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

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–1723; Project Identifier AD–2025–01177–T; Amendment 39–23095; AD 2025–15–08]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: The FAA is superseding Airworthiness Directive (AD) 2025–01–06, which applied to all The Boeing Company Model 767–200, –300, –300F, and –400ER series airplanes. AD 2025–01–06 required identifying the part number, and the serial number if applicable, of the Captain's and First Officer's seats and applicable on-condition actions for affected seats. AD 2025–01–06 also required a one-time detailed inspection and repetitive checks of the horizontal movement system (HMS) of the Captain's and First Officer's seats and applicable on-condition actions. Since the FAA issued AD 2025–01–06, the FAA determined that AD 2025–01–06 contains an error when providing conditions for taking credit using a previous revision of the service information. This AD requires the actions of AD 2025–01–06 and revises paragraph (j) of this AD to clarify which actions are not required. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective August 21, 2025.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of March 11, 2025 (90 FR 8879, February 4, 2025).

The FAA must receive comments on this AD by September 22, 2025.

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

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

AD Docket: You may examine the AD docket at [regulations.gov](https://www.regulations.gov) by searching for and locating Docket No. FAA–2025–1723; 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 street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For Boeing material identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminister Boulevard, MC 110–SK57, Seal Beach, CA 90740–5600; phone 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](https://www.regulations.gov) under Docket No. FAA–2025–1723.

FOR FURTHER INFORMATION CONTACT: Julie Linn, Aviation Safety Engineer, FAA, 2200 South 216th Street, Des Moines, WA 98198; phone 206–231–3584; email Julie.Linn@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written data, views, or arguments about this final rule. Send your comments using a method listed under the **ADDRESSES** section. Include “Docket No. FAA–2025–1723 and Project Identifier AD–2025–01177–T” at the beginning of your comments. The most helpful comments reference a specific portion of the final rule, explain the reason for any recommended change, and include

supporting data. The FAA will consider all comments received by the closing date and may amend this final rule because of those comments.

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

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this AD contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this AD, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as “PROPIN.” The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this AD. Submissions containing CBI should be sent to Julie Linn, Aviation Safety Engineer, FAA, 2200 South 216th Street, Des Moines, WA 98198; phone 206–231–3584; email Julie.Linn@faa.gov. Any commentary that the FAA receives that is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

The FAA issued AD 2025–01–06, Amendment 39–22930 (90 FR 8879, February 4, 2025) (AD 2025–01–06), for all The Boeing Company Model 767–200, –300, –300F, and –400ER series airplanes. AD 2025–01–06 superseded AD 2019–14–13, Amendment 39–19691 (84 FR 38855, August 8, 2019), and required identifying the part number, and the serial number if applicable, of the Captain's and First Officer's seats and applicable on-condition actions for affected seats, including inspecting the fore and aft and vertical manual control levers for looseness, installing serviceable seats, and doing a seat functional test after any cable

adjustment. AD 2025–01–06 also required a one-time detailed inspection and repetitive checks of the HMS of the Captain’s and First Officer’s seats and applicable on-condition actions, including clearing the seat tracks of foreign object debris (FOD), overhauling the HMS, and replacing the horizontal stabilizer. AD 2025–01–06 was prompted by reports of uncommanded fore and aft movement of the Captain’s and First Officer’s seats. The FAA issued AD 2025–01–06 to address uncommanded fore and aft movement of the Captain’s and First Officer’s seats which, during a critical part of a flight such as takeoff or landing, could cause a flight control obstruction or unintended flight control input, which could result in the loss of the ability to control the airplane.

Actions Since AD 2025–01–06 Was Issued

Since the FAA issued AD 2025–01–06, the FAA determined that paragraph (j) of AD 2025–01–06 inadvertently provided credit for the actions in both paragraphs (g) and (h) of AD 2025–01–06 for a seat that seat met the criteria in any row in Figure 1 to paragraph (j) of AD 2025–01–06. The FAA intended to provide credit for the actions in paragraph (g) of AD 2025–01–06 if the airplane records show that a seat meets the conditions pertaining to Boeing Special Attention Service Bulletin 767–25–0539, Revision 1, dated July 17, 2018; and credit for the actions in paragraph (h) of AD 2025–01–06 if the airplane records show that a seat meets the conditions pertaining to Boeing Special Attention Service Bulletin 767–25–0549, Revision 1, dated August 10, 2018.

FAA’s Determination

The FAA is issuing this AD because the agency has determined the unsafe condition described previously is likely

to exist or develop in other products of the same type design.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed Boeing Special Attention Service Bulletin 767–25–0539, Revision 2, dated January 27, 2023, which the Director of the Federal Register approved for incorporation by reference as of March 11, 2025 (90 FR 8879, February 4, 2025).

The FAA also reviewed Boeing Special Attention Service Bulletin 767–25–0549, Revision 2, dated January 27, 2023, which the Director of the Federal Register approved for incorporation by reference as of March 11, 2025 (90 FR 8879, February 4, 2025).

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.

AD Requirements

This AD retains all requirements of AD 2025–10–06, except that this AD corrects paragraph (j) of AD 2025–01–06. This AD requires accomplishing the actions specified in the material already described, except for any differences identified as exceptions in the regulatory text of this AD.

Justification for Immediate Adoption and Determination of the Effective Date

Section 553(b) of the Administrative Procedure Act (APA) (5 U.S.C. 551 *et seq.*) authorizes agencies to dispense with notice and comment procedures for rules when the agency, for “good cause,” finds that those procedures are “impracticable, unnecessary, or contrary to the public interest.” Under this section, an agency, upon finding good cause, may issue a final rule without providing notice and seeking comment prior to issuance. Further, section 553(d) of the APA authorizes agencies to

make rules effective in less than thirty days, upon a finding of good cause.

An unsafe condition exists that requires the immediate adoption of this AD without providing an opportunity for public comments prior to adoption. The FAA has found that the risk to the flying public justifies forgoing notice and comment prior to adoption of this rule because of the urgency to correct AD 2025–01–08 to ensure compliance. AD 2025–01–08 does not fully address the unsafe condition because it allows operators to forego complying with required corrective actions and inspections when the Captain’s or First Officer’s seat has not met the necessary conditions. Paragraph (j) of AD 2025–01–08 incorrectly provides credit for all actions in the AD when the credit should be tied to the service information applicable to the airplane configuration. Without limiting the extent of the credit given, the unsafe condition still exists. Accordingly, notice and opportunity for prior public comment are impracticable and contrary to the public interest, pursuant to 5 U.S.C. 553(b).

In addition, for the foregoing reason(s), the FAA finds that good cause exists pursuant to 5 U.S.C. 553(d) for making this amendment effective in less than 30 days.

Regulatory Flexibility Act

The requirements of the Regulatory Flexibility Act (RFA) do not apply when an agency finds good cause pursuant to 5 U.S.C. 553 to adopt a rule without prior notice and comment. Because the FAA has determined that it has good cause to adopt this rule without notice and comment, RFA analysis is not required.

Costs of Compliance

The FAA estimates that this AD affects 625 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS PER SEAT

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Identification, seat (retained actions from AD 2025–01–06).	1 work-hour × \$85 per hour = \$85.	\$0	\$85	\$53,125.
Detailed inspection, HMS (retained actions from AD 2025–01–06).	1 work-hour × \$85 per hour = \$85.	0	\$85	\$53,125.
Checks, HMS (retained actions from AD 2025–01–06).	2 work-hours × \$85 per hour = \$170 per check cycle.	0	\$170 per check cycle	\$106,250 per check cycle.

The FAA estimates the following costs to do any on-condition actions that would be required based on the results

of the inspection. The FAA has no way of determining the number of aircraft

that might need these on-condition actions:

ON-CONDITION ACTIONS PER SEAT *

Action	Labor cost	Parts cost	Cost per product
Adjustment, control lever cable	1 work-hour × \$85 per hour = \$85	\$0	\$85.
Overhaul, HMS	11 work-hours × \$85 per hour = \$935	Up to \$5,824	Up to \$6,759.
Inspection of each seat's fore/aft and vertical manual control levers.	1 work-hour × \$85 per hour = \$85 per seat ...	\$0	\$85 per seat.
Installation of serviceable seats	1 work-hour × \$85 per hour = \$85 per seat ...	\$0	\$85 per seat.
Clearing FOD	1 work-hour × \$85 per hour = \$85 per seat ...	\$0	\$85 per seat.
Replacement of the horizontal actuator	1 work-hour × \$85 per hour = \$85 per actuator.	\$7,937 per actuator ...	\$8,022 per actuator.
Operational test, adjusted control lever cable	1 work-hour × \$85 per hour = \$85 per seat ...	\$0	\$85 per seat.

* The estimated cost for tooling to align an affected seat for adjustment of the control lever cable is up to \$46,064.

The FAA has received no definitive data that would enable the FAA to provide cost estimates for the optional terminating action for the repetitive checks 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, and
- (2) Will not affect intrastate aviation in Alaska.

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) 2025–01–06, Amendment 39–22930 (90 FR 8879, February 4, 2025); and
 - b. Adding the following new AD:

2025–15–08 The Boeing Company:
Amendment 39–23095; Docket No. FAA–2025–1723; Project Identifier AD–2025–01177–T.

(a) Effective Date

This airworthiness directive (AD) is effective August 21, 2025.

(b) Affected ADs

This AD replaces AD 2025–01–06, Amendment 39–22930 (90 FR 8879, February 4, 2025) (AD 2025–01–06).

(c) Applicability

(1) This AD applies to all The Boeing Company Model 767–200, –300, –300F, and –400ER series airplanes, certificated in any category.

(2) Installation of Supplemental Type Certificate (STC) ST01920SE does not affect the ability to accomplish the actions required by this AD. Therefore, for airplanes on which STC ST01920SE 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 25, Equipment/furnishings.

(e) Unsafe Condition

This AD was prompted by reports of uncommanded fore and aft movement of the Captain's and First Officer's seats. The FAA

is issuing this AD to address uncommanded fore and aft movement of the Captain's and First Officer's seats. The unsafe condition, if not addressed, could result in an uncommanded fore or aft seat movement during a critical part of a flight, such as takeoff or landing, and could cause a flight control obstruction or unintended flight control input, which could result in the loss of the ability to control the airplane.

(f) Compliance

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

(g) Seat Part Number Identification and On-Condition Actions

Except as specified in paragraphs (i) and (j) of this AD: At the applicable time specified in the "Compliance," paragraph of Boeing Special Attention Service Bulletin 767–25–0539, Revision 2, dated January 27, 2023, do an inspection to determine the part number, and serial number as applicable, of the Captain's and First Officer's seats, and all applicable on-condition actions, in accordance with the Accomplishment Instructions of Boeing Special Attention Service Bulletin 767–25–0539, Revision 2, dated January 27, 2023. A review of airplane maintenance records is acceptable in lieu of this inspection if the part number and serial number of the Captain's and First Officer's seats can be conclusively determined from that review.

(h) Detailed Inspection, and Repetitive Checks of Horizontal Movement System and On-Condition Actions

Except as specified by paragraphs (i) and (j) of this AD: At the applicable times specified in the "Compliance," paragraph of Boeing Special Attention Service Bulletin 767–25–0549, Revision 2, dated January 27, 2023, do all applicable actions identified as "RC" (required for compliance) in, and in accordance with, the Accomplishment Instructions of Boeing Special Attention Service Bulletin 767–25–0549, Revision 2, dated January 27, 2023. Actions identified as terminating action in Boeing Special Attention Service Bulletin 767–25–0549, Revision 2, dated January 27, 2023, terminate the applicable required actions of this AD, provided the terminating action is done in accordance with the Accomplishment Instructions of Boeing Special Attention Service Bulletin 767–25–0549, Revision 2, dated January 27, 2023.

(i) Exceptions to Service Bulletin Specifications

(1) Where the “Compliance” paragraph of Boeing Special Attention Service Bulletin 767–25–0549, Revision 2, dated January 27, 2023, refers to the original issue date of the service bulletin, this AD requires using September 12, 2019 (the effective date of AD 2019–14–13, Amendment 39–19691 (84 FR 38855, August 8, 2019) (AD 2019–14–13), which was superseded by AD 2025–01–06).

(2) Where the “Compliance” paragraph of Boeing Special Attention Service Bulletin 767–25–0549, Revision 2, dated January 27, 2023, refers to the Revision 2 date of the service bulletin, this AD requires using

March 11, 2025 (the effective date of AD 2025–01–06).

(3) Where the “Compliance” paragraph of Boeing Special Attention Service Bulletin 767–25–0539, Revision 2, dated January 27, 2023, refers to within 72 months after the original issue date of the service bulletin, this AD requires using within 36 months after September 12, 2019 (the effective date of AD 2019–14–13).

(4) Where the “Compliance” paragraph of Boeing Special Attention Service Bulletin 767–25–0539, Revision 2, dated January 27, 2023, refers to the Revision 2 date of the service bulletin, this AD requires using March 11, 2025 (the effective date of AD 2025–01–06).

(j) Acceptable Conditions for Compliance

If the airplane records show that an Ipeco Captain’s or First Officer’s seat installed on an airplane meets the conditions in any of the nine rows for Boeing Special Attention Service Bulletin 767–25–0539, Revision 1, dated July 17, 2018, in Figure 1 to paragraph (j) of this AD, then the actions in paragraph (g) of this AD are not required for that seat. If the airplane records show that an Ipeco Captain’s or First Officer’s seat meets the conditions in any of the five rows for Boeing Special Attention Service Bulletin 767–25–0549, Revision 1, dated August 10, 2018, in Figure 1 to paragraph (j) of this AD, then the actions specified in paragraph (h) of this AD are not required for that seat.

FIGURE 1 TO PARAGRAPH (j)—ALTERNATIVE ACCEPTABLE SEATS

Actions done in accordance with Boeing Special Attention Service Bulletin—	Actions done in accordance with Ipeco Service Bulletin—	Having Ipeco P/N—	And additional required conditions—
767–25–0539, Revision 1, dated July 17, 2018.	None	3A258–0041–01–2 or 3A258–0042–01–2.	No additional conditions required.
767–25–0539, Revision 1, dated July 17, 2018.	098–25–03, Issue 1, dated October 2, 2013; or Issue 2, dated March 28, 2014, or Issue 3, dated March 4, 2020.	3A090–0025–01–1 or 3A090–0026–01–1.	The manual override cable maintenance has been completed on the seat in accordance with the Ipeco Component Maintenance Manual 25–10–95, Revision 16, dated September 6, 2013, or subsequent revisions up to and including Revision 25, dated July 12, 2023.
767–25–0539, Revision 1, dated July 17, 2018.	210–25–04, Issue 1, dated November 4, 2013; or Issue 2, dated March 28, 2014; or Issue 3, dated March 3, 2020.	3A090–0077–01–1, 3A090–0077–02–1, 3A090–0078–01–1, 3A090–0078–02–1, 3A090–0078–03–1, 3A090–0078–04–1, or 3A090–0078–05–1.	The manual override cable maintenance has been completed on the seat in accordance with the Ipeco Component Maintenance Manual 25–10–78, Revision 20, dated September 12, 2013, or subsequent revisions up to and including Revision 29, dated October 13, 2023.
767–25–0539, Revision 1, dated July 17, 2018.	258–25–08, Issue 4, dated April 25, 2014; or Issue 5, dated March 4, 2020; or Issue 6, dated January 28, 2021.	3A258–0007–01–1 or 3A258–0008–01–1.	The manual override cable maintenance has been completed on the seat in accordance with the Ipeco Component Maintenance Manual 25–11–26, Revision 16, dated September 12, 2013, or subsequent revisions up to and including Revision 40, dated December 4, 2023.
767–25–0539, Revision 1, dated July 17, 2018.	258–25–08, Issue 4, dated April 25, 2014; or Issue 5, dated March 4, 2020; or Issue 6, dated January 28, 2021.	3A258–0041–01–1 or 3A258–0042–01–1.	Does not have a serial number identified by the effectivity of the referenced Ipeco Service Bulletins.
767–25–0539, Revision 1, dated July 17, 2018.	258–25–08, Issue 4, dated April 25, 2014; or Issue 5, dated March 4, 2020; or Issue 6, dated January 28, 2021.	3A258–0041–01–1 or 3A258–0042–01–1.	The manual override cable maintenance has been completed on the seat in accordance with the Ipeco Component Maintenance Manual 25–11–38, Revision 21, dated December 12, 2013, or subsequent revisions up to and including Revision 38, dated December 2, 2023.
767–25–0539, Revision 1, dated July 17, 2018.	258–25–08, Issue 6, dated January 28, 2021.	3A258–0007–01–1Z or 3A258–0008–01–1Z.	The manual override cable maintenance has been completed on the seat in accordance with the Ipeco Component Maintenance Manual 25–11–26, Revision 16, dated September 12, 2013, or subsequent revisions up to and including Revision 40, dated December 4, 2023.
767–25–0539, Revision 1, dated July 17, 2018.	258–25–08, Issue 6, dated January 28, 2021.	3A258–0041–01–1Z or 3A258–0042–01–1Z.	Does not have a serial number identified by the effectivity of the referenced Ipeco Service Bulletin.
767–25–0539, Revision 1, dated July 17, 2018.	258–25–08, Issue 6, dated January 28, 2021.	3A258–0041–01–1Z or 3A258–0042–01–1Z.	The manual override cable maintenance has been completed on the seat in accordance with the Ipeco Component Maintenance Manual 25–11–38, Revision 21, dated December 12, 2013, or subsequent revisions up to and including Revision 38, dated December 2, 2023.

FIGURE 1 TO PARAGRAPH (j)—ALTERNATIVE ACCEPTABLE SEATS—Continued

Actions done in accordance with Boeing Special Attention Service Bulletin—	Actions done in accordance with Ipeco Service Bulletin—	Having Ipeco P/N—	And additional required conditions—
767–25–0549, Revision 1, dated August 10, 2018.	None	3A258–0007–01–2, 3A258–0007–01–1Z, 3A258–0008–01–2, 3A258–0008–01–1Z, 3A258–0041–01–2, 3A258–0041–01–1Z, 3A258–0042–01–2, or 3A258–0042–01–1Z.	No additional conditions required.
767–25–0549, Revision 1, dated August 10, 2018.	258–25–13, Issue 3, dated November 27, 2017; or Issue 4, dated April 28, 2020; or Issue 5, dated November 1, 2021.	3A258–0041–01–1 or 3A258–0042–01–1.	Has a horizontal actuator with Artus part number AD8650503 at “Amendment C” or later.
767–25–0549, Revision 1, dated August 10, 2018.	258–25–14, Issue 4, dated January 9, 2018; or Issue 5, dated April 28, 2020.	3A258–0041–01–1 or 3A258–0042–01–1.	Has a horizontal actuator with Artus part number AD8650503 at “Amendment C” or later.
767–25–0549, Revision 1, dated August 10, 2018.	258–25–15, Issue 4, dated February 16, 2018; or Issue 5, dated April 29, 2020; or Issue 6, dated November 1, 2021.	3A258–0007–01–1 or 3A258–0008–01–1.	Has a horizontal actuator with Artus part number AD8650503 at “Amendment C” or later.
767–25–0549, Revision 1, dated August 10, 2018.	258–25–16, Issue 4, dated September 11, 2017; or Issue 5, dated April 29, 2020.	3A258–0007–01–1 or 3A258–0008–01–1.	Has a horizontal actuator with Artus part number AD8650503 at “Amendment C” or later.

(k) 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 (l) of this AD. Information may be emailed to: *AMOC@faa.gov*.

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

(4) AMOCs approved for AD 2019–14–13 are approved as AMOCs for the corresponding provisions of Boeing Special Attention Service Bulletin 767–25–0539, Revision 2, dated January 27, 2023, and Boeing Special Attention Service Bulletin 767–25–0549, Revision 2, dated January 27,

2023, that are required by paragraphs (g) and (h) of this AD.

(5) Except as required by paragraph (i) of this AD: For material that contains steps that are labeled as Required for Compliance (RC), the provisions of paragraphs (k)(5)(i) and (ii) of this AD apply.

(i) The steps labeled as RC, including substeps under an RC step and any figures identified in an RC step, must be done to comply with the AD. If a step or substep is labeled “RC Exempt,” then the RC requirement is removed from that step or substep. An AMOC is required for any deviations to RC steps, including substeps and identified figures.

(ii) Steps not labeled 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 RC steps, including substeps and identified figures, can still be done as specified, and the airplane can be put back in an airworthy condition.

(l) Related Information

For more information about this AD, contact Julie Linn, Aviation Safety Engineer, FAA, 2200 South 216th Street, Des Moines, WA 98198; phone 206–231–3584; email *Julie.Linn@faa.gov*.

(m) Material Incorporated by Reference

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

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

(3) The following material was approved for IBR on March 11, 2025 (90 FR 8879, February 4, 2025).

(i) Boeing Special Attention Service Bulletin 767–25–0539, Revision 2, dated January 27, 2023.

(ii) Boeing Special Attention Service Bulletin 767–25–0549, Revision 2, dated January 27, 2023.

(4) For Boeing material identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminister Boulevard, MC 110–SK57, Seal Beach, CA 90740–5600; phone 562–797–1717; website *myboeingfleet.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 August 4, 2025.

Peter A. White,
Deputy Director, Integrated Certificate Management Division, Aircraft Certification Service.

[FR Doc. 2025–14934 Filed 8–5–25; 8:45 am]

BILLING CODE 4910–13–P

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

[Docket No. FAA–2025–0756; Project Identifier MCAI–2024–00595–T; Amendment 39–23091; AD 2025–15–04]

RIN 2120–AA64

Airworthiness Directives; Gulfstream Aerospace LP (Type Certificate Previously Held by Israel Aircraft Industries, Ltd.) Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for all Gulfstream Aerospace LP Model Gulfstream G150 airplanes. This AD was prompted by a determination that a new airworthiness limitation is necessary. This AD requires revising the existing maintenance or inspection program, as applicable, to incorporate a new airworthiness limitation. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective September 10, 2025.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of September 10, 2025.

ADDRESSES:

AD Docket: You may examine the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA–2025–0756; 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 Civil Aviation Authority of Israel (CAAI) material identified in this AD, contact CAAI, P.O. Box 1101, Golan Street, Airport City, 70100, Israel; telephone 972–3–9774665; email aip@mot.gov.il. You may find this material on the CAAI website at www.gov.il/en/pages/israeli-airworthiness-directives.
- 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](https://www.regulations.gov) under Docket No. FAA–2025–0756.

FOR FURTHER INFORMATION CONTACT:

Fatin Saumik, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7350; email fatin.r.saumik@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 Gulfstream Aerospace LP Model Gulfstream G150 airplanes. The NPRM was published in the **Federal Register** on May 14, 2025 (90 FR 20408). The NPRM was prompted by AD ISR I–32–24–10–01R1, revised October 15, 2024 (CAAI AD ISR I–32–24–10–01R1) (also referred to as the MCAI), issued by CAAI, which is the aviation authority for Israel. The MCAI states that a new airworthiness limitation has been developed.

In the NPRM, the FAA proposed to require revising the existing maintenance or inspection program, as applicable, to incorporate a new airworthiness limitation, as specified in CAAI AD ISR I–32–24–10–01R1. The FAA is issuing this AD to prevent failure of the nose landing gear (NLG) actuator-to-strut attachment pin. The unsafe condition, if not addressed, could result in failure of the NLG to retract and lock after takeoff or extend and lock before landing.

You may examine the MCAI in the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA–2025–0756.

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

The FAA reviewed CAAI AD ISR I–32–24–10–01R1, which specifies a new airworthiness limitation for the safe life limit of the NLG actuator-to-strut attachment pin. 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 85 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

The FAA has determined that revising the existing maintenance or inspection program takes an average of 90 work-hours per operator, although the agency recognizes that this number may vary from operator to operator. Since operators incorporate maintenance or inspection program changes for their affected fleet(s), the FAA has determined that a per-operator estimate is more accurate than a per-airplane estimate. Therefore, the agency estimates the average total cost per operator to be \$7,650 (90 work-hours × \$85 per work-hour).

Authority for This Rulemaking

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

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

Regulatory Findings

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:

2025–15–04 Gulfstream Aerospace LP (Type Certificate Previously Held by Israel Aircraft Industries, Ltd.): Amendment 39–23091; Docket No. FAA–2025–0756; Project Identifier MCAI–2024–00595–T.

(a) Effective Date

This airworthiness directive (AD) is effective September 10, 2025.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all Gulfstream Aerospace LP (Type Certificate previously held by Israel Aircraft Industries, Ltd.) Model Gulfstream G150 airplanes, certificated in any category.

(d) Subject

Air Transport Association (ATA) of America Code 05, Time Limits/Maintenance Checks; 32, Landing Gear.

(e) Unsafe Condition

This AD was prompted by a determination that a new airworthiness limitation is necessary. The FAA is issuing this AD to prevent failure of the nose landing gear (NLG) actuator-to-strut attachment pin. The unsafe condition, if not addressed, could result in failure of the NLG to retract and lock after take-off or extend and lock before landing.

(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, Civil Aviation Authority of Israel (CAAI) AD ISR I–32–24–10–01R1, revised October 15, 2024 (CAAI AD ISR I–32–24–10–01R1).

(h) Exceptions to CAAI AD ISR I–32–24–10–01R1

(1) Where CAAI AD ISR I–32–24–10–01R1 refers to its effective date, this AD requires using the effective date of this AD.

(2) The initial compliance time for doing the task specified in the Action paragraph of CAAI AD ISR I–32–24–10–01R1 is at the applicable “discard” interval as specified in the material referenced in the Action paragraph of CAAI AD ISR I–32–24–10–01R1, or within 3 months after the effective date of this AD, whichever occurs later.

(3) Where the Action paragraph of CAAI AD ISR I–32–24–10–01R1 specifies to “incorporate AMM Revision 29”, this AD requires replacing that text with “revise the existing maintenance or inspection program, as applicable, by incorporating the Nose Landing Gear Actuator to Nose Landing Gear Strut Attachment Pin task identified in AMM Revision 29”.

(i) Provisions for Alternative Actions and Intervals

After the existing maintenance or inspection program has been revised as required by paragraph (g) of this AD, no alternative actions (e.g., inspections) or intervals are allowed unless they are approved as specified in the provisions of paragraph (j)(1) of this AD.

(j) Additional AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the International Validation Branch, send it to the attention of the person identified in paragraph (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, International Validation Branch, FAA; or CAAI; or CAAI’s authorized Designee. If approved by the CAAI Designee, the approval must include the Designee’s authorized signature.

(k) Additional Information

For more information about this AD, contact Fatin Saumik, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7350; email fatin.r.saumik@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) Civil Aviation Authority of Israel (CAAI) AD ISR I–32–24–10–01R1, revised October 15, 2024.

(ii) [Reserved]

(3) For CAAI material identified in this AD, contact CAAI, P.O. Box 1101, Golan Street, Airport City, 70100, Israel; telephone 972–3–9774665; fax 972–3–9774592; email aip@mot.gov.il. You may find this material on the CAAI website at www.gov.il/en/pages/israeli-airworthiness-directives.

(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 August 1, 2025.

Christopher R. Parker,

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

[FR Doc. 2025–14870 Filed 8–5–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–1724; Project Identifier AD–2025–01178–T; Amendment 39–23096; AD 2025–15–09]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: The FAA is superseding Airworthiness Directive (AD) 2024–15–03, which applied to all The Boeing Company Model 777 airplanes. AD 2024–15–03 required identifying the part number, and the serial number if applicable, of the Captain’s and First

Officer's seats and applicable on-condition actions for affected seats. AD 2024–15–03 also required a one-time detailed inspection and repetitive checks of the horizontal movement system (HMS) for the Captain's and First Officer's seats and applicable on-condition actions. Since the FAA issued AD 2024–15–03, the FAA determined that AD 2024–15–03 contains an error when providing conditions for taking credit using a previous revision of the service information. This AD requires the actions of AD 2024–15–03 and revises paragraph (j) of this AD to clarify which actions are not required. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective August 21, 2025.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of October 15, 2024 (89 FR 72976, September 9, 2024).

The FAA must receive comments on this AD by September 22, 2025.

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

- *Federal eRulemaking Portal:* Go to [regulations.gov](https://www.regulations.gov). Follow the instructions for submitting comments.

- *Fax:* 202–493–2251.

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

- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

AD Docket: You may examine the AD docket at [regulations.gov](https://www.regulations.gov) by searching for and locating Docket No. FAA–2025–1724; 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 street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For Boeing material identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminister Boulevard, MC 110–SK57, Seal Beach, CA 90740–5600; phone 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](https://www.regulations.gov) under Docket No. FAA–2025–1724.

FOR FURTHER INFORMATION CONTACT: Julie Linn, Aviation Safety Engineer, FAA, 2200 South 216th Street, Des Moines, WA 98198; phone 206–231–3584; email Julie.Linn@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written data, views, or arguments about this final rule. Send your comments using a method listed under the **ADDRESSES** section. Include “Docket No. FAA–2025–1724 and Project Identifier AD–2025–01178–T” at the beginning of your comments. The most helpful comments reference a specific portion of the final rule, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this final rule because of those comments.

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

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this AD contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this AD, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as “PROPIN.” The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this AD. Submissions containing CBI should be sent to Julie Linn, Aviation Safety Engineer, FAA, 2200 South 216th Street, Des Moines, WA 98198; phone 206–231–3584; email Julie.Linn@faa.gov. Any commentary that the FAA receives that is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

The FAA issued AD 2024–15–03, Amendment 39–22794 (89 FR 72976,

September 9, 2024) (AD 2024–15–03), for all The Boeing Company Model 777–200, –200LR, –300, –300ER, and 777F series airplanes. AD 2024–15–03 superseded AD 2019–16–05, Amendment 39–19708 (84 FR 45895, September 23, 2019), and required identifying the part number, and the serial number if applicable, of the Captain's and First Officer's seats and applicable on-condition actions for affected seats, including inspecting the fore/aft and vertical manual control levers for looseness, installing serviceable seats, and doing a seat functional test after any cable adjustment. AD 2024–15–03 also required a one-time detailed inspection and repetitive checks of the HMS for the Captain's and First Officer's seats and applicable on-condition actions, including clearing the seat tracks of foreign object debris (FOD), overhauling the HMS, and replacing the horizontal stabilizer. AD 2024–15–03 was prompted by reports of uncommanded fore and aft movement of the Captain's and First Officer's seats. The FAA issued AD 2024–15–03 to address uncommanded fore and aft movement of the Captain's and First Officer's seats which, during a critical part of a flight such as takeoff or landing, could cause a flight control obstruction or unintended flight control input, which could result in the loss of the ability to control the airplane.

Actions Since AD 2024–15–03 Was Issued

Since the FAA issued AD 2024–15–03, the FAA determined that paragraph (j) of AD 2024–15–03 inadvertently provided credit for the actions in both paragraphs (g) and (h) of AD 2024–15–03 for a seat that met the criteria in any row of Figure 1 to paragraph (j) of AD 2024–15–03. The FAA intended to provide credit for the actions in paragraph (g) of AD 2024–15–03 if the airplane records show that a seat meets the conditions pertaining to Boeing Special Attention Service Bulletin 777–25–0607 Revision 1, dated July 17, 2018; and credit for the actions in paragraph (h) of AD 2024–15–03 if the airplane records show that a seat meets the conditions pertaining to Boeing Special Attention Service Bulletin 777–25–0619, Revision 1, dated August 8, 2018.

FAA's Determination

The FAA is issuing this AD because the agency has determined the unsafe condition described previously is likely to exist or develop in other products of the same type design.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed Boeing Special Attention Service Bulletin 777–25–0607, Revision 2, dated January 27, 2023, which the Director of the Federal Register approved for incorporation by reference as of October 15, 2024 (89 FR 72976, September 9, 2024).

The FAA also reviewed Boeing Special Attention Service Bulletin 777–25–0619, Revision 2, dated January 27, 2023, which the Director of the Federal Register approved for incorporation by reference as of October 15, 2024 (89 FR 72976, September 9, 2024).

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.

AD Requirements

This AD retains all requirements of AD 2024–15–03, except that this AD corrects paragraph (j) of AD 2024–15–03. This AD requires accomplishing the actions specified in the material already described, except for any differences identified as exceptions in the regulatory text of this AD.

Justification for Immediate Adoption and Determination of the Effective Date

Section 553(b) of the Administrative Procedure Act (APA) (5 U.S.C. 551 *et seq.*) authorizes agencies to dispense with notice and comment procedures for rules when the agency, for “good cause,” finds that those procedures are “impracticable, unnecessary, or contrary to the public interest.” Under this section, an agency, upon finding good cause, may issue a final rule without providing notice and seeking comment prior to issuance. Further, section 553(d) of the APA authorizes agencies to make rules effective in less than thirty days, upon a finding of good cause.

An unsafe condition exists that requires the immediate adoption of this AD without providing an opportunity for public comments prior to adoption. The FAA has found that the risk to the flying public justifies forgoing notice and comment prior to adoption of this rule because of the urgency to correct AD 2024–15–03 to ensure compliance. AD 2024–15–03 does not fully address the unsafe condition because it allows operators to forego complying with required corrective actions and inspections when the Captain’s or First Officer’s seat has not met the necessary conditions. Paragraph (j) of AD 2024–

15–03 incorrectly provides credit for all actions in the AD when the credit should be limited to the service information applicable to the airplane configuration. Without limiting the extent of the credit given, the unsafe condition still exists. Accordingly, notice and opportunity for prior public comment are impracticable and contrary to the public interest pursuant to 5 U.S.C. 553(b).

In addition, the FAA finds that good cause exists pursuant to 5 U.S.C. 553(d) for making this amendment effective in less than 30 days, for the same reasons the FAA found good cause to forgo notice and comment.

Regulatory Flexibility Act

The requirements of the Regulatory Flexibility Act (RFA) do not apply when an agency finds good cause pursuant to 5 U.S.C. 553 to adopt a rule without prior notice and comment. Because the FAA has determined that it has good cause to adopt this rule without notice and comment, RFA analysis is not required.

Costs of Compliance

The FAA estimates that this AD affects 286 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS PER SEAT

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Identification, seat (retained actions from AD 2024–15–03).	1 work-hour × \$85 per hour = \$85.	\$0	\$85	\$24,310.
Detailed inspection, HMS (retained actions from AD 2024–15–03).	1 work-hour × \$85 per hour = \$85.	0	\$85	\$24,310.
Checks, HMS (retained actions from AD 2024–15–03).	2 work-hours × \$85 per hour = \$170 per check cycle.	0	\$170 per check cycle	\$48,620 per check cycle.

The FAA estimates the following costs to do any on-condition actions that would be required based on the results

of the inspection. The FAA has no way of determining the number of aircraft

that might need these on-condition actions:

ON-CONDITION ACTIONS PER SEAT *

Action	Labor cost	Parts cost	Cost per product
Adjustment, control lever cable	1 work-hour × \$85 per hour = \$85	\$0	\$85.
Overhaul, HMS	11 work-hours × \$85 per hour = \$935	Up to \$5,824	Up to \$6,759.
Inspection of each seat’s fore/aft and vertical manual control levers.	1 work-hour × \$85 per hour = \$85 per seat ...	\$0	\$85 per seat.
Installation of serviceable seats	1 work-hour × \$85 per hour = \$85 per seat ...	\$0	\$85 per seat.
Clearing FOD	1 work-hour × \$85 per hour = \$85 per seat ...	\$0	\$85 per seat.
Replacement of the horizontal actuator	1 work-hour × \$85 per hour = \$85 per actuator.	\$7,937 per actuator	\$8,022 per actuator.
Operational test, adjusted control lever cable	1 work-hour × \$85 per hour = \$85 per seat ...	\$0	\$85 per seat.

* The estimated cost for tooling to align an affected seat for adjustment of the control lever cable is up to \$46,064.

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

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) 2024–15–03, Amendment 39–

22794 (89 FR 72976, September 9, 2024); and

- b. Adding the following new AD:

2025–15–09 The Boeing Company:

Amendment 39–23096; Docket No. FAA–2025–1724; Project Identifier AD–2025–01178–T.

(a) Effective Date

This airworthiness directive (AD) is effective August 21, 2025.

(b) Affected ADs

This AD replaces AD 2024–15–03, Amendment 39–22794 (89 FR 72976, September 9, 2024) (AD 2024–15–03).

(c) Applicability

This AD applies to all The Boeing Company Model 777–200, –200LR, –300, –300ER, and 777F series airplanes, certificated in any category.

(d) Subject

Air Transport Association (ATA) of America Code 25, Equipment/furnishings.

(e) Unsafe Condition

This AD was prompted by reports of uncommanded fore/aft movement of the Captain's and First Officer's seats. The FAA is issuing this AD to address uncommanded fore/aft movement of the Captain's and First Officer's seats. Uncommanded fore/aft seat movement during a critical part of a flight, such as takeoff or landing, and could cause a flight control obstruction or unintended flight control input, which could result in the loss of the ability to control the airplane.

(f) Compliance

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

(g) Seat Part Number Identification and On-Condition Actions

Except as specified in paragraphs (i) and (j) of this AD: At the applicable time specified in paragraph 1.E., "Compliance," of Boeing Special Attention Service Bulletin 777–25–0607, Revision 2, dated January 27, 2023, do an inspection to determine the part number, and serial number as applicable, of the Captain's and First Officer's seats, and all applicable on-condition actions, in accordance with the Accomplishment Instructions of Boeing Special Attention Service Bulletin 777–25–0607, Revision 2, dated January 27, 2023. A review of airplane maintenance records is acceptable in lieu of this inspection if the part number and serial number of the Captain's and First Officer's seats can be conclusively determined from that review.

(h) Detailed Inspection, and Repetitive Checks of Horizontal Movement System and On-Condition Actions

Except as specified in paragraphs (i) and (j) of this AD: At the applicable times specified

in paragraph 1.E., "Compliance," of Boeing Special Attention Service Bulletin 777–25–0619, Revision 2, dated January 27, 2023, do all applicable actions identified as "RC" (required for compliance) in, and in accordance with, the Accomplishment Instructions of Boeing Special Attention Service Bulletin 777–25–0619, Revision 2, dated January 27, 2023. Actions identified as terminating action in Boeing Special Attention Service Bulletin 777–25–0619, Revision 2, dated January 27, 2023, terminate the applicable required actions of this AD, provided the terminating action is done in accordance with the Accomplishment Instructions of Boeing Special Attention Service Bulletin 777–25–0619, Revision 2, dated January 27, 2023.

(i) Exceptions to Service Bulletin Specifications

(1) Where Boeing Special Attention Service Bulletin 777–25–0619, Revision 2, dated January 27, 2023, uses the phrase "the Original issue date of this service bulletin," this AD requires replacing those words with "October 8, 2019 (the effective date of AD 2019–16–05)".

(2) Where Boeing Special Attention Service Bulletin 777–25–0607, Revision 2, dated January 27, 2023, specifies compliance for certain actions "within 72 months after the Original Issue date of this service bulletin," this AD requires replacing those words with "within 36 months after October 8, 2019 (the effective date of AD 2019–16–05)".

(3) Where Boeing Special Attention Service Bulletin 777–25–0607, Revision 2, dated January 27, 2023, specifies compliance for certain actions "within 36 months after the Revision 2 date of this service bulletin," this AD requires compliance within 36 months after October 15, 2024 (the effective date of AD 2024–15–03).

(j) Acceptable Conditions for Compliance

If the airplane records show that an Ipeco Captain's or First Officer's seat installed on an airplane meets the conditions in any of the seven rows for Boeing Special Attention Service Bulletin 777–25–0607, Revision 1, dated July 17, 2018, in Figure 1 to paragraph (j) of this AD, then the actions in paragraph (g) of this AD are not required for that seat. If the airplane records show that an Ipeco Captain's or First Officer's seat meets the conditions in any of the five rows for Boeing Special Attention Service Bulletin 777–25–0619, Revision 1, dated August 8, 2018, in Figure 1 to paragraph (j) of this AD, then the actions specified in paragraph (h) of this AD are not required for that seat.

Figure 1 to Paragraph (j)—Alternative Acceptable Seats

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Actions done in accordance with Boeing Special Attention Service Bulletin –	Actions done in accordance with Ipeco Service Bulletin–	Having Ipeco Part Number –	And additional required conditions –
777-25-0607, Revision 1, dated July 17, 2018	None	3A258-0041-01-2 or 3A258-0042-01-2	No additional conditions required.
	201-25-04, Issue 2, dated March 28, 2014; or Issue 3, dated March 4, 2020; or Issue 4, dated January 28, 2021	3A201-0007-01-1 or 3A201-0008-01-1	The manual override cable maintenance has been completed on the seat in accordance with Ipeco Component Maintenance Manual 25-10-87, Revision 28, dated December 13, 2013, or subsequent revisions up to and including Revision 53, dated November 30, 2023.
	201-25-04, Issue 4, dated January 28, 2021	3A201-0007-01-1Z or 3A201-0008-01-1Z	The manual override cable maintenance has been completed on the seat in accordance with Ipeco Component Maintenance Manual 25-10-87, Revision 28, dated December 13, 2013, or subsequent revisions up to and including Revision 53, dated November 30, 2023.
	258-25-08, Issue 4, dated April 25, 2014; or Issue 5, dated March 4, 2020; or Issue 6, dated January 28, 2021	3A258-0041-01-1 or 3A258-0042-01-1	Does not have a serial number identified by the effectivity of the referenced Ipeco service bulletins.
	258-25-08, Issue 4, dated April 25, 2014; or Issue 5, dated March 4, 2020; or Issue 6, dated January 28, 2021	3A258-0041-01-1 or 3A258-0042-01-1	The manual override cable maintenance has been completed on the seat in accordance with Ipeco Component Maintenance Manual 25-11-38, Revision 21, dated December 12, 2013, or subsequent revisions up to and including Revision 53, dated December 4, 2023.
	258-25-08, Issue 6, dated January 28, 2021	3A258-0041-01-1Z or 3A258-0042-01-1Z	Does not have a serial number identified by the effectivity of the referenced Ipeco service bulletin.
	258-25-08, Issue 6, dated January 28, 2021	3A258-0041-01-1Z or 3A258-0042-01-1Z	The manual override cable maintenance has been completed on the seat in accordance with Ipeco Component Maintenance Manual 25-11-38, Revision 21, dated December 12, 2013, or subsequent revisions up to and including Revision 53, dated December 4, 2023.
Installation per Boeing Special Attention Service Bulletin –	And installation per Ipeco Service Bulletin –	Having Ipeco Part Number –	And additional required conditions –

777-25-0619, Revision 1, dated August 8, 2018	None	3A201-0007-01-1Z, 3A201-0008-01-1Z, 3A258-0041-01-2, 3A258-0041-01-1Z, 3A258-0042-01-2, or 3A258-0042-01-1Z	No additional conditions required.
	201-25-07, Issue 3, dated January 9, 2018; or Issue 4, dated April 20, 2020	3A201-0007-01-1 or 3A201-0008-01-1	Has a horizontal actuator with Artus part number AD8650503 at "Amendment C" or later.
	201-25-08, Issue 4, dated January 29, 2018; or Issue 5, dated April 20, 2020; or Issue 6, dated April 6, 2021	3A201-0007-01-1 or 3A201-0008-01-1	Has a horizontal actuator with Artus part number AD8650503 at "Amendment C" or later.
	258-25-13, Issue 3, dated November 27, 2017; or Issue 4, dated April 28, 2020; or Issue 5, dated November 1, 2021	3A258-0041-01-1 or 3A258-0042-01-1	Has a horizontal actuator with Artus part number AD8650503 at "Amendment C" or later.
	258-25-14, Issue 4, dated January 29, 2018; or Issue 5, dated April 28, 2020	3A258-0041-01-1 or 3A258-0042-01-1	Has a horizontal actuator with Artus part number AD8650503 at "Amendment C" or later.

BILLING CODE 4910-13-C

(k) 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 (l) of this AD. Information may be emailed to: AMOC@faa.gov.

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

(4) AMOCs approved for AD 2019-16-05 are approved as AMOCs for the corresponding provisions of Boeing Special Attention Service Bulletin 777-25-0607,

Revision 2, dated January 27, 2023, and Boeing Special Attention Service Bulletin 777-25-0619, Revision 2, dated January 27, 2023, that are required by paragraphs (g) and (h) of this AD.

(5) Except as required by paragraph (i) of this AD: For material that contains steps that are labeled as Required for Compliance (RC), the provisions of paragraphs (k)(5)(i) and (ii) of this AD apply.

(i) The steps labeled as RC, including substeps under an RC step and any figures identified in an RC step, must be done to comply with the AD. If a step or substep is labeled "RC Exempt," then the RC requirement is removed from that step or substep. An AMOC is required for any deviations to RC steps, including substeps and identified figures.

(ii) Steps not labeled 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 RC steps, including substeps and identified figures, can still be done as specified, and the airplane can be put back in an airworthy condition.

(l) Related Information

For more information about this AD, contact Julie Linn, Aviation Safety Engineer, FAA, 2200 South 216th Street, Des Moines, WA 98198; phone 206-231-3584; email Julie.Linn@faa.gov.

(m) Material Incorporated by Reference

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

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

(3) The following material was approved for IBR on October 15, 2024 (89 FR 72976, September 9, 2024).

(i) Boeing Special Attention Service Bulletin 777-25-0607, Revision 2, dated January 27, 2023.

(ii) Boeing Special Attention Service Bulletin 777-25-0619, Revision 2, dated January 27, 2023.

(4) For Boeing material identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminister Boulevard, MC 110-SK57, Seal Beach, CA 90740-5600; phone 562-797-1717; website myboeingfleet.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 August 4, 2025.

Peter A. White,

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

[FR Doc. 2025–14933 Filed 8–5–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 73

[Docket No. FDA–2021–C–0522]

Listing of Color Additives Exempt From Certification; Gardenia (Genipin) Blue; Correction

AGENCY: Food and Drug Administration, HHS.

ACTION: Final amendment; order; correction.

SUMMARY: The Food and Drug Administration (FDA or we) is correcting the order entitled “Listing of Color Additives Exempt from Certification; Gardenia (Genipin) Blue”. In the order, FDA amended the color additive regulations to provide for the safe use of gardenia (genipin) blue in various foods, at levels consistent with good manufacturing practice (GMP). The order inadvertently misstated the methanol specification. This document corrects that error.

DATES: Effective August 29, 2025.

FOR FURTHER INFORMATION CONTACT: Stephen DiFranco, Office of Pre-market Additive Safety, Human Foods Program, Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240–402–2710; or Deirdre Jurand, Office of Policy, Regulations, and Information, Human Foods Program, Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240–402–2378.

SUPPLEMENTARY INFORMATION: In FR Doc. 2025–13175, appearing on page 31586 in the **Federal Register** of Tuesday, July 15, 2025, the following corrections are made:

1. In the **SUPPLEMENTARY INFORMATION** section, in subsection II: Background, on page 31588, in the first column, in the middle of the first full paragraph, “6 mg/kg (6 ppm)” is corrected to read “300 mg/kg (300 ppm)”.

§ 73.168 [Corrected]

2. On page 31590, in the second column, in § 73.168, in paragraph (b)(3), “Methanol, not more than 6 mg/kg (6 ppm).” is corrected to read “Methanol, not more than 300 mg/kg (300 ppm).”

Dated: August 1, 2025.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–14905 Filed 8–5–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket No. USCG–2025–0473]

Special Local Regulation; Marine Events Within the Eleventh Coast Guard District—Swim for Special Operations Forces.

AGENCY: Coast Guard, DHS.

ACTION: Notification of enforcement of regulation.

SUMMARY: The Coast Guard will enforce the special local regulation on the waters of San Diego Bay, CA, during the Swim for Special Operations Forces on September 13, 2025. This special local regulation is necessary to provide for the safety of the participants, crew, sponsor vessels of the event, and general users of the waterway. During the enforcement period, persons and vessels are prohibited from entering, transiting through, or anchoring within this regulated area unless authorized by the Captain of the Port, or his designated representative.

DATES: The regulations in 33 CFR 100.1101 for the location described in Item 16 in table 1 to § 100.1101, will be enforced from 7:30 a.m. until Noon on September 13, 2025.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notification of enforcement, call or email Lieutenant Shelley Turner, Waterways Management, U.S. Coast Guard Sector San Diego, CA; telephone (619) 278–7656, email MarineEventsSD@uscg.mil.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the special local regulations in 33 CFR 100.1101 for the location identified in Item No. 16 in table 1 to § 100.1101, from 7:30 a.m. until Noon on September 13, 2025, for the Swim for Special Operations Forces in San Diego Bay, CA. This action is being taken to provide for the safety of life on the navigable waterways during the event. Our regulation for recurring marine events in the San Diego Captain of the Port Zone, § 100.1101, Item No. 16 in table 1 to § 100.1101, specifies the location of the regulated area for the

Swim for Special Operations Forces, which encompasses portions of San Diego Bay. Under the provisions of § 100.1101, persons and vessels are prohibited from entering, transiting through, or anchoring within this regulated area unless authorized by the Captain of the Port, or his designated representative. The Coast Guard may be assisted by other Federal, State, or local law enforcement agencies in enforcing this regulation.

In addition to this document in the **Federal Register**, the Coast Guard will provide the maritime community with advance notification of this enforcement period via the Local Notice to Mariners and marine information broadcasts.

R.C. Tucker,

Captain, U.S. Coast Guard, Captain of the Port San Diego.

[FR Doc. 2025–14899 Filed 8–5–25; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2024–1102]

RIN 1625–AA11

Regulated Navigation Area; Ludington Harbor Channel and Pere Marquette Lake, Ludington, MI

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is establishing a regulated navigation area to control vessel movement for certain waters of Lake Michigan, the Ludington Harbor Channel, and Pere Marquette Lake in Ludington, MI. This action is necessary to provide for the safety of life, environment, and property on these navigable waters due to hazardous conditions resulting from increased vessel traffic congestion.

DATES: This rule is effective without actual notice August 6, 2025. For the purposes of enforcement, actual notice will be used from 01 Aug 2025 until August 6, 2025.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG–2024–1102 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 Lieutenant Commander Jessica Anderson, Sector Lake Michigan Waterways Management Division, U.S. Coast Guard; telephone 414-216-8428, email d09-smb-seclakemichigan-wwm@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
OMB Office of Management and Budget
RNA Regulated Navigation Area
§ Section
U.S.C. United States Code

II. Background Information and Regulatory History

Beginning in August 2022, the Coast Guard received notice that sporadic high concentrations of vessels operating in the vicinity of the narrow waters of the Ludington Harbor Channel and Pere Marquette Lake in Ludington, MI, were creating hazardous navigation conditions for larger vessels transiting the area. Of particular concern, large commercial vessels were forced to take immediate action on several occasions to avoid imminent collision with these highly concentrated vessels. High concentration of vessels were not always present, but arose sporadically, primarily in connection with fishing seasons. Similar concerns were brought to the Coast Guard in the summer and fall of 2023 and 2024. In response, on April 22, 2025, the Coast Guard published a notice of proposed rulemaking (NPRM) entitled, “Regulated Navigation Area; Ludington Harbor Channel and Pere Marquette Lake, Ludington, MI” (FR Doc. 2025-06868). There we stated why we issued the NPRM and invited comments on the proposed regulated navigation area. During the comment period, which ended June 23, 2025, we received 15 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 an anticipated salmon migration into the regulated area on or about August 1, 2025 and subsequent hazardous levels of vessel congestion due to increased salmon fishing vessel activity in the regulated area.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under the authority in 46 U.S.C. 70034.

The Great Lakes District Commander has determined that a Regulated Navigation Area (RNA) is necessary to address safety concerns due to hazardous levels of vessel traffic congestion in the Ludington Harbor Channel and Pere Marquette Lake in Ludington, MI. The goal is to prevent loss of life, vessel collisions and groundings, environmental damage, and loss of property resulting from conflicts between varied users of these navigable waterways. These regulations are intended to encompass fishing vessels, pleasure craft, ferries, tow boats, deep draft vessels, and other commercial vessel traffic. This regulation is necessary due to a significant increase in risks to safety and hazardous conditions due to high volumes of traffic, combined with a unique layout of the navigable waters and relatively narrow channel, requiring additional means to protect waterways users as normal navigation rules are not sufficient.

IV. Discussion of Comments, Changes, and the Rule

As noted above, we received 15 comments on our NPRM published April 22, 2025. Of those comments, 6 were in support of the RNA as written and the Coast Guard appreciates the positive feedback and support for this endeavor to keep waterways safe for all waterways users.

There were 9 comments which require more detailed response. The first comment supported specific rules being placed pertaining to crowded waterways and the local ferry but was not in support of temporary rules. To clarify, this is a permanent rule, only the enforcement periods will be temporary. This rule allows the Captain of the Port, with input from local law enforcement authorities, to activate and enforce the RNA while conditions warrant. Unlike a temporary rule, the Coast Guard will have the ability to activate and enforce the RNA at any time during the entire year but will only do so when conditions deem it necessary. The Coast Guard appreciates the input.

The second comment agreed that rules providing safety are appropriate but cautioned against ambiguity. This comment highlighted the challenge in interpreting the proposed distances. The Coast Guard and our partners are dedicated to the safety of all waterway users and are taking a proactive approach to ensure safety for all parties. Discretion will be used during the enforcement periods of the RNA. These distances provide federal and local law enforcement with greater enforcement capability by establishing more specific

standards than current rules allow. A prudent mariner will operate at greater distances than the distances listed in the rule. The Coast Guard, in conjunction with local authorities, will provide educational materials and outreach as the RNA goes into effect. The Coast Guard and its state and local partners’ goal is to promote safety by deterring unsafe acts. During enforcement of the RNA, operating at less than the distances listed may result in enforcement action. The Coast Guard urges all mariners to maintain situational awareness and abide by all navigational rules.

The third comment stated that the RNA establishes a precedent that a larger vessel is right in all interactions. That is not correct. The RNA only establishes minimum distances to be maintained from vessels 100 feet or longer when conditions warrant. These requirements recognize that larger vessels in constricted waters with high traffic density are less able to maneuver quickly to avoid another vessel. It does not grant vessels larger than 100 feet any exemption from the Inland Navigation Rules, or the need for these vessels to operate in a prudent manner. This RNA does not grant any vessel any preference or deviation from the Rules of the Road.

The fourth comment expressed concerns surrounding visitors to the Ludington and Pere Marquette area being unaware of the rules. The Coast Guard, in conjunction with local partners, will be providing educational and informative materials for the proposed RNA once the final rule has been published.

The fifth comment inquired as to the enforcement of Rule 9 of the COLREGS. By implementing this RNA, the Coast Guard is not stating that Rule 9 does not apply to the regulated area. However, this RNA provides greater clarity to mariners regarding the specific procedures to follow during periods of the rule’s enforcement in order to ensure safety of life, environment, and property on these navigable waters. The aim of this RNA is to minimally impact the usage of the waterway for all waterway users as all mariners, both recreational and commercial, have equal usage of a Federal Waterway.

The sixth comment stated that the problem is sporadic high concentrations of vessels operating in the vicinity of narrow waters of the Ludington Harbor Channel and Pere Marquette Lake but that the proffered solution leaves full discretion to the COTP as to when the concentration of vessels becomes high enough to activate the regulation. The commentor suggests that a minimum number of vessels should automatically

trigger activation of the regulation. The commentor also stated that the minimum distances from vessels greater than 100' in length seem impossible to meet and requested more clarity on how information will be distributed. All vessels are to comply with established Navigation Rules. This RNA, when activated, establishes minimum distances for all mariners that must be kept from all vessels greater than 100 feet in length, not just commercial vessels. By maintaining the specified distances, vessels will not be transiting in closer proximity to vessels that are 100 feet in length. The Coast Guard will provide educational and informative broadcasts as well as provide outreach with the Harbormaster of Ludington and other enforcement authorities.

The seventh comment requested specific coordinates for the rule. As the rule is written, it would encompass an arc 1,000 yards from the Ludington, Michigan harbor entrance. GPS coordinates can be extrapolated from that arc. The Coast Guard will continue to work with our federal Partners to ensure clarity and compliance.

The eighth comment stated salmon began returning to Pere Marquette in the late 1960s and that there has been seasonal, sporadic congestion ever since without the need for additional federal action. The comment expressed concerns with electronic anchoring, reduction in Coast Guard presence, and increased commercial traffic. The commentor desired increased Coast Guard presence and clarity as to who will declare this regulation effective in times of congestion. The commentor also expressed concerns with the proposed distances in that they should allow for boats to remain in the channel at a safe distance while commercial traffic is passing. The Coast Guard is committed to the safety of the waterway and all waterways users. The Coast Guard maintains search and rescue as well as law enforcement coverage through a layered system. There is not a current rule which adequately addressed the hazards described in this comment. This rule allows the Coast Guard to take a preventative approach to mitigate close quarters situations and risk of collision within the proposed area. The Coast Guard, as well as the Harbormaster of Ludington, have directly observed the hazardous conditions this rule is intended to address. In determining whether to activate the RNA's requirements, the Captain of the Port will likely seek input from Coast Guard Station Manistee which provides assets to the Coast Guard's Forward Operating Location in Ludington along with local authorities

to determine if the waterway congestion is compromising the safety of navigation of vessels. This RNA does not preclude vessels from being in the channel while vessels greater than 100' pass through as long as they abide by the navigation rules.

The ninth comment stated that skill and understanding of the COLREGS by recreational fisherman is the issue. The commentor requested for recreational fishing vessels to be banned from the area permanently and for the area to be extended to 1,000 yards in all directions for all vessels greater than 26'. The Coast Guard is committed to maintaining a safe and transitable waterway for all mariners and is seeking to establish a rule that has the most minimal, but effective, results for all who seek to use this waterway.

The Coast Guard appreciates all of the comments that were received, both in favor and those requesting further clarification. Taking into consideration these comments and our responses, there is one change to the regulatory text of this rule from the proposed rule in the NPRM. The words "at least" were added in paragraph (d)(1) to state "Vessels and all waterways users must maintain a distance of at least 440 yards from the bow, 100 yards from the stern, and 35 yards from the port and starboard side of any vessel greater than 100 feet in length transiting through the regulated navigation area as described in paragraph (a) of this section."

This rule establishes a regulated navigation area which would be enforced only when hazardous levels of vessel traffic congestion ("Congestion") exist. Operations potentially creating Congestion include, but are not limited to, vessels engaged in fishing, recreational fishing derbies, regattas, or permitted marine events. The Captain of the Port, Sector Lake Michigan ("COTP") will determine when Congestion exists and will notify the public via Broadcast Notice to Mariners and other comparable public notice and will coordinate and inform the harbormaster of Ludington before enforcement of the Regulated Navigation Area. When Congestion exists, vessels and all waterways users, with the exception of Federal or State entities operating in official capacity, would be required to maintain a distance of at least 440 yards from the bow, 100 yards from the stern, and 35 yards from the port and starboard side of any commercial or recreational vessels greater than 100 feet in length transiting into or out of the Ludington Harbor Channel, starting at 1,000 yards outside the Ludington Harbor entrance and encompassing all navigable

waterways within the Ludington Harbor Channel and Pere Marquette Lake.

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.

This regulatory action determination is based on the characteristics of the regulated navigation area. The proposed rule is expected to place minimal restrictions on vessel movement and is designed to minimize impact on navigable waters. Vessels may still transit through the regulated navigation area and the impact will be short in duration.

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 safety zone 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 the establishment of a regulated navigation area which would be enforced only when Congestion exists. During this period of enforcement, vessels would be permitted to operate, albeit it with limited navigation restrictions when large commercial vessels are transiting the regulated waters. Accordingly, it is categorically excluded from further review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A 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.

List of Subjects in 33 CFR Part 165

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

For the reasons stated in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

- 1. The authority citation for part 165 continues to read as follows:

Authority: 46 U.S.C. 70034, 70051, 70124; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.4.

- 2. Add § 165.972 to read as follows:

§ 165.972 Regulated Navigation Area; Ludington Harbor Channel and Pere Marquette Lake, Ludington, Michigan

(a) *Location.* The following area is a regulated navigation area: All navigable waters of the Ludington Harbor Channel and Pere Marquette Lake, from surface to bottom, as well as navigable waters of

Lake Michigan within 1,000 yards of the Ludington, Michigan harbor entrance.

(b) *Definitions.* As used in this section:

(1) *Vessels engaged in fishing* are as identified in the definition found in Rule 3 of the International Regulations for Prevention of Collisions at Sea, 1972, (72 COLREGS), found in appendix A, part 81 of this chapter.

(2) *Hazardous levels of vessel traffic congestion* are as defined at the time by the Captain of the Port or a designated representative. Operations potentially creating hazardous levels of vessel traffic congestion include, but are not limited to, vessels engaged in commercial or recreational fishing, pleasure craft, tow boats, other commercial vessel traffic, recreational fishing derbies, regattas, permitted marine events, or any other condition creating a high concentration of vessels in the regulated navigation area.

(3) *Designated representative* of the Captain of the Port is any Coast Guard commissioned, warrant, or petty officer who has been designated by the Captain of the Port to act on his or her behalf.

(4) *Ludington Harbor entrance* is defined as the waters between the westernmost point of the Ludington Harbor break walls as marked by the Ludington North Breakwater Light (LLNR 18530) and Ludington Harbor South Breakwater Light (LLNR 18555).

(c) *Rules of the Road.* Nothing in this section shall be construed as relieving any party from their responsibility to comply with applicable rules set forth in the 72 COLREGS.

(d) *Regulations.* The provisions under this paragraph apply only when imposed in specific locations by the Captain of the Port or a designated representative. They are intended to enhance vessel traffic safety during periods and in locations where hazardous levels of vessel traffic congestion are deemed to exist by the Captain of the Port or a designated representative. When hazardous levels of vessel traffic congestion are determined to exist by the Captain of the Port or a designated representative per paragraph (b)(2) of this section, the Captain of the Port or designated representative will issue a Broadcast Notice to Mariners and other comparable public notice and will coordinate and inform the harbormaster of Ludington, notifying the public of the period and location of enforcement prior to enforcing the provisions under this paragraph.

(1) Vessels and all waterways users must maintain a distance of at least 440 yards from the bow, 100 yards from the stern, and 35 yards from the port and

starboard side of any vessel greater than 100 feet in length transiting through the regulated navigation area as described in paragraph (a) of this section.

(2) Federal, State, or local entities operating in official capacity are excepted from paragraph (d).

(3) In an emergency, the master, pilot, or person directing the movement of the vessel may deviate from this section to the extent necessary to avoid endangering persons, property, or the environment, and shall report the deviation to The United States Coast Guard via VHF channel 16 as soon as possible.

(4) Violations of this rule should be reported to the Captain of the Port Sector Lake Michigan, at (414) 747-7182 or on VHF-Channel 16. Vessels or persons in violation of this rule may be subject to the civil and/or criminal penalties set forth in 46 U.S.C. 70036.

Dated: August 1, 2025.

M.I. Kuperman,

*Captain, U.S. Coast Guard, Acting
Commander, Great Lakes District.*

[FR Doc. 2025-14884 Filed 8-5-25; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 174

[EPA-HQ-OPP-2024-0293; FRL-12818-01-
OCSPP]

Bacillus thuringiensis Cry1A.2 and Cry1B.2 Proteins; Exemptions From the Requirement of a Tolerance

AGENCY: Environmental Protection
Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes exemptions from the requirement of a tolerance for residues of the *Bacillus thuringiensis* Cry1A.2 and Cry1B.2 proteins (hereafter Cry1A.2 and Cry1B.2 proteins) in or on the food and feed commodities of soybean when used as plant-incorporated protectants (PIP) in soybean. Bayer CropScience LP submitted a petition to EPA under the Federal Food, Drug, and Cosmetic Act (FFDCA), requesting these exemptions. This regulation eliminates the need to establish a maximum permissible level for residues of these pesticides when used in accordance with the terms of the exemption.

DATES: This regulation is effective on August 6, 2025. Objections and requests for hearings must be received on or before October 6, 2025, and must be filed in accordance with the instructions

provided in 40 CFR part 178 (see also Unit I.C. of this document).

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2024-0293, is available at <http://www.regulations.gov>. Additional information about dockets generally, along with instructions for visiting the docket in person, is available at <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT:

Shannon Borges, Biopesticides and Pollution Prevention Division (7511M), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; main telephone number: (202) 566-1400; email address: BPPDFRNotices@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Executive Summary

A. Does this action apply to me?

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

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

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

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

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

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

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

Under FFDCA section 408(g), 21 U.S.C. 346a(g), any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. If you fail to file an objection to the final rule within the time period specified in the final rule, you will have waived the right to raise any issues resolved in the final rule. You must file your objection or request a hearing on this regulation in accordance with the instructions provided in 40 CFR part 178. To ensure proper receipt by EPA, you must identify docket ID number EPA-HQ-OPP-2024-0293 in the subject line on the first page of your submission. All objections and requests for a hearing must be in writing and must be received by the Hearing Clerk on or before October 6, 2025.

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

person should utilize the OALJ e-filing system at <https://yosemite.epa.gov/OA/EAB/EABALJupload.nsf>.

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

II. Petitioned for Exemption

In the **Federal Register** of August 8, 2024 (89 FR 64842) (FRL–11682–06–OCSPP), EPA issued a document pursuant to FFDCA section 408(d)(3), 21 U.S.C. 346a(d)(3), announcing the filing of a pesticide tolerance petition (PP 3F9096) by Bayer CropScience LP, 800 N Lindbergh Blvd., St. Louis, Missouri 63167. The petition requested that 40 CFR part 174 be amended by establishing an exemption from the requirement of a tolerance for residues of the plant-incorporated protectants (PIPs) *Bacillus thuringiensis* Cry1A.2 and *Bacillus thuringiensis* Cry1B.2 in or on soybean. That document referenced a summary of the petition prepared by the petitioner Bayer Crop Science LP, which is available in the docket. There was one comment received in response to the notice of filing. EPA's response to this comment is discussed in Unit III.C.

III. Final Tolerance Actions

A. EPA's Safety Determination

EPA evaluated the available toxicity and exposure data on Cry1A.2 and Cry1B.2 proteins and considered their validity, completeness, and reliability, as well as the relationship of this information to human risk. EPA has also considered available information concerning the variability of the sensitivities of major identifiable subgroups of consumers, including infants and children. A summary of the data upon which EPA relied and its risk assessment based on those data can be found within the document entitled "Product Characterization Review and Human Health Risk Assessment of the Insecticidal Plant-Incorporated

Protectant Active Ingredients, Cry1A.2 and Cry1B.2, and the Genetic Material Necessary (PV–GMIR527237) for their Production in Event MON 94637 Soybean (OECD Unique Identifier: MON 94637–8), and Establishment of a Permanent Tolerance Exemption for Residues of these Proteins When Used as a Plant Incorporated Protectant in Soybean. Data Were Provided in Support of a FIFRA Section 3 Seed Increase Registration" (Human Health Risk Assessment). This document, as well as other relevant information, is available in the docket for this action as described under **ADDRESSES**.

Cry1A.2 is a modified protein derived from the bacterium *Bacillus thuringiensis* (*Bt*) and is active against certain lepidopteran pests of soybean. As discussed in the Human Health Risk Assessment, available data demonstrated that, with regard to humans, the Cry1A.2 protein does not pose a toxic risk to humans and has a low risk of allergenicity.

Cry proteins, such as Cry1A.2, have specific activity limited to certain insect orders due to the alkaline environment found in the insect midgut and the presence of specific receptors in the insect gut to which activated Cry proteins bind. Upon ingestion of the protein by the insect, the Cry protein is proteolytically activated by the alkaline environment, where it binds to membrane receptors in the midgut epithelium and then oligomerizes to form pores in the membrane, resulting in ion imbalance and ultimately death of the insect. Unlike insects, the human gut environment is highly acidic and contains proteases which facilitate protein degradation rather than protein activation. In addition, there are no known equivalent insecticidal Cry protein receptor sites in mammalian species which could be affected. This general expectation is supported for Cry1A.2 by the results of an acute oral toxicity study in which the oral LD₅₀ of Cry1A.2 in mice was determined to be greater than 5,000 mg/kg body weight, indicating a lack of toxicity at a level well above maximum possible dietary exposure levels that are reasonably anticipated from consumption of the crop. In addition, a bioinformatics analysis of the primary protein sequence did not identify any significant homologies of the Cry1A.2 protein to known mammalian toxins. Likewise, the potential for allergenicity is low because: (1) the bacterial source of the Cry1A.2 protein, *Bt*, is ubiquitous in the environment, has a long history of safe use in agriculture, and no Cry protein produced by *Bt* is known to be an allergen; (2) bioinformatic analyses

indicate no biologically relevant similarity between the Cry1A.2 protein and any known allergens; (3) the Cry1A.2 protein degrades rapidly when exposed to digestive enzymes (gastric proteases) present in the human gastrointestinal tract; (4) the Cry1A.2 protein shows loss of function under high temperatures (≥ 75 °C), indicating that it is heat labile and will likely denature in the course of normal thermal treatment during food preparation; and (5) the Cry1A.2 protein is not glycosylated, which further reduces its allergenicity potential. Glycosylation is an enzymatic post-translational process in which carbohydrates (glycans) link to proteins, creating structures which could lead to an immune response in humans.

The most likely route of exposure to this plant-incorporated protectant is dietary, via consumption of products produced from soybean expressing the Cry1A.2 protein. Oral exposure from ingestion of drinking water is unlikely because the Cry1A.2 protein is present within the plant cells, and as such they are susceptible to degradation by environmental conditions and microbial activity. In the unlikely event that Cry1A.2 protein were to enter drinking water, exposure to this protein would not expect to result in a human health risk given the lack of toxicity and allergenicity as described above.

The Cry1A.2 protein is not proposed for use in any residential settings and as a plant-incorporated protectant, Cry1A.2 is contained within the plant cells and as such, non-occupational and residential exposure is considered to be negligible. The human health safety findings summarized above are discussed in more detail in the Human Health Risk Assessment. Cry1B.2 is also derived from the bacterium *Bt* and is active against certain lepidopteran pests of soybean. Available data demonstrated that, with regard to humans, the Cry1B.2 protein does not pose a toxic risk to humans and has a low risk of allergenicity. Like Cry1A.2, Cry1B.2 is a Cry protein with activity specific to certain insect orders through a midgut receptor-mediated mode of action. As described above, effects to humans are not expected since humans lack *Bt* receptors and the gut conditions necessary to activate Cry proteins. This general expectation is supported for Cry1B.2 by the results of an acute oral toxicity study in which the oral LD₅₀ of Cry1B.2 in mice was determined to be greater than 5,000 mg/kg body weight, indicating a lack of toxicity at a level well above maximum possible exposure levels that are reasonably anticipated for the crop. In addition, a bioinformatics

analysis of the primary protein sequence did not identify any significant homologies of the Cry1B.2 protein to known mammalian toxins. Likewise, the potential for allergenicity is low because: (1) the bacterial source of the Cry1B.2 protein, *Bt*, is ubiquitous in the environment has a long history of safe use, including use as a pesticide, and no Cry protein produced by *Bt* is known to be an allergen; (2) bioinformatic analyses indicate no biologically relevant similarity between the Cry1B.2 protein and any known allergens; (3) the Cry1B.2 protein degrades rapidly when exposed to digestive enzymes (gastric proteases) present in the human gastrointestinal tract; (4) the Cry1B.2 protein shows loss of function under high temperatures (≥ 75 °C), indicating that it is heat labile and will likely denature in the course of normal thermal treatment during food preparation; and (5) the Cry1B.2 protein is not glycosylated, which further reduces its allergenicity potential. Glycosylation is an enzymatic post-translational process in which carbohydrates (glycans) link to proteins, creating structures which could lead to an immune response in humans.

The most likely route of exposure to this plant-incorporated protectant is dietary, via products produced from soybean expressing the protein. Oral exposure from ingestion of drinking water is unlikely because the Cry1B.2 protein is present within the plant cells, and as such they are susceptible to degradation by environmental conditions and microbial activity. In the unlikely event that Cry1B.2 protein were to enter drinking water, exposure to this protein would not expect to result in a human health risk given the lack of toxicity and allergenicity as described above.

The Cry1A.2 protein is not proposed for use in any residential settings and as a plant-incorporated protectant, Cry1B.2 is contained within the plant cells and as such, non-occupational and residential exposure is considered to be negligible. The human health safety findings summarized above are discussed in more detail in the Human Health Risk Assessment.

Section 408(b)(2)(D)(v) of FFDCA requires that, when considering whether to establish, modify, or revoke a tolerance, the Agency consider “available information” concerning the cumulative effects of a particular pesticide’s residues and “other substances that have a common mechanism of toxicity.” No risk of cumulative toxicity or effects from the Cry1A.2 protein has been identified as no toxicity or allergenicity has been

shown for this protein in the submitted studies. Therefore, EPA has concluded that the Cry1A.2 protein does not have a common mechanism of toxicity with other substances. Similarly, no risk of cumulative toxicity or effects from the Cry1B.2 protein has been identified as no toxicity or allergenicity has been shown for this protein in the submitted studies. Therefore, EPA has concluded that the Cry1B.2 protein does not have a common mechanism of toxicity with other substances.

Although FFDCA section 408(b)(2)(C) provides for an additional tenfold margin of safety for infants and children in the case of threshold effects, EPA has determined that there are no such effects due to the lack of toxicity of the Cry1A.2 protein. Because there are no threshold levels of concern to infants, children, and adults, EPA concludes that no additional margin of safety is necessary to protect infants and children. Similarly, EPA has determined that there are no such effects due to the lack of toxicity of the Cry1B.2 protein. Because there are no threshold levels of concern to infants, children, and adults, EPA concludes that no additional margin of safety is necessary to protect infants and children.

Based upon its evaluation described above and in the Human Health Risk Assessment, EPA concludes that there is a reasonable certainty that no harm will result to the U.S. population, including infants and children, from aggregate exposure to residues of the Cry1A.2 protein derived from the bacterium *Bacillus thuringiensis* (*Bt*). Therefore, an exemption from the requirement of a tolerance is established for residues of the Cry1A.2 protein in or on the food and feed commodities of soybean when used as a plant-incorporated protectant in soybean. Similarly, based upon its evaluation described above and in the Human Health Risk Assessment, EPA concludes that there is a reasonable certainty that no harm will result to the U.S. population, including infants and children, from aggregate exposure to residues of the Cry1B.2 protein derived from the bacterium *Bacillus thuringiensis* (*Bt*). Therefore, an exemption from the requirement of a tolerance is established for residues of the Cry1B.2 protein in or on the food and feed commodities of soybean when used as a plant-incorporated protectant in soybean.

B. Analytical Enforcement Methodology

EPA has determined that analytical methods are not required for enforcement purposes since there is no need to monitor residues due to a lack of safety concerns. Nonetheless, a

method was submitted for an enzyme-linked immunosorbent assay (ELISA) to detect the presence of Cry1A.2 and Cry1B.2 proteins in flower, forage, and grain tissues and could serve as the analytical method for these PIPs.

C. Response to Comment

One comment was received during the public comment period for the notice of filing. The commentor provided general objections to EPA establishing exemptions from tolerances for pesticides but did not provide any specific or substantive objections to the petition for tolerance exemptions of the Cry1A.2 and Cry1B.2 proteins. Based on its review of the data and other information submitted in support of the tolerance exemption petition (as described above in Unit III.A), EPA has determined that a tolerance exemption for Cry1A.2 and Cry1B.2 proteins, when used as plant-incorporated protectants, is safe under the FFDCA. Therefore, EPA is establishing an exemption from the requirement of a tolerance for residues of Cry1A.2 and Cry1B.2 proteins in or on the food and feed commodities of soybean.

VI. Statutory and Executive Order Reviews

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

A. Executive Order 12866: Regulatory Planning and Review

This action is exempt from review under Executive Order 12866 (58 FR 51735, October 4, 1993), because it establishes or modifies a pesticide tolerance or a tolerance exemption under FFDCA section 408 in response to a petition submitted to the Agency. The Office of Management and Budget (OMB) has exempted these types of actions from review under Executive Order 12866.

B. Executive Order 14192: Unleashing Prosperity Through Deregulation

Executive Order 14192 (90 FR 9065, February 6, 2025) does not apply because actions that establish a tolerance under FFDCA section 408 are exempted from review under Executive Order 12866.

C. Paperwork Reduction Act (PRA)

This action does not impose an information collection burden under the PRA 44 U.S.C. 3501 *et seq.*, because it does not contain any information collection activities.

D. Regulatory Flexibility Act (RFA)

This action is not subject to the RFA, 5 U.S.C. 601 *et seq.* The RFA applies only to rules subject to notice and comment rulemaking requirements under the Administrative Procedure Act (APA), 5 U.S.C. 553, or any other statute. This rule is not subject to the APA but is subject to FFDCA section 408(d), which does not require notice and comment rulemaking to take this action in response to a petition.

E. Unfunded Mandates Reform Act (UMRA)

This action does not contain an unfunded mandate of \$100 million or more (in 1995 dollars and adjusted annually for inflation) as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments. The action imposes no enforceable duty on any State, local, or Tribal governments or the private sector.

F. Executive Order 13132: Federalism

This action does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999), because it will not have substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government.

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

This action does not have Tribal implications as specified in Executive Order 13175 (65 FR 67249, November 9, 2000), because it will not have substantial direct effects on tribal governments, on the relationship between the Federal Government and the Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes.

