387,436	.....	.....	.....	.....	.....	*** 34,197,437

* **Note:** this figure does not include the knowledge-based questions; however, we will use this figure in place of the knowledge-based question figure currently listed under OMB No. 0960-0789 for telephone respondents.

** We note that some of these respondents may already have my Social Security accounts. For the purposes of this Emergency Clearance, we will assume they need to create an account which is why they needed to go into the field office, and we account for burden to create an account under OMB No. 0960-0789.

* We based this figure on the average U.S. worker's hourly wages, as reported by Bureau of Labor Statistics data (Occupational Employment and Wage Statistics).

** We based this figure on the average FY 2025 wait times for the teleservice centers and field offices dedicated direct deposit queue, as well as the combined wait time for the dedicated queue, based on SSA's current management information data.

*** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this online tool; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the tool. *There is no actual charge to respondents to complete the online tool.*

II. SSA submitted the information collections below to OMB for clearance. Your comments regarding this information collection would be most useful if OMB and SSA receive them 30 days from the date of this publication. To be sure we consider your comments, we must receive them no later than August 20, 2025. Individuals can obtain copies of this OMB clearance package by writing to the OR.Reports.Clearance@ssa.gov.

1. *Consent for Release of Information and Consent for Disclosure of Records Protected Under the Privacy Act (Privacy and Disclosure of Official Records and Information and Availability of Information and Records to the Public)—20 CFR 401.40(b)&(c),*

401.45, 401.55(b), 401.65(a), 401.100; 20 CFR 401.130; and 20 CFR 402—0960-0566. Within the Privacy and Disclosure of Official Records and Information regulations, SSA has established methods through which the public can provide consent for release of records under the Privacy Act of 1974. The public can also request records accessible through the Freedom of Information Act (FOIA).

We collect the necessary information for these requests through written correspondence, including the Form SSA-3288; other writings, including non-SSA forms often used by large employers, that incorporate SSA's consent requirements; or the Form SSA-3288-OP1 via a webform application

linked on SSA's Privacy Program website. The Form SSA-3288-OP1 allows an individual to consent to and authorize SSA to disclose specific types of records that an individual can alternatively request through other writings and written correspondence; however, an individual can consent to and authorize SSA to disclose a broader range of types of records when using other writings and written correspondence (other than Form SSA-3288-OP1).

Consent for Release of Records: SSA obtains the required consent(s) (with certain exceptions specified by law) from anyone requesting information in SSA systems of records about another individual. We will not

release information requested about an individual until we obtain the required consent from that individual. Under the Privacy Act of 1974 (5 U.S.C. 552a(b)), individuals may give SSA written consent to disclose their personal information to a third party of their choosing. In addition, individuals may have multiple needs for the disclosure of their personal information, such as for qualification for a mortgage or preemployment screenings.

a. *Form SSA-3288 (Consent for Release of Information)*: Form SSA-328 is SSA's preferred paper form for requests for disclosure of information based on the consent of the subject of record. Respondents can download the SSA-3288 from www.ssa.gov/forms, obtain a copy at a local SSA field office,

or request SSA mail a copy to them directly. Use of this form ensures compliance with SSA consent regulations at 20 CFR 401.100. SSA also collects consent on other writings, including non-SSA forms often used by large employers, that incorporate SSA's consent requirements.

b. *Form SSA-3288-OP1 (Consent for Disclosure of Records Protected Under the Privacy Act)*: Form SSA-3288-OP1 complies with the CASES Act, OMB M-21-04, and SSA consent regulations at 20 CFR 401.100. The CASES Act directed OMB to develop templates for, among other things, electronic consents for SSA to disclose records protected by the Privacy Act of 1974 to third parties. OMB implemented that statutory directive in M-21-04. SSA developed

the SSA-3288-OP1 pursuant to the CASES Act and M-21-04. The public can access the webform application that populates Form SSA-3288-OP1 online by selecting the "Submit an Electronic Consent to Disclose Records" link found at www.ssa.gov/privacy. The public can also find the "Submit an Electronic Consent to Disclose Records" page with the link to the SSA-3288-OP1 by typing in relevant search terms at www.ssa.gov.

The respondents are individuals consenting to, authorizing, and requesting SSA disclosure of their records protected by the Privacy Act of 1974 to third parties.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)	Average theoretical hourly cost amount (dollars)*	Average wait time in field office (minutes)**	Total annual opportunity cost (dollars)***
a. Amendment of Records	100	1	10	17	*\$32.66	** 23	***\$1,796
b. Consent for Release of Information (SSA-3288)+	440,374	1	5	36,698	*\$32.66	** 23	*** 6,711,891
c. Consent for Release of Records (Electronic SSA-3288-OP1)+	1,152	1	10	192	* 32.66	.....	*** 6,271
Totals	441,626	.....	.....	36,907	.....	.....	*** 6,719,958

* The number of respondents for this modality is based on SSA's analytics data for the number of SSA-3288 and SSA-3288-OP1 forms submitted to SSA in fiscal year (FY) 2024.

** We based this figure on average U.S. worker's hourly wages, as reported by Bureau of Labor Statistics data (Occupational Employment and Wage Statistics).

*** We based this figure on the average FY 2025 wait times for field offices, based on SSA's current management information data.

*** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. *There is no actual charge to respondents to complete the application.*

2. *Enterprise Scheduling System (ESS) and National Appointment and Scheduling Calendar (NASC)—0960-0828*. The Enterprise Scheduling System (ESS) allows for both customer self-scheduling and technician-assisted scheduling through an electronic scheduling tool, while the National Appointment and Scheduling Calendar (NASC) allows for technician-assisted scheduling through the ESS platform for initial claims appointment requests. The first ESS release specifically allowed self-scheduling for enumeration services. However, we are now extending its current functionality, enabling customers and technicians to: (1) schedule, reschedule, or cancel enumeration appointments for new or replacement Social Security cards; and (2) complete Post-Entitlement (PE) actions, such as changing a Representative Payee, processing non-receipt of payment, updating an SSI record, or submitting evidence. In addition, ESS will allow technicians the ability to schedule, reschedule or cancel PE appointments on behalf of customers. Finally, NASC will allow technicians to schedule, reschedule or

cancel initial claims appointments for customers. We expect to continue to expand our scheduling capabilities moving forward and will eventually use NASC to incorporate all scheduling systems.

Customers use ESS and NASC to schedule an appointment to obtain a new SSN or a replacement Social Security card, for assistance with a PE action, or to schedule a technician-assisted initial claims appointment. ESS and NASC offer customers the following services:

- Appointment scheduling
- Electronic communication
- Workload evaluation/planning/management
- Research
- Regulatory Mandated/Compliance
- General purpose statistics.

ESS facilitates both customer self-scheduling and technician scheduling, along with NASC which facilitates technician scheduling, allowing SSA to collect essential information from customers, including their name, Social Security number, zip code, telephone number, and email address. Additionally, customers have the option

to consent to electronic messaging or to opt out, as well as specify their preferred method of communication (email or text), language preference, preferred service office, and appointment day and time preferences. SSA uses this information to schedule in-office, phone, or video appointments for processing enumeration, PE actions, or initial claim appointments. Customers scheduling their PE or initial claim appointments through a technician have the option to create a one-time passcode, enabling them to securely update their appointment online. The technician documents this one-time passcode along with the customer's other appointment preferences.

Customers begin the process by accessing SSA.gov and engaging an online questionnaire to determine the nature of their business. If applications are available for customers to self-serve, the system routes them to those applications to complete their business. If not, customers are given the option to self-schedule an appointment through ESS. If the customer moves forward, the system directs them to create a

credential using *Login.gov* or ID.me. Once they complete credentialing, customers access ESS to complete required screens and fields to select a date and time for an appointment with an SSA field office (FO) to provide the proofs necessary to obtain a replacement or original SSN card or complete a PE action. Upon completing the required screens and fields, the system presents customers with a screen to review and submit all of the data they input regarding the requested appointment. If the customer enters everything accurately, the system allows the customer to confirm their information and schedules their appointment.

If customers encounter issues with ESS, or they need to request an appointment type which requires technician assistance (e.g., scheduling, rescheduling, or cancelling PE or initial

claims appointments), they may contact SSA by phone to have an FO or Telephone Service Center (TSC) technician schedule their appointment. Technicians follow existing processes and policies to identify the caller as a legitimate customer, and converse with the customer to determine the nature of their business and if they require an appointment. If the technician determines the customer needs an appointment, the technician accesses ESS and completes the required screens and fields for the enumeration or PE appointment, or NASC for an initial claim appointment. Once the technician completes the ESS or NASC screens, the technician can review all of the information the customer provided with the customer. If the customer indicates it is correct the technician submits and schedules the appointment.

We conduct this information collection each time a customer accesses the online tool or contacts SSA by phone to schedule an appointment. The respondents are individuals looking to schedule their SSA visit, either through self-scheduling or technician assisted modalities, using ESS and NASC.

This is a Correction Notice: SSA needed to update the burden information for this collection from the information we published at 90 FR 21817, on 5/21/25, which, inadvertently, did not include the burden for the initial claims scheduling. We are correcting the burden information here.

Type of Request: Request for a revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)	Average theoretical hourly cost amount (dollars)*	Average wait time for teleservice centers (minutes)**	Total annual opportunity cost (dollars)***
ESS—Internet	3,000,000	1	5	250,000	* \$22.98	.....	*** \$5,745,000
ESS—Technician (PE Appointments)	150,000	1	3	7,500	* 22.98	** 102	*** 6,032,250
NASC—Technician (Initial Claims Appointments)	7,270,161	1	10	1,211,694	* 22.98	** 102	*** 311,860,845
Totals	3,150,000	.....	.....	1,469,194	.....	.....	*** 323,638,095

* We based this figure by averaging both the average DI payments based on SSA's current FY 2025 data (<https://www.ssa.gov/legislation/2024FactSheet.pdf>), and the average U.S. worker's hourly wages, as reported by Bureau of Labor Statistics data (Occupational Employment and Wage Statistics).

** We based this figure by averaging the average FY 2025 wait times for field offices (23 minutes) and teleservice centers (180 minutes), based on SSA's current management information data. This figure reflects the data posted on our public facing website (800 number performance | SSA) on the date we drafted this notice. As the figures fluctuate daily, the wait times may be different on the publication date of this notice.

*** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. *There is no actual charge to respondents to complete the application.*

Dated: July 17, 2025.

Mark Steffensen,

General Counsel, Deputy Commissioner for Law and Policy, Social Security Administration.

[FR Doc. 2025-13607 Filed 7-18-25; 8:45 am]

BILLING CODE 4191-02-P

DEPARTMENT OF STATE

[Public Notice: 12766]

Notice of Determinations; Culturally Significant Objects Being Imported for Exhibition—Determinations: “The Stars We Do Not See: Australia Indigenous Art” Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that certain objects being imported from abroad pursuant to an agreement with their foreign owner or custodian for temporary display in the exhibition “The Stars We Do Not See: Australia Indigenous Art” at the National Gallery of Art, Washington, District of Columbia; the Denver Art Museum, Denver, Colorado; the

Portland Art Museum, Portland, Oregon; the Peabody Essex Museum, Salem, Massachusetts; 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/PA, 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. 2025-13629 Filed 7-18-25; 8:45 am]

BILLING CODE 4710-05-P

DEPARTMENT OF STATE

[Public Notice: 12767]

Notice of Determinations; Culturally Significant Objects Being Imported for Exhibition—Determinations: “Ideas of Africa: Portraiture and Political Imagination” 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 “Ideas of Africa: Portraiture and Political Imagination” at The Museum of Modern Art, New York, New York, and at possible additional exhibitions or venues yet to be determined, are of cultural significance, and, further, that their temporary exhibition or display within the United States as aforementioned is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT:

Reed Liriano, Program Coordinator, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: section2459@state.gov). The mailing address is U.S. Department of State, L/PA, 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. 2025–13630 Filed 7–18–25; 8:45 am]

BILLING CODE 4710–05–P

**OFFICE OF THE UNITED STATES
TRADE REPRESENTATIVE**

**Status of Algeria Under the Tariff Act
of 1930, as Amended**

AGENCY: Office of the United States Trade Representative.

ACTION: Notice.

SUMMARY: For purposes of the Tariff Act of 1930, as amended (Act), the U.S. Trade Representative has determined that Algeria is not a “Subsidies Agreement country”.

DATES: This determination is applicable on July 15, 2025.

FOR FURTHER INFORMATION CONTACT:

Michael Gagain, Senior Associate General Counsel, 202.395.9529, Michael.T.Gagain@ustr.eop.gov.

SUPPLEMENTARY INFORMATION:

I. Background

The U.S. International Trade Commission (Commission) is conducting a countervailing duty investigation on steel concrete reinforcing bar from Algeria. With respect to that investigation, the Commission on June 13, 2025, asked the U.S. Trade Representative to advise whether Algeria qualifies as a “Subsidies Agreement country” within the meaning of Section 701(b) of the Act, for purposes of Section 701(c) (19 U.S.C. 1671(b)–(c)). Under Section 1–103(b) of Executive Order 12188 of January 2, 1980, the President delegated the functions under section 2(b) of the Trade Agreements Act of 1979 and Section 701(b) of the Act to the U.S. Trade Representative, who exercises this delegated authority with the advice of the Trade Policy Committee.

II. Determination

The U.S. Trade Representative, in conformance with Section 2(b) of the Trade Agreements Act of 1979 and Section 701(b) of the Act, and Section 1–103(b) of Executive Order 12188, and after seeking the advice of the Trade Policy Committee, has determined that:

1. Pursuant to section 701(b)(1) of the Act, Algeria is not a World Trade Organization Member country;

2. Pursuant to section 701(b)(2) of the Act, Algeria has not assumed any obligations with respect to the United States that are substantially equivalent to the obligations under the World Trade Organization Agreement on Subsidies and Countervailing Measures; and

3. Pursuant to section 701(b)(3) of the Act, there is no agreement in effect between the United States and Algeria that was in force on the date of the enactment of the Uruguay Round Agreements Act, which requires unconditional most-favored-nation treatment with respect to articles imported into the United States, and which does not expressly permit either:

(i) actions required or permitted by the GATT 1947 or GATT 1994, as defined in Section 2(1) of the Uruguay Round Agreements Act, or required by the Congress; or

(ii) nondiscriminatory prohibitions or restrictions on importation which are designed to prevent deceptive or unfair practices.

Therefore, Algeria is not a “Subsidies Agreement country” within the meaning of section 701(b) of the Act.

Jennifer Thornton,

General Counsel, Office of the United States Trade Representative.

[FR Doc. 2025–13590 Filed 7–18–25; 8:45 am]

BILLING CODE 3390–F4–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. FAA–2025–1861]

Agency Information Collection

**Activities: Requests for Comments;
Clearance of New Approval of
Information Collection: Formal
Complaints Collection**

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FAA invites public comments about our intention to request Office of Management and Budget (OMB) approval for an information collection. The collection involves the filing of a complaint with the FAA alleging a violation of any requirement, rule, regulation, or order issued under certain statutes within the jurisdiction of the FAA. The FAA will use the information collected to determine if the alleged violation warrants investigation or action.

DATES: Written comments should be submitted by September 16, 2025.

ADDRESSES: Please send written comments:

By Electronic Docket:
www.regulations.gov (Enter docket number into search field).

By mail: Nicholas (Cole) R. Milliard, Aviation Litigation Division, AGC–300, 800 Independence Ave. SW, Washington, DC 20591.

By fax: (202) 267–5106.

FOR FURTHER INFORMATION CONTACT: Nicholas (Cole) R. Milliard by email at: cole.milliard@faa.gov; phone: (202) 704–0389.

SUPPLEMENTARY INFORMATION:

Public Comments Invited: You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for FAA’s performance; (b) the accuracy of the estimated burden; (c) ways for FAA to enhance the quality, utility and clarity of the information collection; and (d)

ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

OMB Control Number: N/A.

Title: Formal Complaints Collection.

Form Numbers: N/A.

Type of Review: New information collection.

Background: Under 14 CFR 13.5(b), a formal complaint must: (1) Be submitted to the FAA in writing; (2) be identified as a complaint seeking an appropriate order or other enforcement action; (3) identify the subjects of the complaint; (4) state the specific statute, rule, regulation, or order that each subject allegedly violated; (5) contain a concise but complete statement of the facts relied upon to substantiate each allegation; (6) include the name, address, telephone number, and email of the person filing the complaint; and (7) be signed by the person filing the complaint or an authorized representative. After the FAA confirms that the complaint meets these requirements and the limitations in 14 CFR 13.3(d) and 13.5(a), it sends a copy of the complaint to the subjects of the complaint and gives them an opportunity to submit a written answer. If a complaint does not meet these requirements, it is considered a report of violation under 14 CFR 13.2.

The FAA uses the information in the complaint and answer to determine if there are reasonable grounds for investigating the complaint. If the FAA determines there are reasonable grounds, the FAA proceeds with an investigation. If not, the FAA may dismiss the complaint and give the reason for dismissal in writing to both the person who filed the complaint and the subjects of the complaint.

This collection had been approved in February 2022 (OMB Control No. 2120-0795) but was discontinued in February 2025 for internal agency review of the collection before restarting it.

Respondents: Formal complaints are typically submitted by an individual or organization. Almost all formal complaints are evenly split between three basic categories (complainant listed first): Individual vs. individual, individual vs. organization, and organization vs. organization.

Frequency: The FAA estimates this collection of information would result in about seven formal complaints per year based on FAA data.

Estimated Average Burden per Response: The estimated average burden on the public for each complaint and response under § 13.5 is eight hours. It

would take an individual about four hours to write a formal complaint acceptable under § 13.5. The FAA estimates it would take the subject of the complaint about four hours to write an answer to the complaint.

The estimated average burden on the FAA for each complaint is eight hours. A complaint would take the FAA no more than four hours to review to confirm it meets the requirements as laid out in 14 CFR 13.5(b). The FAA would take an additional hour to send the complaint to the subjects of that complaint. The FAA would then take another estimated three hours to determine if an investigation would be necessary.

Estimated Total Annual Burden: The FAA estimates the total annual combined (public + FAA) annual burden and cost of the information requirements to be about 112 hours.

For the public, the estimated total annual hourly burden would be 56 hours. For the FAA, the estimated total annual hourly burden would be 56 hours.

Issued in College Park, Georgia.

Taneesha Dobyne Marshall,

Assistant Chief Counsel for Aviation Litigation, Aviation Litigation Division, AGC-300.

[FR Doc. 2025-13572 Filed 7-18-25; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2025-0026; Notice 1]

Notice of Receipt of Petition for Decision That Nonconforming Model Year 2015 Ferrari LaFerrari Passenger Cars are Eligible for Importation

AGENCY: National Highway Traffic Safety Administration, Department of Transportation (DOT).

ACTION: Receipt of petition.

SUMMARY: This document announces the National Highway Traffic Safety Administration's (NHTSA) receipt of a petition for a decision that model year (MY) 2015 Ferrari LaFerrari (also known as the Ferrari F150) passenger cars (PCs) manufactured for sale in Europe or for sale in Mexico that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards (FMVSSs) are eligible for importation into the United States (U.S.) because the vehicles are substantially similar to vehicles that were originally manufactured for sale in the U.S. and that were certified by their manufacturer

as complying with the safety standards (the U.S.-certified version of the MY 2015 Ferrari LaFerrari PCs) and are capable of being readily modified to conform to the standards. This petition provides a sample vehicle, a MY 2015 Ferrari LaFerrari (VIN: ZFF76ZFL7F0xxxxxx), which is claimed to have been originally manufactured for sale in Mexico. J.K. Technologies seeks a determination for the petitioned vehicles.