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

This action is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it is not a significant regulatory action under section 3(f)(1) of Executive Order 12866, and because EPA does not believe the environmental health or safety risks addressed by this action present a disproportionate risk to children.

However, EPA's 2021 *Policy on Children's Health* applies to this action. This rule finalizes tolerance actions under the FFDCA, which requires EPA to give special consideration to

exposure of infants and children to the pesticide chemical residue in establishing a tolerance and to “ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue . . .” (FFDCA 408(b)(2)(C)). The Agency's consideration is documented in the pesticide-specific review documents, located in the applicable docket at <https://www.regulations.gov>.

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

This action is not subject to Executive Order 13211 (66 FR 28355) (May 22, 2001) because it is not a significant regulatory action under Executive Order 12866.

J. National Technology Transfer Advancement Act (NTTAA)

This action does not involve technical standards that would require Agency consideration under NTTAA section 12(d), 15 U.S.C. 272.

K. Congressional Review Act (CRA)

This action is subject to the CRA, 5 U.S.C. 801 *et seq.*, and EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 174

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

Dated: July 29, 2025.

Edward Messina,
Director, Office of Pesticide Programs.

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

PART 174—PROCEDURES AND REQUIREMENTS FOR PLANT-INCORPORATED PROTECTANTS.

- 1. authority citation for part 174 continues to read as follows:

Authority: 7 U.S.C. 136–136y; 21 U.S.C. 321(q), 346a and 371.

- 2. Add §§ 174.554 and 174.555 to subpart W to read as follows:

§ 174.554 *Bacillus thuringiensis* Cry1A.2 protein; exemption from the requirement of a tolerance.

Residues of *Bacillus thuringiensis* Cry1A.2 protein in or on the food and

feed commodities of soybean are exempt from the requirement of a tolerance when used as a plant-incorporated protectant in soybean.

§ 174.555 *Bacillus thuringiensis* Cry1B.2 protein; exemption from the requirement of a tolerance.

Residues of *Bacillus thuringiensis* Cry1B.2 protein in or on the food and feed commodities of soybean are exempt from the requirement of a tolerance when used as a plant-incorporated protectant in soybean.

[FR Doc. 2025–14887 Filed 8–5–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 180**

[EPA–HQ–OPP–2024–0426; FRL–12782–01–OCSPP]

Ethyl Formate; Exemption From the Requirement of a Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes an exemption from the requirement of a tolerance for residues of ethyl formate in or on citrus (10–10), kiwifruit (fuzzy and hardy), and table grapes when used as a fumigant in accordance with label directions and good agricultural practices. VPTox LLC, submitted a petition to EPA under the Federal Food, Drug, and Cosmetic Act (FFDCA) on behalf of Draslovka Services Pty Ltd, requesting an exemption from the requirement of a tolerance. This regulation eliminates the need to establish a maximum permissible level for residues of ethyl formate in or on citrus, crop group 10–10; kiwifruit, fuzzy; kiwifruit, hardy, and grape, table in accordance with the terms of the exemption.

DATES: This regulation is effective August 6, 2025. Objections and requests for hearings must be received on or before October 6, 2025 and must be filed in accordance with the instructions provided in 40 CFR part 178 (see also Unit I.C. of the **SUPPLEMENTARY INFORMATION**).

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA–HQ–OPP–2024–0426, is available at <https://www.regulations.gov>. Additional information about dockets generally, along with instructions for visiting the docket in person, is available at <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT:

Sydney Vergara, Biopesticides and Pollution Prevention Division (7511P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; main telephone number: (202) 566-1606; email address: BPPDFRNotices@epa.gov.

SUPPLEMENTARY INFORMATION:**I. General Information***A. Does this action apply to me?*

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

- Crop production (NAICS code 11).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 31).
- Pesticide manufacturing (NAICS code 32532).

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

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

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

reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue. . . ." Additionally, FFDCA section 408(b)(2)(D) requires that the Agency consider, among other things, "available information concerning the cumulative effects of a particular pesticide's residues" and "other substances that have a common mechanism of toxicity."

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

Under FFDCA section 408(g), 21 U.S.C. 346a, any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. You must file your objection or request a hearing on this regulation in accordance with the instructions provided in 40 CFR part 178. To ensure proper receipt by EPA, you must identify docket ID number EPA-HQ-OPP-2024-0426 in the subject line on the first page of your submission. All objections and requests for a hearing must be in writing and must be received by the Hearing Clerk on or before October 6, 2025.

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

In addition to filing an objection or hearing request with the Hearing Clerk as described in 40 CFR part 178, please submit a copy of the filing (excluding any Confidential Business Information (CBI)) for inclusion in the public docket at <https://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be CBI or other information whose disclosure is restricted by statute. If you wish to

include CBI in your request, please follow the applicable instructions at <https://www.epa.gov/dockets/commenting-epa-dockets#rules> and clearly mark the information that you claim to be CBI. Information not marked confidential pursuant to 40 CFR part 2 may be disclosed publicly by EPA without prior notice.

II. Petitioned for Exemption

In the **Federal Register** of November 12, 2024 (89 FR 88948) (FRL-11682-09-OCSP), EPA issued a document pursuant to FFDCA section 408(d)(3), 21 U.S.C. 346a(d)(3), announcing the filing of a pesticide tolerance petition (PP 0F8850) by VPTox LLC, on behalf of Draslovka Services Pty Ltd., 21320 Sweet Clover Place, Ashburn, VA 20147. The petitioner requested that 40 CFR part 180 be amended by establishing an exemption from the requirement of a tolerance for residues of ethyl formate. The petition did not specify any limit on the food commodities for the tolerance exemption, and EPA's notice indicated that the petition requested the exemption for all food commodities. The document referenced a summary of the petition prepared by the petitioner, Draslovka Services, which is available in the docket, <https://www.regulations.gov>. Comments were received on the notice of filing. One comment was in support of this regulation and was submitted by the California Citrus Quality Council (CCQC). Three comments were not substantive, and one comment was for a different chemical (submitted to this docket in error).

III. Final Tolerance Actions*A. EPA's Safety Determination*

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

B. Toxicological Profile

Ethyl formate is of low acute and subchronic toxicity. All acute toxicity data demonstrate that ethyl formate has low to negligible toxicity. For most routes of exposure (acute dermal, acute inhalation, primary eye irritation, and

primary dermal irritation), ethyl formate is classified as Toxicity Category IV. For acute oral toxicity, it is classified as Toxicity Category III. It is not a dermal sensitizer.

All data and information submitted to address the subchronic data requirements (90-day oral, 90-day dermal, 90-day inhalation, genotoxicity, prenatal developmental, and maternal toxicity) are acceptable. For the 90-day oral toxicity, the study indicated the no-observable-adverse-effect-level (NOAEL) is 1,000 mg/kg/day (limit dose), and a lowest-observable-adverse-effect-level (LOAEL) is therefore not established. The 90-day dermal toxicity was addressed by scientific rationales since dermal exposure to ethyl formate is not expected. For the 90-day inhalation toxicity, the study indicated the NOAEL is equal or greater than the recommended limit dose of 1.0 mg/L (330 ppm) and no endpoints were identified at this level. For genotoxicity, the Ames test determined there was no concern for genotoxic potential. The maternal toxicity, LOAEL for ethyl formate was not determined and the maternal NOAEL is greater than or equal to 1,000 mg/kg/day (limit dose).

For the developmental toxicity, the study indicated the NOAEL is 300 mg/kg/day and the LOAEL is 1,000 mg/kg/day. The adverse effect identified in the database is a 9% fetal body weight reduction (combined sexes) at the extremely high dose (limit dose: 1000 mg/kg/day). Ethyl formate is not stable, and it quickly breaks down once in contact with water. Ethyl formate has a high volatility (vapor pressure = 200 mmHg), and it is readily vaporized. Because both the NOAEL and LOAEL dose levels are far from achievable in real life, they are not considered relevant to human risk assessment.

C. Toxicological Points of Departure/ Levels of Concern

No toxicological endpoints have been identified for ethyl formate since it is of low toxicity, and significant exposure is not expected based on the low application rates and rapid degradation in the environment.

D. Exposure Assessment

1. *Dietary exposure from food, feed uses and drinking water.* As part of its qualitative risk assessment for ethyl formate, the Agency considered the potential for dietary exposure to residues of the chemical. EPA concludes that dietary (food and drinking water) exposures are expected to be negligible. The end-use products (EPs) are used as fumigants in enclosed spaces and drinking water exposure is not

expected. Ethyl formate is rapidly hydrolyzed in the fruits, and its residues are not anticipated to be found at levels beyond those occur naturally in the fumigated commodities (citrus crop group 10–10; kiwifruit, fuzzy; kiwifruit, hardy; and grape, table).

2. *Non-dietary exposure.* The term “residential exposure” is used in this document to refer to non-occupational, non-dietary exposure (e.g., textiles (clothing and diapers), carpets, swimming pools, and hard surface disinfection on walls, floors, tables). The proposed ethyl formate end-use products are classified as Restricted Use Pesticides, (RUP) based upon the presence of inert ingredients that warrant specific worker protections. These end-use products must be applied by certified applicators. Residential handler exposures are not expected. Because the proposed use pattern only allows for fumigation uses on specific commodities, the product is not expected to be applied in residential areas, so no post-application non-occupational exposure is expected.

3. *Cumulative Effects from Substances with a Common Mechanism of Toxicity.* FFDCA section 408(b)(2)(D)(v) requires that, when considering whether to establish, modify, or revoke a tolerance, the Agency considers “available information” concerning the cumulative effects of a particular pesticide’s residues and “other substances that have a common mechanism of toxicity.” EPA has not found ethyl formate to share a common mechanism of toxicity with any other substances, and ethyl formate does not appear to produce a toxic metabolite produced by other substances. For the purposes of this tolerance action, therefore, EPA has assumed that ethyl formate does not have a common mechanism of toxicity with other substances. For information regarding EPA’s efforts to determine which chemicals have a common mechanism of toxicity and to evaluate the cumulative effects of such chemicals, see EPA’s website at <https://www.epa.gov/pesticides/cumulative>.

E. Safety Factor for Infants and Children

FFDCA Section 408(b)(2)(C) provides that EPA shall retain an additional tenfold (10X) margin of safety for infants and children in the case of threshold effects to account for prenatal and postnatal toxicity and the completeness of the database on toxicity and exposure unless EPA determines based on reliable data that a different margin of safety will be safe for infants and children. This additional margin of safety is commonly referred to as the Food Quality Protection Act (FQPA) safety

factor. In applying this provision, EPA either retains the default value of 10X, or uses a different additional safety factor when reliable data available to EPA support the choice of a different factor. An FQPA safety factor is not required at this time for ethyl formate because a qualitative dietary assessment has been conducted based on negligible dietary exposure concerns.

F. Aggregate Risk

In accordance with the FFDCA, EPA must consider and aggregate (add) pesticide exposures and risks from three major sources: food, drinking water, and residential exposures. In an aggregate assessment, exposures from relevant sources that have the same toxicological endpoints are added together and compared to quantitative estimates of hazard, or the risks themselves can be aggregated. When aggregating exposures and risks from various sources, EPA considers both the route and duration of exposure. A quantitative aggregate exposure and risk assessment was not conducted in this review because dietary exposure to pesticidal ethyl formate is considered negligible, there are no residential uses, bystander inhalation exposure is low, and ethyl formate is of low toxicity. No risks of concern have been identified.

A full explanation of the data upon which EPA relied and its risk assessment based on those data can be found within the May 14, 2024, document entitled “Product Chemistry Review and Human Health Risk Assessment for FIFRA Section 3 Registrations of eFUME Fumigant and eFUME Onsite Fumigant, containing 99.76% Ethyl Formate as the Active Ingredient, and eFUME Pre-mixed Fumigant, Containing 16.7% Ethyl Formate as the Active Ingredient” This document, as well as other relevant information, is available in the docket for this action as described under **ADDRESSES**.

G. Analytical Enforcement Methodology

An analytical method is not required because EPA is establishing an exemption from the requirement of a tolerance without any numerical limitation.

IV. Determination of Safety for U.S. Population, Infants and Children

Based on the Agency’s assessment, EPA concludes that there is reasonable certainty that no harm will result to the U.S. population, including infants and children, from aggregate exposure to residues of ethyl formate.

V. Revisions to Petitioned-For Tolerances

The petitioner requested that 40 CFR part 180 be amended by establishing an exemption from the requirement of a tolerance for residues of ethyl formate on all food commodities. After submitting its petition, the petitioner limited its corresponding pesticide registration application to propose use only on citrus, kiwifruit, and table grapes. Consequently, EPA is limiting this exemption from the requirement of a tolerance for residues of ethyl formate in or on citrus commodities in crop group 10–10; kiwifruit, fuzzy; kiwifruit, hardy; and grape, table when used as a fumigant in accordance with label directions and good agricultural practices.

VI. Conclusion

EPA is establishing an exemption from the requirement of a tolerance for residues of the fumigant ethyl formate in or on the commodities in citrus, crop group 10–10; kiwifruit, fuzzy; kiwifruit, hardy, and grape, table when used in accordance with label directions and good agricultural practice.

VII. Statutory and Executive Order Reviews

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

A. Executive Order 12866: Regulatory Planning and Review

This action is exempt from review under Executive Order 12866 (58 FR 51735, October 4, 1993), because it establishes or modifies a pesticide tolerance or a tolerance exemption under FFDCA section 408 in response to a petition submitted to the Agency. The Office of Management and Budget (OMB) has exempted these types of actions from review under Executive Order 12866.

B. Executive Order 14192: Unleashing Prosperity Through Deregulation

Executive Order 14192 (90 FR 9065, February 6, 2025) does not apply because actions that establish a tolerance under FFDCA section 408 are exempted from review under Executive Order 12866.

C. Paperwork Reduction Act (PRA)

This action does not impose an information collection burden under the PRA 44 U.S.C. 3501 *et seq.*, because it does not contain any information collection activities.

D. Regulatory Flexibility Act (RFA)

This action is not subject to the RFA, 5 U.S.C. 601 *et seq.* The RFA applies only to rules subject to notice and comment rulemaking requirements under the Administrative Procedure Act (APA), 5 U.S.C. 553, or any other statute. This rule is not subject to the APA but is subject to FFDCA section 408(d), which does not require notice and comment rulemaking to take this action in response to a petition.

E. Unfunded Mandates Reform Act (UMRA)

This action does not contain an unfunded mandate of \$100 million or more (in 1995 dollars and adjusted annually for inflation) as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments. The action imposes no enforceable duty on any State, local, or Tribal governments or the private sector.

F. Executive Order 13132: Federalism

This action does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999), because it will not have substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government.

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

This action does not have Tribal implications as specified in Executive Order 13175 (65 FR 67249, November 9, 2000), because it will not have substantial direct effects on tribal governments, on the relationship between the Federal Government and the Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes.

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

This action is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it is not a significant regulatory action under section 3(f)(1) of Executive Order 12866, and because EPA does not believe the environmental health or safety risks addressed by this action present a disproportionate risk to children.

However, EPA's 2021 *Policy on Children's Health* applies to this action. This rule finalizes tolerance actions under the FFDCA, which requires EPA to give special consideration to

exposure of infants and children to the pesticide chemical residue in establishing a tolerance and to “ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue . . .” (FFDCA 408(b)(2)(C)). The Agency's consideration is documented in the pesticide-specific review documents, located in the applicable docket at <https://www.regulations.gov>.

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

This action is not subject to Executive Order 13211 (66 FR 28355) (May 22, 2001) because it is not a significant regulatory action under Executive Order 12866.

J. National Technology Transfer Advancement Act (NTTAA)

This action does not involve technical standards that would require Agency consideration under NTTAA section 12(d), 15 U.S.C. 272.

K. Congressional Review Act (CRA)

This action is subject to the CRA, 5 U.S.C. 801 *et seq.*, and EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 180

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

Dated: July 28, 2025.

Edward Messina,
Director, Office of Pesticide Programs.

For the reasons stated in the preamble, EPA is amending 50 CFR chapter I as follows:

PART 180—[AMENDED]

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

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

■ 2. Add § 180.1419 to subpart D to read as follows:

§ 180.1419 Ethyl formate; Exemption from the Requirement of a Tolerance.

An exemption from the requirement of a tolerance is established for residues of the fumigant ethyl formate in or on the commodities in the citrus crop group 10–10; kiwifruit, fuzzy; kiwifruit, hardy; and grape, table when used in

accordance with label directions and good agricultural practices.

[FR Doc. 2025-14889 Filed 8-5-25; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 250729-0132]

RIN 0648-BN85

Reef Fish Fishery of the Gulf of America; Red Grouper Catch Limits

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

ACTION: Final temporary rule; emergency action.

SUMMARY: NMFS issues this final temporary rule to promulgate emergency measures, due to recently discovered circumstances to mitigate harmful economic conditions to red grouper fishermen in the Gulf of America (Gulf). As requested by the Gulf Council (Council), NMFS issues this final temporary rule to increase the Gulf red grouper catch limits for the remainder of the 2025 fishing year. The purpose of this emergency action is to allow for increased harvest opportunities in the commercial and recreational sectors, particularly by extending the recreational fishing season and increasing the revenue potential for commercial and charter vessel/headboat (for-hire) fishermen targeting red grouper.

DATES: This final temporary rule is effective August 6, 2025 through December 31, 2025.

ADDRESSES: Electronic copies of the documents in support of this final temporary rule for emergency action, which includes the Council's letter to NMFS requesting the emergency action may be obtained from the Southeast Regional Office website at <https://www.fisheries.noaa.gov/action/emergency-rule-increase-catch-limits-gulf-america-red-grouper>.

FOR FURTHER INFORMATION CONTACT: Dan Luers, telephone: 727-824-5305, or email: Daniel.Luers@noaa.gov.

SUPPLEMENTARY INFORMATION: The reef fish fishery of the Gulf is managed under the Fishery Management Plan for the Reef Fish Resources of the Gulf (FMP). The FMP was prepared by the Council, approved by the Secretary of

Commerce, and is implemented by NMFS through regulations at 50 CFR part 622 under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). Section 305(c) of the Magnuson-Stevens Act provides the legal authority for the promulgation of emergency regulations (16 U.S.C. 1855(c)).

Executive Order 14172, "Restoring Names That Honor American Greatness" (January 20, 2025), directs that the Gulf of Mexico be renamed the Gulf of America. Consistent with the order, NMFS uses Gulf of America to refer to the geographical area previously known as the Gulf of Mexico, except when a statute or existing regulations explicitly refer to the "Gulf of Mexico." Relevant to this rulemaking, existing regulations contained in 50 CFR part 622, including the heading for that part, refer to the Gulf of Mexico. Amending the existing regulations in 50 CFR part 622 to reflect the change to Gulf of America is beyond the scope of this rulemaking.

Background

The Magnuson-Stevens Act requires NMFS and regional fishery management councils to prevent overfishing and achieve, on a continuing basis, the optimum yield (OY) from federally managed fish stocks. These mandates are intended to ensure fishery resources are managed for the greatest overall benefit to the nation, particularly with respect to providing food production and recreational opportunities, and protecting marine ecosystems.

Unless otherwise noted, all weights in this final temporary rule are in gutted weight.

For red grouper, the Southeast Data, Assessment, and Review (SEDAR) 61 stock assessment was completed in 2019. SEDAR 61 used recreational catch and effort data from the Marine Recreational Information Program (MRIP)-Fishing Effort Survey (FES), which estimates much greater recreational harvest than its predecessors, the Marine Recreational Fisheries Statistics Survey and the MRIP-Coastal Household Telephone Survey. These prior surveys were used in previous stock assessments and to specify the initial allocation of the total allowable harvest between the commercial and recreational sectors. SEDAR 61 determined that the stock was not overfished or undergoing overfishing, but was below the target spawning stock biomass. Therefore, the Council developed, and NMFS implemented, Amendment 53 to the FMP to reduce the red grouper annual

catch limits (ACLs) and annual catch targets (ACTs) consistent with the assessment results, and adjust the commercial and recreational allocations of the stock ACL to reflect the change in the recreational catch estimates produced by MRIP-FES. Amendment 53 allocated 59.3 percent of the stock ACL to the commercial sector and 40.7 percent of the stock ACL to the recreational sector. Amendment 53 also modified the buffers between the ACLs and ACTs, setting the recreational ACT 9 percent below the recreational ACL and the commercial ACT (quota) 5 percent below the commercial ACL (87 FR 25573, May 22, 2022).

After Amendment 53 was implemented, NMFS implemented a framework action that set the current catch limits, which are slightly higher than those specified in Amendment 53 (87 FR 40742, July 8, 2022). The framework action used the sector allocations and ACL-ACT buffers established in Amendment 53. Based on that framework action, the current total ACL is 4.96 million pounds (lb) (2.25 million kilograms (kg)), the commercial ACL and ACT (quota) are 2.94 million lb (1.33 million kg) and 2.79 million lb (1.27 million kg), respectively, and the recreational ACL and ACT are 2.02 million lb (0.92 million kg) and 1.84 million lb (0.83 million kg), respectively.

The most recent red grouper stock assessment, SEDAR 88, was completed in 2025. SEDAR 88 replaced the MRIP-FES estimates of Florida private recreational landings with estimates produced by Florida's State Reef Fish Survey (SRFS). The Council's Scientific and Statistical Committee (SSC) determined that this change was appropriate because greater than 95 percent of all red grouper are landed in Florida.

The results of SEDAR 88 showed an increase in the red grouper stock size. Based on these results and the Southeast Fisheries Science Center projections, the SSC recommended an increase in the red grouper overfishing limit (OFL) from 5.99 million lb (2.72 million kg) to 10.64 million lb (4.83 million kg) and an increase in the acceptable biological catch (ABC) from 4.96 million lb (2.25 million kg) to 8.28 million lb (3.76 million kg). Because the recommended catch levels are based on an assessment that used SRFS data they are not directly comparable to the current catch levels, which are based on an assessment that used MRIP-FES data. The increase in the allowable harvest is larger than it appears because SRFS produces estimates that are lower than the MRIP estimates.

The red grouper recreational accountability measures (AM) require the closure of the recreational sector when recreational landings reach or are projected to reach the recreational ACL (50 CFR 622.41(e)(2)(i)). In addition, if recreational landings exceed the recreational ACL, NMFS must reduce the length of the recreational fishing season in that following fishing year by the amount necessary to ensure red grouper recreational landings do not exceed the recreational ACT (50 CFR 622.41(e)(2)(ii)). The red grouper commercial sector is managed through the individual fishing quota (IFQ) program for groupers and tilefishes in the Gulf. The IFQ program is the commercial AM, constraining landings to the commercial ACT (quota). The fishing year for red grouper is January 1 through December 31 (50 CFR 622.7).

Recreational harvest exceeded the red grouper recreational ACL by approximately 72 percent in 2021, by 35 percent in 2022, and by 25 percent in 2023 even though NMFS implemented progressively shorter seasons. In 2024, NMFS closed the red grouper recreational sector on July 1 based on projections of when the 2024 recreational ACT would be reached (89 FR 35011, May 1, 2024). This resulted in the shortest recreational red grouper season since the recreational ACL was put in place in 2009. Despite this early closure, preliminary 2024 landings estimates indicate that 123 percent of the recreational ACT and 112 percent of the recreational ACL were harvested in 2024. NMFS projects that the 2025 recreational fishing season would need to close in June or July to avoid exceeding the 2025 recreational ACT. These shortened red grouper recreational seasons, combined with significant reductions to sector catch limits for other species in the FMP (including gag and greater amberjack), have resulted in reduced recreational fishing opportunities. The reductions to the commercial catch limits for other reef fish species and particularly red grouper, have also reduced revenue opportunities for the commercial sector.

Council Emergency Action Request

In a letter to NMFS dated April 29, 2025, and based on discussion at its April 2025 meeting, the Council requested that NMFS promulgate an emergency action as quickly as possible in 2025 to increase the catch limits for red grouper. The Council's request noted public testimony from for-hire operators, who described economic hardship caused by the progressively shorter red grouper seasons and the need to allow for an increase in the

number of trips this year. The Council also heard from commercial fishermen, who noted that the availability of additional red grouper allocation would make that allocation more affordable to those who need to buy additional pounds of fish under the IFQ system. Consistent with the Council's request, this final temporary rule will set the stock ACL at 90 percent of the SSC's recommended ABC and revise corresponding sector ACLs and ACTs based on the sector allocations and buffers in Amendment 53.

NMFS projects that implementing the increased recreational ACT and ACL in this final temporary rule will allow the red grouper recreational fishing season to remain open until the end of the fishing year (through December 31, 2025). This will allow for increased harvest opportunities for the recreational sector and increased revenue opportunities for for-hire businesses. The increase to the commercial catch limits may decrease allocation prices, which would benefit commercial fishermen who purchase allocation but reduce profits for shareholders who sell allocation. Overall, NMFS expects the catch limit increases in this final temporary rule for emergency measures to have positive economic and social impacts for both commercial and recreational fishers who target red grouper in Gulf Federal waters.

Criteria and Justification for Emergency Action

NMFS' *Policy Guidelines for the Use of Emergency Rules* (62 FR 44421, August 21, 1997) list three criteria for determining whether an emergency exists. Specifically, NMFS' policy guidelines require that an emergency: "(1) Results from recent, unforeseen events or recently discovered circumstances; and (2) Presents serious conservation or management problems in the fishery; and (3) Can be addressed through emergency regulations for which the immediate benefits outweigh the value of advance notice, public comment, and deliberative consideration of the impacts on participants to the same extent as would be expected under the normal rulemaking process." NMFS issues this emergency action in compliance with these guidelines to mitigate economic hardships to fishermen targeting red grouper in the Gulf.

With respect to the first criterion, the recently discovered circumstances are the SEDAR 88 stock assessment and the new catch advice the SSC provided the Council in May 2025, which indicate that the red grouper stock can support

higher harvest levels than permitted under the current regulations.

The second criterion, which requires a serious conservation or management problem in the fishery, is satisfied because the measures in this emergency rule are needed to prevent significant direct economic loss and preserve a significant economic opportunity that might otherwise be forgone, as well as prevent significant community impacts resulting from the reduced opportunity for harvest of key species managed under the FMP in recent years. Large decreases in catch limits for species such as gag (a greater than 80 percent reduction in its stock ACL), greater amberjack (a greater than 80 percent reduction in its stock ACL), as well as the decrease in the red grouper catch limits in 2022 has diminished fishing opportunities for the commercial and recreational sectors. For the recreational sector, if this emergency rule is not implemented, NMFS projects that a closure for red grouper would have been required in June or July to constrain harvest to the current ACT. NMFS projects that the emergency action will allow the recreational sector to remain open through the end of the 2025 fishing year, preserving fishing opportunities and preventing significant community impacts that may result from another earlier closure. For the commercial sector, NMFS expects the increase in red grouper ACT (quota) to increase revenue opportunities. Because the red grouper commercial ACT (quota) will increase, the allocation transfer prices could decrease, which will be beneficial for some commercial harvesters. However, it could result in forgone profits for IFQ shareholders, as well as for fishing businesses that already purchased allocation at higher prices at the beginning of the year. Overall, NMFS expects the catch limit increases in this emergency action to have net positive economic and social impacts for commercial and for-hire businesses and recreational anglers who target red grouper in the Gulf.

To address the third criterion, NMFS has determined that the immediate benefit of implementing the emergency action outweighs the value of advance notice, public comment, and deliberative consideration of the impacts to the same extent as would be expected under the normal rulemaking process. Without this emergency action the recreational fishing season will close much earlier in the year, negatively impacting for-hire fishermen and private anglers. Commercial fishermen who harvest red grouper will also be constrained to the lower commercial ACT (quota). By foregoing the normal

rulemaking process, this emergency action will immediately allow for greater harvest by both the commercial and recreational sectors and provide for an extended recreational fishing season, thus resulting in economic and social benefits to those who harvest red grouper.

Emergency Measures

This final temporary rule increases the red grouper catch limits. The OFL is 10.64 million lb (4.83 million kg), the ABC is 8.28 million lb (3.76 million kg), and the stock ACL is 7.45 million lb (3.38 million kg), which is 90 percent of the ABC. Applying the current sector allocations of 59.3 percent of the stock ACL to the commercial sector and 40.7 percent of the stock ACL to the recreational sector, the commercial ACL is 4.42 million lb (2.00 million kg) and the recreational ACL is 3.03 million lb (1.37 million kg). Using the current buffers between the ACLs and ACTs, the commercial ACT (quota) is 4.20 million lb (1.91 million kg) and the recreational ACT is 2.76 million lb (1.25 million kg). These catch limits will be effective on the date of publication of this final temporary rule in the **Federal Register**, as authorized by section 305(c) of the Magnuson-Stevens Act, and they will be effective until the end of the 2025 fishing year on December 31, 2025. This final temporary rule for emergency action will not be extended past December 31, 2025, and its measures will not be in effect for the 2026 fishing year. The Council is developing an amendment to the FMP to revise the red grouper catch limits consistent with SEDAR 88 and the SSC's recommendations. This amendment will also consider revising the sector allocations. If approved, NMFS expects any final rule implementing the amendment to be effective during the 2026 fishing year.

Classification

This action is issued pursuant to section 305(c) of the Magnuson-Stevens Act, 16 U.S.C. 1855(c). The NOAA Assistant Administrator (AA) for Fisheries has determined that this emergency action is consistent with the Magnuson-Stevens Act, the FMP, and other applicable law. This action is being taken pursuant to the emergency provisions of the Magnuson-Stevens Act and is exempt from Office of Management and Budget review.

This final temporary rule is not an Executive Order 14192 regulatory action because this action is not significant under Executive Order 12866.

The AA finds good cause to waive the requirements to provide prior notice

and opportunity for public comment pursuant to the authority set forth in 5 U.S.C. 553(b)(B). Providing prior notice and opportunity for public comment on this action would be contrary to the public interest. As previously discussed, the red grouper recreational sector has experienced in-season closures every year since 2021. This rule will provide for-hire fishing businesses and recreational anglers immediate relief from the recent shortened seasons and reduced fishing opportunities. If NMFS were to provide prior notice and comment, NMFS would be unable to implement the increase in the red grouper catch limits before the current recreational ACT is projected to be met and an in-season closure is necessary. Immediate implementation of the increases to the recreational ACL and ACT will allow the recreational season to remain open through the end of 2025. Additionally, the sooner the additional commercial ACT (quota) is distributed to shareholders, the greater the opportunity for IFQ fishermen to harvest the additional allocation before the end of the year. Further, the increase to the commercial ACT (quota) will provide immediate and additional fishing opportunities and potential economic benefits. NMFS received the Council's request for emergency action at the end of April 2025 and worked as quickly as possible to compile the relevant information and documentation needed to implement this action. There is not sufficient time to provide for notice and public comment and still meet the timing needs to achieve the action's objectives.

The need to implement these measures immediately for the reasons stated above also constitutes good cause under authority contained in 5 U.S.C. 553(d)(3) to waive the 30-day delay in effectiveness of the rule.

This final temporary rule for emergency action is exempt from the procedures of the Regulatory Flexibility Act because the rule is issued without opportunity for prior notice and opportunity for public comment pursuant to 5 U.S.C. 553 or other law. Accordingly, no regulatory flexibility analysis is required and none has been prepared.

List of Subjects in 50 CFR Part 622

Commercial, Fisheries, Gulf, Recreational, Red grouper, Reef Fish.

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

Dated: July 29, 2025.

Samuel D. Rauch III,

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

For the reasons set out in the preamble, NMFS amends 50 CFR part 622 as follows:

PART 622—FISHERIES OF THE CARIBBEAN, GULF OF MEXICO, AND SOUTH ATLANTIC

■ 1. The authority citation for part 622 continues to read as follows:

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

■ 2. In § 622.39:

- a. Stay paragraph (a)(1)(iii)(C); and
- b. Add paragraph (a)(1)(iii)(D).

The addition reads as follows:

§ 622.39 Quotas.

* * * * *

(a) * * *

(1) * * *

(iii) * * *

(D) *Red grouper.* In addition to the provisions in introductory paragraph (a)(1)(iii) of this section, the red grouper quota for the 2025 fishing year is 4.20 million lb (1.91 million kg), gutted weight, that is, eviscerated but otherwise whole.

* * * * *

■ 3. In § 622.41:

- a. Stay paragraph (e); and
- b. Add paragraph (r).

The addition reads as follows:

§ 622.41 Annual catch limits (ACLs), annual catch targets (ACTs), and accountability measures (AMs).

* * * * *

(r) *Red grouper*—(1) *Commercial sector.* The IFQ program for groupers and tilefishes in the Gulf of Mexico serves as the accountability measure for commercial red grouper. The commercial ACT for red grouper is equal to the applicable quota specified in § 622.39(a)(1)(iii)(D). The commercial ACL for red grouper in gutted weight is 4.42 million lb (2.00 million kg).

(2) *Recreational sector.* (i) Without regard to overfished status, if red grouper recreational landings, as estimated by the SRD, reach or are projected to reach the applicable ACL specified in paragraph (r)(2)(iv) of this section, the AA will file a notification with the Office of the Federal Register, to close the recreational sector for the remainder of the fishing year. On and after the effective date of such a notification, the bag and possession limit of red grouper in or from the Gulf EEZ is zero. This bag and possession limit applies in the Gulf on board a vessel for which a valid Federal charter

vessel/headboat permit for Gulf reef fish has been issued, without regard to where such species were harvested, *i.e.* in state or Federal waters.

(ii) Without regard to overfished status, and in addition to the measures specified in paragraph (r)(2)(i) of this section, if red grouper recreational landings, as estimated by the SRD, exceed the applicable ACL specified in paragraph (r)(2)(iv) of this section, the AA will file a notification with the Office of the Federal Register to maintain the red grouper ACT, specified in paragraph (r)(2)(iv) of this section, for that following fishing year at the level of the prior year's ACT, unless the best scientific information available determines that maintaining the prior

year's ACT is unnecessary. In addition, the notification will reduce the length of the recreational red grouper fishing season the following fishing year by the amount necessary to ensure red grouper recreational landings do not exceed the recreational ACT in the following fishing year.

(iii) If red grouper are overfished, based on the most recent Status of U.S. Fisheries Report to Congress, and red grouper recreational landings, as estimated by the SRD, exceed the applicable ACL specified in paragraph (r)(2)(iv) of this section, the following measures will apply. In addition to the measures specified in paragraphs (r)(2)(i) and (ii) of this section, the AA will file a notification with the Office of

the Federal Register, at or near the beginning of the following fishing year to reduce the ACL for that following year by the amount of the ACL overage in the prior fishing year, and reduce the ACT, as determined in paragraph (r)(2)(ii) of this section, by the amount of the ACL overage in the prior fishing year, unless the best scientific information available determines that a greater, lesser, or no overage adjustment is necessary.

(iv) The recreational ACL for red grouper in gutted weight is 3.03 million lb (1.37 million kg). The recreational ACT for red grouper in gutted weight is 2.76 million lb (1.25 million kg).

[FR Doc. 2025-14941 Filed 8-5-25; 8:45 am]

BILLING CODE 3510-22-P

Proposed Rules

Federal Register

Vol. 90, No. 149

Wednesday, August 6, 2025

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

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2025-1725; Project Identifier AD-2025-00583-E]

RIN 2120-AA64

Airworthiness Directives; CFM International, S.A. Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to supersede Airworthiness Directive (AD) 2018-19-16, which applies to all CFM International, S.A. (CFM) Model LEAP-1A23, -1A24, -1A24E1, -1A26, -1A26E1, -1A26CJ, -1A29, -1A29CJ, -1A30, -1A32, -1A33, -1A33B2, and -1A35A engines with certain full authority digital engine control (FADEC) and prognostic health monitoring (PHM) software installed. AD 2018-19-16 requires removing certain FADEC and PHM software and installing versions eligible for installation. Since the FAA issued AD 2018-19-16, the manufacturer has developed a new pressure subsystem (PSS) with a heater element to evaporate potential moisture on the PSS manifold/transducer interface and prevent freezing at low temperature. This proposed AD would require replacing certain FADEC and PHM software with new versions that are eligible for installation, replacement of certain harnesses with newly designed harnesses, and replacement of the PSS with a newly designed heated PSS. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this proposed AD by September 22, 2025.

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

- *Federal eRulemaking Portal:* Go to *regulations.gov*. Follow the instructions for submitting comments.

- *Fax:* (202) 493-2251.

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

- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA-2025-1725; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, any comments received, and other information. The street address for Docket Operations is listed above.

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:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments using a method listed under the **ADDRESSES** section. Include “Docket No. FAA-2025-1725; Project Identifier AD-2025-00583-E” at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may revise this proposal because of those comments.

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

Confidential Business Information

CBI is commercial or financial information that is both customarily and

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

Background

The FAA issued AD 2018-19-16, Amendment 39-19416 (83 FR 50818, October 10, 2018) (AD 2018-19-16), for certain CFM Model LEAP-1A23, -1A24, -1A24E1, -1A26, -1A26E1, -1A26CJ, -1A29, -1A29CJ, -1A30, -1A32, -1A33, -1A33B2, and -1A35A engines. AD 2018-19-16 was prompted by aborted takeoffs after engines did not advance to the desired takeoff fan speed due to icing in the pressure sensor line. AD 2018-19-16 requires removing certain FADEC and PHM software and installing versions eligible for installation. The agency issued AD 2018-19-16 to prevent icing in the pressure sensor lines and inaccurate pressure sensor readings, which could result in failure of one or more engines, loss of thrust control, and loss of the airplane.

Actions Since AD 2018-19-16 Was Issued

The preamble to AD 2018-19-16 specifies that the FAA considers that AD “interim action,” that the manufacturer was developing a modification to address the unsafe condition, and that the FAA might consider further rulemaking once the modification is developed, approved, and available. Since the FAA issued AD 2018-19-16, the manufacturer has developed a new pressure subsystem

with a heater element to evaporate potential moisture on the PSS manifold/transducer interface and prevent freezing at low temperature, which would mitigate the unsafe condition specified in AD 2018–19–16. The FAA has determined that this modification should be required.

FAA's Determination

The FAA is issuing this NPRM after determining that the unsafe condition

described previously is likely to exist or develop on other products of the same type design.

Proposed AD Requirements in This NPRM

This proposed AD would retain none of the requirements of AD 2018–19–16. This proposed AD would require replacing certain FADEC and PHM software with new versions that are eligible for installation, replacement of

the HJ6A and HJ6B harnesses with newly designed harnesses, and replacement of the PSS with a newly designed heated PSS.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 306 engines installed on airplanes of U.S. registry.

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

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Install electronic engine control software	1 work-hour × \$85 per hour = \$85	\$0	\$85	\$26,010
Replace PSS with heated PSS	1 work-hours × \$85 per hour = \$85	185,950	186,035	56,926,710
Replace HJ6A and HJ6B harnesses	1 work-hour × \$85 per hour = \$85	57,510	57,595	17,624,070

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

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

under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

- 2. The FAA amends § 39.13 by:
- a. Removing Airworthiness Directive 2018–19–16, Amendment 39–19416 (83 FR 50818, October 10, 2018); and
 - b. Adding the following new airworthiness directive:

CFM International, S.A.: Docket No. FAA–2025–1725; Project Identifier AD–2025–00583–E.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by September 22, 2025.

(b) Affected ADs

This AD replaces AD 2018–19–16, Amendment 39–19416 (83 FR 50818, October 10, 2018) (AD 2018–19–16).

(c) Applicability

This AD applies to CFM International, S.A. (CFM) Model LEAP–1A23, LEAP–1A24, LEAP–1A24E1, LEAP–1A26, LEAP–1A26E1, LEAP–1A26CJ, LEAP–1A29, LEAP–1A29CJ, LEAP–1A30, LEAP–1A32, LEAP–1A33, LEAP–1A33B2, and LEAP–1A35A engines.

(d) Subject

Joint Aircraft System Component (JASC) Code 7600, Engine Controls.

(e) Unsafe Condition

This AD was prompted by aborted takeoffs after engines did not advance to the desired takeoff fan speed due to icing in the pressure sensor line. The FAA is issuing this AD to prevent icing in the pressure sensor lines and inaccurate pressure sensor readings. The unsafe condition, if not addressed, could result in loss of engine thrust control and reduced control of the airplane.

(f) Compliance

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

(g) Required Actions

At the next engine shop visit after the effective date of this AD, do the following actions:

- (1) Install electronic engine control (EEC) full authority digital electronic control (FADEC) software having part number (P/N) 2590M00P13, version L1A0850, or later approved version; and prognostic health monitoring (PHM) software having P/N 2784M64P08, version PL1A0850, or later approved version.

Note 1 to paragraph (g)(1): The software release that includes EEC FADEC software P/N 2590M00P13, version L1A0850, and PHM software P/N 2784M64P08, version PL1A0850, is commonly referred to as "FCS8.5." Guidance for replacing the EEC FADEC software and PHM software may be found in CFM Service Bulletin LEAP–1A–73–00–0050–01A–930A–D, Issue 001–00, dated January 03, 2024.

- (2) For engines with an installed HJ6A harness having P/N 362–085–905–0 (significant item number (SIN) 65004), remove the HJ6A harness from service and replace with an HJ6A harness having P/N 362–085–906–0, or later approved P/N.

- (3) For engines with an installed HJ6B harness having P/N 362–086–004–0 (SIN 65005), remove the HJ6B harness from service and replace with an HJ6B harness

having P/N 362–086–005–0, or later approved P/N.

(4) For engines with an installed pressure subsystem (PSS) having P/N 2474M65P05 (vendor identification number (VIN) 261811055–0303), remove the PSS from service and replace with a heated PSS having P/N 2474M65P08 (VIN 261811055–0410), or later approved P/N.

(h) Definitions

For the purpose of this AD, an “engine shop visit” is the induction of the engine into the shop for maintenance involving the separation of major mating engine flanges, except for the separation of engine flanges solely for the purposes of transportation without subsequent engine maintenance.

(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 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 (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 local flight standards district office/certificate holding district office.

(j) 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) For material identified in this AD that is not incorporated by reference, contact CFM, GE Aviation Fleet Support, 1 Neumann Way, M/D Room 285, Cincinnati, OH 45215; phone: (877) 432–3272; email: aviation.fleet-support@ge.com.

(k) Material Incorporated by Reference

None.

Issued on July 25, 2025.

Peter A. White,

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

[FR Doc. 2025–14890 Filed 8–5–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–1729; Project Identifier MCAI–2024–00568–T]

RIN 2120–AA64

Airworthiness Directives; Dassault Aviation Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to supersede Airworthiness Directive (AD) 2022–12–10, which applies to certain Dassault Aviation Model FALCON 7X airplanes. AD 2022–12–10 requires revising the existing airplane flight manual (AFM) to provide emergency procedures for inconsistent or unreliable flight data, emergency and abnormal operations procedures for the generic input/output (GEN I/O) internal module failure, and emergency procedures for additional information. AD 2022–12–10 also requires revising the existing minimum equipment list (MEL) for the multi-function probe heating, air data, and inertial reference systems. Since the FAA issued AD 2022–12–10, the manufacturer developed modifications that fix a weak point in the avionics architecture. This proposed AD would continue to require the actions in AD 2022–12–10 and would remove certain airplanes from the applicability. This proposed AD would also require modification of the avionics system and related revisions to the existing AFM and MEL. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this proposed AD by September 22, 2025.

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

- **Federal eRulemaking Portal:** Go to [regulations.gov](https://www.regulations.gov). Follow the instructions for submitting comments.

- **Fax:** 202–493–2251.

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

- **Hand Delivery:** Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

AD Docket: You may examine the AD docket at [regulations.gov](https://www.regulations.gov) under Docket

No. FAA–2025–1729; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For European Union Aviation Safety Agency (EASA) material identified in this proposed AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email ADs@easa.europa.eu. You may find this material on the EASA website at ad.easa.europa.eu. It is also available at [regulations.gov](https://www.regulations.gov) under Docket No. FAA–2025–1729.

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

FOR FURTHER INFORMATION CONTACT:

William Reisenauer, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 516–228–7301; email: 9-AVS-AIR-BACO-COS@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments using a method listed under the **ADDRESSES** section. Include “Docket No. FAA–2025–1729; Project Identifier MCAI–2024–00568–T” at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

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

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt

from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as “PROPIN.” The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to William Reisenauer, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 516-228-7301; email: 9-AVS-AIR-BACO-COS@faa.gov. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

The FAA issued AD 2022-12-10, Amendment 39-22082 (87 FR 45246, July 28, 2022) (AD 2022-12-10), for all Dassault Aviation Model FALCON 7X airplanes, except airplanes having Dassault modification M2091 embodied in production. AD 2022-12-10 was prompted by an MCAI originated by EASA, which is the Technical Agent for the Member States of the European Union. EASA issued AD 2021-0197, dated August 23, 2021 (EASA AD 2021-0197), to correct an unsafe condition on all Dassault Aviation Model FALCON 7X airplanes. EASA AD 2021-0197 states a weak point in the Falcon 7X “EASy” avionics architecture that, coupled with theoretical GEN I/O card failure, may lead to misleading data on display units.

AD 2022-12-10 requires revising the existing AFM to provide emergency procedures for inconsistent or unreliable flight data and emergency and abnormal operations procedures for the GEN I/O internal module failure and revising the operator’s existing FAA-approved MEL items for the multi-function probe heating, air data, and inertial reference systems. AD 2022-12-10 also requires revising the existing AFM to incorporate additional information in the emergency procedures. The FAA issued AD 2022-12-10 to address misleading data on display units. The unsafe condition, if not addressed, could reduce safety margins and lead to increased pilot workload and consequent reduced controllability of the airplane.

Actions Since AD 2022-12-10 Was Issued

The preamble to AD 2022-12-10 specifies that the FAA considers that AD “interim action” and that the FAA might consider further rulemaking if a final action is identified. The manufacturer has since developed modifications (*i.e.*, software upgrades) that fix a weak point in the avionics architecture to address the unsafe condition. The FAA has determined that the modifications and related AFM and MEL revisions should be required.

Since the FAA issued AD 2022-12-10, EASA superseded EASA AD 2021-0197 with EASA AD 2022-0145, dated July 12, 2022 (EASA AD 2022-0145). EASA AD 2022-0145 was issued to retain the requirements of EASA AD 2021-0197, exclude airplanes on which Dassault modification M2091 was embodied in production, and require airplane serial numbers (S/Ns) 402 and subsequent with the “EASy III—2nd CERT” or “EASy III—3rd CERT” standard to upgrade the avionics architecture to the “EASy III—4th CERT” standard (modification M2091).

EASA AD 2022-0145, in turn, was superseded by EASA AD 2023-0003, dated January 6, 2023 (EASA AD 2023-0003). EASA AD 2023-0003 was issued to retain the requirements of EASA AD 2022-0145, exclude airplanes on which Dassault modification M2096 or M2097 was embodied in production, and require airplane S/Ns 2 through 400 inclusive to upgrade the avionics architecture to the “EASy II—5th CERT” standard (modification M2096 or M2097, as applicable).

EASA subsequently revised AD 2023-0003 with EASA AD 2023-0003R1, dated September 26, 2024 (EASA AD 2023-0003R1) (also referred to as the MCAI), to correct an unsafe condition for all Dassault Aviation Model FALCON 7X airplanes, except airplanes on which Dassault modification M2055, M2059, M2091, M2096, or M2097 was embodied in production. Since EASA AD 2023-0003 was issued, Dassault developed modifications M2055 (for airplane S/Ns 2 through 400 inclusive) and M2059 (for airplane S/Ns 402 and subsequent) that upgrade the avionics architecture to the “EASy IV” standard and issued Dassault Service Bulletin 7X-600, dated November 7, 2022; Dassault Service Bulletin 7X-601, April 24, 2023; and Dassault Service Bulletin 7X-602, June 3, 2023; as applicable, to provide in-service modification instructions. Accordingly, EASA AD 2023-0003R1 excludes airplanes on which modifications M2055 or M2059 was embodied in production and allows

incorporation of those modifications in service as an optional method of compliance for modifications M2091, M2096, or M2097, as applicable.

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

You may examine the MCAI in the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2025-1729.

Explanation of Retained Requirements

Although this proposed AD does not explicitly restate the requirements of AD 2022-12-10, this proposed AD would retain all of the requirements of AD 2022-12-10. Those requirements are referenced in EASA AD 2023-0003R1, which, in turn, is referenced in paragraph (g) of this proposed AD.

Material Incorporated by Reference Under 1 CFR Part 51

EASA AD 2023-0003R1 specifies revising the existing AFM to provide emergency procedures for inconsistent or unreliable flight data and emergency and abnormal operations procedures for the GEN I/O internal module failure; existing FAA-approved MEL items for the multi-function probe heating, air data, and inertial reference systems and modular avionic unit (MAU) #1B; and operational suitability manual—flight crew (OSM-FC). This material also specifies procedures for modifying the avionics system and incorporating related AFM and MEL revisions.

This material also describes optional procedures for modifying the avionics architecture to the “EASy IV” standard, revising the existing AFM to incorporate revision 6 or revision 25, as applicable, and revising the existing FAA-approved MEL to incorporate revision 16. Accomplishing the optional modification and AFM revision is an acceptable method of compliance for the applicable modification that upgrades the avionics architecture to “EASy III—4th CERT” or “EASy II—5th CERT” and related AFM revision. In addition, accomplishing the optional MEL revision is an acceptable method of compliance for the corresponding revisions to MEL items for the multi-function probe heating, air data, and inertial reference systems and MAU #1B.

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

FAA’s Determination

These products have been approved by the 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 is issuing this NPRM after determining that the unsafe condition described previously is likely to exist or develop in other products of the same type design.

Proposed AD Requirements in This NPRM

This proposed AD would require accomplishing the actions specified in EASA AD 2023–0003R1 described previously, except for any differences identified as exceptions in the regulatory text of this proposed AD. See “Differences Between This Proposed AD and the MCAI” for a discussion of the general differences included in this proposed AD.

Compliance With AFM and MEL Revisions

EASA AD 2023–0003R1 requires operators to “inform all flight crews” of revisions to the AFM and MEL, and thereafter to “operate the aeroplane accordingly.” However, this proposed AD would not specifically require those actions as those actions are already required by FAA regulations. FAA regulations require that operators furnish to pilots any changes to the AFM (for example, 14 CFR 121.137) and to ensure the pilots are familiar with the AFM (for example, 14 CFR 91.505). As with any other flightcrew training requirement, training on the updated AFM content is tracked by the operators and recorded in each pilot’s training record, which is available for the FAA to review. FAA regulations also require pilots to follow the procedures in the

existing AFM including all updates. Section 91.9 requires that any person operating a civil aircraft must comply with the operating limitations specified in the AFM. FAA regulations (14 CFR 121.628(a)(2)) require operators to provide pilots with access to all the information contained in the operator’s MEL. Furthermore, 14 CFR 121.628(a)(5) requires airplanes to be operated under all applicable conditions and limitations contained in the operator’s MEL. Therefore, including a requirement in this proposed AD to operate the airplane according to the revised AFM and MEL would be redundant and unnecessary.

Differences Between This Proposed AD and the MCAI

EASA AD 2023–0003R1 requires operators to implement the instructions of Dassault Falcon 7X Falcon 8X OSM–FC DGT148654, Revision 6, dated July 2, 2021, or later approved revisions, and to inform all flightcrews of the AFM revision and ensure each pilot has performed the training and operates the airplane accordingly. This proposed AD would not require those specifics actions because the Dassault Falcon 7X Falcon 8X OSM–FC is not an FAA–approved document and therefore operators might not have that document as part of their training program. However, the FAA reviewed Dassault Falcon 7X Falcon 8X OSM–FC, Revision 6, and determined the information for Training Areas of Special Emphasis for Pilots (TASEp) Tp–118–EZII is necessary for flightcrew awareness and must be included in the AFM. Therefore, this proposed AD would require revising the Emergency Procedures section of the existing AFM to incorporate the information for TASEp Tp–118–EZII.

Explanation of Required Compliance Information

In the FAA’s ongoing efforts to improve the efficiency of the AD process, the FAA developed a process to use some civil aviation authority (CAA) ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating this process with manufacturers and CAAs. As a result, the FAA proposes to incorporate EASA AD 2023–0003R1 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with EASA AD 2023–0003R1 in its entirety through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Using common terms that are the same as the heading of a particular section in EASA AD 2023–0003R1 does not mean that operators need comply only with that section. For example, where the AD requirement refers to “all required actions and compliance times,” compliance with this AD requirement is not limited to the section titled “Required Action(s) and Compliance Time(s)” in EASA AD 2023–0003R1. Material required by EASA AD 2023–0003R1 for compliance will be available at *regulations.gov* under Docket No. FAA–2025–1729 after the FAA final rule is published.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 160 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Retained actions from AD 2022–12–10 (MEL and AFM revisions).	2 work-hours × \$85 per hour = \$170	\$0	\$170	\$27,200
New proposed actions (modification and AFM and MEL revisions).	10 work-hours × \$85 per hour = \$850	* 0	850	136,000

* The FAA has received no definitive data on which to base the cost estimates for the parts specified in this proposed AD.

ESTIMATED COSTS FOR OPTIONAL ACTIONS

Labor cost	Parts cost	Cost per product
Up to 302 work-hours × \$85 per hour = \$25,670	Up to \$782,394	\$808,064

According to the manufacturer, some or all of the costs of this proposed AD may be covered under warranty, thereby reducing the cost impact on affected

individuals. The FAA does not control warranty coverage for affected individuals. As a result, the FAA has

included all known costs in the cost estimate.

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

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

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

- 2. The FAA amends § 39.13 by:

- a. Removing Airworthiness Directive (AD) 2022–12–10, Amendment 39–22082 (87 FR 45246, July 28, 2022); and

- b. Adding the following new AD:

Dassault Aviation: Docket No. FAA–2025–1729; Project Identifier MCAI–2024–00568–T.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by September 22, 2025.

(b) Affected ADs

This AD replaces AD 2022–12–10, Amendment 39–22082 (87 FR 45246, July 28, 2022) (AD 2022–12–10).

(c) Applicability

This AD applies to Dassault Aviation Model FALCON 7X airplanes, certificated in any category, as identified in European Union Aviation Safety Agency (EASA) AD 2023–0003R1, dated September 26, 2024 (EASA AD 2023–0003R1).

Note 1 to paragraph (c): Model FALCON 7X airplanes with Dassault modification M1000 incorporated are commonly referred to as "Model FALCON 8X" as a marketing designation.

(d) Subject

Air Transport Association (ATA) of America Code 34, Navigation.

(e) Unsafe Condition

This AD was prompted by a report of a weak point identified in the Falcon 7X "EASy" avionics architecture, which, coupled with theoretical generic input/output (I/O) card failure, could lead to misleading data on display units and by development of modifications that fix that weak point in the avionics architecture. The FAA is issuing this AD to address misleading data on display units. The unsafe condition, if not addressed, could reduce safety margins and lead to increased pilot workload, possibly resulting in reduced controllability 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, EASA AD 2023–0003R1.

(h) Exceptions to EASA AD 2023–0003R1

(1) Where EASA AD 2023–0003R1 refers to September 6, 2021 (the effective of EASA AD 2021–0197), this AD requires using September 1, 2022 (the effective date of AD 2022–12–10).

(2) Where EASA AD 2023–0003R1 refers to July 26, 2022 (the effective date of EASA AD 2022–0145, dated July 12, 2022), and January 20, 2023 (the effective date of EASA AD 2023–0003, dated January 6, 2023), this AD requires using the effective date of this AD.

(3) Where paragraph (1) of EASA AD 2023–0003R1 requires operators to "inform all flight crews, and, thereafter, ensure that each pilot has performed the training and operates the aeroplane accordingly," and paragraph (2.2) of EASA AD 2023–0003R1 requires operators to "inform all flight crews, and, thereafter, operate the aeroplane accordingly," this AD does not require those actions as those actions are already required by existing FAA operating regulations (see 14 CFR 91.9, 91.505, 121.137, and 121.628(a)(2) and (5)).

(4) Where paragraph (1.3) of EASA AD 2023–0003R1 specifies to "Implement the instructions of the MMEL–CP", this AD requires replacing that text with "Revise the operator's existing FAA-approved minimum equipment list (MEL) to incorporate that information ("the MMEL–CP" as specified in EASA AD 2023–0003R1)".

(5) Paragraph (1.4) of EASA AD 2023–0003R1 does not apply to this AD.

(6) This AD does not adopt the "Remarks" section of EASA AD 2023–0003R1.

(i) Airplane Flight Manual (AFM) Revision

Within 2 months after September 1, 2022 (the effective date of AD 2022–12–10), revise the applicable existing AFM to incorporate the information specified in figure 1 to paragraph (i) of this AD after sub-sub-section 2–200–70, Emergency Procedures, ADS with IRS miscompare, of sub-section 2–200, Emergency Procedures, of Section 2—Emergency Procedures.

Figure 1 to Paragraph (i)—Training Areas of Special Emphasis for Pilot (TASEp) Tp–118–EZII Info for AFM

TASEp Tp-118-EZII Information

- 1) Potentially unreliable information exists on the iPFD and/or HUD
- 2) Aircraft must be flown by reference to SFD
- 3) Aircraft trajectory must be monitored on the iNAV
- 4) The iNAV may have misleading/confusing representations
- 5) Before using iNAV for aircraft trajectory monitoring, LH pilot side is to be selected
- 6) Pilot side selection has impacts on task sharing between Pilot Flying and Pilot Monitoring
- 7) Presence of both ADS and IRS CAS messages requires that newly developed single emergency procedure must be performed instead of performing separate ADS and IRS emergency procedures
- 8) There may be a time delay of up to 10 secs between the ADS and IRS MISCOMPARE messages during critical phases of flight
- 9) The special single emergency procedure is not available on ECL (paper checklist from AFM or CODDE2 is required)
- 10) Crew workload in this failure situation will be high

(j) No Reporting Requirement

Although the material referenced in EASA AD 2023–0003R1 specifies to submit certain information to the manufacturer, this AD does not include that requirement.

(k) Additional AD Provisions

The following provisions also apply to this AD:

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

(2) *Contacting the Manufacturer*: For any requirement in this AD to obtain instructions

from a manufacturer, the instructions must be accomplished using a method approved by the Manager, International Validation Branch, FAA; or EASA; or Dassault Aviation's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(l) Additional Information

For more information about this AD, contact William Reisenauer, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 516–228–7301; email: 9-AVS-AIR-BACO-COS@faa.gov.

(m) Material Incorporated by Reference

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

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

(i) European Union Aviation Safety Agency (EASA) AD 2023–0003R1, dated September 26, 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 August 1, 2025.

Steven W. Thompson,

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

[FR Doc. 2025–14932 Filed 8–5–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****[Docket No. FAA–2024–2531]****14 CFR Part 141****Notification of Public Meetings and Request for Comment on the Modernization of Pilot Schools****AGENCY:** Federal Aviation Administration (FAA), Department of Transportation (DOT).**ACTION:** Proposed rule; notification of public meetings; request for comment.**SUMMARY:** The Federal Aviation Administration (FAA) announces public meetings to solicit input on the modernization of pilot school regulations.**DATES:** The FAA will hold a hybrid of virtual and in-person public meetings on Tuesday, October 7, 2025, and Wednesday, October 8, 2025, from 9:00 a.m.–4:00 p.m. Mountain Time. The FAA must receive requests to attend the in-person meetings no later than September 23, 2025.**ADDRESSES:** The in-person meetings will be held at the Salt Lake City Flight Standards District Office (FSDO), 1020 North Flyer Way, Salt Lake City, UT 84116, and virtually on Zoom. See website for registration information link for both virtual and in-person meetings: https://www.faa.gov/about/office_org/headquarters_offices/avs/offices/afx/afx/afx800/afx810/modernization_of_part-141_initiative.

Comments: Written comments are requested no later than September 30, 2025. Send comments identified by docket number FAA–2024–2531 using any of the following methods:

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

Privacy: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking

process. DOT posts these comments, without edit, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at <https://www.govinfo.gov/content/pkg/FR-2008-01-17/pdf/E8-785.pdf>.

Docket: Background documents or comments received may be read at www.regulations.gov at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC 20590 between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Lyndsay Carlson with the Part 141 Modernization Initiative Team, Office of Safety Standards, General Aviation and Commercial Division, Training and Certification Group (AFS–810), Federal Aviation Administration; telephone (202) 267–1100; email 9-AFS-Modernization-Part141-Comments@faa.gov.

SUPPLEMENTARY INFORMATION: Title 14 Code of Federal Regulations (14 CFR) part 141 (Pilot Schools) prescribes the requirements for issuing pilot school air agency certificates, provisional pilot school air agency certificates, and associated ratings, and the general operating rules applicable to a holder of a certificate or rating issued under part 141. Through a part 141 pilot school, a student may obtain equivalent levels of aeronautical experience in fewer hours than required by 14 CFR part 61 (Certification: Pilots, Flight Instructors, and Ground Instructors). Part 141 schools are required to have FAA certification and supplementary oversight. Specifically, part 141 includes curricula standards for training and procedures to ensure a training course used by a school is adequate, appropriate, and administered by qualified personnel.

The process of licensing or certification of pilot schools in the United States is approaching 100 years of existence. Although the FAA has revised certain regulatory requirements pertaining to pilot schools during this time, part 141 still has many foundational ties to Civil Air Regulations (CAR) part 50, which was implemented in the 1940s. Regulations for pilot schools are typically promulgated to improve safety, reduce aircraft accidents, and embrace changes such as advances in technology and the need for data collection and analysis. Modernizing part 141 is essential for

addressing challenges pertaining to certification, certification management, examining authority, and evolving technology and learning methods. The objective of modernizing part 141 is to increase safety and create a foundation for a more structured and robust training environment to aid in the reduction of general aviation fatal accidents.

Therefore, part 141 must be analyzed to determine how it can evolve with the changing aviation industry. Over the course of the project, the FAA is seeking engagement from the flight training industry through participation in public meetings. Collaboration is encouraged to stimulate the innovation of a modern part 141 that will serve the needs of current and future pilot schools, as well as provide a robust and safe training environment that instills the necessary knowledge, skills, critical thinking, and aeronautical decision making in its pilots to create a safer national airspace system.

Public Meetings

Information concerning the public meetings, including topics and meeting times will be posted at the following website: https://www.faa.gov/about/office_org/headquarters_offices/avs/offices/afx/afx/afx800/afx810/modernization_of_part-141_initiative.

Each meeting will be open to the public for virtual or in-person attendance on a first-come, first-served basis, as there is limited space. Please confirm your attendance with the person listed in the **FOR FURTHER INFORMATION CONTACT** section and provide the following information: full legal name and name of your industry association or applicable affiliation. If you wish to attend the meetings in-person, you must register before the scheduled deadline in the **DATES** section. We will not have on-site registration. The FAA will email registrants the meeting access information in a timely manner prior to the start of the meetings.

DOT is committed to providing equal access to these meetings for all participants. If you require an alternative version of files provided or alternative accommodations, such as sign language, interpretation, or other ancillary aids, please contact the Part 141 Modernization Initiative Team, at 9-AFS-Modernization-Part141-Comments@faa.gov no later than September 23, 2025.

Comments Encouraged

The FAA encourages the public to submit comments to www.regulations.gov, Docket No.: FAA–

2024–2531. Comments that the FAA would find helpful include validated data and reports, unique discussion topics or scenarios, and/or feedback specific to modernizing part 141. The public is encouraged to provide feedback regarding innovative ideas; methods; solutions; products; and/or services that have, or could have, a significant impact on pilot school training. We encourage you to submit comments during these public meetings or electronically to Docket No.: FAA–2024–2531. If you submit your comments electronically, it is not necessary to also submit a hard copy.

The submission of public comments is encouraged but not required for meeting participation. The FAA will consider public feedback to determine the need for future considerations to the CFR. The FAA will review comments that are post-marked, or submitted electronically, on or before the comment closing date of September 30, 2025. Comments made after the closing date may be reviewed as time and resources permit.

Issued in Washington, DC, on August 4, 2025.

Everette C. Rochon, Jr.,

Manager, Training and Certification Group, General Aviation and Commercial Division, Office of Safety Standards, Flight Standards Service.

[FR Doc. 2025–14908 Filed 8–5–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. FAA–2024–2531]

14 CFR Part 141

Notification of Public Meetings and Request for Comment on the Modernization of Pilot Schools

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

ACTION: Proposed rule; notification of public meetings; request for comment.

SUMMARY: The Federal Aviation Administration (FAA) announces public meetings to solicit input on the modernization of pilot school regulations.

DATES: The FAA will hold a hybrid of virtual and in-person public meetings on Tuesday, November 4, 2025, and Wednesday, November 5, 2025, from 9:00 a.m.–4:00 p.m. Mountain Time. The FAA must receive requests to attend the in-person meeting no later than October 21, 2025.

ADDRESSES: The in-person meetings will be held at the Salt Lake City Flight Standards District Office (FSDO), 1020 North Flyer Way, Salt Lake City, UT 84116, and virtually on Zoom. See website for registration information link for both virtual and in-person meetings: https://www.faa.gov/about/office_org/headquarters_offices/avs/offices/afx/afx/afx800/afx810/modernization_of_part-141_initiative.

Comments: Written comments are requested no later than October 28, 2025. Send comments identified by docket number FAA–2024–2531 using any of the following methods:

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

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

- **Hand Delivery or Courier:** Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC 20590 between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

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

Privacy: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at <https://www.govinfo.gov/content/pkg/FR-2008-01-17/pdf/E8-785.pdf>.

Docket: Background documents or comments received may be read at www.regulations.gov at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC 20590 between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Lyndsay Carlson with the Part 141 Modernization Initiative Team, Office of Safety Standards, General Aviation and Commercial Division, Training and Certification Group (AFS–810), Federal Aviation Administration; telephone (202) 267–1100; email 9-AFS-Modernization-Part141-Comments@faa.gov.

SUPPLEMENTARY INFORMATION: Title 14 Code of Federal Regulations (14 CFR) part 141 (Pilot Schools) prescribes the requirements for issuing pilot school air agency certificates, provisional pilot school air agency certificates, and associated ratings, and the general operating rules applicable to a holder of a certificate or rating issued under part 141. Through a part 141 pilot school, a student may obtain equivalent levels of aeronautical experience in fewer hours than required by 14 CFR part 61 (Certification: Pilots, Flight Instructors, and Ground Instructors). Part 141 schools are required to have FAA certification and supplementary oversight. Specifically, part 141 includes curricula standards for training and procedures to ensure a training course used by a school is adequate, appropriate, and administered by qualified personnel.

The process of licensing or certification of pilot schools in the United States is approaching 100 years of existence. Although the FAA has revised certain regulatory requirements pertaining to pilot schools during this time, part 141 still has many foundational ties to Civil Air Regulations (CAR) part 50, which was implemented in the 1940s. Regulations for pilot schools are typically promulgated to improve safety, reduce aircraft accidents, and embrace changes such as advances in technology and the need for data collection and analysis. Modernizing part 141 is essential for addressing challenges pertaining to certification, certification management, examining authority, and evolving technology and learning methods. The objective of modernizing part 141 is to increase safety and create a foundation for a more structured and robust training environment to aid in the reduction of general aviation fatal accidents.

Therefore, part 141 must be analyzed to determine how it can evolve with the changing aviation industry. Over the course of the project, the FAA is seeking engagement from the flight training industry through participation in public meetings. Collaboration is encouraged to stimulate the innovation of a modern part 141 that will serve the needs of current and future pilot schools, as well as provide a robust and safe training environment that instills the necessary knowledge, skills, critical thinking, and aeronautical decision making in its pilots to create a safer national airspace system.

Public Meetings

Information concerning the public meetings, including topics and meeting

times will be posted at the following website: https://www.faa.gov/about/office_org/headquarters_offices/avs/offices/afx/afs/afs800/afs810/modernization_of_part-141_initiative.

Each meeting will be open to the public for virtual or in-person attendance on a first-come, first-served basis, as there is limited space. Please confirm your attendance with the person listed in the **FOR FURTHER INFORMATION CONTACT** section and provide the following information: full legal name and name of your industry association or applicable affiliation. If you wish to attend the meetings in-person, you must register before the scheduled deadline in the **DATES** section. We will not have on-site registration. The FAA will email registrants the meeting access information in a timely manner prior to the start of the meetings.

DOT is committed to providing equal access to these meetings for all participants. If you require an alternative version of files provided or alternative accommodations, such as sign language, interpretation, or other ancillary aids, please contact the Part 141 Modernization Initiative Team, at 9-AFS-Modernization-Part141-Comments@faa.gov no later than October 21, 2025.

Comments Encouraged

The FAA encourages the public to submit comments to www.regulations.gov, Docket No.: FAA–2024–2531. Comments that the FAA would find helpful include validated data and reports, unique discussion topics or scenarios, and/or feedback specific to modernizing part 141. The public is encouraged to provide feedback regarding innovative ideas; methods; solutions; products; and/or services that have, or could have, a significant impact on pilot school training. We encourage you to submit comments during these public meetings or electronically to Docket No.: FAA–2024–2531. If you submit your comments electronically, it is not necessary to also submit a hard copy.

The submission of public comments is encouraged but not required for meeting participation. The FAA will consider public feedback to determine the need for future considerations to the CFR. The FAA will review comments that are post-marked, or submitted electronically, on or before the comment closing date of October 28, 2025. Comments made after the closing date may be reviewed as time and resources permit.

Issued in Washington, DC, on August 4, 2025.

Everette C. Rochon, Jr.,

Manager, Training and Certification Group, General Aviation and Commercial Division, Office of Safety Standards, Flight Standards Service.

[FR Doc. 2025–14910 Filed 8–5–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 146

[Docket No. FDA–2022–P–1668]

RIN 0910–AI98

Food Standards of Identity Modernization; Pasteurized Orange Juice

AGENCY: Food and Drug Administration, Health and Human Services.

ACTION: Proposed rule.

SUMMARY: The Food and Drug Administration (FDA or we) is proposing to amend the standard of identity for pasteurized orange juice (POJ) by lowering the minimum orange juice soluble solids content from 10.5° to 10° Brix. We tentatively conclude that this proposed amendment will promote honesty and fair dealing in the interest of consumers and provide industry greater flexibility in the manufacture of pasteurized orange juice. This action, if finalized, will respond to a citizen petition submitted by the Florida Citrus Processors Association Inc. and Florida Citrus Mutual Inc.

DATES: Either electronic or written comments on the proposed rule must be submitted by November 4, 2025.

ADDRESSES: You may submit comments as follows. Please note that late, untimely filed comments will not be considered. The <https://www.regulations.gov> electronic filing system will accept comments until 11:59 p.m. Eastern Time at the end of November 4, 2025. Comments received by mail/hand delivery/courier (for written/paper submissions) will be considered timely if they are received on or before that date.

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://](https://www.regulations.gov)

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–2022–P–1668 for “Food Standards of Identity Modernization; Pasteurized Orange Juice; Proposed Rule.” Received comments, those filed in a timely manner (see **ADDRESSES**), 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.” We will review this copy, including the claimed confidential information, in our consideration of comments. The second copy, which will have the claimed confidential information redacted/

black 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, the plain language summary of the proposed rule of not more than 100 words as required by the “Providing Accountability Through Transparency Act,” 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.

FOR FURTHER INFORMATION CONTACT: Vivien Yan Peng, Office of Nutrition and Food Labeling, Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240-402-2371; or Keronica C. Richardson, Office of Policy, Regulations, and Information, Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240-402-2378.

SUPPLEMENTARY INFORMATION:

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I. Executive Summary

A. Purpose of the Proposed Rule

FDA is proposing to revise the standard of identity (SOI) for POJ established at 21 CFR 146.140 (§ 146.140). The SOI currently requires that finished POJ contain not less than 10.5 percent by weight of orange juice soluble solids, exclusive of the solids of any added optional sweetening ingredients (§ 146.140(a)). The percentage soluble solids by weight of an aqueous solution (e.g., grams of sucrose in 100 grams of solution at 68 degrees F) can be expressed as Brix or degree of Brix (° Brix). The current SOI for POJ therefore requires a minimum orange juice soluble solids of 10.5° Brix. The proposed rule, if finalized, will amend the POJ standard by lowering the minimum orange juice soluble solids from 10.5° to 10° Brix for finished POJ. We tentatively conclude that this proposed amendment will promote honesty and fair dealing in the interest of consumers and provide greater flexibility in the manufacture of POJ (see section 401 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 341)).

B. Legal Authority

We are issuing this proposed rule consistent with our authority in sections 401 and 701 of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 341, 371).

C. Costs and Benefits

The proposed rule, if finalized, would not require firms in the POJ industry to change their manufacturing processes or behavior in any way. Qualitative benefits include flexibility for manufacturers, flexibility of product choice for consumers, and potential sustainability for manufacturers in the face of disease or climate impacts. We note specifically that the proposed rule does not require any behavioral changes on the part of manufacturers, as it provides manufacturers with greater flexibility rather than imposing any restrictions. The proposed changes would provide for a wider range of products to be marketed as POJ. No changes would be required for products that already meet the existing POJ standard. Therefore, any changes made by manufacturers of POJ would be voluntary. The proposed rule, if finalized, would not impose any compliance costs to firms. We estimate cost savings to manufacturers due to substitution to cheaper inputs. The annualized costs would range from –\$14.7 million to –\$106.7 million, with a primary estimate of –\$52.3

million, at a 7 percent discount rate, and from –\$14.8 million to –\$107.0 million, with a primary estimate of –\$52.5 million, at a 3 percent discount rate.

II. Background

A. Citizen Petition and FDA’s Request for Information

The Florida Citrus Processors Association Inc. and Florida Citrus Mutual Inc. (“petitioners”) jointly submitted a citizen petition (Docket No. FDA-2022-P-1668) on July 22, 2022, asking us to amend the SOI for POJ to reduce the minimum orange juice soluble solids content for POJ from 10.5° to 10° Brix, exclusive of the solids from any added optional sweetening ingredients. See Citizen Petition from the Florida Citrus Processors Association Inc. and Florida Citrus Mutual Inc., entitled “Request to Amend Pasteurized Orange Juice Standard of Identity,” sent to the Division of Dockets Management (now the Dockets Management Staff), Food and Drug Administration, dated July 22, 2022 (“Petition”).

The petitioners stated that when FDA issued the SOI for POJ in 1963 (see “Orange Juice and Orange Juice Products; Definitions and Standards of Identity; Findings of Fact and Final Order,” 28 FR 10900, October 11, 1963), FDA recognized that Florida was the dominant supplier of juice oranges with an average Brix level of 11.8°. The petitioners asserted that, based on the fruits used in preparing POJ at that time, FDA set a minimum Brix level of 10.5° for the POJ standard (Petition at page 3). However, the petitioners stated that the average Brix of Florida oranges has steadily dropped since 2010–2011 due to a bacterial disease called “citrus greening disease,” also known as Huanglongbing (Petition at pages 3–4). According to information on the U.S. Department of Agriculture (USDA), Animal and Plant Health Inspection Service’s (APHIS) website, symptoms of trees infected with citrus greening include blotchy mottled leaves, stunted growth, reduced fruit production, reduced fruit size, bitter fruit, and premature fruit drop. See USDA APHIS, “Citrus Greening and Asian Citrus Psyllid,” at <https://www.aphis.usda.gov/plant-pests-diseases/citrus-diseases/citrus-greening-and-asian-citrus-psyllid>. Currently, there is no cure or mitigating treatment for citrus greening disease and most trees die within a few years of being infected (id.). The U.S. production forecast for oranges is down to the lowest level in 88 years due to diseases like citrus greening and unfavorable

weather (see USDA Foreign Agricultural service Global Market Analysis, “Citrus: World Markets and Trade,” at <https://www.fas.usda.gov/data/citrus-world-markets-and-trade-01302025>). The petitioners also stated that severe weather, particularly Hurricane Irma in 2017, has resulted in the reduced production of oranges and lower average fruit sugar content (Petition at pages 3–4). The soluble solids in orange juice consist mainly of sugars. The petitioners explained that, due to these factors, seasonal average Brix levels (weighted by volume) are hovering below the minimum of 10.5° Brix (Petition at page 4). The petitioners stated that the SOI for POJ was carefully constructed to reflect the qualities of U.S. oranges at the time the SOI was established, however they asserted that the SOI should now be updated to align with the modern U.S. crop (Petition at page 5). Hence, while still under review, the current USDA standard for Grades of POJ is based on the current POJ SOI (Ref. 1).

The POJ SOI allows for the addition of optional concentrated orange juice ingredients to increase the POJ solids to meet the minimum 10.5° Brix (§ 146.140(a)) with the label declaration of “prepared in part from concentrated orange juice,” “with added concentrated orange juice,” or “concentrated orange juice added” (§ 146.140(e)(1)). This label declaration enables consumers to identify POJ made from only expressed orange juice and POJ that has been made with concentrated orange juice ingredients. The petitioners asserted that “not from concentrate” orange juice is the most popular form of orange juice, indicating that consumers have a preference for POJ that is made from expressed juice rather than from concentrated juice (Petition at page 5). The petitioners explained that almost the entire Florida orange crop is used for the production of “not from concentrate” POJ (Petition at pages 4–5), thereby emphasizing the importance of Florida oranges in meeting consumer demand for “not from concentrate” POJ. Florida plays a vital role in the orange juice industry, although other states like California, Arizona, and Texas also contribute to the overall citrus production in the United States. Some states, such as California, primarily produce orange crops for the fresh market. However, in Florida, almost the entire orange crop is used to make POJ that is “not from concentrate” (Petition at page 4). The petitioners further explained that while “not from concentrate” orange juice may have a lower Brix value, the reduction in sugar

content would be minimal and would unlikely impact consumer acceptance with respect to characteristics like taste and flavor (Petition at pages 5–6). The petitioners stated that most fruit juices, albeit many of which have a relatively lower volume of sales, have no SOI and that “this regulatory discrepancy further emphasizes the need to amend the SOI for POJ to keep pace with modern scientific understanding and naturally occurring dynamics impacting product production (Petition at page 7)”. The petitioners also stated that the 10° minimum Brix level they requested for POJ is consistent with the minimum Brix level of 10° in the SOI for canned orange juice (See 21 CFR 146.141) (Petition at page 6).