DATES: The closing date for comments on the petition is August 20, 2025.

ADDRESSES: Interested persons are invited to submit written data, views, and arguments on this petition. Comments must refer to the docket and notice number cited in the title of this notice and may be submitted by any of the following methods:

- *Mail:* Send comments by mail addressed to the 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 comments by hand to the U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except for Federal Holidays.

- *Electronically:* Submit comments electronically by logging onto the Federal Docket Management System (FDMS) website at <https://www.regulations.gov/>. Follow the online instructions for submitting comments.

- Comments may also be faxed to (202) 493-2251.

Comments must be written in the English language, and be no greater than 15 pages in length, although there is no limit to the length of necessary attachments to the comments. If comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that comments you have submitted by mail were received, please enclose a stamped, self-addressed postcard along with the comments. Note that all comments received will be posted without change to https://www.regulations.gov, including any personal information provided.

All comments and supporting materials received before the close of business on the closing date indicated above will be filed in the docket and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the full extent possible.

All comments, background documentation, and supporting materials submitted to the docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the internet at <https://www.regulations.gov> by following the online instructions for accessing the dockets. The docket ID number for this petition is shown in the heading of this notice.

DOT's complete Privacy Act Statement is available for review in a **Federal Register** (FR) notice published on April 11, 2000, (65 FR 19477–78).

FOR FURTHER INFORMATION CONTACT: Jisan Xue, Office of Vehicle Safety Compliance, NHTSA (202–366–2365).

SUPPLEMENTARY INFORMATION:

Background

Under 49 U.S.C. 30141(a)(1)(A), a motor vehicle that was not originally manufactured to conform to all applicable FMVSS shall be refused admission into the U.S. unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the U.S., certified under 49 U.S.C. 30115, and of the same MY as the model of the motor vehicle it is being compared to, and is capable of being readily altered to conform to all applicable FMVSSs.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR part 592. As specified in 49 CFR 593.7, NHTSA publishes notice of each petition that it receives in the **Federal Register** and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the **Federal Register**.

J.K. Technologies, LLC (the petitioner), Registered Importer R–90–006, of Baltimore, Maryland, has petitioned NHTSA to decide whether nonconforming MY 2015 Ferrari LaFerrari PCs are eligible for importation into the United States. J.K. Technologies in this petition provides a sample vehicle, a MY 2015 Ferrari LaFerrari (VIN: ZFF76ZFL7F0xxxxxx), which is claimed to have been originally manufactured for sale in Mexico. J.K. Technologies seeks a determination for the petitioned vehicles. The petitioner believes that the MY 2015 Ferrari LaFerrari PCs sold in the U.S. and certified by their manufacturer as

conforming to all applicable FMVSSs are substantially similar to the petitioned vehicles. In addition, the petitioner believes that the petitioned vehicles are identical to the MY 2014 Ferrari LaFerrari PCs which are already on the list of eligible vehicles, and that they use the same exact parts lists previously submitted and approved by NHTSA.

The petitioner claims that it compared the non-U.S. certified MY 2015 Ferrari LaFerrari vehicle to its U.S. certified counterparts and found the vehicle to be substantially similar as it relates to compliance with most FMVSSs.

The petitioner submitted information with its petition intended to demonstrate that non-U.S. certified MY 2015 Ferrari LaFerrari PCs from Europe or Mexico conform to many applicable FMVSSs in the same manner as their U.S.-certified counterparts or are capable of being readily altered to conform to those standards. The petitioner asserts that many of the concerned parts have the same part numbers as their U.S.-certified counterparts, and that any areas requiring modification will use parts supplied by the original equipment manufacturer (OEM). J.K. Technologies stated that the modifications to the petition vehicles do not concern the basic structure, and only involve the substitution of removable and available parts. Specifically, the petitioner claims that the non-U.S. certified MY 2015 Ferrari LaFerrari PC vehicles:

(1) Originally manufactured for sale in Europe;

(i) Conform to the following FMVSSs: FMVSS Nos. 102, *Transmission Shift Position Sequence, Starter Interlock, and Transmission Braking Effect*, 103, *Windshield Defrosting and Defogging Systems*, 104, *Windshield Wiping and Washing Systems*, 106, *Brake Hoses*, 113, *Hood Latch System*, 114, *Theft Protection and Rollaway Prevention*, 116, *Motor Vehicle Brake Fluids*, 118, *Power-Operated Window, Partition, and Roof Panel System*, 124, *Accelerator Control Systems*, 126, *Electronic Stability Control Systems*, 135, *Light Vehicle Brake Systems*, 138, *Tire Pressure Monitoring Systems*, 139, *New Pneumatic Radial Tires for Light Vehicles*, 202, *Head Restraints; Applicable at the Manufacturers Option until September 1, 2009*, 203 (N.A.), *Impact Protection for the Driver from the Steering Control System*, 204, *Steering Control Rearward Displacement*, 205, *Glazing Materials*, 206, *Door Locks and Door Retention Components*, 207, *Seating Systems*, 209, *Seat Belt Assemblies*, 210, *Seat Belt Assembly Anchorages*, 212, *Windshield*

Mounting, 213 (N.A.), *Child Restraint Systems*, 214, *Side Impact Protection*, 216, *Roof Crush Resistance; Applicable unless a Vehicle is Certified to § 571.216a*, 219, *Windshield Zone Intrusion*, 225 (N.A. convertible), *Child Restraint Anchorage Systems*, 302, *Flammability of Interior Materials*, and 401 (N.A.), *Interior Trunk Release*;

(ii) Do not conform to the following FMVSSs: FMVSS Nos. 101, *Controls and Displays*, 108, *Lamps, Reflective Devices and Associated Equipment*, 111, *Rear Visibility*, 201, *Occupant Protection in Interior Impact*, 208, *Occupant Crash Protection*, 301, *Fuel System Integrity*, 49 CFR part 565, *Vehicle Identification Number (VIN) Requirements*, 567, *Certification*, 575, *Consumer Information*, and 581, *Bumper Standard*.

(2) Originally manufactured for sale in Mexico;

(i) Conform to the following FMVSS: FMVSS Nos. 102, *Transmission Shift Position Sequence, Starter Interlock, and Transmission Braking Effect*, 103, *Windshield Defrosting and Defogging Systems*, 104, *Windshield Wiping and Washing Systems*, 106, *Brake Hoses*, 110, *Tire Selection and Rims and Motor Home/Recreation Vehicle Trailer Load Carrying Capacity Information for Motor Vehicles with a GVWR of 4,536 Kilograms (10,000 pounds) or Less*, 113, *Hood Latch System*, 114, *Theft Protection and Rollaway Prevention*, 116, *Motor Vehicle Brake Fluids*, 118, *Power-Operated Window, Partition, and Roof Panel System*, 124, *Accelerator Control Systems*, 126, *Electronic Stability Control Systems*, 135, *Light Vehicle Brake Systems*, 138, *Tire Pressure Monitoring Systems*, 139, *New Pneumatic Radial Tires for Light Vehicles*, 202, *Head Restraints; Applicable at the Manufacturers Option until September 1, 2009*, 203 (N.A.), *Impact Protection for the Driver from the Steering Control System*, 204, *Steering Control Rearward Displacement*, 205, *Glazing Materials*, 206, *Door Locks and Door Retention Components*, 207, *Seating Systems*, 209, *Seat Belt Assemblies*, 210, *Seat Belt Assembly Anchorages*, 212, *Windshield Mounting*, 213 (N.A.), *Child Restraint Systems*, 214, *Side Impact Protection*, 216, *Roof Crush Resistance; Applicable unless a Vehicle is Certified to § 571.216a*, 219, *Windshield Zone Intrusion*, 225 (N.A. convertible), *Child Restraint Anchorage Systems*, 301, *Fuel system integrity*, 302, *Flammability of Interior Materials*, Part 581, *Bumper Standard*, and 401 (N.A.), *Interior trunk release*.

(ii) Do not conform to the following FMVSS: FMVSS Nos. 101, *Controls and*

Displays, 108, Lamps, Reflective Devices and Associated Equipment, 111, Rear visibility, 201, Occupant protection in interior impact, 208, Occupant crash protection, 49 CFR part 565, Vehicle Identification Number (VIN) Requirements, 567, Certification, and 575, Consumer Information.

The petitioner contends that the non-U.S. certified MY 2015 Ferrari LaFerrari vehicles not-conforming to FMVSSs are capable of being readily modified to meet the following FMVSSs, in the manner indicated:

- FMVSS No. 101, *Controls and Displays*: Programming of the body electronic control unit, instrument cluster, and front gateway are required for both European and Mexican specifications to bring these systems into compliance with this FMVSS.

- FMVSS No. 108, *Lamps, Reflective Devices and Associated Equipment*:

The following modifications must be made to the European specification model, to fully meet this FMVSS: Install the wiring harness for the USA side marker lights which are standard but not working in the Ferrari LaFerrari. Programming is necessary to activate the USA lighting programs systems.

Headlight LH—302208, Headlight RH—302207, Taillamp RH—302620, Taillamp LH—302621, Front Side Marker lamp—217894, Rear Side Marker Lamp—191504, Nuts—16718011.

The sample vehicle, a MY 2015 Ferrari LaFerrari (VIN: ZFF76ZFL7F0xxxxxx), which is claimed to have been originally manufactured for sale in Mexico, was fitted with all U.S. specification exterior lights—302208/302207/302620/302621/217894/191504/16718011 and harness from the factory, and only requires programming of the side markers to bring it into compliance with this FMVSS.

- FMVSS No. 110, *Tire Selection and Rims and Motor Home/Recreation Vehicle Trailer Load Carrying Capacity Information for Motor Vehicles with a GVWR of 4,536 Kilograms (10,000 pounds) or Less*:

The European specification model requires the tire placard to be installed to meet this FMVSS. The tire/rim label is available to meet the new regulations. Tire Placard—308905.

The sample vehicle, a MY 2015 Ferrari LaFerrari (VIN: ZFF76ZFL7F0xxxxxx), which is claimed to have been originally manufactured for sale in Mexico, was fitted with Tire Placard—308905 from the factory, and therefore is already in compliance with this FMVSS.

- FMVSS No. 111, *Rear Mirrors*:

The European specification model drivers inside rearview mirror meets this FMVSS. However, the passenger's and drivers outside rearview mirrors must be changed to the U.S. companion model part to meet this FMVSS. Driver's Outside Rearview Mirror—86290300, Passenger's Outside Rearview Mirror—86290200.

The sample vehicle, a MY 2015 Ferrari LaFerrari (VIN: ZFF76ZFL7F0xxxxxx), which is claimed to have been originally manufactured for sale in Mexico, was fitted with the U.S. specification Driver's Inside and Outside Rearview Mirrors—86290300 from the factory, and only requires replacement of the Passenger's Rearview Mirror—86290200 to be brought into compliance with this FMVSS.

- FMVSS No. 201, *Occupant Protection in Interior Impact*:

The following parts need to be changed to bring the European specification model into compliance with this FMVSS: RH Sun Visor—86575500, LH Sun Visor—86575800, RH Windscreen Pillar Trim—86537600, LH Windscreen Pillar Trim—86537700, RH A-Pillar Trim—86537900, LH A-pillar Trim—86538100, Rear Bulkhead Trim—86485200 or Rear Bulkhead Trim—86485400.

The sample vehicle, a MY 2015 Ferrari LaFerrari (VIN: ZFF76ZFL7F0xxxxxx), which is claimed to have been originally manufactured for sale in Mexico, was fitted with the U.S. specification Sun Visors—86575500/86575800, Windscreen Pillar Trims—86537600/86537700, A-Pillar Trims—86537900/86538100, and Rear Bulkhead Trim—86485200 from the factory, and is already in compliance with this FMVSS.

- FMVSS No. 208, *Occupant Crash Protection*:

The following parts need to be changed to bring the European specification model into compliance with this FMVSS:

Passenger Airbag Warning Light—305351, Screw for this part—15958077
Airbag Control Unit—309385
Passenger Seat—865375
Body Harness—813836
Child Seat Restraint Latch—86404600, Screw for this part—83911900
Knee Guard—86484200, Screw for this part—64460500, Washer—12646621
Upper Block of Passenger's Footrest—86695500, Lower Block of Passenger's Footrest—86695400, Under Seat Mat—86421200
Underbody Water Return Pipe—310879, Underbody Water Delivery Pipe—310880

The sensor mat installed in the passenger side cushion needs to be replaced to meet the requirements for weight sensing system or advance airbags. After the components are installed and wired, connect diagnostic programming/coding tool to activate.

- SRS Airbag control module
- Check for programming update
- Initial start up
- ECU programming

After the process is complete the airbag control module will be able to communicate with all the sensors and airbags installed in the vehicle. All parts of these systems must be inspected to verify the U.S. part numbers on all belts and the control unit.

The sample vehicle, a MY 2015 Ferrari LaFerrari (VIN: ZFF76ZFL7F0xxxxxx), which is claimed to have been originally manufactured for sale in Mexico, was fitted with a Passenger Airbag Warning Light—305351, Airbag Control Unit—309385, Child Seat Restraint Latch—86404600, Knee Guard—86484200, Upper and Lower Blocks of Passenger's Footrest—86695500/86695400, Under Seat Mat—86421200, and Underbody Water Return and Delivery Pipes—310879/310880 from the factory.

The sample vehicle does require the Body Harness—813836, and Passenger Seat—865375 to be changed, along with programming to activate the system to bring it into compliance with this FMVSS.

- FMVSS No. 301, *Fuel System Integrity*:

Parts of these systems, which include the ORVR (Onboard Refueling Vapor Recovery) systems, must be modified on the European specification model to meet this FMVSS. Cap—219786, RH Air Filter Box—302631, LH Air Filter Box—302632, Air Filter—302595.

The sample vehicle, a MY 2015 Ferrari LaFerrari (VIN: ZFF76ZFL7F0xxxxxx), which is claimed to have been originally manufactured for sale in Mexico, was fitted with Cap—219786, RH Air Filter Box—302631, LH Air Filter Box—302632, and Air Filter—302595 from the factory, and therefore is already in compliance with this FMVSS.

- 49 CFR part 565 *Vehicle Identification Number (VIN) Requirements* and Part 567 *Certification*:

A VIN plate must be added to both European and Mexican specifications models near the left windshield post and a reference and certification label must be added in the left front door post area to meet these regulations.

- 49 CFR part 575 *Consumer Information*:

Owner's manual and all other information manuals must be replaced with the OEM Manuals for both the European and Mexican specification models. Owner's Manual—86075400, Quick Reference Guide—86076100.

- **49 CFR 581 Bumper Standard:**

The European specification requires the front and rear bumpers to be modified or changed to meet this FMVSS. Front Bumper—86235610, Rear Bumper—86320810.

The sample vehicle, a MY 2015 Ferrari LaFerrari (VIN: ZFF76ZFL7F0xxxxxx), which is claimed to have been originally manufactured for sale in Mexico, was fitted with the U.S. Front Bumper—86235610 and Rear Bumper—86320810 from the factory and is already in compliance with this regulation.

(Authority: 49 U.S.C. 30141(a)(1)(A), (a)(1)(B), and (b)(1); 49 CFR 593.7; delegation of authority at 49 CFR 1.95 and 501.8.)

Otto G. Matheke III,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 2025–13600 Filed 7–18–25; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

[Docket No. DOT–OST–2025–0468]

Advancing a Surface Transportation Proposal That Focuses on America's Most Fundamental Infrastructure Needs

ACTION: Notice; Request for information.

SUMMARY: The current authorization for Federal surface transportation programs is set to expire on September 30, 2026. In preparation for the next surface transportation reauthorization bill, and to ensure that the public's perspectives and ideas are considered, the Department of Transportation (DOT) invites the public to provide ideas, comments, and information for consideration in the development of the next surface transportation authorizing legislation.

DATES: Comments must be received by no later than August 20, 2025. DOT will consider comments filed after this date to the extent practicable.

ADDRESSES: Written comments may be submitted electronically or via U.S. mail. Respondents are encouraged to submit comments electronically to ensure timely receipt. Please include your name, title, organization, postal address, telephone number, and email address.

Electronic Submission: Go to <http://www.regulations.gov>. Search by using the docket number (provided above). Follow the instructions for submitting comments on the electronic docket site.

Email: STR2026@dot.gov. Please include the full body of your comments in the text of the electronic message and as an attachment.

Mail: Dockets Operation; U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Ground Floor, W12–140, Washington, DC 20590–0001.

Instructions: All submissions should include the agency name and docket number.

FOR FURTHER INFORMATION CONTACT:

Daniel Cohen, Assistant General Counsel for Regulation and Legislation, at STR2026@dot.gov or (202) 366–4702.

SUPPLEMENTARY INFORMATION: DOT has a mission to deliver the world's leading transportation system, serving the American people and economy through the safe and efficient movement of people and goods. That mission covers all modes of transportation be it by air, sea, or on land. Several operating administrations in DOT administer laws and programs related to surface transportation including: the Federal Highway Administration, the Federal Motor Carrier Safety Administration, the Federal Railroad Administration, the Federal Transit Administration, the National Highway Traffic Safety Administration, and the Pipeline and Hazardous Materials Safety Administration. The activities of those DOT surface transportation operating administrations are governed by laws that must be reauthorized periodically.

With the current surface transportation authorization set to expire on September 30, 2026, DOT is seeking input from the public. In particular, DOT seeks comments from entities significantly affected by administrative actions of DOT including: State, local, and tribal governments; small businesses; consumers; non-governmental organizations; transportation system operators and service providers; and manufacturers and their trade associations. Such stakeholders can provide valuable insight and suggestions to support the development of the next surface transportation reauthorization bill to address the nation's most essential infrastructure needs. As we approach reauthorization, DOT seeks to engage a broad range of stakeholders to assess what has worked, what needs improvement, and what new priorities should be included.

Through this Request for Information (RFI), DOT seeks information from stakeholders across transportation sectors on the upcoming surface transportation reauthorization. This RFI is intended to gather feedback, ideas, and recommendations to help inform legislative priorities and ensure future infrastructure programs focus on delivering safe and efficient surface transportation, without attaching unnecessary requirements. The reauthorization effort will focus on modernizing America's infrastructure by improving safety, streamlining Federal processes, promoting economic growth, and strengthening partnerships.

Written Comments: DOT invites stakeholders to provide input on any aspect of Federal transportation infrastructure policy to inform the surface transportation reauthorization process. Please be as specific as possible, including identifying any statutory changes necessary to effectuate your idea. Comments may respond to any of or all the following major policy themes of importance to the Department:

- Enhancing transportation safety—including bridges, safety for transportation workers and pedestrians, truck parking, and autonomous vehicles.
- Accelerating project delivery for transportation projects—including reforming the National Environmental Policy Act (NEPA) and permitting, enhancing One Federal Decision, and increasing the use of technology.
- Increasing opportunities through investment in transportation infrastructure that promotes economic growth, including through expanded capacity and mobility, congestion relief, and more private sector investment.
- Strengthening partnerships with States and other key stakeholders to improve transportation outcomes, including prioritizing the Federal interest, greater efficiencies, and research.

This RFI is issued solely for information and program planning purposes. Responses to this RFI do not bind DOT to any further actions related to the response. All submissions will be made publicly available on <https://www.regulations.gov>.

Issued in Washington, DC, on July 16, 2025.