In the **Federal Register** of August 16, 2023, we published a request for information (RFI) (Docket No. FDA–2023–N–2632) seeking comments on several topics, including if amending the POJ SOI could result in products that are inconsistent with consumer expectations and if consumers would accept changes in the nutritional value of POJ with a lower minimum soluble solids content (88 FR 55607, August 16, 2023). We requested this information to determine whether the SOI for POJ should be amended. Many comments supported lowering the Brix level. The comments stated that the Brix level is an intrinsic variable for oranges based on year, origin, and crops. The comments also asserted that most consumers would not notice the difference in taste and flavor of POJ with Brix levels between 10° and 10.5° and that any nutritional differences are minimal. A few comments opposed the petition, stating that there was no benefit to consumers if FDA lowered the Brix level. However, these comments did not indicate or provide evidence suggesting that consumers would be disadvantaged by lowering the Brix level.

The petitioners provided supplemental materials to their petition with new information on the decreasing average Brix level from the 2022–2023 orange season) and findings from a recent study demonstrating consumers’ acceptance of POJ with a lower Brix level of 10°. See Citizen Petition Supplemental Materials from the Florida Citrus Processors Association Inc. and Florida Citrus Mutual Inc., entitled “Citizen Petition Supplemental Materials,” sent to the Division of Dockets Management (now the Dockets Management Staff), Food and Drug Administration, dated May 23, 2024 (“Supplemental Materials”). The petitioners also noted that the average Brix level continued to fall in 2022–2023 with an average Brix level of 9.7°

due to tree stress caused by weather and disease pressures (Supplemental Materials at Appendix 2). The petitioners urged FDA to take swift action to amend the SOI for POJ by lowering the minimum Brix level from 10.5° to 10° (Supplemental Materials at page 1).

We received another citizen petition, jointly submitted from Florida Department of Citrus, Florida Citrus Processors Association, Florida Citrus Mutual and the Juice Products Association, regarding SOIs for orange juice and orange juice products (Docket No. FDA–2023–P–5063) on November 15, 2023, for which most of the requests are outside the scope of this rulemaking. However, one request is relevant to the POJ SOI. The POJ standard in § 146.140(a) currently provides for a maximum allowable percentage of *Citrus reticulata* (i.e., mandarin or tangerine oranges) or *Citrus reticulata* hybrids juice of not more than 10 percent by volume. The request seeks to increase the maximum allowable percentage from 10 percent to 15 percent. The petition states that, “Increasing the permitted percentage of juices from tangelos and tangerines would contribute to a better balancing of juice from oranges in diminishing supply and juice from oranges where there is a surplus.” The petition cited a 2021 study conducted by University of Florida Institute of Food and Agricultural Sciences Citrus Research and Education Center that found orange juice and Sugar Belle® blends at 50–50% levels performed better in sensory evaluation than pure orange juice. The study further noted that “consumer acceptance of the OJ label revealed that adding up to 30% tangerine juice to OJ might still be considered OJ by most consumers, providing an initial guide for citrus legislation to loosen the regulation on the content of tangerine juice blended with OJ.” While the proposed rule does not propose increasing the maximum allowable percentage of *Citrus reticulata* or *Citrus reticulata* hybrids juice because we do not know the potential impacts of such a change on POJ, in section VI. of this proposed rule, we invite comments about increasing the maximum allowable percentage of *Citrus reticulata* or *Citrus reticulata* hybrids in § 146.140(a).

B. History of the Rulemaking

FDA published a final order establishing SOIs for orange juice and orange juice products, including POJ, in 1963 (28 FR 10900, October 11, 1963). The final order contained various findings of fact, first being that “[t]he

food commonly and usually known as orange juice is the natural liquid that is squeezed from mature oranges” (28 FR 10900 at 10901). The order found that a new product had been developed that was heat-treated and that the name of this product is pasteurized orange juice (28 FR 10900 at 10901 through 10902). In establishing minimum composition requirements for this product, the record supported a minimum orange juice soluble solids of not less than 10.5° Brix. Specifically, Florida was the dominant supplier of orange juice at the time, so we looked to the characteristics of Florida oranges (See 28 FR 10900 at 10905). The final order further stated that when fruit of low Brix is used in the manufacture of POJ, the Brix level may be adjusted by adding frozen single strength juice or orange juice concentrate, the latter being limited to one-fourth of the total orange juice solids (28 FR 10900 at 10902). The standard of identity permitted frozen concentrated orange juice (as specified in § 146.146) and concentrated orange juice for manufacturing (as specified in § 146.153) when made from mature oranges as optional concentrated orange juice ingredients (28 FR 10900 at 10906).

C. Need for the Regulation

Section 401 of the FD&C Act permits us to establish a reasonable definition and standard of identity when such action will promote honesty and fair dealing in the interest of consumers. The Brix level of expressed juice, in contrast to concentrated juice, is subject to the vagaries of nature and therefore has a naturally occurring range beyond the manufacturer's control (see 58 FR 2897 at 2906). As such, a reasonable definition and standard of identity for POJ should take this circumstance into consideration. We recognize that citrus greening disease has caused damage to Florida's orange crop and to much of the orange crop of the United States. See USDA APHIS, “Citrus Greening and Asian Citrus Psyllid,” at <https://www.aphis.usda.gov/plant-pests-diseases/citrus-diseases/citrus-greening-and-asian-citrus-psyllid>. We also acknowledge that until a treatment is found to prevent or cure citrus greening disease, it is unlikely that the orange crop will recover and that the Brix level of juice from oranges will return to levels previously seen. The data submitted by the petitioners demonstrates that the Brix value of Florida oranges has been decreasing since 2010–2011, and a minimum Brix of 10.0° for POJ appears to be a reasonable level based on information submitted by the petitioners showing

the historical seasonal Brix levels decreasing by year (Supplemental Materials at Appendix 2).

We have also considered whether amending the SOI for POJ would promote honesty and fair dealing in the interest of consumers. Although the SOI for POJ permits the addition of concentrated orange juice to raise the Brix level, some modern-day consumers may prefer POJ that is made from only expressed juice rather than from added concentrated juice. The petitioners assert that “not from concentrate” orange juice has become the most popular orange juice form. Since the SOI for POJ was established, consumers have come to prefer 100% juice, and labeling requirements have been established to inform consumers whether juice products are from concentrate (see 21 CFR 101.30(b)(3), (i), and 102.33(g)). Lowering the minimum Brix to 10.0° may prevent the addition of concentrated orange juice ingredients because they would not be needed to meet this minimum.

We further note that, as asserted by the petitioners and in comments submitted to the RFI we reviewed, lowering the minimum Brix from 10.5° to 10.0° is unlikely to affect the taste of POJ. Nutrition labels for POJ provided by the petitioners show that a serving (8 oz) of orange juice with a Brix of 10.5° has 18 grams of sugar, whereas a serving of orange juice with a Brix of 10.0° has 17 grams of sugar. Thus, lowering the minimum Brix of POJ, as proposed in this rule, would result in one gram difference in sugar content per serving. Moreover, data submitted by the petitioners indicates that a change in Brix from 10.5° to 10.0° has a minimal impact on the nutrient levels in orange juice.

Based on this information, we tentatively conclude that amending the SOI for POJ to permit a minimum Brix of 10.0° is reasonable and will promote honesty and fair dealing in the interest of consumers. Because the Brix value is a minimum value, orange juice processors may produce POJ with higher Brix. The proposed rule would lower the minimum Brix, thereby permitting more flexibility in the range of orange juice that can be used in the manufacture of POJ.

Pending issuance of a final rule amending the SOI for POJ or a response to the 2022 citizen petition in accordance with 21 CFR 10.30(e)(2), FDA intends to consider the exercise of enforcement discretion when POJ is manufactured with a Brix from 10.0° to 10.5° and is otherwise in compliance with § 146.140.

III. Legal Authority

We are issuing this proposed rule consistent with our authority in sections 401 and 701 of the FD&C Act (21 U.S.C. 341, 371). Section 401 of the FD&C Act permits us to promulgate regulations establishing for foods a reasonable definition and standard of identity to promote honesty and fair dealing in the interest of consumers.

IV. Description of the Proposed Rule

A. Scope/Applicability

The proposed rule, if finalized, would amend the SOI for POJ in § 146.140. Our regulation, at § 146.140(a), requires a minimum orange juice soluble solids content of 10.5° Brix for POJ. The proposed rule would lower the minimum orange juice soluble solids content from 10.5° to 10° Brix.

B. Amending the Standard of Identity Regulation To Reduce the Minimum Brix Level

The proposed rule, if finalized, would amend § 146.140(a) to allow the manufacture of POJ with a lower soluble solids content, which in turn impacts sugar content. The sugar content is reduced by 1 gram per serving (8 oz) when the Brix level of POJ decreases from 10.5° to 10°. This change is expected to have insignificant impact on taste and flavor and may facilitate the manufacture of POJ without added concentrated orange juice ingredients. The proposed rule reflects FDA's efforts to update and modernize food standards by aligning the standard with current crop properties and providing greater production flexibility, while maintaining the basic nature and essential characteristics of standardized foods. We tentatively conclude that this action would promote honesty and fair dealing in the interest of consumers.

This proposed rule, if finalized as proposed, is expected to be an E.O. 14192 deregulatory action.

V. Proposed Effective and/or Compliance Date(s)

We propose that any final rule that may result from this rulemaking become effective 30 days after its publication in the **Federal Register**. The final rule would apply to POJ products produced or delivered for introduction into interstate commerce on or after the effective date. We propose that the compliance date for any final rule that may result from this rulemaking be 30 days after its publication in the **Federal Register**.

VI. Questions About POJ SOI

The petitioners requested that we amend the SOI for POJ to lower the minimum Brix level to 10° (Petition at page 2). The proposed standard was published when Florida oranges, the dominant supplier, had an average Brix level of 11.8° and FDA published the SOI with a minimum Brix level of 10.5° (28 FR 10905). Currently, we understand that Brix level has been declining over the past few decades, making it challenging for manufacturers to meet the current minimum Brix level of 10.5° (Petition at pages 3–4).

Thus, in addition, we invite comment on whether the minimum Brix level requirement should be further reduced or removed entirely from the SOI for POJ due to the steadily declining Brix levels. Would removal of a minimum Brix requirement better promote honesty and fair dealing in the interest of consumers while supporting innovation? Specifically, would it result in products that continue to meet consumers expectations about POJ? Please explain your answers and provide references and data that support your explanation, if possible.

We also invite comment on whether the SOI for POJ should be revoked so that manufacturers have more flexibility in POJ production. This would result in POJ being a nonstandardized food, similar to other juices such as apple, grape, and cranberry juices. Is the SOI for POJ no longer necessary to promote honesty and fair dealing in the interest of consumers such that it should be revoked? Please explain your answers and provide references and data that supports your explanation, if possible.

As mentioned in section II.A, we received a citizen petition requesting that we increase the maximum allowable amount of unfermented juice that can be obtained from mature oranges of the species *Citrus reticulata* or *Citrus reticulata* hybrids from 10 percent by volume to 15 percent by volume of the unfermented juice (see § 146.140(a)). We understand from industry that *Citrus reticulata* is sweeter than *Citrus sinensis* and thus has a higher Brix value. Increasing the maximum allowable amount of juice from *Citrus reticulata* to 15 percent by

volume could help increase the overall Brix value of POJ. We invite comment on the acceptability of increasing the maximum allowable amount of unfermented juice from *Citrus reticulata* or *Citrus reticulata* hybrids from 10% to 15% by volume in § 146.140(a). If such change were made, would the essential characteristics of POJ be preserved? Please explain and provide any data or factual information.

VII. Preliminary Economic Analysis of Impacts

We have examined the impacts of the proposed rule under Executive Order 12866, Executive Order 13563, Executive Order 14192, the Regulatory Flexibility Act (5 U.S.C. 601–612), and the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4).

Executive Orders 12866 and 13563 direct us to assess all benefits, costs, and transfers of available regulatory alternatives and, when regulation is necessary, to select regulatory approaches that maximize net benefits. Executive Order 14192 requires that any new incremental costs associated with significant new regulations “shall, to the extent permitted by law, be offset by the elimination of existing costs associated with at least ten prior regulations.” The Office of Information and Regulatory Affairs (OIRA) has determined that this proposed rule is a significant regulatory action under Executive Order 12866. This proposed rule, if finalized as proposed, is expected to be an Executive Order 14192 deregulatory action.

The Regulatory Flexibility Act requires us to analyze regulatory options that would minimize any significant impact of a rule on small entities. Because we tentatively conclude that this proposed rule, if finalized, would not generate compliance costs to industry, we propose to certify that the proposed rule will not have a significant economic impact on a substantial number of small entities.

The Unfunded Mandates Reform Act of 1995 (Section 202(a)) requires us to prepare a written statement, which includes estimates of anticipated impacts, before proposing “any rule that includes any Federal mandate that may result in the expenditure by State, local, and tribal governments, in the aggregate,

or by the private sector, of \$100,000,000 or more (adjusted annually for inflation) in any one year.” The current threshold after adjustment for inflation is \$187 million, using the most current (2024) Implicit Price Deflator for the Gross Domestic Product. This proposed rule would not result in an expenditure in any year that meets or exceeds this amount.

The proposed rule, if finalized, would not require firms in the POJ industry to change their manufacturing practices or behavior in any way. As a result, we tentatively conclude that there would be no compliance costs associated with the proposed rule. The proposed rule would allow additional flexibility for, and the opportunity for innovation regarding, POJ, providing benefits to industry without harming consumers. Manufacturers may experience cost savings if they are able to avoid blending single strength orange juice with higher Brix or orange juice concentrate, or if they are able to substitute cheaper inputs into the manufacturing process, such as using cheaper local lower-Brix oranges that previously would not have been used to meet the SOI. We note specifically that the proposed rule does not require any behavioral changes on the part of manufacturers, as it provides manufacturers with greater flexibility rather than imposing any restrictions. The proposed changes would provide for a wider range of products to be marketed as POJ. No changes would be required for products that already meet the existing POJ standard. Therefore, any changes made by manufacturers of POJ would be voluntary.

Our primary estimate of cost savings experienced by manufacturers is –\$52.3 million, annualized at 7% over 10 years; this primary estimate is –\$52.5 million, annualized at 3% over 10 years. Therefore, we tentatively conclude that the proposed rule to amend the SOI for POJ, if finalized, is a deregulatory action under Executive Order 14192. Table 1 provides a summary of the benefits and costs associated with the proposed rule. We request comment on our described benefits and costs of the proposed rule.

TABLE 1—SUMMARY OF BENEFITS, COSTS, AND DISTRIBUTIONAL EFFECTS OF THE PROPOSED RULE
[Millions of 2024 dollars]

Category	Primary estimate	Low estimate	High estimate	Units			Notes
				Year dollars	Discount rate (%)	Period covered (years)	
Benefits:							
Annualized	\$0	\$0	\$0	2024	7	10	

TABLE 1—SUMMARY OF BENEFITS, COSTS, AND DISTRIBUTIONAL EFFECTS OF THE PROPOSED RULE—Continued
[Millions of 2024 dollars]

Category	Primary estimate	Low estimate	High estimate	Units			Notes
				Year dollars	Discount rate (%)	Period covered (years)	
Monetized \$millions/year	0	0	0	2024	3	10	Benefits include additional flexibility for firms in production and innovation
Annualized					7		
Quantified					3		
Qualitative						10	
Costs:							
Annualized	– 52.3	– 14.7	– 106.7	2024	7	10	
Monetized \$millions/year	– 52.5	– 14.8	– 107.0	2024	3	10	
Annualized					7		
Quantified					3		
Qualitative							
Transfers:							
Federal					7		
Annualized					3		
Monetized \$millions/year							
From/To	From:			To:			
Other					7		
Annualized					3		
Monetized \$millions/year							
From/To	From:			To:			
Effects:							
State, Local or Tribal Government: None.							
Small Business: None.							
Wages: None.							
Growth: None.							

In line with Executive Order 14192, in Table 2 we estimate present and annualized values of costs, cost savings, and net costs over an infinite time horizon, assuming 1% annual growth in cost savings corresponding to 1% annual growth of POJ market in perpetuity.

TABLE 2—E.O. 14192 SUMMARY TABLE
[Millions of 2024 dollars, discounted over an infinite time horizon at a 7 percent discount rate]

	Primary estimate
Present Value of Costs	\$0
Present Value of Cost Savings	– 732.0
Present Value of Net Costs	– 732.0
Annualized Costs	0
Annualized Cost Savings	– 51.2
Annualized Net Costs	– 51.2

The proposed rule, if finalized, would not require firms in the POJ industry to change their manufacturing practices or behavior in any way. As a result, we tentatively conclude that there would be no compliance costs associated with the proposed rule. The proposed rule would allow additional flexibility for, and the opportunity for innovation regarding, POJ, providing benefits to industry without harming consumers. Manufacturers may experience cost savings if they are able to avoid blending single strength orange juice with higher Brix or orange juice concentrate, or if they are able to substitute cheaper inputs into the manufacturing process, such as using cheaper local lower-Brix oranges that previously would not have been used to meet the SOI. Our primary estimate of cost savings experienced by manufacturers is – \$52.3 million, annualized at 7% over 10 years; this primary estimate is – \$52.5 million, annualized at 3% over 10 years. Therefore, we tentatively conclude that the proposed rule to amend the SOI for POJ, if finalized, is a deregulatory action under Executive Order 14192. Table 1 provides a summary of the benefits and costs associated with the proposed rule. We request comment on our described benefits and costs of the proposed rule.

TABLE 1—SUMMARY OF BENEFITS, COSTS, AND DISTRIBUTIONAL EFFECTS OF THE PROPOSED RULE
[Millions of 2024 dollars]

Category	Primary estimate	Low estimate	High estimate	Units			Notes
				Year dollars	Discount rate (%)	Period covered (years)	
Benefits:							
Annualized	\$0	\$0	\$0	2024	7	10	
Monetized \$millions/year	0	0	0	2024	3	10	
Annualized					7		
Quantified					3		
Qualitative						10	Benefits include additional flexibility for firms in production and innovation
Costs:							
Annualized	–52.3	–14.7	–106.7	2024	7	10	
Monetized \$millions/year	–52.5	–14.8	–107.0	2024	3	10	
Annualized					7		
Quantified					3		
Qualitative							
Transfers:							
Federal					7		
Annualized					3		
Monetized \$millions/year							
From/To	From:			To:			
Other					7		
Annualized					3		
Monetized \$millions/year							
From/To	From:			To:			
Effects:							
State, Local or Tribal Government: None.							
Small Business: None.							
Wages: None.							
Growth: None.							

In line with Executive Order 14192, in values of costs, cost savings, and net
2 we estimate present and annualized costs over an infinite time horizon.

TABLE 2—E.O. 14192 SUMMARY TABLE

[Millions of 2024 dollars, discounted over an infinite time horizon at a 7 percent discount rate]

	Primary estimate	Low estimate	High estimate
Present Value of Costs	\$0	\$0	\$0
Present Value of Cost Savings	–320.9	–90.3	–654.0
Present Value of Net Costs	–320.9	–90.3	–654.0
Annualized Costs	0	0	0
Annualized Cost Savings	–22.5	–6.3	–45.8
Annualized Net Costs	–22.5	–6.3	–45.8

We request comment on our described benefits and costs of the proposed rule. We have developed a full Preliminary Economic Analysis of Impacts that assesses the impacts of the proposed rule. The full preliminary analysis of economic impacts is available in the docket for this proposed rule (Ref. 2) and at <https://www.fda.gov/about-fda/economics-staff/regulatory-impact-analysis-ria>.

VIII. Analysis of Environmental Impact

We have determined under 21 CFR 25.32(a) that this action is of a type that

does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

IX. Paperwork Reduction Act of 1995

This proposed rule contains no new or revised collection of information. Therefore, clearance by the Office of Management and Budget under the Paperwork Reduction Act of 1995 is not required.

X. Federalism

We have analyzed this proposed rule in accordance with the principles set forth in Executive Order 13132. We have determined that this proposed rule does not contain policies that have substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. Accordingly, we conclude that the rule does not contain policies that have federalism

implications as defined in the Executive Order and, consequently, a federalism summary impact statement is not required.

XI. Consultation and Coordination With Indian Tribal Governments

We have analyzed this proposed rule in accordance with the principles set forth in Executive Order 13175. We have tentatively determined that the rule does not contain policies that would 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. We invite comments from tribal officials on any potential impact on Indian Tribes from this proposed action.

XII. References

The following references are on display at the Dockets Management Staff (see **ADDRESSES**) and is available for viewing by interested persons between 9 a.m. and 4 p.m., Monday through Friday; they are also available electronically at <https://www.regulations.gov> and at the website address provided below. FDA has verified the website addresses as of the date this document publishes in the **Federal Register**, but websites are subject to change over time.

1. U.S. Department of Agriculture. "United States Standards for Grades of Orange Juice, January 10, 1983". https://www.ams.usda.gov/sites/default/files/media/Canned_Orange_Juice_Standard%5B1%5D.pdf.
2. Food Standards of Identity Modernization; Pasteurized Orange Juice; Proposed Rule, Docket No. FDA-2022-P-1668, Preliminary Regulatory Impact Analysis, Initial Regulatory Flexibility Analysis, Unfunded Mandates Reform Act Analysis. <https://www.fda.gov/about-fda/economics-staff/regulatory-impact-analyses-ria>.

List of Subjects in 21 CFR Part 146

Food grades and standards, Fruit juices.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, we propose that 21 CFR part 146 be amended as follows:

PART 146—CANNED FRUIT JUICES

■ 1. The authority citation for part 146 continues to read as follows:

Authority: 21 U.S.C. 341, 371.

■ 2. In § 146.140, revise paragraph (a) by replacing "10.5 percent by weight" to read as "10 percent by weight."

* * * * *

Robert F. Kennedy, Jr.,

Secretary, Department of Health and Human Services.

[FR Doc. 2025-14949 Filed 8-5-25; 8:45 am]

BILLING CODE 4164-01-P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[REG-132805-17]

RIN 1545-BP09

Determination of Line of Business for Purposes of No-Additional-Cost Service and Qualified Employee Discount Fringe Benefits

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of proposed rulemaking.

SUMMARY: This document contains proposed regulations that would provide guidance regarding an employer's line or lines of business for purposes of determining the exclusion from gross income for no-additional-cost services or qualified employee discounts provided to employees.

DATES: Written or electronic comments and requests for a public hearing must be received by November 4, 2025.

ADDRESSES: Commenters are strongly encouraged to submit public comments electronically via Federal eRulemaking Portal at <https://www.regulations.gov> (indicate IRS and REG-132805-17) by following the online instructions for submitting comments. Requests for a public hearing must be submitted as prescribed in the "Comments and Requests for a Public Hearing" section. Once submitted to the Federal eRulemaking Portal, comments cannot be edited or withdrawn. The Department of the Treasury (Treasury Department) and the IRS will publish for public availability any comments submitted to the IRS's public docket. Send paper submissions to: CC:PA:01:PR (REG-132805-17), Room 5203, Internal Revenue Service, P.O. Box 7604, Ben Franklin Station, Washington, DC 20044.

FOR FURTHER INFORMATION CONTACT: Concerning the proposed regulations, Andrew Holubeck at (202) 317-4774; concerning submissions of comments and/or requests for a public hearing, Publications and Regulations Section at

(202) 317-6901 (not toll-free numbers) or by email to publichearings@irs.gov (preferred).

SUPPLEMENTARY INFORMATION:

Authority

This notice of proposed rulemaking contains proposed regulations that would amend the Income Tax Regulations (26 CFR part 1) under section 132(a) of the Internal Revenue Code (Code) related to no-additional-cost services and qualified employee discounts. The proposed regulations are issued under the authority conferred by Section 132(o), which provides the Secretary or his delegate (Secretary) with an express grant of regulatory authority to prescribe such regulations as may be necessary or appropriate to carry out the purposes of section 132. The proposed regulations are also issued under the authority of section 7805(a) of the Code, which authorizes the Secretary to prescribe all needful rules and regulations for the enforcement of the Code.

These proposed regulations would replace a business classification system that has not been updated since 1974 with a much more current classification system that is updated every five years. Under these proposed regulations, the application of the no-additional-cost benefit and employee discount exclusions from employee income under section 132(a)(1) and (2) would be determined under a classification system that more accurately reflects current economic activity than the system used under the existing regulations, thereby reducing burden in applying the exclusions from income under section 132(a)(1) and (2).

Background

Section 132(a)(1) and (2) exclude from the gross income of an individual any fringe benefit that qualifies as a no-additional-cost service or a qualified employee discount, respectively. Section 132(b) defines the term "no-additional-cost service," in part, as any service provided by an employer to an employee for use by such employee if such service is offered for sale to customers in the ordinary course of the line of business of the employer in which the employee is performing services. Section 132(c)(1) defines the term "qualified employee discount," in part, as any employee discount with respect to qualified property or services. Section 132(c)(4) defines the term "qualified property or services" as any property (other than real property and other than personal property of a kind held for investment) or services that are

offered for sale to customers in the ordinary course of the line of business of the employer in which the employee is performing services.

Section 1.132–4(a)(1) provides that, for purposes of determining whether the exclusion under section 132(a)(1) or (2) applies, an individual to whom or on behalf of whom the fringe benefit is provided must have performed substantial services in the employer's line of business that offers such services or property for sale to customers in the ordinary course of business.

Section 1.132–4(a)(2)(i) states that an employer's line of business is determined by reference to the Enterprise Standard Industrial Classification Manual (ESIC Manual) prepared by the Statistical Policy Division of the U.S. Office of Management and Budget (OMB) and further provides that an employer is considered to have more than one line of business if the employer offers for sale to customers property or services in more than one two-digit code classification referred to in the ESIC Manual. Section 1.132–4(a)(2)(ii) lists as examples of two-digit classifications under the ESIC Manual general retail merchandise stores; hotels and other lodging places; auto repair, services, and garages; and food stores.

Section 1.132–4(a)(3) provides that, if pursuant to § 1.132–4(a)(2), an employer has more than a single line of business, such lines of business will be treated as a single line of business where and to the extent that one or more of the following aggregation rules apply:

(i) If it is uncommon in the industry of the employer for any of the separate lines of business of the employer to be operated without the others, the separate lines of business are treated as one line of business.

(ii) If it is common for a substantial number of employees (other than those employees who work at the headquarters or main office of the employer) to perform substantial services for more than one line of business of the employer, so that determination of which employees perform substantial services for which line of business would be difficult, then the separate lines of business of the employer in which such employees perform substantial services are treated as one line of business.

(iii) If the retail operations of an employer that are located on the same premises are in separate lines of business but would be considered to be within one line of business under § 1.132–4(a)(2) if the merchandise offered for sale in such lines of business were offered for sale at a department

store, then the operations are treated as one line of business.

Section 132 (including section 132(a)(1) and (2)), was added to the Code as part of the Deficit Reduction Act of 1984, Public Law 98–369, 98 Stat. 494. Concerning the line of business limitation that applies to the no-additional-cost service and qualified employee discount exclusions in section 132(a), the House Report on this legislation noted that “[i]n providing guidance as to the treatment of an employer as consisting of separate lines of business for this purpose, Treasury regulations . . . may refer to the Standard Industrial Classifications used for other governmental purposes.” H. Rept. 98–432, 1594, 1984 U.S.C.C.A.N. 697, 1218.

First used in 1938, the Standard Industrial Classification (SIC) is an industry classification system developed by OMB for use in the classification of establishments by type of activity in which the establishments are primarily engaged. *See* North American Industry Classification System (NAICS), United States, 2022, published by OMB, Executive Office of the President (hereinafter referred to as the “NAICS Manual”), pg. 13.¹ For purposes of the SIC, an establishment is an economic unit, generally at a single physical location, where business is conducted or where services or industrial operations are performed (such as a factory, mill, store, hotel, movie theater, mine, farm, ranch, bank, railroad depot, airline terminal, sales office, warehouse, or central administrative office). *See* Standard Industrial Classification Manual, 1987, published by OMB, Executive Office of the President (hereinafter referred to as the “SIC Manual”), Introduction, pg. 12.² The SIC is a hierarchical classification system that includes a two-digit major group, a three-digit industry group, or a four-digit industry code (the most specific classification). *Id.* Examples of four-digit industry code SIC classifications include metal mining, general building contractors—non-residential buildings, and knitting mills.

The ESIC Manual was developed by the Statistical Policy Division of OMB to supplement the SIC by providing a standard for use with statistics about enterprises (rather than “establishments,” the applicable unit

for SIC) by kind of economic activity. *See* Announcement 86–6 (1986–4 IRB 52). For this purpose, the term “enterprise” consists of all establishments under common direct or indirect ownership. An enterprise, for this purpose, is generally defined to include all entities, including subsidiaries, if there is more than 50 percent common ownership. An enterprise may vary in composition ranging from a single legal entity (*e.g.*, corporation, partnership, individual proprietorship) to a complex family of legal entities under common ownership. *Id.* Just like the SIC, the ESIC Manual uses a four-digit code for detailed classification (with a decimal between the second and third digits to visually distinguish an ESIC Manual classification from a SIC classification). *Id.* “The first two digits of the code represent the Major Group, similar to that for the establishment SIC,” while “the third and fourth digits represent the enterprise subdivision.” ESIC Manual codes are similar, and sometimes identical to, SIC codes, but they aren’t necessarily defined in the same way. The last update of the ESIC Manual was in 1974.

In response to the House Report suggestion that the SIC could be used as a reference for determining line of business, Treasury and the IRS elected to use the ESIC Manual, a supplement to the SIC as described above, as a basis for defining line of business for purposes of section 132(a)(1) and (2) when they issued final regulations under section 132 in the **Federal Register** in 1989 (54 FR 28576). In the early 1990s, “[r]apid changes in both the U.S. and world economies brought the SIC under increasing criticism.” *See* NAICS Manual, Introduction, pg. 13. In 1992, the OMB began work on developing a new classification system to address these criticisms and coordinated this work with Mexico and Canada. *Id.* The product of these efforts was the NAICS, which would take the place of the existing classification systems in the United States, Canada, and Mexico. *Id.* The United States implemented NAICS for the first time in 1997. Since then, the NAICS has represented a continuing cooperative effort among Statistics Canada, Mexico’s Instituto Nacional de Estadística y Geografía (INEGI), and the Economic Classification Policy Committee (ECPC) of the United States, acting on behalf of OMB. *See* NAICS Manual, Preface, pg. 3. Since its inception, the countries have collaborated in revising the NAICS every five years in order to keep the classification system current with

¹ To access the 2022 NAICS Manual and other NAICS information, visit the U.S. Census website at <https://www.census.gov/NAICS>.

² To access the 1987 SIC Manual and other SIC information, visit the Library of Congress website at <https://guides.loc.gov/industry-research/classification-sic>.

changes in economic activities. *See* 2022 NAICS Manual, Preface, pg. 3.

The NAICS is primarily a classification system for establishments, defined for this purpose as the “smallest operating entity for which records provide information on the cost of resources—materials, labor, and capital—employed to produce the units of output.” *See* NAICS Manual, Introduction, pg. 18. Similar to the SIC, an establishment for purposes of NAICS is typically “a single physical location where business is conducted or where services or industrial operations are performed (for example, a factory, mill, store, hotel, movie theater, mine, farm, airline terminal, sales office, warehouse, or central administrative office).” *Id.*

The structure of the NAICS is hierarchical. It classifies establishments into similar industries using a six-digit coding system. *Id.* The first two digits of the code designate the sector of an

establishment, which represents general categories of economic activity (*e.g.*, under the 2022 classification, sector codes 44 and 45 designate “Retail Trade”). *Id.* at pg. 17. The third digit designates the subsector (*e.g.*, 449 designates the “Furniture, Home Furnishings, Electronics, and Appliance Retailers” subsector of “Retail Trade”); the fourth digit designates the industry group (*e.g.*, 4491 designates the “Furniture and Home Furnishings Retailers” industry group in the “Furniture, Home Furnishings, Electronics, and Appliance Retailers” subsector); and the fifth digit designates the NAICS industry (*e.g.*, 44912 designates the “Home Furnishings Retailers” industry of the “Furniture and Home Furnishings Retailers” industry group). *Id.* at pg. 18.

Any particular establishment is usually classified down to the NAICS

five-digit industry level classification, using the classification of the industry that best matches its primary activity. *Id.* at pg. 19. When applicable, the sixth digit is used to designate the national industry (*e.g.*, 449122 designates the “Window Treatment Retailers” industry). *Id.* at pg. 18. “Typically the level at which comparable data will be available for Canada, Mexico, and the United States is the five-digit NAICS industry,” but where additional detail or clarifying classification is needed for a specific nation (Canada, Mexico, or the United States) the national industry classification can be used. *Id.* A zero as the sixth digit generally indicates that the NAICS industry and the U.S. industry are the same. *Id.*

Table I below provides a breakdown of the NAICS classification for a window treatment retail establishment.

TABLE I—NAICS CLASSIFICATION OF WINDOW TREATMENT STORES

Hierarchical classification	Description	Code
Sector	Retail Trade	44
Subsector	Furniture, Home Furnishings, Electronics, and Appliance Retailers	449
Industry Group	Furniture and Home Furnishings Retailers	4491
NAICS Industry	Furniture and Home Furnishings Retailers	44912
National Industry	Window Treatment Retailers	449122

The NAICS is used by the IRS for various purposes under the Code. *See, e.g.*, Instructions for Form 1120, U.S. Corporation Income Tax Return (which asks that a “principal business activity code” based on the NAICS six-digit code be entered on line 2a on Schedule K of Form 1120); Instructions for Schedule C (Form 1040), Profit or Loss From Business (which requires that a six-digit Principal Business or Professional Activity Code based on the NAICS be entered on Line B); and section 15.10 of Rev. Proc. 2025–23 (2025 IRB 1476) (which uses the first three digits of NAICS codes in defining which taxpayers qualify as “specified transportation industry taxpayers” for purposes of accounting method change rules that apply specifically to specified transportation industry taxpayers).

Explanation of Provisions

These proposed regulations would replace the ESIC Manual with the NAICS as the industry classification system used to determine an employer’s line of business for purposes of excluding no-additional-cost services and qualified employee discounts from employees’ gross income pursuant to section 132(a)(1) and (2) of the Code, respectively. The ESIC Manual has not

been updated since 1974. Conversely, the NAICS was most recently updated in 2022, and is the most current classification system in the United States, making it a more accurate and detailed reflection of present economic realities.

In addition, because significant changes and advances in technology have occurred since 1974, many current industries are not accounted for in the ESIC Manual because they did not exist at the time it was last updated. Examples include internet service providers, cell phone manufacturers, cell phone service providers, and smart phone application designers. The NAICS, on the other hand, is updated regularly to take into account new and developing industries. For instance, the 2022 NAICS specifically describes broadband internet service providers as falling under the four-digit category of Wired and Wireless Telecommunications (except Satellite) (5171). Under the ESIC Manual, this line of business could be considered under the two-digit code “Communication” (48), but none of the sub-categories in the Communication category include the broadband internet service provider industry, making determination of the appropriate ESIC Manual category for

broadband internet service providers unclear. Replacing the ESIC Manual with the NAICS as the industry classification system used to determine an employer’s line of business will make determining the line of business for new and constantly evolving industries easier and more certain.

While the numeric NAICS and SIC codes are not related to each other, their organizational structures have some similarities.³ SIC codes (as well as ESIC Manual codes) are grouped into “divisions” that are labeled with a letter (*e.g.*, Division A is “Agriculture, Forestry, and Fishing”).⁴ This roughly corresponds with the NAICS two-digit “Sector” level of classification (*e.g.*, the NAICS Sector 11 is Agriculture, Forestry, Fishing and Hunting”).⁵ Continuing down the classification levels of both systems, the SIC two-digit “Major Group” level roughly corresponds to the NAICS three-digit “Subsector” level, the SIC three-digit “Industry Group” level roughly corresponds to the NAICS four-digit

³ U.S. Bureau of Labor Statistics website titled “Industrial Classification Overview” accessed at <https://www.bls.gov/ces/naics/#2> on March 20, 2024.
⁴ *Id.*
⁵ *Id.*

“Industry Group” level, and the four-digit SIC “Industry” level roughly corresponds with the NAICS five-digit “NAICS Industry” level.⁶

Because the ESIC Manual is structured very similarly to the SIC codes, the comparison between ESIC Manual codes and NAICS codes largely parallels the comparison between SIC Codes and NAICS codes. Therefore, the NAICS three-digit “Subsector” level would roughly correspond with the ESIC Manual two-digit “Major Group” level used to determine line of business under the current § 1.132–4(a)(2)(i) regulations. However, the five-digit NAICS industry classification is intended to be applied to the primary activity of a single-location establishment, making it a more appropriate level for determining the line of business of an employer for whom the employee receiving the fringe benefit is performing services, since an employee typically performs services at a single location or establishment. Nevertheless, to account for the fact that some establishments may represent more than one NAICS industry, making determination of the most accurate NAICS industry classification challenging in certain situations, these proposed regulations would use the NAICS four-digit “Industry Group” classification in determining an employer’s line of business for purposes of section 132(a)(1) and (2).

An employer is considered to have more than one line of business if the employer offers for sale to customers property or services in more than one four-digit NAICS industry group classification, according to the most recent version of the NAICS available on the first day of the taxable year in which the no-additional-cost service or qualified employee discount exclusion is being applied. Examples of four-digit NAICS industry groups are: General Merchandise Stores, including Warehouse Clubs and Supercenters; Traveler Accommodation; Automotive Repair and Maintenance; and Grocery Stores.

In situations where an employer has multiple primary activities corresponding to multiple four-digit NAICS industry group classifications causing it to have more than one line of business, the aggregation rules under § 1.132–4(a)(3) continue to apply under these proposed regulations. Minor modifications to the text of the aggregation rules under § 1.132–4(a)(3)(i) and (ii) have been proposed to accommodate the change from the ESIC Manual to the NAICS.

In addition, the proposed regulations would amend the aggregation rule under § 1.132–4(a)(3)(iii). Currently, this section provides that if the retail operations of an employer that are located on the same premises are in separate lines of business but would be considered to be within one line of business if the merchandise offered for sale in such lines of business were offered for sale at a department store, then the operations are treated as one line of business. The proposed regulations would amend this rule to replace “department store” with “general merchandise store, including warehouse clubs and super centers.” This update of the regulations reflects the pervasiveness of big-box stores, hypermarkets, super centers, and warehouse clubs in the current retail economy, especially in comparison to the traditional department store. These types of establishments sell an ever-increasing variety of merchandise but are still classified under one NAICS industry group (4552, Warehouse Clubs, Supercenters, and Other General Merchandise Retailers, under the 2022 NAICS). Therefore, under the proposed regulations, employees working for these types of employers would be considered to be working in one line of business. The proposed amendment to this section provides equal treatment for employees working for other types of employers that similarly sell a variety of kinds of merchandise on their business premises, but the variety is more narrowly tailored to cater to a specific segment of the retail market (*e.g.*, a store that primarily sells coffee and tea, but that also sells electric coffeemakers, electric tea kettles, and similar related small home appliances). Under the proposed amendment, employees working for such employers would still be considered to be working in one line of business, even if the sale of the various merchandise sold by the employer is classified under two or more NAICS industry groups (*e.g.*, specialty food retailers and electronics and appliance retailers), as long as the sale of the merchandise would be considered to be one line of business if the merchandise was being sold at a general merchandise store, warehouse club, or super center.

Finally, the proposed regulations provide updated examples of the application of the aggregation rules reflecting the use of NAICS classifications.

The Treasury Department and the IRS request comments on all aspects of the proposed rules, including on the use of the NAICS four-digit industry group code, whether additional changes are

necessary to the aggregation rules under § 1.132–4(a)(3), whether the proposed applicability date could pose any challenges, and whether transition or other rules are necessary to accommodate the change in the standard for determining lines of business.

Proposed Effective/Applicability Dates

These regulations are proposed to be effective on the date these rules are published in the **Federal Register** as final regulations and would apply to taxable years beginning on or after that date.

Statement of Availability of IRS Documents

IRS guidance cited in this preamble is published in the Internal Revenue Bulletin and is available from the Superintendent of Documents, U.S. Government Publishing Office, Washington, DC 20402, or by visiting the IRS website at <https://www.irs.gov>.

Special Analyses

I. Regulatory Planning and Review—Economic Analysis

The Office of Management and Budget’s Office of Information and Regulatory Analysis has determined that these regulations are not significant and not subject to review under section 6(b) of Executive Order 12866, as amended.

II. Paperwork Reduction Act

These proposed regulations do not create new collection requirements, as defined under the Paperwork Reduction Act (44 U.S.C. 35), and do not alter any previously approved OMB information collection requirements and their associated burden.

III. Regulatory Flexibility Act

It is hereby certified that these proposed regulations will not have a significant economic impact on a substantial number of small entities pursuant to the Regulatory Flexibility Act (5 U.S.C. chapter 6). This certification is based on the fact that these proposed regulations do not impose any new requirements on small entities. The proposed regulations would apply only to employers that provide no-additional-cost services and/or qualified employee discount fringe benefits to their employees and, therefore, would affect a relatively small number of taxpayers. In addition, these proposed regulations are very unlikely to affect employment tax reporting or require any additional substantiation. Rather, the proposed regulations affect the industry classification system used to determine an employer’s line of

⁶ *Id.*

business for purposes of the exclusions from gross income under section 132(a)(1) and (2) and for this reason do not add any economic burden to affected entities. Therefore, a Regulatory Flexibility Analysis under the Regulatory Flexibility Act (5 U.S.C. chapter 6) is not required.

Notwithstanding this certification that the proposed regulations would not have a significant economic impact on a substantial number of small entities, the Treasury Department and the IRS invite comments on the impacts these proposed regulations may have on small entities.

IV. Section 7805(f)

Pursuant to section 7805(f) of the Code, these proposed regulations will be submitted to the Chief Counsel for Advocacy of the Small Business Administration for comment on its impact on small business.

V. Unfunded Mandates Reform Act

Section 202 of the Unfunded Mandates Reform Act of 1995 requires that agencies assess anticipated costs and benefits and take certain other actions before issuing a final rule that includes any Federal mandate that may result in expenditures in any one year by a State, local, or Tribal government, in the aggregate, or by the private sector, of \$100 million in 1995 dollars, updated annually for inflation. These proposed regulations do not include any Federal mandate that may result in expenditures by State, local, or Tribal governments, or by the private sector, in excess of that threshold.

VI. Executive Order 13132: Federalism

Executive Order 13132 (Federalism) prohibits an agency from publishing any rule that has federalism implications if the rule either imposes substantial, direct compliance costs on State and local governments, and is not required by statute, or preempts State law, unless the agency meets the consultation and funding requirements of section 6 of the Executive order. These proposed regulations do not have federalism implications, do not impose substantial direct compliance costs on State and local governments, and do not preempt State law within the meaning of the Executive order.

Comments and Requests for Public Hearing

Before these proposed regulations are adopted as final regulations, consideration will be given to any comments that are submitted timely to the IRS as prescribed in this preamble under the **ADDRESSES** heading. The

Treasury Department and the IRS request comments on all aspects of the proposed regulations. Any comments submitted will be available at <https://www.regulations.gov> or upon request. A public hearing will be scheduled if requested in writing by any person who timely submits electronic or written comments. Requests for a public hearing are also encouraged to be made electronically. If a public hearing is scheduled, notice of the date and time for the public hearing will be published in the **Federal Register**.

Drafting Information

The principal author of these regulations is Andrew Holubeck of the Office of the Associate Chief Counsel (Employee Benefits, Exempt Organizations, and Employment Taxes). However, other personnel from the IRS and the Treasury Department participated in their development.

List of Subjects in 26 CFR Part 1

Income taxes, Reporting and recordkeeping requirements.

Proposed Amendments to the Regulations

Accordingly, the Treasury Department and IRS propose to amend 26 CFR part 1 as follows:

PART 1—INCOME TAXES

■ **Paragraph 1.** The authority citation for part 1 is amended by revising an entry for §§ 1.132–0 through 1.132–8T in numerical order to read in part as follows:

Authority: 26 U.S.C. 7805 * * *

Sections 1.132–0 through 1.132–8T also issued under 26 U.S.C. 132(o).

* * * * *

■ **Par 2.** Section 1.132–4 is amended by revising paragraphs (a)(2) and (3) and adding paragraph (a)(4) to read as follows:

§ 1.132–4 Line of business limitation.

(a) * * *

(2) *Definition of line of business*—(i)

In general. An employer's line of business is determined by reference to the most recent version of the North American Industry Classification System (NAICS), as prepared by Statistics Canada, Mexico's Instituto Nacional de Estadística y Geografía, and the Economic Classification Policy Committee of the United States, acting on behalf of the Office of Management and Budget (OMB) (or successor organizations), that is available on the first day of the taxable year in which the no-additional-cost service or qualified

employee discount exclusion is being applied. An employer is considered to have more than one line of business if the employer offers for sale to customers goods or services in more than one four-digit code classification referred to in the NAICS (*i.e.*, NAICS industry group).

(ii) *Examples.* Examples of the four-digit industry group classifications are: General Merchandise Stores, including Warehouse Clubs and Supercenters; Traveler Accommodation; Automotive Repair and Maintenance; and Grocery Stores.

(3) *Aggregation of four-digit classifications.* If, pursuant to paragraph (a)(2) of this section, an employer has more than one line of business, such lines of business will be treated as a single line of business where and to the extent that one or more of the following aggregation rules apply:

(i) If it is uncommon in the industry of the employer for any of the separate lines of business of the employer to be operated without the others, the separate lines of business are treated as one line of business.

(ii) If it is common for a substantial number of employees (other than those employees who work at the headquarters or main office of the employer) to perform substantial services for more than one line of business of the employer, so that determination of which employees perform substantial services for which line of business would be difficult, then the separate lines of business of the employer in which such employees perform substantial services are treated as one line of business. For example, assume that an employer operates a delicatessen (*i.e.*, a specialty food store) with an attached service counter at which food is sold for consumption on the premises (*i.e.*, a restaurant or eating place). Assume further that most but not all employees work both at the delicatessen and at the service counter. Under the aggregation rule of this paragraph (a)(3)(ii), the delicatessen and the service counter are treated as one line of business.

(iii) If the retail operations of an employer that are located on the same premises are in separate lines of business but would be considered to be within one line of business under paragraph (a)(2) of this section if the merchandise offered for sale in such lines of business were offered for sale at a general merchandise store, including a warehouse club or super center, then the operations are treated as one line of business. For example, assume that on the same premises an employer sells both specialty foods (*i.e.*, specialty food retailers) and small kitchen appliances

(i.e., electronics and appliance retailers). Because, if sold together at a general merchandise store, the operations would be part of the same line of business, the operations are treated as one line of business.

(4) *Applicability date.* Paragraphs (a)(2) and (3) of this section apply to taxable years beginning on or after [DATE OF PUBLICATION OF THE FINAL RULE IN THE **FEDERAL REGISTER**].

Edward T. Killen,

Acting Chief Tax Compliance Officer.

[FR Doc. 2025–14883 Filed 8–5–25; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2025–0475]

RIN 1625–AA00

Safety Zone, Ohio River, Cincinnati, OH

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard is proposing to establish a temporary safety zone from mile marker (MM) 469.7 to 471.0 on the Ohio River, from October 9, 2025, through October 12, 2025. This action is necessary to provide for the safety of life on these navigable waters near Cincinnati, Ohio, during the daily fireworks display from 8:30 p.m. to 11 p.m. each day. This regulation prohibits persons and vessels from being in the safety zone unless authorized by the Captain of the Port Sector Ohio Valley (COTP) or a designated representative. We invite your comments on this proposed rulemaking.

DATES: Comments and related material must be received by the Coast Guard on or before September 5, 2025.

ADDRESSES: You may submit comments identified by docket number USCG–2025–0475 using the Federal Docket 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 Petty Officer W.E. Quinby at Marine Safety Detachment Cincinnati, U.S. Coast Guard; telephone 513–921–9033, email MSDCincinnati@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of the Port Sector Ohio Valley
DHS Department of Homeland Security
FR Federal Register
MM Mile marker
NPRM Notice of proposed rulemaking
§ Section
U.S.C. United States Code

II. Background, Purpose, and Legal Basis

On May 22, 2025, an organization notified the Coast Guard that it will be conducting a daily fireworks display from 8:30 p.m. to 11 p.m. from October 9, 2025, through October 12, 2025. The fireworks are to be launched from a barge in the Ohio River in the middle of the channel between MM 469.7 to 471.0 near Cincinnati, OH. Hazards from firework displays include accidental discharge of fireworks, dangerous projectiles, and falling hot embers or other debris. The Captain of the Port Sector Ohio Valley (COTP) has determined that potential hazards associated with the fireworks to be used in this display would be a safety concern for anyone within MM 469.7 to 471.0 on the Ohio River.

The purpose of this rulemaking is to ensure the safety of vessels and the navigable waters within MM 469.7 to 471.0 on the Ohio River for the fireworks barge before, during, and after the scheduled event. The Coast Guard is proposing this rulemaking under authority in 46 U.S.C. 70034.

III. Discussion of Proposed Rule

The COTP is proposing to establish a safety zone from October 9, 2025, through October 12, 2025 and would cover all navigable waters within MM 469.7 to 471.0 on the Ohio River in Cincinnati, OH. The safety zone would be enforced from 8:30 p.m. to 11 p.m. each day during the period. The duration of the zone is intended to ensure the safety of vessels and these navigable waters before, during, and after the scheduled 8:30 p.m. to 11:00 p.m. fireworks display. No vessel or person would be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative. 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 size, location, duration, and time-of-day of the safety zone. The safety zone would be enforced for only two and a half hours per day for four days, for a section of the river that is only 1.3 miles long, daily from 8:30 p.m. to 11 p.m. starting October 9, 2025, through October 12, 2025, on the Ohio River between MM 469.7–471.0. The Coast Guard will issue a written Local Notice to Mariners and Broadcast Notice to Mariners via VHF–FM marine channel 16 about the safety zone, and this rule also allows vessels to seek permission from the COTP or a designated representative to enter the 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 a safety zone lasting 2.5 hours that would prohibit entry within MM 469.7 to 471.0 on the Ohio River. Normally such actions are categorically excluded from further review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A preliminary Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

V. Public Participation and Request for Comments

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

Submitting comments. We encourage you to submit comments through the Federal Docket Management System at <https://www.regulations.gov>. To do so, go to <https://www.regulations.gov>, type USCG–2025–0475 in the search box and click “Search.” Next, look for this document in the Search Results column, and click on it. Then click on the Comment option. If you cannot submit

your material by using <https://www.regulations.gov>, call or email the person in the **FOR FURTHER INFORMATION CONTACT** section of this proposed rule for alternate instructions.

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

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

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

List of Subjects in 33 CFR Part 165

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

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

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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

Authority: 46 U.S.C. 70034, 70051, 70124; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.3.

■ 2. Add § 165.T08–0475 to read as follows:

§ 165.T08–0475 Safety Zone; Ohio River, Cincinnati, OH.

(a) **Location.** The following area is a safety zone: all navigable waters within mile marker 469.7 o 471.0 on the Ohio River.

(b) **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 Sector Ohio Valley (COTP) in the enforcement of the safety zone.

(c) *Regulations.* (1) Under the general safety zone regulations in subpart C of this part, you may not enter the safety zone described in paragraph (a) of this section unless authorized by the COTP or the COTP's designated representative.

(2) To seek permission to enter, contact the COTP or the COTP's representative on VFH-FM radio channel 16 or phone at 1-800-253-7465. Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) *Enforcement periods.* This section will be subject to enforcement daily from 8:30 p.m. to 11:30 p.m. starting October 9, 2025, through October 12, 2025.

Dated: July 16, 2025.

R.L. Preston,

Captain, U.S. Coast Guard, Captain of the Port Sector Ohio Valley.

[FR Doc. 2025-14900 Filed 8-5-25; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 250730-0133]

RIN 0648-BM64

Fisheries of the Exclusive Economic Zone Off Alaska; Amendment 125 to the Bering Sea and Aleutian Islands Fishery Management Plan; Pacific Cod Small Boat Access

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS proposes a rule to implement amendment 125 to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (BSAI FMP). Amendment 125 would add a small vessel provision to the current BSAI Pacific cod jig sector in the A season, January 1 to April 30. Under this small vessel provision, catch from catcher vessels (CV) using hook-and-line or pot gear that are less than or equal to 55 feet (ft) (16.8 meters (m)) length

overall (LOA) harvesting Pacific cod in the BSAI during the jig gear A season would accrue to the jig sector allocation. This action would provide stability and additional opportunities for some fishery participants and potential new entrants. It also advances the goals and objectives of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), the BSAI FMP, and other applicable laws.

DATES: Submit comments on or before September 5, 2025.

ADDRESSES: A plain language summary of this proposed rule is available at: <https://www.regulations.gov/docket/NOAA-NMFS-2025-0003>. You may submit comments on this document, identified by NOAA-NMFS-2025-0003, by any of the following methods:

- *Electronic Submission:* Submit all electronic public comments via the Federal e-Rulemaking Portal. Visit <https://www.regulations.gov> and type NOAA-NMFS-2025-0003 in the Search box. Click on the "Comment" icon, complete the required fields, and enter or attach your comments.

- *Mail:* Submit written comments to Gretchen Harrington, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region NMFS. Mail comments to P.O. Box 21668, Juneau, AK 99802-1668.

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on <https://www.regulations.gov> without change. All personal identifying information (e.g., name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous).

Electronic copies of the draft Regulatory Impact Review for proposed amendment 125 to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (referred to as the Analysis), and the draft Categorical Exclusion prepared for this action are available from www.regulations.gov or from the NMFS Alaska Region website at <https://www.fisheries.noaa.gov/region/alaska>.

FOR FURTHER INFORMATION CONTACT: Lis Henderson, 907-586-7228, lis.henderson@noaa.gov.

SUPPLEMENTARY INFORMATION:

Authority for Action

NMFS manages the groundfish fisheries in the Exclusive Economic Zone off Alaska under the BSAI FMP. The North Pacific Fishery Management Council (Council) prepares and recommends FMPS under the authority of the Magnuson-Stevens Act (16 U.S.C. 1801 *et seq.*). In order to promote the long-term health and stability of the BSAI Pacific cod fishery, NMFS is proposing this action under the rulemaking authority of the Magnuson-Stevens Act Section 302(h)(1) and 303(a)(1) (16 U.S.C. 1801 *et seq.*) in alignment with the Council's recommendation. Regulations implementing the BSAI FMP appear at 50 CFR part 679. General regulations governing U.S. fisheries also appear at 50 CFR part 600.

The Council transmitted amendment 125 for review by the Secretary of Commerce, and a notice of availability (NOA) of amendment 125 was published in the **Federal Register** on June 4, 2025, with comments invited through August 4, 2025 (90 FR 23664). Comments submitted on this proposed rule by the end of the comment period (See **DATES**) will be considered by NMFS and addressed in the response to comments in the final rule. All comments addressing amendment 125 must be received by August 4, 2025, to be considered in the approval/disapproval decision on amendment 125. Commenters do not need to submit the same comments on both the NOA and this proposed rule. All relevant written comments received by August 4, 2025, whether specifically directed to amendment 125, this proposed rule, or both will be considered by NMFS in the approval/disapproval decision for amendment 125 and addressed in the response to comments in the final rule.

Background

Pacific Cod Allocations

Pacific cod (*Gadus macrocephalus*) is one of the most abundant and valuable groundfish species harvested in the BSAI. Vessels harvest Pacific cod using trawl gear and other types of authorized fishing gear, including hook-and-line gear, jig gear, and pot gear. Vessels harvesting BSAI Pacific cod operate as CVs that harvest and deliver the fish for processing or as catcher/processors (C/Ps) that harvest and process the fish on board.

The BSAI FMP and implementing regulations require that, after consultation with the Council, NMFS specify an overfishing limit (OFL), an acceptable biological catch (ABC), and a total allowable catch (TAC) amount for

each target species or species group of groundfish, including Pacific cod, on an annual basis. An OFL is the catch level above which overfishing would occur for a species or species group. An ABC is the level of a species or species group annual catch that accounts for the scientific uncertainty in the estimate of OFL and any other scientific uncertainty. The TAC is the annual catch target for a species or species group, derived from the ABC by considering social and economic factors and management uncertainty. Under the BSAI FMP, an ABC is set below its respective OFL and the TAC must be set lower than or equal to the ABC.

The OFLs, ABCs, and TACs for BSAI groundfish are specified through the annual harvest specifications process. A detailed description of the annual harvest specifications process is provided in the final 2025 and 2026 harvest specifications for groundfish of the BSAI (90 FR 12640, March 18, 2025). The annual harvest specifications process for BSAI Pacific cod is briefly summarized here. Specific examples of Pacific cod OFLs, ABCs, TACs, and other apportionments of Pacific cod used in this preamble are based on the 2025 specifications from the final 2025 and 2026 harvest specifications for groundfish of the BSAI, unless otherwise noted.

Pacific cod is assessed as two distinct stocks with separate OFLs, ABCs, and TACs: (1) the eastern Bering Sea (BS) stock; and (2) the Aleutian Islands (AI) stock. Before the Pacific cod TACs are established, the Council and NMFS consider social and economic factors and management uncertainty, as well as two factors that are particularly relevant to BSAI Pacific cod: (1) the Pacific cod state waters Guideline Harvest Level fisheries; and (2) an overall limit on the maximum amount of TAC that can be specified for all BSAI groundfish species combined.

Once the groundfish TACs are established, regulations at § 679.20(a)(7)(i) allocate 10.7 percent of the BS Pacific cod TAC and 10.7 percent of the AI Pacific cod TAC to the Community Development Quota (CDQ) Program for the exclusive harvest by Western Alaska CDQ groups. Section 305(i) of the Magnuson-Stevens Act authorizes six CDQ groups representing 65 communities to receive exclusive harvest privileges of groundfish, including Pacific cod, and specifies the methods for allocating these harvest privileges.

After subtraction of the CDQ allocation from each TAC, NMFS combines the remaining BS and AI TACs into one BSAI non-CDQ Pacific

cod TAC, which is available for harvest by nine non-CDQ fishery sectors. BSAI Pacific cod has been fully allocated to these sectors since 2008 with the implementation of amendment 85 to the BSAI FMP (72 FR 50788, September 4, 2007). Regulations at § 679.20(a)(7)(ii)(A) define the nine Pacific cod non-CDQ fishery sectors in the BSAI and specify the percentage allocated to each. The non-CDQ fishery sectors are defined by a combination of gear type (e.g., trawl gear or hook-and-line gear), operation type (i.e., CV or C/P), and vessel size, or LOA, categories (e.g., vessels greater than or equal to 60 ft (18.3 m) LOA). Through the annual harvest specifications process, NMFS allocates an amount of the combined BSAI non-CDQ TAC to each of these nine non-CDQ fishery sectors. Regulations at § 679.20(a)(7)(ii)(A) allocate 1.4 percent of the BSAI non-CDQ Pacific cod TAC to the jig sector and 2 percent to the less than 60 ft (18.3 m) LOA hook-and-line and pot CV sector.

Under regulations at § 679.20(a)(7), allocations of Pacific cod to most of the CDQ Program and non-CDQ fishery sectors are further apportioned by seasons. Season dates for the CDQ and non-CDQ fishery sectors are established at § 679.23(e)(5). In general, regulations apportion jig gear allocations among three seasons that correspond to January 1 to April 30 (A season), April 30 to August 31 (B season), and August 31 to December 31 (C season). The less than 60 ft (18.3 m) LOA hook-and-line and pot CV sector is not divided into seasons and is open January 1 to December 31. Depending on the specific sector allocation (CDQ Program or non-CDQ fishery), between 40 and 75 percent of the Pacific cod allocation is apportioned to the A season. Because the non-CDQ sector allocations are defined BSAI-wide, sectors remain free to harvest their allocation in either of the two subareas (BS and AI) as long as they have the appropriate federal permits. However, if the non-CDQ portion of the TAC in either subarea (BS or AI) will be or is reached, NMFS will close directed fishing for Pacific cod in that subarea to all non-CDQ sectors.

While Pacific cod remains one of the most abundant species in the BSAI management area, population declines since 2016 have resulted in lower annual TACs than historical averages (see table 3–1 in Section 3.2 of the Analysis). The smaller annual TACs have resulted in earlier season closures. Directed fishing for BS non-CDQ Pacific cod closed prior to the end of the jig sector C season (December 31) in 4 of the last 5 years: on November 18, 2020

(with the exception of the trawl sector which closed earlier); September 17, 2021; October 7, 2022; and October 16, 2023. No early closure occurred in 2024.

This proposed rule refers to various groups of vessels using nontrawl gear and their corresponding sector allocations. Although in some cases it is somewhat intuitive from the name of the sector, it is useful to clearly explain the relationships between catch from groups of vessels using specific gear types and how their catch accrues toward various sector allocations. Catch from all vessels using jig gear, including CVs and C/Ps, accrues toward the jig vessels sector. Catch from vessels using hook-and-line gear or pot gear accrues toward one of five different sector allocations depending on the vessels operation type (CV or C/P) and LOA: (1) hook-and-line and pot CVs less than 60 ft (18.3 m) LOA; (2) hook-and-line CVs greater than or equal to 60 ft (18.3 m) LOA; (3) hook-and-line CPs; (4) pot CVs greater than or equal to 60 ft (18.3 m) LOA, and (5) pot CPs. Currently, catch from all CVs that are less than 60 ft (18.3 m) LOA using hook-and-line or pot gear accrues toward the hook-and-line and pot CVs less than 60 ft (18.3 m) LOA sector allocation. Under the changes proposed by this action, catch during the jig A season (January 1 to April 30) from CVs that are less than or equal to 55 ft (16.8 m) LOA would accrue to the jig vessel sector, while catch during the jig A season from CVs greater than 55 ft (16.8 m) LOA but less than 60 ft (18.3 m) LOA would continue to accrue to the hook-and-line and pot CVs less than 60 ft (18.3 m) LOA sector.

Inseason Adjustments

Regulations at § 679.20(a)(7)(iv)(B) allow any unused portion of a seasonal allowance from any sector except the jig sector to be rolled over to that sector's next season during the current fishing year unless the Regional Administrator determines that sector would be unable to harvest its allocation. Historically Pacific cod in the other sectors is often fully utilized later in the year, therefore the unused portion of Pacific cod has consistently rolled over to that sector's next season. This means that the only reliable source for reallocations during the A season would come from the jig sector's A season apportionment. Section 679.20(a)(7)(iv)(C) allows the Regional Administrator to reallocate any projected unused portion of the BSAI Pacific cod jig sector's seasonal allowance to the less than 60 ft (18.3 m) LOA hook-and-line and pot CV sector.

There has historically been little to no participation by vessels using jig gear in the A season, which has allowed NMFS

to reallocate projected unused A season TAC from the jig sector to the less than 60 ft (18.3 m) LOA hook-and-line and pot CV sector early in the year (frequently in January). In recent years, the majority of the jig sector's A season allowance has been reallocated to the less than 60 ft (18.3 m) LOA hook-and-line and pot CV sector at the beginning of the year. NMFS closely monitors the fishing activity in these sectors to understand their fishing activity and capacity to harvest Pacific cod. NMFS tries to time any reallocations during the jig sector's A season to ensure the less than 60 ft (18.3 m) LOA hook-and-line and pot CV sector does not experience a disruption in fishing between their initial allocation and the reallocation becoming available.

Affected Fishery Sectors

This action affects the jig gear sector and the hook-and-line and pot CVs less than 60 ft (18.3 m) LOA sector. The jig sector is allocated 1.4 percent of the annual BSAI Pacific cod non-CDQ TAC, which is further divided into seasonal allowances between the A, B, and C seasons. The A season is issued 60 percent of the jig sector's total apportionment while the B and C seasons are each issued 20 percent (§ 679.20(a)(7)(iv)(A)(3)). The jig gear sector includes all vessels operating as CVs and using jig gear, as well as C/Ps vessels using jig gear to harvest Pacific cod.

The less than 60 ft (18.3 m) LOA hook-and-line and pot CV sector is allocated 2 percent of the annual BSAI Pacific cod non-CDQ TAC for the year, with no seasonal allocations (§ 679.20(a)(7)(iv)(A)(4)). Given this relatively small sector allocation and the number as well as the fishing capacity of participants in this sector, this typically results in full harvest of the less than 60 ft (18.3 m) LOA hook-and-line or pot CV sector annual allocation early in the year, closing the sector to directed fishing typically in late January to early February. Regulations at § 679.20(a)(7)(iii)(A) specify the reallocation hierarchy applied to projected unharvested TAC from CV sectors are first reallocated to the jig sector, the less than 60 ft (18.3 m) LOA hook-and-line or pot CV sector, or both, followed by the other sectors as described in § 679.20(a)(7)(iii). Since 2020, reallocations to the less than 60 ft (18.3 m) LOA hook-and-line or pot CV sector have typically occurred first at the beginning of the year and then again in early to mid-September. However, it is important to note that reallocations can happen any time of the year if it is projected there will be unused harvest.

The current regulations at § 679.20(a)(7)(iv)(B) and (C) require a reallocation of BSAI Pacific cod from the jig sector's C season to the less than 60 ft (18.3 m) LOA hook-and-line and pot CV sector on or near September 1. On average, from 2008 through 2021, 95 percent of the BSAI Pacific cod jig's initial allocation has been reallocated to the less than 60 ft (18.3 m) LOA hook-and-line and pot CV sector.

As explained in Section 1.2.1 of the Analysis (see **ADDRESSES**), some vessels in the less than 60 ft (18.3 m) LOA hook-and-line and pot CV sector (typically vessels with an LOA around 58 ft (17.7 m)) are known to have disproportionately greater catch per unit effort and improved stability in the water than smaller vessels. The Council considered two options to set the LOA threshold for smaller hook-and-line or pot CVs to harvest the jig sector allocation during the A season: (1) less than or equal to 55 ft (16.8 m) LOA; and (2) less than or equal to 56 ft (17.1 m) LOA. Public comments received during the Council process suggested that a significant shift in capacity for harvesting BSAI Pacific cod occurs between 56 ft (17.1 m) LOA vessels and smaller vessels.

Need for Action

Increased participation in the less than 60 ft (18.3 m) LOA hook-and-line and pot CV sector and reduced TACs in recent years have resulted in early (January or February) directed fishing closures for the sector. Smaller vessels (less than or equal to 55 ft (16.8 m) LOA) are disproportionately affected by early closures because vessel operators have less flexibility to fish when the weather is poor and typically fish waters closer to port, which may be less productive. Historically, the jig sector allocation has not been fully used, particularly in the A and C seasons. This action would allow less than or equal to 55 ft (16.8 m) LOA CVs using hook-and-line or pot gear to harvest Pacific cod from the jig sector allocation, which is intended to increase stability for current fishery participants and potential new entrants with smaller CVs without negatively impacting vessels using jig gear.

Reallocation of the jig sector allocation has created an important fishing opportunity in the fall for the less than 60 ft (18.3 m) LOA hook-and-line and pot CV sector that allows vessels to transition (*e.g.*, retain crew) from summer fisheries like salmon or Individual Fishing Quota halibut and sablefish to the Federal Pacific cod fishery. Other reallocation opportunities available to open the less than 60 ft

(18.3 m) LOA hook-and-line and pot CV sector on September 1 are uncertain, except for the jig sector, because it is not always possible to project if other sectors will be unable to fully harvest their TACs before the end of the year in September. It is important to also note that, because there has historically been little to no participation by the jig sector fishing in the C season, NMFS has been able to reallocate unused B and projected C season TAC to the current less than 60 ft (18.3 m) LOA hook-and-line and pot CV sector on or near September 1.

Amendment 125 and this proposed rule would retain the current reallocation hierarchy as specified at § 679.20(a)(7)(iii)–(iv), which would still require the Regional Administrator to reallocate a projected unused portion of a Pacific cod allowance from the jig sector to the less than 60 ft (18.3 m) LOA hook-and-line and pot CV sector at the beginning of the C season, and allow NMFS to reallocate earlier in the year if NMFS is confident that they could project the amount of TAC that the newly modified jig sector would need to finish the A season.

Proposed Action

Amendment 125 would modify the jig sector, during the A season, to include catch from CVs using hook-and-line or pot gear that are less than or equal to 55 ft (16.8 m) LOA. Pacific cod harvest from these vessels during the jig sector A season would accrue to the jig sector allocation. This modification would provide an opportunity for these smaller CVs to fish the A season apportionment of the jig sector allocation. Reallocations from the jig sector to the less than 60 ft (18.3 m) LOA in the A season currently happen at the beginning of the season, in early January. Under the proposed rule, NMFS would not reallocate the majority of the jig sector allocation to the less than 60 ft (18.3 m) LOA hook-and-line and pot CV sector in January to account for CVs using hook-and-line or pot gear that are less than or equal to 55 ft (16.8 m) LOA participating in the jig sector A season. Therefore, the reallocation during the jig sector A season may not occur at all, or would likely occur much later in the jig sector A season, based on the level of participation during the jig sector A season by smaller vessels (less than or equal to 55 ft (16.8 m) LOA). This opportunity for smaller vessels to fish the A season allowance of the jig sector allocation would reduce competition for the smaller vessels (less than or equal to 55 ft (16.8 m) LOA) with larger vessels during the jig gear A season. Vessels within the less than 60 ft (18.3 m) LOA

hook-and-line and pot CV sector that are greater than 55 ft (16.9 m) LOA would have reduced fishing opportunity during the jig gear A season; however, these vessels tend to have additional efficiencies that enable them to operate in different weather conditions with greater catch per unit effort. The proposed rule would also result in the less than 60 ft (18.3 m) LOA hook-and-line and pot CV sector having less available TAC to harvest in January and likely an earlier fishery closure. After the jig sector A season ends, harvest from all CVs that are less than or equal to 55 ft (16.8 m) LOA, and using hook-and-line or pot gear, would accrue to the less than 60 ft (18.3 m) LOA hook-and-line and pot gear CV sector allocation for the remainder of the year. There would be no change after the end of the jig sector A season for CVs less than 60 ft (18.3 m) LOA and greater than 55 ft (16.8 m) LOA, which would continue to have their harvest accrue to the less than 60 ft (18.3 m) LOA hook-and-line and pot gear CV sector allocation.

To implement amendment 125, NMFS proposes revising the Federal BSAI Pacific cod jig sector, during the A season only, to include CVs less than or equal to 55 ft (16.8 m) LOA that use hook-and-line or pot gear. After the jig sector A season ends, all harvest from CVs that are less than 60 ft (18.3 m) LOA, and using hook-and-line or pot gear, would accrue to the less than 60 ft (18.3 m) LOA hook-and-line and pot gear CV sector. This action would allow smaller CVs in the less than 60 ft (18.3 m) LOA hook-and-line and pot CV sector to harvest the Pacific cod jig allocation earlier in the year. Vessels larger than 55 ft (16.8 m) LOA within the less than 60 ft (18.3 m) LOA hook-and-line or pot gear sector would only receive reallocations from the jig sector in the A season if there was sufficient A season allocation that would not be harvested by CVs less than or equal to 55 ft (16.8 m) LOA. This action would not change the allocation percentages or reallocation hierarchy established under amendment 85 to the BSAI FMP (72 FR 50788, September 4, 2007).

NMFS proposes adding a small vessel provision at § 679.20(a)(7)(iv)(D) to specify the provisions for less than or equal to 55 ft (16.8 m) LOA hook-and-line or pot CVs participating in the jig sector A season. After the jig sector A season ends on April 30 at 1200 hours Alaska local time (A.l.t.), seasonal allowances will be designated for jig vessels only. Beginning April 30 at 1200 hours A.l.t., harvest from hook-and-line or pot CVs less than or equal to 55 ft (16.8 m) LOA would accrue against the

hook-and-line and pot CV less than 60 ft (18.3 m) LOA sector's allocation.

NMFS proposes corresponding changes to the sector allocations table in regulations at § 679.20(a)(7)(ii)(A) to modify the descriptions of the jig sector and the hook-and-line and pot CV less than 60 ft (18.3 m) LOA sector to accommodate the distinction between smaller (less than or equal to 55 ft (16.8 m) LOA) hook-and-line or pot CVs and larger (greater than 55 ft (16.8 m) LOA) hook-and-line or pot CVs during the jig sector A season (January 1 to April 30) as specified at § 679.23(e)(5)(iv)(A).

NMFS proposes revising the descriptions of seasonal allowances by sector under § 679.20(a)(7)(iv) to reflect these distinctions by vessel size, type, and season. Note that season dates vary by sector and are listed under § 679.23(e)(5). This action would apply only during the jig gear A season and does not modify regulations that govern when directed fishing by CVs using hook-and-line or pot gear is authorized. Additional revisions are proposed in regulations to include cross references to the small vessel provision being proposed at § 679.20(a)(7)(iv)(D) as needed.

NMFS proposes changes to regulations at § 679.20(a)(7)(ii)(B) to modify which sectors have an incidental catch allowance (ICA) deducted from their aggregate TAC to include the jig sector. Currently, the ICA is deducted from the hook-and-line and pot gear sectors, but the inclusion of smaller CVs (less than or equal to 55 ft (16.8 m) LOA) using hook-and-line or pot gear in the jig sector means that the ICA deduction should apply to the jig sector as well. If the ICA deduction was not applied to the jig sector, then any incidental catch of Pacific cod by CVs less than or equal to 55 ft (16.8 m) LOA that use hook-and-line or pot gear that occurs January 1 to April 30 will accrue towards the jig TAC instead. In recent years the sablefish and halibut IFQ fisheries have opened in March and Pacific cod is a common incidental catch species in those fisheries.

NMFS proposes technical changes to regulations at § 679.20(a)(7)(iii) to incorporate the small vessel provision into the existing non-CDQ sector reallocation hierarchy and make technical changes to the organization. Paragraph § 679.20(a)(7)(iii)(A) would be divided into six subparagraphs and references to the new small vessel provision would be added to paragraph (a)(7)(iii)(A)(1). NMFS proposes revising § 679.20(a)(7)(iii)(B) to add introductory text that clarifies that reallocations to trawl gear sectors are considered after applying paragraphs (a)(7)(iii)(A)(1)

through (6) that specify the hierarchy of reallocations to the non-trawl CV sectors.

Classification

Pursuant to section 304(b)(1)(A) of the Magnuson-Stevens Act, the NMFS Assistant Administrator has determined that this proposed rule is consistent with the BSAI FMP, other provisions of the Magnuson-Stevens Act, and other applicable law, subject to further consideration after public comment.

The proposed rule has been determined to be not significant for purposes of E.O. 12866.

This proposed rule is not an Executive Order 14192 regulatory action because the rule is not significant under Executive Order 12866.

This proposed rule contains no information collection requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Regulatory Impact Review

A Regulatory Impact Review (RIR) was prepared to assess all costs and benefits of available regulatory alternatives. A copy of this analysis is available from NMFS (see **ADDRESSES**). The Council recommended amendment 125 based on those measures that maximized net benefits to the Nation. Specific aspects of the economic analysis are discussed below in the Initial Regulatory Flexibility Analysis (IRFA) section.

Initial Regulatory Flexibility Analysis

An IRFA was prepared for this proposed rule, as required by section 603 of the Regulatory Flexibility Act (RFA) (5 U.S.C. 603), to describe the economic impact this proposed rule, if adopted, would have on small entities. This IRFA: (1) describes the action; (2) the reasons why it is proposed; (3) the objectives and legal basis for this proposed rule; (4) the estimated number and description of directly regulated small entities to which this proposed rule would apply; (5) the recordkeeping, reporting, and other compliance requirements of this proposed rule; and (6) the relevant Federal rules that may duplicate, overlap, or conflict with this proposed rule. This IRFA also describes significant alternatives to this proposed rule that would accomplish the stated objectives of the Magnuson-Stevens Act, and any other applicable statutes, and that would minimize any significant economic impact of this proposed rule on small entities. The description of the proposed action, its purpose, and the legal basis are explained earlier in the preamble to this proposed rule and are not repeated here.

For RFA purposes only, NMFS has established a small business size standard for businesses, including their affiliates, whose primary industry is commercial fishing (see 50 CFR 200.2). A business primarily engaged in commercial fishing (NAICS code 11411) is classified as a small business if it is independently owned and operated, is not dominant in its field of operation (including its affiliates), and has combined annual gross receipts not in excess of \$11 million for all its affiliated operations worldwide. A shoreside and mothership processor primarily involved in seafood processing (NAICS code 311710) is classified as a small business if it is independently owned and operated, is not dominant in its field of operation (including its affiliates), and has combined annual employment, counting all individuals employed on a full-time, part-time, or other basis, not in excess of 750 employees for all its affiliated operations worldwide.