Gregory D. Cote,

Acting General Counsel.

[FR Doc. 2025–13663 Filed 7–18–25; 8:45 am]

BILLING CODE 4910–9X–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 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.

DATES: This action was issued on March 22, 2019. 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; or Assistant Director for Sanctions Compliance, 202-622-2490 or <https://ofac.treasury.gov/contact-ofac>.

SUPPLEMENTARY INFORMATION:**Electronic Availability**

The SDN List and additional information concerning OFAC sanctions programs are available on OFAC's website: <https://ofac.treasury.gov>.

Notice of OFAC Action

On March 22, 2019, OFAC determined that the property and interests in property subject to U.S. jurisdiction of the following persons are blocked under the relevant sanctions authorities listed below.

Individuals

1. ASGARI, Mansur, Iran; DOB 03 Jun 1958; POB Tehran, Iran; nationality Iran; Additional Sanctions Information—Subject to Secondary Sanctions; Gender Male; Passport A4249926 (Iran) (individual) [NPWMD] [IFSR] (Linked To: THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH).

Designated pursuant to section 1(a)(iv) of Executive Order 13382 of June 28, 2005, "Blocking Property of Weapons of Mass Destruction Proliferators and Their Supporters," 70 FR 38567, 3 CFR, 2005 Comp., p. 170 (E.O. 13382), for acting or purporting to act for or on behalf of, directly or indirectly, THE ORGANIZATION OF

DEFENSIVE INNOVATION AND RESEARCH, a person whose property and interests in property are blocked pursuant to E.O. 13382.

2. ATTARAN, Mohammad Mahdi Da'emi (a.k.a. ATTARAN, Mahdi; a.k.a. ATTARAN, Mohammad Mahdi); DOB 13 Jul 1979; POB Mashhad, Iran; nationality Iran; Additional Sanctions Information—Subject to Secondary Sanctions; Gender Male (individual) [NPWMD] [IFSR] (Linked To: PUYA ELECTRO SAMAN NIRU).

Designated pursuant to section 1(a)(iv) of E.O. 13382 for acting or purporting to act for or on behalf of, directly or indirectly, PUYA ELECTRO SAMAN NIRU, a person whose property and interests in property are blocked pursuant to E.O. 13382.

3. BARMI, Ruhollah Ghaderi, Iran; DOB 1979; nationality Iran; Additional Sanctions Information—Subject to Secondary Sanctions; Gender Male (individual) [NPWMD] [IFSR] (Linked To: SHAHID FAKHAR MOGHADDAM GROUP).

Designated pursuant to section 1(a)(iv) of E.O. 13382 for acting or purporting to act for or on behalf of, directly or indirectly, SHAHID FAKHAR MOGHADDAM GROUP, a person whose property and interests in property are blocked pursuant to E.O. 13382.

4. BORJI, Sa'id, Tehran, Iran; DOB 1958; POB Abadan, Iran; nationality Iran; Additional Sanctions Information—Subject to Secondary Sanctions; Gender Male; Passport F20784822 (Iran) (individual) [NPWMD] [IFSR] (Linked To: SHAHID KARIMI GROUP).

Designated pursuant to section 1(a)(iii) of E.O. 13382 for having provided, or attempted to provide, financial, material, technological or other support for, or goods or services in support of, SHAHID KARIMI GROUP, a person whose property and interests in property are blocked pursuant to E.O. 13382.

5. ETA'ATI, Gholam Reza; DOB 1973; POB Tehran, Iran; nationality Iran; Additional Sanctions Information—Subject to Secondary Sanctions; Gender Male (individual) [NPWMD] [IFSR] (Linked To: THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH).

Designated pursuant to section 1(a)(iv) of E.O. 13382 for acting or purporting to act for or on behalf of, directly or indirectly, THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH, a person whose property and interests in property are blocked pursuant to E.O. 13382.

6. HAGHIGHIAN, Mohammad Hossein, Iran; DOB 1989; nationality Iran; Additional Sanctions Information—Subject to Secondary Sanctions; Gender Male (individual) [NPWMD] [IFSR] (Linked To: KIMIYA PAKHSH SHARGH).

Designated pursuant to section 1(a)(iv) of E.O. 13382 for acting or purporting to act for or on behalf of, directly or indirectly, KIMIYA PAKHSH SHARGH, a person whose property and interests in property are blocked pursuant to E.O. 13382.

7. HAJJLU, Jalal Emami Ghareh (a.k.a. HAJLOU, Jalal Emami Ghareh); DOB 21 Mar 1969; POB Gha'emshahr, Iran; nationality Iran; Additional Sanctions Information—Subject to Secondary Sanctions; Gender Male; Passport 2161567098 (individual) [NPWMD] [IFSR] (Linked To: SHAHID KARIMI GROUP).

Designated pursuant to section 1(a)(iii) of E.O. 13382 for having provided, or attempted to provide, financial, material, technological or other support for, or goods or services in support of, SHAHID KARIMI GROUP, a person whose property and interests in property are blocked pursuant to E.O. 13382.

8. HASHEMITABAR, Sayyed Asghar; DOB 23 Aug 1974; POB Sabzevar, Iran; nationality Iran; Additional Sanctions Information—Subject to Secondary Sanctions; Passport A30439933 (individual) [NPWMD] [IFSR] (Linked To: THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH).

Designated pursuant to section 1(a)(iv) of E.O. 13382 for acting or purporting to act for or on behalf of, directly or indirectly, THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH, a person whose property and interests in property are blocked pursuant to E.O. 13382.

9. MASOUMIAN, Mehdi (a.k.a. MASUMIAN, Mahdi), Iran; nationality Iran; Additional Sanctions Information—Subject to Secondary Sanctions; Gender Male; National ID No. 0491942168 (Iran) (individual) [NPWMD] [IFSR] (Linked To: THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH).

Designated pursuant to section 1(a)(iv) of E.O. 13382 for acting or purporting to act for or on behalf of, directly or indirectly, THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH, a person whose property and interests in property are blocked pursuant to E.O. 13382.

10. MEHDIPUR, Mohammad Reza; DOB 06 Aug 1975; POB Naein, Iran; nationality Iran; Additional Sanctions Information—Subject to Secondary Sanctions; Gender Male; National ID No. 1249481643 (Iran) (individual) [NPWMD] [IFSR] (Linked To: SHAHID KARIMI GROUP).

Designated pursuant to section 1(a)(iv) of E.O. 13382 for acting or purporting to act for or on behalf of, directly or indirectly, SHAHID KARIMI GROUP, a person whose property and interests in property are blocked pursuant to E.O. 13382.

11. MOTALLEBIZADEH, Akbar; DOB 23 Jul 1963; POB Yazd, Iran; nationality Iran; Additional Sanctions Information—Subject to Secondary Sanctions; Gender Male; Passport R14123444 (individual) [NPWMD] [IFSR] (Linked To: SHAHID KARIMI GROUP).

Designated pursuant to section 1(a)(iii) of E.O. 13382 for having provided, or attempted to provide, financial, material, technological or other support for, or goods or services in support of, SHAHID KARIMI GROUP, a person whose property and interests in property are blocked pursuant to E.O. 13382.

12. SAFARI, Mohammad Javad, Tehran, Iran; DOB 07 Aug 1980; POB Borazjam, Dashtestan, Bushehr, Iran; Additional Sanctions Information—Subject to Secondary Sanctions; Gender Male; Passport G9345199 (Iran) (individual) [NPWMD] [IFSR] (Linked To: SHAHID FAKHAR MOGHADDAM GROUP).

Designated pursuant to section 1(a)(iii) of E.O. 13382 for having provided, or attempted to provide, financial, material, technological or other support for, or goods or services in support of, SHAHID FAKHAR MOGHADDAM GROUP, a person whose property and interests in property are blocked pursuant to E.O. 13382.

13. SHAF'A'I, Mohsen; DOB 1971; POB Tehran, Iran; nationality Iran; Additional Sanctions Information—Subject to Secondary Sanctions; Gender Male (individual) [NPWMD] [IFSR] (Linked To: PUYA ELECTRO SAMAN NIRU).

Designated pursuant to section 1(a)(iv) of E.O. 13382 for acting or purporting to act for or on behalf of, directly or indirectly, PUYA ELECTRO SAMAN NIRU, a person whose property and interests in property are blocked pursuant to E.O. 13382.

Entities

1. ABU REIHAN GROUP, Iran; Additional Sanctions Information—Subject to Secondary Sanctions

[NPWMD] [IFSR] (Linked To: THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH).

Designated pursuant to section 1(a)(iii) of E.O. 13382 for having provided, or attempted to provide, financial, material, technological or other support for, or goods or services in support of, THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH, a person whose property and interests in property are blocked pursuant to E.O. 13382.

2. BU ALI GROUP (a.k.a. BOALI GROUP), Iran; Additional Sanctions Information—Subject to Secondary Sanctions [NPWMD] [IFSR] (Linked To: THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH).

Designated pursuant to section 1(a)(iv) of E.O. 13382 for being owned or controlled by, or acting or purporting to act for or on behalf of, directly or indirectly, THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH, a person whose property and interests in property are blocked pursuant to E.O. 13382.

3. HEIDAR KARAR GROUP (a.k.a. HAYDAR KARAR CENTER; a.k.a. HEIDAR KARRAR RESEARCH GROUP), Iran; Additional Sanctions Information—Subject to Secondary Sanctions [NPWMD] [IFSR] (Linked To: THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH).

Designated pursuant to section 1(a)(iv) of E.O. 13382 for being owned or controlled by, or acting or purporting to act for or on behalf of, directly or indirectly, THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH, a person whose property and interests in property are blocked pursuant to E.O. 13382.