Number and Description of Small Entities Regulated by This Proposed Rule

Entities directly regulated by this action include vessels operating in the Federal BSAI Pacific cod less than 60 ft (18.3 m) LOA hook-and-line and pot CV and jig sectors. The jig sector includes CVs and C/P vessels. This section identifies all entities that could be considered directly regulated entities under the range of alternatives considered and likely represents an overestimate of the number of small entities that would be directly regulated.

In the most recent five years for which annual economic data are available (2019 through 2023), there were 53 active vessels that participated in the Federal BSAI Pacific cod less than 60 ft (18.3 m) LOA hook-and-line and pot CV and jig sectors. All 53 active vessels are directly regulated entities. All but one of the 53 directly regulated entities are considered small entities under the RFA. As many as three vessels from the less than 60 ft (18.3 m) LOA hook-and-line and pot CV sector also participated in the BSAI Pacific cod jig sector in either 2019 or 2020; however, no vessel participated in the jig sector in 2021 through 2023. All of these jig vessels are considered directly regulated small entities. Sixteen hook-and-line or pot CVs that are less than or equal to 55 ft (16.8 m) LOA participated in the BSAI Pacific cod fishery (2019 through 2023), and all 16 were active in 2023. All 16 of these small hook-and-line or pot CVs are considered directly regulated small entities. Thirty-seven hook-and-line or pot CVs greater than 55 ft (16.8 m) LOA

participated in the less than 60 ft (18.3 m) hook-and-line and pot CV sector (2019 through 2023), of which 34 vessels were active in 2023. Thirty-six of those 37 vessels are considered directly regulated small entities. These counts identify all unique directly regulated small entities that may participate in the fishery recognizing that not all of these vessels participate in every year.

Impacts of This Action on Small Entities

All but one of the entities directly regulated by this action are small entities for RFA purposes. The potential impacts to these small entities are extensively analyzed in the associated RIR. A summary of those potential effects is provided here.

This action adds a small vessel provision to the current BSAI Pacific cod jig sector in the A season. Under this small vessel provision, catch from hook-and-line or pot CVs that are less than or equal to 55 ft (16.8 m) LOA harvesting Pacific cod in the BSAI during the jig gear A season would accrue to the jig sector allocation. This action does not change the allocation percentage to either the jig sector, or the less than 60 ft (18.3 m) hook-and-line and pot CV sector; however, during the jig gear A season, harvest by the hook-and-line or pot CVs less than or equal to 55 ft (16.8 m) LOA would accrue to the jig sector allocation before any reallocation would occur. Changes to the timing of inseason reallocation of any unused portion of the jig sector allocation could affect the remaining vessels in the less than 60 ft (18.3 m) LOA hook-and-line and pot gear CV sector by delaying or eliminating a reallocation of the jig sector A season apportionment.

In terms of the effect on fleet revenue, the Analysis of Option 2 (see **ADDRESSES**) estimates an average annual increase in fleet revenue of \$1.15 million for the hook-and-line or pot CVs less than or equal to 56 ft (17.1 m) LOA and an annual average revenue decrease of \$1.22 million for the hook-and-line or pot CVs greater than 56 ft (17.1 m) LOA. For the reasons discussed in Section 4.3.5 of the Analysis both of these numbers are likely overestimates. Although this action changes how the harvest of vessels less than or equal to 55 ft (16.8 m) LOA is accounted for, due to the small difference between the two options considered, the same revenue analysis could not be performed to directly compare the 55 ft (16.8 m) and 56 ft (17.1 m) LOA thresholds because presenting both analyses would reveal confidential fishery information. Therefore, the two options were

analyzed together and the differences described qualitatively. This shift in revenue is largely attributable to changing the timing of reallocation of the jig sector apportionment to the less than 60 ft (18.3 m) LOA hook-and-line and pot gear CV sector. Additionally, the amount of Pacific cod reallocated may be reduced by the amount harvested by vessels CVs less than or equal to 55 ft (16.8 m) LOA during the jig season. This action is also expected to improve stability for hook-and-line or pot CVs less than or equal to 55 ft (16.8 m) LOA as it may provide extended fishing seasons and more flexibility for smaller CVs to choose when to fish.

This action could have a positive impact on the overall safety of smaller (less than or equal to 55 ft (16.8 m) LOA) hook-and-line or pot CVs as they could be more selective on when they take their fishing trips to target better weather windows during the early winter months without the competition of larger vessels in the less than 60 ft (18.3 m) LOA hook-and-line and pot gear CV sector. As explained in Section 4.3.3 of the Analysis, this action could also have a negative impact on the overall safety of vessels greater than 55 ft (16.8 m) LOA in the less than 60 ft (18.3 m) LOA hook-and-line and pot CV sector. This is because competition early in the fishing year for the 2 percent sector allocation could increase the pace of fishing by vessels that have excess capacity and ability to fish in worse weather. Those larger vessels in the sector would no longer have access to the jig sector A season allocation at the beginning of the year. If there are active vessels using jig gear, or vessels less than or equal to 55 ft (16.8 m) LOA using hook-and-line or pot gear, a reallocation of the jig sector allocation may not be available to the less than 60 ft (18.3 m) LOA hook-and-line and pot gear CV sector until after the end of the jig sector A season.

Description of Significant Alternatives That Minimize Adverse Impacts on Small Entities

The Council considered two alternatives: a no action alternative and an action alternative with two options and a sub-option. Alternative 1 would retain the status quo by keeping the BSAI Pacific cod non-CDQ sectors specified at § 679.20(a)(7)(ii)(A), while Alternative 2 considered modifying the BSAI Pacific cod jig sector to include smaller hook-and-line or pot CVs with two options that would set the LOA for smaller CVs at either less than or equal to 55 ft (16.8 m) LOA (Option 1) or less than or equal to 56 ft (17.1 m) LOA (Option 2). Additionally, the sub-option

allowed for the addition of smaller vessels to the jig sector during only the jig sector A season. The sub-option specified that the jig sector B and C seasons would remain a jig-gear-only fishery. After the jig sector's A season ends, all harvest by hook-and-line or pot CVs less than 60 ft (18.3 m) LOA (including vessels less than or equal to 55 ft (16.8 m) LOA) would accrue to the same sector as under status quo.

The Council recommended Alternative 2, Option 1 with the sub-option as its preferred alternative. NMFS has reviewed the Council's recommendation and is proposing in this rule regulatory changes that would implement the Council's recommendation. As such, amendment 125 and this proposed rule would apply to the jig-gear A season only. During the A season, harvest from hook-and-line or pot CVs less than or equal to 55 ft (16.8 m) LOA would accrue to the jig sector allocation and harvest from hook-and-line or pot CVs with an LOA greater than 55 ft (16.8 m) LOA and less than 60 ft (18.3 m) LOA would accrue toward the less than 60 ft (18.3 m) LOA hook-and-line and pot CV sector's 2 percent allocation. After the jig-gear A season ends on April 30, all hook-and-line or pot CVs that are less than 60 ft (18.3 m) LOA would be in the same sector and would be eligible for reallocations utilizing the reallocation hierarchy defined in Federal regulations at § 679.20(a)(7)(iii)–(iv).

Under the status quo alternative, increased participation in the sector, and smaller BSAI Pacific cod allocation amounts and reallocations from other sectors, have resulted in shortened fishing seasons for the sector. In addition to potentially providing more stability to smaller hook-and-line or pot CVs, this action (Alternative 2, Option 1) could provide additional fishing opportunities for smaller hook-and-line or pot CVs by modifying the current BSAI Pacific cod jig sector to allow these hook-and-line and pot CVs to fish the jig sector's allocation without negatively impacting jig fishery participants. The BSAI Pacific cod jig sector has historically underutilized its 1.4 percent allocation of BSAI Pacific cod under amendment 85, the majority of which has been reallocated to the less than 60 ft (18.3 m) hook-and-line and pot CV sector.

The Council recommended Option 1 (less than or equal to 55 ft (16.8 m) LOA) to ensure the cut off for hook-and-line or pot CVs to harvest Pacific cod from the jig sector's allocation is set at a length that would exclude larger vessels with additional efficiencies. The Council received public comment that

some hook-and-line or pot CVs with a reported LOA of exactly 56 ft (17.1 m) could have additional capacity to harvest BSAI Pacific cod more competitively than smaller vessels. Therefore, the Council did not choose to recommend, and NMFS did not choose to implement Option 2 because allowing 56 ft (17.1 m) LOA vessels with additional capacity to harvest Pacific cod from the jig sector's allocation in the A season may not eliminate the unintended inter-sector competition that current fishery participants in the less than 60 ft (18.3 m) hook-and-line and pot CV sector face.

The sub-option would likely result in additional opportunities for smaller hook-and-line or pot CVs to harvest Pacific cod during the jig sector A season. Keeping the B season as a jig-only fishery (*i.e.*, status quo) would minimize the potential impacts to jig vessels, which make the majority of their BSAI Pacific cod deliveries between April and September (*i.e.*, the B season) when the weather is safest for smaller vessels to operate. Additionally, hook-and-line or pot CVs typically prosecute other fisheries during the jig sector's B season. Due to this lack of demand and the amount of harvest allocation necessary to make reopening the sector practical, NMFS has not been able to make a reallocation to reopen the less than 60 ft (18.3 m) LOA hook-and-line and pot CV sector in the spring/summer months since 2011. Finally, keeping the C season as a jig-only fishery (*i.e.*, status quo) responds to concerns the Council heard in public comment from fishery participants with larger hook-and-line or pot CVs who have come to depend on a fall fishing opportunity and that the historically common reallocation of jig sector TAC on or near September 1 is important to maintain.

Overall, the proposed action would provide more stability for smaller hook-and-line or pot CVs (those less than or equal to 55 ft (16.8 m) LOA). Increased participation in the less than 60 ft (18.3 m) LOA hook-and-line and pot CV sector, smaller BSAI Pacific cod annual TACs, and fewer reallocations from other sectors, have resulted in shortened fishing seasons for the sector. In addition to potentially providing more stability to smaller hook-and-line or pot CVs, this action could provide additional fishing opportunities for smaller hook-and-line and pot vessels by redefining the current BSAI Pacific cod jig sector to include these hook-and-line or pot CVs without negatively impacting jig fishery participants. The BSAI Pacific cod jig sector has historically underutilized its 1.4 percent

allocation of BSAI Pacific cod under amendment 85, the majority of which has been reallocated to the less than 60 ft (18.3 m) hook-and-line and pot CV sector.

A key challenge this action seeks to address is that the less than 60 ft (18.3 m) LOA hook-and-line and pot CV sector has experienced a shortened initial fishing period in recent years, which negatively impacts smaller vessels because they have less capacity and flexibility to fish in poor weather and in more productive grounds farther from shore. Due to their size, smaller vessels typically fish waters closer to shore, which may be less productive for Pacific cod. Pacific cod is a demersal species found throughout the Eastern BS and the AI and are distributed over the continental shelf at depths from shoreline to 500 m (Section 4.3.3 of the RIR). However, Pacific cod do not typically appear inside shallow, inshore waters until mid to late February. Additionally, condensed fishing periods at the start of the year give smaller vessels less flexibility to avoid fishing when the weather creates unsafe conditions. These dynamics pose safety concerns for smaller vessels that this action will address by allowing hook-and-line or pot CVs less than or equal to 55 ft (16.8 m) LOA to harvest Pacific cod from the jig-sector's A season allocation and thereby providing a dedicated fishing opportunity to these smaller vessels separate from the more competitive vessels in less than 60 ft (18.3 m) LOA hook-and-line and pot CV sector. This would also provide smaller hook-and-line or pot CVs with greater flexibility in the timing of fishing, allowing for improved fishing safety as well as greater fishing opportunities. The Council acknowledged that vessels greater than 55 ft (16.8 m) and less than 60 ft (18.3 m) LOA could face reduced fishing opportunities early in the year in the absence of an A season reallocation from the jig sector. NMFS agrees with the Council's rationale that smaller vessels face greater safety risks and, thus, are of greater concern.

Based upon the best scientific data available, and in consideration of the objectives of this action, there are no significant alternatives to the proposed rule that have the potential to accomplish the stated objectives of the Magnuson-Stevens Act and other applicable statutes and that have the potential to minimize any significant adverse economic impact of the proposed rule on small entities.

Overall, this action is economically beneficial to entities operating vessels less than or equal to 55 ft (16.8 m) LOA in the BSAI Pacific cod hook-and-line

and pot CVs less than 60 ft (18.3 m) LOA sector, including small entities. This action proposes modification to fishing sectors to improve fishery efficiency, allows for new small entity entrants to the fishery, and improves small vessel safety at sea. After public process during which the Council solicited input from stakeholders, the Council recommended this action. NMFS determined that the recommended action would best accomplish the stated objectives articulated in the preamble for this proposed rule, and in applicable statutes, and would minimize to the extent practicable adverse economic impacts on the universe of directly regulated small entities.

Duplicate, Overlapping, or Conflicting Federal Rules

No duplication, overlap, or conflict between this proposed action and

existing Federal rules has been identified.

Recordkeeping, Reporting, and Other Compliance Requirements

This action does not modify recordkeeping or reporting requirements, or duplicate, overlap, or conflict with any Federal rules.

List of Subjects in 50 CFR Part 679

Alaska, Fisheries, Reporting and recordkeeping requirements.

Dated: August 1, 2025.

Samuel D. Rauch III,

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

For the reasons set out in the preamble, NMFS proposes to amend 50 CFR part 679 as follows:

PART 679—FISHERIES OF THE EXCLUSIVE ECONOMIC ZONE OFF ALASKA

■ 1. The authority citation for part 679 continues to read as follows:

Authority: 16 U.S.C. 773 *et seq.*; 1801 *et seq.*; 3631 *et seq.*; Pub. L. 108–447; Pub. L. 111–281.

■ 2. Amend § 679.20 by revising paragraphs (a)(7)(ii)(A)(1) and (2) and (B); (a)(7)(iii)(A) and (B) introductory text; (a)(7)(iv)(A)(3) and (C); and adding paragraph (a)(7)(iv)(D) to read as follows:

§ 679.20 General Limitations.

- (a) * * *
- (7) * * *
- (ii) * * *
- (A) * * *

Sector	% Allocation
(1) Jig (During the jig gear A season, see small vessel provision in paragraph (a)(7)(iv)(D) of this section)	1.4
(2) Hook-and-line and pot CV <60 ft (18.3 m) LOA (During the jig gear A season, see small vessel provision in paragraph (a)(7)(iv)(D) of this section)	2
* * * * *	

(B) *Incidental catch allowance.* During the annual harvest specifications process set forth at paragraph (c) of this section, the Regional Administrator will specify an amount of Pacific cod that NMFS estimates will be taken as incidental catch in directed fisheries for groundfish other than Pacific cod by the hook-and-line and pot gear sectors. This amount will be the incidental catch allowance and will be deducted from the aggregate portion of Pacific cod TAC annually allocated to the hook-and-line and pot gear sectors (including the jig sector due to the small vessel provision in paragraph (a)(7)(iv)(D) of this section) before the allocations under paragraph (a)(7)(ii)(A) of this section are made to these sectors.

(iii) * * *

(A) *Catcher vessel sectors.* The Regional Administrator will reallocate projected unharvested amounts of Pacific cod TAC from a catcher vessel sector as follows:

(1) First, to the jig sector, as described under paragraph (7)(ii)(A)(1) of this section, or to the less than 60 ft (18.3 m) LOA hook-and-line and pot catcher

vessel sector, as described under paragraph (7)(ii)(A)(2) of this section, or to both of these sectors;

(2) Second, to the greater than or equal to 60 ft (18.3 m) LOA hook-and-line or to the greater than or equal to 60 ft (18.3 m) LOA pot catcher vessel sectors; and

(3) Third, to the trawl catcher vessel sector.

(4) If the Regional Administrator determines that a projected unharvested amount from the jig sector allocation, the less than 60 ft (18.3 m) LOA hook-and-line and pot catcher vessel sector allocation, or the greater than or equal to 60 ft (18.3 m) LOA hook-and-line catcher vessel sector allocation is unlikely to be harvested through this hierarchy, the Regional Administrator will reallocate that amount to the hook-and-line catcher/processor sector.

(5) If the Regional Administrator determines that a projected unharvested amount from a greater than or equal to 60 ft (18.3 m) LOA pot catcher vessel sector allocation is unlikely to be harvested through this hierarchy, the Regional Administrator will reallocate

that amount to the pot catcher/processor sector in accordance with the hierarchy set forth in paragraph (a)(7)(iii)(C) of this section.

(6) If the Regional Administrator determines that a projected unharvested amount from a trawl catcher vessel sector allocation is unlikely to be harvested through this hierarchy, the Regional Administrator will reallocate that amount to the other trawl sectors in accordance with the hierarchy set forth in paragraph (a)(7)(iii)(B) of this section.

(B) *Trawl gear sectors.* After applying paragraphs (a)(7)(iii)(A)(1) through (6) of this section, if applicable, the Regional Administrator will reallocate any projected unharvested amounts of Pacific cod TAC from the trawl catcher vessel or AFA catcher/processor sectors to other trawl sectors before unharvested amounts are reallocated and apportioned to specified gear sectors as follows:

- * * * * *
- (iv) * * *
- (A) * * *

Sector	Seasonal allowances (%)		
	A Season	B Season	C Season
(3) Jig (During the jig gear A season, see small vessel provision in paragraph (a)(7)(iv)(D) of this section)	60	20	20

* * * * *

(C) *Jig sector.* See § 679.20(a)(7)(iv)(D) for small vessel provisions during the A season. The Regional Administrator will reallocate any projected unused portion of a seasonal allowance of Pacific cod for the jig sector under this section to the less than 60 ft (18.3 m) LOA hook-and-line and pot catcher vessel sector. The Regional Administrator will reallocate the projected unused portion

of the jig sector's C season allowance on or about September 1 of each year.

(D) *Small vessel provision.* (1) During the jig gear A season (see § 679.23(e)(5)(iv)), harvest by vessels using jig gear and harvest by CVs less than or equal to 55 ft (16.8 m) LOA using hook-and-line or pot gear accrues against the jig sector seasonal allowance.

(2) During the jig gear B and C seasons (see § 679.23(e)(5)(iv)), harvest by

vessels using jig gear accrues against the seasonal allowances for the jig sector, and harvest by CVs less than or equal to 55 ft (16.8 m) LOA using hook-and-line or pot gear accrues against the hook-and-line and pot CV less than 60 ft (18.3 m) LOA sector's allocation.

* * * * *

[FR Doc. 2025-14960 Filed 8-5-25; 8:45 am]

BILLING CODE 3510-22-P

Notices

Federal Register

Vol. 90, No. 149

Wednesday, August 6, 2025

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

DEPARTMENT OF COMMERCE

International Trade Administration

[Application No. 84–36A12]

Export Trade Certificate of Review

ACTION: Notice of application for an amended Export Trade Certificate of Review for Northwest Fruit Exporters, Application No. 84–36A12.

SUMMARY: The Secretary of Commerce, through the Office of Trade and Economic Analysis (OTEA) of the International Trade Administration, has received an application for an amended Export Trade Certificate of Review (Certificate). This notice summarizes the proposed amendment and seeks public comments on whether the Certificate should be issued.

FOR FURTHER INFORMATION CONTACT: Amanda Reynolds, Acting Director, OTEA, International Trade Administration, (202) 482–5131 (this is not a toll-free number) or email at etca@trade.gov.

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4011–21) (the Act) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. An Export Trade Certificate of Review protects the holder and the members identified in the Certificate from State and Federal government antitrust actions and from private treble damage antitrust actions for the export conduct specified in the Certificate and carried out in compliance with its terms and conditions. The regulations implementing Title III are found at 15 CFR part 325. OTEA is issuing this notice pursuant to 15 CFR 325.6(a), which requires the Secretary of Commerce to publish a summary of the application in the **Federal Register**, identifying the applicant and each member and summarizing the proposed export conduct.

Request for Public Comments

Interested parties may submit written comments relevant to the determination whether a Certificate should be issued. If the comments include any privileged or confidential business information, it must be clearly marked and a nonconfidential version of the comments (identified as such) should be included. Any comments not marked as privileged or confidential business information will be deemed to be nonconfidential.

Written comments should be sent to ETCA@trade.gov. An original and two (2) copies should also be submitted no later than 20 days after the date of this notice to: Office of Trade and Economic Analysis, International Trade Administration, U.S. Department of Commerce, Room 21028, Washington, DC 20230.

Information submitted by any person is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552). However, nonconfidential versions of the comments will be made available to the applicant if necessary for determining whether or not to issue the Certificate. Comments should refer to this application as “Export Trade Certificate of Review, application number 84–36A12.”

Summary of the Application

Applicant: Northwest Fruit Exporters, 105 S 18th St., Suite 105 Yakima, WA 98901.

Contact: Riley Bushue, Manager.

Application No.: 84–36A12.

Date Deemed Submitted: July 25th, 2025.

Proposed Amendment: Northwest Fruit Exporters seeks to amend its Certificate as follows:

1. Change the Export Product coverage of the following Members of the Certificate:

- Pine Canyon Growers LLC changes Export Product coverage from fresh apples to fresh apples and fresh sweet cherries (adding fresh sweet cherries).

Northwest Fruit Exporters’ proposed amendment of its Certificate would result in the following Membership list:

1. Allan Bros., Naches, WA
2. AltaFresh L.L.C. dba Chelan Fresh Marketing, Chelan, WA
3. Apple House Warehouse & Storage, Inc., Brewster, WA
4. Apple King, L.L.C., Yakima, WA
5. Auvil Fruit Co., Inc. dba Gee Whiz II, LLC, Orondo, WA

6. Baker Produce, Inc., Kennewick, WA
7. Blue Bird, Inc., Peshastin, WA
8. Borton & Sons, Inc., Yakima, WA
9. Brewster Heights Packing & Orchards, LP dba Gebbers Farms, Brewster, WA
10. Chelan Fruit, Chelan, WA
11. Chiawana, Inc. dba Columbia Reach Pack, Yakima, WA
12. Chuy’s Cherries LLC, Mattawa, WA
13. CMI Orchards LLC, Wenatchee, WA
14. Columbia Fresh Packing LLC, Kennewick, WA
15. Congdon Packing Co. L.L.C., Yakima, WA
16. Cowiche Growers, Inc., Cowiche, WA
17. CPC International Apple Company, Tieton, WA
18. Crane Ranch, Brewster, WA
19. Custom Apple Packers, Inc., Quincy & Wenatchee, WA
20. Diamond Fruit Growers Inc., Odell, OR
21. Domex Superfresh Growers LLC, Yakima, WA
22. Douglas Fruit Company, Inc., Pasco, WA
23. Dovex Export Company, Wenatchee, WA
24. Duckwall Fruit, Odell, OR
25. E. Brown & Sons, Inc., Milton-Freewater, OR
26. E.W. Brandt & Sons, Inc., Parker, WA
27. Evans Fruit Co., Inc., Yakima, WA
28. FirstFruits Farms, LLC, Prescott, WA
29. G&G Orchards, Inc., Yakima, WA
30. Gilbert Orchards, Inc., Yakima, WA
31. Hansen Fruit & Cold Storage Co., Inc., Yakima, WA
32. Henggeler Packing Co., Inc., Fruitland, ID
33. Honeybear Growers, LLC, Brewster, WA
34. Hood River Cherry Company, Hood River, OR
35. JackAss Mt. Ranch, Pasco, WA
36. Jenks Bros Cold Storage & Packing, Royal City, WA
37. Kershaw Fruit & Cold Storage, Co., Yakima, WA
38. L & M Companies, Union Gap, WA
39. Lateral Roots Farm, LLC, Wapato, WA
40. Legacy Fruit Packers LLC, Wapato, WA
41. Manson Growers, Manson, WA
42. Matson Fruit Company, Selah, WA
43. McDougall & Sons, Inc., Wenatchee, WA
44. Monson Fruit Co., LLC, Selah, WA

45. Morgan’s of Washington dba Double Diamond Fruit, Quincy, WA
46. New Columbia Fruit Packers, LLC, Wenatchee, WA
47. Northern Fruit Company, Inc., Wenatchee, WA
48. Olympic Fruit Co., Moxee, WA
49. Orchard View Farms, Inc., The Dalles, OR
50. Pacific Coast Cherry Packers, LLC, Yakima, WA
51. Piepel Premium Fruit Packing LLC, East Wenatchee, WA
52. Pine Canyon Growers LLC, Orondo, WA (for fresh apples and fresh sweet cherries)
53. Polehn Farms, Inc., The Dalles, OR
54. Price Cold Storage & Packing Co., Inc., Yakima, WA
55. Quincy Fresh Fruit Co., Quincy, WA
56. Rainier Fruit Company, Selah, WA
57. River Valley Fruit, LLC., Grandview, WA
58. Roche Fruit, LLC, Yakima, WA
59. Sage Fruit Company, L.L.C., Yakima, WA
60. Stemilt Growers, LLC, Wenatchee, WA
61. Symms Fruit Ranch, Inc., Caldwell, ID
62. The Dalles Fruit Company, LLC, Dallesport, WA
63. Underwood Fruit & Warehouse Co., Bingen, WA
64. Valicoff Fruit Company, Inc, Wapato, WA
65. Washington Cherry Growers, Peshastin, WA
66. Washington Fruit & Produce Co., Yakima, WA
67. Western Sweet Cherry Group, LLC, Yakima, WA
68. Whitby Farms, Inc. dba: Farm Boy Fruit Snacks LLC, Mesa, WA
69. WP Packing LLC, Wapato, WA
70. Yakima Fruit & Cold Storage Co., Yakima, WA
71. Zirkle Fruit Company, Selah, WA

Dated: August 4, 2025.

Amanda Reynolds,

Acting Director, Office of Trade and Economic Analysis, International Trade Administration, U.S. Department of Commerce.

[FR Doc. 2025–14895 Filed 8–5–25; 8:45 am]

BILLING CODE 3610–DR–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–525–001]

Common Alloy Aluminum Sheet From the Kingdom of Bahrain: Preliminary Results of Antidumping Duty Administrative Review; 2023–2024

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

SUMMARY: The U.S. Department of Commerce (Commerce) is conducting an administrative review of the antidumping duty (AD) order on common alloy aluminum sheet (aluminum sheet) from the Kingdom of Bahrain (Bahrain). The period of review (POR) is April 1, 2023, through March 31, 2024. Commerce preliminarily finds that the producer/exporter subject to this administrative review made sales of subject merchandise at prices below normal value during the POR. We invite interested parties to comment on these preliminary results.

DATES: Applicable August 6, 2025.

FOR FURTHER INFORMATION CONTACT: Christopher Williams AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–5166.

SUPPLEMENTARY INFORMATION:

Background

On April 7, 2020, Commerce published in the **Federal Register** the order on aluminum sheet from Bahrain.¹ On April 1, 2024, Commerce published in the **Federal Register** a notice of opportunity to request an administrative review of the *Order* for the POR.² On June 12, 2024, based on timely requests for an administrative review, Commerce initiated this administrative review with respect to one company, Gulf Aluminium Rolling Mill B.S.C. (GARMCO).³ On July 22, 2024, Commerce tolled certain deadlines in this administrative review by seven days.⁴ On November 21, 2024, we extended the deadline to issue these preliminary results until May 7, 2025.⁵ On December 9, 2024, Commerce tolled certain administrative deadlines in this administrative review by an additional

¹ See *Common Alloy Aluminum Sheet from Bahrain, Brazil, Croatia, Egypt, Germany, India, Indonesia, Italy, Oman, Romania, Serbia, Slovenia, South Africa, Spain, Taiwan and the Republic of Turkey: Antidumping Duty Orders*, 86 FR 22139 (April 27, 2021) (*Order*).

² See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review and Join Annual Inquiry Service List*, 89 FR 22390, 22391 (April 1, 2024).

³ See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 89 FR 49844, 49846 (June 12, 2024) (*Initiation Notice*).

⁴ See Memorandum, “Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,” dated July 22, 2024.

⁵ See Memorandum, “Extension of Deadline for Preliminary Results of the Antidumping Duty Administrative Review,” dated November 21, 2024.

90 days.⁶ Accordingly, the deadline for these preliminary results is now August 5, 2025. For a complete description of the events that occurred since the initiation of this review, *see* the Preliminary Decision Memorandum.⁷

Scope of the Order

The merchandise covered by the *Order* is aluminum sheet from Bahrain. For a full description of the scope of the *Order*, *see* the Preliminary Decision Memorandum.

Methodology

Commerce is conducting this review in accordance with sections 751(a)(1)(B) and (2) of the Tariff Act of 1930, as amended (the Act). We calculated export price in accordance with section 772 of the Act, and we calculated normal value in accordance with section 773 of the Act.

For a full description of the methodology underlying these preliminary results, *see* the Preliminary Decision Memorandum. A list of the topics discussed in the Preliminary Decision Memorandum is included as the appendix to this notice. The Preliminary Decision Memorandum is a public document and is made available to the public via Enforcement and Compliance’s Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

Preliminary Results of Review

We preliminarily determine that the following weighted-average dumping margins exist for the period April 1, 2023, through March 31, 2024:

Producer and/or exporter	Weighted-average dumping margin (percent)
Gulf Aluminium Rolling Mill B.S.C ...	15.74

Disclosure

We intend to disclose the calculations performed to interested parties in the preliminary results of this administrative review within five days

⁶ See Memorandum, “Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,” dated December 9, 2024.

⁷ See Memorandum, “Decision Memorandum for Preliminary Results of Antidumping Duty Administrative Review of Common Alloy Aluminum Sheet from Bahrain; 2023–2024,” dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

of the public announcement or, if there is no public announcement, within five days after publication of this notice.⁸

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance.⁹ Pursuant to 19 CFR 351.309(c)(1)(ii), we have modified the deadline for interested parties to submit case briefs to Commerce no later than 21 days after the date of the publication of this notice. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date for filing case briefs.¹⁰ Interested parties who submit case briefs or rebuttal briefs in this administrative review must submit: (1) a table of contents listing each issue; and (2) a table of authorities.¹¹

As provided under 19 CFR 351.309(c)(2) and (d)(2), in prior proceedings we have encouraged interested parties to provide an executive summary of their brief that should be limited to five pages total, including footnotes. In this administrative review, we instead request that interested parties provide at the beginning of their briefs a public executive summary for each issue raised in their briefs.¹² Further, we request that interested parties limit their public executive summary of each issue to no more than 450 words, not including citations. We intend to use the public executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final results of this administrative review. We request that interested parties include footnotes for relevant citations in the public executive summary of each issue. Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).¹³

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, limited to issues raised in the case and rebuttal briefs, must submit a written request to the Assistant Secretary for Enforcement and

Compliance, U.S. Department of Commerce via ACCESS by 5:00 p.m. Eastern Time within 30 days after the date of publication of this notice in the **Federal Register**. Hearing requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants and whether any participant is a foreign national; and (3) a list of issues to be discussed. Oral presentations at the hearing will be limited to issues raised in the case and rebuttal briefs. If a request for a hearing is made, parties will be notified of the date, time, and location of the hearing.¹⁴ Parties should confirm the date, time, and location of the hearing two days before the scheduled hearing date.

Final Results of Review

Unless the deadline is extended, Commerce intends to issue the final results of this administrative review, including the results of its analysis of issues raised in written briefs, no later than 120 days after the date of publication of this notice in the **Federal Register**, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(1).

Assessment Rates

Upon completion of the final results of this administrative review, in accordance with section 751(a)(2)(A) of the Act, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise covered by this review.¹⁵ If a respondent's weighted-average dumping margin is not zero or *de minimis* (i.e., less than 0.50 percent) in the final results of this review, we intend to calculate an importer-specific assessment rate for antidumping duties based on the ratio of the total amount of dumping calculated for each importer's examined sales and the total entered value of those same sales in accordance with 19 CFR 351.212(b)(1).¹⁶ If the respondent's weighted-average dumping margin or an importer-specific assessment rate is zero or *de minimis* in the final results of this review, we intend to instruct CBP to liquidate the appropriate entries without regard to antidumping duties.¹⁷

For entries of subject merchandise during the POR produced by the

individually examined respondent for which it did not know that the merchandise was destined to the United States, we will instruct CBP to liquidate these entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.¹⁸

The final results of this administrative review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable.¹⁹ We intend to issue assessment instructions regarding the individually examined respondent to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (i.e., within 90 days of publication).

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication in the **Federal Register** of the notice of the final results of this administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the individually examined respondent listed above will be that established in the final results of this administrative review, except if the rate is less than 0.50 percent and, therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; (2) for merchandise exported by companies not covered in this review but covered in a prior segment of this proceeding, the cash deposit rate will continue to be the company-specific rate published in the completed segment for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the investigation but the producer is, then the cash deposit rate will be the rate established in the most recently completed segment for the producer of the merchandise; (4) the cash deposit rate for all other producers or exporters will continue to be 4.83 percent, the all-others rate established in the

⁸ See 19 CFR 351.224(b).

⁹ See 19 CFR 351.309(c)(1)(ii); see also 19 CFR 351.303 (for general filing requirements).

¹⁰ See 19 CFR 351.309(d)(1); see also *Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings*, 88 FR 67069, 67077 (September 29, 2023) (*APO and Service Final Rule*).

¹¹ See 19 CFR 351.309(c)(2) and (d)(2).

¹² We use the term "issue" here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

¹³ See *APO and Service Final Rule*.

¹⁴ See 19 CFR 351.310(d).

¹⁵ See 19 CFR 351.212(b)(1).

¹⁶ See *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification*, 77 FR 8101, 8103 (February 14, 2012).

¹⁷ *Id.*, 77 FR at 8103; see also 19 CFR 351.106(c)(2).

¹⁸ See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

¹⁹ See section 751(a)(2)(C) of the Act.

investigation.²⁰ These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping and/or countervailing duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping and/or countervailing duties occurred and the subsequent assessment of double antidumping duties, and/or an increase in the amount of antidumping duties by the amount of the countervailing duties.

Notification to Interested Parties

Commerce is issuing and publishing these preliminary results of this administrative review in accordance with sections 751(a)(1) and 777(i)(1) of the Act, 19 CFR 351.213(h)(2) and 19 CFR 351.221(b)(4).

Dated: August 1, 2025.

Christopher Abbott,

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

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Discussion of the Methodology
- V. Currency Conversion
- VI. Recommendation

[FR Doc. 2025-14935 Filed 8-5-25; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XE989]

Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Geophysical Surveys Related to Oil and Gas Activities in the Gulf of America (Formerly Gulf of Mexico)

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; issuance of letter of authorization.

SUMMARY: In accordance with the Marine Mammal Protection Act (MMPA), as amended, its implementing regulations, and NMFS' MMPA regulations for taking marine mammals incidental to geophysical surveys related to oil and gas activities in the Gulf of America, originally published as "Taking Marine Mammals Incidental to Geophysical Surveys Related to Oil and Gas Activities in the Gulf of Mexico," notification is hereby given that NMFS has modified the Letter of Authorization (LOA) issued to Viridien for the take of marine mammals incidental to geophysical survey activity in the Gulf of America (GOA).

DATES: The LOA is effective from August 1, 2025 through April 19, 2026.

ADDRESSES: The LOA, LOA request, and supporting documentation are available online at: <https://www.fisheries.noaa.gov/action/incidental-take-authorization-oil-and-gas-industry-geophysical-survey-activity-gulf-mexico>. In case of problems accessing these documents, please call the contact listed below (see **FOR FURTHER INFORMATION CONTACT**).

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

SUPPLEMENTARY INFORMATION:

Background

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

An authorization for incidental takings shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s), will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses (where relevant), and if the permissible methods of taking and requirements pertaining to the mitigation, monitoring and reporting of such takings are set forth. NMFS has defined "negligible impact" in 50 CFR 216.103 as an impact resulting from the specified activity that

cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival.

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

On January 19, 2021, we issued a final rule with regulations to govern the unintentional taking of marine mammals incidental to geophysical survey activities conducted by oil and gas industry operators, and those persons authorized to conduct activities on their behalf (collectively "industry operators"), in U.S. waters of the GOA¹ over the course of 5 years (86 FR 5322, January 19, 2021). The rule was based on our findings that the total taking from the specified activities over the 5-year period will have a negligible impact on the affected species or stock(s) of marine mammals and will not have an unmitigable adverse impact on the availability of those species or stocks for subsistence uses, and became effective on April 19, 2021.

The regulations at 50 CFR 217.180 *et seq.* allow for the issuance of LOAs to industry operators for the incidental take of marine mammals during geophysical survey activities and prescribe the permissible methods of taking and other means of effecting the least practicable adverse impact on marine mammal species or stocks and their habitat (often referred to as mitigation), as well as requirements pertaining to the monitoring and reporting of such taking. Under 50 CFR 217.186(e), issuance of an LOA shall be based on a determination that the level of taking will be consistent with the findings made for the total taking allowable under these regulations and a determination that the amount of take authorized under the LOA is of no more than small numbers.

NMFS subsequently discovered that the 2021 rule was based on erroneous take estimates. We conducted another

¹ Pursuant to Executive Order 14172, "Restoring Names That Honor American Greatness," and Department of the Interior Secretarial Order 3423, "The Gulf of America," the body of water formerly known as the Gulf of Mexico is now called the Gulf of America. Accordingly, this **Federal Register** Notice hereafter refers to the Gulf of America.

²⁰ See *Common Alloy Aluminum Sheet from Bahrain: Final Affirmative Determination of Sales at Less Than Fair Value*, 86 FR 13331, 13332 (March 8, 2021).

rulemaking using correct take estimates and other newly available and pertinent information relevant to the analyses supporting some of the findings in the 2021 final rule and the taking allowable under the regulations. We issued a final rule in April 2024, effective May 24, 2024 (89 FR 31488, April 24, 2024).

The 2024 final rule made no changes to the specified activities or the specified geographical region in which those activities would be conducted, nor to the original 5-year period of effectiveness. In consideration of the new information, the 2024 rule presented new analyses supporting affirmation of the negligible impact determinations for all species, and affirmed that the existing regulations, which contain mitigation, monitoring, and reporting requirements, are consistent with the “least practicable adverse impact” standard of the MMPA.

Summary of Request and Analysis

Viridien plans to conduct a three-dimensional (3D) ocean bottom node (OBN) survey over 2,023 lease blocks in the Garden Banks, Keathley Canyon, East Breaks, and Alaminos Canyon areas, with water depths ranging from approximately 185 to 2,095 meters (m). See section F of the LOA application for a map of the area.

Viridien anticipates using two dual-source vessels, and would preferentially use the low-frequency tuned pulse source (TPS). Alternatively, Viridien may use a conventional airgun array source consisting of 42 elements with a total volume of 5,220 cubic inches (in³). Please see Viridien’s application for additional detail.

The TPS was not included in the acoustic exposure modeling developed in support of the rule. However, the TPS was previously described and evaluated in support of previous LOAs and we rely on those analyses here (86 FR 37309, 37310, July 15, 2021; 87 FR 55790, 55791, September 12, 2022). For additional detail regarding sources, see section C of the LOA application. Based on this information we have determined there will be no effects of a magnitude or intensity different from those evaluated in support of the rule. NMFS therefore expects that use of modeling results supporting the final rule relating to use of airgun arrays are expected to be conservative as a proxy for use in evaluating potential impacts of use of the TPS.

The survey effort proposed by Viridien in its LOA request was used to develop LOA-specific take estimates based on the acoustic exposure modeling results described in the preamble (89 FR 31488, April 24, 2024).

In order to generate the appropriate take number for authorization, the following information was considered: (1) survey type; (2) location (by modeling zone²); (3) number of days; (4) source; and (5) month.³ To determine the most appropriate proxy array from the exposure modeling, the directionally dependent source level in a plane parallel to the sea surface was compared to the three airgun array sources which were originally modeled, including the 4130, 5110, and 8000 in³ arrays. Out of these three proxies, the source which had the smallest relative error (arithmetic mean difference taken over the azimuthal or vessel bearing angle) was chosen as the most representative proxy. In this case, the 5110 in³ had the lowest mean error (0.85 dB) and was the airgun array proxy that was selected. In this case, because Viridien may also elect to use the specified 42-element, 5,220 in³ airgun array source, this was used to determine the appropriate proxy. The acoustic exposure modeling performed in support of the rule provides 24-hour exposure estimates for each species, specific to each modeled source and survey type in each zone and month.

No 3D OBN surveys were included in the modeled survey types, and use of existing proxies (*i.e.*, two-dimensional (2D), 3D narrow-azimuth (NAZ), 3D wide-azimuth (WAZ), Coil) is generally conservative for use in evaluation of 3D OBN survey effort, largely due to the greater area covered by the modeled proxies. Summary descriptions of these modeled survey geometries are available in the preamble to the proposed rule (83 FR 29212, 29220, June 22, 2018). Coil was selected as the best available proxy survey type in this case because the spatial coverage of the planned survey is most similar to the coil survey pattern. The planned OBN survey will involve two source vessels sailing along closely spaced survey lines, with daily survey area coverage of approximately 144 kilometers squared (km²) per day, similar to that assumed for the coil survey proxy. Among the different parameters of the modeled survey patterns (*e.g.*, area covered, line spacing, number of sources, shot interval, total simulated pulses), NMFS considers area covered per day to be most influential on daily modeled exposures exceeding

Level B harassment criteria. Although Viridien is not proposing to perform a survey using the coil geometry, the coil proxy is most representative of the effort planned by Viridien in terms of predicted Level B harassment exposures.

The survey will take place over approximately 115 days with 65 days of sound source operation, all within Zone 6. The monthly distribution of survey days is not known in advance, though we assume that the planned 65 days of source operation would occur contiguously. Take estimates for each species are based on the time period that produces the greatest value.

For the Rice’s whale, recent survey data, sightings, and acoustic data support Rice’s whale occurrence in waters throughout the GOM between approximately 100 m and 400 m depth along the continental shelf break, and associated habitat-based density modeling has identified similar habitat (*i.e.*, approximately 100 to 400 m water depths along the continental shelf break) as being Rice’s whale habitat (Garrison *et al.*, 2023; Soldevilla *et al.*, 2022, 2024). NMFS’ 2024 final rule provided detailed discussion regarding Rice’s whale habitat (see, *e.g.*, 89 FR 31508, 31519).

Viridien’s planned activities will overlap this depth range, with approximately 3.5 percent of the area expected to be encompassed by the survey above root-mean-squared pressure received levels (RMS SPL) of 160 decibel (dB) (referenced to 1 micropascal (re 1 μ Pa)) overlapping the 100–400 m isobaths. Therefore, there is some reasonable potential for take of Rice’s whale to occur in association with this survey. The generic acoustic exposure modeling results in one take of Rice’s whales and we have rounded that up to a group size, authorizing two Rice’s whale takes.

Based on the results of our analysis, NMFS has determined that the level of taking expected for this survey and authorized through the LOA is consistent with the findings made for the total taking allowable under the regulations. See table 1 in this notice and table 6 of the rule (89 FR 31488, April 24, 2024).

Small Numbers Determination

Under the rule, NMFS may not authorize incidental take of marine mammals in an LOA if it will exceed “small numbers.” In short, when an acceptable estimate of the individual marine mammals taken is available, if the estimated number of individual animals taken is up to, but not greater than, one-third of the best available

² For purposes of acoustic exposure modeling, the GOA was divided into seven zones. Zone 1 is not included in the geographic scope of the rule.

³ Acoustic propagation modeling was performed for two seasons: Winter (December–March) and Summer (April–November). Marine mammal density data is generally available on a monthly basis, and therefore further refines take estimates temporally.

abundance estimate, NMFS will determine that the numbers of marine mammals taken of a species or stock are small (see 89 FR 31535, May 24, 2024). For more information please see NMFS' discussion of small numbers in the 2021 final rule (86 FR 5438, January 19, 2021).

The take numbers for authorization are determined as described in the **Federal Register** notice of issuance (90 FR 11947, March 13, 2025). Subsequently, the total incidents of harassment for each species are multiplied by scalar ratios (except in the cases where the take estimate has been

rounded up to reflect a group size) to produce a derived product that better reflects the number of individuals likely to be taken within a survey (as compared to the total number of instances of take), accounting for the likelihood that some individual marine mammals may be taken on more than 1 day (see 86 FR 5404, January 19, 2021). The output of this scaling, where appropriate, is incorporated into adjusted total take estimates that are the basis for NMFS' small numbers determinations, as depicted in table 1.

This product is used by NMFS in making the necessary small numbers

determinations through comparison with the best available abundance estimates (see discussion at 86 FR 5391, January 19, 2021). For this comparison, NMFS' approach is to use the maximum theoretical population, determined through review of current stock assessment reports (SAR; <https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-stock-assessments>) and model-predicted abundance information (<https://seamap.env.duke.edu/models/Duke/GOM/>). Information supporting the small numbers determinations is provided in table 1.

TABLE 1—TAKE ANALYSIS

Species	Authorized take	Scaled take ¹	Abundance ²	Percent abundance
Rice's whale	³ 2	NA	51	3.9
Sperm whale	500	211	2,451	8.6
<i>Kogia</i> spp	⁴ 203	62	1,385	5.2
Beaked whales	194	20	1,038	1.9
Rough-toothed dolphin	1,401	402	4,853	8.3
Bottlenose dolphin	1,909	548	166,538	0.3
Clymene dolphin	2,419	694	6,136	11.3
Atlantic spotted dolphin	3,442	988	21,506	4.6
Pantropical spotted dolphin	9,391	2,695	50,209	5.4
Spinner dolphin	⁵ 152	NA	2,991	5.1
Striped dolphin	1,468	421	16,102	2.6
Fraser's dolphin	556	160	1,665	9.6
Risso's dolphin	390	115	1,974	5.8
Blackfish ⁶	3,780	1,115	9,535	11.7
Short-finned pilot whale	2,084	615	3,277	18.8

¹ Scalar ratios were applied to "Authorized Take" values as described at 86 FR 5322, 5404 (January 19, 2021) to derive scaled take numbers shown here.

² Best abundance estimate. For most taxa, the best abundance estimate for purposes of comparison with take estimates is considered here to be the model-predicted abundance (Garrison *et al.*, 2023). For Rice's whale, Atlantic spotted dolphin, spinner dolphin, and Risso's dolphin, the estimated SAR abundance estimate is used.

³ Modeled take of one increased to account for potential encounter with a group of average size (Maze-Foley and Mullin, 2006).

⁴ Includes 10 takes by Level A harassment and 193 takes by Level B harassment. Scalar ratio is applied to takes by Level B harassment only; small numbers determination made on basis of scaled Level B harassment take plus authorized Level A harassment take.

⁵ Modeled take of 8 increased to account for potential encounter with a group of average size (Maze-Foley and Mullin, 2006).

⁶ The "blackfish" guild includes melon-headed whales, false killer whales, pygmy killer whales, and killer whales.

Based on the analysis contained herein of Viridien's proposed survey activity described in its LOA application and the anticipated take of marine mammals, NMFS finds that small numbers of marine mammals will be taken relative to the affected species or stock sizes (*i.e.*, less than one-third of the best available abundance estimate) and therefore the taking is of no more than small numbers.

Authorization

NMFS has determined that the level of taking for this LOA request is consistent with the findings made for the total taking allowable under the incidental take regulations and that the amount of take authorized under the LOA is of no more than small numbers. Accordingly, we have issued an LOA to Viridien authorizing the take of marine

mammals incidental to its geophysical survey activity, as described above.

Dated: August 1, 2025.

Kimberly Damon-Randall,

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

[FR Doc. 2025-14925 Filed 8-5-25; 8:45 am]

BILLING CODE 3510-22-P

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Recordkeeping for National Service Criminal History Checks

AGENCY: Corporation for National and Community Service.

ACTION: Notice of information collection; request for comment.

SUMMARY: The Corporation for National and Community Service, operating as AmeriCorps, has submitted an information collection for review and approval in accordance with the Paperwork Reduction Act.

DATES: Written comments must be submitted through the website listed in the **ADDRESSES** section by September 5, 2025.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function.

FOR FURTHER INFORMATION CONTACT:

Copies of this ICR, with applicable supporting documentation, may be obtained by calling AmeriCorps, Elizabeth Appel, 202-606-3614, or by email at EAppel@americorps.gov.

SUPPLEMENTARY INFORMATION: The OMB is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of CNCS, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions;
- Propose ways to enhance the quality, utility, and clarity of the information to be collected; and
- Propose ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments

Title of Collection: Recordkeeping for National Service Criminal History Checks.

OMB Control Number: 3045-0150.

Type of Review: Renewal.

Respondents/Affected Public: Businesses and Organizations and State, Local, or Tribal Governments.

Total Estimated Number of Annual Responses: 337,071.

Total Estimated Number of Annual Burden Hours: 758,410.

Abstract: The National and Community Service Act of 1990, as amended by the Serve America Act of 2009, requires AmeriCorps grantees and subgrantees to conduct a National Service Criminal History Check on individuals in covered positions before they begin service and to maintain documentation that the individuals were screened according to statutory requirements and are not prohibited from serving in the covered position. AmeriCorps and its grantees must ensure that national service beneficiaries are protected from harm, and the recordkeeping requirements of the final rule are critical to that responsibility. AmeriCorps also seeks to continue using the currently approved information collection until the revised information collection is approved by OMB. The currently approved

information collection is due to expire on August 31, 2025.

Jana Maser,

Acting General Counsel.

[FR Doc. 2025-14894 Filed 8-5-25; 8:45 am]

BILLING CODE 6050-28-P

U.S. INTERNATIONAL DEVELOPMENT FINANCE CORPORATION

[DFC-001A, DFC001B]

Submission for OMB Review; Comments Request; Correction

AGENCY: U.S. International Development Finance Corporation (DFC).

ACTION: Notice of information collection; correction.

SUMMARY: DFC published a document in the *Federal Register* on July 24, 2025, concerning requests for comments on this notice to allow an additional thirty (30) days for public comments to be submitted. The 60-day date was an error.

SUPPLEMENTARY INFORMATION:**Correction**

In the *Federal Register* of July 24, 2025, in FR Doc. 2025-13939, on page 34852, in the first column, correct the **DATES** caption to read: **DATES:** Comments must be received by September 5, 2025.

Lisa Wischkaemper,

Administrative Counsel, Office of the General Counsel.

[FR Doc. 2025-14936 Filed 8-5-25; 8:45 am]

BILLING CODE 3210-02-P

DEPARTMENT OF DEFENSE**Department of the Army****Record of Decision for Army Training Land Retention at Pōhakuloa Training Area in Hawai'i (ID# EISX-007-21-001-1734439520)**

AGENCY: Department of the Army, DOD.

ACTION: Notice of availability.

SUMMARY: The Department of the Army (Army) signed the Record of Decision (ROD) on July 31, 2025, for the Army Training Land Retention at Pōhakuloa Training Area (PTA) Environmental Impact Statement (EIS). The Army selected Alternative 2 (the preferred alternative in the Final EIS), retention of 19,700 acres of state-owned land at PTA. The ROD completes the National Environmental Policy Act (NEPA) process for the action.

ADDRESSES: The ROD, Final EIS, and informational materials are available on

the EIS website at: <https://home.army.mil/hawaii/ptaeis/project-home>.

FOR FURTHER INFORMATION CONTACT: U.S. Army Garrison Hawai'i, Mr. Nathan Wilkes, Public Affairs Office, by telephone at (808) 787-2140 or by email at usarmy.hawaii.nepa@army.mil.

SUPPLEMENTARY INFORMATION: In accordance with the National Environmental Policy Act (NEPA), the ROD identifies the Army's selected alternative, the basis for its selection, and the mitigation measures the Army commits to implement with the selected alternative. The ROD is based on the results of the Final EIS, which analyzed the environmental impacts associated with the proposed action. The Army published the Final EIS on April 18, 2025.

The Final EIS evaluated the potential impacts of a range of reasonable alternatives: (1) Maximum Retention (of approximately 22,750 acres); (2) Modified Retention (of approximately 19,700 acres); and (3) Minimum Retention and Access (of approximately 10,100 acres and 11 miles of roads and training trails). The Final EIS also analyzed the potential impacts of the No Action Alternative, under which Army use of the land would cease altogether when the lease expires in 2029. The Army selects Alternative 2.

The Final EIS analyzed: land use; biological resources; historic and cultural resources and cultural practices; hazardous substances and hazardous wastes; air quality and greenhouse gases; noise; geology, topography, and soils; water resources; socioeconomic; environmental justice; transportation and traffic; airspace; electromagnetic spectrum; utilities; and human health and safety.

The Final EIS was prepared according to certain Executive Orders, the Council on Environmental Quality's NEPA implementing regulations, and the Army's NEPA implementing regulations, which are now rescinded. Because analysis regarding greenhouse gases and environmental justice was already provided to the public for comment in the Second Draft EIS, such analysis was included in the Final EIS for transparency and continuity.

The Army's decision to select Alternative 2 was based on consideration of the full analyses of all alternatives contained in the Final EIS, comments provided during formal public comment and review periods, and an evaluation of the ability of each alternative to meet the purpose of and need for the proposed action. The Army will proceed with Alternative 2, as

described in the Final EIS, and will execute the mitigation and protective measures identified in the ROD.

(Authority: 42 U.S.C. 4321 *et seq.* (1969)).

James W. Satterwhite, Jr.,
U.S. Army Federal Register Liaison Officer.

[FR Doc. 2025–14919 Filed 8–5–25; 8:45 am]

BILLING CODE 3711–CC–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2025–SCC–0316]

Agency Information Collection Activities; Comment Request; Foreign Graduate Medical School Consumer Information Reporting Form

AGENCY: Federal Student Aid (FSA), 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 October 6, 2025.

ADDRESSES: To access and review all the documents related to the information collection listed in this notice, please use <http://www.regulations.gov> by searching the Docket ID number ED–2025–SCC–0316. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at <http://www.regulations.gov> by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. If the [regulations.gov](http://www.regulations.gov) site is not available to the public for any reason, the Department will temporarily accept comments at ICDocketMgr@ed.gov. Please include the docket ID number and the title of the information collection request when requesting documents or submitting comments. Please note that comments submitted after the comment period will not be accepted. Written requests for information or comments submitted by postal mail or delivery should be addressed to Carolyn Rose, U.S. Department of Education, Federal Student Aid, 400 Maryland Avenue SW, Washington, DC 20202.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Carolyn Rose, (202) 453–5967.

SUPPLEMENTARY INFORMATION: The Department, in accordance with the Paperwork Reduction Act of 1995 (PRA)

(44 U.S.C. 3506(c)(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 Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. The Department is soliciting comments on the proposed information collection request (ICR) that is described below. 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: Foreign Graduate Medical School Consumer Information Reporting Form.

OMB Control Number: 1845–0117.

Type of Review: Extension without change of a currently approved ICR.

Respondents/Affected Public: Private Sector.

Total Estimated Number of Annual Responses: 24.

Total Estimated Number of Annual Burden Hours: 384.

Abstract: This is a request for an extension without change of the information collection to obtain consumer information from foreign graduate medical institutions that participate in the William D. Ford Federal Direct Loan Program (Direct Loan Program) as authorized under Title IV of the Higher Education Act of 1963, as amended, (HEA). The form is used for reporting specific graduation information to the Department of Education (the Department) with a certification signed by the institution's President/CEO/Chancellor.

Ross Santy,

Chief Data Officer, Office of Planning, Evaluation and Policy Development.

[FR Doc. 2025–14923 Filed 8–5–25; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket ID ED–2025–FSA–0184]

Privacy Act of 1974; Matching Program

AGENCY: Federal Student Aid, U.S. Department of Education.

ACTION: Notice of a new matching program.

SUMMARY: Pursuant to the Privacy Act of 1974, as amended by the Computer Matching and Privacy Protection Act of 1988 and the Computer Matching and Privacy Protection Amendments of 1990 (Privacy Act), and Office of Management and Budget (OMB) guidance on the conduct of matching programs, notice is hereby given of the re-establishment of the matching program between the U.S. Department of Education (Department), as the recipient agency, and the Social Security Administration (SSA), as the source agency, to ensure that applicants for title IV, HEA program assistance satisfy eligibility requirements under title IV of the Higher Education Act of 1965, as amended (HEA).

DATES: Submit your comments on the proposed re-establishment of the matching program on or before September 5, 2025.

The period of this matching program is estimated to cover the 12-month period from October 11, 2025, through October 10, 2026. However, the computer matching agreement (CMA) will become applicable at the later of the following two dates: October 11, 2025, or 30 days after the publication of this notice, on August 6, 2025, unless comments have been received from interested members of the public requiring revision to and republication of the notice. The matching program will continue for 12 months after the applicable date and may be extended for up to an additional 12 months, if the respective agency Data Integrity Boards (DIBs) determine that the conditions specified in 5 U.S.C. 552a(o)(2)(D) have been met.

ADDRESSES: Comments must be submitted via the Federal eRulemaking Portal at [regulations.gov](http://www.regulations.gov). However, if you require an accommodation or cannot otherwise submit your comments via [regulations.gov](http://www.regulations.gov), please contact the program contact person listed under **FOR FURTHER INFORMATION CONTACT**. The Department will not accept comments submitted by fax or by email, or comments submitted after the comment period. To ensure that the Department does not receive duplicate copies, please submit your comments only once. In addition, 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”.

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

FOR FURTHER INFORMATION CONTACT:

Dennis Kramer, Director, Data Policy and Evaluation Policy Implementation Division, U.S. Department of Education, Federal Student Aid, 400 Maryland Ave. SW, Washington, DC 20024. Telephone: (202) 676–7918.

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:

In accordance with the Privacy Act; OMB “Final Guidance Interpreting the Provisions of Public Law 100–503, the Computer Matching and Privacy Protection Act of 1988,” published in the **Federal Register** on June 19, 1989 (54 FR 25818); and OMB Circular No. A–108, notice is hereby provided of the re-establishment of the matching program between SSA and ED to assist ED in the verification of Social Security numbers (SSNs), confirmation of citizenship status as recorded in SSA records, and death indicators (when applicable) of individuals who initiate the steps associated with accessing programs authorized by title IV of the Higher Education Act, or participating in the application process for such assistance, to assist ED in meeting its obligations under title IV of the HEA, including to ensure that applicants for Title IV, HEA program assistance satisfy eligibility requirements.

PARTICIPATING AGENCIES:

U.S. Department of Education and the Social Security Administration.

AUTHORITY FOR CONDUCTING THE MATCHING PROGRAM:

The Department’s legal authority to enter into this matching program includes Section 484(o) of the HEA (20 U.S.C. 1091(o)); Section 484(g) of the HEA (20 U.S.C. 1091(g)); Section 483(a)(2)(B) of the HEA (20 U.S.C. 1090(a)(2)(B)); Section 428B(f) of the

HEA (20 U.S.C. 1078–2(f)); and Sections 427, 432, 451, 483, and 484 of the HEA (20 U.S.C. 1077, 1082, 1087a, 1090, and 1091).

SSA is authorized to disclose information under this matching program under section 1106 of the Social Security Act (42 U.S.C. 1306) and the regulations promulgated pursuant to that section (20 CFR part 401), and subsection (b)(3) of the Privacy Act (5 U.S.C. 552a(b)(3)). Section 7213 of the Intelligence Reform and Terrorism Prevention Act of 2004 provides SSA authority to add a death indicator to verification routines that SSA determines to be appropriate.

PURPOSE(S):

The CMA establishes the terms, safeguards, and procedures under which the SSA will provide to ED SSN verification, citizenship status as recorded in SSA records, and death indicators (when applicable) of individuals who initiate the steps associated with accessing programs authorized by title IV of the HEA, or participating in the application process for such assistance, to assist ED in meeting its obligations under title IV of the HEA, including to ensure that applicants for title IV, HEA program assistance satisfy eligibility requirements.

CATEGORIES OF INDIVIDUALS:

ED will send to SSA records on individuals who initiate the steps associated with accessing programs administered under the authority of title IV of the HEA (applying for an FSA ID/creating a *StudentAid.gov* account), who qualify as an eligible applicant, and who apply for Federal student financial assistance through the Free Application for Federal Student Aid (FAFSA®). SSA will match ED’s records to its files on each individual who has applied for a FAFSA and obtained an SSN.

CATEGORIES OF RECORDS:

The specific data elements that ED will transmit to SSA are: SSN, first name, last name, and date of birth (DOB).

SSA’s system of records involved in the matching program maintains information required to apply for and obtain an SSN. The specific data elements that SSA will send back to ED include: SSN, first name, last name, DOB, and an SSA verification code on each record to indicate the match results. The verification codes are: 1 = No match on SSN, 3 = SSN match, name match, no match on DOB, 5 = SSN match, no match on name, DOB not checked, 6 = SSN not verified, Blank =

SSN match, name match, DOB match. SSA will also send a death indicator if one is present on SSA’s database for the record. Records returned from SSA also will include a citizenship status code as follows: A = U.S. citizen, B = legal alien, eligible to work, C = legal alien, not eligible to work, D = other, E = alien, student restricted, F = conditionally legalized alien, * = foreign born, Blank = domestic born (U.S. citizen), N = unable to verify citizenship due to no match on name, DOB, or SSN.

SYSTEM(S) OF RECORDS:

The Department will disclose records to SSA from its systems of records entitled “Aid Awareness and Application Processing” (AAAP)(18–11–21), which was last fully published in the **Federal Register** on November 7, 2024 (89 FR 88240) and “Person Authentication Service (PAS)” (18–11–12), which was last fully published in the **Federal Register** on July 28, 2023 (88 FR 48817). In addition, ED will maintain the information that it receives back from SSA in the “Common Origination and Disbursement (COD) System” (18–11–02), which was last fully published in the **Federal Register** on June 28, 2023 (88 FR 41942).

SSA will disclose records back to the Department from its systems of records identified as the “Master Files of Social Security Number (SSN) Holders and SSN Applications” (Enumeration Verification System) 60–0058, which last fully published in the **Federal Register** on January 4, 2022 (87 FR 263).

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 other accessible format.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations at www.govinfo.gov. At this site, you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Portable Document Format (PDF). To use PDF, you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at www.federalregister.gov.

Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

James Bergeron,

Acting Chief Operating Officer, Federal Student Aid.

[FR Doc. 2025–14849 Filed 8–5–25; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2025–SCC–0250]

Agency Information Collection Activities; Comment Request; Health Education Assistance Loan (HEAL) Program Regs

AGENCY: Federal Student Aid (FSA), 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 October 6, 2025.

ADDRESSES: To access and review all the documents related to the information collection listed in this notice, please use <http://www.regulations.gov> by searching the Docket ID number ED–2025–SCC–0250. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at <http://www.regulations.gov> by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. If the [regulations.gov](http://www.regulations.gov) site is not available to the public for any reason, the Department will temporarily accept comments at ICDocketMgr@ed.gov. Please include the docket ID number and the title of the information collection request when requesting documents or submitting comments. Please note that comments submitted after the comment period will not be accepted. Written requests for information or comments submitted by postal mail or delivery should be addressed to Carolyn Rose, U.S. Department of Education, Federal Student Aid, 400 Maryland Avenue SW, Washington, DC 20202.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Carolyn Rose, (202) 453–5967.

SUPPLEMENTARY INFORMATION: The Department, in accordance with the

Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(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 Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. The Department is soliciting comments on the proposed information collection request (ICR) that is described below. 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: Health Education Assistance Loan (HEAL) Program Regs.

OMB Control Number: 1845–0125.

Type of Review: Extension without change of a currently approved ICR.

Respondents/Affected Public: Individuals and Households; State, Local, and Tribal Governments.

Total Estimated Number of Annual Responses: 87,726.

Total Estimated Number of Annual Burden Hours: 16,318.

Abstract: This is a request for an extension of OMB approval of information collection requirements associated with the Health Education Assistance Loan (HEAL) Program regulations for reporting, recordkeeping and notifications, currently approved under OMB No. 1845–0125. There has been no change to the regulatory language.

Ross Santy,

Chief Data Officer, Office of Planning, Evaluation and Policy Development.

[FR Doc. 2025–14924 Filed 8–5–25; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EF25–9–000]

Bonneville Power Administration; Notice of Filing

Take notice that on July 30, 2025, Bonneville Power Administration submitted a tariff filing: Bonneville Power Administration BP–26 Rate Filing—FY 2026–2028 Wholesale Power and Transmission Rates, to be effective October 1, 2025.

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, 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 29, 2025.

Dated: August 1, 2025.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2025-14917 Filed 8-5-25; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #2

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

Docket Numbers: EG25-424-000.

Applicants: Branch Solar, LLC.

Description: Branch Solar, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 7/31/25.

Accession Number: 20250731-5234.

Comment Date: 5 p.m. ET 8/21/25.

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

Docket Numbers: ER23-1760-004.

Applicants: Guernsey Power Station LLC.

Description: Compliance filing: Guernsey Power Station Schedule 2 Filing to be effective N/A.

Filed Date: 8/1/25.

Accession Number: 20250801-5149.

Comment Date: 5 p.m. ET 8/22/25.

Docket Numbers: ER25-3067-000.

Applicants: ISO New England Inc., Central Maine Power Company.

Description: 205(d) Rate Filing: Central Maine Power Company submits tariff filing per 35.13(a)(2)(iii): CMP; Limited Revisions to the Formula Rate Template in Attachment F, Appendix A to be effective 10/1/2025.

Filed Date: 8/1/25.

Accession Number: 20250801-5059.

Comment Date: 5 p.m. ET 8/22/25.

Docket Numbers: ER25-3068-000.

Applicants: Black Hills Power, Inc.

Description: 205(d) Rate Filing: Filing of Amended and Restated LGIA with Vedauwoo Holdings Black Hills 1, LLC to be effective 7/10/2025.

Filed Date: 8/1/25.

Accession Number: 20250801-5071.

Comment Date: 5 p.m. ET 8/22/25.

Docket Numbers: ER25-3070-000.

Applicants: Midcontinent

Independent System Operator, Inc., Indianapolis Power & Light Company.

Description: 205(d) Rate Filing:

Indianapolis Power & Light Company submits tariff filing per 35.13(a)(2)(iii): 2025-08-01 IPL dba AES Transition to Forward Looking Formula Rate to be effective 10/1/2025.

Filed Date: 8/1/25.

Accession Number: 20250801-5107.

Comment Date: 5 p.m. ET 8/22/25.

Docket Numbers: ER25-3071-000.

Applicants: Prairie Wolf Solar, LLC.

Description: Compliance filing:

Revised Market-Based Rate Tariff to Update Category Seller Status to be effective 8/2/2025.

Filed Date: 8/1/25.

Accession Number: 20250801-5124.

Comment Date: 5 p.m. ET 8/22/25.

Docket Numbers: ER25-3072-000.

Applicants: Branch Solar, LLC.

Description: 205(d) Rate Filing:

Application For Market-Based Rate Authorization to be effective 10/30/2025.

Filed Date: 8/1/25.

Accession Number: 20250801-5153.

Comment Date: 5 p.m. ET 8/22/25.

Docket Numbers: ER25-3073-000.

Applicants: PJM Interconnection, L.L.C.

Description: PJM Interconnection, L.L.C. submits request for prospective waiver of its OATT, allowing extension of the deadline for PJM Members to vote and PJM to submit the next Periodic Review Proposal Effective with the 2028/2029 Delivery Year.

Filed Date: 8/1/25.

Accession Number: 20250801-5167.

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

Docket Numbers: ER25-3074-000.

Applicants: Midcontinent

Independent System Operator, Inc.

Description: 205(d) Rate Filing: 2025-08-01_Tariff Revisions Related to ROE-TO Specific to be effective 8/2/2025.

Filed Date: 8/1/25.

Accession Number: 20250801-5166.

Comment Date: 5 p.m. ET 8/22/25.

Docket Numbers: ER25-3075-000.

Applicants: NorthWestern Corporation.

Description: 205(d) Rate Filing: SA 605 Eighth Rev—NITSA/NOA with Bonneville Power Admin to be effective 10/1/2025.

Filed Date: 8/1/25.

Accession Number: 20250801-5175.

Comment Date: 5 p.m. ET 8/22/25.

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 organization, 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: August 1, 2025.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2025-14914 Filed 8-5-25; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

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

Docket Numbers: ER10-1623-009.

Applicants: Tenaska Frontier Partners, Ltd.

Description: Notice of Change in Status of Tenaska Frontier Partners, Ltd.
Filed Date: 7/31/25.

Accession Number: 20250731–5229.
Comment Date: 5 p.m. ET 8/21/25.
Docket Numbers: ER10–2579–006.
Applicants: NorthPoint Energy Solutions Inc.

Description: Notice of Non-Material Change in Status of NorthPoint Energy Solutions, Inc.

Filed Date: 7/31/25.

Accession Number: 20250731–5222.

Comment Date: 5 p.m. ET 8/21/25.

Docket Numbers: ER10–3069–012; ER10–3070–012.

Applicants: Alcoa Power Marketing LLC, Alcoa Power Generating Inc.

Description: Notice of Non-Material Change in Status of Alcoa Power Generating Inc., et al.

Filed Date: 7/31/25.

Accession Number: 20250731–5227.

Comment Date: 5 p.m. ET 8/21/25.

Docket Numbers: ER11–3376–015.

Applicants: North Hurlburt Wind, LLC.

Description: Market: Updated Market-Power Analysis, Notice of Change in Status & Revised MBR Tariff to be effective 8/1/2025.

Filed Date: 7/31/25.

Accession Number: 20250731–5187.

Comment Date: 5 p.m. ET 9/29/25.

Docket Numbers: ER11–3378–016.

Applicants: South Hurlburt Wind, LLC.

Description: Market: Updated Market Power Analysis, Notice of Change in Status & Revised MBR Tariff to be effective 8/1/2025.

Filed Date: 7/31/25.

Accession Number: 20250731–5189.

Comment Date: 5 p.m. ET 9/29/25.

Docket Numbers: ER11–3731–009.

Applicants: LWP Lessee, LLC.

Description: Notice of Change in Status of LWP Lessee, LLC.

Filed Date: 7/31/25.

Accession Number: 20250731–5226.

Comment Date: 5 p.m. ET 8/21/25.

Docket Numbers: ER15–793–004.

Applicants: Southern Indiana Gas and Electric Company, Inc.

Description: Notice of Change in Status of Southern Indiana Gas and Electric Company.

Filed Date: 7/30/25.

Accession Number: 20250730–5229.

Comment Date: 5 p.m. ET 8/20/25.

Docket Numbers: ER19–842–005; ER24–134–004.

Applicants: Three Rivers District Energy, LLC, Energy Center Paxton LLC.

Description: Notice of Change in Status of Energy Center Paxton LLC, et al.

Filed Date: 7/31/25.

Accession Number: 20250731–5231.

Comment Date: 5 p.m. ET 8/21/25.

Docket Numbers: ER19–1634–005; ER10–2196–010; ER13–1141–008; ER13–1142–008; ER13–1143–011; ER13–1144–011; ER17–1849–009; ER19–1009–004; ER19–1633–005; ER19–1638–005; ER20–844–006; ER20–2452–011; ER20–2453–012.

Applicants: Hamilton Patriot LLC, Hamilton Liberty LLC, Hamilton Projects Acquiror, LLC, Tiverton Power LLC, Rumford Power LLC, Revere Power, LLC, Nautilus Power, LLC, Essential Power Rock Springs, LLC, Essential Power OPP, LLC, Essential Power Newington, LLC, Essential Power Massachusetts, LLC, Lakewood Cogeneration, L.P., Bridgeport Energy LLC.

Description: Notice of Non-Material Change in Status of Bridgeport Energy LLC et al.

Filed Date: 7/30/25.

Accession Number: 20250730–5224.

Comment Date: 5 p.m. ET 8/20/25.

Docket Numbers: ER19–1865–004; ER19–1866–004; ER19–1867–004; ER19–1868–004; ER19–1869–004; ER19–1870–004; ER19–1871–004; ER19–1872–004; ER19–2140–005; ER19–2141–005; ER19–2142–005; ER19–2143–005; ER19–2144–005; ER19–2145–005; ER19–2146–005; ER19–2147–005; ER19–2148–006.

Applicants: Heritage Power Marketing, LLC, Mountain Power, LLC, Warren Generation, LLC, Portland Power, LLC, Sayreville Power, LLC, Gilbert Power, LLC, Brunot Island Power, LLC, New Castle Power, LLC, Shawville Power, LLC, Tolna Power, LLC, Titus Power, LLC, Shawnee Power, LLC, Orrtanna Power, LLC, Niles Power, LLC, Hunterstown Power, LLC, Hamilton Power, LLC, Blossburg Power, LLC.

Description: Notice of Change in Status of Blossburg Power, LLC, et al.

Filed Date: 7/30/25.

Accession Number: 20250730–5225.

Comment Date: 5 p.m. ET 8/20/25.

Docket Numbers: ER20–55–005; ER21–772–005; ER24–1651–003.

Applicants: Renew Home VPP, LLC, Resi Station, LLC, OhmConnect, Inc.

Description: Notice of Change in Status of OhmConnect, Inc., et al.

Filed Date: 7/31/25.

Accession Number: 20250731–5223.

Comment Date: 5 p.m. ET 8/21/25.

Docket Numbers: ER20–2881–004; ER21–110–002.

Applicants: Harts Mill TE Holdings LLC, Harts Mill Solar, LLC.

Description: Notice of Change in Status of Harts Mill Solar, LLC, et al.

Filed Date: 7/31/25.

Accession Number: 20250731–5233.

Comment Date: 5 p.m. ET 8/21/25.

Docket Numbers: ER21–445–005.

Applicants: Hill Top Energy Center LLC.

Description: Notice of Non-Material Change in Status of Hill Top Energy Center LLC.

Filed Date: 7/30/25.

Accession Number: 20250730–5226.

Comment Date: 5 p.m. ET 8/20/25.

Docket Numbers: ER23–1277–007.

Applicants: Aron Energy Prepay 23 LLC.

Description: Notice of Non-Material Change in Status of Aron Energy Prepay 23 LLC.

Filed Date: 7/31/25.

Accession Number: 20250731–5228.

Comment Date: 5 p.m. ET 8/21/25.

Docket Numbers: ER24–1345–001; ER24–1346–001.

Applicants: RB Inyokern Solar WDAT 1203 LLC, RB Inyokern Solar WDAT 1281 LLC.

Description: Notice of Change in Status, Notice of Change in Category Seller Status of Southwest Region, and Triennial Market Power Update for the Southwest Region of RB Inyokern Solar WDAT 1281 LLC, et al.

Filed Date: 7/31/25.

Accession Number: 20250731–5224.

Comment Date: 5 p.m. ET 8/21/25.

Docket Numbers: ER24–2984–001.

Applicants: Ridgely Energy Farm, LLC.

Description: Notice of Non-Material Change in Status of Ridgely Energy Farm, LLC.

Filed Date: 7/31/25.

Accession Number: 20250731–5225.

Comment Date: 5 p.m. ET 8/21/25.

Docket Numbers: ER24–3059–002.

Applicants: Dan's Mountain Wind Force, LLC.

Description: Notice of Change in Status of Dan's Mountain Wind Force, LLC.

Filed Date: 7/30/25.

Accession Number: 20250730–5228.

Comment Date: 5 p.m. ET 8/20/25.

Docket Numbers: ER25–705–001.

Applicants: Green River Solar, LLC.

Description: Notice of Change in Status of Green River Solar, LLC.

Filed Date: 7/31/25.

Accession Number: 20250731–5232.

Comment Date: 5 p.m. ET 8/21/25.

Docket Numbers: ER25–2792–001.

Applicants: Midcontinent Independent System Operator, Inc., American Transmission Company LLC.

Description: Tariff Amendment: American Transmission Company LLC submits tariff filing per 35.17(b): 2025–08–01 SA 4333 ATC-Degas Sub 1st Rev ESA to be effective 7/8/2025.

Filed Date: 8/1/25.

Accession Number: 20250801–5039.
Comment Date: 5 p.m. ET 8/22/25.
Docket Numbers: ER25–3063–000.
Applicants: New Wave Energy, LLC.
Description: 205(d) Rate Filing:

Change in Status, Change in Category Seller Status, & Revised MBR Tariff to be effective 8/1/2025.

Filed Date: 7/31/25.

Accession Number: 20250731–5212.
Comment Date: 5 p.m. ET 8/21/25.

Docket Numbers: ER25–3064–000.
Applicants: California Independent System Operator Corporation.

Description: 205(d) Rate Filing: 2025–07–31 Fourth Amendment to MEEA between CAISO and SMUD to be effective 10/17/2025.

Filed Date: 7/31/25.

Accession Number: 20250731–5218.
Comment Date: 5 p.m. ET 8/21/25.

Docket Numbers: ER25–3065–000.
Applicants: ISO New England Inc., Fitchburg Gas and Electric Light Company.

Description: 205(d) Rate Filing: Fitchburg Gas and Electric Light Company submits tariff filing per 35.13(a)(2)(iii) FG&E; Post-Retirement Benefits Other Than Pensions Expense Refund Report to be effective 10/1/2025.

Filed Date: 8/1/25.

Accession Number: 20250801–5016.
Comment Date: 5 p.m. ET 8/22/25.

Docket Numbers: ER25–3066–000.
Applicants: UGI Utilities, Inc., UGI Utilities Inc.

Description: 205(d) Rate Filing: UGI Utilities Inc. submits tariff filing per 35.13(a)(2)(iii) UGIU submits Formula Rate—Depreciation Rate Revision to be effective 10/1/2025.

Filed Date: 8/1/25.

Accession Number: 20250801–5031.
Comment Date: 5 p.m. ET 8/22/25.