4. KIMIYA PAKHSH SHARGH (a.k.a. KIMIA PAKHSH SHARGH; a.k.a. KIMIYA PAKHSH SHARGH CO. LTD; a.k.a. KIMIYA PAKHSH SHARGH GROUP; a.k.a. “KIMIA”; a.k.a. “KIMIA CO., LTD.”), No. 6, West Zartosht Ave, Between Joybar & Valiasr, Tehran, Iran; West Zoroaster, Between Joybar and Valiasr, No. 6, Box: 42670, Tehran, Iran; First Floor, No. 10, The 11th Alley, Proudful Streets, Martyr Beheshti, Sarafraz Street, Beheshti Avenue, Tehran, Iran; No. 1, Next to Mehr Credit Institute, Zartosht Street, Tehran 1415863911, Iran; website <https://kps-co.com>; alt. Website www.kps-co.com; Additional Sanctions Information—Subject to Secondary Sanctions; National ID No. 10102179854 (Iran); Registration Number 175612 (Iran) [NPWMD] [IFSR] (Linked To: THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH).

Designated pursuant to section 1(a)(iv) of E.O. 13382 for being owned or controlled by, or acting or purporting to act for or on behalf of, directly or indirectly, THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH, a person whose property and interests in property are blocked pursuant to E.O. 13382.

5. PARADISE MEDICAL PIONEERS COMPANY, 4th Floor, Number 4, Ziba Alley, below the Zafar Gas Station, Shariati Street, Tehran, Iran; Additional Sanctions Information—Subject to Secondary Sanctions [NPWMD] [IFSR] (Linked To: THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH).

Designated pursuant to section 1(a)(iv) of E.O. 13382 for being owned or controlled by, or acting or purporting to act for or on behalf of, directly or indirectly, THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH, a person whose property and interests in property are blocked pursuant to E.O. 13382.

6. PUYA ELECTRO SAMAN NIRU (a.k.a. PULSE NIRU; a.k.a. PULSE NIRU CO.; a.k.a. PULSE NIRU INDUSTRIES; a.k.a. PULSENIRU INC.), 34 Ayazi Alley Morghab Street, Khoramashar Street, Tehran 1553633913, Iran; km 20 Damavand Road, Pardis Technologies Park, Noavari Fourth Avenue, No. 46, Tehran, Iran; website <http://pulseniru.com>; Additional Sanctions Information—Subject to Secondary Sanctions [NPWMD] [IFSR] (Linked To: THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH).

Designated pursuant to section 1(a)(iii) of E.O. 13382 for having provided, or attempted to provide, financial, material, technological or other support for, or goods or services in support of, THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH, a person whose property and interests in property are blocked pursuant to E.O. 13382.

7. SADRA RESEARCH CENTER (a.k.a. SADRA CENTER), Iran; Additional Sanctions Information—Subject to Secondary Sanctions [NPWMD] [IFSR] (Linked To: THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH).

Designated pursuant to section 1(a)(iv) of E.O. 13382 for being owned or controlled by, or acting or purporting to act for or on behalf of, directly or indirectly, THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH, a person whose property and interests in property are blocked pursuant to E.O. 13382.

8. SHAHID AVINI GROUP, Iran; Additional Sanctions Information—

Subject to Secondary Sanctions [NPWMD] [IFSR] (Linked To: THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH).

Designated pursuant to section 1(a)(iv) of E.O. 13382 for being owned or controlled by, or acting or purporting to act for or on behalf of, directly or indirectly, THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH, a person whose property and interests in property are blocked pursuant to E.O. 13382.

9. SHAHID BABA'I GROUP (a.k.a. SHAHID BABA'EI GROUP), Iran; Additional Sanctions Information—Subject to Secondary Sanctions [NPWMD] [IFSR] (Linked To: THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH).

Designated pursuant to section 1(a)(iv) of E.O. 13382 for being owned or controlled by, or acting or purporting to act for or on behalf of, directly or indirectly, THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH, a person whose property and interests in property are blocked pursuant to E.O. 13382.

10. SHEIKH BAHAI SCIENCE AND TECHNOLOGY RESEARCH CENTER (a.k.a. SHEIKH BAHAEI CENTER), Iran; Additional Sanctions Information—Subject to Secondary Sanctions [NPWMD] [IFSR] (Linked To: THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH).

Designated pursuant to section 1(a)(iv) of E.O. 13382 for being owned or controlled by, or acting or purporting to act for or on behalf of, directly or indirectly, THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH, a person whose property and interests in property are blocked pursuant to E.O. 13382.

11. SHAHID CHAMRAN GROUP, Iran; Additional Sanctions Information—Subject to Secondary Sanctions [NPWMD] [IFSR] (Linked To: THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH).

Designated pursuant to section 1(a)(iv) of E.O. 13382 for being owned or controlled by, or acting or purporting to act for or on behalf of, directly or indirectly, THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH, a person whose property and interests in property are blocked pursuant to E.O. 13382.

12. SHAHID FAKHAR MOGHADDAM GROUP (a.k.a. SHAHID FAKHAR MOQADAM GROUP), Iran; Additional Sanctions Information—Subject to Secondary Sanctions [NPWMD] [IFSR] (Linked To: THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH).

Designated pursuant to section 1(a)(iv) of E.O. 13382 for being owned or controlled by, or acting or purporting to act for or on behalf of, directly or indirectly, THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH, a person whose property and interests in property are blocked pursuant to E.O. 13382.

13. SHAHID KARIMI GROUP, Iran; Additional Sanctions Information—Subject to Secondary Sanctions [NPWMD] [IFSR] (Linked To: THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH).

Designated pursuant to section 1(a)(iv) of E.O. 13382 for being owned or controlled by, or acting or purporting to act for or on behalf of, directly or indirectly, THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH, a person whose property and interests in property are blocked pursuant to E.O. 13382.

14. SHAHID KAZEMI GROUP, Iran; Additional Sanctions Information—Subject to Secondary Sanctions [NPWMD] [IFSR] (Linked To: THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH).

Designated pursuant to section 1(a)(iv) of E.O. 13382 for being owned or controlled by, or acting or purporting to act for or on behalf of, directly or indirectly, THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH, a person whose property and interests in property are blocked pursuant to E.O. 13382.

15. SHAHID MOVAHED DANESH GROUP (a.k.a. SHAHID MOVAHED DANESH GROUP), Iran; Additional Sanctions Information—Subject to Secondary Sanctions [NPWMD] [IFSR] (Linked To: THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH).

Designated pursuant to section 1(a)(iii) of E.O. 13382 for having provided, or attempted to provide, financial, material, technological or other support for, or goods or services in support of, THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH, a person whose property and interests in property are blocked pursuant to E.O. 13382.

16. SHAHID SHOKRI SCIENCE AND TECHNOLOGY RESEARCH CENTER (a.k.a. SHAHID SHIKRI CENTER; a.k.a. SHAHID SHOKRI RESEARCH CENTER), Iran; Additional Sanctions Information—Subject to Secondary Sanctions [NPWMD] [IFSR] (Linked To: THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH).

Designated pursuant to section 1(a)(iv) of E.O. 13382 for being owned or controlled by, or acting or purporting

to act for or on behalf of, directly or indirectly, THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH, a person whose property and interests in property are blocked pursuant to E.O. 13382.

17. SHAHID ZEINODDIN GROUP, Iran; Additional Sanctions Information—Subject to Secondary Sanctions [NPWMD] [IFSR] (Linked To: THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH).

Designated pursuant to section 1(a)(iii) of E.O. 13382 for having provided, or attempted to provide, financial, material, technological or other support for, or goods or services in support of, THE ORGANIZATION OF DEFENSIVE INNOVATION AND RESEARCH, a person whose property and interests in property are blocked pursuant to E.O. 13382.

Lisa M. Palluconi,

Acting Director, Office of Foreign Assets Control.

[FR Doc. 2025–13592 Filed 7–18–25; 8:45 am]

BILLING CODE 4810-AL-P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Notice of OFAC Sanctions Actions

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 name of one or more persons 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.

DATES: This action was issued on July 17, 2025. See **SUPPLEMENTARY INFORMATION** section for relevant dates.

FOR FURTHER INFORMATION CONTACT: OFAC: Associate Director for Global Targeting, 202–622–2420; 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 July 17, 2025, OFAC determined that the property and interests in property subject to U.S. jurisdiction of the following persons are blocked under the relevant sanctions authorities listed below.

Individuals

1. GUERRERO FLORES, Hector Rusthenford (a.k.a. "NINO GUERRERO" (Latin: "NIÑO GUERRERO")), Venezuela; DOB 30 May 1983; POB Maracay, Venezuela; nationality Venezuela; citizen Venezuela; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Cedula No. V-17367457 (Venezuela) (individual) [SDGT] [TCO] (Linked To: TREN DE ARAGUA).

Designated pursuant to section 1(a)(ii)(C) of Executive Order 13581 of July 24, 2011, "Blocking Property of Transnational Criminal Organizations," 76 FR 44757 (July 27, 2011), as amended by Executive Order 13863 of March 15, 2019, "Taking Additional Steps to Address the National Emergency With Respect to Significant Transnational Criminal Organizations," 84 FR 10255 (March 19, 2019) (E.O. 13581, as amended) for being owned or controlled by, or having acted or purported to act for or on behalf of, directly or indirectly, TREN DE ARAGUA, a person whose property and interests in property are blocked pursuant to E.O. 13581, as amended.

Designated pursuant to section 1(a)(iii)(A) of Executive Order 13224 of September 23, 2001, "Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism," 66 FR 49079, as amended by Executive Order 13886 of September 9, 2019, "Modernizing Sanctions To Combat Terrorism," 84 FR 48041 (E.O. 13224, as amended) for being owned, controlled, or directed by, or having acted or purported to act for or on behalf of, directly or indirectly, TREN DE ARAGUA, a person whose property and interests in property are blocked pursuant to E.O. 13224, as amended.

2. RIOS GOMEZ, Wendy Marbelys, Venezuela; Colombia; DOB 21 Jan 1980; nationality Venezuela; Gender Female; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886 (individual) [SDGT] [TCO] (Linked To: TREN DE ARAGUA).

Designated pursuant to section 1(a)(ii)(C) of E.O. 13581, as amended, for being owned or controlled by, or having acted or purported to act for or on behalf

of, directly or indirectly, TREN DE ARAGUA, a person whose property and interests in property are blocked pursuant to E.O. 13581, as amended.

Designated pursuant to section 1(a)(iii)(A) of E.O. 13224, as amended, for being owned, controlled, or directed by, or having acted or purported to act for or on behalf of, directly or indirectly, TREN DE ARAGUA, a person whose property and interests in property are blocked pursuant to E.O. 13224, as amended.

3. SANTANA PENA, Josue Angel (Latin: SANTANA PENA, Josue Angel) (a.k.a. "SANTANITA"), Venezuela; DOB 26 Jun 1995; nationality Venezuela; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886 (individual) [SDGT] [TCO] (Linked To: TREN DE ARAGUA).

Designated pursuant to section 1(a)(ii)(C) of E.O. 13581, as amended, for being owned or controlled by, or having acted or purported to act for or on behalf of, directly or indirectly, TREN DE ARAGUA, a person whose property and interests in property are blocked pursuant to E.O. 13581, as amended.

Designated pursuant to section 1(a)(iii)(A) of E.O. 13224, as amended, for being owned, controlled, or directed by, or having acted or purported to act for or on behalf of, directly or indirectly, TREN DE ARAGUA, a person whose property and interests in property are blocked pursuant to E.O. 13224, as amended.

4. CASTILLO RONDON, Felix Anner (a.k.a. "Arnel"; a.k.a. "Pure Arnel"), Peru; Venezuela; DOB 12 Jan 1984; nationality Venezuela; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Cedula No. V-16692836 (Venezuela) (individual) [SDGT] [TCO] (Linked To: TREN DE ARAGUA).

Designated pursuant to section 1(a)(ii)(C) of E.O. 13581, as amended, for being owned or controlled by, or having acted or purported to act for or on behalf of, directly or indirectly, TREN DE ARAGUA, a person whose property and interests in property are blocked pursuant to E.O. 13581, as amended.

Designated pursuant to section 1(a)(iii)(A) of E.O. 13224, as amended, for being owned, controlled, or directed by, or having acted or purported to act for or on behalf of, directly or indirectly, TREN DE ARAGUA, a person whose property and interests in property are blocked pursuant to E.O. 13224, as amended.

5. PEREZ CASTILLO, Wilmer Jose (a.k.a. "Wilmer Guayabal"), Venezuela; DOB 19 Aug 1985; POB Venezuela;

nationality Venezuela; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Cedula No. V-17789572 (Venezuela) (individual) [SDGT] [TCO] (Linked To: TREN DE ARAGUA).

Designated pursuant to section 1(a)(ii)(C) of E.O. 13581, as amended, for being owned or controlled by, or having acted or purported to act for or on behalf of, directly or indirectly, TREN DE ARAGUA, a person whose property and interests in property are blocked pursuant to E.O. 13581, as amended.

Designated pursuant to section 1(a)(iii)(A) of E.O. 13224, as amended, for being owned, controlled, or directed by, or having acted or purported to act for or on behalf of, directly or indirectly, TREN DE ARAGUA, a person whose property and interests in property are blocked pursuant to E.O. 13224, as amended.

6. ROMERO, Yohan Jose (a.k.a. PETRICA, Johan), Venezuela; DOB 31 Oct 1977; POB Venezuela; nationality Venezuela; citizen Venezuela; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886 (individual) [SDGT] [TCO] (Linked To: TREN DE ARAGUA).

Designated pursuant to section 1(a)(ii)(C) of E.O. 13581, as amended, for being owned or controlled by, or having acted or purported to act for or on behalf of, directly or indirectly, TREN DE ARAGUA, a person whose property and interests in property are blocked pursuant to E.O. 13581, as amended.

Designated pursuant to section 1(a)(iii)(A) of E.O. 13224, as amended, for being owned, controlled, or directed by, or having acted or purported to act for or on behalf of, directly or indirectly, TREN DE ARAGUA, a person whose property and interests in property are blocked pursuant to E.O. 13224, as amended.

Lawrence M. Scheinert,

Acting Deputy Director, Office of Foreign Assets Control.

[FR Doc. 2025-13645 Filed 7-18-25; 8:45 am]

BILLING CODE 4810-AL-P

DEPARTMENT OF THE TREASURY**Internal Revenue Service****Agency Information Collection Activities; Comment Request on Form 8508, Request for Waiver From Filing Information Returns Electronically.**

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of Information Collection; request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the IRS is inviting comments on the information collection request outlined in this notice.

DATES: Written comments should be received on or before September 19, 2025 to be assured of consideration.

ADDRESSES: Direct all written comments to Andres Garcia, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or by email to pra.comments@irs.gov Include "OMB Control No. 1545-0957" in the subject line of the message.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of this collection should be directed to LaNita Van Dyke, (202) 317-6009.

SUPPLEMENTARY INFORMATION: The IRS, in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506©(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the IRS assess the impact and minimize the burden of its information collection requirements. Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Title: Returns Required on Magnetic Media.

OMB Number: 1545-0957.

Form Number: Form 8508.

Abstract: Certain filers of information returns are required by law to file on magnetic media. In some instances, waivers from this requirement are necessary and justified. Form 8508 is submitted by the filer and provides information on which IRS will base its waiver determination.

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, farms, Federal government, and State, local or tribal governments, and Not-for-Profit Organizations.

Estimated Number of Respondents: 1,000.

Estimated Time per Respondent: 15 min.

Estimated Total Annual Burden Hours: 750.

Approved: July 16, 2025.

LaNita Van Dyke,

Tax Analyst.

[FR Doc. 2025-13601 Filed 7-18-25; 8:45 am]

BILLING CODE 4830-01-P

UNIFIED CARRIER REGISTRATION PLAN

Sunshine Act Meetings

TIME AND DATE: July 24, 2025, 12:00 p.m. to 3:00 p.m., Eastern time.

PLACE: This meeting will be accessible via conference call and via Zoom Meeting and Screenshare. Any interested person may call (i) 1-929-205-6099 (US Toll) or 1-669-900-6833 (US Toll), Meeting ID: 958 8253 1628, to listen and participate in this meeting. The website to participate via Zoom Meeting and Screenshare is <https://kellen.zoom.us/join/95882531628>.

STATUS: This meeting will be open to the public.

MATTERS TO BE CONSIDERED: The Unified Carrier Registration Plan Audit Subcommittee (the "Subcommittee") will continue its work in developing and implementing the Unified Carrier Registration Plan and Agreement. The subject matter of this meeting will include:

Proposed Agenda

I. Call to Order—UCR Audit Subcommittee Chair

The UCR Audit Subcommittee Chair will welcome attendees, call the meeting to order, call roll for the Audit Subcommittee, confirm whether a quorum is present, and facilitate self-introductions.

II. Verification of Publication of Meeting Notice—UCR Executive Director

The UCR Executive Director will verify the publication of the meeting notice on the UCR website and

distribution to the UCR contact list via email followed by the subsequent publication of the notice in the **Federal Register**.

III. Review and Approval of Subcommittee Agenda and Setting of Ground Rules—UCR Audit Subcommittee Chair

For Discussion and Possible Subcommittee Action

The agenda will be reviewed, and the Subcommittee will consider adoption.

Ground Rules

Subcommittee action only to be taken in designated areas on the agenda.

IV. Review and Approval of Subcommittee Minutes From the February 20, 2025, Meeting—UCR Audit Subcommittee Chair

For Discussion and Possible Subcommittee Action

Draft minutes from the February 20, 2025, Audit Subcommittee meeting will be reviewed. The Subcommittee will consider action to approve.

V. Update on the Progress of the Retreat Audit Program—The UCR Audit Subcommittee Chair, UCR Audit Subcommittee Vice Chair, DSL Transportation, and Seikosoft Representative

The UCR Audit Subcommittee Chair, UCR Audit Subcommittee Vice Chair, DSL Transportation and a Seikosoft Representative will lead a discussion on the status of the Retreat Audit Program.

VI. Discuss the Current Process for Individuals Interested in Joining the Audit Subcommittee—UCR Audit Subcommittee Chair, UCR Audit Subcommittee Vice-Chair and UCR Executive Director

The UCR Audit Subcommittee Chair, UCR Audit Subcommittee Vice Chair, and the UCR Executive Director will lead discussions on the current process of joining a Subcommittee.

VII. Update on the Newly Automated Process to Close and Credit Funds for Retreats, FARs, and Inspection Audits—The UCR Audit Subcommittee Chair, UCR Audit Subcommittee Vice Chair, DSL Transportation and Seikosoft Representative

The UCR Audit Subcommittee Chair, UCR Audit Subcommittee Vice Chair, DSL Transportation and a Seikosoft Representative will lead a discussion on the status of the newly automated process to close and credit funds for Retreats, FARs, and Inspection Audits.

VIII. Review the Current 2025, Audit Year Compliance Initiatives, Requiring States to Comply With Three of the Four Compliance Initiatives—UCR Audit Subcommittee Chair, UCR Audit Subcommittee Vice-Chair and UCR Executive Director

The UCR Audit Subcommittee Chair, UCR Audit Subcommittee Vice Chair, and the UCR Executive Director will lead a discussion on the four approved compliance initiatives.

- Unregistered Motor Carrier Audits, Tiers 4, 5, and 6, requiring 100% closure for the previous or reporting year.
- Retreat Audits, Tiers 4, 5, and 6, requiring 100% closure for the previous or reporting year.
- FARs Audits, Tiers 4, 5, and 6, requiring 100% closure for (October–June) current year.
- UCR Violation Audits, requiring 100% closure for the previous or reporting year.