Take notice that the Commission received the following public utility holding company filings:

Docket Numbers: PH25–15–000.

Applicants: BCP Fund UGP, LLC.

Description: BCP Fund UGP, LLC submits FERC–65A Notice of Change in Fact to Waiver Notification.

Filed Date: 7/31/25.

Accession Number: 20250731–5230.
Comment Date: 5 p.m. ET 8/21/25.

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.

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Dated: August 1, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–14913 Filed 8–5–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC22–16–000]

Commission Information Collection Activities (FERC–542) Comment Request; Extension

AGENCY: Federal Energy Regulatory Commission.

ACTION: Notice of information collection and request for comments.

SUMMARY: In compliance with the requirements of the Paperwork Reduction Act of 1995, the Federal Energy Regulatory Commission (Commission or FERC) is soliciting public comment on the currently approved information collections, FERC–542 (Gas Pipeline Rates: Rate Tracking). The Commission published a 60-day notice in the **Federal Register** on June 15, 2022 (87 FR 36113), and received no comments

DATES: Comments on the collection of information are due September 5, 2025.

ADDRESSES: Send written comments on FERC–542 to OMB through www.reginfo.gov/public/do/PRAMain, Attention: Federal Energy Regulatory Commission Desk Officer. Please

identify the OMB Control Number 1902–0070 (Gas Pipeline Rates: Rate Tracking) in the subject line. Your comments should be sent within 30 days of publication of this notice in the **Federal Register**.

Please submit copies of your comments (identified by Docket No. IC22–16–000 and the form) to the Commission as noted below. Electronic filing through <https://www.ferc.gov>, is preferred.

- **Electronic Filing:** Documents must be filed in acceptable native applications and print-to-PDF, but not in scanned or picture format.

- For those unable to file electronically, comments may be filed by USPS mail or by hand (including courier) delivery.

- *Mail via U.S. Postal Service only, addressed to:* Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE, Washington, DC 20426.

- *Hand (including courier) delivery to:* Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852.

Please reference the specific collection number(s) and/or title(s) in your comments.

Instructions: OMB submissions must be formatted and filed in accordance with submission guidelines at: www.reginfo.gov/public/do/PRAMain. Using the search function under the “Currently Under Review field,” select Federal Energy Regulatory Commission; click “submit” and select “comment” to the right of the subject collection. FERC submissions must be formatted and filed in accordance with submission guidelines at: <https://www.ferc.gov>. For user assistance contact FERC Online Support by email at ferconlinesupport@ferc.gov, or by phone at (866) 208–3676 (toll-free).

Docket: Users interested in receiving automatic notification of activity in this docket or in viewing/downloading comments and issuances in this docket may do so at <http://www.ferc.gov>.

FOR FURTHER INFORMATION CONTACT:

Ellen Brown may be reached by email at DataClearance@FERC.gov and telephone at (202) 502–8663.

SUPPLEMENTARY INFORMATION:

Title: FERC–542 (Gas Pipeline Rates: Rate Tracking).

OMB Control No.: 1902–0070.

Type of Request: Three-year extension of the FERC–542 information collection requirements with no changes to the current reporting requirements.

Abstract: The Commission uses FERC–542 filings to verify that costs which are passed through to pipeline

customers as rate adjustments are consistent with the Natural Gas Policy Act (NGPA), 15 U.S.C. 3301–3432, and sections 4 and 5 of the Natural Gas Act (NGA), 15 U.S.C. 717c and 717d. These statutory provisions require FERC to regulate the transmission and sale of natural gas for resale in interstate commerce at just and reasonable rates. This collection of information is also in accordance with section 16 of the NGA, 15 U.S.C. 717o, which authorizes FERC to implement the NGA through its rules and regulations.

The regulations at 18 CFR part 154 include provisions that allow an interstate natural gas pipeline to submit filings seeking to:

- Recover research, development and demonstration expenditures (18 CFR 154.401);
- Recover annual charges assessed by the Commission under 18 CFR part 382 (18 CFR 154.402); and
- Pass through, on a periodic basis, a single cost or revenue item such as fuel use and unaccounted-for natural gas in kind (18 CFR 154.403).

FERC–542 filings may be submitted at any time or on a regularly scheduled

basis in accordance with the pipeline company’s tariff. Filings may be: (1) accepted or rejected; (2) suspended and set for hearing; (3) minimal suspension; or (4) suspended for further review, such as technical conference or some other type of Commission action. The Commission implements these filing requirements under 18 CFR part 154.

Type of Respondents: Jurisdictional Natural Gas Pipelines.

*Estimate of Annual Burden:*¹ The Commission estimates the total burden and cost for this information collection as follows:

FERC–542—GAS PIPELINE RATES: RATE TRACKING

Type of response	Annual number of respondents	Annual number of responses per respondent	Total number of responses	Average burden hours & cost per respondent	Total annual burden hours & total annual cost (rounded)	Cost per respondent (rounded)
	(1)	(2)	(1) * (2) = (3)	(4) ²	(3) * (4) = (5)	(5) ÷ (1)
Request to Recover Costs from Customers.	94	2	188	2 hrs; \$174	376 hrs; \$32,712	\$174

Comments: Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency’s estimate of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Dated: August 1, 2025.
Debbie-Anne A. Reese,
Secretary.
[FR Doc. 2025–14918 Filed 8–5–25; 8:45 am]
BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings
Docket Numbers: RP25–1037–000.
Applicants: Golden Pass Pipeline LLC.
Description: 4(d) Rate Filing: Out-of-Cycle Retainage Filing GT&C Section 6.11—Effective Sept. 1, 2025 to be effective 9/1/2025.
Filed Date: 7/31/25.
Accession Number: 20250731–5102.
Comment Date: 5 p.m. ET 8/12/25.
Docket Numbers: RP25–1038–000.
Applicants: Mountain West Overthrust Pipeline, LLC.
Description: 4(d) Rate Filing: Revisions to Sec. 33—Fuel Gas Reimbursement and Tracking to be effective 9/1/2025.
Filed Date: 7/31/25.
Accession Number: 20250731–5109.
Comment Date: 5 p.m. ET 8/12/25.
Docket Numbers: RP25–1039–000.
Applicants: Stingray Pipeline Company, L.L.C.
Description: 4(d) Rate Filing: Housekeeping Filing to be effective 9/1/2025.
Filed Date: 7/31/25.
Accession Number: 20250731–5112.
Comment Date: 5 p.m. ET 8/12/25.
Docket Numbers: RP25–1040–000.
Applicants: Wyoming Interstate Company, L.L.C.
Description: 4(d) Rate Filing: Fuel LU Quarterly Update Filing Eff September 2025 to be effective 9/1/2025.

Filed Date: 7/31/25.
Accession Number: 20250731–5141.
Comment Date: 5 p.m. ET 8/12/25.
Docket Numbers: RP25–1041–000.
Applicants: Texas Eastern Transmission, LP.
Description: 4(d) Rate Filing: Negotiated Rates—Con Ed 910950 Releases eff 8–1–2025 to be effective 8/1/2025.
Filed Date: 7/31/25.
Accession Number: 20250731–5154.
Comment Date: 5 p.m. ET 8/12/25.
Docket Numbers: RP25–1042–000.
Applicants: MountainWest Overthrust Pipeline, LLC.
Description: Annual Fuel Gas Reimbursement Report of MountainWest Overthrust Pipeline, LLC Company.
Filed Date: 7/31/25.
Accession Number: 20250731–5173.
Comment Date: 5 p.m. ET 8/12/25.
Docket Numbers: RP25–1043–000.
Applicants: El Paso Natural Gas Company, L.L.C.
Description: 4(d) Rate Filing: Negotiated Rate Agreements Update (Pioneer Aug–Oct 2025) to be effective 8/1/2025.
Filed Date: 7/31/25.
Accession Number: 20250731–5198.
Comment Date: 5 p.m. ET 8/12/25.
Docket Numbers: RP25–1044–000.
Applicants: Equitrans, L.P.

¹ “Burden” is the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. For further explanation

of what is included in the information collection burden, refer to 5 CFR 1320.3.

² The Commission staff estimates that the industry’s hourly cost for wages plus benefits is similar to the Commission’s \$87.00 FY 2021 average hourly cost for wages and benefits.

Description: 4(d) Rate Filing: Assignment of Olympus Energy to EQT Energy to be effective 8/1/2025.

Filed Date: 7/31/25.

Accession Number: 20250731–5200.

Comment Date: 5 p.m. ET 8/12/25.

Docket Numbers: RP25–1045–000.

Applicants: El Paso Natural Gas Company, L.L.C.

Description: 4(d) Rate Filing: Negotiated Rate Agreement Update (SoCal Aug–Oct 2025) to be effective 8/1/2025.

Filed Date: 7/31/25.

Accession Number: 20250731–5215.

Comment Date: 5 p.m. ET 8/12/25.

Docket Numbers: RP25–1046–000.

Applicants: Equitrans, L.P.

Description: 4(d) Rate Filing: Negotiated Rate Capacity Release Agreements—8/1/2025 to be effective 8/1/2025.

Filed Date: 8/1/25.

Accession Number: 20250801–5006.

Comment Date: 5 p.m. ET 8/13/25.

Docket Numbers: RP25–1047–000.

Applicants: Equitrans, L.P.

Description: 4(d) Rate Filing: August 2025 Clean Up Filing to be effective 9/1/2025.

Filed Date: 8/1/25.

Accession Number: 20250801–5014.

Comment Date: 5 p.m. ET 8/13/25.

Docket Numbers: RP25–1048–000.

Applicants: Equitrans, L.P.

Description: 4(d) Rate Filing: SWN Energy Name Change to Expand Energy to be effective 8/1/2025.

Filed Date: 8/1/25.

Accession Number: 20250801–5026.

Comment Date: 5 p.m. ET 8/13/25.

Docket Numbers: RP25–1049–000.

Applicants: Rager Mountain Storage Company LLC.

Description: 4(d) Rate Filing: August 2025 Clean Up Filing to be effective 9/1/2025.

Filed Date: 8/1/25.

Accession Number: 20250801–5027.

Comment Date: 5 p.m. ET 8/13/25.

Docket Numbers: RP25–1050–000.

Applicants: Mountain Valley Pipeline, LLC.

Description: 4(d) Rate Filing: August 2025 Clean Up Filing to be effective 9/1/2025.

Filed Date: 8/1/25.

Accession Number: 20250801–5028.

Comment Date: 5 p.m. ET 8/13/25.

Docket Numbers: RP25–1051–000.

Applicants: Mountain Valley Pipeline, LLC.

Description: 4(d) Rate Filing: Negotiated Rate Capacity Release Agreements—8/1/2025 to be effective 8/1/2025.

Filed Date: 8/1/25.

Accession Number: 20250801–5034.

Comment Date: 5 p.m. ET 8/13/25.

Docket Numbers: RP25–1052–000.

Applicants: Columbia Gas

Transmission, LLC.

Description: 4(d) Rate Filing: TCO Neg Rate Agmts Eff. 8.1.25 to be effective 8/1/2025.

Filed Date: 8/1/25.

Accession Number: 20250801–5037.

Comment Date: 5 p.m. ET 8/13/25.

Docket Numbers: RP25–1053–000.

Applicants: Scout V. Hugoton

Gathering, LP.

Description: 4(d) Rate Filing: Annual Filing of Fuel Retention Percentages to be effective 9/1/2025.

Filed Date: 8/1/25.

Accession Number: 20250801–5041.

Comment Date: 5 p.m. ET 8/13/25.

Docket Numbers: RP25–1054–000.

Applicants: Rover Pipeline LLC.

Description: 4(d) Rate Filing: Summary of Negotiated Rate Capacity Release Agreements 8–1–2025 to be effective 8/1/2025.

Filed Date: 8/1/25.

Accession Number: 20250801–5044.

Comment Date: 5 p.m. ET 8/13/25.

Docket Numbers: RP25–1055–000.

Applicants: Texas Eastern Transmission, LP.

Description: 4(d) Rate Filing: Non-conforming Agreement—Glencore 912017 eff 8–1–25 to be effective 8/1/2025.

Filed Date: 8/1/25.

Accession Number: 20250801–5073.

Comment Date: 5 p.m. ET 8/13/25.

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

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

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 organization, 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: August 1, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–14915 Filed 8–5–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP25–37–000]

Transwestern Pipeline Company, LLC; Notice of Availability of the Environmental Assessment for the Proposed WT-0 Compressor Station Project

The staff of the Regulatory Commission (FERC or Commission) has prepared an environmental assessment (EA) for the WT–0 Compressor Station Project, proposed by Transwestern Pipeline Company, LLC (Transwestern) in the above-referenced docket.¹ On December 20, 2024, Transwestern filed an application in Docket No. CP25–37–000 requesting a Certificate of Public Convenience and Necessity pursuant to Section 7(c) of the Natural Gas Act to construct, own, operate, and maintain a new compressor station in Chaves County, New Mexico. According to Transwestern, the proposed WT–0 Compressor Station Project (Project) would provide about 80,000 dekatherms per day of new firm transportation service, including receipts of natural gas in Transwestern's West Texas Lateral Central Zone and deliveries on the Transwestern Panhandle Lateral.

The EA assesses the potential environmental effects of the construction and operation of the Project in accordance with the requirements of the National Environmental Policy Act of 1969 (NEPA). FERC staff concludes that approval of the proposed Project would not constitute a major federal action significantly affecting the quality of the human environment.

¹ For tracking purposes under the National Environmental Policy Act, the unique identification number for documents relating to this environmental review is EAXX–019–20–000–1742295781.

The U.S. Bureau of Land Management (BLM) participated as a cooperating agency in the preparation of the EA. Cooperating agencies have jurisdiction by law or special expertise with respect to resources potentially affected by the proposal, and participate in the NEPA analysis. The BLM will adopt and use the EA, along with other supporting documentation, to consider the issuance of a Mineral Leasing Act right-of-way grant for the Project, as the proposed site is on federal lands managed by the BLM.

The Project would consist of the following facilities in Chaves County, New Mexico:

- a new compressor station including one new 13,220 horsepower Solar Mars 90 natural gas turbine-driven compressor, one backup generator, and associated buildings and appurtenances;
- metering facilities, including an inlet filter separator and fuel gas measurement skid;
- tie-in to Transwestern's existing 24-inch-diameter dual lateral pipeline in its existing corridor; and
- a new, permanent access road off Harriet Road extending into the Project site.

The Commission mailed a copy of the *Notice of Availability* of the EA to federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American tribes; potentially affected landowners and other interested individuals and groups; and newspapers and libraries in the Project area. The EA is only available in electronic format. It may be viewed and downloaded from the FERC's website (www.ferc.gov), on the natural gas environmental documents page (www.ferc.gov/industries-data/natural-gas/environment/environmental-documents). Click on the eLibrary link (www.elibrary.ferc.gov/eLibrary/search), select "General Search" and enter the docket number in the "Docket Number" field, excluding the last three digits (*i.e.*, CP25-37). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at FercOnlineSupport@ferc.gov or toll free at (866) 208-3676, or for TTY, contact (202) 502-8659. Be sure you have selected an appropriate date range.

The EA is not a decision document. It presents Commission staff's independent analysis of the environmental issues for the Commission to consider when addressing the merits of all issues in this proceeding. Any person wishing to comment on the EA may do so. Your comments should focus on the EA's disclosure and discussion of potential

environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. The more specific your comments, the more useful they will be. To ensure that the Commission has the opportunity to consider your comments prior to making its decision on this project, it is important that we receive your comments in Washington, DC on or before 5:00 p.m. Eastern Time on September 2, 2025.

For your convenience, there are three methods you can use to file your comments to the Commission. The Commission encourages electronic filing of comments and has staff available to assist you at (866) 208-3676 or FercOnlineSupport@ferc.gov. Please carefully follow these instructions so that your comments are properly recorded.

(1) You can file your comments electronically using the eComment feature on the Commission's website (www.ferc.gov) under the link to FERC Online. This is an easy method for submitting brief, text-only comments on a project;

(2) You can also file your comments electronically using the eFiling feature on the Commission's website (www.ferc.gov) under the link to FERC Online. With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on "eRegister." You must select the type of filing you are making. If you are filing a comment on a particular project, please select "Comment on a Filing"; or

(3) You can file a paper copy of your comments by mailing them to the Commission. Be sure to reference the project docket number (CP25-37-000) on your letter. 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.

Filing environmental comments will not give you intervenor status, but you do not need intervenor status to have your comments considered. Only intervenors have the right to seek rehearing or judicial review of the Commission's decision. At this point in this proceeding, the timeframe for filing timely intervention requests has expired. Any person seeking to become a party to the proceeding must file a motion to intervene out-of-time

pursuant to Rule 214(b)(3) and (d) of the Commission's Rules of Practice and Procedures (18 Code of Federal Regulations 385.214(b)(3) and (d)) and show good cause why the time limitation should be waived. Motions to intervene are more fully described at <https://www.ferc.gov/how-intervene>.

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. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

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.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to <https://www.ferc.gov/ferc-online/overview> to register for eSubscription.

Dated: August 1, 2025.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2025-14916 Filed 8-5-25; 8:45 am]

BILLING CODE 6717-01-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2017-0751; FRL-12741-02-OCSP]

Pesticide Registration Review; Decisions and Case Closures for Several Pesticides; Notice of Availability

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces the availability of EPA's final registration review decisions for ancymidol and d-

allethrin and interim registration review decision for folpet. In addition, this notice announces the closure of the registration review cases for calcium lactate, DCPA, demiditraz, humates (as derived from leonardite), isopropyl myristate, jojoba oil, and sarmentine because the last U.S. registrations for these pesticides have been canceled.

FOR FURTHER INFORMATION CONTACT:

For pesticide specific information, contact: The Chemical Review Manager

for the pesticide of interest identified in Table 1 of Unit I.

For general information on the registration review program, contact: Melanie Biscoe, Pesticide Re-Evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; telephone number: (202) 566-0701; email address: biscoe.melanie@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Purpose of This Notice

Pursuant to 40 CFR 155.58(c), this notice announces the availability of EPA's final or interim registration review decisions for the pesticides shown in Table 1. The registration review decisions are supported by rationales included in the docket established for each chemical.

TABLE 1—FINAL AND INTERIM REGISTRATION REVIEW DECISIONS BEING ISSUED

Registration review case name and No.	Docket ID No.	Chemical review manager and contact information
Ancymidol, Case Number 3017	EPA-HQ-OPP-2011-0482	Samantha Carter, carter.samantha@epa.gov , (202) 566-1179.
D-Allethrin, Case Number 0437	EPA-HQ-OPP-2010-0022	Carolyn Smith, smith.carolyn@epa.gov , (202) 566-2273.
Folpet, Case Number 0630	EPA-HQ-OPP-2012-0859	Samantha Carter, carter.Samantha@epa.gov , (202) 566-1179. Erin Dandridge, dandridge.erin@epa.gov , (202) 566-0635.

This notice also announces the closure of the registration review cases for calcium lactate (CASRN 6367); DCPA (CASRN 0270), Docket ID Number: (EPA-HQ-OPP-2011-0374); demiditraz (Case Number 7482, Docket ID Number EPA-HQ-OPP-2021-0407); humates (as derived from leonardite) (CASRN 6323), Docket ID Number: (EPA-HQ-OPP-2024-0017); isopropyl myristate (CASRN 6315), Docket ID Number: (EPA-HQ-OPP-2022-0842); jojoba oil (CASRN 6359); and sarmentine (CASRN 6321) because the last U.S. registrations for these pesticides have been canceled. There are no dockets established for Case 6367, Case 6359, and Case 6321 because all products for these cases were canceled before the registration review assessments were initiated.

II. Background

EPA is conducting its registration review of the chemicals listed in Table 1 of Unit I pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) section 3(g) (7 U.S.C. 136a(g)) and the Procedural Regulations for Registration Review at 40 CFR part 155, subpart C. FIFRA section 3(g) provides, among other things, that pesticide registrations are to be reviewed every 15 years. Consistent with 40 CFR 155.57, in its final registration review decision, EPA will ultimately determine whether a pesticide continues to meet the registration standard in FIFRA section 3(c)(5) (7 U.S.C. 136a(c)(5)). As part of the registration review process, the Agency has completed final or interim registration review decisions for the pesticides in Table 1 of Unit I.

Prior to completing the final or interim registration review decisions in Table 1 of Unit I, EPA posted proposed registration review decisions for these chemicals and invited the public to submit any comments or new information, consistent with 40 CFR 155.58(a). EPA considered and responded to any comments or information received during these public comment periods in the respective final registration review decisions.

For additional background on the registration review program, see: <https://www.epa.gov/pesticide-reevaluation>.

Authority: 7 U.S.C. 136 *et seq.*

Dated: July 28, 2025.

Jean Anne Overstreet,

Director, Pesticide Re-Evaluation Division,
Office of Pesticide Programs.

[FR Doc. 2025-14892 Filed 8-5-25; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPPT-2018-0501 and EPA-HQ-OPPT-2018-0434; FRL-12897-01-OCSP]

Butyl Benzyl Phthalate (BBP); Diisobutyl Phthalate (DIBP); Draft Risk Evaluations Under the Toxic Substances Control Act (TSCA); Notice of Availability and Request for Comment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA or Agency) is announcing the availability of and seeking public comment on the draft risk evaluations

under the Toxic Substances Control Act (TSCA) for Butyl Benzyl Phthalate (BBP) (CASRN 85-68-7) and Diisobutyl Phthalate (DIBP) (CASRN 84-69-5). The purpose of risk evaluations under TSCA is to determine whether a chemical substance presents an unreasonable risk of injury to health or the environment under the conditions of use, including unreasonable risk to potentially exposed or susceptible subpopulations identified as relevant to the risk evaluation by EPA, and without consideration of costs or non-risk factors. EPA used the best available science to prepare this draft risk evaluation and to preliminarily determine, based on the weight of scientific evidence, that BBP and DIBP pose unreasonable risk to health and the environment driven primarily by certain conditions of use analyzed in the draft risk evaluations.

DATES: Comments must be received on or before October 6, 2025.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA-HQ-OPPT-2018-0501 and EPA-HQ-OPPT-2018-0434, 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 and visiting the docket, along with more information about dockets generally, is available at <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT:

For technical information on BBP: Brianne Raccor, Existing Chemicals Risk Management Division (7404M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200

Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (202) 564–0303; email address: raccor.brianne@epa.gov.

For technical information on DIBP: Robert Landolfi, Existing Chemicals Risk Management Division (7404M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (202) 343–9161; email address: landolfi.robert@epa.gov.

For general information: The TSCA–Hotline, ABVI–Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554–1404; email address: TSCA-Hotline@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Executive Summary

A. Does this action apply to me?

This action is directed to the public in general and may be of particular interest to those involved in the manufacture (defined under TSCA section 3(9) to include import), processing, distribution, use, and disposal of BBP and DIBP, related industry trade organizations, non-governmental organizations with an interest in human and environmental health, state and local governments, Tribal Nations, and/or those interested in the assessment of risks involving chemical substances and mixtures regulated under TSCA. As such, the Agency has not attempted to describe all the specific entities that this action might apply to. If you need help determining applicability, consult the technical contact listed under **FOR FURTHER INFORMATION CONTACT**.

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

The Agency is conducting this risk evaluation under TSCA section 6, 15 U.S.C. 2605, which requires that EPA conduct risk evaluations on chemical substances and identifies the minimum components EPA must include in the risk evaluations. Each risk evaluation must be conducted consistent with the best available science, be based on the weight of the scientific evidence, and consider reasonably available information, and not consider costs or non-risk factors. 15 U.S.C. 2625(h), (i), and (k). See also the implementing procedural regulations at 40 CFR part 702.

C. What action is the Agency taking?

EPA is announcing the availability of and seeking public comment on these draft risk evaluations conducted under TSCA for BBP and DIBP. The purpose

of risk evaluations under TSCA is to determine whether a chemical substance presents an unreasonable risk of injury to health or the environment under the conditions of use, including unreasonable risk to potentially exposed or susceptible subpopulations identified as relevant to the risk evaluation by EPA, and without consideration of costs or non-risk factors. EPA has used the best available science to prepare these draft risk evaluations and, based on the weight of scientific evidence, to preliminarily determine that BBP and DIBP pose unreasonable risk to health and the environment driven primarily by certain conditions of use analyzed in the draft evaluations.

D. What should I consider as I prepare my comments?

1. *Submitting CBI.* Do not submit CBI to EPA through <https://www.regulations.gov> or email. If you wish to include CBI in your comment, please follow the applicable instructions at <https://www.epa.gov/dockets/commenting-epa-dockets#rules> and clearly mark the information that you claim to be CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR parts 2 and 703, as applicable.

2. *Tips for preparing your comments.* When preparing and submitting your comments, see the commenting tips at <https://www.epa.gov/dockets/commenting-epa-dockets>.

II. Background

A. What are BBP and DIBP?

BBP is a common chemical name for the chemical substance 1,2-Benzenedicarboxylic acid, 1-butyl 2-(phenylmethyl) ester (CASRN 85–68–7). DIBP is a common chemical name for the chemical substance 1,2-Benzenedicarboxylic acid, 1,2-bis(2-methylpropyl) ester (CASRN 84–69–5). BBP and DIBP are manufactured (including imported), processed, distributed, and disposed as part of industrial, commercial, and consumer conditions of use. BBP and DIBP are used as a plasticizer in polyvinyl chloride (PVC), as well as in adhesives, sealants, paints, coatings, rubbers, non-PVC plastics, and other applications. Between 2016 and 2019, production volume of BBP was reported to be between 1 to 20 million pounds, based on the 2020 TSCA Chemical Data Reporting (CDR) data. Between 2016 and 2020 the production volumes of DIBP reported to CDR were between 380,000 and 441,000 pounds.

B. Summary of Activities for the Risk Evaluations of BBP and DIBP

In December 2019, EPA announced its designation of BBP and DIBP as high priority substances for risk evaluation under TSCA (Ref. 1). In June 2020, EPA sought public comment on the draft scopes of the BBP and DIBP risk evaluations (Ref. 2), and, after considering public comments, issued the final scope in September 2020 (Ref. 3). These documents, other supporting documents, and public comments are in the docket for each chemical at <https://www.regulations.gov>. The human health hazard and environmental hazard technical support documents for BBP and DIBP are being peer reviewed by the Science Advisory Committee on Chemicals (SACC) in August 2025 and are included in the SACC peer review docket (Docket ID No. EPA–HQ–OPPT–2024–0551), along with other materials related to that peer review.

III. Request for Comment

EPA seeks feedback on the assessment of risk presented in the draft risk evaluations for BBP (Docket ID No. EPA–HQ–OPPT–2018–0501) and DIBP (Docket ID No. EPA–HQ–OPPT–2018–0434), which are available in the chemical specific dockets as identified, and encourages all potentially interested parties, including individuals, governmental and non-governmental organizations, non-profit organizations, academic institutions, research institutions, and private sector entities to comment on the draft risk evaluations. To the extent possible, the Agency asks commenters to please cite any public data related to or that support comments provided, and to the extent permissible, describe any supporting data that is not publicly available.

EPA welcomes specific input on each section of the draft risk evaluation for each chemical, particularly input on the following:

- whether and how personal protective equipment and engineering controls are used during the manufacture, processing, and use of BBP and DIBP for each condition of use;
- information that could be used to refine upper-bound or screening level assumptions for BBP and DIBP, particularly for the COUs that may significantly contribute to unreasonable risk;
- information on environmental releases of BBP and DIBP, including media of environmental release (*i.e.*, air, land, water, or incineration), facility-specific receiving water bodies, and the use of wastewater treatment;

- information on inhalation occupational exposure to BBP and DIBP under the COUs, including monitoring or personal breathing zone data and exposure to respirable particles (*i.e.*, data on particle formation or size);

- input on the dermal occupational exposure scenarios used to assess BBP and DIBP, including the use of a flux-limited approach to estimate dermal absorption and any supporting data to inform assumptions regarding duration and surface area of exposure;

- information to inform the assessment of dermal and inhalation exposures to BBP and DIBP for occupational non users (ONUs);

- information on the extent to which spray applications of BBP and DIBP are used in industrial and commercial COUs and the volumes of BBP and DIBP that may be used;

- information to inform assumptions of inhalation of dust/particulate matter in the consumer exposure assessment of BBP;

- approaches used to estimate chemical migration rate for ingestion via mouthing in the BBP and DIBP consumer exposure assessments;

- selection of human health and environmental hazard endpoints used in the BBP and DIBP risk characterizations;

- integration of its cumulative risk assessment approach within individual risk evaluations, derivation of relative potency factors (RPFs), and individual BBP and DIBP PODs; and

- any other information that may inform the assumptions used for exposure modeling used to assess the COUs for BBP and DIBP.

Two cross-phthalate TSDs were released to the public in May 2025 through the DBP (EPA-HQ-OPPT-2018-0503), DEHP (EPA-HQ-OPPT-2018-0433), and SACC (EPA-HQ-OPPT-2024-0551) dockets: *Draft Cancer Human Health Hazard Assessment for Di(2-ethylhexyl) Phthalate (DEHP), Dibutyl Phthalate (DBP), BBP, DIBP, and DCHP and Revised Draft Technical Support Document for the Cumulative Risk Analysis of DEHP, DBP, BBP, DIBP, DCHP, and DINP Under the Toxic Substances Control Act*. These TSDs have been added to the dockets for BBP (EPA-HQ-OPPT-2018-0501), DIBP (EPA-HQ-OPPT-2018-0434), and DCHP (EPA-HQ-OPPT-2018-0504).

IV. Next Steps

After consideration of comments received from the public and the SACC on the draft risk evaluations of BBP, DIBP, revised draft cumulative risk analysis, and other phthalates included in the peer review, EPA will issue final risk evaluations for BBP and DIBP.

Under TSCA section 6, EPA must determine in the final risk evaluations, based on the weight of scientific evidence, whether or not the chemicals present an unreasonable risk to health or the environment under the chemical's conditions of use. This includes consideration of risks to potentially exposed susceptible subpopulations who may be at greater risks than the general population, such as children and workers. TSCA prohibits EPA from considering non-risk factors (*e.g.*, costs/benefits) during risk evaluation.

If EPA determines in its final risk evaluation that a chemical presents an unreasonable risk to health or the environment, the chemical will move to risk management action under TSCA section 6(a) for the relevant conditions of use. EPA would be required to implement, via regulation, regulatory restrictions on the manufacture (including import), processing, distribution, use or disposal of the chemical to the extent necessary to eliminate the identified unreasonable risk. TSCA section 6 includes a range of risk management options that can be applied alone or in combination, including labeling, recordkeeping or notice requirements, actions to reduce human exposure or environmental release, or prohibition of the chemical or of certain uses. Like the prioritization and risk evaluation processes, there would be an opportunity for public comment on any proposed risk management actions.

For more information about the TSCA risk evaluation process for existing chemicals, go to <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca>.

V. References

The following is a listing of the documents that are specifically referenced in this document. The docket includes these documents and other information considered by EPA, including documents that are referenced within the documents that are included in the docket, even if the referenced document is not physically located in

the docket. For assistance in locating these other documents, please consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

1. EPA. High-Priority Substance Designations Under the Toxic Substances Control Act (TSCA) and Initiation of Risk Evaluation on High-Priority Substances; Notice of Availability. **Federal Register**. 84 FR 71924, December 30, 2019 (FRL-10003-15).
2. EPA. Draft Scopes of the Risk Evaluations To Be Conducted for Seven Chemical Substances Under the Toxic Substances Control Act; Notice of Availability. **Federal Register**. 85 FR 22733, April 23, 2020 (FRL-10008-05).
3. EPA. Final Scopes of the Risk Evaluations To Be Conducted for Twenty Chemical Substances Under the Toxic Substances Control Act; Notice of Availability. **Federal Register**. 85 FR 55281, September 4, 2020 (FRL-10013-90).

Authority: 15 U.S.C. 2601 *et seq.*

Dated: August 2, 2025.

Nancy B. Beck,

*Principal Deputy Assistant Administrator,
Office of Chemical Safety and Pollution
Prevention.*

[FR Doc. 2025-14882 Filed 8-5-25; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

[FR ID 307067]

Sunshine Act; Open Commission Meeting Thursday, August 07, 2025

July 31, 2025.

The Federal Communications Commission will hold an Open Meeting on the subjects listed below on Thursday, August 07, 2025, which is scheduled to commence at 10:30 a.m. in the Commission Meeting Room of the Federal Communications Commission, 45 L Street NE, Washington, DC.

While attendance at the Open Meeting is available to the public, the FCC headquarters building is not open access and all guests must check in with and be screened by FCC security at the main entrance on L Street. Attendees at the Open Meeting will not be required to have an appointment but must otherwise comply with protocols outlined at: www.fcc.gov/visit. Open Meetings are streamed live at: www.fcc.gov/live and on the FCC's YouTube channel.

Item No.	Bureau	Subject
1	Wireless Tele-Communications	<i>Title:</i> Revamping NEPA Review to Accelerate Infrastructure Deployment (WT Docket No. 25–217). <i>Summary:</i> The Commission will consider a Notice of Proposed Rulemaking that would examine the Commission’s environmental rules to ensure they comport with the amended National Environmental Policy Act, accelerate the federal permitting process, further a national priority of faster and more infrastructure deployment, and ensure that the Commission’s rules are clear.
2	Space	<i>Title:</i> Expediting Initial Processing of Satellite and Earth Station Applications (IB Docket No. 22–411); Space Innovation (IB Docket No. 22–271). <i>Summary:</i> The Commission will consider a Second Report and Order that advances opportunities for innovation in the space economy by taking measures to expedite the application processes for space stations and earth stations, to remove barriers for modifying authorizations, and to remove outdated rules.
3	International Affairs	<i>Title:</i> Review of Submarine Cable Landing License Rules and Procedures to Assess Evolving National Security, Law Enforcement, Foreign Policy, and Trade Policy Risks (OI Docket No. 24–523); Amendment of the Schedule of Application Fees Set Forth in Sections 1.1102 through 1.1109 of the Commission’s Rules (MD Docket No. 24–524). <i>Summary:</i> The Commission will consider a Report and Order that would modernize the Commission’s submarine cable rules to unleash high-speed infrastructure deployment, while strengthening our national security. The Commission will also consider a Further Notice of Proposed Rulemaking that would build upon the Report and Order by proposing measures to further streamline and improve timeliness of submarine cable application review and make other updates to address national security threats.
4	Wireline Competition	<i>Title:</i> Evaluating the Deployment of Advanced Telecommunications (GN Docket No. 25–223). <i>Summary:</i> The Commission will consider a Notice of Inquiry that would initiate the annual assessment of whether advanced telecommunications capability is being deployed to all Americans in a reasonable and timely fashion, as required by section 706 of the Telecommunications Act of 1996.
5	Public Safety and Homeland Security	<i>Title:</i> Examining the Nation’s Alerting Systems (PS Docket No. 25–224). <i>Summary:</i> The Commission will consider a Notice of Proposed Rulemaking that would examine the national alert and warning systems from the ground up and explore ways to make them more effective, efficient, and better able to serve the public’s needs.
6	Public Safety and Homeland Security	<i>Title:</i> Resilient Networks (PS Docket No. 21–346); Amendments to Part 4 of the Commission’s Rules Concerning Disruptions to Communications (PS Docket No. 15–80); New Part 4 of the Commission’s Rules Concerning Disruptions to Communications (ET Docket No. 04–35). <i>Summary:</i> The Commission will consider a Notice of Proposed Rulemaking that proposes to reduce the reporting burdens on communication service providers during disasters through the modernization of DIRS. The Commission will also consider an accompanying Order on Reconsideration that clarifies the situations in which outage reporting requirements are suspended during DIRS activations.
7	Wireline Competition	<i>Title:</i> Price Cap Business Data Services (WC Docket No. 21–17); Regulation of Business Data Services for Rate-of-Return Local Exchange Carriers (WC Docket No. 17–144). <i>Summary:</i> The Commission will consider a Notice of Proposed Rulemaking and Third Further Notice of Proposed Rulemaking that would propose to end rate regulation and tariffing obligations for legacy circuit-based business data services provided by incumbent local exchange carriers, and an Order temporarily pausing the triennial update to the competitive market tests pending review of the record in this proceeding.
8	Media	<i>Title:</i> Deleting 98 Obsolete Broadcast Rules and Requirements (GN Docket No. 25–133). <i>Summary:</i> The Commission will consider a Direct Final Rule that would repeal certain rules identified as outdated and obsolete via a direct final rule procedure. The Commission’s “In re: Delete, Delete, Delete” docket seeks public input on identifying FCC rules for the purpose of alleviating unnecessary regulatory burdens.

* * * * *

The meeting will be webcast at: www.fcc.gov/live. Open captioning will be provided as well as a text only version on the FCC website. Other reasonable accommodations for people with disabilities are available upon request. In your request, include a description of the accommodation you will need and a way we can contact you

if we need more information. Last minute requests will be accepted but may be impossible to fill. Send an email to: fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202–418–0530.

Press Access—Members of the news media are welcome to attend the meeting and will be provided reserved seating on a first-come, first-served

basis. Following the meeting, the Chairman may hold a news conference in which he will take questions from credentialed members of the press in attendance. Also, senior policy and legal staff will be made available to the press in attendance for questions related to the items on the meeting agenda. Commissioners may also choose to hold

press conferences. Press may also direct questions to the Office of Media Relations (OMR): MediaRelations@fcc.gov. Questions about credentialing should be directed to OMR.

Additional information concerning this meeting may be obtained from the Office of Media Relations, (202) 418-0500. Audio/Video coverage of the meeting will be broadcast live with open captioning over the internet from the FCC Live web page at www.fcc.gov/live.

Authority: This meeting is held, in accordance with the Government in the Sunshine Act (Sunshine Act), Public Law 94-409, as amended (5 U.S.C. 552b).

Federal Communications Commission.

Katura Jackson,

Federal Register Liaison Officer.

[FR Doc. 2025-14947 Filed 8-4-25; 4:15 pm]

BILLING CODE 6712-01-P

FEDERAL DEPOSIT INSURANCE CORPORATION

Notice of Termination of Receiverships

The Federal Deposit Insurance Corporation (FDIC or Receiver), as Receiver for the following insured depository institution, was charged with the duty of winding up the affairs of the former institution and liquidating all related assets. The Receiver has fulfilled its obligations and made all dividend distributions required by law.

NOTICE OF TERMINATION OF RECEIVERSHIPS

Fund	Receivership name	City	State	Termination date
10166	Independent Bankers' Bank	Springfield	IL	08/01/2025

The Receiver has further irrevocably authorized and appointed FDIC-Corporate as its attorney-in-fact to execute and file any and all documents that may be required to be executed by the Receiver that FDIC-Corporate, in its sole discretion, deems necessary, including but not limited to releases, discharges, satisfactions, endorsements, assignments, and deeds. Effective on the termination date listed above, the Receivership has been terminated, the Receiver has been discharged, and the Receivership has ceased to exist as a legal entity.

(Authority: 12 U.S.C. 1819)

Federal Deposit Insurance Corporation.

Dated at Washington, DC, on August 4, 2025.

Jennifer M. Jones,

Deputy Executive Secretary.

[FR Doc. 2025-14906 Filed 8-5-25; 8:45 am]

BILLING CODE 6714-01-P

other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at <https://www.federalreserve.gov/foia/request.htm>. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843), and interested persons may express their views in writing on the standards enumerated in section 4. Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Comments received are subject to public disclosure. In general, comments received will be made available without change and will not be modified to remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would not be appropriate for public disclosure.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E. Misback, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551-0001, not later than September 5, 2025.

A. Federal Reserve Bank of Kansas City (Jeffrey Imgarten, Assistant Vice President) 1 Memorial Drive, Kansas City, Missouri 64198-0001. Comments can also be sent electronically to KCApplicationComments@kc.frb.org:

1. *The Protection Bank Holding Company, Inc., Protection, Kansas*; to merge with Haviland Bancshares, Inc., and thereby indirectly acquire The Haviland State Bank, both of Haviland, Kansas. In addition, *The Protection Bank Holding Company, Inc.*, through the acquisition of Banco Insurance Agency, Haviland, Kansas, will engage in insurance agency activity in small towns pursuant to section 225.28(b)(11)(iii)(A) of the Board's Regulation Y.

Board of Governors of the Federal Reserve System.

Benjamin W. McDonough,

Deputy Secretary of the Board.

[FR Doc. 2025-14920 Filed 8-5-25; 8:45 am]

BILLING CODE 6210-01-P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The public portions of the applications listed below, as well as

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (Act) (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the applications are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal

Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at <https://www.federalreserve.gov/foia/request.htm>. Interested persons may express their views in writing on the standards enumerated in paragraph 7 of the Act.

Comments received are subject to public disclosure. In general, comments received will be made available without change and will not be modified to remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would not be appropriate for public disclosure.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E. Misback, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551-0001, not later than August 21, 2025.

A. Federal Reserve Bank of St. Louis (Holly A. Rieser, Senior Manager) P.O. Box 442, St. Louis, Missouri 63166-2034. Comments can also be sent electronically to Comments.applications@stls.frb.org:

1. *The Anna M. Berryhill Irrevocable Trust No. 1 FBO Robert W. McDonald III, The Anna M. Berryhill Irrevocable Trust No. 1 FBO Jon S. McDonald, and The Anna M. Berryhill Irrevocable Trust No. 1 FBO Mary Elese McDonald, all of Austin, Texas, Robert W. McDonald III, Austin, Texas, and Jon S. McDonald, Lakeway, Texas, as co-trustees of all three aforementioned trusts; Robert W. McDonald III, individually and as owner of the 2010 MFI, LLC, and McDonald Family Investment Limited, all of Austin, Texas; Jon S. McDonald, Lakeway, Texas, individually and as trustee of the McDonald Family Trust and the BAM Trust, both of Austin, Texas, and owner of APEX Clearing, Dallas, Texas; and Robin McDonald and Emily McDonald, both of Lakeway, Texas; as the McDonald Family Control Group, a group acting in concert, to retain voting shares of Pontotoc Bancshares Corp., and thereby indirectly retain voting shares of First Choice Bank, both of Pontotoc, Mississippi.*

Board of Governors of the Federal Reserve System.

Benjamin W. McDonough,

Deputy Secretary of the Board.

[FR Doc. 2025-14922 Filed 8-5-25; 8:45 am]

BILLING CODE 6210-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Agency Information Collection Activities: Proposed Collection; Comment Request

In compliance with Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 concerning opportunity for public comment on proposed collections of information, the Substance Abuse and Mental Health Services Administration (SAMHSA) will publish periodic summaries of proposed projects. To request more information on the proposed projects or to obtain a copy of the information collection plans, call the SAMHSA Reports Clearance Officer at alicia.broadus@samhsa.hhs.gov.

Comments are invited on: (a) whether the proposed collections of information are necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

Proposed Project: Programs To Reduce Underage Drinking—(OMB No. 0930-0316)—Revision

The Sober Truth on Preventing Underage Drinking Act (STOP Act) was passed by Congress in 2006, reauthorized in December 2016 as part of the 21st Century Cures Act (Pub. L. 114-255) and the Consolidated Appropriations Act, 2023 (Pub. L. 117-328), and codified into law in 42 U.S.C. 290bb-25b: Programs to reduce underage drinking. The STOP Act contains four primary elements:

1. The award of community-based coalition enhancement grants for underage drinking prevention activities to eligible entities currently receiving funds under the Drug-Free Communities Act of 1997.

2. A national adult-oriented media public service campaign to prevent underage drinking, "Talk. They Hear You.," and an annual report to Congress evaluating the campaign.

3. An annual report to Congress summarizing federal prevention activities and the extent of progress in reducing underage drinking nationally, including data from national surveys conducted by federal agencies.

4. An annual report to Congress "on each State's performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking." The survey that is the subject of this request gathers data used to develop the state-by-state report on prevention and enforcement activities related to underage drinking.

Driven by the legislation and coordinated by the Interagency Coordinating Committee on the Prevention of Underage Drinking (ICCPUD), each of these activities work together to prevent and reduce underage drinking. ICCPUD provides national leadership in federal policy and programming to support state and community activities that prevent and reduce underage drinking. The data collection activities described in this package serve to assess the outputs and outcomes of public health messaging and interventions. The data collection activities outlined in this package are:

1. Survey of State Underage Drinking Prevention Policies, Programs, and Practices: An annual survey mandated by the STOP Act legislation sent to an individual designated by the governor of all 50 states and the mayor of the District of Columbia;

2. Policy Academy Evaluations: An assessment of participant capacity and workforce development through ICCPUD's Alcohol Policy Academy and SAMHSA's State and Community Policy Academy;

3. "Parents' Night Out" Evaluation: Tools for distribution of materials and evaluation of presenters and participants, including a solicitation of feedback from presenters, an assessment of changes in knowledge, skills, and confidence of parents and caregivers after receiving the training and materials for "Parents' Night Out" and "Talk. They Hear You." products, as well as Focus Groups with Parents and Campaign Partners.;

4. "Talk. They Hear You." Mobile App Surveys: A parent and caregiver survey and an app satisfaction survey. The parent survey will allow parents to provide their insight on campaign materials, general demographic information, and details on their conversations with youth regarding

underage drinking and substance use. The satisfaction survey will assess perceptions of the app function and content to inform future “Talk. They Hear You.” campaign refinement.

5. “Talk. They Hear You.” Community Partner Surveys: A newsletter survey, a license survey, and a feedback survey. Each tool will be used to engage partners, disseminate materials, provide technical assistance, and receive feedback.

6. Screen4Success: A pre-screener, screener, and consent/assent survey on the Screen4Success website. The tool is designed to screen for health, wellness, and well-being concerns and connect participants to resources in their area.

Survey of State Underage Drinking Prevention Policies, Programs, and Practices

The STOP Act states that the “Secretary [of Health and Human Services] shall . . . annually issue a report on each state’s performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking.” The Secretary has delegated responsibility for this report to SAMHSA. Therefore, SAMHSA has developed a Survey of State Underage Drinking Prevention Policies, Programs, and Practices (the State Survey) to provide input for the state-by-state report on prevention and enforcement activities related to the underage drinking component of the annual *Report to Congress on the*

Prevention and Reduction of Underage Drinking.

Congress’ purpose in mandating the collection of data on state policies, programs, and practices through the State Survey is to provide policymakers and the public with otherwise unavailable but much needed information regarding state underage drinking prevention policies and programs. SAMHSA and other federal agencies that have underage drinking prevention as part of their mandate use the results of the State Survey to inform federal programmatic priorities, as do other stakeholders, including community organizations. The information gathered by the State Survey has established a resource for state agencies and the public for assessing policies and programs in their own state and for becoming familiar with the policies, programs, practices, and funding priorities of other states.

SAMHSA has determined that data on Categories #2 and #3 mandated in the STOP Act (as listed on page 2; enforcement and educational programs and programs targeting youth, parents, and caregivers) as well as states’ collaborations with tribal governments, use of social marketing or counter-advertising campaigns, state-level interagency collaborations, and prevention workforce development activities are not available from secondary sources and therefore must be collected from the states themselves. The State Survey is therefore necessary to fulfill the Congressional mandate

found in the STOP Act. Furthermore, the uniform collection of these data from the states over the last 15 years has created a valuable longitudinal dataset, and the State Survey’s renewal is vital to maintaining this resource.

The State Survey is a single document that is divided into three sections: (1) enforcement of underage drinking laws; (2A) underage drinking prevention programs targeted to youth, families, parents, and caregivers, including data on the approximate number of persons served by these programs; (2B) state collaborations and best practices; (2C) interagency collaborations and state participation in social marketing media campaigns intended to reduce underage drinking; and (3) workforce development activities, including strategies and funds expended on recruiting and retaining a behavioral health workforce.

SAMHSA collects the required data using an online survey data collection platform. Links to the survey are distributed to states via email. The State Survey is sent to each state governor’s office and the Office of the Mayor of the District of Columbia. SAMHSA provides both telephone and electronic technical support to state agency staff and emphasizes that the states are expected to provide data from existing state databases and other data sources available to them. The burden estimate below considers these assumptions.

The estimated annual response burden to collect this information is as follows:

Instrument	Number of respondents	Responses/ respondent	Total responses	Hours per response	Total hour burden	Wage rate	Total hour cost
State Survey	51	1	51	18.5	943.50	\$28.07	\$26,484.05

Alcohol Policy Academy Evaluation

ICCPUD’s Alcohol Policy Academy strives to reduce and prevent underage and excessive drinking by increasing the capacity of community coalitions to modify the community context through the policy process. The Alcohol Policy Academy includes 14 coalitions from across the U.S., with two individuals from each coalition serving as Academy participants. The Alcohol Policy Academy evaluation is designed to measure the effectiveness of increasing coalition capacity through the training and coaching of the policy process. Additionally, the evaluation will measure the increase in the policy training workforce through a mentee-to-coach development pipeline. The scope of the evaluation is limited to measuring the impact of the Alcohol Policy

Academy curriculum on participants and coaches.

The evaluation comprises seven surveys and one focus group. Surveys are conducted after each monthly training and coaching call. The participant surveys seek feedback on changes in knowledge, skills, and confidence after each training and coaching call as well as feedback on the training content and training/coaching provider. The coach surveys track the progress of the coalitions. These surveys take the participants and coaches approximately 5–10 minutes each to complete. The participants also complete a baseline survey, a 12-month follow-up survey, and an 18-month follow-up survey. These surveys assess whether participants reach their own goals during the Alcohol Policy Academy, how they share their

knowledge and skills gained, and how they continue to progress in the policy process. All surveys will be fielded using a web-based survey tool. The focus group within the cohort will collect qualitative data from the participants on their experience.

The table below indicates the estimated total annual burden on the participants and coaches of the Alcohol Policy Academy. The survey estimates include reading the instructions and questions and responding to each question. The focus group is scheduled for one hour and includes introductions, instructions, posing of questions, and open discussion.

The estimated annual response burden to collect this information is as follows:

Instrument	Number of respondents	Responses/ respondent	Total responses	Hours per response	Total hour burden	Wage rate	Total hour cost
Focus Group	28	1	28	1	28	\$27.10	\$758.80
Participant Post-Coaching Call Survey	28	10	280	0.125	35	27.10	948.50
Participant Post-Training Call Survey	28	10	280	0.125	35	27.10	948.50
Coach Post-Coaching Call Survey	3	70	210	0.17	35.7	50	1,785.00
Baseline	28	1	28	0.67	18.76	27.10	508.40
Follow-Up	28	1	28	1	28	27.10	758.80
Six-Month Follow-Up	28	1	28	0.67	18.76	27.10	508.40

“Talk. They Hear You.”

The “Talk They Hear You” campaign comprises a variety of tools and resources designed to decrease underage drinking by encouraging families, parents and caregivers, educators, and community members/organizations to proactively engage youth in conversations about alcohol and other

substances. Research has demonstrated that active and engaged adults can reduce underage drinking.¹

“Parents’ Night Out” Materials Download Survey

The “Parents’ Night Out” Materials Download Survey will facilitate the download of materials by interested organizations, including local

coalitions, health departments, schools, and other community groups. The survey will ask questions relevant to providing training and technical assistance for implementation and contact information for automated delivery of the materials.

The estimated annual response burden to collect this information is as follows:

Instrument	Number of respondents	Responses/ respondent	Total responses	Hours per response	Total hour burden	Wage rate	Total hour cost
“Parents’ Night Out” Materials Download Survey	500	1	500	0.05	25	\$27.10	\$677.50

“Parents’ Night Out” Evaluation

The “Parents’ Night Out” Evaluation will assess changes in knowledge, skills, and confidence of parents and caregivers after receiving the training and materials from “Parents’ Night Out” and “Talk. They Hear You.” products. This evaluation will be delivered in collaboration with community partners, who will be exposed to varying combinations of “Parents’ Night Out” and materials to determine change before and after exposure. The information gleaned in surveys of participants and presenters of the sessions will allow the evaluation team to assess whether “Parents’ Night Out” is being implemented as intended and which products are most useful in

increasing parents’ and caregivers’ capacity and intentions. The results will be shared with the implementation team for “Parents’ Night Out” curriculum modifications and for updating “Talk. They Hear You.” materials. Similarly, information collected regarding technical assistance from the Presenter Survey will be used to continuously improve the materials to best serve the needs of the users.

In addition to the ongoing *Parents’ Night Out* evaluation, the *Talk. They Hear You.* team will conduct a series of four focus groups—two with parents and two with campaign partners—to gather feedback on campaign materials, messaging, and needs. Each group will include eight participants and be facilitated by two campaign evaluators.

Parent groups will explore effective messaging strategies, preferred media channels, and desired resources. Partner groups will provide input on the usefulness of campaign materials and offer recommendations for training and technical assistance. Evaluators will analyze the discussions for key themes to inform ongoing campaign improvements. The table below indicates the estimated total annual burden on the participants and presenters of “Parents’ Night Out,” and the focus group participants. The survey estimates include reading the instructions and questions and responding to each question.

The estimated annual response burden to collect this information is as follows:

Instrument	Number of respondents	Responses/ respondent	Total responses	Hours per response	Total hour burden	Wage rate	Total hour cost
“Parents’ Night Out” Participant Survey	1,000	1	1,000	0.12	120	*\$17.50	\$2,100.00
“Parents’ Night Out” Presenter Survey	200	1	200	0.08	16	27.10	433.60
Campaign Partner Evaluation Focus Groups	16	1	16	1	16	27.10	433.60
Parent Evaluation Focus Group	16	1	16	1	16	* 17.50	280.00

* <https://www.dol.gov/agencies/whd/minimum-wage/state>.

Mobile App Parent Survey

The “Talk. They Hear You.” mobile app provides families, parents, and caregivers access to resources, conversation practice sessions, and Screen4Success. The mobile app’s Parent Survey will be linked within the

“Talk. They Hear You.” mobile app for parents and caregivers of youth ages 12–20 to complete. Parents and caregivers will be able to provide their insight on campaign materials, general demographic information, and details on their conversations with youth regarding underage drinking and

substance use. This feedback will help the campaign team better serve parents and caregivers by tailoring resources to meet the age range of youth and parental areas of interest.

The estimated annual response burden to collect this information is as follows:

¹ Glenn, S.D., Turrissi, R., Mallett, K.A., Waldron, M.S., Lenker, L.K. (2024). Examination of brief parent-based interventions to reduce drinking

outcomes on a nationally representative sample of teenagers. *Journal of Adolescent Health*, 74(3) 449–

457. <https://doi.org/10.1016/j.jadohealth.2023.09.010>.

Instrument	Number of respondents	Responses/ respondent	Total responses	Hours per response	Total hour burden	Wage rate	Total hour cost
Mobile App Parent Survey	200	1	200	0.12	24	\$17.50 *	\$420.00

* <https://www.dol.gov/agencies/whd/minimum-wage/state>.

Mobile App Satisfaction Survey

The campaign team is interested in continuing deployment of the User Satisfaction Survey. The overall objective of the survey is to determine users' satisfaction with the app and if the user would like to see any changes made to the app. The survey will inform SAMHSA on how the mobile app

resonates with the intended users and determine whether the mobile app is effective at conveying the importance of talking with kids early and often about underage drinking and other substances use through guided conversations. This survey will be available at the bottom of each page of the mobile app and promoted through in-app pop-up notifications.

The table below indicates the estimated total annual burden on the respondents of the survey. The survey estimates include reading and responding to each question, and totals 3 minutes. The wage rate was determined based on the highest state minimum wage, as respondent locations are not collected.

Instrument	Number of respondents	Responses/ respondent	Total responses	Hours per response	Total hour burden	Wage rate	Total hour cost
Mobile App Satisfaction Survey	200	1	200	0.05	10	\$17.50 *	\$175.00

* <https://www.dol.gov/agencies/whd/minimum-wage/state>.

Community Partner Newsletter Survey

The Newsletter Survey will be a brief survey designed for interested individuals to sign up to receive regular campaign communications via email.

The newsletter is developed for organization members to engage with campaign materials, receive updates when new products are released, and participate in "Talk. They Hear You." events. The newsletter also provides

free pre-made social media content related to underage drinking prevention for organizations to share or customize.

The estimated annual response burden to collect this information is as follows:

Instrument	Number of respondents	Responses/ respondent	Total responses	Hours per response	Total hour burden	Wage rate	Total hour cost
Newsletter Survey	240	1	240	0.05	12	\$17.50 *	\$210.00

* <https://www.dol.gov/agencies/whd/minimum-wage/state>.

Community Partner License Survey

The License Survey is designed for organizations to register and partner with the "Talk. They Hear You." campaign. In contrast to the Newsletter Survey, the License Survey is designed to be filled out once per organization.

Partners will receive regular communication from the campaign outreach team and can access technical assistance as needed. Partners help facilitate the campaign at the local level by engaging their community, parents and caregivers, families, and educators. The campaign will highlight the work of

partners periodically in the newsletters to share their successes and valuable efforts to disseminate "Talk. They Hear You." products.

The estimated annual response burden to collect this information is as follows:

Instrument	Number of respondents	Responses/ respondent	Total responses	Hours per response	Total hour burden	Wage rate	Total hour cost
License Survey	260	1	260	0.08	20.8	\$27.10	\$563.68

Community Partner Feedback Survey

The Partner Feedback Survey will provide an opportunity for partners to share feedback on community engagement meetings and evaluate how current community partners are engaging with "Talk. They Hear You."

Partners who attend the community engagement meetings will be asked to complete the survey after each quarterly meeting. The survey will gather both qualitative and quantitative evaluation data to be used for campaign refinement and to improve technical assistance to licensed partners. The data gathered

through the Partner Feedback Survey will be used to continuously enhance the materials and community engagement provided by "Talk. They Hear You."

The estimated annual response burden to collect this information is as follows:

Instrument	Number of respondents	Responses/ respondent	Total responses	Hours per response	Total hour burden	Wage rate	Total hour cost
Partner Feedback Survey	86	1	86	0.17	14.62	\$27.10	\$396.20

Screen4Success

Screen4Success is designed for individuals and organizations to access

free health, wellness, and well-being screening tools; collect consent/assent from parents and participants; navigate

to local and national resources; and track referrals to services. Information collected at the consent of the

participant will be shared with researchers to better inform prevention efforts and support services of the “Talk. They Hear You.” campaign. Additionally, organizations who use

Screen4Success can utilize their aggregated, de-identified participant result data to inform local interventions, shape policy, and supplement applications to secure funding.

The estimated annual response burden to collect this information is as follows:

Instrument	Number of respondents	Responses/ respondent	Total responses	Hours per response	Total hour burden	Wage rate	Total hour cost
Pre-Screener	1,000	1	1,000	0.08	80	*\$17.50	\$1,400.00
Screener	1,000	1	1,000	0.3	300	* 17.50	5,250.00
Parental Consent/Assent	1,000	1	1,000	0.04	40	* 17.50	700.00
Participant Consent/Assent	1,000	1	1,000	0.04	40	* 17.50	700.00

* <https://www.dol.gov/agencies/whd/minimum-wage/state>.

The two tables shown below detail of the data collection activities listed the aggregate and combined total burden above.

COMBINED ESTIMATED BURDEN FOR RESPONDENTS

Instrument	Number of respondents	Responses/ respondent	Total responses	Hours per response	Total hour burden	Wage rate	Total hour cost
State Survey	51	1	51	18.5	943.50	\$28.07	\$26,484.05
Focus Group	28	1	28	1	28	27.10	758.80
Participant Post-Coaching Call Survey	28	10	280	0.125	35	27.10	948.50
Participant Post-Training Call Survey	28	10	280	0.125	35	27.10	948.50
Coach Post-Coaching Call Survey	3	70	210	0.17	35.7	50	1,785.00
Baseline	28	1	28	0.67	18.76	27.10	508.40
Follow-Up	28	1	28	1	28	27.10	758.80
Six-Month Follow-Up	28	1	28	0.67	18.76	27.10	508.40
“Parents’ Night Out” Materials Download Survey	500	1	500	0.05	25	27.10	677.50
“Parents’ Night Out” Participant Survey	1000	1	1000	0.12	120	* 17.50	2,100.00
“Parents’ Night Out” Presenter Survey	200	1	200	0.08	16	27.10	433.60
Campaign Partner Evaluation Focus Groups	16	1	16	1	16	27.10	433.60
Parent Evaluation Focus Group	16	1	16	1	16	* 17.50	280.00
Mobile App Parent Survey	200	1	200	0.12	24	* 17.50	420.00
Mobile App Satisfaction Survey	200	1	200	0.05	10	* 17.50	175.00
Newsletter Survey	240	1	240	0.05	12	* 17.50	210.00
License Survey	260	1	260	0.08	20.8	27.10	563.68
Partner Feedback Survey	86	1	86	0.17	14.62	27.10	396.20
Pre-Screener	1,000	1	1,000	0.08	80	* 17.50	1,400.00
Screener	1,000	1	1,000	0.3	300	* 17.50	5,250.00
Parental Consent/Assent	1,000	1	1,000	0.04	40	* 17.50	700.00
Participant Consent/Assent	1,000	1	1,000	0.04	40	* 17.50	700.00

* <https://www.dol.gov/agencies/whd/minimum-wage/state>.

TOTAL BURDEN ON RESPONDENTS FOR ALL DATA COLLECTION TOOLS

Instrument	Number of respondents	Responses/ respondent	Total responses	Hours per response	Total hour burden	Wage rate	Total hour cost
Total	6,908	107	7,619	23.44	1,845.14	\$489.07	\$45,726.43

Send comments to SAMHSA Reports Clearance Officer, 5600 Fisher Lane, Room 15E57A, Rockville, MD 20852 OR email a copy at samhsapra@samhsa.hhs.gov. Written comments should be received by October 6, 2025.

Krishna Palipudi,

Social Science Analyst.

[FR Doc. 2025-14878 Filed 8-5-25; 8:45 am]

BILLING CODE 4162-20-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Agency Information Collection Activities: Proposed Collection; Comment Request

In compliance with Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 concerning opportunity for public comment on proposed collections of information, the Substance Abuse and Mental Health Services Administration (SAMHSA) will publish periodic summaries of proposed projects. To request more information on the proposed projects or

obtain a copy of the information collection plans, call the SAMHSA Reports Clearance Officer at (240) 276-0361.

Comments are invited on (a) whether the proposed collections of information are necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency’s estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use

of automated collection techniques or other forms of information technology.

Proposed Project: Data Resource Toolkit Protocol for the Crisis Counseling Assistance and Training Program (OMB No. 0930-0270)—Revision

The SAMHSA Center for Mental Health Services (CMHS), as part of an interagency agreement with the Federal Emergency Management Agency (FEMA), provides a toolkit to be used for the purposes of collecting data on the Crisis Counseling Assistance and Training Program (CCP). The CCP provides supplemental funding to states, territories, and tribes for individual and community crisis intervention services after a presidentially declared major emergency.

The CCP has provided disaster behavioral health services to millions of disaster survivors since its inception, and, with more than 40 years of accumulated expertise, it has become an important model for federal response to a variety of catastrophic events. Recent CCP grants have been issued for nearly all 50 states, 5 territories, and at least 4 tribes. These grants have helped survivors of disasters such as Hurricanes Helene and Milton in 2024; the catastrophic Maui wildfire in 2023; and other wildfires, severe storms, flooding, earthquakes, and tornadoes in 2022 through 2025. CCPs address the short-term behavioral health needs of communities primarily through (a) outreach and public education, (b) individual and group counseling, and (c) referral. Outreach and public education serve primarily to make people aware of common disaster reactions and to engage people who may need further care. Crisis counseling assists survivors in coping with current stress and symptoms to return to pre-disaster functioning. Crisis counseling relies largely on “active listening,”¹ and crisis counselors also provide education (especially about the nature of responses to disaster, adversity, and trauma) and help participants build coping skills. Crisis counselors² typically work with a

single participant once or a few times. Because crisis counseling is time-limited, referral is the third important function of CCPs. Counselors are expected to refer survivors to formal treatment if they have developed a mental and/or substance use disorder or are having difficulty in coping with their disaster reactions.

Data about services delivered and users of services are collected throughout the program period. The data are collected via the use of a toolkit that relies on standardized forms. At the program level, the data are entered quickly and easily into a cumulative database mainly through mobile data entry or paper forms to yield summary tables for quarterly and final reports for the program. Data entry allows for the data to be uploaded and linked to a national database that houses data collected across CCPs. The standardized data collection and database allow SAMHSA CMHS and FEMA to produce summary reports of services provided across all programs funded.

The components of the toolkit are listed and described below:

- *Encounter logs.* These forms document all services provided. The CCP requires crisis counselors to complete these logs. There are three types of encounter logs: (1) Individual/Family Crisis Counseling Services Encounter Log, (2) Group Encounter Log, and (3) Weekly Tally Sheet.

- *Individual/Family Crisis Counseling Services Encounter Log.* Crisis counseling is defined as an interaction that lasts at least 15 minutes and involves participant-provided information. This form is completed by the crisis counselor for each participant, defined as the person or people who actively participated in the session (that is, by engaging in conversation), not someone who was merely present. One form may be completed for all family or household members who are actively engaged in the visit. Information collected includes demographics, service characteristics, risk factors, event reactions, and referral data.

- *Group Encounter Log.* This form is used to collect data on either a group crisis counseling encounter or a group public education encounter. The crisis counselor indicates in a checkbox the class of activities (that is, counseling or education). Information collected includes service characteristics, group identity and characteristics, and group activities.

- *Weekly Tally Sheet.* This form documents brief educational and supportive encounters not captured on any other form. Information collected includes service characteristics, daily

tallies, and weekly totals for brief educational or supportive contacts, material distribution with no or minimal interaction, and social media activity.

- *Assessment and referral tools (ARTs).* These tools—one for adults and one for children and youth—can be administered at any time if the crisis counselor feels the participant is exhibiting distress or they would benefit from referral to other services. It is recommended that the ARTs be administered during encounters where more than four event reactions or certain risk categories are indicated. These tools will typically be used beginning 3 months after the disaster and will be completed by the crisis counselor.

- *Participant Feedback Survey Form.* These surveys are completed by and collected from a sample of participants, not every participant. Sampling is done on a biannual basis 6 months and 1 year after the disaster. Information collected includes satisfaction with services, perceived improvements in coping and functioning, types of exposure, and event reactions.

- *Service Provider Feedback Form.* These surveys are completed by and collected from the CCP service providers anonymously at 6 months and 1 year after the disaster. The survey is coded on several program-level as well as provider-level variables. However, the program survey data are only shared with program management if more than 10 individual provider staff members complete the survey.

There are no changes to the Weekly Tally Sheet since its last approval. Revisions to the Individual Encounter Log include updating the collection of adult age information to align with SAMHSA reporting convention, race and ethnicity information to align with updates to Office of Management and Budget (OMB) guidance, and sex information to align with White House guidance; removing the question about recent immigration; adding “stress management” to the example for “managing physical and emotional reactions”; adding a separate referral option for “FEMA-funded programs”; and changing “self-help groups” to “self-help or support groups.” For the Group Encounter Log, changes include updating the collection of race and ethnicity information to align with OMB guidance, adding a question about primary language spoken during the encounter, removing the question about recent immigration, and adding “stress management” to the example for “managing physical and emotional reactions.”

¹ Active listening requires the crisis counselor to engage fully with the survivor to understand what the survivor is communicating. The crisis counselor engages in activities such as asking questions, encouraging the survivor to respond candidly, reflecting on what the survivor says, and not judging the survivor's experiences or statements.

² CCP crisis counselors are paraprofessionals (e.g., outreach workers, community health workers, resource linkage coordinators) trained to work with individuals, families, and groups to provide short-term counseling and support. Crisis counselors also assess survivors for reactions requiring referrals, and they provide referrals as needed.

For the Adult and Child/Youth ARTs, edits were made to update the collection of adult age information to align with SAMHSA reporting convention, race and ethnicity information to align with updated OMB guidance, and sex information to align with White House guidance; frame demographic information collection as questions; add a graphic showing response options, change “self-help groups” to “self-help or support groups,” and include a separate referral option for “FEMA-funded programs”; and remove questions related to recent immigration and suicidal ideation. In addition, since the diagnostic criteria for posttraumatic stress disorder (PTSD) changed in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition (DSM–5), the PTSD assessment tool within the Child/Youth ART was updated to align with the new PTSD criteria via the validated and abbreviated University of

California at Los Angeles PTSD Reaction Index for DSM–5 (Reaction Index-5) tool. The Child/Youth ART was also updated to use the terms “caregiver” and “child or youth” throughout, move the statement that is read to the respondents, and add a question about whether the primary respondent was the caregiver or child or youth.

Changes to the collection of age, race, ethnicity, sex, and disaster-related experiences information were made to the Participant Feedback Survey and Service Provider Feedback Forms to align with encounter and ART forms. In addition, the Participant Feedback Survey Form was updated to more explicitly state that the form is voluntary and the respondent may skip questions; add “prefer not to answer” options; ask about referral to “FEMA-funded programs”; add “using/misusing other substances” to the examples for the “In the past month to what extent

have you had trouble taking care of your health (e.g., eating poorly, not getting enough rest, smoking more, drinking more)?” question; add a sentence noting that if the respondent was not impacted by the disaster, they should skip the next set of questions; and update response options for the question about education and household income.

The Service Provider Feedback Form language was further changed to include “resources” when asking providers to rate “support, training, and resources provided to help you avoid compassion fatigue or to cope with the stress of listening to and helping others”; update the response options for questions about education and household income; and add a sentence noting that if the respondent was not impacted by the disaster, they should skip the next set of questions. The estimates of the annualized burden hours are provided in Table 1.

TABLE 1. ANNUALIZED HOUR BURDEN ESTIMATES

Data collection instrument	Estimated number of respondents	Responses per respondent	Total responses	Hours per response	Total hour burden
Individual/Family Crisis Counseling Services Encounter Log	¹ 800	² 200	160,000	0.13	20,800
Group Encounter Log	³ 400	³ 33	13,200	0.08	1,056
Weekly Tally Sheet	¹ 800	⁴ 52	41,600	0.20	8,320
Adult Assessment and Referral Tool	¹ 800	9	⁵ 7,200	0.17	1,224
Child/Youth Assessment and Referral Tool	¹ 800	1	⁵ 800	0.08	64
Participant Feedback Survey Form	4,000	1	4,000	0.30	1,200
Service Provider Feedback Form	⁶ 400	1	400	0.30	120
Total	8,000		227,200		32,784

¹ The value for estimated number of respondents (800) is based on a typical average of 40 crisis counselors (or 40 full-time equivalents [FTEs]) per grant with an approximate average of 20 grants per year (i.e., 40 × 20 = 800).

² On average, each FTE crisis counselor completes 200 forms over 1 year.

³ On average, a pair of crisis counselors completes 1 form per week (i.e., 2 counselors completing 1 form = 400 crisis counselors) for 33 weeks.

⁴ The average length of a CCP grant is 52 weeks.

⁵ On average, 5% of the Individual/Family Crisis Counseling Services Encounter Logs completed result in the use of the assessment and referral tools (i.e., 160,000 individual × 5% = 8,000, which equals the total Adult and Child/Youth Assessment and Referral Tool responses).

⁶ On average, 50% of service providers/crisis counselors may complete or use this tool.

Send comments to SAMHSA Reports Clearance Officer, 5600 Fisher Lane, Room 15E57A, Rockville, MD 20852 OR email a copy at samhsapra@samhsa.hhs.gov. Written comments should be received by October 6, 2025.

Krishna Palipudi,
Social Science Analyst.
[FR Doc. 2025–14877 Filed 8–5–25; 8:45 am]
BILLING CODE 4162–20–P

DEPARTMENT OF HOMELAND SECURITY
Federal Emergency Management Agency

[Docket ID FEMA–2025–0002]

Changes in Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, Department of Homeland Security.
ACTION: Notice.

SUMMARY: New or modified Base (1-percent annual chance) Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, and/or regulatory floodways (hereinafter referred to as flood hazard determinations) as shown on the indicated Letter of Map Revision (LOMR) for each of the communities listed in the table below are finalized. Each LOMR revises the Flood Insurance Rate Maps (FIRMs), and in some cases the Flood Insurance Study (FIS) reports, currently in effect for the listed communities.

DATES: Each LOMR was finalized as in the table below.

ADDRESSES: Each LOMR is available for inspection at both the respective Community Map Repository address listed in the table below and online through the FEMA Map Service Center at <https://msc.fema.gov>.

FOR FURTHER INFORMATION CONTACT:

David Bascom, Acting Director, Engineering and Modeling Division, Risk Analysis, Planning & Information Directorate, FEMA, 400 C Street SW, Washington, DC 20472, or (email) david.bascom@fema.dhs.gov; or visit the FEMA Mapping and Insurance eXchange (FMIX) online at https://www.floodmaps.fema.gov/fhm/fmx_main.html.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) makes the final flood hazard determinations as shown in the LOMRs for each community listed in the table below. Notice of these modified flood hazard determinations has been published in newspapers of local circulation and 90 days have elapsed

since that publication. The Deputy Associate Administrator for Insurance and Mitigation has resolved any appeals resulting from this notification.

The modified flood hazard determinations are made pursuant to section 206 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR part 65. The current effective community number is shown and must be used for all new policies and renewals.

The new or modified flood hazard information is the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to remain qualified for participation in the National Flood Insurance Program (NFIP).

This new or modified flood hazard information, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community

must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities.

This new or modified flood hazard determinations are used to meet the floodplain management requirements of the NFIP. The changes in flood hazard determinations are in accordance with 44 CFR 65.4.

Interested lessees and owners of real property are encouraged to review the final flood hazard information available at the address cited below for each community or online through the FEMA Map Service Center at <https://msc.fema.gov>.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Jeffrey Jackson,

Deputy Assistant Administrator, Federal Insurance Directorate, Resilience, Federal Emergency Management Agency, Department of Homeland Security.

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.
Arizona:					
Coconino (FEMA Docket No.: B-2510).	Unincorporated areas of Coconino County (23-09-0474P).	Andy Bertelsen, Coconino County Manager, 219 East Cherry Avenue, Flagstaff, AZ 86001.	Coconino County Administrative Center, 219 East Cherry Avenue, Flagstaff, AZ 86001.	Jun. 6, 2025	040019
Mohave (FEMA Docket No.: B-2510).	City of Kingman (24-09-0955P).	The Honorable Ken Watkins, Mayor, City of Kingman, 310 North 4th Street, Kingman, AZ 86401.	City Hall, 310 North 4th Street, Kingman, AZ 86401.	May 15, 2025	040060
Arkansas:					
Benton (FEMA Docket No.: B-2514).	City of Bentonville (24-06-2300P).	The Honorable Stephanie Orman, Mayor, City of Bentonville, 305 Southwest A Street, Bentonville, AR 72712.	City Hall, 3200 Southwest Municipal Drive, Bentonville, AR 72712.	Jun. 30, 2025	050012
Benton (FEMA Docket No.: B-2514).	City of Rogers (24-06-2300P).	The Honorable Greg Hines, Mayor, City of Rogers, 301 West Chestnut Street, Rogers, AR 72756.	City Hall, 301 West Chestnut Street, Rogers, AR 72756.	Jun. 30, 2025	050013
Benton (FEMA Docket No.: B-2514).	Unincorporated areas of Benton County (24-06-2300P).	The Honorable Barry Moehring, Benton County Judge, 215 East Central Avenue, Bentonville, AR 72712.	Benton County Planning Department, 215 East Central Avenue, Bentonville, AR 72712.	Jun. 30, 2025	050419
Pulaski (FEMA Docket No.: B-2514).	City of Maumelle (24-06-1837P).	The Honorable Caleb Norris, Mayor, City of Maumelle 550 Edgewood Drive, Maumelle, AR 72113.	City Hall, 550 Edgewood Drive, Maumelle, AR 72113.	Jun. 25, 2025	050577
Pulaski (FEMA Docket No.: B-2514).	Unincorporated areas of Pulaski County (24-06-1837P).	The Honorable Barry Hyde, Pulaski County Judge, 201 South Broadway Street, Suite 400, Little Rock, AR 72201.	Pulaski County Planning and Development Department, 3200 Brown Street, Little Rock, AR 72204.	Jun. 25, 2025	050179
California:					
Riverside (FEMA Docket No.: B-2510).	City of Corona (23-09-0157P).	The Honorable Jim Steiner, Mayor, City of Corona, 400 South Vicentia Avenue, Corona, CA 92882.	Public Works Department, 400 South Vicentia Avenue, Corona, CA 92882.	May 12, 2025	060250
Riverside (FEMA Docket No.: B-2510).	City of Corona (24-09-0762P).	The Honorable Jim Steiner, Mayor, City of Corona, 400 South Vicentia Avenue, Corona, CA 92882.	Public Works Department, 400 South Vicentia Avenue, Corona, CA 92882.	May 22, 2025	060250
Riverside (FEMA Docket No.: B-2510).	City of Lake Elsinore (24-09-0382P).	The Honorable Steve Manos, Mayor, City of Lake Elsinore, 130 South Main Street, Lake Elsinore, CA 92530.	City Hall, 130 South Main Street, Lake Elsinore, CA 92530.	Jun. 5, 2025	060636

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.
Riverside (FEMA Docket No.: B-2510).	City of Jurupa Valley (24-09-0110P).	The Honorable Guillermo Silva, Mayor, City of Jurupa Valley, 8930 Limonite Avenue, Jurupa Valley, CA 92509.	City Hall, 8304 Limonite Avenue, Suite M, Jurupa, CA 92509.	May 30, 2025	060286
Riverside (FEMA Docket No.: B-2510).	Unincorporated areas of Riverside County (23-09-0157P).	Chuck Washington, Chair, Riverside County Board of Supervisors, 4080 Lemon Street, 5th Floor, Riverside, CA 92501.	Riverside County Flood Control and Water Conservation District, 1995 Market Street, Riverside, CA 92501.	May 12, 2025	060245
Riverside (FEMA Docket No.: B-2510).	Unincorporated areas of Riverside County (24-09-0382P).	Chuck Washington, Chair, Riverside County Board of Supervisors, 4080 Lemon Street, 5th Floor, Riverside, CA 92502.	Riverside County Flood Control and Water Conservation District, 1995 Market Street, Riverside, CA 92501.	Jun. 5, 2025	060245
Tulare (FEMA Docket No.: B-2510).	Unincorporated areas of Tulare County (22-09-1345P).	Larry Micari, Chair, Tulare County Board of Supervisors, 2800 West Burrel Avenue, Visalia, CA 93291.	Tulare County Government Plaza, Resource Management Headquarters, 5961 South Mooney Boulevard, Visalia, CA 93277.	May 12, 2025	065066
Ventura (FEMA Docket No.: B-2510).	City of Santa Paula (23-09-1150P).	The Honorable Leslie Cornejo, Mayor, City of Santa Paula, 970 East Ventura Street, Santa Paula, CA 93060.	City Hall, 970 East Ventura Street, Santa Paula, CA 93060.	May 15, 2025	060420
Ventura (FEMA Docket No.: B-2510).	Unincorporated areas of Ventura County (23-09-1150P).	Kelly Long, Chair, Ventura County Board of Supervisors, 1203 Flynn Road, Suite 200, Camarillo, CA 93012.	Ventura County Public Works Watershed Protection, 800 South Victoria Avenue, Ventura, CA 93009.	May 15, 2025	060413
Colorado:					
El Paso (FEMA Docket No.: B-2510).	City of Colorado Springs (23-08-0277P).	The Honorable Yemi Mobolade, Mayor, City of Colorado Springs, 30 South Nevada Avenue, Suite 601, Colorado Springs, CO 80903.	Pikes Peak Regional Building Department, Floodplain Management Office, 2880 International Circle, Colorado Springs, CO 80910.	May 12, 2025	080060
El Paso (FEMA Docket No.: B-2510).	Unincorporated areas of El Paso County (23-08-0701P).	Carrie Geitner, Chair, El Paso County, Board of Commissioners, 200 South Cascade Avenue, Suite 100, Colorado Springs, CO 80903.	El Paso County Pikes Peak Regional Building Department, Floodplain Management Office, 2880 International Circle, Colorado Springs, CO 80910.	May 28, 2025	080059
Florida:					
Bay (FEMA Docket No.: B-2514).	City of Mexico Beach (24-04-5008P).	The Honorable Richard Wolff, Mayor, City of Mexico Beach, 201 Paradise Path, Mexico Beach, FL 32456.	City Hall, 201 Paradise Path, Mexico Beach, FL 32456.	Jun. 9, 2025	120010
Collier (FEMA Docket No.: B-2517).	Unincorporated areas of Collier County (24-04-2903P).	Amy Patterson, Collier County Manager, 3299 Tamiami Trail East, Naples, FL 34112.	Collier County Growth Management Community Development Department (GMCDD), 2800 North Horseshoe Drive, Suite 756, Naples, FL 34104.	Jul. 7, 2025	120067
Leon (FEMA Docket No.: B-2517).	City of Tallahassee (24-04-1722P).	The Honorable John E. Dailey, Mayor, City of Tallahassee, 300 South Adams Street, Tallahassee, FL 32301.	Stormwater Management, 300 South Adams Street, Tallahassee, FL 32301.	Jul. 7, 2025	120144
Leon (FEMA Docket No.: B-2517).	Unincorporated areas of Leon County (24-04-1722P).	Vincent S. Long, Leon County Administrator, 301 South Monroe Street, Tallahassee, FL 32301.	Leon County Environmental Services Department, 435 North Macomb Street, Tallahassee, FL 32301.	Jul. 7, 2025	120143
Manatee (FEMA Docket No.: B-2522).	Unincorporated areas of Manatee County (24-04-7081P).	Charlie Bishop, Manatee County Administrator, 1112 Manatee Avenue West, Bradenton, FL 34205.	Manatee County Administration Building, 1112 Manatee Avenue West, Bradenton, FL 34205.	Jul. 3, 2025	120153
St. Johns (FEMA Docket No.: B-2517).	Unincorporated areas of St. Johns County (24-04-7357P).	Joy Andrews, Administrator, St. Johns County Board of Commissioners, 500 San Sebastian View, St. Augustine, FL 32084.	St. Johns County Administration Building, 500 San Sebastian View, St. Augustine, FL 32084.	Jul. 7, 2025	125147
Volusia (FEMA Docket No.: B-2514).	City of DeLand (24-04-2278P).	Michael Pleus, Manager, City of DeLand, 120 South Florida Avenue, DeLand, FL 32720.	City Hall, 120 South Florida Avenue, DeLand, FL 32720.	Jun. 30, 2025	120307
Volusia (FEMA Docket No.: B-2514).	Unincorporated areas of Volusia County (24-04-2278P).	George Recktenwald, Volusia County Manager, 123 West Indiana Avenue, DeLand, FL 32720.	Volusia County Thomas C. Kelly Administration Center, 123 West Indiana Avenue, DeLand, FL 32720.	Jun. 30, 2025	125155
Illinois:					
Kane (FEMA Docket No.: B-2514).	Unincorporated areas of Kane County (24-05-1930P).	Corinne Pierog, Chair, Kane County Board, 719 South Batavia Avenue, Building A, Geneva, IL 60134.	Water Resources Department, Kane County Government Center, 719 South Batavia Avenue, Building A, Geneva, IL 60134.	Jun. 13, 2025	170896
Kane (FEMA Docket No.: B-2514).	Village of Pingree Grove (24-05-1930P).	Amber Kubiak, Village of Pingree Grove President, 555 Reinking Road, Pingree Grove, IL 60140.	Village Hall, 555 Reinking Road, Pingree Grove, IL 60140.	Jun. 13, 2025	171078
Indiana:					
Vigo (FEMA Docket No.: B-2517).	City of Terre Haute (24-05-0143P).	The Honorable Brandon Sakbun, Mayor, City of Terre Haute, 17 Harding Avenue, Room 2002, Terre Haute, IN 47807.	City Hall, 17 Harding Avenue, Terre Haute, IN 47807.	Jul. 7, 2025	180264

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.
Vigo (FEMA Docket No.: B-2517).	Unincorporated areas of Vigo County (24-05-0143P).	The Honorable Chris Switzer, Chair, Vigo County Board of Commissioners, 650 South 1st Street, Terre Haute, IN 47807.	Vigo County Planning Department, 159 Oak Street, Terre Haute, IN 47807.	Jul. 7, 2025	180263
Kansas:					
Sedgwick (FEMA Docket No.: B-2517).	City of Wichita (24-07-0114P).	The Honorable Lily Wu, Mayor, City of Wichita, 455 North Main, Wichita, KS 67202.	City Hall, 455 North Main, Wichita, KS 67202.	Jul. 2, 2025	200328
Sedgwick (FEMA Docket No.: B-2517).	Unincorporated areas of Sedgwick County (24-07-0114P).	Tom Stolz, Manager, Sedgwick County, 100 North Broadway, Suite 630, Wichita, KS 67202.	Wichita-Sedgwick County Metropolitan Area Planning Department, 271 West 3rd Street North, Wichita, KS 67202.	Jul. 2, 2025	200321
Kentucky: Jefferson (FEMA Docket No.: B-2522).	Metropolitan Government of Louisville and Jefferson County (24-04-0228P).	The Honorable Craig Greenberg, Mayor, Metropolitan Government of Louisville and Jefferson County, 527 West Jefferson Street, Louisville, KY 40202.	Louisville/Jefferson County Metropolitan Sewer District, 700 West Liberty Street, Louisville, KY 40203.	Jun. 26, 2025	210120
Michigan: Bay (FEMA Docket No.: B-2514).	Charter Township of Bangor (25-05-0390P).	Glenn Rowley, Supervisor, Charter Township of Bangor, 180 State Park Drive, Bay City, MI 48706.	Charter Township of Bangor Offices, 180 State Park Drive, Bay City, MI 48706.	Jun. 25, 2025	260019
Mississippi: Lee (FEMA Docket No.: B-2514).	City of Tupelo (24-04-1425P).	The Honorable Todd Jordan, Mayor, City of Tupelo, 71 East Troy Street, Tupelo, MS 38804.	City Hall, 71 East Troy Street, Tupelo, MS 38804.	Jun. 23, 2025	280100
Nevada: Independent City (FEMA Docket No.: B-2510).	City of Carson City (22-09-1343P).	The Honorable Lori Bagwell, Mayor, City of Carson City, 201 North Carson Street, Carson City, NV 89701.	City Hall, 201 North Carson Street, Carson City, NV 89701.	May 15, 2025	320001
New Mexico: Bernalillo (FEMA Docket No.: B-2517).	City of Albuquerque (24-06-1836P).	The Honorable Timothy M. Keller, Mayor, City of Albuquerque, P.O. Box 1293, Albuquerque, NM 87103.	City Hall, 1 Civic Plaza, Albuquerque, NM 87102.	Jul. 7, 2025	350002
Oklahoma:					
Pottawatomie (FEMA Docket No.: B-2522).	Citizen Potawatomi Nation (23-06-2226P).	John A. Barrett Jr., Tribal Chair, Citizen Potawatomi Nation, 1601 South Gordon Cooper Drive, Shawnee, OK 74801.	Citizen Potawatomi Nation Tribal Headquarters and Administration, 1601 South Gordon Cooper Drive, Shawnee, OK 74801.	Jun. 27, 2025	400553
Pottawatomie (FEMA Docket No.: B-2522).	City of Shawnee (23-06-2226P).	The Honorable Ed Bolt, Mayor, City of Shawnee, 16 West 9th Street, Shawnee, OK 74801.	City Hall, 16 West 9th Street, Shawnee, OK 74801.	Jun. 27, 2025	400178
Pottawatomie (FEMA Docket No.: B-2522).	City of Tecumseh (23-06-2226P).	The Honorable Eddy Parker, Mayor, City of Tecumseh, 114 North Broadway Street, Tecumseh, OK 74873.	City Hall, 114 North Broadway Street, Tecumseh, OK 74873.	Jun. 27, 2025	400179
Pottawatomie (FEMA Docket No.: B-2522).	Town of Bethel Acres (23-06-2226P).	The Honorable Tony Carlile, Mayor, Town of Bethel Acres, P.O. Box 1118, Shawnee OK 74802.	Town Hall, 18101 Bethel Road, Shawnee OK 74801.	Jun. 27, 2025	400346
Pottawatomie (FEMA Docket No.: B-2522).	Unincorporated areas of Pottawatomie County (23-06-2226P).	Melissa Dennis, Chair, Pottawatomie County Board of Commissioners, 309 North Broadway Avenue, Shawnee, OK 74801.	Pottawatomie County Emergency Operations Center, 13503 Acme Road, Shawnee, OK 74804.	Jun. 27, 2025	400496
South Carolina:					
Chester (FEMA Docket No.: B-2517).	Unincorporated areas of Chester County (24-04-5651P).	Brian Hester, Chester County Administrator, P.O. Box 580, Chester, SC 29706.	Chester County Building and Zoning Department, 1476 J.A. Cochran Bypass, Chester, SC 29706.	Jul. 3, 2025	450047
Greenville (FEMA Docket No.: B-2514).	City of Greenville (24-04-1178P).	The Honorable Knox White, Mayor, City of Greenville, P.O. Box 2207, Greenville, SC 29601.	Engineering Department, 204 Halton Road, 4th Floor, Greenville, SC 29607.	Jun. 25, 2025	450091
Greenville (FEMA Docket No.: B-2514).	Unincorporated areas of Greenville County (24-04-1178P).	Dan Tripp, Chair, Greenville County Council, 301 University Ridge, Suite 2400, Greenville, SC 29601.	Greenville County Planning and Code Compliance Division, 301 University Ridge, Suite 4100, Greenville, SC 29601.	Jun. 25, 2025	450089
Texas:					
Collin (FEMA Docket No.: B-2522).	Town of Prosper (24-06-0728P).	The Honorable David F. Bristol, Mayor, Town of Prosper, 250 West 1st Street, Prosper, TX 75078.	Town Hall, 250 West 1st Street, Prosper, TX 75078.	Jun. 30, 2025	480141
Collin (FEMA Docket No.: B-2522).	Unincorporated areas of Collin County (24-06-0728P).	The Honorable Chris Hill, Collin County Judge, 2300 Bloomdale Road, Suite 4192, McKinney, TX 75071.	Collin County Juvenile Justice Alternative Education Program Building, 4690 Community Avenue, McKinney, TX 75071.	Jun. 30, 2025	480130
Dallas (FEMA Docket No.: B-2527).	City of Grand Prairie (24-06-1295P).	The Honorable Ron Jensen, Mayor, City of Grand Prairie, P.O. Box 534045, Grand Prairie, TX 75053.	City Hall, 300 West Main Street, Grand Prairie, TX 75050.	Jul. 7, 2025	485472
Dallas (FEMA Docket No.: B-2527).	City of Irving (24-06-1295P).	The Honorable Rick Stopfer, Mayor, City of Irving, 825 West Irving Boulevard, Irving, TX 75060.	City Hall, 825 West Irving Boulevard, Irving, TX 75060.	Jul. 7, 2025	480180

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.
Hays (FEMA Docket No.: B-2517).	City of San Marcos (24-06-0699P).	Stephanie Reyes, Manager, City of San Marcos, 630 East Hopkins Street, San Marcos, TX 78666.	City Hall, 630 East Hopkins Street, San Marcos TX 78666.	Jun. 26, 2025	485505
Rockwall (FEMA Docket No.: B-2517).	City of Fate (24-06-2278P).	The Honorable David Billings, Mayor, City of Fate, 1900 C.D. Boren Parkway, Fate, TX 75087.	City Hall, 1900 C.D. Boren Parkway, Fate, TX 75087.	Jul. 7, 2025	480544
Utah: Davis (FEMA Docket No.: B-2510).	City of Layton (24-08-0320P).	The Honorable Joy Petro, Mayor, City of Layton, 437 North Wasatch Drive, Layton, UT 84041.	City Hall, 437 North Wasatch Drive, Layton, UT 84041.	May 27, 2025	490047
Washington: Lewis (FEMA Docket No.: B-2510).	Unincorporated areas of Lewis County (23-10-0525P).	Ryan Barrett, Lewis County Manager, 351 Northwest North Street, Chehalis, WA 98532.	Lewis County Community Services Office, 2025 Northeast Kresky Avenue, Chehalis, WA 98532.	May 2, 2025	530102
Walla Walla (FEMA Docket No.: B-2510).	Unincorporated areas of Walla Walla County (24-10-0146P).	Gunner Fulmer, Chair, Walla Walla County Board of Commissioners, P.O. Box 1506, Walla Walla, WA 99362.	Walla Walla County, Community Development Department, 310 West Poplar Street, Suite 200, Walla Walla, WA 99362.	Jun. 10, 2025	530194

[FR Doc. 2025-14873 Filed 8-5-25; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA-2025-0002; Internal Agency Docket No. FEMA-B-2545]

Proposed Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, Department of Homeland Security.

ACTION: Notice.

SUMMARY: Comments are requested on proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the preliminary FIRM, and where applicable, the FIS report that the Federal Emergency Management Agency (FEMA) has provided to the affected communities. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect

in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: Comments are to be submitted on or before November 4, 2025.

ADDRESSES: The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location <https://hazards.fema.gov/femaportal/prelimdownload> and the respective Community Map Repository address listed in the tables below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

You may submit comments, identified by Docket No. FEMA-B-2545, to David Bascom, Acting Director, Engineering and Modeling Division, Risk Analysis, Planning & Information Directorate, FEMA, 400 C Street SW, Washington, DC 20472, or (email) david.bascom@fema.dhs.gov.

FOR FURTHER INFORMATION CONTACT:

David Bascom, Acting Director, Engineering and Modeling Division, Risk Analysis, Planning & Information Directorate, FEMA, 400 C Street SW, Washington, DC 20472, or (email) david.bascom@fema.dhs.gov; or visit the FEMA Mapping and Insurance eXchange (FMIX) online at https://www.floodmaps.fema.gov/fhm/fmx_main.html.

SUPPLEMENTARY INFORMATION: FEMA proposes to make flood hazard determinations for each community listed below, in accordance with section

110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These flood hazard determinations are used to meet the floodplain management requirements of the NFIP.

The communities affected by the flood hazard determinations are provided in the tables below. Any request for reconsideration of the revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the flood hazard determinations also will be considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of the SRP only may be exercised after FEMA and local communities have been

engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Additional information regarding the SRP process can be found online at https://www.floodsrp.org/pdfs/srp_overview.pdf.

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where applicable, FIS report for each

community are available for inspection at both the online location <https://hazards.fema.gov/femaportal/prelimdownload> and the respective Community Map Repository address listed in the tables. For communities with multiple ongoing Preliminary studies, the studies can be identified by the unique project number and Preliminary FIRM date listed in the tables. Additionally, the current

effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison. (Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Jeffrey Jackson,

Deputy Assistant Administrator, Federal Insurance Directorate, Resilience, Federal Emergency Management Agency, Department of Homeland Security.

Community	Community map repository address
Wyoming County, New York (All Jurisdictions) Project: 21-02-0008S Preliminary Date: January 31, 2025	
Town of Arcade	Town Hall, 7340 Route 98, Arcade, NY 14009.
Town of Attica	Town Hall, 9 Water Street, Attica, NY 14011.
Town of Bennington	Bennington Town Hall, 905 Old Alleghany Road, Attica, NY 14011.
Town of Castile	Town Hall, 53 North Main Street, Castile, NY 14427.
Town of Covington	Covington Town Hall, 584 Perry Road, Pavilion, NY 14525.
Town of Eagle	Eagle Clerks Office, 3378 School Street, Bliss, NY 14024.
Town of Gainesville	Town Hall, 2 Toolhouse Road, Gainesville, NY 14066.
Town of Genesee Falls	Genesee Falls Town Hall, 6673 Church Street, Portageville, NY 14536.
Town of Java	Java Town Hall, 4222 Route 98, North Java, NY 14113.
Town of Middlebury	Middlebury Highway Building, 51 Sherman Avenue, Wyoming, NY 14591.
Town of Orangeville	Orangeville Town Hall, 3529 Route 20A, Warsaw, NY 14569.
Town of Perry	Town Hall, 22 South Main Street, Perry, NY 14530.
Town of Pike	Town Office, 60 East Main Street, Pike, NY 14130.
Town of Sheldon	Sheldon Town Hall, 1380 Centerline Road, Strykersville, NY 14145.
Town of Warsaw	Wyoming County Zoning Office, 36 Center Street, Suite C, Warsaw, NY 14569.
Town of Wethersfield	Wethersfield Clerks Office, 4362 Route 78, Gainesville, NY 14066.
Village of Arcade	Village Hall, 17 Church Street, Arcade, NY 14009.
Village of Attica	Municipal Building, 9 Water Street, Attica, NY 14011.
Village of Castile	Village Hall, 53 North Main Street, Castile, NY 14427.
Village of Gainesville	Village Hall, 29 East Street, Gainesville, NY 14066.
Village of Perry	Village Hall, 46 North Main Street, Perry, NY 14530.
Village of Silver Springs	Village Hall, 43 North Main Street, Silver Springs, NY 14550.
Village of Warsaw	Village Hall, 15 South Main Street, Warsaw, NY 14569.
Village of Wyoming	Village Clerks Office, 90 Main Street, Wyoming, NY 14591.

St. Joseph County, Michigan (All Jurisdictions)
Project: 23-05-0014S Preliminary Date: May 10, 2024 and April 02, 2025

City of Sturgis	City Hall, 130 North Nottawa, Sturgis, MI 49091.
City of Three Rivers	City Hall, 333 West Michigan Avenue, Three Rivers, MI 49093.
Township of Mottville	Mottville Township Hall, 68596 Thomas Street, White Pigeon, MI 49099.
Township of Burr Oak	Township Hall, 208 Front Street, Burr Oak, MI 49030.
Township of Colon	Township Hall, 132 North Blackstone Avenue, Colon, MI 49040.
Township of Constantine	Township Hall, 165 Canaris Street, Constantine, MI 49042.
Township of Fabius	Fabius Township Hall, 13108 Broadway Road, Three Rivers, MI 49093.
Township of Fawn River	Fawn River Township Hall, 31194 Fawn River Road, Sturgis, MI 49091.
Township of Florence	Florence Township Hall, 64010 Burgener Road, Constantine, MI 49042.
Township of Flowerfield	Flowerfield Township Hall, 12020 M-216, Marcellus, MI 49067.
Township of Leonidas	City Clerk Office, 53312 Fulton Road, Leonidas, MI 49066.
Township of Lockport	Lockport Township Water Department, 58982 Holtom Road, Three Rivers, MI 49093.
Township of Mendon	Township Hall, 136 West Main Street, Mendon, MI 49072.
Township of Nottawa	Nottawa Township Hall, 112 South Clark Street, Centreville, MI 49032.
Township of Park	Park Township Hall, 53640 Parkville Road, Three Rivers, MI 49093.
Township of Sherman	Sherman Township Hall, 64962 Balk Road, Sturgis, MI 49091.
Township of Sturgis	Sturgis Township Offices, 26015 West US 12, Sturgis, MI 49091.
Township of White Pigeon	Township Office, 16975 US 12, White Pigeon, MI 49099.
Village of Centreville	Village Offices, 109 East Main Street, Centreville, MI 49032.
Village of Colon	Village of Colon Village Hall, 111 South Saint Joseph Street, Colon, MI 49040.
Village of Constantine	Village Offices, 115 White Pigeon Street, Constantine, MI 49042.
Village of Mendon	Village Office, 206 West Main Street, Mendon, MI 49072.

Community	Community map repository address
Village of White Pigeon	Police Department, 103 South Kalamazoo Street, White Pigeon, MI 49099.

[FR Doc. 2025–14881 Filed 8–5–25; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF ENERGY**DEPARTMENT OF HOMELAND SECURITY****Federal Emergency Management Agency****[Docket ID FEMA–2025–0002; Internal Agency Docket No. FEMA–B–2547]****Proposed Flood Hazard Determinations****AGENCY:** Federal Emergency Management Agency, Department of Homeland Security.**ACTION:** Notice.

SUMMARY: Comments are requested on proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the preliminary FIRM, and where applicable, the FIS report that the Federal Emergency Management Agency (FEMA) has provided to the affected communities. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: Comments are to be submitted on or before November 4, 2025.**ADDRESSES:** The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location <https://hazards.fema.gov/femaportal/>

prelimdownload and the respective Community Map Repository address listed in the tables below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

You may submit comments, identified by Docket No. FEMA–B–2547, to David Bascom, Acting Director, Engineering and Modeling Division, Risk Analysis, Planning & Information Directorate, FEMA, 400 C Street SW, Washington, DC 20472, or (email) david.bascom@fema.dhs.gov.

FOR FURTHER INFORMATION CONTACT: David Bascom, Acting Director, Engineering and Modeling Division, Risk Analysis, Planning & Information Directorate, FEMA, 400 C Street SW, Washington, DC 20472, or (email) david.bascom@fema.dhs.gov; or visit the FEMA Mapping and Insurance eXchange (FMIX) online at https://www.floodmaps.fema.gov/fhm/fmx_main.html.

SUPPLEMENTARY INFORMATION: FEMA proposes to make flood hazard determinations for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These flood hazard determinations are used to meet the floodplain management requirements of the NFIP.

The communities affected by the flood hazard determinations are provided in the tables below. Any request for reconsideration of the

revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the flood hazard determinations also will be considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of the SRP only may be exercised after FEMA and local communities have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Additional information regarding the SRP process can be found online at https://www.floodsrp.org/pdfs/srp_overview.pdf.

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where applicable, FIS report for each community are available for inspection at both the online location <https://hazards.fema.gov/femaportal/prelimdownload> and the respective Community Map Repository address listed in the tables. For communities with multiple ongoing Preliminary studies, the studies can be identified by the unique project number and Preliminary FIRM date listed in the tables. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, “Flood Insurance.”)

Jeffrey Jackson,

Deputy Assistant Administrator, Federal Insurance Directorate, Resilience, Federal Emergency Management Agency, Department of Homeland Security.

Community	Community map repository address
Rabun County, Georgia and Incorporated Areas	
Project: 19–04–0024S Preliminary Date: January 16, 2025	

City of Dillard	City Hall, 892 Franklin Street, Dillard, GA 30537.
City of Sky Valley	City Hall, 3608 Highway 246, Sky Valley, GA 30537.

Community	Community map repository address
Town of Mountain City Unincorporated Areas of Rabun County	City Hall, 41 Education Street, Mountain City, GA 30562. Rabun County Planning and Zoning Office, 18 Old Raco High Drive, Suite 102, Clayton, GA 30525.

[FR Doc. 2025–14875 Filed 8–5–25; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY**Federal Emergency Management Agency****[Docket ID FEMA–2025–0002; Internal Agency Docket No. FEMA–B–2548]****Proposed Flood Hazard Determinations****AGENCY:** Federal Emergency Management Agency, Department of Homeland Security.**ACTION:** Notice.

SUMMARY: Comments are requested on proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the preliminary FIRM, and where applicable, the FIS report that the Federal Emergency Management Agency (FEMA) has provided to the affected communities. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: Comments are to be submitted on or before November 4, 2025.**ADDRESSES:** The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location <https://hazards.fema.gov/femaportal/prelimdownload> and the respective

Community Map Repository address listed in the tables below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

You may submit comments, identified by Docket No. FEMA–B–2548, to David Bascom, Acting Director, Engineering and Modeling Division, Risk Analysis, Planning & Information Directorate, FEMA, 400 C Street SW, Washington, DC 20472, or (email) david.bascom@fema.dhs.gov.

FOR FURTHER INFORMATION CONTACT: David Bascom, Acting Director, Engineering and Modeling Division, Risk Analysis, Planning & Information Directorate, FEMA, 400 C Street SW, Washington, DC 20472, or (email) david.bascom@fema.dhs.gov; or visit the FEMA Mapping and Insurance eXchange (FMIX) online at https://www.floodmaps.fema.gov/fhm/fmx_main.html.

SUPPLEMENTARY INFORMATION: FEMA proposes to make flood hazard determinations for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These flood hazard determinations are used to meet the floodplain management requirements of the NFIP.

The communities affected by the flood hazard determinations are provided in the tables below. Any request for reconsideration of the

revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the flood hazard determinations also will be considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of the SRP only may be exercised after FEMA and local communities have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Additional information regarding the SRP process can be found online at https://www.floodsrp.org/pdfs/srp_overview.pdf.

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where applicable, FIS report for each community are available for inspection at both the online location <https://hazards.fema.gov/femaportal/prelimdownload> and the respective Community Map Repository address listed in the tables. For communities with multiple ongoing Preliminary studies, the studies can be identified by the unique project number and Preliminary FIRM date listed in the tables. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, “Flood Insurance.”)

Jeffrey Jackson,

Deputy Assistant Administrator, Federal Insurance Directorate, Resilience, Federal Emergency Management Agency, Department of Homeland Security.

Community	Community map repository address
Franklin County, Pennsylvania (All Jurisdictions) Project: 23–03–0031S Preliminary Date: January 30, 2025	
Township of Southampton	Southampton Municipal Building, 705 Municipal Drive, Shippensburg, PA 17257.

[FR Doc. 2025–14876 Filed 8–5–25; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY**Federal Emergency Management Agency**

[Docket ID FEMA–2025–0002; Internal Agency Docket No. FEMA–B–2546]

Changes in Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, Department of Homeland Security.

ACTION: Notice.

SUMMARY: This notice lists communities where the addition or modification of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or the regulatory floodway (hereinafter referred to as flood hazard determinations), as shown on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports, prepared by the Federal Emergency Management Agency (FEMA) for each community, is appropriate because of new scientific or technical data. The FIRM, and where applicable, portions of the FIS report, have been revised to reflect these flood hazard determinations through issuance of a Letter of Map Revision (LOMR), in accordance with Federal Regulations. The current effective community number is shown in the table below and must be used for all new policies and renewals.

DATES: These flood hazard determinations will be finalized on the dates listed in the table below and revise the FIRM panels and FIS report in effect prior to this determination for the listed communities.

From the date of the second publication of notification of these changes in a newspaper of local circulation, any person has 90 days in which to request through the community that the Deputy Associate Administrator for Insurance and Mitigation reconsider the changes. The flood hazard determination information may be changed during the 90-day period.

ADDRESSES: The affected communities are listed in the table below. Revised flood hazard information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

Submit comments and/or appeals to the Chief Executive Officer of the community as listed in the table below.

FOR FURTHER INFORMATION CONTACT: David Bascom, Acting Director, Engineering and Modeling Division, Risk Analysis, Planning & Information Directorate, FEMA, 400 C Street SW, Washington, DC 20472, or (email) david.bascom@fema.dhs.gov; or visit the FEMA Mapping and Insurance eXchange (FMIX) online at https://www.floodmaps.fema.gov/fhm/fmx_main.html.

SUPPLEMENTARY INFORMATION: The specific flood hazard determinations are not described for each community in this notice. However, the online location and local community map repository address where the flood hazard determination information is available for inspection is provided.

Any request for reconsideration of flood hazard determinations must be submitted to the Chief Executive Officer of the community as listed in the table below.

The modifications are made pursuant to section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR part 65.

The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

These flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. The flood hazard determinations are in accordance with 44 CFR 65.4.

The affected communities are listed in the following table. Flood hazard determination information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, “Flood Insurance.”)

Jeffrey Jackson,

Deputy Assistant Administrator, Federal Insurance Directorate, Resilience, Federal Emergency Management Agency, Department of Homeland Security.

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Date of modification	Community No.
Delaware:						
New Castle	Unincorporated areas of New Castle County (25–03–0058P).	Marcus Henry, New Castle County Executive, 87 Reads Way, New Castle, DE 19720.	New Castle County Government Center, 87 Reads Way, New Castle, DE 19720.	https://msc.fema.gov/portal/advanceSearch .	Oct. 9, 2025	105085
New Castle	Unincorporated areas of New Castle County (25–03–0638P).	Marcus Henry, New Castle County Executive, 87 Reads Way, New Castle, DE 19720.	New Castle County Government Center, 87 Reads Way, New Castle, DE 19720.	https://msc.fema.gov/portal/advanceSearch .	Oct. 23, 2025	105085
Florida:						
Brevard	City of Titusville (24–04–2838P).	Thomas Abbate, Interim Manager, City of Titusville, 555 South Washington Avenue, Titusville, FL 32796.	City Hall, 555 South Washington Avenue, Titusville, FL 32796.	https://msc.fema.gov/portal/advanceSearch .	Oct. 20, 2025	125152

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Date of modification	Community No.
Brevard	Unincorporated areas of Brevard County (25-04-0013P).	Jim Liesenfelt, Interim County Manager, Brevard County, 2725 Judge Fran Jamieson Way, Viera, FL 32940.	Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, FL 32940.	https://msc.fema.gov/portal/advanceSearch .	Oct. 22, 2025	125152
Palm Beach ...	Unincorporated areas of Palm Beach County (24-04-3617P).	Verdenia C. Baker, Palm Beach County Administrator, 301 North Olive Avenue, Suite 1101, West Palm Beach, FL 33401.	Palm Beach County Vista Center, Building Division, 2300 North Jog Road, West Palm Beach, FL 33411.	https://msc.fema.gov/portal/advanceSearch .	Sep. 15, 2025	120192
Pasco	Unincorporated areas of Pasco County (25-04-1573P).	Mike Carballa, Pasco County Administrator, 8731 Citizens Drive, New Port Richey, FL 34654.	Pasco County Government Center, 8731 Citizens Drive, New Port Richey, FL 34654.	https://msc.fema.gov/portal/advanceSearch .	Oct. 16, 2025	120230
Polk	City of Auburndale (24-04-3249P).	The Honorable Dorothea Taylor Bogert, Mayor, City of Auburndale, 1 Bobby Green Plaza, Auburndale, FL 33823.	City Hall, 1 Bobby Green Plaza, Auburndale, FL 33823.	https://msc.fema.gov/portal/advanceSearch .	Sep. 18, 2025	120262
Polk	Unincorporated areas of Polk County (24-04-3249P).	Bill Beasley, Polk County Manager, 330 West Church Street, Bartow, FL 33830.	Polk County Land Development Division, 330 West Church Street, Bartow, FL 33830.	https://msc.fema.gov/portal/advanceSearch .	Sep. 18, 2025	120261
St. Johns	Unincorporated areas of St. Johns County (24-04-2427P).	Joy Andrews Administrator, St. Johns County, 500 San Sebastian View, St. Augustine, FL 32084.	St. Johns County Building, Department 500, San Sebastian View, St. Augustine, FL 32084.	https://msc.fema.gov/portal/advanceSearch .	Oct. 17, 2025	125147
Illinois: Will	City of Aurora (25-05-1537X).	The Honorable John Laesch, Mayor, City of Aurora, 44 East Downer Place, Aurora, IL 60505.	Public Works Department, Engineering, Division, 2185 Liberty Street, Aurora, IL 60502.	https://msc.fema.gov/portal/advanceSearch .	Oct. 24, 2025	170320
Massachusetts: Plymouth.	Town of Mattapoisett (25-01-0680P).	Michael Lorencio, Administrator, Town of Mattapoisett, 16 Main Street, 1st Floor, Mattapoisett, MA 02739.	Building Department, 16 Main Street, 2nd Floor, Mattapoisett, MA 02739.	https://msc.fema.gov/portal/advanceSearch .	Oct. 24, 2025	255214
Michigan: Wayne	City of Taylor (24-05-2505P).	The Honorable Timothy O. Woolley, Mayor, City of Taylor, 23555 Goddard Road, Taylor, MI 48180.	Public Works Department, 25605 Northline Road, Taylor, MI 48180.	https://msc.fema.gov/portal/advanceSearch .	Sep. 29, 2025	260728
Wayne	Township of Canton (24-05-1607P).	Anne Marie Graham-Hudak, Supervisor, Township of Canton, 1150 South Canton Center Road, Canton, MI 48188.	Municipal Complex, 1150 South Canton Center Road, Canton, MI 48188.	https://msc.fema.gov/portal/advanceSearch .	Sep. 24, 2025	260219
New York: Delaware	Town of Hancock (24-02-0239P).	Jerry Vernold, Supervisor, Town of Hancock, 661 West Main Street, Hancock, NY 13783.	Town Hall, 661 West Main Street, Hancock, NY 13783.	https://msc.fema.gov/portal/advanceSearch .	Oct. 14, 2025	360201
Suffolk	Village of Southampton (25-02-0080P).	The Honorable William Manger, Jr., Mayor, Village of Southampton, 23 Main Street, Southampton, NY 11968.	Building Department, 23 Main Street, Southampton, NY 11968.	https://msc.fema.gov/portal/advanceSearch .	Nov. 28, 2025	365343
North Carolina: Durham.	City of Durham (25-04-0232P).	The Honorable Leonardo Williams, Mayor, City of Durham, 101 City Hall Plaza, Durham, NC 27701.	City Hall, 101 City Hall Plaza, Durham, NC 27701.	https://msc.fema.gov/portal/advanceSearch .	Sept. 26, 2025 ...	370086.
South Carolina: Berkeley	Unincorporated areas of Berkeley County (24-04-2613P).	Johnny Cribb, Berkeley County Supervisor, 1003 North Highway 52, Moncks Corner, SC 29461.	Berkeley County Planning and Zoning Department, 1003 North Highway 52, Moncks Corner, SC 29461.	https://msc.fema.gov/portal/advanceSearch .	Oct. 2, 2025	450029
Greenville	City of Greenville (24-04-6984P).	The Honorable Knox White, Mayor, City of Greenville, P.O. Box 2207, Greenville, SC 29602.	Engineering Department, 204 Halton Road, 4th Floor, Greenville, SC 29607.	https://msc.fema.gov/portal/advanceSearch .	Oct. 23, 2025	450091

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Date of modification	Community No.
York	Town of Fort Mill (25-04-2189P).	The Honorable Guynn Savage, Mayor, Town of Fort Mill, 200 Tom Hall Street, Fort Mill, SC 29715.	Utilities Department, 131 East Elliott Street, Fort Mill, SC 29715.	https://msc.fema.gov/portal/advanceSearch .	Sep. 29, 2025	450195
York	Unincorporated areas of York County (25-04-2189P).	Christi Cox, Chair, York County Council, P.O. Box 66, York, SC 29745.	York County Planning and Development Services Department, 18 West Liberty Street, York, SC 29745.	https://msc.fema.gov/portal/advanceSearch .	Sep. 29, 2025	450193
Tennessee: Maury	City of Spring Hill (24-04-3037P).	The Honorable Jim Hagaman, Mayor, City of Spring Hill, 199 Town Center Parkway, Spring Hill, TN 37174.	City Hall, 199 Town Center Parkway, Spring Hill, TN 37174.	https://msc.fema.gov/portal/advanceSearch .	Oct. 6, 2025	470278
Maury	Unincorporated areas of Maury County (24-04-3037P).	The Honorable Sheila K. Butt, Mayor, Maury County, 41 Public Square, Columbia, TN 38401.	Maury County Building and Zoning Department, 5 Public Square, Columbia, TN 38401.	https://msc.fema.gov/portal/advanceSearch .	Oct. 6, 2025	470123
Texas: Bexar	City of Castle Hills (24-06-1858P).	The Honorable J.R. Trevino, Mayor, City of Castle Hills, 209 Lemonwood Drive, San Antonio, TX 78213.	City Hall, 209 Lemonwood Drive, San Antonio, TX 78213.	https://msc.fema.gov/portal/advanceSearch .	Sep. 15, 2025	480037
Bexar	City of San Antonio (24-06-1858P).	The Honorable Ron Nirenberg, Mayor, City of San Antonio, P.O. Box 839966, San Antonio, TX 78283.	Public Works Department, Storm Water Division, 1901 South Alamo Street, 2nd Floor, San Antonio, TX 78204.	https://msc.fema.gov/portal/advanceSearch .	Sep. 15, 2025	480045
Bexar	City of San Antonio (24-06-2442P).	The Honorable Ron Nirenberg, Mayor, City of San Antonio, P.O. Box 839966, San Antonio, TX 78283.	Public Works Department, Storm Water Division, 1901 South Alamo Street, 2nd Floor, San Antonio, TX 78204.	https://msc.fema.gov/portal/advanceSearch .	Sep. 22, 2025	480045
Collin	City of Celina (25-06-0109P).	The Honorable Ryan Tubbs, Mayor, City of Celina, 142 North Ohio Street, Celina, TX 75009.	City Hall, 142 North Ohio Street, Celina, TX 75009.	https://msc.fema.gov/portal/advanceSearch .	Oct. 20, 2025	480133
Collin	City of McKinney (24-06-1514P).	The Honorable George Fuller, Mayor, City of McKinney, P.O. Box 517, McKinney, TX 75069.	Engineering Department, 222 North Tennessee Street, McKinney, TX 75069.	https://msc.fema.gov/portal/advanceSearch .	Oct. 14, 2025	480135
Collin	City of McKinney (24-06-2453P).	The Honorable George Fuller, Mayor, City of McKinney, P.O. Box 517, McKinney, TX 75069.	Engineering Department, 222 North Tennessee Street, McKinney, TX 75069.	https://msc.fema.gov/portal/advanceSearch .	Oct. 20, 2025	480135
Virginia: Loudoun ..	Town of Leesburg (24-03-0774P).	Kaj Dentler, Manager, Town of Leesburg, 25 West Market Street, Leesburg, VA 20176.	Department of Community Development, 222 Cactoin Circle Southeast, Suite 200, Leesburg, VA 20175.	https://msc.fema.gov/portal/advanceSearch .	Oct. 6, 2025	510091
Wisconsin: Waukesha.	Village of Sussex (24-05-2427P).	The Honorable Anthony J. LeDonne, President, Village of Sussex, N64 W23760 Main Street, Sussex, WI 53089.	Civic Center, N64 W23760 Main Street, Sussex, WI 53089.	https://msc.fema.gov/portal/advanceSearch .	Oct. 20, 2025	550490

[FR Doc. 2025-14880 Filed 8-5-25; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY**Federal Emergency Management Agency****[Docket ID FEMA-2025-0002; Internal Agency Docket No. FEMA-B-2549]****Changes in Flood Hazard Determinations**

AGENCY: Federal Emergency Management Agency, Department of Homeland Security.

ACTION: Notice.

SUMMARY: This notice lists communities where the addition or modification of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or the regulatory floodway (hereinafter referred to as flood hazard determinations), as shown on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports, prepared by the Federal Emergency

Management Agency (FEMA) for each community, is appropriate because of new scientific or technical data. The FIRM, and where applicable, portions of the FIS report, have been revised to reflect these flood hazard determinations through issuance of a Letter of Map Revision (LOMR), in accordance with Federal Regulations. The current effective community number is shown in the table below and must be used for all new policies and renewals.

DATES: These flood hazard determinations will be finalized on the dates listed in the table below and revise the FIRM panels and FIS report in effect prior to this determination for the listed communities.

From the date of the second publication of notification of these changes in a newspaper of local circulation, any person has 90 days in which to request through the community that the Deputy Associate Administrator for Insurance and Mitigation reconsider the changes. The flood hazard determination information may be changed during the 90-day period.

ADDRESSES: The affected communities are listed in the table below. Revised flood hazard information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below. Additionally, the current effective FIRM and FIS report for each community are

accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

Submit comments and/or appeals to the Chief Executive Officer of the community as listed in the table below.

FOR FURTHER INFORMATION CONTACT: David Bascom, Acting Director, Engineering and Modeling Division, Risk Analysis, Planning & Information Directorate, FEMA, 400 C Street SW, Washington, DC 20472, or (email) david.bascom@fema.dhs.gov; or visit the FEMA Mapping and Insurance eXchange (FMIX) online at https://www.floodmaps.fema.gov/fhm/fmx_main.html.

SUPPLEMENTARY INFORMATION: The specific flood hazard determinations are not described for each community in this notice. However, the online location and local community map repository address where the flood hazard determination information is available for inspection is provided.

Any request for reconsideration of flood hazard determinations must be submitted to the Chief Executive Officer of the community as listed in the table below.

The modifications are made pursuant to section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR part 65.

The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to

adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

These flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. The flood hazard determinations are in accordance with 44 CFR 65.4.

The affected communities are listed in the following table. Flood hazard determination information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Jeffrey Jackson,

Deputy Assistant Administrator, Federal Insurance Directorate, Resilience, Federal Emergency Management Agency, Department of Homeland Security.

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Date of modification	Community No.
Arizona:						
Gila	Unincorporated areas of Gila County (25-09-0200P).	Steve Christensen, Chair, Gila County Board of Supervisors, 1400 East Ash Street, Globe, AZ 85501.	Gila County Zoning Building, 745 North Rose Mofford Way, Globe, AZ 85501.	https://msc.fema.gov/portal/advanceSearch .	Oct. 15, 2025	040028
Maricopa	City of Buckeye (24-09-0656P).	The Honorable Eric Orsborn, Mayor, City of Buckeye, 530 East Monroe Avenue, Buckeye, AZ 85326.	City Hall, 530 East Monroe Avenue, Buckeye, AZ 85326.	https://msc.fema.gov/portal/advanceSearch .	Oct. 7, 2025	040039
Maricopa	City of Buckeye (24-09-1109P).	The Honorable Eric Orsborn, Mayor, City of Buckeye, 530 East Monroe Avenue, Buckeye, AZ 85326.	City Hall, 530 East Monroe Avenue, Buckeye, AZ 85326.	https://msc.fema.gov/portal/advanceSearch .	Oct. 2, 2025	040039
Maricopa	City of Goodyear (24-09-0311P).	The Honorable Joe Pizzillo, Mayor, City of Goodyear, 1900 North Civic Square, Goodyear, AZ 85395.	City Hall, 1900 North Civic Square, Goodyear, AZ 85395.	https://msc.fema.gov/portal/advanceSearch .	Oct. 2, 2025	040046
Maricopa	City of Peoria (24-09-0453P).	The Honorable Jason Beck, Mayor, City of Peoria, 8401 West Monroe Street, Peoria, AZ 85345.	City Hall, 8401 West Monroe Street, Peoria, AZ 85345.	https://msc.fema.gov/portal/advanceSearch .	Oct. 3, 2025	040050

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Date of modification	Community No.
Pinal	City of Apache Junction (24–09–1179P).	The Honorable Chip Wilson, Mayor, City of Apache Junction, 300 East Superstition Boulevard, Apache Junction, AZ 85119.	City Hall, 300 East Superstition Boulevard, Apache Junction, AZ 85119.	https://msc.fema.gov/portal/advanceSearch .	Oct. 9, 2025	040120
California: Riverside	Agua Caliente Band of Cahuilla Indians Tribe (25–09–0017P).	Reid D. Milanovich, Chair, Tribal Council of the Agua Caliente Band of Cahuilla Indians, 5401 Dinah Shore Drive, Palm Springs, CA 92264.	Agua Caliente Band of Cahuilla Indians, 5401 Dinah Shore Drive, Palm Springs, CA 92264.	https://msc.fema.gov/portal/advanceSearch .	Oct. 3, 2025	060763
Riverside	City of Moreno Valley (24–09–0295P).	The Honorable Ulises Cabrera, Mayor, City of Moreno Valley, 14177 Frederick Street, Moreno Valley, CA 92552.	City Hall, 14177 Frederick Street, Moreno Valley, CA 92552.	https://msc.fema.gov/portal/advanceSearch .	Oct. 7, 2025	065074
Riverside	City of Palm Springs (25–09–0017P).	Scott Stiles, Manager, City of Palm Springs, 3200 East Tahquitz Canyon Way, Palm Springs, CA 92262.	City Hall, 3200 East Tahquitz Canyon Way, Palm Springs, CA 92262.	https://msc.fema.gov/portal/advanceSearch .	Oct. 3, 2025	060257
Riverside	City of Perris (24–09–0777P).	The Honorable Michael Vargas, Mayor, City of Perris, 101 North D Street, Perris, CA 92570.	City Hall, 101 North D Street, Perris, CA 92570.	https://msc.fema.gov/portal/advanceSearch .	Oct. 6, 2025	060258
Riverside	Unincorporated areas of Riverside County (24–09–0973P).	Jose Medina, Supervisor of District 1, Riverside County, 4080 Lemon Street, 5th Floor, Riverside, CA 92501.	Riverside County Flood Control, 1995 Market Street, Riverside, CA 92501.	https://msc.fema.gov/portal/advanceSearch .	Oct. 8, 2025	060245
San Bernardino.	City of Highland (24–09–0987P).	The Honorable Penny Lilburn, Mayor, City of Highland, 27215 Base Line Street, Highland, CA 92346.	City Hall, 27215 Base Line Street, Highland, CA 92346.	https://msc.fema.gov/portal/advanceSearch .	Oct. 14, 2025	060732
Colorado: Adams	City of Thornton (24–08–0480P).	The Honorable Jan Kulmann, Mayor, City of Thornton, 9500 Civic Center Drive, Thornton, CO 80229.	City Hall, 9500 Civic Center Drive, Thornton, CO 80229.	https://msc.fema.gov/portal/advanceSearch .	Oct. 3, 2025	080007
Larimer	Unincorporated areas of Larimer County (24–08–0371P).	Kristin Stephens, Chair, Larimer County Board of Commissioners, P.O. Box 1190, Fort Collins, CO 80522.	Larimer County, Courthouse, 200 West Oak Street, Fort Collins, CO 80521.	https://msc.fema.gov/portal/advanceSearch .	Oct. 2, 2025	080101
Mesa	City of Fruita (24–08–0325P).	The Honorable Matthew Breman, Mayor, City of Fruita, 325 East Aspen Avenue, Fruita, CO 81521.	Public Works Department, 325 East Aspen Avenue, Suite 155, Fruita, CO 81521.	https://msc.fema.gov/portal/advanceSearch .	Oct. 13, 2025	080194
Mesa	Unincorporated areas of Mesa County (24–08–0325P).	Cody Davis, Chair, Mesa County Board of Commissioners, Department 5010, P.O. Box 20000, Grand Junction, CO 81501.	Mesa County Engineering Department, Department 5013, 200 South Spruce Street, Grand Junction, CO 81502.	https://msc.fema.gov/portal/advanceSearch .	Oct. 13, 2025	080115
Idaho: Ada	City of Star (23–10–0891P).	The Honorable Trevor A. Chadwick, Mayor, City of Star, P.O. Box 130, Star, ID 83669.	Planning & Zoning Department, 10769 West State Street, Star, ID 83669.	https://msc.fema.gov/portal/advanceSearch .	Oct. 3, 2025	160236
Ada	Unincorporated areas of Ada County (23–10–0891P).	Rod Beck, Chair, Ada County Board of Commissioners, 200 West Front Street, 3rd Floor, Boise, ID 83702.	Ada County Development Services Department, 200 West Front Street, 2nd Floor, Boise, ID 83702.	https://msc.fema.gov/portal/advanceSearch .	Oct. 3, 2025	160001
Canyon	City of Caldwell (24–10–0553P).	The Honorable Jarom Wagoner, Mayor, City of Caldwell, 205 South 6th Avenue, Caldwell, ID 83605.	Public Works Department, 621 Cleveland Boulevard, Caldwell, ID 83605.	https://msc.fema.gov/portal/advanceSearch .	Sep. 26, 2025	160036
Canyon	City of Nampa (24–10–0553P).	The Honorable Debbie Kling, Mayor, City of Nampa, 411 3rd Street South, Nampa, ID 83651.	Development Services Center, 500 12th Avenue South, Nampa, ID 83651.	https://msc.fema.gov/portal/advanceSearch .	Sep. 26, 2025	160038

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Date of modification	Community No.
Nevada:						
Canyon	Unincorporated areas of Canyon County (24–10–0553P).	Brad Holton, Chair, Canyon County Board of Commissioners, 1115 Albany Street, Room 101, Caldwell, ID 83605.	Canyon County Development Services Department, 111 North 11th Avenue, Room 310, Caldwell, ID 83605.	https://msc.fema.gov/portal/advanceSearch .	Sep. 26, 2025	160208
Clark	City of Henderson (24–09–0015P).	The Honorable Michelle Romero, Mayor, City of Henderson, 240 South Water Street, Henderson, NV 89015.	City Hall, 240 South Water Street, Henderson, NV 89015.	https://msc.fema.gov/portal/advanceSearch .	Sep. 26, 2025	320005
Clark	City of Henderson (24–09–1128P).	The Honorable Michelle Romero, Mayor, City of Henderson, 240 South Water Street, Henderson, NV 89015.	City Hall, 240 South Water Street, Henderson, NV 89015.	https://msc.fema.gov/portal/advanceSearch .	Oct. 10, 2025	320005
Clark	Unincorporated areas of Clark County (25–09–0114P).	Tick Segerblom, Chair, Clark County Board of Commissioners, 500 South Grand Central Parkway, Las Vegas, NV 89155.	Clark County Clerk's Office, 500 South Grand Central Parkway, Las Vegas, NV 89155.	https://msc.fema.gov/portal/advanceSearch .	Oct. 7, 2025	320003
Utah:						
Davis	City of Farmington (25–08–0018P).	The Honorable Brett Anderson, Mayor, City of Farmington, 160 South Main Street, Farmington, UT 84025.	City Hall, 160 South Main Street, Farmington, UT 84025.	https://msc.fema.gov/portal/advanceSearch .	Sep. 24, 2025	490044
Davis	City of Fruit Heights City (24–08–0319P).	The Honorable John Pohlman, Mayor, City of Fruit Heights City, 910 South Mountain Road, Fruit Heights City, UT 84037.	City Hall, 910 South Mountain Road, Fruit Heights City, UT 84037.	https://msc.fema.gov/portal/advanceSearch .	Sep. 24, 2025	490045
Davis	City of Kaysville (25–08–0018P).	The Honorable Tamara Tran, Mayor, City of Kaysville, 23 East Center Street, Kaysville, UT 84037.	City Hall, 23 East Center Street, Kaysville, UT 84037.	https://msc.fema.gov/portal/advanceSearch .	Sep. 24, 2025	490046
Davis	Unincorporated areas of Davis County (25–08–0018P).	Lorene Miner Kamalu, Chair, Davis County Board of Commissioners, P.O. Box 618, Farmington, UT 84025.	Davis County Community & Economic Development Department, 61 South Main Street, Farmington, UT 84025.	https://msc.fema.gov/portal/advanceSearch .	Sep. 24, 2025	490038
Wyoming:						
Albany	City of Laramie (24–08–0229P).	Janine Jordan, Manager, City of Laramie, 406 Iverson Avenue, Laramie, WY 82070.	City Hall, 406 Iverson Avenue, Laramie, WY 82070.	https://msc.fema.gov/portal/advanceSearch .	Sep. 18, 2025	560002
Albany	Unincorporated areas of Albany County (24–08–0229P).	Terri Jones, Chair, Albany County Board of Commissioners, 525 East Grand Avenue, Laramie, WY 82070.	Albany County Annex, 1002 South 3rd Street, Laramie, WY 82070.	https://msc.fema.gov/portal/advanceSearch .	Sep. 18, 2025	560001

[FR Doc. 2025–14874 Filed 8–5–25; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY**Federal Emergency Management Agency**

[Docket ID FEMA–2025–0002]

Final Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, Department of Homeland Security.

ACTION: Notice.

SUMMARY: Flood hazard determinations, which may include additions or

modifications of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or regulatory floodways on the Flood Insurance Rate Maps (FIRMs) and where applicable, in the supporting Flood Insurance Study (FIS) reports have been made final for the communities listed in the table below. The FIRM and FIS report are the basis of the floodplain management measures that a community is required either to adopt or to show evidence of having an effect in order to qualify or remain qualified for participation in the Federal Emergency Management Agency's (FEMA's) National Flood Insurance Program (NFIP).

DATES: The date of December 11, 2025 has been established for the FIRM and, where applicable, the supporting FIS report showing the new or modified flood hazard information for each community.

ADDRESSES: The FIRM, and if applicable, the FIS report containing the final flood hazard information for each community is available for inspection at the respective Community Map Repository address listed in the tables below and will be available online through the FEMA Map Service Center at <https://msc.fema.gov> by the date indicated above.

FOR FURTHER INFORMATION CONTACT: David Bascom, Acting Director, Engineering and Modeling Division,

Risk Analysis, Planning & Information Directorate, FEMA, 400 C Street SW, Washington, DC 20472, or (email) david.bascom@fema.dhs.gov; or visit the FEMA Mapping and Insurance eXchange (FMIX) online at https://www.floodmaps.fema.gov/fhm/fmx_main.html.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) makes the final determinations listed below for the new or modified flood hazard information for each community listed. Notification of these changes has been published in

newspapers of local circulation and 90 days have elapsed since that publication. The Deputy Associate Administrator for Insurance and Mitigation has resolved any appeals resulting from this notification.

This final notice is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67. FEMA has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the

new or revised FIRM and FIS report available at the address cited below for each community or online through the FEMA Map Service Center at <https://msc.fema.gov>.

The flood hazard determinations are made final in the watersheds and/or communities listed in the table below.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Jeffrey Jackson,

Deputy Assistant Administrator, Federal Insurance Directorate, Resilience, Federal Emergency Management Agency, Department of Homeland Security.

Community	Community map repository address
Siskiyou County, California and Incorporated Areas Docket No.: FEMA-B-2457	
City of Etna	City Hall, 442 Main Street, Etna, CA 96027.
Town of Fort Jones	Town Hall, 11960 East Street, Fort Jones, CA 96032.
Unincorporated Areas of Siskiyou County	Siskiyou County Planning Department, 806 South Main Street, Yreka, CA 96097.
Brunswick County, Virginia and Incorporated Areas Docket No.: FEMA-B-2442	
Town of Alberta	Municipal Office, 136 West First Street, Alberta, VA 23821.
Town of Lawrenceville	Municipal Building, 400 North Main Street, Lawrenceville, VA 23868.
Unincorporated Areas of Brunswick County	Brunswick County Government Building, 228 North Main Street, Lawrenceville, VA 23868.
Greensville County, Virginia and Incorporated Areas Docket No.: FEMA-B-2441	
City of Emporia	City Hall, 201 South Main Street, Emporia, VA 23847.
Town of Jarratt	Town Hall, 108 South Braxton Avenue, Jarratt, VA 23867.
Unincorporated Areas of Greensville County	Greensville County Government Center, 1781 Greensville County Circle, Emporia, VA 23847.
Auglaize County, Ohio and Incorporated Areas Docket No.: FEMA-B-2412	
City of Saint Marys	City Hall, 101 East Spring Street, Saint Marys, OH 45885.
City of Wapakoneta	City Hall, 701 Parlette Court, Wapakoneta, OH 45895.
Unincorporated Areas of Auglaize County	Auglaize County Engineer's Office, 1014 South Blackhoof Street, Wapakoneta, OH 45895.
Village of Buckland	Administration Building, 100 Old Tile Mill Road, Buckland, OH 45819.
Village of Minster	Administration Building, 5 West 4th Street, Minster, OH 45865.
Village of New Bremen	Village Office, 214 North Washington Street, New Bremen, OH 45869.
Village of New Knoxville	Municipal Building, 101 South Main Street, New Knoxville, OH 45871.

[FR Doc. 2025-14879 Filed 8-5-25; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF THE INTERIOR

Office of Natural Resources Revenue

[Docket No. ONRR-2011-0001; DS63644000 DRT000000.CH7000 256D1113RT; OMB Control Number 1012-0010]

Agency Information Collection Activities: Solid Minerals and Geothermal Collections

AGENCY: Office of Natural Resources Revenue ("ONRR"), Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 ("PRA"), ONRR is proposing to renew an information collection. Through this information collection request ("ICR"), ONRR seeks renewed authority to collect information necessary to report the production and royalties on solid minerals and geothermal resources from Federal and Indian lands. ONRR uses forms ONRR-4292 (Coal Washing Allowance Report); ONRR-4293 (Coal Transportation Allowance Report); ONRR-4430 (Solid Minerals Production and Royalty Report); and ONRR-4440 (Solid Minerals Sales Summary) as part

of these information collection requirements.

DATES: You must submit your written comments on or before September 5, 2025.

ADDRESSES: All comment submissions must (1) reference “OMB Control Number 1012–0010” in the subject line; (2) be sent to ONRR before the close of the comment period listed under **DATES**; and (3) be sent through one of the following two methods:

- *Electronically via the Federal eRulemaking Portal:* Please visit <https://www.regulations.gov>. In the Search Box, enter the Docket ID Number for this ICR renewal (“ONRR–2011–0001”) and click “search” to view the publications associated with the docket folder. Locate the document with an open comment period and click the “Comment” button. Follow the prompts to submit your comment prior to the close of the comment period.

- *Email Submissions:* Please submit your comments to ONRR_RegulationsMailbox@onrr.gov with the OMB Control Number (“OMB Control Number 1012–0010”) listed in the subject line of your email. Email submissions must be postmarked on or before the close of the comment period.

Docket: To access the docket folder to view the ICR **Federal Register** publications, go to <https://www.regulations.gov> and search “ONRR–2011–0001” to view renewal notices recently published in the **Federal Register**, publications associated with prior renewals, and applicable public comments received for this ICR. ONRR will make the comments submitted in response to this notice available for public viewing at <https://www.regulations.gov>.

OMB ICR Data: OMB also maintains information on ICR renewals and approvals. You may access this information at <https://www.reginfo.gov/public/do/PRASearch>. Please use the following instructions: Under the “OMB Control Number” heading enter “1012–0010” and click the “Search” button located at the bottom of the page. To view the ICR renewal or OMB approval status, click on the latest entry (based on the most recent date). On the “View ICR—OIRA Conclusion” page, check the box next to “All” to display all available ICR information provided by OMB.

FOR FURTHER INFORMATION CONTACT: Nicole Sweeney, Data Intake, Solutioning and Coordination, ONRR, by email at Nicole.Sweeney@onrr.gov or by telephone at (303) 231–3526.

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: Pursuant to the PRA, 44 U.S.C. 3501 *et seq.*, and 5 CFR 1320.5, all information collections, as defined in 5 CFR 1320.3, require approval by OMB. ONRR may not conduct or sponsor, and you are not required to respond to, a collection of information unless it displays a currently valid OMB control number.

As part of ONRR’s continuing effort to reduce paperwork and respondent burdens, ONRR is inviting the public and other Federal agencies to comment on new, proposed, revised, and continuing collections of information in accordance with the PRA and 5 CFR 1320.8(d)(1). This helps ONRR to assess the impact of its information collection requirements and minimize the public’s reporting burden. It also helps the public understand ONRR’s information collection requirements and provide the requested data in the desired format.

ONRR is especially interested in public comments addressing the following:

- (1) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- (2) The accuracy of ONRR’s estimate of the burden for this collection of information, including the validity of the methodology and assumptions used;
- (3) Ways to enhance the quality, utility, and clarity of the information to be collected; and
- (4) How might the agency minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of response.

ONRR published a notice, with a 60-day public comment period soliciting comment of this collection of information, in the **Federal Register** on April 14, 2025 (90 FR 15574). ONRR did not receive any comments. ONRR reached out to members of industry soliciting comments and received three comments, all agreeing with the content and burden hour estimates. ONRR provided responses to each comment accordingly.

Comments that you submit in response to this notice are a matter of

public record. ONRR will include or summarize each comment in its request to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask ONRR in your comment to withhold your personal identifying information from public review, ONRR cannot guarantee that it will be able to do so.

Abstract: (a) General Information: The Federal Oil and Gas Royalty Management Act of 1982 (“FOGRMA”) directs the Secretary of the Interior (“Secretary”) to “establish a comprehensive inspection, collection and fiscal and production accounting and auditing system to provide the capability to accurately determine oil and gas royalties, interest, fines, penalties, fees, deposits, and other payments owed, and to collect and account for such amounts in a timely manner.” See 30 U.S.C. 1711. ONRR performs these and other mineral revenue management responsibilities for the Secretary. See U.S. Department of the Interior Departmental Manual, 112 DM 34.1 (Dec. 9, 2020).

ONRR uses the information collected in this ICR to ensure that a lessee properly pays royalty and other mineral revenues due on solid and geothermal resources produced from Federal and Indian lands. ONRR also uses these forms for lessees to claim a coal washing and/or transportation allowance. ONRR shares the data with the Bureau of Land Management, Bureau of Indian Affairs, and Tribal and State governments for their land and lease management responsibilities. The requirement to report accurately and timely is mandatory.

(b) Information Collections: This ICR covers the paperwork requirements under 30 CFR parts:

- 1202, subpart H, which pertains to geothermal resources royalties.
- 1206, subparts F, H, and J, which pertain to product valuation of Federal coal, geothermal resources, and Indian coal.
- 1210, subparts E and H, which pertain to production and royalty reports on solid minerals and geothermal resources leases.
- 1212, subparts E and H, which pertain to recordkeeping of reports and files for solid minerals and geothermal resources leases.
- 1217, subparts E, F, and G, which pertain to audits and inspections of

coal, other solid minerals, and geothermal resources leases.

- 1218, subparts E and F, which govern the payment of royalties, rentals, bonuses and other monies due for solid minerals and geothermal resource production.

All data reported is subject to subsequent audit and adjustment. A lessee uses the following forms for solid minerals production, sales, royalty reporting, and allowances:

- *ONRR-4292, Coal Washing Allowance Report*: A lessee of any Indian lease producing coal must submit this form to claim a coal washing allowance.

- *ONRR-4293, Coal Transportation Allowance*: A lessee of any Indian lease producing coal must submit this form to claim a coal transportation allowance.

- *ONRR-4430, Solid Minerals Production and Royalty Report*: A Federal or Indian lessee must submit this form to report royalties, certain rents, and other lease-related transactions on solid mineral leases.

- *ONRR-4440, Solid Mineral Sales*: A lessee files this form for all coal and other solid minerals produced from Federal and Indian leases and for any remote storage site which the lessee sells Federal or Indian solid minerals.

Title of Collection: Solid Minerals and Geothermal Collections—30 CFR parts 1202, 1206, 1210, 1212, 1217, and 1218.

OMB Control Number: 1012-0010.

Form Numbers: ONRR-4292, ONRR-4293, ONRR-4430, and ONRR-4440.

Type of Review: Renewal of a currently approved collection.

Respondents/Affected Public: Businesses.

Total Estimated Number of Annual Respondents: 100 reporters.

Total Estimated Number of Annual Responses: 9,259.

Total Estimated Number of Annual Burden Hours: 3,694 hours.

Estimated Completion Time per Response: The average completion time is .39 hours per response. The average completion time is calculated by dividing the total estimated burden hours (3,694) by the estimated annual responses (9,259). While the burden hours slightly increased from the last ICR renewal (87 FR 56974, September 16, 2022) this is not due to any additional collections of information from industry. Because ONRR received 1,181 more annual responses, the associated burden hours also increased.

Respondent's Obligation: The records maintenance and the filing of forms ONRR-4430 and ONRR-4440 are mandatory. The filing of forms ONRR-4292 and ONRR-4293, and the submission of solid minerals and

geothermal resource information that do not have an ONRR form, are required to obtain or retain a benefit.

Frequency of Collection: Monthly, annually, and on occasion.

Estimated Annual Non-hour Cost Burden: ONRR has identified no “non-hour” cost burden associated with the collection of information.

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

The authority for this action is the PRA (44 U.S.C. 3501 *et seq.*).

April Lockler,

Acting Director, Office of Natural Resources Revenue.

[FR Doc. 2025-14911 Filed 8-5-25; 8:45 am]

BILLING CODE 4335-30-P

DEPARTMENT OF THE INTERIOR

Bureau of Ocean Energy Management

[OMB Control Number 1010-0081; Docket ID: BOEM-2025-0008]

Agency Information Collection Activities; Operations in the Outer Continental Shelf for Minerals Other Than Oil, Gas, and Sulfur

AGENCY: Bureau of Ocean Energy Management, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Bureau of Ocean Energy Management (BOEM) proposes this information collection request (ICR) to renew Office of Management and Budget (OMB) control number 1010-0081.

DATES: Comments must be received by BOEM no later than October 6, 2025.

ADDRESSES: Send written comments on this ICR by mail to the BOEM Information Collection Clearance Officer, Anna Atkinson, Bureau of Ocean Energy Management, 45600 Woodland Road, Sterling, Virginia 20166; or by email to anna.atkinson@boem.gov. Please reference OMB control number 1010-0081 in the subject line of your comments. You may comment on the ICR and view related documents by searching for the docket number “BOEM-2025-0008” at <https://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT:

Anna Atkinson by email at anna.atkinson@boem.gov, or by telephone at 703-787-1025. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a

speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside of the United States should use the relay services offered within their country to make international calls to the point of contact in the United States.

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995, BOEM provides the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps BOEM assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand BOEM's information collection requirements and provide the requested data in the desired format.

BOEM is soliciting comments on the proposed ICR described below. BOEM is especially interested in public comments addressing the following issues: (1) is the collection necessary to the proper functions of BOEM; (2) what can BOEM do to ensure that this information is processed and used in a timely manner; (3) is the burden estimate accurate; (4) how might BOEM enhance the quality, utility, and clarity of the information to be collected; and (5) how might BOEM minimize the burden of this collection on the respondents, including minimizing the burden through the use of information technology?

Comments that you submit in response to this notice are a matter of public record. BOEM will include or summarize each comment in its ICR to OMB for approval of this information collection. You should be aware that your entire comment—including your address, phone number, email address, or other personally identifiable information included in your comment—may be made publicly available at any time. Even if BOEM withholds your personally identifiable information in the context of this ICR, your comment is subject to the Freedom of Information Act (FOIA) (5 U.S.C. 552). Your information will only be withheld if a determination is made that one of the FOIA exemptions to disclosure applies. Such a determination will be made in accordance with the Department of the Interior (DOI)'s FOIA implementing regulations (43 CFR part 2) and applicable law.

In order for BOEM to consider withholding from disclosure your personally identifiable information, you must identify, in a cover letter, any

information contained in the submittal of your comments that, if released, would constitute a clearly unwarranted invasion of your personal privacy. You must also briefly describe any possible harmful consequences of the disclosure of information, such as embarrassment, injury, or other harm. Note that BOEM will make available for public inspection, in their entirety, all comments submitted by organizations and businesses, or by individuals identifying themselves as representatives of organizations or businesses.

BOEM protects proprietary information in accordance with FOIA, DOI's implementing regulations (43 CFR, part 2), and 30 CFR 580.70, promulgated pursuant to the Outer Continental Shelf Lands Act (OCS Lands Act) (43 U.S.C. 1352(c)).

Title of Collection: "Operations in the Outer Continental Shelf for Minerals Other than Oil, Gas, and Sulfur."

Abstract: The Outer Continental Shelf Lands Act (43 U.S.C. 1334 and 1337(k)(1)) authorizes the Secretary of the Interior to issue leases on available areas of the U.S. Outer Continental Shelf (OCS) to the highest qualified bidder to develop any mineral resources other than oil, gas, and sulfur. The Act also

authorizes the Secretary to issue regulations governing such leasing and all operations under a mineral lease.

The Secretary delegated rulemaking authority to BOEM. BOEM's regulations at 30 CFR part 582 carry out the statutory program by governing such OCS mining operations.

Competitive leasing has not occurred for OCS minerals other than oil, gas, and sulfur for decades. BOEM has not issued a lease since 30 CFR part 582 was first promulgated. Accordingly, BOEM has not collected information under this part of its regulations. However, given the regulatory requirements and the April 24, 2025 Executive Order 14285 "Unleashing America's Offshore Critical Minerals and Resources," the potential exists that BOEM may engage in future leasing and require information under this part. Therefore, BOEM seeks OMB renewal of this information collection.

BOEM will use the information required by 30 CFR part 582 to determine if lessees are complying with the regulations for mining minerals other than oil, gas, and sulfur. BOEM will also use the information to ensure orderly resource development; to protect the human, marine, and coastal environments; and to conduct the requisite technical and environmental

evaluations that inform BOEM's decision to approve, disapprove, or require modification of the proposed activities.

OMB Control Number: 1010-0081.

Form Number: None.

Type of Review: Extension of a currently approved information collection.

Respondents/Affected Public:

Potential respondents are OCS lessees.

Total Estimated Number of Annual Responses: 21 responses.

Total Estimated Number of Annual Burden Hours: 213 hours.

Respondent's Obligation: Mandatory.

Frequency of Collection: Monthly, quarterly, or on occasion.

Total Estimated Annual Non-Hour Burden Cost: None.

Estimated Reporting and

Recordkeeping Hour Burden: BOEM estimates that this ICR's annual hour burden is 213 hours. The following table details the regulatory sections containing information collections and their respective hour burden estimates. In calculating the burdens, we assumed the respondents perform certain requirements in the normal course of their activities. We consider these to be usual and customary and took that into account in estimating the burden.

BURDEN TABLE

Citation 30 CFR 582	Reporting or recordkeeping requirement	Hour burden	Average number of annual responses	Annual burden hours
Subpart A—General				
4; 21(b)	Governors of adjacent States, State/Federal task forces, lessees and operators, and other interested parties review and provide comments/recommendations on all plans and environmental information.	10	1	10
4(b); 12(b)(2); 21; 22; 25; 26; 28.	Submit delineation plan, including environmental information, contingency plan, monitoring program, and various requests for approval referred to throughout; submit modifications and required information.	40	1	40
4(c); 12(c)(2); 21; 23; 25; 26; 28.	Submit testing plan, including environmental information, contingency plan, monitoring program, and various requests for approval referred to throughout; submit modifications and required information.	40	1	40
4(d); 12(d)(2); 21; 24; 25; 26; 28.	Submit mining plan, including environmental information, contingency plan, monitoring program, and various requests for approval referred to throughout; submit modifications and required information.	40	1	40
5	Request non-disclosure of geological and geophysical info; provide consent; demonstrate loss of competitive position.	10	1	10
6	Governors of adjacent States request proprietary data, samples, etc., and disclosure agreement with BOEM.	10	1	10
7	Governor of affected State initiates negotiations on jurisdictional controversy, etc., and enters agreement with BOEM.	10	1	10
Subtotal			7	160
Subpart B—Jurisdiction and Responsibilities of Director				
11(c); 20(h); 30	Apply for right-of-use and easement; submit confirmations, demonstrations, and notifications.	30	1	30

BURDEN TABLE—Continued

Citation 30 CFR 582	Reporting or recordkeeping requirement	Hour burden	Average number of annual responses	Annual burden hours
11(d);	Request consolidation/splitting of two or more OCS mineral leases or portions.	1	1	1
14	Submit response copy of form BOEM-1832 indicating date violations (Incidents of Noncompliance (INCs)) corrected.	2	1	2
Subtotal			3	33
Subpart C—Obligations and Responsibilities of Lessees				
20(a), (g); 29(i)	Make available all mineral resource or environmental data and information; submit reports and maintain records, as specified.	Burden included with individual reporting requirements below.		0
20(b) thru (e)	Submit designation of payor, operator, or local representative; submit changes, terminations, notifications.	1	1	1
20(h)	Confirm oral request in writing by the lessee or holder of a right of use and easement.	1	1	1
21(d)	Notify BOEM of preliminary activities	1	1	1
29(a)	Submit monthly report of minerals produced; request extension	1	1	1
29(b), (c)	Submit quarterly status and final report on exploration and/or testing activities.	5	1	5
29(d)	Submit results of environmental monitoring activities	5	1	5
29(e)	Submit marked and certified maps annually or as required	1	1	1
29(f)	Maintain rock, minerals, and core samples for 5 years and make available upon request.	1	1	1
29(g)	Maintain original data and information and navigation tapes as long as lease is in effect and make available upon request.	1	1	1
29(h)	Maintain hard mineral records and make available upon request	1	1	1
Subtotal			10	18
Subpart D—Payments				
40	Submit surety, personal bond, or approved alternative	2	1	2
Subpart E—Appeals				
50; 15	File an appeal	Burden exempt under 5 CFR 1320.4(a)(2), (c).		0
Total Burden			21	213

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Karen Thundiyil,

Director, Office of Regulatory Affairs, Bureau of Ocean Energy Management.

[FR Doc. 2025-14909 Filed 8-5-25; 8:45 am]

BILLING CODE 4340-98-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1402]

Certain High-Strength Aluminum or Aluminum Alloy-Coated Steel, and Automotive Products and Automobiles Containing Same; Notice of Request for Submissions on the Public Interest

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that on July 18, 2025, the presiding administrative law judge (“ALJ”) issued an Initial Determination on Violation of Section 337, and on August 1, 2025, the ALJ issued a Recommended Determination on Remedy and Bonding should a violation be found in the above-captioned investigation. The Commission is soliciting submissions

on public interest issues raised by the recommended relief should the Commission find a violation. This notice is soliciting comments from the public and interested government agencies only.

FOR FURTHER INFORMATION CONTACT:

Edward S. Jou, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-3316. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the

Commission's TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: Section 337 of the Tariff Act of 1930 provides that, if the Commission finds a violation, it shall exclude the articles concerned from the United States unless, after considering the effect of such exclusion upon the public health and welfare, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, and United States consumers, it finds that such articles should not be excluded from entry. (19 U.S.C. 1337(d)(1)). A similar provision applies to cease and desist orders. (19 U.S.C. 1337(f)(1)).

The Commission is soliciting submissions on public interest issues raised by the recommended relief should the Commission find a violation, specifically: a limited exclusion order directed to certain high-strength aluminum or aluminum alloy-coated steel, and automotive products and automobiles containing same imported, sold for importation, and/or sold after importation by respondents VinFast Auto Ltd., VinFast Auto, LLC, VinFast USA Distribution, LLC, Vingroup USA, LLC, and Vinfast Trading and Production JSC; and cease and desist orders directed to respondents VinFast Auto, LLC and VinFast USA Distribution, LLC. Parties are to file public interest submissions pursuant to 19 CFR 210.50(a)(4).

The Commission is interested in further development of the record on the public interest in this investigation. Accordingly, members of the public and interested government agencies are invited to file submissions of no more than five (5) pages, inclusive of attachments, concerning the public interest in light of the ALJ's Recommended Determination on Remedy and Bonding issued in this investigation on August 1, 2025. Comments should address whether issuance of the recommended remedial orders in this investigation, should the Commission find a violation, would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) explain how the articles potentially subject to the recommended remedial orders are used in the United States;

(ii) identify any public health, safety, or welfare concerns in the United States relating to the recommended orders;

(iii) identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) indicate whether complainant, complainant's licensees, and/or third-party suppliers have the capacity to replace the volume of articles potentially subject to the recommended orders within a commercially reasonable time; and

(v) explain how the recommended orders would impact consumers in the United States.

Written submissions must be filed no later than by close of business on September 2, 2025.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above pursuant to 19 CFR 210.4(f). Submissions should refer to the investigation number ("Inv. No. 337-TA-1402") in a prominent place on the cover page and/or the first page. (See Handbook for Electronic Filing Procedures, https://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf). Persons with questions regarding filing should contact the Secretary (202-205-2000).