* If a State does not receive a FAR Audit, Retreat Audit, or Violation Audit for a specific registration year, they're considered to have complied with the specific compliance initiative.

IX. Discuss Additional UCR Reports Available for State Auditors to Follow up on—UCR Audit Subcommittee Chair, UCR Audit Subcommittee Vice-Chair, DSL Transportation, and UCR Executive Director

The UCR Audit Subcommittee Chair, UCR Audit Subcommittee Vice Chair, DSL Transportation and the UCR Executive Director will lead a discussion on the additional unregistered UCR reports available on the National Registration System (NRS).

Concerns:

- Unaccounted revenue
- Ideas/options

Benefits:

- Potential for additional State revenue such as Intrastate Authority and Commercial Registration/IRP

Additional UCR Reports:

- Intra with Interstate trips
- Unregistered IRP Monitor
- Intra with active MC Number
- Comprehensive—Unregistered New Entrants
- Unregistered Tiers 1–3
- Unregistered KATS 2025
- Unregistered Federal Authority
- Unregistered SHB's
- Unregistered IEP's
- Unregistered with active IRP

X. Update the Subcommittee on the Recently Held and Next Monthly Question and Answer Session for State Auditors—UCR Audit Subcommittee Chair and UCR Audit Subcommittee Vice-Chair, and UCR Executive Director

The UCR Audit Subcommittee Chair, UCR Audit Subcommittee Vice Chair, and the UCR Executive Director will lead a discussion on the topics discussed during the virtual question and answer session for state auditors held on June 25, 2025, and potential topics for the next scheduled 60-minute virtual question and answer session for state auditors to be held on September 23, 2025, at 12:00 Noon ET.

XI. Other Business—UCR Audit Subcommittee Chair

The UCR Audit Subcommittee Chair will call for any other items Subcommittee members would like to discuss.

XII. Adjournment—UCR Audit Subcommittee Chair

The UCR Audit Subcommittee Chair will adjourn the meeting.

The agenda will be available no later than 5:00 p.m. Eastern time, July 16, 2025 at: <https://plan.ucr.gov>.

CONTACT PERSON FOR MORE INFORMATION: Elizabeth Leaman, Chair, Unified Carrier Registration Plan Board of Directors, (617) 305–3783, eleaman@board.ucr.gov.

Alex B. Leath,
Chief Legal Officer, Unified Carrier Registration Plan.

[FR Doc. 2025–13648 Filed 7–17–25; 4:15 pm]

BILLING CODE 4910-YL-P

DEPARTMENT OF VETERANS AFFAIRS

Veterans and Community Oversight and Engagement Board, Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under the Federal Advisory Committee Act, 5 U.S.C. Ch. 10, that the Veterans and Community Oversight and Engagement Board will meet virtually on August 19, 2025. The meeting session will begin, and end as follows:

Date	Time
August 19, 2025.	9:00 a.m. to 3:00 p.m. Pacific Standard Time (PST).

The meetings are open to the public and will be recorded.

The Board was established by the West Los Angeles Leasing Act of 2016

on September 29, 2016. The purpose of the Board is to provide advice and make recommendations to the Secretary of Veterans Affairs on: identifying the goals of the community and Veteran partnership; improving services and outcomes for Veterans, members of the Armed Forces, and the families of such Veterans and members; and on the implementation of the Draft Master Plan approved by the Secretary on January 28, 2016, and on the creation and implementation of any successor master plans.

On August 19, the agenda will include opening remarks from the Chief of Staff and the Executive Sponsor. There will be a general update from VA Greater Los Angeles Healthcare System (VAGLAHS). The West Los Angeles Veterans Collective will provide status briefing activities since December 2024. The Board's subcommittees on Services and Outcomes, and on Master Planning will report on activities since the last meeting and share any recommendations.

Time will be allocated for receiving public comments on August 19, at 1:35 p.m. to 2:35 p.m. PST. Individuals wishing to make public comments should contact Detrick Waterford at Dedrick.Waterford@va.gov and are requested to submit a 1–2-page summary of their comments for inclusion in the official meeting record. Only those members of the public (first 12 public comment registrants) who have confirmed registrations to provide public comment will be allowed to provide public comment. Each speaker will be held to 5-minutes time limit. The Committee will accept written comments from interested parties on issues outlined in the meeting agenda, from August 1, 2025 to August 19, 2025.

Members of the public can attend the meeting via TEAMS by joining from the meeting link below.

Video: Copy and paste highlighted link below

https://teams.microsoft.com/join/19%3ameeting_YWRiOGQ2YzUtMGRhZi00OTI1LWJlOGMtMTYyNDBiMzY5N2M4%40thread.v2/0?context=%7b%22Tid%22%3a%22e95f1b23-abaf-45ee-821d-b7ab251ab3bf%22%2c%22Oid%22%3a%22d01b5948-f945-4fe7-932d-ff9f4b8e92da%22%7d

Meeting ID: 235 628 191 968 0
Passcode: Cr2iT7DW

Dial in by phone
+1 872–701–0185 Phone conference
ID: 709 800 003#

Any member of the public seeking additional information should contact

Chi Szeto at (562) 708–9959 or at Chihung.Szeto@va.gov.

Dated: July 17, 2025.

Jelessa M. Burney,

Federal Advisory Committee Management Officer.

[FR Doc. 2025–13668 Filed 7–18–25; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

Advisory Committee on Homeless Veterans, Notice of Meeting Cancellation

The Department of Veterans Affairs (VA) gives notice under the Federal Advisory Committee Act, 5 U.S.C. Ch. 10, that the Advisory Committee on Homeless Veterans, previously scheduled to be held on August 13, 2025, *has been cancelled*.

For more information, please Anthony Love, Designated Federal Officer, Veterans Health Administration Homeless Programs Office (11HPO) at 202–461–1902 or via email at achv@va.gov.

Dated: July 17, 2025.

Jelessa M. Burney,

Federal Advisory Committee Management Officer.

[FR Doc. 2025–13604 Filed 7–18–25; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

Privacy Act of 1974; report of matching program

AGENCY: Department of Veterans Affairs (VA).

ACTION: Notice of a re-established Computer Matching Program

SUMMARY: The Department of Veterans Affairs (VA) provides notice that it intends to conduct a recurring computer-matching program matching Social Security Administration (SSA) Master Beneficiary Records and the Master Files of Social Security Number (SSN) Holders and SSN Applications (Enumeration System) with VA pension, compensation, and dependency and indemnity compensation records. The goal of this match is to identify

beneficiaries, who are receiving VA benefits and SSA benefits or earned income, and to reduce or terminate VA benefits, if appropriate. The match will include records of current VA beneficiaries. A plain-language description of the matching program.

DATES: Comments on this matching program must be received no later than August 20, 2025. If no public comment is received during the period allowed for comment or unless otherwise published in the **Federal Register** by VA, the new agreement will become effective a minimum of 30 days after date of publication in the **Federal Register**. If VA receives public comments, VA shall review the comments to determine whether any changes to the notice are necessary. This matching program will be valid for 18 months from the effective date of this notice.

ADDRESSES: Comments may be submitted through www.Regulations.gov or mailed to VA Privacy Service, 810 Vermont Avenue NW, (005R1A), Washington, DC 20420. Comments should indicate that they are submitted in response to SSA's Earnings Recording and Self-Employment Income System, CMA 1050. Comments received will be available at regulations.gov for public viewing, inspection or copies.

FOR FURTHER INFORMATION CONTACT:

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Pension and Fiduciary Service (21P),
Department of Veterans Affairs, 810
Vermont Ave. NW, Washington, DC
20420, (202) 461–8394.

SUPPLEMENTARY INFORMATION: VA will use this information to verify the income information submitted by beneficiaries in VA's needs-based benefit programs and adjust VA benefit payments as prescribed by law.

The legal authority to conduct this match is 38 U.S.C. 5106, which requires any Federal department or agency to provide VA such information as VA requests for the purposes of determining eligibility for benefits, or verifying other information with respect to payment of benefits.

Participating Agencies: The Social Security Administration (SSA) and Department of Veterans Affairs (VA).

Authority for Conducting The Matching Program: 38 U.S.C. 5106 requires Federal agencies to furnish VA with information the VA Secretary may request for determining eligibility for or the amount of VA benefits.

Purpose(s): To confirm eligibility of those receiving income-dependent benefits and those beneficiaries who are receiving disability compensation at the 100 percent rate because of unemployment.

Categories of Individuals: Veterans and beneficiaries who apply for VA income benefits.

Categories of Records: VA will provide SSA with an electronic file in a format defined by SSA that contains the SSN, name, date of birth, and report year for each applicant, beneficiary, and eligible dependent(s) for whom VA is requesting tax return information.

System(s) of Records: SSA will match the data in VA's electronic file with SSA Enumeration data from the Master Files of SSN Holders and SSN Applications (referred to as the Enumeration System), 60–0058, last fully published at 87 FR 263 (January 4, 2022). SSA will disclose matched data to VA from SSA's Earnings Recording and Self-Employment Income System (referred to as the Master Earnings File (MEF)), 60–0059, last fully published at 71 FR 1819 (January 11, 2006) and amended at 78 FR 40542 (July 5, 2013) and 83 FR 54969 (November 1, 2018).

Signing Authority

The Senior Agency Official for Privacy, or designee, approved this document and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs. Merissa Larson, Chief Privacy Officer and Chair of the Data Integrity Board, Department of Veterans Affairs approved this document on June 25, 2025 for publication.

Dated: July 17, 2025.

Saurav Devkota,

Government Information Specialist, VA Privacy Service, Office of Compliance, Risk and Remediation, Office of Information and Technology, Department of Veterans Affairs.

[FR Doc. 2025–13652 Filed 7–18–25; 8:45 am]

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