Any person desiring to submit a document to the Commission in confidence must request confidential treatment by marking each document with a header indicating that the document contains confidential information. This marking will be deemed to satisfy the request procedure set forth in Rules 201.6(b) and 210.5(e)(2) (19 CFR 201.6(b) & 210.5(e)(2)). Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. Any non-party wishing to submit comments containing confidential information must serve those comments on the parties to the investigation pursuant to the applicable Administrative Protective Order. A redacted non-confidential version of the document must also be filed simultaneously with any confidential filing and must be served in accordance with Commission Rule 210.4(f)(7)(ii)(A) (19 CFR 210.4(f)(7)(ii)(A)). All information, including confidential business information and documents for which confidential treatment is properly sought, submitted to the Commission for purposes of this investigation may be disclosed to and used: (i) by the Commission, its employees and Offices,

and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel, solely for cybersecurity purposes. All contract personnel will sign appropriate nondisclosure agreements. All nonconfidential written submissions will be available for public inspection on EDIS.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in Part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: August 1, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025-14869 Filed 8-5-25; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

Notice of Receipt of Complaint; Solicitation of Comments Relating to the Public Interest

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has received a complaint entitled *Certain Smart Televisions, DN 3842*; the Commission is soliciting comments on any public interest issues raised by the complaint or complainant's filing pursuant to the Commission's Rules of Practice and Procedure.

FOR FURTHER INFORMATION CONTACT: Lisa R. Barton, Secretary to the Commission, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-2000. The public version of the complaint can be accessed on the Commission's Electronic Document Information System (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov.

General information concerning the Commission may also be obtained by accessing its internet server at United States International Trade Commission (USITC) at <https://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's

Electronic Document Information System (EDIS) at <https://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission has received a complaint and a submission pursuant to § 210.8(b) of the Commission's Rules of Practice and Procedure filed on behalf of Cerence Operating Company on August 4, 2025. The complaint alleges violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain smart televisions. The complaint names as respondents: Sony Group Corporation of Japan; Sony Corporation of America of New York, NY; Sony Electronics Inc. of San Diego, CA; TCL Industries Holdings Co., Ltd. of China; TCL Technology Group Corporation of China; TCL Electronics Holdings Limited of Hong Kong; Manufacturas Avanzadas, S.A. de C.V. of Mexico; Shenzhen TCL New Technology Co., Ltd. of China; T.C.L. Industries Holdings (H.K.) Limited of Hong Kong; TCL King Electrical Appliances (Huizhou) Company Limited of China; TCL Optoelectronics Technology (Huizhou) Co., Ltd. of China; TCL Overseas Marketing Limited of Hong Kong; TCL Smart Device (Vietnam) Company Limited of Vietnam; TTE Corporation of Hong Kong; and TTE Technology, Inc. (d/b/a TCL North America) of Corona, CA. The complainant requests that the Commission issue a limited exclusion order, cease and desist orders, and impose a bond upon respondents' alleged infringing articles during the 60-day Presidential review period pursuant to 19 U.S.C. 1337(j).

Proposed respondents, other interested parties, members of the public, and interested government agencies are invited to file comments on any public interest issues raised by the complaint or § 210.8(b) filing. Comments should address whether issuance of the relief specifically requested by the complainant in this investigation would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) explain how the articles potentially subject to the requested remedial orders are used in the United States;

(ii) identify any public health, safety, or welfare concerns in the United States relating to the requested remedial orders;

(iii) identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) indicate whether complainant, complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to the requested exclusion order and/or a cease and desist order within a commercially reasonable time; and

(v) explain how the requested remedial orders would impact United States consumers.

Written submissions on the public interest must be filed no later than by close of business, eight calendar days after the date of publication of this notice in the **Federal Register**. There will be further opportunities for comment on the public interest after the issuance of any final initial determination in this investigation. Any written submissions on other issues must also be filed by no later than the close of business, eight calendar days after publication of this notice in the **Federal Register**. Complainant may file replies to any written submissions no later than three calendar days after the date on which any initial submissions were due, notwithstanding § 201.14(a) of the Commission's Rules of Practice and Procedure. No other submissions will be accepted, unless requested by the Commission. Any submissions and replies filed in response to this Notice are limited to five (5) pages in length, inclusive of attachments.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above. Submissions should refer to the docket number ("Docket No. 3842") in a prominent place on the cover page and/or the first page. (See Handbook for Electronic Filing Procedures, Electronic Filing Procedures¹). Please note the Secretary's Office will accept only electronic filings during this time. Filings must be made through the Commission's Electronic Document Information System (EDIS, <https://edis.usitc.gov>.) No in-person paper-

based filings or paper copies of any electronic filings will be accepted until further notice. Persons with questions regarding filing should contact the Secretary at EDIS3Help@usitc.gov.

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. See 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All information, including confidential business information and documents for which confidential treatment is properly sought, submitted to the Commission for purposes of this Investigation may be disclosed to and used: (i) by the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel², solely for cybersecurity purposes. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS³.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of §§ 201.10 and 210.8(c) of the Commission's Rules of Practice and Procedure (19 CFR 201.10, 210.8(c)).

By order of the Commission.

Issued: August 4, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025-14937 Filed 8-5-25; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701-TA-741 and 731-TA-1718-1719 (Final)]

Paper File Folders From Cambodia and Sri Lanka; Cancellation of Hearing for Antidumping and Countervailing Duty Investigations.

AGENCY: United States International Trade Commission.

² All contract personnel will sign appropriate nondisclosure agreements.

³ Electronic Document Information System (EDIS): <https://edis.usitc.gov>.

¹ Handbook for Electronic Filing Procedures: https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf.

ACTION: Notice.

DATES: August 1, 2025.

FOR FURTHER INFORMATION CONTACT:

Mary Messer (202–205–3193), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its internet server (<https://www.usitc.gov>). The public record for these investigations may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION: On May 29, 2025, the Commission established a schedule for the final phase of the antidumping and countervailing duty investigations (90 FR 23708, June 4, 2025). On July 31, 2025, counsel for the Coalition of Domestic Folder Manufacturers filed a request to appear at the hearing. No other parties submitted a request to appear at the hearing. On August 1, 2025, counsel for the Coalition of Domestic Folder Manufacturers filed a request that the Commission cancel the scheduled hearing for these investigations and indicated a willingness to respond to any Commission questions in lieu of an actual hearing. Consequently, the public hearing in connection with these investigations, scheduled to begin at 9:30 a.m. on Tuesday, August 5, 2025, is cancelled. Parties to these investigations should respond to any written questions posed by the Commission in their posthearing briefs, which are due to be filed on August 12, 2025.

For further information concerning these investigations, see the Commission's notice cited above and the Commission's Rules of Practice and Procedure, part 201, subparts A and B (19 CFR part 201), and part 207, subparts A and C (19 CFR part 207).

Authority: These investigations are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to § 207.21 of the Commission's rules.

By order of the Commission.

Issued: August 4, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025–14898 Filed 8–5–25; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

[OMB 1140–0015]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Revision of a Previously Approved Collection: Application To Transfer and Register NFA Firearm (Tax-Exempt), ATF Form 5320.5 ("Form 5")

AGENCY: Bureau of Alcohol, Tobacco, Firearms and Explosives; Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), will be submitting the following information collection request to the Office of Management and Budget (OMB) for renewal review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 60 days until October 6, 2025.

FOR FURTHER INFORMATION CONTACT: If you have additional comments, especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, contact: Meghan Tisserand, Division Staff, National Firearms Act Division, either by mail at National Firearms Act Division; Division Staff Office; 244 Needy Road; Martinsburg, WV 25405, by email at Meghan.tisserand@atf.gov, or by telephone at 304–616–3219.

SUPPLEMENTARY INFORMATION: We encourage written comments and suggestions from the public and affected agencies concerning the proposed information collection. Your comments should address one or more of the following four points:

- Evaluate whether the proposed information collection is necessary to properly perform the identified functions of the Bureau, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the proposed information collection's burden, including the validity of the methodology and assumptions used;

- Evaluate whether, and if so how, the agency can enhance the quality, utility, and clarity of the information being collected; and
- Minimize the information collection's burden 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 responses to be submitted electronically.

Abstract: Persons who wish to apply for permission to transfer and register a National Firearms Act (NFA) firearm, and who qualify to do so under one of the statutory tax exemptions, must use ATF Form 5320.5, Application to Transfer and Register NFA Firearm (Tax-Exempt) ("Form 5"). ATF uses the information to determine legality of the firearm transfer under federal, state, and local law. Applicants also use the form to claim an exemption from paying the otherwise-required transfer tax as provided and provide the information necessary to support their claim. In addition, ATF uses Form 5 to effect a transfer resulting from operation of law, for example, a firearm in an estate being transferred to a beneficiary, or a firearm being transferred as a result of bankruptcy. Persons may also use Form 5 to facilitate temporarily conveying a firearm for repair, and its subsequent return.

Information Collection (IC) OMB 1140–0015 is being revised to include an increase in respondents from 10,591 three years ago to 17,322 in 2025, an increase of 6,731 respondents since the last renewal. In addition, the time burden has decreased from 30 to 12 minutes due to developments in technology allowing electronic forms, reducing the number of respondents who must provide fingerprints and reducing the number of copies, allowing electronic fingerprints on-site, reducing respondents who must provide photographs, allowing cell phone photographs, and allowing photocopied identification cards instead, all submitted electronically. In addition, the requirement to complete an extra copy of the form and submit it to local law enforcement is going away, and the fillable forms have made it possible to populate the second copy at the same time as the first copy, both of which reduce the time burden even more. As a result, there has been a corresponding decrease in the burden hours per respondent, from .5 hours to .2 hours each, resulting in a reduction in total annual burden hours from 5,350 to 3,464, a decrease of 1,866 hours.

In addition, the agency is making the following minor changes to Form 5 in anticipation of upcoming regulatory changes, and to make the form easier to read, correct minor errors, and adjust for updated technology:

- revising the title to be more clear
- removing the photo box on the form to allow the option to attach either a passport-style photo or a copy of a photo identification document
- combining race/ethnicity items
- allowing additional types of electronic/digital signatures
- revising the fillable pdf form to link copy 1 and copy 2 so that copy 2 gets populated as the copy 1 is filled in, except for check boxes and signature
- adding references to eForms and *pay.gov*
- adding reference to the refund process
- removing the CLEO notification requirement and copy
- adding instructions for married couples jointly making, transferring,

and registering a firearm, as an 'other legal entity'

- correcting typographical/grammar items
- adding email addresses for different questions: *nfa@atf.gov*, *ipb@atf.gov*, & *nfafax@atf.gov*

Overview of This Information Collection

1. *Type of information collection:* Revision of a previously approved collection.

2. *Title of the form/collection:* Application to Transfer and Register NFA Firearm (Tax-Exempt).

3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* Form number: ATF Form 5320.5.

Component: Bureau of Alcohol, Tobacco, Firearms, and Explosives; U.S. Department of Justice.

4. *Affected public who will be asked or required to respond, as well as the obligation to respond:* Affected public:

Federal government, state or local government, persons selling unserviceable firearms.

The obligation to respond is: Required to obtain/retain a benefit, comply with law.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* An estimated 17,322 respondents will respond to this collection once annually, and it will take each respondent approximately 12 minutes to complete their responses.

6. *An estimate of the total annual burden (in hours) associated with the collection:* The estimated annual public burden associated with this collection is 3,464 total hours, which is equal to 17,322 (total respondents) * 1 (# of responses per respondent) * 0.20 (12 minutes).

7. *An estimate of the total annual cost burden associated with the collection, if applicable:* \$79,672.

TABLE—ESTIMATED ANNUALIZED RESPONDENT HOUR BURDEN
[Rounded]

Activity	Number of respondents	Frequency	Total annual responses	Time per response	Total annual burden (hours)	Hourly rate	Monetized value of respondent time
Completing Form 5	17,322	1	17,322	0.20	3,464	\$23	\$79,672

If additional information is required, contact: Darwin Arceo, Department Clearance Officer; United States Department of Justice; Justice Management Division, Policy and Planning Staff; Two Constitution Square; 145 N Street NE, 4W-218; Washington, DC.

Dated: August 4, 2025.

Darwin Arceo,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2025-14903 Filed 8-5-25; 8:45 am]

BILLING CODE 4410-FY-P

DEPARTMENT OF JUSTICE

[OMB Number 1110-0006]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension of a Previously Approved Collection; Law Enforcement Officers Killed and Assaulted

AGENCY: Criminal Justice Information Services Division, Federal Bureau of Investigation (FBI), Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Criminal Justice Information Services (CJIS) Division, FBI, Department of Justice (DOJ), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (PRA) of 1995.

DATES: Comments are encouraged and will be accepted for 60 days until October 6, 2025.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Linda Shriver, Acting Unit Chief, Crime and Law Enforcement Statistics Unit, FBI, CJIS Division, Module D-2, 1000 Custer Hollow Road, Clarksburg, West Virginia 26306; telephone: 304-625-4830; email: *llshriver@fbi.gov*.

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning

the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Statistics, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Abstract: Under Title 28, United States Code, Section 534, Acquisition, Preservation, and Exchange of

Identification Records; Appointments of Officials, this collection requests Law Enforcement Officers Killed and Assaulted (LEOKA) data from federal, state, county, city, tribal, and territorial law enforcement agencies in order for the FBI's Uniform Crime Reporting (UCR) Program to serve as the national clearinghouse for the collection and dissemination of crime data and to publish Law Enforcement Officers Killed and Assaulted statistics annually.

Overview of This Information Collection

1. *Type of Information Collection:* Extension of a previously approved collection.
2. *The Title of the Form/Collection:* Law Enforcement Officers Killed and Assaulted.
3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:*

The form number is 1-705 and the sponsor is the CJIS Division, FBI, DOJ.

4. *Affected public who will be asked or required to respond, as well as the obligation to respond:* Affected Public: Federal, state, county, city, tribal, and territorial law enforcement agencies. The obligation to respond is voluntary and at the discretion of the contributing agency.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* In 2024, there were 19,328 active law enforcement agencies within the universe of potential respondents to the FBI's UCR Program. Agencies submitting data under the National Incident-Based Reporting System (NIBRS) totaled 14,601 and 2,074 submitted data via the Summary Reporting System (SRS). LEOKA data using Form 1-705 were submitted by

1,084 agencies and the estimated maximum number of responses was 13,008. Form 1-705 requires an estimated 7 minutes to complete. This clearance is being maintained to allow agencies not yet having transitioned to NIBRS to submit LEOKA data. As SRS agencies continue to transition to NIBRS, the FBI's UCR Program expects the use of Form 1-705 to decline because the information will be submitted through NIBRS. The burden hour estimate is based on the 2024 submission volumes to achieve the highest possible burden estimate.

6. *An estimate of the total annual burden (in hours) associated with the collection:* There are approximately 1,517.6 annual burden hours associated with this information collection.

7. *An estimate of the total annual burden (in hours) associated with the collection, if applicable:*

Activity	Number of respondents	Frequency	Maximum estimated total annual responses (2024)	Time per response (minutes)	Total annual burden hours
LEOKA Form 1-705	1,084	Variable	13,008	7	1,517.6
Unduplicated Totals	1,084		13,008		1,517.6

If additional information is required contact: Darwin Arceo, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, 4W-218, Washington, DC 20530.

Dated: August 4, 2025.

Darwin Arceo,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2025-14912 Filed 8-5-25; 8:45 am]

BILLING CODE 4410-02-P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Peace Corps Volunteer Authorization for Examination and/or Treatment

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Office of Workers' Compensation Programs (OWCP)-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 September 5, 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: OWCP administers the Federal Employees' Compensation Act (FECA). A Peace Corps Volunteer who sustains an injury or contracts an illness overseas while in Peace Corps service may be entitled to benefits under the FECA. The Department of Labor authorizes the Peace Corps to furnish medical benefits to a volunteer, who is injured during the volunteer's period of service, for a period of 120 days following termination if the service volunteer's injury meets requirements. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on June 20, 2024 (89 FR 51908).

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.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Agency: DOL-OWCP.

Title of Collection: Peace Corps Volunteer Authorization for Examination and/or Treatment.

OMB Control Number: 1240-0059.

Affected Public: Individuals or Households.

Total Estimated Number of Respondents: 252.

Total Estimated Number of Responses: 252.

Total Estimated Annual Time Burden: 63 hours.

Total Estimated Annual Other Costs Burden: \$252.00.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Nicole Bouchet,

Senior PRA Analyst.

[FR Doc. 2025-14848 Filed 8-5-25; 8:45 am]

BILLING CODE 4510-26-P

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

[NARA-25-032; NARA-2025-0010]

Records Schedules; Availability and Request for Comments

AGENCY: National Archives and Records Administration (NARA).

ACTION: Notice of availability of proposed records schedules; request for comments.

SUMMARY: The National Archives and Records Administration (NARA) publishes notice of certain Federal agency requests for records disposition authority (records schedules). We publish notice in the **Federal Register** and on [regulations.gov](https://www.regulations.gov) for records schedules in which agencies propose to dispose of records they no longer need to conduct agency business. We invite public comments on such records schedules.

DATES: We must receive responses on the schedules listed in this notice by September 22, 2025.

ADDRESSES: To view a records schedule in this notice, or submit a comment on one, use the following address: <https://www.regulations.gov/docket/NARA-25-0010/document>.

This is a direct link to the schedules posted in the docket for this notice on [regulations.gov](https://www.regulations.gov). You may submit comments by the following method:

• **Federal eRulemaking Portal:** <https://www.regulations.gov>. On the website, enter either of the numbers cited at the top of this notice into the search field. This will bring you to the docket for this notice, in which we have posted the records schedules open for comment. Each schedule has a 'comment' button so you can comment on that specific schedule. For more information on [regulations.gov](https://www.regulations.gov) and on submitting comments, see their FAQs at <https://www.regulations.gov/faq>.

If you are unable to comment via [regulations.gov](https://www.regulations.gov), you may email us at request.schedule@nara.gov for instructions on submitting your comment. You must cite the control number of the schedule you wish to comment on. You can find the control number for each schedule in parentheses at the end of each schedule's entry in the list at the end of this notice.

FOR FURTHER INFORMATION CONTACT:

Rachel Ban Tonkin, Records Management Operations, by email at rachel.bantonkin@nara.gov or at 301-837-2039. For information about records schedules, contact Records Management Operations by email at request.schedule@nara.gov or by phone at 301-837-2039.

SUPPLEMENTARY INFORMATION:

Public Comment Procedures

We are publishing notice of records schedules in which agencies propose to dispose of records they no longer need to conduct agency business. We invite public comments on these records schedules, as required by 44 U.S.C. 3303a(a), and list the schedules at the end of this notice by agency and subdivision requesting disposition authority.

In addition, this notice lists the organizational unit(s) accumulating the records or states that the schedule has agency-wide applicability. It also provides the control number assigned to each schedule, which you will need if you submit comments on that schedule.

We have uploaded the records schedules and accompanying appraisal memoranda to the [regulations.gov](https://www.regulations.gov) docket for this notice as "other" documents. Each records schedule contains a full description of the records at the file unit level as well as their proposed disposition. The appraisal memorandum for the schedule includes information about the records.

We will post comments, including any personal information and attachments, to the public docket unchanged. Because comments are public, you are responsible for ensuring

that you do not include any confidential or other information that you or a third party may not wish to be publicly posted. If you want to submit a comment with confidential information or cannot otherwise use the [regulations.gov](https://www.regulations.gov) portal, you may contact request.schedule@nara.gov for instructions on submitting your comment.

We will consider all comments submitted by the posted deadline and consult as needed with the Federal agency seeking the disposition authority. After considering comments, we may or may not make changes to the proposed records schedule. The schedule is then sent for final approval by the Archivist of the United States. After the schedule is approved, we will post on [regulations.gov](https://www.regulations.gov) a "Consolidated Reply" summarizing the comments, responding to them, and noting any changes we made to the proposed schedule. You may elect at [regulations.gov](https://www.regulations.gov) to receive updates on the docket, including an alert when we post the Consolidated Reply, whether or not you submit a comment. If you have a question, you can submit it as a comment, and can also submit any concerns or comments you would have to a possible response to the question. We will address these items in consolidated replies along with any other comments submitted on that schedule.

We will post schedules on our website in the Records Control Schedule (RCS) Repository, at <https://www.archives.gov/records-mgmt/rcs>, after the Archivist approves them. The RCS contains all schedules approved since 1973.

Background

Each year, Federal agencies create billions of records. To control this accumulation, agency records managers prepare schedules proposing retention periods for records and submit these schedules for NARA's approval. Once approved by NARA, records schedules provide mandatory instructions on what happens to records when no longer needed for current Government business. The records schedules authorize agencies to preserve records of continuing value in the National Archives or to destroy, after a specified period, records lacking continuing administrative, legal, research, or other value. Some schedules are comprehensive and cover all the records of an agency or one of its major subdivisions. Most schedules, however, cover records of only one office or program or a few series of records. Many of these update previously approved

schedules, and some include records proposed as permanent.

Agencies may not destroy Federal records without the approval of the Archivist of the United States. The Archivist grants this approval only after thorough consideration of the records' administrative use by the agency of origin, the rights of the Government and of private people directly affected by the Government's activities, and whether or not the records have historical or other value. Public review and comment on these records schedules is part of the Archivist's consideration process.

Schedules Pending

1. Department of Commerce, National Institute of Standards and Technology, Physical Plant and Building Services Records (DAA-0167-2024-0006).

2. Department of Commerce, National Oceanic and Atmospheric Administration, Natural Resource Damage Assessment Records (DAA-0370-2024-0004).

3. Department of Defense, Defense Counterintelligence and Security Agency, Agreement Records (DAA-0446-2025-0002).

4. Department of Health and Human Services, Agency-wide, Records of the Office of the Counsel to the Inspector General of Health and Human Services (DAA-0468-2025-0001).

5. Department of Justice, United States Marshals Service, Operations Files (DAA-0527-2023-0001).

6. Department of State, Public Diplomacy, Consolidated Schedule Records of the Counter Foreign Information Manipulation and Interference Hub (DAA-0059-2023-0004).

7. Department of Transportation, Federal Aviation Administration, Airspace Allocation and Use Records (DAA-0237-2023-0011).

8. Department of Transportation, Federal Aviation Administration, External Stakeholder Feedback (DAA-0237-2025-0006).

9. Administrative Office of the United States Courts, Department of Program Services, Jury Plans (DAA-0116-2025-0001).

10. Peace Corps, Agency-wide, Safety and Security Instruction Records (DAA-0490-2025-0003).

11. Peace Corps, Agency-wide, Special Travel Notices (DAA-0490-2025-0005).

12. Peace Corps, Agency-wide, Medical Screening Guidelines (DAA-0490-2025-0007).

13. Peace Corps, Volunteer Recruitment and Selection, Volunteer

Separation Records Related to Serious Misconduct (DAA-0490-2025-0008).

William P. Fischer,

Acting Chief Records Officer for the U.S. Government.

[FR Doc. 2025-14904 Filed 8-5-25; 8:45 am]

BILLING CODE 7515-01-P

NATIONAL SCIENCE FOUNDATION

Proposal Review; Notice of Meetings

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation (NSF) announces its intent to hold proposal review meetings throughout the year. The purpose of these meetings is to provide advice and recommendations concerning proposals submitted to the NSF for financial support. The agenda for each of these meetings is to review and evaluate proposals as part of the selection process for awards. The review and evaluation may also include assessment of the progress of awarded proposals. These meetings will primarily take place at NSF's headquarters, 2415 Eisenhower Avenue, Alexandria, VA 22314.

These meetings will be closed to the public. The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act. NSF will continue to review the agenda and merits of each meeting for overall compliance of the Federal Advisory Committee Act.

These closed proposal review meetings will not be announced on an individual basis in the **Federal Register**. NSF intends to publish a notice similar to this on a quarterly basis. For an advance listing of the closed proposal review meetings that include the names of the proposal review panel and the time, date, place, and any information on changes, corrections, or cancellations, please visit the NSF website: <https://nsf.gov/events/proposal-review-panels>. This information may also be requested by telephoning, 703/292-8687.

(Authority: 42 U.S.C. 1861, *et seq.*)

Dated: August 4, 2025.

Crystal Robinson,

Committee Management Officer.

[FR Doc. 2025-14907 Filed 8-5-25; 8:45 am]

BILLING CODE 7555-01-P

NUCLEAR REGULATORY COMMISSION

[NRC-2025-0709]

Monthly Notice; Applications and Amendments to Facility Operating Licenses and Combined Licenses Involving No Significant Hazards Considerations

AGENCY: Nuclear Regulatory Commission.

ACTION: Monthly notice.

SUMMARY: Pursuant to section 189a.(2) of the Atomic Energy Act of 1954, as amended (the Act), the U.S. Nuclear Regulatory Commission (NRC) is publishing this regular monthly notice. The Act requires the Commission to publish notice of any amendments issued, or proposed to be issued, and grants the Commission the authority to issue and make immediately effective any amendment to an operating license or combined license, as applicable, upon a determination by the Commission that such amendment involves no significant hazards consideration (NSHC), notwithstanding the pendency before the Commission of a request for a hearing from any person.

DATES: Comments must be filed by September 5, 2025. A request for a hearing or petitions for leave to intervene must be filed by October 6, 2025. This monthly notice includes all amendments issued, or proposed to be issued, from June 19, 2025, to July 17, 2025. The last monthly notice was published on July 8, 2025.

ADDRESSES: You may submit comments by any of the following methods; however, the NRC encourages electronic comment submission through the Federal rulemaking website.

- *Federal rulemaking website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2025-0709. Address questions about Docket IDs in *Regulations.gov* to Bridget Curran; telephone: 301-415-1003; email: Bridget.Curran@nrc.gov. For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *Mail comments to:* Office of Administration, Mail Stop: TWFN-7-A60M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, ATTN: Program Management, Announcements and Editing Staff.

For additional direction on obtaining information and submitting comments, see "Obtaining Information and Submitting Comments" in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT:

Paula Blechman, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-2242; email: Paula.Blechman@nrc.gov.

SUPPLEMENTARY INFORMATION:**I. Obtaining Information and Submitting Comments****A. Obtaining Information**

Please refer to Docket ID NRC-2025-0709, facility name, unit number(s), docket number(s), application date, and subject when contacting the NRC about the availability of information for this action. You may obtain publicly available information related to this action by any of the following methods:

- **Federal Rulemaking Website:** Go to <https://www.regulations.gov> and search for Docket ID NRC-2025-0709.
- **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 (ET), Monday through Friday, except Federal holidays.

B. Submitting Comments

The NRC encourages electronic comment submission through the Federal rulemaking website (<https://www.regulations.gov>). Please include Docket ID NRC-2025-0709, facility name, unit number(s), docket number(s), application date, and subject, in your comment submission.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at <https://www.regulations.gov> as well as enter the comment submissions into ADAMS. The NRC does not routinely edit

comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. Notice of Consideration of Issuance of Amendments to Facility Operating Licenses and Combined Licenses and Proposed No Significant Hazards Consideration Determination

For the facility-specific amendment requests shown in this notice, the Commission finds that the licensees' analyses provided, consistent with section 50.91 of title 10 of the *Code of Federal Regulations* (10 CFR) "Notice for public comment; State consultation," are sufficient to support the proposed determinations that these amendment requests involve NSHC. Under the Commission's regulations in 10 CFR 50.92, operation of the facilities in accordance with the proposed amendments would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety.

The Commission is seeking public comments on these proposed determinations. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determinations.

Normally, the Commission will not issue the amendments until the expiration of 60 days after the date of publication of this notice. The Commission may issue any of these license amendments before expiration of the 60-day period provided that its final determination is that the amendment involves NSHC. In addition, the Commission may issue any of these amendments prior to the expiration of the 30-day comment period if circumstances change during the 30-day comment period such that failure to act in a timely way would result, for example in derating or shutdown of the facility. If the Commission takes action on any of these amendments prior to the expiration of either the comment period or the notice period, it will publish in

the **Federal Register** a notice of issuance. If the Commission makes a final NSHC determination for any of these amendments, any hearing will take place after issuance. The Commission expects that the need to take action on any amendment before 60 days have elapsed will occur very infrequently.

A. Opportunity To Request a Hearing and Petition for Leave To Intervene

Within 60 days after the date of publication of this notice, any person (petitioner) whose interest may be affected by any of these actions may file a request for a hearing and petition for leave to intervene (petition) with respect to that action. Petitions shall be filed in accordance with the Commission's "Agency Rules of Practice and Procedure" in 10 CFR part 2. Interested persons should consult a current copy of 10 CFR 2.309. If a petition is filed, the Commission or a presiding officer will rule on the petition and, if appropriate, a notice of a hearing will be issued.

Petitions must be filed no later than 60 days from the date of publication of this notice in accordance with the filing instructions in the "Electronic Submissions (E-Filing)" section of this document. Petitions and motions for leave to file new or amended contentions that are filed after the deadline will not be entertained absent a determination by the presiding officer that the filing demonstrates good cause by satisfying the three factors in 10 CFR 2.309(c)(1)(i) through (iii).

If a hearing is requested, and the Commission has not made a final determination on the issue of no significant hazards consideration, the Commission will make a final determination on the issue of no significant hazards consideration, which will serve to establish when the hearing is held. If the final determination is that the license amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing would take place after issuance of the amendment. If the final determination is that the amendment request involves a significant hazards consideration, then any hearing held would take place before the issuance of the amendment unless the Commission finds an imminent danger to the health or safety of the public, in which case it will issue an appropriate order or rule under 10 CFR part 2.

A State, local governmental body, Federally recognized Indian Tribe, or designated agency thereof, may submit

a petition to the Commission to participate as a party under 10 CFR 2.309(h) no later than 60 days from the date of publication of this notice. Alternatively, a State, local governmental body, Federally recognized Indian Tribe, or agency thereof may participate as a non-party under 10 CFR 2.315(c).

For information about filing a petition and about participation by a person not a party under 10 CFR 2.315, see ADAMS Accession No. ML20340A053 (<https://adamswebsearch2.nrc.gov/webSearch2/main.jsp?AccessionNumber=ML20340A053>), and the NRC's public website (<https://www.nrc.gov/about-nrc/regulatory/adjudicatory/hearing.html#participate>).

B. Electronic Submissions (E-Filing)

All documents filed in NRC adjudicatory proceedings, including documents filed by an interested State, local governmental body, Federally recognized Indian Tribe, or designated agency thereof that requests to participate under 10 CFR 2.315(c), must be filed in accordance with 10 CFR 2.302. The E-Filing process requires participants to submit and serve all adjudicatory documents over the internet, or in some cases, to mail copies on electronic storage media, unless an exemption permitting an alternative filing method, as further discussed, is granted. Detailed guidance on electronic submissions is located in the "Guidance for Electronic Submissions to the NRC" (ADAMS Accession No. ML13031A056), and on the NRC's public website (<https://www.nrc.gov/site-help/e-submittals.html>).

To comply with the procedural requirements of E-Filing, at least 10 days prior to the filing deadline, the participant should contact the Office of the Secretary by email at Hearing.Docket@nrc.gov, or by telephone at 301-415-1677, to: (1) request a digital identification (ID) certificate which allows the participant (or its counsel or representative) to digitally sign submissions and access the E-Filing system for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a petition or other adjudicatory document (even in instances in which the participant, or its counsel or representative, already holds

an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on the NRC's public website at <https://www.nrc.gov/site-help/e-submittals/getting-started.html>. After a digital ID certificate is obtained and a docket is created, the participant must submit adjudicatory documents in the Portable Document Format. Guidance on submissions is available on the NRC's public website at <https://www.nrc.gov/site-help/electronic-sub-ref-mat.html>. A filing is considered complete at the time the document is submitted through the NRC's E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. ET on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an email confirming receipt of the document. The E-Filing system also distributes an email that provides access to the document to the NRC's Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the document on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before adjudicatory documents are filed in order to obtain access to the documents via the E-Filing system.

A person filing electronically using the NRC's adjudicatory E-Filing system may seek assistance by contacting the NRC's Electronic Filing Help Desk through the "Contact Us" link located on the NRC's public website at <https://www.nrc.gov/site-help/e-submittals.html>, by email to MSHD.Resource@nrc.gov, or by a toll-free call at 1-866-672-7640. The NRC Electronic Filing Help Desk is available between 9 a.m. and 6 p.m., ET, Monday through Friday, except Federal holidays.

Participants who believe that they have good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper

filing stating why there is good cause for not filing electronically and requesting authorization to continue to submit documents in paper format. Such filings must be submitted in accordance with 10 CFR 2.302(b)-(d). Participants filing adjudicatory documents in this manner are responsible for serving their documents on all other participants. Participants granted an exemption under 10 CFR 2.302(g)(2) must still meet the electronic formatting requirement in 10 CFR 2.302(g)(1), unless the participant also seeks and is granted an exemption from 10 CFR 2.302(g)(1).

Documents submitted in adjudicatory proceedings will appear in the NRC's electronic hearing docket, which is publicly available at <https://adams.nrc.gov/ehd>, unless otherwise excluded pursuant to an order of the presiding officer. If you do not have an NRC-issued digital ID certificate as previously described, click "cancel" when the link requests certificates and you will be automatically directed to the NRC's electronic hearing docket where you will be able to access any publicly available documents in a particular hearing docket. Participants are requested not to include personal privacy information such as social security numbers, home addresses, or personal phone numbers in their filings unless an NRC regulation or other law requires submission of such information. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants should not include copyrighted materials in their submission.

The following table provides the plant name, docket number, date of application, ADAMS accession number, and location in the application of the licensees' proposed NSHC determinations. For further details with respect to these license amendment applications, see the applications for amendment, which are available for public inspection in ADAMS. For additional direction on accessing information related to this document, see the "Obtaining Information and Submitting Comments" section of this document.

LICENSE AMENDMENT REQUESTS

Constellation Energy Generation, LLC; Clinton Power Station, Unit No. 1; DeWitt County, IL

Docket No	50-461.
Application Date	June 26, 2025.
ADAMS Accession No	ML25177C292.

LICENSE AMENDMENT REQUESTS—Continued

Location in Application of NSHC	Pages 7–8 of Attachment 1.
Brief Description of Amendment	The proposed amendment would change the Updated Safety Analysis Report (USAR) for Clinton Power Station, Unit No. 1 (CPS). The proposed change requests approval of an alternate method of verifying Main Steam Isolation Valve Closure Reactor Protection System Response Time (RPSRT) as an NRC-approved methodology. The CPS technical specification definition of RPSRT reads, “The RPS RESPONSE TIME shall be that time interval from when the monitored parameter exceeds its RPS trip setpoint at the channel sensor until de-energization of the scram pilot valve solenoids. The response time may be measured by means of any series of sequential, overlapping, or total steps so that the entire response time is measured. In lieu of measurement, response time may be verified for selected components provided that the components and methodology for verification has been previously reviewed and approved by the NRC.” CPS is requesting approval of an alternate method of generating an open trip signal via a test switch in the main control room as an NRC-approved methodology.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Jason Zorn, Associate General Counsel, Constellation Energy Generation, LLC, 4300 Winfield Road, Warrenville, IL 60555.
NRC Project Manager, Telephone Number	Beth Wetzel, 301–415–5223.

Constellation FitzPatrick, LLC and Constellation Energy Generation, LLC; James A. FitzPatrick Nuclear Power Plant; Oswego County, NY

Docket No	50–333.
Application Date	May 29, 2025.
ADAMS Accession No	ML25149A172.
Location in Application of NSHC	Pages 7–9 of Attachment 1.
Brief Description of Amendment	The proposed amendment would remove Function 1.e, “Main Steam Line Tunnel Area Temperature—High,” and inserts the word “Deleted” in Table 3.3.6.1–1 “Primary Containment Isolation Instrumentation.” The proposed license amendment would also add a new Technical Specification 3.7.8, “Main Steam Tunnel (MST) Area Temperature.”
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Jason Zorn, Associate General Counsel, Constellation Energy Generation, LLC, 101 Constitution Ave. NW, Suite 400 East, Washington, DC 20001.
NRC Project Manager, Telephone Number	Richard Guzman, 301–415–1030.

National Institute of Standards and Technology (NIST), National Bureau of Standards Test Reactor, Montgomery County, Maryland

Docket No	50–184.
Application Date	May 28, 2025.
ADAMS Accession No	ML25150A403 (Package).
Location in Application of NSHC	Page 1 of ML25150A405.
Brief Description of Amendment	The proposed amendment would change the classification of the National Bureau of Standards Reactor from a testing facility to a research reactor. Specifically, this amendment would modify the TR–5 license and would eliminate facility license renewal in accordance with the Non-Power Production or Utilization Facility License Renewal Rule (89 FR 106234; December 30, 2024).
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Lauren Didiuk, Acting Chief Counsel—National Institute of Standards and Technology, 100 Bureau Dr., Gaithersburg, MD 20899.
NRC Project Manager, Telephone Number	Justin Hudson, 301–287–0538.

NextEra Energy Seabrook, LLC; Seabrook Station, Unit No. 1; Rockingham County, NH

Docket No	50–443.
Application Date	May 23, 2025.
ADAMS Accession No	ML25143A163.
Location in Application of NSHC	Pages 10–11 of the Enclosure.
Brief Description of Amendment	The proposed amendment would modify the Seabrook Station, Unit No. 1 licensing basis by revising Technical Specification (TS) Bases 3/4.8.1, A.C. [Alternating Current] Sources—Operating, to align with the available AC power source guidelines of Regulatory Guide 1.93. Specifically, changes are proposed to the applicability of select TS 3.8.1 ACTIONS associated with Unit Auxiliary Transformer and Reserve Auxiliary Transformer unavailability.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Steven Hamrick, Senior Attorney, 801 Pennsylvania Ave. NW, Suite 220, Washington, DC 20004.
NRC Project Manager, Telephone Number	Ricardo Lantigua, 301–415–5107.

Tennessee Valley Authority; Browns Ferry Nuclear Plant, Units 1, 2, and 3; Limestone County, AL

Docket Nos	50–259, 50–260, 50–296.
Application Date	June 20, 2025.
ADAMS Accession No	ML25171A008.
Location in Application of NSHC	Pages E2–E4 of the Enclosure.

LICENSE AMENDMENT REQUESTS—Continued

Brief Description of Amendments	The proposed amendments would revise the Browns Ferry Nuclear Plant, Units 1, 2, and 3 Technical Specification Limiting Condition for Operation (LCO) 3.0.3 to eliminate the requirement to enter Mode 2 and re-letter the remaining actions. The Tennessee Valley Authority has requested the proposed amendments in accordance with Technical Specification Task Force (TSTF) Traveler TSTF-597-A, "Eliminate LCO 3.0.3 Mode 2 Requirement."
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Rebecca Tolene, (Acting), Executive VP and General Counsel, Tennessee Valley Authority, 400 West Summit Hill Drive, WT 6A, Knoxville, TN 37902.
NRC Project Manager, Telephone Number	Kimberly Green, 301-415-1627.

Tennessee Valley Authority; Browns Ferry Nuclear Plant, Units 1, 2, and 3; Limestone County, AL

Docket Nos	50-259, 50-260, 50-296.
Application Date	July 10, 2025.
ADAMS Accession No	ML25191A239.
Location in Application of NSHC	Pages E7-E9 of the Enclosure.
Brief Description of Amendments	The proposed amendments would revise the Browns Ferry Nuclear Plant, Units 1, 2, and 3, Technical Specification Surveillance Requirement 3.8.4.5 to modify the minimum battery charger amperage requirement for the direct current shutdown board subsystems.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Rebecca Tolene, (Acting), Executive VP and General Counsel, Tennessee Valley Authority, 400 West Summit Hill Drive, WT 6A, Knoxville, TN 37902.
NRC Project Manager, Telephone Number	Kimberly Green, 301-415-1627.

Virginia Electric and Power Company, Dominion Nuclear Company; North Anna Power Station, Unit Nos. 1 and 2; Louisa County, VA; Virginia Electric and Power Company; Surry Power Station, Unit Nos. 1 and 2; Surry County, VA

Docket Nos	50-280, 50-281, 50-338, 50-339.
Application Date	May 16, 2025.
ADAMS Accession No	ML25136A297.
Location in Application of NSHC	Pages 36 to 40 of Enclosure 1 (North Anna) and Pages 37 to 39 of Enclosure 2 (Surry).
Brief Description of Amendments	The proposed amendments would update the Main Steam Line Break Alternate Source Term (MSLB AST) dose consequence analysis for North Anna Power Station, Unit Nos. 1 and 2, and Surry Power Station Unit Nos. 1 and 2, respectively. Specifically, the MSLB AST dose consequence analysis for each station has been revised to address extended cooldown timelines that could result from a stagnant Reactor Coolant System loop following a MSLB.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	W.S. Blair, Senior Counsel, Dominion Energy Services, Inc., 120 Tredegar St., RS-2, Richmond, VA 23219.
NRC Project Manager, Telephone Number	John Klos, 301-415-5136.

III. Notice of Issuance of Amendments to Facility Operating Licenses and Combined Licenses

During the period since publication of the last monthly notice, the Commission has issued the following amendments. The Commission has determined for each of these amendments that the application complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR chapter I, which are set forth in the license amendment.

A notice of consideration of issuance of amendment to facility operating

license or combined license, as applicable, proposed NSHC determination, and opportunity for a hearing in connection with these actions, were published in the **Federal Register** as indicated in the safety evaluation for each amendment.

Unless otherwise indicated, the Commission has determined that these amendments satisfy the criteria for categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared for these amendments. If the Commission has prepared an environmental assessment under the special circumstances provision in 10 CFR 51.22(b) and has

made a determination based on that assessment, it is so indicated in the safety evaluation for the amendment.

For further details with respect to each action, see the amendment and associated documents such as the Commission's letter and safety evaluation, which may be obtained using the ADAMS accession numbers indicated in the following table. The safety evaluation will provide the ADAMS accession numbers for the application for amendment and the **Federal Register** citation for any environmental assessment. All of these items can be accessed as described in the "Obtaining Information and Submitting Comments" section of this document.

LICENSE AMENDMENT ISSUANCES

Constellation Energy Generation, LLC; Braidwood Station, Units 1 and 2; Will County, IL

Docket Nos	50-456, 50-457.
Amendment Date	June 18, 2025.
ADAMS Accession No	ML25135A157.
Amendment Nos	241 (Unit 1); 241 (Unit 2).

LICENSE AMENDMENT ISSUANCES—Continued

Brief Description of Amendments	The amendments revised Technical Specification Surveillance Requirement 3.7.9.2 to allow an ultimate heat sink temperature of less than or equal to 102.8 degrees Fahrenheit until September 30, 2025.
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Duke Energy Carolinas, LLC; Oconee Nuclear Station, Units 1, 2, and 3; Oconee County, SC

Docket Nos	50–269, 50–270, 50–287.
Amendment Date	June 27, 2025.
ADAMS Accession No	ML25153A490.
Amendment Nos	432 (Unit 1), 434 (Unit 2), 433 (Unit 3).
Brief Description of Amendments	The amendments revised Technical Specification 3.7.8, “Emergency Condenser Circulating Water (ECCW) System,” Surveillance Requirement 3.7.8.3 to reflect variable condenser circulating water inlet temperature limits.
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Florida Power & Light Company, et al.; St. Lucie Plant, Unit Nos. 1 and 2; St. Lucie County, FL; Florida Power & Light Company; Turkey Point Nuclear Generating Unit Nos. 3 and 4; Miami-Dade County, FL; NextEra Energy Point Beach, LLC; Point Beach Nuclear Plant, Units 1 and 2; Manitowoc County, WI

Docket Nos	50–250, 50–251, 50–266, 50–301, 50–335, 50–389.
Amendment Date	June 2, 2025.
ADAMS Accession No	ML25101A190.
Amendment Nos	278 (Point Beach, Unit 1), 280 (Point Beach, Unit 2), 256 (St. Lucie Plant, Unit 1), 211 (St. Lucie Plant, Unit 2), 302 (Turkey Point, Unit 3), 296 (Turkey Point, Unit 4).
Brief Description of Amendments	The amendments revised technical specifications (TSs) to relocate the staff qualification requirements in TSs for Point Beach Nuclear Plant, Units 1 and 2, St. Lucie Plant, Unit Nos. 1 and 2, and Turkey Point Nuclear Generating, Unit Nos. 3 and 4, to the existing Florida Power and Light and NextEra Energy Quality Assurance Topical Report.
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Indiana Michigan Power Company; Donald C. Cook Nuclear Plant, Units Nos. 1 and 2; Berrien County, MI

Docket Nos	50–315, 50–316.
Amendment Date	July 7, 2025.
ADAMS Accession No	ML25161A095.
Amendment Nos	366 (Unit 1); 347 (Unit 2).
Brief Description of Amendments	The amendments revised the Technical Specification (TS) 3.8.3, “Diesel Fuel Oil,” and Surveillance Requirement (SR) 3.8.3.1 (verification of fuel oil storage tank volume), by removing the current stored diesel fuel oil and lube oil numerical volume requirements and replacing them with duration-based diesel operating time requirements, consistent with Technical Specifications Task Force (TSTF) traveler TSTF–501, Revision 1, “Relocate Stored Fuel Oil and Lube Oil Volume Values to Licensee Control.” The amendments also revised TS 3.8.1, “AC [Alternating Current] Sources—Operating,” SR 3.8.1.4 to replace the specific day tank numerical volume requirements with a duration-based diesel operating time requirement.
Public Comments Received as to Proposed NSHC (Yes/No).	No.

NextEra Energy Point Beach, LLC; Point Beach Nuclear Plant, Units 1 and 2; Manitowoc County, WI

Docket Nos	50–266, 50–301.
Amendment Date	July 8, 2025.
ADAMS Accession No	ML25125A116.
Amendment Nos	279 (Unit 1), 281 (Unit 2).
Brief Description of Amendments	The amendments are related to Point Beach Nuclear Plant (Point Beach), Units 1 and 2 adoption of 10 CFR 50.69, “Risk-informed categorization and treatment of structures, systems and components for nuclear power reactors.” Specifically, the amendments modified the Point Beach, Unit 1, Renewed Facility Operating License (RFOL) License Condition 4.E and Point Beach, Unit 2, RFOL License Condition 4.E to allow the use of an alternative approach for evaluating seismic risk for categorization of structures, systems, and components under Point Beach’s approved 10 CFR 50.69 program, and removes certain pre-program implementation items that have been completed. Additionally, the amendments made editorial corrections to Point Beach, Unit 1 License Condition 4.M and Point Beach, Unit 2 License Condition 4.L, “Additional Conditions,” Functions 5 and 6 on Technical Specification (TS) Table 3.3.1–1, and TS 5.5.18.h.
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Southern Nuclear Operating Company, Inc.; Joseph M. Farley Nuclear Plant, Units 1 and 2; Houston County, AL

Docket Nos	50–348, 50–364.
Amendment Date	June 18, 2025.

LICENSE AMENDMENT ISSUANCES—Continued

ADAMS Accession No	ML25125A303.
Amendment Nos	254 (Unit 1), 251 (Unit 2).
Brief Description of Amendments	The amendments modified Joseph M. Farley Nuclear Plant, Units 1 and 2, technical specification requirements related to direct current (DC) electrical systems in accordance with Technical Specifications Task Force (TSTF) Traveler TSTF-500, Revision 2, "DC Electrical Rewrite-Update to TSTF-360."
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Southern Nuclear Operating Company, Inc.; Joseph M. Farley Nuclear Plant, Units 1 and 2; Houston County, AL

Docket Nos	50-348, 50-364.
Amendment Date	July 1, 2025.
ADAMS Accession No	ML25150A342.
Amendment Nos	255 (Unit 1), 252 (Unit 2).
Brief Description of Amendments	The amendments revised the Joseph M. Farley Nuclear Plant (Farley), Units 1 and 2, Updated Final Safety Analysis Report to provide gap release fractions for high burnup fuel rods that exceed the linear heat generation rate limit stated in Regulatory Guide (RG) 1.183, Revision 0, "Alternative Radiological Source Terms for Evaluating Design Basis Accidents at Nuclear Power Reactors." Specifically, the amendments allow Farley, Units 1 and 2, to be excepted from Footnote 11 to Table 3, "Non-LOCA [Loss-of-Coolant-Accident] Gap Release Fractions," of RG 1.183, Revision 0.
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Southern Nuclear Operating Company, Inc.; Joseph M. Farley Nuclear Plant, Units 1 and 2; Houston County, AL

Docket Nos	50-364, 50-348.
Amendment Date	July 16, 2025.
ADAMS Accession No	ML25171A116.
Amendment Nos	256 (Unit 1) and 253 (Unit 2).
Brief Description of Amendments	The amendments revised Technical Specification (TS) 3.4.14, "RCS [Reactor Coolant System] Pressure Isolation Valve (PIV) Leakage," Surveillance Requirement (SR) 3.4.14.3 Acceptance Criteria and removed other miscellaneous obsolete requirements found in TS 3.4.14, SR 3.4.14.2, and TS 3.3.5, "Loss of Power (LOP) Diesel Generator (DG) Start Instrumentation," in addition to making editorial corrections resulting from these changes.
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Tennessee Valley Authority; Sequoyah Nuclear Plant, Units 1 and 2; Hamilton County, TN

Docket Nos	50-327, 50-328.
Amendment Date	June 23, 2025.
ADAMS Accession No	ML25112A334.
Amendment Nos	372 (Unit 1) and 366 (Unit 2).
Brief Description of Amendments	The amendments revised Sequoyah Nuclear Plant, Units 1 and 2, fuel handling accident analysis to no longer credit containment penetration closure; revised Technical Specification (TS) 3.3.6, "Containment Ventilation Isolation Instrumentation," by deleting Action B and Table 3.3.6-1, Specified Condition (a), and revising Surveillance Requirements 3.3.6.4 and 3.3.6.6; and deleted TS 3.9.4, "Containment Penetrations," in its entirety.
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Union Electric Company; Callaway Plant, Unit No. 1; Callaway County, MO

Docket No	50-483.
Amendment Date	June 27, 2025.
ADAMS Accession No	ML25154A351.
Amendment No	240.
Brief Description of Amendment	The amendment revised Technical Specification 5.5.19, "Risk Informed Completion Time Program," by referencing Regulatory Guide (RG) 1.200, Revision 3, "Acceptability of Probabilistic Risk Assessment Results for Risk-Informed Activities," instead of RG 1.200, Revision 2, based on Technical Specifications Task Force (TSTF) Traveler TSTF-591, Revision 0, "Revise Risk Informed Completion Time (RICT) Program" (ML22081A224), and the associated NRC staff safety evaluation of Traveler TSTF-591 (ML23262B230).
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Dated: August 1, 2025.

For the Nuclear Regulatory Commission.

Jamie Pelton,

Acting Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. 2025-14886 Filed 8-5-25; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

728th Meeting of the Advisory Committee on Reactor Safeguards (ACRS)

In accordance with the purposes of Sections 29 and 182b of the Atomic Energy Act (42 U.S.C. 2039, 2232(b)), the Advisory Committee on Reactor Safeguards (ACRS) will hold meetings on September 3–5, 2025. In addition, the ACRS is implementing Executive Order (E.O.) 14300, “Ordering the Reform of the Nuclear Regulatory Commission,” dated May 23, 2025. Section 4.(b) of the E.O. states, in part, that the functions of the ACRS shall be reduced to the minimum necessary to fulfill ACRS’s statutory obligations and that review by ACRS of permitting and licensing issues shall focus on issues that are truly novel and noteworthy. The ACRS will only undertake other work as directed by the Commission in accordance with Sections 29 and 182b of the Atomic Energy Act. The Committee will be conducting meetings that will include some Members being physically present at the headquarters of the U.S. Nuclear Regulatory Commission (NRC) while other Members participate remotely. Interested members of the public are encouraged to participate remotely in any open sessions via Microsoft (MS) Teams or via phone at 301-576-2978, passcode 474540685#. A more detailed agenda, including the MSTeams link, may be found at the ACRS public website at <https://www.nrc.gov/reading-rm/doc-collections/acrs/agenda/index.html>. If you would like the MSTeams link forwarded to you, please contact the Designated Federal Officer (DFO) as follows: Quynh.Nguyen@nrc.gov, or Lawrence.Burkhart@nrc.gov.

Wednesday, September 3, 2025

8:30 a.m.–8:35 a.m.: Opening Remarks by the ACRS Chairman (Open)—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

8:35 a.m.–10:30 a.m.: Palisades Nuclear Plant Restart Activities (Open/Closed)—The Committee will have discussions with NRC staff regarding the

subject topic. [Note: Pursuant to 5 U.S.C. 552b(c)(4), a portion of this session may be closed in order to discuss and protect information designated as proprietary.]

10:30 a.m.–1:00 p.m.: Committee Deliberation on Palisades Nuclear Plant Restart Activities (Open/Closed)—The Committee will deliberate regarding the subject topic and proceed to preparation of reports. [Note: Pursuant to 5 U.S.C. 552b(c)(4), a portion of this session may be closed in order to discuss and protect information designated as proprietary.]

1:00 p.m.–3:00 p.m.: Wrap-Up of Current ACRS Activities on the Seabrook Alkali-Silica Reaction Topic (Open)—The Committee will have discussions with NRC staff regarding the subject topic.

3:00 p.m.–5:00 p.m.: Committee Deliberation on Current ACRS Activities on the Seabrook Alkali-Silica Reaction Topic (Open)—The Committee will deliberate regarding the subject topic and proceed to preparation of reports.

Thursday, September 4, 2025

8:30 a.m.–5:00 p.m.: Planning and Procedures Session/Future ACRS Activities/Reconciliation of ACRS Comments and Recommendations/Preparation of Reports (Open/Closed)—The Committee will hear discussion of the recommendations of the Planning and Procedures Subcommittee regarding items proposed for consideration by the Full Committee during future ACRS meetings, and/or proceed to preparation of reports. [Note: Pursuant to 5 U.S.C. 552b(c)(2), a portion of this meeting may be closed to discuss organizational and personnel matters that relate solely to internal personnel rules and practices of the ACRS.]

[Note: Pursuant to 5 U.S.C. 552b(c)(4), a portion of this session may be closed in order to discuss and protect information designated as proprietary.]

Friday, September 5, 2025

8:30 a.m.–5:00 p.m.: Preparation of Reports (Open/Closed)—The Committee will proceed to preparation of reports.

[Note: Pursuant to 5 U.S.C. 552b(c)(4), a portion of this session may be closed in order to discuss and protect information designated as proprietary.]

Procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on July 22, 2025 (90 FR 34522). In accordance with those procedures, oral or written views may be presented by members of the public, including representatives of the nuclear industry. Persons desiring to make oral statements should notify Quynh Nguyen, Cognizant ACRS Staff and the DFO (Telephone:

301-415-5844, Email: Quynh.Nguyen@nrc.gov), 5 days before the meeting, if possible, so that appropriate arrangements can be made to allow necessary time during the meeting for such statements. In view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with the cognizant ACRS staff if such rescheduling would result in major inconvenience.

An electronic copy of each presentation should be emailed to the cognizant ACRS staff at least three days before the meeting.

In accordance with Subsection 10(d) of Public Law 92-463 and 5 U.S.C. 552b(c), certain portions of this meeting may be closed, as specifically noted above. Use of still, motion picture, and television cameras during the meeting may be limited to selected portions of the meeting as determined by the Chairman. Electronic recordings will be permitted only during the open portions of the meeting.

ACRS meeting agendas, meeting transcripts, and letter reports are available through the NRC Public Document Room (PDR) at pdr.resource@nrc.gov, the ACRS public website, or by calling the PDR at 1-800-397-4209 or 301-415-4737, between 8 a.m. and 4 p.m. eastern daylight time, Monday through Friday, except Federal holidays, or from the Publicly Available Records System component of NRC’s Agencywide Documents Access and Management System, which is accessible from the NRC website at <https://www.nrc.gov/reading-rm/adams.html> or <https://www.nrc.gov/reading-rm/doc-collections/#ACRS/>.

Dated: August 4, 2025.

For the Nuclear Regulatory Commission.

Russell E. Chazell,

Federal Advisory Committee Management Officer, Office of the Secretary.

[FR Doc. 2025-14891 Filed 8-5-25; 8:45 am]

BILLING CODE 7590-01-P

POSTAL SERVICE

Product Change—Priority Mail Express, Priority Mail, and USPS Ground Advantage Negotiated Service Agreements; Priority Mail Negotiated Service Agreements

AGENCY: Postal Service.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal

Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* August 6, 2025.

FOR FURTHER INFORMATION CONTACT: Sean C. Robinson, 202-268-8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), it filed with the Postal Regulatory Commission the following requests:

Date filed with postal regulatory commission	Negotiated service agreement product category and number	MC docket No.	K Docket No.
07/28/25	PME-PM-GA 1395	MC2025-1592	K2025-1584
07/29/25	PM 913	MC2025-1593	K2025-1585
07/30/25	PM 914	MC2025-1595	K2025-1587
07/30/25	PM 915	MC2025-1596	K2025-1588
07/31/25	PM 916	MC2025-1597	K2025-1589
07/31/25	PME-PM-GA 1396	MC2025-1598	K2025-1590
08/01/25	PME-PM-GA 1397	MC2025-1602	K2025-1594

Documents are available at www.prc.gov.

Sean C. Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2025-14867 Filed 8-5-25; 8:45 am]

BILLING CODE 7710-12-P

POSTAL SERVICE

International Product Change—Priority Mail Express International, Priority Mail International & First-Class Package International Service Agreements

AGENCY: Postal Service.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing requests with the Postal Regulatory Commission to add certain Priority Mail Express International, Priority Mail International & First-Class

Package International Service contracts to the list of Negotiated Service Agreements in the Competitive Product List in the Mail Classification Schedule.

DATES: *Date of notice:* August 6, 2025.

FOR FURTHER INFORMATION CONTACT: Christopher C. Meyerson, (202) 268-7820.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), it filed with the Postal Regulatory Commission the following requests:

Date filed with Postal Regulatory Commission	Negotiated service agreement product category and No.	MC docket No.	K docket No.
7/28/2025	PMEI, PMI & FCPIS 81	MC2025-1589	K2025-1581
7/25/2025	PMEI, PMI & FCPIS 84	MC2025-1587	K2025-1579
7/29/2025	PMEI, PMI & FCPIS 86	MC2025-1588	K2025-1580

Documents are available at www.prc.gov.

Kevin Rayburn,

Attorney, Ethics and Legal Compliance.

[FR Doc. 2025-14927 Filed 8-5-25; 8:45 am]

BILLING CODE 7710-12-P

RAILROAD RETIREMENT BOARD

Agency Forms Submitted for OMB Review, Request for Comments

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Railroad Retirement Board (RRB) is forwarding an Information Collection Request (ICR) to the Office of Information and Regulatory Affairs (OIRA), Office of Management and Budget (OMB). Our ICR describes the information we seek to collect from the public. Review and approval by OIRA ensures that we impose appropriate paperwork burdens.

The RRB invites comments on the proposed collections of information to determine (1) the practical utility of the collections; (2) the accuracy of the estimated burden of the collections; (3) ways to enhance the quality, utility, and clarity of the information that is the subject of collection; and (4) ways to minimize the burden of collections on respondents, including the use of automated collection techniques or other forms of information technology. Comments to the RRB or OIRA must contain the OMB control number of the ICR. For proper consideration of your comments, it is best if the RRB and OIRA receive them within 30 days of the publication date.

Title and purpose of information collection: Citizen-Centric Online Self-Services (CCOSS) Authorization; OMB 3220-NEW.

Section 7(b)(6) of the Railroad Retirement Act (RRA) (45 U.S.C. 231f) and 20 CFR 321 under the Railroad Unemployment Insurance Act (RUIA) permits annuitants, beneficiaries and

claimants to submit mailing address and direct deposit authorizations to facilitate the Railroad Retirement Board (RRB) verification and certification of benefit payments electronically. The Government Paperwork Elimination Act requires federal agencies to provide the public with the option to submit, maintain and transact business electronically. The procedures pertaining to the RRB's authority to collection direct deposit and mailing address information to carry out RRA and RUIA benefit payment are contained in 45 U.S.C. 231 and 20 CFR 321.

The RRB propose to use Form COA-1, Change of Address (internet) to allow railroad annuitants, beneficiaries and claimants to initiate a change to their mailing address through the Citizen-Centric Online Self-Services (CCOSS) on the myRRB web portal (RRB.gov) after completing the *Login.gov* identify verification process. Railroad annuitants, beneficiaries and claimants can update their mailing address as

needed and retirees, who have multiple residences and live temporarily at each residence for part of the year, can request two or more address changes annually. The RRB will use the information to verify the name and address of each annuitant, beneficiary and claimant entitled to receive a benefit payment.

The RRB propose to use Form DDC–1, Direct Deposit Change (internet) to allow a railroad annuitants, beneficiaries and claimants to update their direct deposit information through the Citizen-Centric Online Self-Services (CCOSS) on the myRRB web portal (*RRB.gov*) after completing the *Login.gov* identify verification process. Railroad annuitants, beneficiaries and claimants can update their direct deposit

information as needed. The RRB will provide the information to the U.S. Department of the Treasury to process electronic fund transfer payments to the claimant’s financial institution account.

Previous Requests for Comments: The RRB has already published the initial 60-day notice (90 FR 24167 on June 6, 2025) required by 44 U.S.C. 3506(c)(2). That request elicited no comments.

Information Collection Request (ICR)

Title: Citizen-Centric Online Self-Services (CCOSS) Authorization.

OMB Control Number: 3220-New.

Form(s) submitted: COA–1 and DDC–1.

1. *Type of request:* New collection (Request for a new OMB Control Number).

Affected public: Individuals or Households.

Abstract: Section 7(b)(6) of the Railroad Retirement Act (RRA) and 20 CFR 321 under the Railroad Unemployment Insurance Act (RUIA) permits annuitants, beneficiaries and claimants to submit new and change of direct deposit and mailing address authorizations to the Railroad Retirement Board electronically to verify and certify RRA and RUIA benefit payments.

Changes proposed: The RRB proposes new forms COA–1 and DDC–1 and not Form DOA–1 that was mistakenly published in the Initial Notice.

The burden estimate for the ICR is as follows:

Form No.	Annual responses	Time (minutes)	Burden (hours)
COA–1	30,395	8	4,025
DDC–1	37,595	6	3,760
Total	67,990		7,785

Additional Information or Comments: Copies of the forms and supporting documents or comments regarding the information collection should be addressed to Brian Foster, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611–1275 or emailed to *Brian.Foster@rrb.gov*.

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.

Brian Foster,

Clearance Officer.

[FR Doc. 2025–14868 Filed 8–5–25; 8:45 am]

BILLING CODE 7905–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103622; File No. SR–NYSEARCA–2025–55]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Rules 5.32–O and 5.35–O To Permit Flexible Exchange Options in the iShares Bitcoin Trust ETF

August 1, 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 31, 2025, NYSE Arca, Inc. (“NYSE Arca” or the “Exchange”) filed with the Securities and Exchange Commission (“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 amend Rules 5.32–O and 5.35–O to permit Flexible Exchange (“FLEX”) Options in the iShares Bitcoin Trust ETF. The

proposed rule change is available on the Exchange’s website at *www.nyse.com* and at the principal office of the Exchange.

II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization’s Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes amend Rules 5.32–O (Terms of FLEX Options) and 5.35–O (Position Limits for FLEX Options) to permit iShares Bitcoin Trust ETF (“IBIT”) options to trade as FLEX Equity Options with an aggregated position and exercise limit for IBIT options of 25,000-contracts (“FLEX IBIT options”).³ The Exchange notes that this

¹ 15 U.S.C. 78a.

² 17 CFR 240.19b–4.

³ FLEX Options are customized equity or index contracts that allow investors to tailor contract

is a competitive filing as the Commission recently approved a substantially identical rule proposal by Nasdaq Phlx, LLC (“Phlx”).⁴

IBIT is an Exchange-Traded Fund (“ETF”) that holds bitcoin and is listed on The Nasdaq Stock Market LLC (“Nasdaq”).⁵ On September 20, 2024, Nasdaq ISE, LLC (“ISE”) received approval to list options on IBIT.⁶ On November 22, 2024, the Exchange began listing and trading IBIT options.⁷ The position and exercise limits for IBIT options are 25,000 contracts as set forth in Rule 6.8–O, Commentary .06(f), the lowest limit available in options.⁸

FLEX Equity Options are not generally subject to position or exercise limits.⁹ Today, pursuant to Rule 5.32–O(f)(1), IBIT options are not approved for FLEX trading.¹⁰ Therefore, the

terms for exchange-listed equity and index options. *See generally* Section 15 (Flexible Exchange (“FLEX”) Options). A “FLEX Equity Option” is an option on a specified underlying equity security that is subject to the rules of Section 15. *See* Rule 900G(b)(10).

⁴ *See* Securities Exchange Act Release No. 103565 (July 29, 2025), 90 FR ____ (August __, 2025) (SR–PHLX–2024–72) (Order Approving a Proposed Rule Change to Permit the Trading of FLEX Options on Shares of the iShares Bitcoin Trust ETF) (“Phlx FLEX IBIT Approval Order”).

⁵ Nasdaq received approval to list and trade Bitcoin-Based Commodity-Based Trust Shares in IBIT pursuant to Rule 5711(d) of Nasdaq. *See* Securities Exchange Act Release No. 99306 (January 10, 2024), 89 FR 3008 (January 17, 2024) (SR–NASDAQ–2023–016) (Order Granting Accelerated Approval of Proposed Rule Changes, as Modified by Amendments Thereto, To List and Trade Bitcoin-Based Commodity-Based Trust Shares and Trust Units).

⁶ *See* Securities Exchange Act Release No. 101128 (September 20, 2024), 89 FR 78942 (September 26, 2024) (SR–ISE–2024–03) (Notice of Filing of Amendment Nos. 4 and 5 and Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment Nos. 1, 4, and 5, To Permit the Listing and Trading of Options on the iShares Bitcoin Trust) (“IBIT Approval Order”).

⁷ *See* Trader Update, dated Nov. 21, 2024, NYSE Options: Trading in Options on Bitcoin Exchange Traded Products, available here: <https://www.nyse.com/trader-update/history#110000945911>.

⁸ The exercise limit for options on IBIT is the same as the position limit for IBIT as determined by Rule 6.8–O. *See* Rule 6.9–O, Commentary .01 (providing that exercise limits will be “equivalent to the corresponding position limit for the same particular class of options as determined by Rule 6.8–O and Commentary thereto”).

⁹ *See* Rule 906G(b) (subject to the exceptions enumerated in the rule “there shall be no position limits for FLEX Equity options.”).

¹⁰ The Exchange recently received approval to trade FLEX Equity Options on certain exchange-traded products that—like IBIT—hold bitcoin, thus removing these products from the prohibition set forth in Rule 5.32–O(f)(1). *See* Securities Exchange Act Release No. 103566 (July 29, 2025), 90 FR ____ (August __, 2025) (SR–NYSEAMER–2024–78) (Order Approving a Proposed Rule Change, as Modified by Amendment No. 1, to Permit the Trading of FLEX Options on Shares of the Grayscale Bitcoin Trust, the Grayscale Bitcoin Mini Trust ETF, and the Bitwise Bitcoin ETF).

25,000-contract limit applicable to IBIT options currently applies solely to non-FLEX IBIT options.

The Exchange proposes to permit options on IBIT to trade as FLEX Equity Options and would require the aggregation of any FLEX and non-FLEX positions in IBIT for purposes of calculating the 25,000-contract position and exercise limits.¹¹

Per the Commission “rules regarding position and exercise limits are intended to prevent the establishment of options positions that can be used or might create incentives to manipulate or disrupt the underlying market so as to benefit the options positions.”¹² For this reason, the Commission requires that “position and exercise limits must be sufficient to prevent investors from disrupting the market for the underlying security by acquiring and exercising a number of options contracts disproportionate to the deliverable supply and average trading volume of the underlying security.”¹³ Based on its review and analysis of IBIT data, the Commission concluded that the 25,000-contract position (and exercise) limit for non-FLEX IBIT options satisfied these objectives.¹⁴

As proposed, the Exchange will aggregate position (and exercise) limits for all IBIT options, thus limiting positions for options on all IBIT options—FLEX and non-FLEX—to 25,000 contracts. This proposed aggregated limit effectively restricts a market participant from holding positions that could result in the receipt of more than 2,500,000 shares, aggregated for FLEX IBIT and non-FLEX IBIT options (if that market participant exercised all its options). The Exchange believes that capping the aggregated position and exercise limits at 25,000 contracts, the lowest available limit, would be sufficient to address concerns related to manipulation and the protection of investors. The Exchange notes that this number is conservative and therefore appropriate given the liquidity of IBIT.¹⁵

While the Exchange proposes an aggregated 25,000-contract position and exercise limit for FLEX and non-FLEX IBIT options, it nonetheless believes that evidence exists to support a much

higher position limit.¹⁶ In fact, the Commission recently approved a proposal by Nasdaq ISE, LLC (“ISE”) to remove 25,000-contract position and exercise limit on IBIT options and to instead allow IBIT options to qualify for increased limits (up to 250,000 contracts) pursuant to the generic limits for options.¹⁷

Despite the proposed addition of FLEX trading in IBIT options, the Exchange would continue to limit to 25,000 the number of IBIT options traded on the Exchange that an investor, acting alone or in concert with others directly or indirectly, may control and thereby mitigate potential manipulation. The Exchange believes that allowing FLEX IBIT options is consistent with the Act given FLEX trading is permitted today in other ETFs overlying a commodity such as SPDR Gold Shares (“GLD”) and iShares Silver Trust (“SLV”).¹⁸

Further, the Exchange believes that the share creation and redemption process unique to ETFs would mitigate any potential risk of manipulation in FLEX IBIT options. The creation and redemption process is designed to ensure that an ETF’s price closely tracks the value of its underlying asset(s). For example, if a market participant exercised a long call position for 25,000 contracts and purchased 2,500,000 shares of IBIT and this purchase resulted in the value of IBIT shares to trade at a premium to the value of the (underlying) bitcoin held by IBIT, the Exchange believes that other market participants would attempt to arbitrage this price difference by selling short IBIT shares while concurrently purchasing bitcoin. Those market participants (arbitrageurs) would then deliver cash to IBIT and receive shares of IBIT, which would be used to close out any previously established short position in IBIT. Thus, this creation and redemptions process would significantly reduce the potential risk of

¹⁶ *See* Phlx FLEX IBIT Approval Order, n. 21 (noting that, in the IBIT Approval Order, “the Commission stated that it considered and reviewed the ISE’s analysis that the exercisable risk associated with a position limit of 25,000 contracts represented only 0.4% of the outstanding shares of IBIT. The Commission stated that it also considered and reviewed the ISE’s statement that with a position limit of 25,000 contracts on the same side of the market and 611,040,00 shares of IBIT outstanding, 244 market participants would have to simultaneously exercise their positions to place IBIT under stress).

¹⁷ *See* Securities Exchange Act Release No. 103564 (July 29, 2025), 90 FR ____ (August __, 2025) (SR–ISE–2024–62) (Order Approving a Proposed Rule Change, as Modified by Amendment Nos. 2 and 3, Regarding Position and Exercise Limits for Options on the iShares Bitcoin Trust ETF).

¹⁸ GLD and SLV, like IBIT, each hold one asset in trust.

¹¹ *See* proposed Rules 5.32–O(f)(1) (excluding IBIT options from the prohibition against FLEX trading); and 5.35–O(b)(iii) (specifying that the Exchange will aggregate any FLEX and non-FLEX IBIT option positions for purposes of calculating the position and exercise limits for IBIT, as set forth in Rules 6.8–O and 6.9–O).

¹² *See supra* note 7, IBIT Approval Order, 89 FR 78946.

¹³ *See id.*

¹⁴ *See id.*

¹⁵ *See id.*

price dislocation between the value of shares in IBIT and the value of bitcoin holdings.

The Exchange understands that FLEX Equity Options on ETFs are currently traded in the over-the-counter (“OTC”) market by a variety of market participants, *e.g.*, hedge funds, proprietary trading firms, and pension funds, to name a few. The Exchange believes there is room for significant growth if a comparable product were introduced for trading on a regulated market. The Exchange expects that users of these OTC products would be among the primary users of FLEX IBIT options. The Exchange also believes that the trading of FLEX IBIT options would allow these same market participants to better manage the risk associated with the volatility of IBIT (the underlying ETF) given the enhanced liquidity that an exchange-traded product would bring.

Additionally, the Exchange believes that FLEX IBIT options traded on the Exchange would have three important advantages over the contracts that are traded in the OTC market. First, as a result of greater standardization of contract terms, exchange-traded contracts should develop more liquidity. Second, counter-party credit risk would be mitigated by the fact that the contracts are issued and guaranteed by The Options Clearing Corporation (“OCC”). Finally, the price discovery and dissemination provided by the Exchange and its members would lead to more transparent markets. The Exchange believes that its ability to offer FLEX IBIT options would aid it in competing with the OTC market and at the same time expand the universe of products available to interested market participants. The Exchange believes that an exchange-traded alternative may provide a useful risk management and trading vehicle for market participants and their customers.

The Exchange has analyzed its capacity and represents that it and The Options Price Reporting Authority (“OPRA”) have the necessary systems capacity to handle the additional traffic associated with the listing of FLEX IBIT options. The Exchange believes any additional traffic that would be generated from the trading of FLEX IBIT options would be manageable. The Exchange believes OTP Holders and OTP Firms will not have a capacity issue as a result of this proposed rule change. The Exchange also represents that it does not believe this proposed rule change will cause fragmentation of liquidity. The Exchange will monitor the trading volume associated with the additional options series listed as a

result of this proposed rule change and the effect (if any) of these additional series on market fragmentation and on the capacity of the Exchange’s automated systems.

The Exchange represents that the same surveillance procedures applicable to the Exchange’s other options products listed and traded on the Exchange, including non-FLEX IBIT options, will apply to FLEX IBIT options, and that it has the necessary systems capacity to support such options. FLEX options products (and their respective symbols) are integrated into the Exchange’s existing surveillance system architecture and are thus subject to the relevant surveillance processes. The Exchange’s market surveillance staff (including staff of the Financial Industry Regulatory Authority (“FINRA”) who perform surveillance and investigative work on behalf of the Exchange pursuant a regulatory services agreement) conducts surveillances with respect to IBIT (the underlying ETFs) and, as appropriate, would review activity in applicable ETF when conducting surveillances for market abuse or manipulation in the FLEX IBIT options. The Exchange does not believe that allowing FLEX IBIT options would render the marketplace for non-FLEX IBIT options, or equity options in general, more susceptible to manipulative practices.

The Exchange represents that its existing trading surveillances are adequate to monitor the trading in IBIT, as well as any subsequent trading of FLEX IBIT options on the Exchange. Additionally, the Exchange is a member of the Intermarket Surveillance Group (“ISG”) under the ISG Agreement. ISG members work together to coordinate surveillance and investigative information sharing in the stock, options, and futures markets. For surveillance purposes, the Exchange would therefore have access to information regarding trading activity in IBIT and in other pertinent underlying securities on other exchanges through ISG. In addition, and as referenced above, the Exchange has a regulatory services agreement with FINRA, pursuant to which FINRA conducts certain surveillances on behalf of the Exchange. Further, pursuant to a multi-party 17d-2 joint plan, all options exchanges allocate regulatory responsibilities to FINRA to conduct certain options-related market surveillances.¹⁹ The Exchange will

¹⁹ Section 19(g)(1) of the Act, among other things, requires every SRO registered as a national securities exchange or national securities association to comply with the Act, the rules and

implement any additional surveillance procedures it deems necessary to effectively monitor the trading of FLEX IBIT options.

The proposed rule change is designed to allow investors seeking to trade IBIT options to utilize FLEX IBIT options. The Exchange believes that offering innovative products flows to the benefit of the investing public. A robust and competitive market requires that exchanges respond to members’ evolving needs by constantly improving their offerings. Such efforts would be stymied if exchanges were prohibited from offering innovative products such as the proposed FLEX IBIT options. The Exchange believes that introducing FLEX IBIT options would further broaden the base of investors that use FLEX Equity Options (and options on IBIT in general) to manage their trading and investment risk, including investors that currently trade in the OTC market for customized options. The proposed rule change is also designed to encourage market makers to shift liquidity from the OTC market on the Exchange, which, it believes, will enhance the process of price discovery conducted on the Exchange through increased order flow.

As discussed herein, the Exchange does not believe that this proposed rule change raises any unique regulatory concerns because the proposal to aggregate FLEX and non-FLEX IBIT option positions at the (most conservative) 25,000-contract position and exercise limit, which currently applies solely to non-FLEX IBIT options, should provide an adequate safeguard.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Securities Exchange Act of 1934 (the “Act”),²⁰ in general, and furthers the objectives of Section 6(b)(5) of the Act,²¹ in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and

regulations thereunder, and the SRO’s own rules, and, absent reasonable justification or excuse, enforce compliance by its members and persons associated with its members. See 15 U.S.C. 78q(d)(1) and 17 CFR 240.17d-2. Section 17(d)(1) of the Act allows the Commission to relieve an SRO of certain responsibilities with respect to members of the SRO who are also members of another SRO. Specifically, Section 17(d)(1) allows the Commission to relieve an SRO of its responsibilities to: (i) receive regulatory reports from such members; (ii) examine such members for compliance with the Act and the rules and regulations thereunder, and the rules of the SRO; or (iii) carry out other specified regulatory responsibilities with respect to such members.

²⁰ 15 U.S.C. 78f(b).

²¹ 15 U.S.C. 78f(b)(5).

equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Specifically, the Exchange believes that introducing FLEX IBIT Options will increase order flow to the Exchange, increase the variety of options products available for trading, and provide a valuable tool for investors to manage risk. The proposed rule change is designed to allow investors seeking to trade IBIT options to utilize FLEX IBIT options.

The Exchange believes that the proposal to permit FLEX IBIT options would remove impediments to and perfect the mechanism of a free and open market. The Exchange believes that offering FLEX IBIT options will benefit investors by providing them with an additional, relatively lower cost investing tool to gain exposure to the price of bitcoin and provide a hedging vehicle to meet their investment needs in connection with a bitcoin-related product. Moreover, the proposal would broaden the base of investors that use FLEX Options to manage their trading and investment risk, including investors that currently trade in the OTC market for customized options. By trading a product in an exchange-traded environment (that is currently being used in the OTC market), the Exchange would be able to compete more effectively with the OTC market. The Exchange believes the proposed rule change is designed to prevent fraudulent and manipulative acts and practices in that it would lead to the migration of options currently trading in the OTC market to trading to the Exchange. Also, any migration to the Exchange from the OTC market would result in increased market transparency and enhance the process of price discovery conducted on the Exchange through increased order flow. The Exchange also believes that offering FLEX IBIT options may appeal to retail investors interested in options trading (both FLEX and non-FLEX) on IBIT.

Additionally, the Exchange believes the proposed rule change is designed to remove impediments to and to perfect the mechanism for a free and open market and a national market system, and, in general, to protect investors and the public interest in that it should create greater trading and hedging opportunities and flexibility. The proposed rule change should also result in enhanced efficiency in initiating and closing out positions and heightened contra-party creditworthiness due to the role of OCC as issuer and guarantor of FLEX IBIT options. Further, the

proposed rule change would result in increased competition by permitting the Exchange to offer products that are currently used in the OTC market.

The Exchange does not believe that this proposed rule change raises any unique regulatory concerns because the proposal to aggregate any FLEX and non-FLEX IBIT options at the current (and most conservative) 25,000-contract limit should provide an adequate safeguard. As noted herein, the purpose of position (and exercise) limits is to address potential manipulative schemes and adverse market impacts surrounding the use of options, such as disrupting the market in the security underlying the options. The Exchange believes the proposal will benefit investors and public interest because the aggregated position and exercise limits for (FLEX and non-FLEX) IBIT options at 25,000 contracts, the lowest limit available in options, would address concerns related to manipulation and protection of investors as this number is conservative and therefore appropriate given the sufficient liquidity in IBIT.

The Exchange believes that offering innovative products benefits the investing public. A robust and competitive market requires that exchanges respond to the evolving needs of their members by constantly improving their offerings. Such efforts would be stymied if exchanges were prohibited from offering innovative products such as the proposed FLEX IBIT options. The Exchange does not believe that allowing FLEX IBIT options would render the marketplace for equity options more susceptible to manipulative practices.

Finally, the Exchange represents that it has an adequate surveillance program in place to detect manipulative trading in FLEX IBIT options. Regarding the proposed FLEX IBIT options, the Exchange would use the same surveillance procedures utilized for FLEX Options currently listed on the Exchange (as well as for non-FLEX IBIT options). For surveillance purposes, the Exchange would have access to information regarding trading activity in IBIT (the underlying ETF). In light of surveillance measures related to both IBIT options and IBIT (the underlying ETF), the Exchange believes that existing surveillance procedures are designed to deter and detect possible manipulative behavior which might potentially arise from listing and trading the proposed FLEX IBIT options.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

Intra-market competition. The Exchange does not believe that its proposed rule change will impose any burden on intra-market competition as all market participants would have the option of utilizing the FLEX IBIT options. The proposed rule change is designed to allow investors seeking option exposure to bitcoin to trade FLEX IBIT options. Moreover, the Exchange believes that the proposal to permit FLEX IBIT options would broaden the base of investors that use FLEX Options to manage their trading and investment risk, including investors that currently trade in the OTC market for customized options.

Inter-market competition. The Exchange does not believe that its proposed rule change will impose any burden on inter-market competition as all market participants would have the option of utilizing the FLEX IBIT options. As noted herein, this proposal is competitive and would allow the Exchange to compete with competing options exchanges already authorized to trade FLEX IBIT options. The Exchange notes that it operates in a highly competitive market in which market participants can readily direct order flow to competing venues. The proposed rule change would support that intermarket competition by allowing the Exchange to offer additional functionality to OTP Holders and OTP Firms. The Exchange believes that the proposed FLEX IBIT options will increase the variety of options products available for trading in general and bitcoin-related products in particular and, as such, will provide a valuable tool for investors to manage risk.

As such, the Exchange believes that this proposal does not create an undue burden on intermarket competition. Rather, the Exchange believes that the proposed rule would bolster intermarket competition by promoting fair competition among individual markets.

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 Act²² and Rule 19b-4(f)(6) thereunder.²³ Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act²⁴ and subparagraph (f)(6) of Rule 19b-4 thereunder.²⁵

A proposed rule change filed under Rule 19b-4(f)(6)²⁶ under the Act does not normally become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b-4(f)(6)(iii),²⁷ the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has requested that the Commission waive the 30-day operative delay so that the proposal may become operative immediately upon filing. The Commission previously approved the trading of FLEX Equity Options on the iShares Bitcoin Trust ETF.²⁸ The Exchange proposes to permit options on IBIT to trade as FLEX Equity Options and would require the aggregation of any FLEX and non-FLEX positions in IBIT for purposes of calculating 25,000-contract position and exercise limits. The Exchange further represents that the same surveillance procedures applicable to the Exchange's other options products listed and traded on the Exchange, including non-FLEX IBIT options, will apply to FLEX IBIT options, and that it has the necessary systems capacity to support such options. The Commission believes that waiver of the operative delay could benefit investors by providing an

additional venue for trading FLEX Equity Options on the iShares Bitcoin Trust ETF. Therefore, the Commission believes that waiver of the 30-day operative delay is consistent with the protection of investors and the public interest. Accordingly, the Commission hereby waives the 30-day operative delay and designates the proposed rule change as operative upon filing.²⁹

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission 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-NYSEARCA-2025-55 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-2025-55. 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 filing 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-2025-55 and should be submitted on or before August 27, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.³⁰

Vanessa A. Countryman,
Secretary.

[FR Doc. 2025-14856 Filed 8-5-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235-0070]

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Extension: Exchange Act Form 10-Q

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549-2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission ("Commission") has submitted to the Office of Management and Budget this request for extension of the previously approved collection of information discussed below.

Form 10-Q (17 CFR 249.308a) is filed by issuers to satisfy their quarterly reporting obligations pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m or 78o(d)). The information provided by Form 10-Q is intended to ensure the adequacy of information available to investors about an issuer. The information required by Form 10-Q is mandatory, and Form 10-Q is publicly available on the Commission's Electronic Data Gathering, Analysis, and Retrieval ("EDGAR") system. We estimate that Form 10-Q takes approximately 180.18 hours per response to prepare and is filed three times per year by approximately 6,473 respondents, for a total of approximately 19,419 Form 10-Q filings per year. We estimate that 75% of the approximately 180.18 hours per response (135.135 hours) is prepared by the issuer for an annual reporting burden of 2,624,187 hours (135.135 hours per response × 19,419 responses). We estimate that 25% of the approximately 180.18 hours

²² 15 U.S.C. 78s(b)(3)(A)(iii).

²³ 17 CFR 240.19b-4(f)(6).

²⁴ 15 U.S.C. 78s(b)(3)(A)(iii).

²⁵ 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied the pre-filing requirement.

²⁶ 17 CFR 240.19b-4(f)(6).

²⁷ 17 CFR 240.19b-4(f)(6)(iii).

²⁸ See Securities Exchange Act Release No. 103565 (July 29, 2025) (Order Approving a Proposed Rule Change to Permit the Trading of FLEX Options on Shares of the iShares Bitcoin Trust ETF) (SR-PHLX-2024-72).

²⁹ For purposes only of waiving the 30-day operative delay, the Commission has also considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

³⁰ 17 CFR 200.30-3(a)(12).

per response (45.045 hours) is carried by outside professionals retained by the issuer to assist in the preparation of the form, at an estimated cost of \$600 per hour, for a total annual cost burden of \$524,837,313 (45.045 hours per response × \$600 per hour × 19,419 responses annually).

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

The public may view and comment on this information collection request at: https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202503-3235-005 or send an email comment to MBX.OMB.OIRA.SEC_desk_officer@omb.eop.gov within 30 days of the day after publication of this notice by September 8, 2025.

Dated: August 1, 2025.

J. Matthew DeLesDernier,
Deputy Secretary.

[FR Doc. 2025-14851 Filed 8-5-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-103623; File No. SR-NYSEAMER-2025-46]

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 Waive the Combined Cap on Floor Broker Credits Paid for QCC Trades and Rebates Paid Through the Manual Billable Rebate Program for the Months of August, September and October 2025

August 1, 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 31, 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 waive the maximum combined Floor Broker credits paid for QCC trades and rebates paid through the Manual Billable Rebate Program for the months of August, September, and October 2025. The Exchange proposes to implement the fee change effective August 1, 2025. The proposed rule change is available on the Exchange’s website at www.nyse.com and at the principal office of the Exchange.

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 amend the Fee Schedule to waive the maximum combined Floor Broker credits paid for QCC trades and rebates paid through the Manual Billable Rebate Program for the months of August, September, and October 2025.

The Exchange imposes a limit on the maximum combined Floor Broker credits paid for QCC trades and rebates paid through the Manual Billable Rebate Program of \$3,000,000 per month per Floor Broker firm (the “Cap”).⁴ The purpose of this Cap [sic] is to encourage Floor Broker firms to continue to direct open outcry transactions to the Exchange, despite increasing industry volumes making it less difficult to reach the Cap.⁵

⁴ See Fee Schedule, Sections I.F. and III.E.1 (providing, in relevant part, that Floor Broker credits paid for QCC trades and rebates paid through the Manual Billable Rebate Program shall not combine to exceed \$3,000,000 per month per Floor Broker firm).

⁵ The Exchange notes that, in January 2025, it increased the Cap from \$2,700,000 to \$3,000,000 in response to higher industry volumes. See Securities Exchange Act Release No. 102241 (January 17,

In mid-April, in response to extreme market volatility and concomitant surge of open outcry volume that led to Floor Broker firms earning higher than average monthly credits/rebates, the Exchange waived the Cap for April 2025.⁶ This waiver was adopted in anticipation of Floor Broker firms reaching the Cap before the end of April and potentially re-directing their order flow away from the Exchange.⁷ The Exchange believes that the April waiver was effective as it allowed Floor Broker firms to continue to send their credit/rebate-generating order flow to the Exchange throughout the month without concern for reaching the Cap. The Exchange then extended this waiver for the months of May, June, and July 2025.⁸

At present, open outcry volumes on the Exchange remain elevated. The Exchange therefore proposes to waive the Cap for the months of August, September, and October 2025.⁹ Like previous waivers, the proposed waiver is being adopted in anticipation of Floor Broker firms reaching the Cap before months end and potentially redirecting their order flow away from the Exchange. In the absence of the proposed waiver, Floor Broker firms may choose to re-direct such order flow to a competing market.

Although the Exchange cannot predict with certainty how many Floor Broker firms would be impacted by this change, the Exchange believes that the proposed changes would incent Floor Brokers to continue to direct their order flow to the Exchange thus increasing liquidity to the benefit of all market participants.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,¹⁰ in general, and furthers the objectives of Sections 6(b)(4) and (5) of the Act,¹¹ 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.

2025), 90 FR 8071 (January 23, 2025) (SR-NYSEAMER-2025-04).

⁶ See Securities Exchange Act Release No. 102890 (April 18, 2025), 90 FR 17273 (April 24, 2025) (SR-NYSEAMER-2025-26).

⁷ See *id.*

⁸ See Securities Exchange Act Release No. 102985 (May 2, 2025), 90 FR 19584 (May 8, 2025) (SR-NYSEAMER-2025-27).

⁹ See proposed Fee Schedule, Sections I.F. and III.E.1.

¹⁰ 15 U.S.C. 78f(b).

¹¹ 15 U.S.C. 78f(b)(4) and (5).

¹ 15 U.S.C. 78s(b)(1).

² 15 U.S.C. 78a.

³ 17 CFR 240.19b-4.

The proposed changes to the Fee Schedule are reasonable, equitable, and not unfairly discriminatory. As a threshold matter, the Exchange is subject to significant competitive forces in the market for options securities transaction services that constrain its pricing determinations in that market. The Commission has repeatedly expressed its preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. In Regulation NMS, the Commission highlighted the importance of market forces in determining prices and SRO revenues and, also, recognized that current regulation of the market system “has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies.”¹²

There are currently 18 registered options exchanges competing for order flow. Based on publicly-available information, and excluding index-based options, no single exchange has more than 16% of the market share of executed volume of multiply-listed equity and ETF options trades.¹³ Therefore, currently no exchange possesses significant pricing power in the execution of multiply-listed equity & ETF options order flow. More specifically, in June 2025, the Exchange had 7.73% market share of executed volume of multiply-listed equity & ETF options trades.¹⁴ In such a low-concentrated and highly competitive market, no single options exchange possesses significant pricing power in the execution of options order flow. Within this environment, market participants can freely and often do shift their order flow among the Exchange and competing venues in response to changes in their respective pricing schedules.

The proposed waiver of the Cap is reasonable because it is designed to encourage the role performed by Floor Brokers in facilitating the execution of orders via open outcry, a function that the Exchange wishes to support for the benefit of all market participants.

Absent the proposed waiver, the Exchange believes that as soon as Floor Brokers reach the Cap, they are likely to re-direct order flow away from the Exchange, which may adversely impact other market participants trading on the Exchange. To the extent that the proposed waiver encourages Floor Brokers to facilitate transactions on the Exchange instead of on a competing market, all market participants participating on the Exchange would benefit from the increased liquidity. The Exchange believes the proposed waiver should continue to incent Floor Brokers to encourage market participants to aggregate their executions at the Exchange as a primary execution venue. To the extent that the proposed change achieves its purpose in attracting more volume to the Exchange, this increased order flow would continue to make the Exchange a more competitive venue for order execution, thus improving market quality for all market participants.

The Exchange believes the proposed waiver of the Cap is an equitable allocation of its fees and credits and is not unfairly discriminatory because the proposal is based on the amount and type of business transacted on the Exchange. Floor Brokers are not obligated to execute manual transactions (and QCCs) to earn rebates and credits applied toward the Cap. However, the proposed waiver is designed to continue to encourage the role performed by Floor Brokers in facilitating the execution of orders via open outcry, a function that the Exchange wishes to support for the benefit of all market participants.

To the extent that the proposed waiver of the Cap continues to attract manual transactions (and QCCs) to the Exchange, this increased order flow would continue to make the Exchange a more competitive venue for order execution. Thus, the Exchange believes the proposed waiver would improve market quality for all market participants on the Exchange and attract more order flow to the Exchange, thereby improving market-wide quality and price discovery. The resulting increased volume and liquidity would provide more trading opportunities and tighter spreads to all market participants and thus 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.

Finally, the Exchange believes that it is subject to significant competitive forces, as described below in the

Exchange’s statement regarding the burden on competition.

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 rule change 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 Exchange believes that the proposed changes would encourage the submission of additional liquidity to a public exchange, thereby promoting market depth, price discovery and transparency and enhancing order execution opportunities for all market participants. As a result, the Exchange believes that the proposed change furthers the Commission’s goal in adopting Regulation NMS of fostering integrated competition among orders, which promotes “more efficient pricing of individual stocks for all types of orders, large and small.”¹⁵

Intramarket Competition. The proposed waiver of the Cap apply [sic] equally to all similarly-situated Floor Brokers. To the extent that there is an additional competitive burden on non-Floor Brokers, the Exchange believes that any such burden would be appropriate because Floor Brokers serve an important function in facilitating the execution of orders in open outcry and price discovery for all market participants.

Intermarket Competition. The Exchange operates in a highly competitive market in which market participants can readily favor one of the other 17 competing options exchanges if they deem fee levels at a particular venue to be excessive. In such an environment, the Exchange must continually adjust its fees to remain competitive with other exchanges and to attract order flow to the Exchange. Based on publicly-available information, and excluding index-based options, no single exchange has more than 16% of the market share of executed volume of multiply-listed equity and ETF options trades.¹⁶ Therefore, currently no exchange possesses significant pricing power in the execution of multiply-listed equity and ETF options order flow. More specifically, in June 2025, the Exchange

¹² See Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496, 37499 (June 29, 2005) (S7–10–04) (“Reg NMS Adopting Release”).

¹³ The OCC publishes options and futures volume in a variety of formats, including daily and monthly volume by exchange, available here: <https://www.theocc.com/Market-Data/Market-Data-Reports/Volume-and-Open-Interest/Monthly-Weekly-Volume-Statistics>.

¹⁴ Based on a compilation of OCC data for monthly volume of equity-based options and monthly volume of equity-based ETF options, see *id.*, the Exchanges market share in equity-based options decreased from 8.17% for the month of June 2024 to 7.73% for the month of June 2025.

¹⁵ See Reg NMS Adopting Release, *supra* note 12, at 37499.

¹⁶ The OCC publishes options and futures volume in a variety of formats, including daily and monthly volume by exchange, available here: <https://www.theocc.com/Market-Data/Market-Data-Reports/Volume-and-Open-Interest/Monthly-Weekly-Volume-Statistics>.

had 7.73% market share of executed volume of multiply-listed equity & ETF options trades.¹⁷

The Exchange believes that the proposed waiver of the Cap reflects this competitive environment because it is designed to continue to incent Floor Brokers to direct manual and QCC transactions to the Exchange, to provide liquidity and to attract order flow. To the extent that Floor Brokers are encouraged to utilize the Exchange as a primary trading venue for all transactions, all Exchange market participants stand to benefit from the improved market quality and increased opportunities for price improvement. The Exchange notes that it operates in a highly competitive market in which market participants can readily favor competing venues. In such an environment, the Exchange must continually review, and consider adjusting, its fees and credits to remain competitive with other exchanges. For the reasons described above, the Exchange believes that the proposed rule change reflects this competitive environment.

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) ¹⁸ of the Act and subparagraph (f)(2) of Rule 19b-4 ¹⁹ 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 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) ²⁰ 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-2025-46 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-2025-46. 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 filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-NYSEAMER-2025-46 and should be submitted on or before August 27, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²¹

Vanessa A. Countryman,
Secretary.

[FR Doc. 2025-14854 Filed 8-5-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235-0732]

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Extension: Business Conduct Standards for Security-Based Swap Dealers and Major Security-Based Swap Participants

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549-2736

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission ("SEC" or "Commission") is submitting to the Office of Management and Budget ("OMB") this request for extension of the proposed collection of information provided for in Business Conduct Standards for Security-Based Swap Dealers and Major Security-Based Swap Participants ¹ (17 CFR 240.3a67-10, 240.3a71-3, 240.3a71-6, 240.15Fh-1 through 15Fh-6 and 240.15Fk-1), under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*) ("Exchange Act").

In 2010, Congress enacted the Dodd-Frank Act, establishing a comprehensive framework for regulating the over-the-counter swaps markets.² As required by Title VII of the Dodd-Frank Act, new section 15F(h) of the Exchange Act established business conduct standards for security-based swap Dealers ("SBS Dealers") and Major security-based swap Participants ("collectively "SBS Entities") in their dealings with counterparties, including special entities.³

¹ *Business Conduct Standards for Security-Based Swap Dealers and Major Security-Based Swap Participants*, Exchange Act Release 77617 (Apr. 14, 2016), 81 FR 29959 (May 13, 2016). See also *Business Conduct Standards for Security-Based Swap Dealers and Major Security-Based Swap Participants; Correction*, Exchange Act Release 77617A (May 19, 2016), 81 FR 32643 (May 24, 2016). (together, the "BCS Rules")

² Dodd-Frank Wall Street Reform and Consumer Protection Act, Public Law 111-203, 124 Stat. 1376 (2010) ("Dodd-Frank Act").

³ "Special Entity" means: a federal agency; State, State agency, city, county, municipality, other political subdivision of a State, or any instrumentality, department, or a corporation of or established by a State or political subdivision of a State; any employee benefit plan subject to Title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002); any governmental plan, as defined in Section 3 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002); any endowment, including an endowment that is an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)(3));

Continued

¹⁷ Based on a compilation of OCC data for monthly volume of equity-based options and monthly volume of equity-based ETF options, *see id.*, the Exchanges market share in equity-based options decreased from 8.17% for the month of June 2024 to 7.73% for the month of June 2025.

¹⁸ 15 U.S.C. 78s(b)(3)(A).

¹⁹ 17 CFR 240.19b-4(f)(2).

²⁰ 15 U.S.C. 78s(b)(2)(B).

²¹ 17 CFR 200.30-3(a)(12).

In 2016, in order to implement the Dodd-Frank Act, the Commission adopted the BCS Rules for SBS Dealers and Major SBS Participants,⁴ a comprehensive set of business conduct standards and chief compliance officer (“CCO”) requirements applicable to SBS Entities, that are designed to enhance transparency, facilitate informed customer decision-making, and heighten standards of professional conduct to better protect investors.

Rules 15Fh–1 through 15Fh–6 and 15Fk–1 require SBS Entities to:

- Verify whether a counterparty is an eligible contract participant and whether it is a special entity;
- Disclose to the counterparty material information about the security-based swap, including material risks, characteristics, incentives and conflicts of interest;
- Provide the counterparty with information concerning the daily mark of the security-based swap;
- Provide the counterparty with information regarding the ability to require clearing of the security-based swap;
- Communicate with counterparties in a fair and balanced manner based on principles of fair dealing and good faith;
- Establish a supervisory and compliance infrastructure; and
- Designate a CCO that is required to fulfill the described duties and provide an annual compliance report.

The rules also require SBS Dealers to:

- Determine that recommendations they make regarding security-based swaps are suitable for their counterparties.
- Establish, maintain and enforce written policies and procedures reasonably designed to obtain and retain a record of the essential facts concerning each known counterparty that are necessary to conduct business with such counterparty; and
- Comply with rules designed to prevent “pay-to-play.”

The rules also define what it means to “act as an advisor” to a special entity,

or any employee benefit plan defined in Section 3 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002), not otherwise defined as a Special Entity, that elects to be a Special Entity by notifying a swap dealer or major swap participant of its election prior to entering into a swap with the particular swap dealer or major swap participant. 17 CFR part 23.401(c).

⁴ See *supra* note 1.

and require an SBS Dealer who acts as an advisor to a special entity to:

- Make a reasonable determination that any security-based swap or trading strategy involving a security-based swap recommended by the SBS Dealer is in the best interests of the special entity whose identity is known at a reasonably sufficient time prior to the execution of the transaction to permit the SBS Dealer to comply with this obligation; and
- Make reasonable efforts to obtain such information that the SBS Dealer considers necessary to make a reasonable determination that a security-based swap or trading strategy involving a security-based swap is in the best interests of the known special entity.

In addition, the rules require SBS Entities acting as counterparties to special entities to reasonably believe that the counterparty has an independent representative who meets the following requirements:

- Has sufficient knowledge to evaluate the transaction and risks;
- Is not subject to a statutory disqualification;
- Undertakes a duty to act in the best interests of the special entity;
- Makes appropriate and timely disclosures to the special entity of material information concerning the security-based swap;
- Evaluates, consistent with any guidelines provided by the special entity, the fair pricing and the appropriateness of the security-based swap;
- Is independent of the security-based swap dealer or major security-based swap participant that is the counterparty to a proposed security-based swap.

Under the rules, the special entity’s independent representative must also be subject to pay-to-play regulations, and if the special entity is an ERISA plan, the independent representative must be an ERISA fiduciary.

The information that must be collected pursuant to the BCS Rules is intended to increase accountability and transparency in the market. The information should therefore help establish a framework that protects investors and promotes efficiency, competition and capital formation.

Based on a review of recent data, as of 2025, the Commission staff estimates the number of respondents to be as

follows: 53 SBS Dealers, 0 Major SBS Participants, for a total of 53 “SBS Entities.”⁵ Further, the Commission staff estimate that approximately 46 of these 53 SBS Entities will be dually registered with the CFTC as Swap Entities. The Commission staff also estimate that there are currently 16,061 security-based swap market participants of which 12,406 are also swap market participants.⁶ From October 2021 through September 2022, the Commission staff estimate that there were approximately 377,271 security-based swap transactions between an SBS Dealer and counterparty that is not an SBS Dealer of which approximately 234,654 were new and 5,559 amended trades (totaling 240,213). The Commission staff estimate there are 283 independent, third-party representatives and 22 in-house independent representatives, for a total of 305 independent representatives.⁷ The Commission staff estimate that there are approximately 14,005 unique SBS Dealer and non-SBS-Dealer pairs.⁸ The Commission staff have used these estimates in calculating the hour and cost burdens for the rule provisions that the Commission staff anticipate have a “collection of information” burden within the meaning of the PRA.

The Commission staff estimate that the aggregate burden of the ongoing reporting and disclosures required by the BCS Rules, as described above, is approximately 535,595 hours and \$2,522,058 calculated as follows:

⁵ *List of Registered Security-Based Swap Dealers and Major Security-Based Swap Participants*, available at: <https://www.sec.gov/about/divisions-offices/division-trading-markets/list-registered-security-based-swap-dealers-major-security-based-swap-participants> (providing the list of registered security-based swap dealers and major security-based swap participants that was updated as of December 31, 2024). Information concerning Swap Entities registered with the CFTC available at: (<https://www.cftc.gov/IndustryOversight/Intermediaries/MajorSwapParticipantMSP/index.htm>).

⁶ Unless otherwise noted, estimates were derived from the DTCC–TIW data set (November 30, 2006 through September 2022). In October 2022, DTCC–TIW transaction data went through a major structural change. Commission staff are still in the process of resolving the consistency issue associated with this data.

⁷ See Information About Registered Municipal Advisors as of January 1, 2025 (<https://www.sec.gov/data-research/sec-markets-data/information-about-registered-municipal-advisors>).

⁸ See *supra* note 6.

IC title	Type of burden	Respondents	Ongoing annual burden	Ongoing annual burden	Industry-wide annual burden	Industry-wide annual burden
			Hours	Cost	Hours	Cost
15Fh-3(b), (c), (d) Disclosures—SBS Entities	Reporting	53	4,120	\$0	218,360	\$0
15Fh-3(b), (c), (d) Disclosures—SBS Transactions Between SBS Dealer and Non-SBSD Counterparty.	Reporting	53	4,427.4	0	234,654	0
15Fh-3(e), (f) Know Your Counterparty and Recommendations (SBS Dealers).	Reporting	53	132.1	0	7,003	0
15Fh-3(g) Fair and Balanced Communications	Reporting	53	2	4,158	106	220,374
15Fh-3(h) Supervision	Reporting	53	540	5,544	28,620	293,832
15Fh-5 SBS Entities Acting as Counterparties to Special Entities	Reporting	53	305	0	16,165	0
15Fh-5 SBS Entities Acting as Counterparties to Special Entities	Third-Party Disclosure ..	53	305	0	16,165	0
15Fh-6 Political Contributions	Reporting	53	1	29,568	53	1,567,104
15Fk-1 Chief Compliance Officer	Reporting	53	273	8,316	14,469	440,748
Total					535,595	2,522,058

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

Written comments are invited on: (a) whether this proposed collection of information is necessary for the proper performance of the functions of the SEC, including whether the information will have practical utility; (b) the accuracy of the SEC's estimate of the burden imposed by the proposed collection of information, including the validity of the methodology and the assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated, electronic collection techniques or other forms of information technology.

The public may view and comment on this information collection request at: https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202505-3235-012 or email comment to MBX.OMB.OIRA.SEC_desk_officer@omb.eop.gov within 30 days of the day after publication of this notice, by September 5, 2025.

Dated: August 1, 2025.

J. Matthew DeLesDernier,
Deputy Secretary.

[FR Doc. 2025-14852 Filed 8-5-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235-0597]

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Extension: Rule 31 and Form R31

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services,

100 F Street NE, Washington, DC 20549-2736

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 ("PRA") (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission ("Commission" or "SEC") is submitting to the Office of Management and Budget ("OMB") this request for extension of the proposed collection of information provided for in Rule 31 (17 CFR 240.31) and Form R31 (17 CFR 249.11), under the Securities Exchange Act of 1934 ("Exchange Act") (15 U.S.C. 78a *et seq.*).

Section 31 of the Exchange Act requires the Commission to collect fees and assessments from national securities exchanges and national securities associations (collectively, "self-regulatory organizations" or "SROs") based on the volume of their securities transactions. To collect the proper amounts, the Commission adopted Rule 31 and Form R31 under the Exchange Act whereby each SRO must report to the Commission the volume of its securities transactions and the Commission, based on those data, calculates the amount of fees and assessments that each SRO owes pursuant to Section 31. Rule 31 and Form R31 require each SRO to provide these data on a monthly basis.

Currently, there are 31 respondents under Rule 31 that are subject to the collection of information requirements of Rule 31: 28 national securities exchanges, 1 national securities association, and 2 registered clearing agencies that are required to provide certain data in their possession needed by the SROs to complete Form R31, although these 2 clearing agencies are not themselves required to complete and submit Form R31. The Commission estimates that the total burden for all 31 respondents is 480 hours per year. The Commission estimates that, based on previous and current experience, 3 additional national securities exchanges will become registered and subject to

the reporting requirements of Rule 31 over the course of the authorization period and collectively incur a burden of 18 hours per year. Thus, the Commission estimates the collective burden for all respondents (existing and new added together) to be 498 hours per year. The Commission does not believe that the 31 existing or 3 expected new respondents will have to incur any capital or start-up costs, or any additional operational or maintenance costs (other than as already discussed in this paragraph), to comply with the collection of information requirements imposed by Rule 31 and Form R31.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

Written comments are invited on: (a) whether this proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (b) the accuracy of the Commission's estimate of the burden imposed by the proposed collection of information, including the validity of the methodology and the assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated, electronic collection techniques or other forms of information technology.

The public may view and comment on this information collection request at: https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202505-3235-001 or email comment to MBX.OMB.OIRA.SEC_desk_officer@omb.eop.gov within 30 days of the day after publication of this notice, by September 8, 2025.

Dated: August 4, 2025.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025-14929 Filed 8-5-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-103618; File No. SR-MRX-2025-15]

Self-Regulatory Organizations; Nasdaq MRX, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Decrease the Options Regulatory Fee (ORF) as of January 2, 2026

August 1, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the “Act”),¹ and Rule 19b-4 thereunder,² notice is hereby given that on July 25, 2025, Nasdaq MRX, LLC (“MRX” or “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 Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend MRX’s Pricing Schedule at Options 7, Section 5C, Options Regulatory Fee. Specifically, this proposal decreases MRX’s Options Regulatory Fee or “ORF” rate for January 2, 2026.³

While the changes proposed herein are effective upon filing, the Exchange has designated the proposed rule change to be operative on January 2, 2026.

The text of the proposed rule change is available on the Exchange’s website at <https://listingcenter.nasdaq.com/rulebook/mrx/rulefilings> and at the principal office of the Exchange.

II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the

proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

MRX proposes to decrease its January 2, 2026 ORF rate from \$0.0139 to \$0.0116 per contract side. MRX previously filed a rule proposal to amend its current methodology of assessment and collection of ORF to assess ORF only for options transactions that occur on MRX that are cleared in the Customer⁴ range at The Options Clearing Corporation (“OCC”).⁵ In that proposal, MRX amended its ORF rate from the current MRX ORF of \$0.0010 per contract side to \$0.0139 per contract side for January 2, 2026.⁶ At this time, MRX proposes to decrease the rate it originally filed in its ORF proposal in May 2025,⁷ applicable to January 2, 2026, because it has experienced a decrease to its FINRA Regulatory Services Agreement (“RSA”) fees. As a result of this decrease and accounting for actual revenue since May 2025, MRX proposes to decrease its ORF rate for January 2, 2026.

Of note, MRX is not amending its methodology for January 2, 2026.⁸ MRX

⁴ Currently, the ORF is assessed by MRX and collected via the OCC from Priority Customers, Professional Customers, and Broker-Dealers that are not affiliated with a clearing member. These market participants clear in the “C” range at OCC. ORF will continue to be assessed and collected from these market participants under the new methodology. On MRX, a “Priority Customer” is a person or entity that is not a broker/dealer in securities, and does not place more than 390 orders in listed options per day on average during a calendar month for its own beneficial account(s), as defined in Nasdaq MRX Options 1, Section 1(a)(36); a “Professional Customer” is a person or entity that is not a broker/dealer and is not a Priority Customer; and a “Broker-Dealer” order is an order submitted by a Member for a broker-dealer account that is not its own proprietary account.

⁵ See Securities Exchange Act Release No. 103103 (May 22, 2025), 90 FR 22797 (May 29, 2025) (SR-MRX-2025-11) (Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Methodology for Its Options Regulatory Fee as of January 2, 2026).

⁶ See *id.*

⁷ See *id.*

⁸ See *id.* MRX will assess ORF for options transactions cleared by OCC in the Customer range to each MRX Member for executions that occur on MRX. ORF will be collected by OCC on behalf of MRX from MRX Members and non-Members for all Customer transactions executed on MRX. ORF will be assessed and collected on all ultimately cleared Customer contracts, taking into account adjustments for CMTA that were provided to MRX

will endeavor to ensure that ORF Regulatory Revenue generated from ORF will not exceed 82% of Options Regulatory Cost. MRX will ensure that ORF Regulatory Revenue does not exceed [sic] Options Regulatory Cost. MRX will notify Members via an Options Trader Alert of any change in the amount of the fee at least 30 calendar days prior to the effective date of the change. In this case, the Exchange notified Members via an Options Trader Alert of these changes at least 30 calendar days prior to January 2, 2026.⁹

The Exchange will continue to monitor ORF Regulatory Revenue to ensure that it, in combination with other regulatory fees and fines, does not exceed Options Regulatory Costs. In determining whether an expense is considered an Options Regulatory Cost, the Exchange will continue to review all costs and makes determinations if there is a nexus between the expense and a regulatory function. The Exchange notes that fines collected by the Exchange in connection with a disciplinary matter will continue to offset Options Regulatory Cost.

As is the case today, ORF Regulatory Revenue is designed to recover a material portion of the Options Regulatory Costs to the Exchange for the supervision and regulation of Members’ transactions, including performing routine surveillances, investigations, examinations, financial monitoring, and policy, rulemaking, interpretive, and enforcement activities. As discussed above, Options Regulatory Costs include direct regulatory expenses¹⁰ and certain indirect expenses in support of the regulatory function.¹¹

Finally, the Exchange notes that this proposal will sunset on February 1, 2026, at which point the Exchange would revert back to the ORF methodology and rate of \$0.0004 per contract side.¹²

the same day as the trade. Further, MRX will bill ORF according to the clearing instructions provided on the execution. More specifically, MRX will assess ORF based on the clearing instruction provided on the execution on trade date and will not take into consideration CMTA changes or transfers that occur at OCC.

⁹ See <https://www.nasdaqtrader.com/MicroNews.aspx?id=OTA2025-33>.

¹⁰ The direct expenses include in-house and third-party service provider costs to support the day-to-day regulatory work such as surveillances, investigations, and examinations.

¹¹ The indirect expenses include support from such areas as Office of the General Counsel, technology, finance, and internal audit.

¹² The Exchange proposes to reconsider the sunset date in 2026 and determine whether to proceed with the proposed ORF structure at that time.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ The Exchange filed SR-MRX-2025-15 on July 17, 2025. On July 25, 2025, the Exchange withdrew [sic] SR-MRX-2025-15 and filed this rule change.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the “Act”) and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.¹³ Specifically, the Exchange believes the proposed rule change is consistent with Section 6(b)(4) of the Act¹⁴, which provides that Exchange rules may 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 the proposed rule change is consistent with the Section 6(b)(5)¹⁵ requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange believes that decreasing its January 2, 2026 ORF rate from \$0.0139 to \$0.0116 per contract side is reasonable because it would help ensure that ORF Regulatory Revenue does not exceed a material portion of the Exchange’s ORF Regulatory Costs. As noted above, the ORF is designed to recover a material portion, but not all, of the Exchange’s ORF Regulatory Costs. Further, the Exchange believes the proposed fee change is reasonable because Customer transactions will be subject to a lower ORF than the rate that would otherwise be in effect on January 2, 2026.

The Exchange had designed the ORF to generate ORF Regulatory Revenue that would be less than the amount of the Exchange’s ORF Regulatory Costs to ensure that it, in combination with its other regulatory fees and fines, does not exceed ORF Regulatory Costs, which is consistent with the view of the Commission that regulatory fees be used for regulatory purposes and not to support the Exchange’s business operations. As discussed above, however, after review of its ORF Regulatory Costs and ORF Regulatory Revenue, which includes revenues from ORF and other regulatory fees and fines, the Exchange determined that absent a reduction in ORF it may collect ORF Regulatory Revenue which would exceed its ORF Regulatory Costs. Indeed, the Exchange notes that when taking into account the lower cost resulting from the amended FINRA RSA, it estimates the ORF may generate ORF Regulatory Revenue that would cover more than the approximated Exchange’s projected ORF Regulatory

Costs. As such, the Exchange believes it is reasonable and appropriate to decrease the ORF rate.

The Exchange also believes that the fee change is equitable and not unfairly discriminatory in that it will be charged to all Members on all transactions that occur on MRX and clear in the Customer range at OCC. The Exchange believes the ORF ensures fairness by assessing higher fees to those Members that require more Exchange regulatory services based on the amount of Customer options business they conduct. A large portion of the Options Regulatory Cost relates to Customer allocation because obtaining Customer information may be more time intensive. For example, non-Customer market participants are subject to various regulatory and reporting requirements which provides the Exchange certain data with respect to these market participants. In contrast, Customer information is known by Members of the Exchange and is not readily available to MRX.¹⁶ The Exchange may have to take additional steps to understand the facts surrounding particular trades involving a Customer which may require requesting such information from a broker-dealer. Further, Customers require more Exchange regulatory services based on the amount of options business they conduct. For example, there are Options Regulatory Costs associated with main office and branch office examinations (e.g., staff expenses), as well as investigations into Customer complaints and the terminations of registered persons. As a result, the Options Regulatory Costs associated with administering the Customer component of the Exchange’s overall regulatory program are materially higher than the Options Regulatory Costs associated with administering the non-Customer component when coupled with the amount of volume attributed to such Customer transactions. Further, MRX’s Customer regulation occurs to a large extent on Exchange. The Exchange does not believe that significant Options Regulatory Costs result from activity attributed to Customers that may occur across options markets. To that end, the amount of Options Regulatory Cost allocated to on-exchange Customer transactions is significant. Also, with respect to Customer transactions, options volume continues to surpass volume from other options participants. Additionally, there are rules in the Exchange’s Rulebook that deal

exclusively with Customer transactions, such as rules involving doing business with a Customer, which would not apply to non-Customer market participants. For these reasons, regulating Customer trading activity is “much more labor-intensive” and therefore, more costly.

Also, assessing ORF on Customer executions that occur on MRX is reasonable, equitable and not unfairly discriminatory because it will avoid overlapping ORFs that would otherwise be assessed by MRX and other options exchanges that also assess an ORF. Further, the Exchange believes that collecting 82% of Options Regulatory Cost is appropriate and correlates to the degree of regulatory responsibility and Options Regulatory Cost borne by the Exchange with respect to Customer transactions. The Exchange’s proposal continues to ensure that Options Regulatory Revenue, in combination with other regulatory fees and fines, does not exceed Options Regulatory Costs. Fines collected by the Exchange in connection with a disciplinary matter will continue to offset Options Regulatory Cost. The Exchange will review the ORF Regulatory Revenue and would amend the ORF if it finds that its ORF Regulatory Revenue exceeds its projections.¹⁷

B. Self-Regulatory Organization’s Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on intra-market competition not necessary or appropriate in furtherance of the purposes of the Act. The Exchange notes, however, the proposed change is not designed to address any competitive issues. Indeed, this proposal does not create an unnecessary or inappropriate inter-market burden on competition because it is a regulatory fee that supports regulation in furtherance of the purposes of the Act. The Exchange is obligated to ensure that the amount of ORF Regulatory Revenue, in combination with its other regulatory fees and fines, does not exceed ORF Regulatory Cost.

C. Self-Regulatory Organization’s Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

No written comments were either solicited or received.

¹³ 15 U.S.C. 78f(b).

¹⁴ 15 U.S.C. 78f(b)(4).

¹⁵ 15 U.S.C. 78f(b)(5).

¹⁶ The Know Your Customer or “KYC” provision is the obligation of the broker-dealer.

¹⁷ MRX would submit a rule change to the Commission to amend ORF rates.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A) of the Act¹⁸ and paragraph (f) of Rule 19b-4¹⁹ thereunder. At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include file number SR-MRX-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-MRX-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 filing 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-MRX-2025-15 and should be submitted on or before August 27, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²⁰

Vanessa A. Countryman,
Secretary.

[FR Doc. 2025-14860 Filed 8-5-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-103617; File No. SR-GEMX-2025-17]

Self-Regulatory Organizations; Nasdaq GEMX, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Methodology for Its Options Regulatory Fee (ORF) as of January 2, 2026

August 1, 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 25, 2025, Nasdaq GEMX, LLC ("GEMX" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend GEMX's Pricing Schedule at Options 7, Section 5 regarding its Options Regulatory Fee. Specifically, the Exchange proposes to amend its current methodology of collection of its Options Regulatory Fee.

While the changes proposed herein are effective upon filing, the Exchange has designated the proposed rule change to be operative on January 2, 2026.

The text of the proposed rule change is available on the Exchange's website at <https://listingcenter.nasdaq.com/rulebook/gemx/rulefilings> and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for

the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

GEMX proposes to amend its current methodology of assessment and collection of the Options Regulatory Fee or "ORF" to assess ORF only for options transactions that occur on GEMX that are cleared in the Customer³ range at The Options Clearing Corporation ("OCC"). With this proposal GEMX would not assess ORF for transactions that occur on other exchanges. Below is a more detailed description of the proposal.

Background on Current ORF

Today, GEMX assesses its ORF for each Customer option transaction that is either: (1) executed by a Member⁴ on GEMX; or (2) cleared by a GEMX Member at OCC in the Customer range, even if the transaction was executed by a non-Member of GEMX, regardless of the exchange on which the transaction occurs.⁵ If the OCC clearing member is an GEMX Member, ORF is assessed and collected on all ultimately cleared Customer contracts (after adjustment for CMTA⁶); and (2) if the OCC clearing

³ Currently, the ORF is assessed by GEMX and collected via the OCC from Priority Customers, Professional Customers, and Broker-Dealers that are not affiliated with a clearing member. These market participants clear in the "C" range at OCC. ORF will continue to be assessed and collected from these market participants under the new methodology. On GEMX, a "Priority Customer" is a person or entity that is not a broker/dealer in securities, and does not place more than 390 orders in listed options per day on average during a calendar month for its own beneficial account(s), as defined in GEMX Options 1, Section 1(a)(36); a "Professional Customer" is a person or entity that is not a broker/dealer and is not a Priority Customer; and a "Broker-Dealer" order is an order submitted by a Member for a broker-dealer account that is not its own proprietary account.

⁴ The term "Member" means an organization that has been approved to exercise trading rights associated with Exchange Rights. See General 1, Section 1(a)(13).

⁵ The Exchange uses reports from OCC when assessing and collecting the ORF. Market participants must record the appropriate account origin code on all orders at the time of entry of the order. The Exchange represents that it has surveillances in place to verify that members mark orders with the correct account origin code.

⁶ CMTA or Clearing Member Trade Assignment is a form of "give-up" whereby the position will be assigned to a specific clearing firm at OCC.

¹⁸ 15 U.S.C. 78s(b)(3)(A).

¹⁹ 17 CFR 240.19b-4(f).

²⁰ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

member is not an GEMX Member, ORF is collected only on the cleared Customer contracts executed at GEMX, taking into account any CMTA instructions which may result in collecting the ORF from a non-Member.⁷ The GEMX ORF as of August 1, 2025 is \$0.0009 per contract side.⁸

Today, in the case where a Member both executes a transaction and clears the transaction, the ORF will be assessed to and collected from that Member. Today, in the case where a Member executes a transaction and a different Member clears the transaction, the ORF will be assessed to and collected from the Member who clears the transaction and not the Member who executes the transaction. Today, in the case where a non-Member executes a transaction at an away market and a Member clears the transaction, the ORF will be assessed to and collected from the Member who clears the transaction. Today, in the case where a Member executes a transaction on GEMX and a non-Member clears the transaction, the ORF will be assessed to the Member that executed the transaction on GEMX and collected from the non-Member who cleared the transaction. Today, in the case where a Member executes a transaction at an away market and a non-Member ultimately clears the transaction, the ORF will not be assessed to the Member who executed the transaction or collected from the non-Member who cleared the transaction because the Exchange does not have access to the data to make absolutely certain that ORF should apply. Further, the data does not allow the Exchange to identify the Member executing the trade at an away market.

ORF Revenue and Monitoring of ORF

Today, the Exchange monitors the amount of revenue collected from the ORF ("ORF Regulatory Revenue") to ensure that it, in combination with other

regulatory fees and fines, does not exceed Options Regulatory Costs.⁹ In determining whether an expense is considered an Options Regulatory Cost, the Exchange reviews all costs and makes determinations if there is a nexus between the expense and a regulatory function. The Exchange notes that fines collected by the Exchange in connection with a disciplinary matter offset Options Regulatory Cost.

ORF Regulatory Revenue, when combined with all of the Exchange's other regulatory fees and fines, is designed to recover the Options Regulatory Costs to the Exchange of the supervision and regulation of member Customer options business including performing routine surveillances, investigations, examinations, financial monitoring, and policy, rulemaking, interpretive, and enforcement activities. Options Regulatory Costs include direct regulatory expenses and certain indirect expenses in support of the regulatory function. The direct expenses include in-house and third-party service provider costs to support the day-to-day regulatory work such as surveillance, investigations and examinations. The indirect expenses are only those expenses that are in support of the regulatory functions, such areas include Office of the General Counsel, technology, finance, and internal audit. Indirect expenses will not exceed 35% of the total Options Regulatory Costs, in which case direct expenses could be 65% or more of total Options Regulatory Costs.¹⁰

Proposal for January 2, 2026

GEMX has been reviewing its methodologies for the assessment and collection of ORF. As a result of this review, GEMX proposes to modify its current ORF to continue to assess ORF for options transactions cleared by OCC in the Customer range, however ORF would be assessed to each GEMX Member for executions that occur on GEMX. Specifically, the ORF would continue to be collected by OCC on behalf of GEMX from GEMX Members and non-Members for all Customer transactions executed on GEMX. ORF would be assessed and collected on all ultimately cleared Customer contracts, taking into account adjustments for

CMTA that were provided to GEMX the same day as the trade.¹¹

Further, the Exchange would bill ORF according to the clearing instructions provided on the execution. More specifically, GEMX proposes to assess ORF based on the clearing instruction provided on the execution on trade date and would not take into consideration CMTA changes or transfers that occur at OCC.¹² As a result of this proposed rule change, if a Member executes a Customer transaction on GEMX and is the clearing member on record on the transaction on GEMX, the ORF will be assessed to that Member. With this proposal, in the case where a Member executes a Customer transaction on GEMX and a different Member is the clearing member on record on the transaction on GEMX, the ORF will be assessed to and collected from the Member who is the clearing member on record on the transaction and not the Member who executes the transaction. Additionally, in the case where a Member executes a Customer transaction on GEMX and a non-GEMX Member is the clearing member on record on the transaction on GEMX, the ORF will be assessed to the non-GEMX Member who is the clearing member on record on the transaction and not the Member who executes the transaction. With this proposal, in the case where a Member executes a Customer transaction on a non-GEMX exchange, GEMX will not assess an ORF, regardless of how the transaction is cleared. As is the case today, OCC will collect ORF from OCC clearing members on behalf of GEMX based on GEMX's instructions.

With this proposal, the GEMX ORF as of August 1, 2025 of \$0.0009 per contract side would be increased to \$0.0116 per contract side.¹³ With this proposal, the Exchange will endeavor to ensure that ORF Regulatory Revenue generated from ORF will not exceed 82% of Options Regulatory Cost. GEMX will continue to ensure that ORF Regulatory Revenue does not exceed Options Regulatory Cost. As is the case today, the Exchange will notify Members via an Options Trader Alert of any change in the amount of the fee at least 30 calendar days prior to the effective date of the change. In this case, the Exchange will notify Members via an Options Trader Alert of these

⁷ By way of example, if Broker A, an GEMX Member, routes a Customer order to CBOE and the transaction executes on CBOE and clears in Broker A's OCC Clearing account, ORF will be collected by GEMX from Broker A's clearing account at OCC via direct debit. While this transaction was executed on a market other than GEMX, it was cleared by an GEMX Member in the member's OCC clearing account in the Customer range, therefore there is a regulatory nexus between GEMX and the transaction. If Broker A was not an GEMX Member, then no ORF should be assessed and collected because there is no nexus; the transaction did not execute on GEMX nor was it cleared by an GEMX Member.

⁸ GEMX decreased its ORF from \$0.0012 to \$0.0009 per contract side effective August 1, 2025. See Securities Exchange Act Release No. 103391 (July 7, 2025), 90 FR 30747 (July 10, 2025) (SR-GEMX-2025-15) Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Lower the Options Regulatory Fee (ORF).

⁹ The regulatory costs for options comprise a subset of the Exchange's regulatory budget that is specifically related to options regulatory expenses and encompasses the cost to regulate all Members' options activity ("Options Regulatory Cost").

¹⁰ Direct and indirect expenses are based on the Exchange's 2025 Regulatory Budget.

¹¹ Adjustments to CMTA that occur at OCC would not be taken into account.

¹² Adjustments that were made the same day as the trade on GEMX will be taken into account.

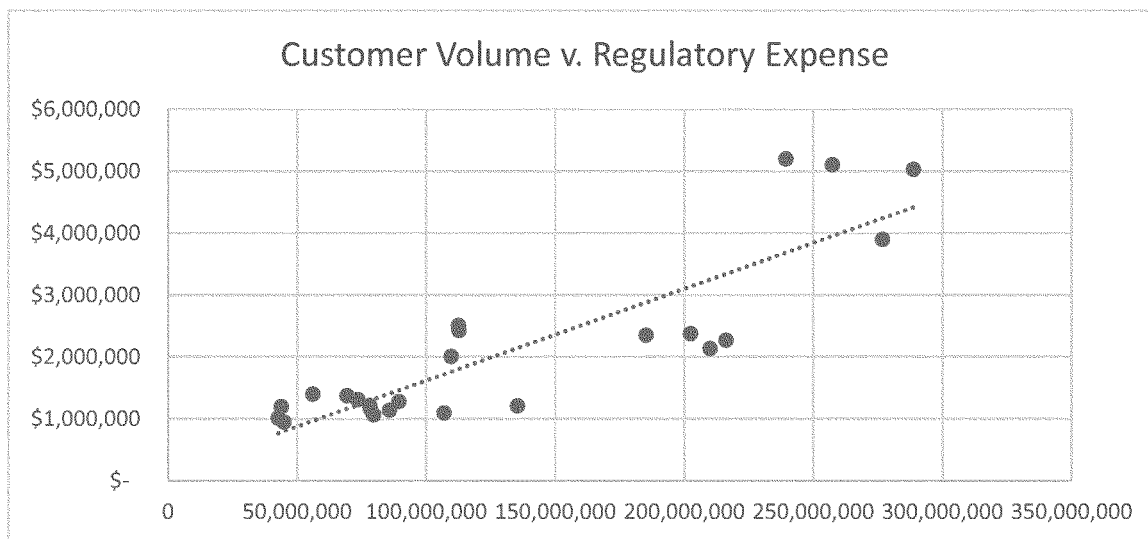
¹³ GEMX currently assesses an ORF of \$0.0012 per contract side until August 1, 2025. See <https://www.nasdaqtrader.com/MicroNews.aspx?id=OTA2025-27>.

changes at least 30 calendar days prior to January 2, 2026.

The Exchange utilized historical and current data from its affiliated options exchanges to create a new regression model that would tie expenses attributable to regulation to a respective source.¹⁴ To that end, the Exchange plotted Customer volumes from each exchange¹⁵ against Options Regulatory

Cost from each exchange for the Time Period. Specifically, the Exchange utilized standard charting functionality to create a linear regression. The charting functionality yields a “slope” of the line, representing the marginal cost of regulation, as well as an “intercept,” representing the fixed cost of regulation.¹⁶ The Exchange considered using non-linear models, but

concluded that the best R^2 (“R-Squared”)¹⁷ results came from a standard $y = Mx + B$ format for regulatory expense. The R-Squared for the charting method ranged from 70% to 90% historically. As noted, the plots below represent the Time Period. The X-axis reflects Customer volumes by exchange, by quarter and the Y-axis reflects regulatory expense by exchange.



The results of this modelling indicated a high correlation and intercept for the baseline cost of regulating the options market as a whole. Specifically, the regression model indicated that (1) the marginal cost of regulation is measurable, and significantly attributable to Customer activity; and (2) the fixed cost of setting up a regulatory regime should arguably be dispersed across the industry so that all options exchanges have substantially similar revenue streams to satisfy the “intercept” element of cost. When seeking to offset the “set-up” cost of regulation, the Exchange attempted several levels of attribution.¹⁸ This led the Exchange to utilize a model with a two-factor regression on a quarterly

basis (Q3 2024 to Q2 2025) of volumes relative to the pool of expense data for the six Nasdaq affiliated options exchanges. Once again, standard spreadsheet functionality (including the Data Analysis Packet) was used to determine the mathematics for this model.¹⁹

Utilizing the new regression model, and assumptions in the proposal, the model demonstrates that Customer volumes are directly attributable to marginal cost. Applying the regression coefficient values historically, the Exchange established a “normalization” by per options exchange. The primary driver of this need for “normalization” are negotiated regulatory contracts that were negotiated at different points in

time, yielding differences in per contract regulatory costs by exchange. Normalization is therefore the average of a given exchange’s historical period (Q3 2024 to Q2 2025) ratio of regulatory expense to revenue when using the regressed values (for Customer ORF) that yields an effective rate by exchange. The “normalization” was then multiplied to a “targeted collection rate” of approximately 82% to arrive at ORF rates for Customer. Of note, when comparing the ORF rates generated from this method, historically, there appears to be a very tight relationship between the estimated modeled collection and actual expense and the regulatory expenses for that same period.

¹⁴ This model seeks to relate Options Regulatory Cost to historical volumes on each Nasdaq affiliated exchange by market participant. In creating this model, the Exchange did not rely on data from a single SRO as it had in the past.

¹⁵ The Exchange utilized data from all Nasdaq affiliated options exchanges to create this model from data obtained from Q3 2024 to Q2 2025 (“Time Period”).

¹⁶ The Exchange utilized data from Time Period to calculate the slope and intercept.

¹⁷ R-Squared is a statistical measure that indicates how much of the variation of a dependent variable is explained by an independent variable in a regression model. The formula for calculating R-squared is: $R^2 = 1 - \text{Unexplained Variation} / \text{Total Variation}$.

¹⁸ Of note, through analysis of the results of this regression model, there was no positive correlation that could be established between Customer away volume and regulatory expense. The most successful attribution was related to industry wide

Firm Proprietary and Broker-Dealer Transaction volume which accounted for approximately 3–4% of the regulatory expense both on-exchange and away.

¹⁹ The Exchange notes that various exchanges negotiate their respective contracts independently with FINRA creating some variability. Additionally, an exchange with a floor component would create some variability, although GEMX does not have a floor.

One other important aspect of this modeling is the input of Options Regulatory Costs. The Exchange notes that in defining Options Regulatory Costs it accounts for the nexus between the expense and options regulation. By way of example, the Exchange excludes certain indirect expenses such as payroll expenses, accounts receivable, accounts payable, marketing, executive level expenses and corporate systems.

The Exchange will continue to monitor ORF Regulatory Revenue to ensure that it, in combination with other regulatory fees and fines, does not exceed Options Regulatory Costs. In determining whether an expense is considered an Options Regulatory Cost, the Exchange will continue to review all costs and makes determinations if there is a nexus between the expense and a regulatory function. The Exchange notes that fines collected by the Exchange in connection with a disciplinary matter will continue to offset Options Regulatory Cost.

As is the case today, ORF Regulatory Revenue is designed to recover a material portion of the Options Regulatory Costs to the Exchange for the supervision and regulation of Members' transactions, including performing routine surveillances, investigations, examinations, financial monitoring, and policy, rulemaking, interpretive, and enforcement activities. As discussed above, Options Regulatory Costs include direct regulatory expenses²⁰ and certain indirect expenses in support of the regulatory function.²¹

Finally, the Exchange notes that this proposal will sunset on February 1, 2026, at which point the Exchange would revert back to the ORF methodology and rate of \$0.0009 per contract side.²²

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the "Act") and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.²³ Specifically, the Exchange believes the proposed rule change is consistent with Section 6(b)(4)

of the Act,²⁴ which provides that Exchange rules may 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 the proposed rule change is consistent with the Section 6(b)(5)²⁵ requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange believes the proposed ORF to be assessed on January 2, 2026, is reasonable, equitable and not unfairly discriminatory for various reasons. First, the Exchange believes that continuing to assess only Customers an ORF is reasonable because Customer transactions account for a material portion of GEMX's Options Regulatory Cost.²⁶ A large portion of the Options Regulatory Cost relates to Customer allocation because obtaining Customer information may be more time intensive. For example, non-Customer market participants are subject to various regulatory and reporting requirements which provides the Exchange certain data with respect to these market participants. In contrast, Customer information is known by Members of the Exchange and is not readily available to GEMX.²⁷ The Exchange may have to take additional steps to understand the facts surrounding particular trades involving a Customer which may require requesting such information from a broker-dealer. Further, Customers require more Exchange regulatory services based on the amount of options business they conduct. For example, there are Options Regulatory Costs associated with main office and branch office examinations (e.g., staff expenses), as well as investigations into Customer complaints and the terminations of registered persons. As a

result, the Options Regulatory Costs associated with administering the Customer component of the Exchange's overall regulatory program are materially higher than the Options Regulatory Costs associated with administering the non-Customer component when coupled with the amount of volume attributed to such Customer transactions. Utilizing the new regression model, and assumptions in the proposal, it appears that GEMX's Customer regulation occurs to a large extent on Exchange. Utilizing the new regression model, and assumptions in the proposal, the Exchange does not believe that significant Options Regulatory Costs result from activity attributed to Customers that may occur across options markets. To that end, with this proposal, the amount of Options Regulatory Cost allocated to on-exchange Customer transactions is significant. Also, with respect to Customer transactions, options volume continues to surpass volume from other options participants. Additionally, there are rules in the Exchange's Rulebook that deal exclusively with Customer transactions, such as rules involving doing business with a Customer, which would not apply to Firm Proprietary and Broker-Dealer Transactions.²⁸ For these reasons, regulating Customer trading activity is "much more labor-intensive" and therefore, more costly.

Second, while the Exchange acknowledges that there is a cost to regulate Market Makers, unlike other market participants, Market Makers have various regulatory requirements with respect to quoting as provided for in Options 2, Section 4. Specifically, Market Makers have certain quoting requirements with respect to their assigned options series as provided in Options 2, Section 5. Primary Market Makers are obligated to quote in the Opening Process and intra-day.²⁹ Additionally, Market Makers may enter quotes in the Opening Process to open an option series and they are required to quote intra-day.³⁰ Further, unlike other market participants, Primary Market Makers and Market Makers have obligations to compete with other Market Makers to improve the market in all series of options classes to which the Market Maker is appointed and to update market quotations in response to changed market conditions in all series of options classes to which the Market

²⁰ The direct expenses include in-house and third-party service provider costs to support the day-to-day regulatory work such as surveillances, investigations and examinations.

²¹ The indirect expenses include support from such areas as Office of the General Counsel, technology, finance and internal audit.

²² The Exchange proposes to reconsider the sunset date in 2026 and determine whether to proceed with the proposed ORF structure at that time.

²³ 15 U.S.C. 78f(b).

²⁴ 15 U.S.C. 78f(b)(4).

²⁵ 15 U.S.C. 78f(b)(5).

²⁶ The Exchange notes that the regulatory costs relating to monitoring Members with respect to Customer trading activity are generally higher than the regulatory costs associated with Members that do not engage in customer trading activity, which tends to be more automated and less labor-intensive. By contrast, regulating Members that engage in Customer trading activity is generally more labor intensive and requires a greater expenditure of human and technical resources as the Exchange needs to review not only the trading activity on behalf of Customers, but also the Member's relationship with its Customers via more labor-intensive exam-based programs. As a result, the costs associated with administering the Customer component of the Exchange's overall regulatory program are materially higher than the costs associated with administering the non-Customer component of the regulatory program.

²⁷ The Know Your Customer or "KYC" provision is the obligation of the broker-dealer.

²⁸ See GEMX Options 10 Rules.

²⁹ See GEMX Options 3, Section 8 and Options 2, Section 5.

³⁰ *Id.*

Maker is appointed.³¹ Also, Primary Market Makers and Market Makers incur other costs imposed by the Exchange related to their quoting obligations in addition to other fees paid by other market participants. Market Makers are subject to a number of fees, unlike other market participants. Market Makers pay CMM Trading Right Fees³² in addition to other fees paid by other market participants. These liquidity providers are critical market participants in that they are the only market participants that are required to provide liquidity to GEMX and are necessary for opening the market. Excluding Market Maker transactions from ORF allows these market participants to manage their costs and consequently their business model more effectively thus enabling them to better allocate resources to other technologies that are necessary to manage risk and capacity to ensure that these market participants continue to compete effectively on GEMX in providing tight displayed quotes which in turn benefits markets generally and market participants specifically. Permitting these market participants to utilize their resources to quote tighter in the market. Tighter quotes benefits Customers as well as other market participants who interact with that liquidity. Finally, the Exchange notes that Market Makers may transact orders in addition to submitting quotes on the Exchange. This proposal would except orders submitted by Market Makers, in addition to quotes, for purposes of ORF. Market Makers utilize orders in their assigned options series to sweep the order book. The Exchange believes the quantity of orders utilized by Market Makers in their assigned series is de minimis. In their unassigned options series, Market Makers utilize orders to hedge their risk or respond to auctions. The Exchange notes that the number of orders submitted by Market Makers in their unassigned options series are far below the cap³³ and therefore de minimis.

Additionally, while the Exchange acknowledges that there is a cost to regulate Firm Proprietary and Broker-Dealer transactions, the Exchange notes that these market participants do not entail significant volume when compared to Customer transactions. The Exchange notes that Firm Proprietary

and Broker-Dealer market participants are more sophisticated. There are not the same protections in place for Firm Proprietary and Broker-Dealer Transactions as compared to Customer transactions. The regulation of Firm Proprietary and Broker-Dealer transactions is less resource intensive than the regulation of Customer transactions and accounts for a small percentage of Options Regulatory Costs.

Third, assessing ORF on Customer executions that occur on GEMX is reasonable, equitable and not unfairly discriminatory because it will avoid overlapping ORFs that would otherwise be assessed by GEMX and other options exchanges that also assess an ORF. With this proposal, Customers executions that occur on other exchanges would no longer be subject to an GEMX ORF. Further, the Exchange believes that collecting 82% of Options Regulatory Cost is appropriate and correlates to the degree of regulatory responsibility and Options Regulatory Cost borne by the Exchange with respect to Customer transactions. The Exchange's proposal continues to ensure that Options Regulatory Revenue, in combination with other regulatory fees and fines, does not exceed Options Regulatory Costs. Fines collected by the Exchange in connection with a disciplinary matter will continue to offset Options Regulatory Cost. Capping ORF collected at 82% of Options Regulatory Cost, commencing January 2, 2026, is reasonable, equitable and not unfairly discriminatory as the Options Regulatory Revenue collected will offset the corresponding Options Regulatory Cost associated with on-exchange Customer transactions. The Exchange will review the ORF Regulatory Revenue and would amend the ORF if it finds that its ORF Regulatory Revenue exceeds its projections.³⁴

The proposed sunset date of February 1, 2026 is reasonable, equitable and not unfairly discriminatory. If all options exchanges have adopted a similar ORF model, the Exchange notes that it would not sunset the proposal on February 1, 2026. The Exchange proposes to reconsider the sunset date in early 2026 and determine whether to proceed with the proposed ORF structure at that time.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on intra-market competition not necessary or appropriate in furtherance of the purposes of the Act.

The proposed changes to ORF do not impose an undue burden on inter-market competition because ORF is a regulatory fee that supports regulation in furtherance of the purposes of the Act. The Exchange notes, however, the proposed change is not designed to address any competitive issues. The Exchange is obligated to ensure that the amount of ORF Regulatory Revenue, in combination with its other regulatory fees and fines, does not exceed ORF Regulatory Cost.

Continuing to assess ORF only on Customer executions that occur on GEMX does not impose an undue burden on intra-market competition. Customer transactions account for a large portion of the Exchange's surveillance expense. With respect to Customer transactions, options volume continues to surpass volume from other options participants. Additionally, there are rules in the Exchange's Rulebook that deal exclusively with Customer transactions, such as rules involving doing business with a Customer, which would not apply to Non-Customer transactions.³⁵ For these reasons, regulating Customer trading activity is "much more labor-intensive" and therefore, more costly. Further, the Exchange believes that a large portion of the Options Regulatory Cost relates to Customer allocation because obtaining Customer information may be more time intensive. For example, non-Customer market participants are subject to various regulatory and reporting requirements which provides the Exchange certain data with respect to these market participants. In contrast, Customer information is known by Members of the Exchange and is not readily available to GEMX.³⁶ The Exchange may have to take additional steps to understand the facts surrounding particular trades involving a Customer which may require requesting such information from a broker-dealer. Further, Customers require more Exchange regulatory services based on the amount of options business they conduct. For example, there are Options Regulatory Costs associated with main office and branch office examinations (e.g., staff expenses), as well as investigations into Customer complaints and the terminations of registered persons. As a result, the Options Regulatory Costs associated with administering the Customer component of the Exchange's overall regulatory program are materially higher than the Options

³¹ See GEMX Options 2, Section 4(b)(1) and (3).

³² See GEMX Options 7, Section 6B.

³³ See GEMX Options 2, Section 6. The total number of contracts executed during a quarter by a Market Maker in options classes to which it is not appointed may not exceed twenty-five percent (25%) of the total number of contracts traded. In the Exchange's experience, Market Maker's are generally below the 25% cap.

³⁴ GEMX would submit a rule change to the Commission to amend ORF rates.

³⁵ See GEMX Options 10 Rules.

³⁶ The Know Your Customer or "KYC" provision is the obligation of the broker-dealer.

Regulatory Costs associated with administering the non-Customer component when coupled with the amount of volume attributed to such Customer transactions. Not attributing significant Options Regulatory Costs to Customers for activity that may occur across options markets does not impose an undue burden on intra-market competition because the data in the regression model demonstrates that GEMX's Customer regulation occurs to a large extent on Exchange.

The Exchange believes that not assessing ORF on Market Makers does not impose an undue burden on intra-market competition because these liquidity providers are critical market participants in that they are the only market participants that are required to provide liquidity to GEMX and are necessary for opening the market. Excluding Market Maker transactions from ORF does not impose an intra-market burden on competition, rather it allows these market participants to manage their costs and consequently their business model more effectively thus enabling them to better allocate resources to other technologies that are necessary to manage risk and capacity to ensure that these market participants continue to compete effectively on GEMX in providing tight displayed quotes which in turn benefits markets generally and market participants specifically. Unlike other market participants, Market Makers have various regulatory requirements with respect to quoting as provided for in Options 2, Section 4. Specifically, Market Makers have certain quoting requirements with respect to their assigned options series as provided in Options 2, Section 5. Primary Market Makers are obligated to quote in the Opening Process and intra-day.³⁷ Additionally, Market Makers may enter quotes in the Opening Process to open an option series and they are required to quote intra-day.³⁸ Further, unlike other market participants, Primary Market Makers and Market Makers have obligations to compete with other Market Makers to improve the market in all series of options classes to which the Market Maker is appointed and to update market quotations in response to changed market conditions in all series of options classes to which the Market Maker is appointed.³⁹ Primary Market Makers and Market Makers incur other costs imposed by the Exchange related to their quoting obligations in addition

to other fees paid by other market participants. Market Makers are subject to a number of fees, unlike other market participants. Market Makers pay CMM Trading Right Fees⁴⁰ in addition to other fees paid by other market participants. Finally, the Exchange notes that Market Makers may transact orders on the Exchange in addition to submitting quotes. The Exchange's proposal to except orders submitted by Market Makers, in addition to quotes, for purposes of ORF does not impose an undue burden on intra-market competition because Market Makers utilize orders in their assigned options series to sweep the order book. Further, the Exchange believes the quantity of orders utilized by Market Makers in their assigned series is de minimis. In their unassigned options series, Market Makers utilize orders to hedge their risk or respond to auctions. The Exchange notes that the number of orders submitted by Market Makers in their unassigned options series are far below the cap⁴¹ and therefore de minimis.

The Exchange believes that not assessing ORF on Firm Proprietary and Broker-Dealer market participants does not impose an undue burden on intra-market competition because the regulation of Firm Proprietary and Broker-Dealer transactions is less resource intensive than the regulation of Customer transactions. The volume generated from Firm Proprietary and Broker-Dealer transactions does not entail significant volume when compared to Customer transactions. Therefore, excluding Firm Proprietary and Broker-Dealer transactions from ORF does not impose an undue burden on intra-market competition as Customer transactions account for a material portion of GEMX's Options Regulatory Cost.⁴²

⁴⁰ See GEMX Options 7, Section 6B.

⁴¹ See GEMX Options 2, Section 6(b)(1) and (2). The total number of contracts executed during a quarter by a Competitive Market Maker in options classes to which it is not appointed may not exceed twenty-five percent (25%) of the total number of contracts traded by such Competitive Market Maker in classes to which it is appointed and with respect to which it was quoting pursuant to Options 2, Section 5(e)(1). The total number of contracts executed during a quarter by a Primary Market Maker in options classes to which it is not appointed may not exceed twenty-five percent (25%) of the total number of contracts traded per each Primary Market Maker Membership.

⁴² The Exchange notes that the regulatory costs relating to monitoring Members with respect to customer trading activity are generally higher than the regulatory costs associated with Members that do not engage in customer trading activity, which tends to be more automated and less labor-intensive. By contrast, regulating Members that engage in customer trading activity is generally more labor intensive and requires a greater expenditure of human and technical resources as

The Exchange's proposal to assess ORF only on Customer executions that occur on GEMX does not impose an intra-market burden on competition because the amount of activity surveilled across exchanges is small when compared to the overall number of Exchange rules that are surveilled by GEMX for on-Exchange activity. Limiting the amount of ORF assessed to activity that occurs on GEMX avoids overlapping ORFs that would otherwise be assessed by GEMX and other options exchanges that also assess an ORF. Further, capping ORF collected at 82% of Options Regulatory Cost commencing January 2, 2026, does not impose an intra-market burden on competition as this collection accounts for the collection only on Customer executions. The Exchange will review the ORF Regulatory Revenue and would amend the ORF if it finds that its ORF Regulatory Revenue exceeds its projections.⁴³

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A) of the Act⁴⁴ and paragraph (f)(2) of Rule 19b-4⁴⁵ thereunder.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

The Exchange needs to review not only the trading activity on behalf of customers, but also the Member's relationship with its customers via more labor-intensive exam-based programs. As a result, the costs associated with administering the customer component of the Exchange's overall regulatory program are materially higher than the costs associated with administering the non-customer component of the regulatory program.

⁴³ GEMX would submit a rule change to the Commission to amend ORF rates.

⁴⁴ 15 U.S.C. 78s(b)(3)(A).

⁴⁵ 17 CFR 240.19b-4(f)(2).

³⁷ See GEMX Options 3, Section 8 and Options 2, Section 5.

³⁸ *Id.*

³⁹ See GEMX Options 2, Section 4(b)(1) and (3).

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-GEMX-2025-17 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-GEMX-2025-17. 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 filing 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-GEMX-2025-17 and should be submitted on or before August 27, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁴⁶

Vanessa A. Countryman,
Secretary.

[FR Doc. 2025-14858 Filed 8-5-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235-0204]

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Extension: Rule 19d-3

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services,

100 F Street NE, Washington, DC 20549-2736.

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (SEC or "Commission") is submitting to the Office of Management and Budget ("OMB") this request for an extension of the proposed collection of information in Rule 19d-3.

Rule 19d-3 prescribes the form and content of applications to the Commission by persons seeking Commission review of final disciplinary actions against them taken by self-regulatory organizations ("SROs") for which the Commission is the appropriate regulatory agency. The Commission uses the information provided in the application filed pursuant to Rule 19d-3 to review final actions taken by SROs including: (1) final disciplinary sanctions; (2) denial or conditioning of membership, participation or association; and (3) prohibitions or limitations of access to services offered by a SRO or member thereof.

The staff estimates that 25 respondents will file one application pursuant to Rule 19b-3 each year. The staff estimates that the average number of hours necessary to comply with the requirements of Rule 19d-3 is approximately eighteen hours. We estimate that approximately 10 firms or natural persons would draft the applications themselves, and therefore incur an hour burden of 18 hours each (a total hour burden of 180), and that 16 would hire outside counsel, and therefore incur a cost burden of \$8,496 each (a total cost burden of \$127,440).

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

Written comments are invited on: (a) whether this proposed collection of information is necessary for the proper performance of the functions of the SEC, including whether the information will have practical utility; (b) the accuracy of the SEC's estimate of the burden imposed by the proposed collection of information, including the validity of the methodology and the assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated, electronic collection techniques or other forms of information technology.

The public may view and comment on this information collection request

at: https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202504-3235-003 or email comment to MBX.OMB.OIRA.SEC_desk_officer@omb.eop.gov within 30 days of the day after publication of this notice, by September 8, 2025.

Dated: August 4, 2025.

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2025-14930 Filed 8-5-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-103620; File No. SR-Phlx-2025-30]

Self-Regulatory Organizations; Nasdaq PHLX LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Methodology for Its Options Regulatory Fee (ORF) as of January 2, 2026

August 1, 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 25, 2025, Nasdaq PHLX LLC ("Phlx" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Phlx's Pricing Schedule at Options 7, Section 6D, Options Regulatory Fee. Specifically, Phlx proposes to amend its current ORF methodology of collection.

While the changes proposed herein are effective upon filing, the Exchange has designated the proposed rule change to be operative on January 2, 2026.

The text of the proposed rule change is available on the Exchange's website at <https://listingcenter.nasdaq.com/rulebook/phlx/rulefilings> and at the principal office of the Exchange.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

⁴⁶ 17 CFR 200.30-3(a)(12).

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

Phlx proposes to amend its current methodology of assessment and collection of the Options Regulatory Fee or "ORF" to assess ORF only for options transactions that occur on Phlx that are cleared in the Customer³ range at The Options Clearing Corporation ("OCC"). With this proposal Phlx would not assess ORF for transactions that occur on other exchanges. Below is a more detailed description of the proposal.

Background on Current ORF

Today, Phlx assesses its ORF for each Customer option transaction that is either: (1) executed by a member organization⁴ on Phlx; or (2) cleared by a Phlx member organization at OCC in the Customer range, even if the

transaction was executed by a non-member organization of Phlx, regardless of the exchange on which the transaction occurs.⁵ If the OCC clearing member is a Phlx member organization, ORF is assessed and collected on all ultimately cleared Customer contracts (after adjustment for CMTA⁶); and (2) if the OCC clearing member is not a Phlx member organization, ORF is collected only on the cleared Customer contracts executed at Phlx, taking into account any CMTA instructions which may result in collecting the ORF from a non-member organization.⁷ The Phlx ORF as of August 1, 2025 is \$0.0024 per contract side.⁸

Today, in the case where a member organization both executes a transaction and clears the transaction, the ORF will be assessed to and collected from that member organization. Today, in the case where a member organization executes a transaction and a different member organization clears the transaction, the ORF will be assessed to and collected from the member organization who clears the transaction and not the member organization who executes the transaction. Today, in the case where a non-member executes a transaction at an away market and a member organization clears the transaction, the ORF will be assessed to and collected from the member organization who clears the transaction. Today, in the case where a member organization executes a transaction on Phlx and a non-member clears the transaction, the ORF will be assessed to the member organization that executed the transaction on Phlx

and collected from the non-member who cleared the transaction. Today, in the case where a member organization executes a transaction at an away market and a non-member ultimately clears the transaction, the ORF will not be assessed to the member organization who executed the transaction or collected from the non-member who cleared the transaction because the Exchange does not have access to the data to make absolutely certain that ORF should apply. Further, the data does not allow the Exchange to identify the member organization executing the trade at an away market.

ORF Revenue and Monitoring of ORF

Today, the Exchange monitors the amount of revenue collected from the ORF ("ORF Regulatory Revenue") to ensure that it, in combination with other regulatory fees and fines, does not exceed Options Regulatory Costs.⁹ In determining whether an expense is considered an Options Regulatory Cost, the Exchange reviews all costs and makes determinations if there is a nexus between the expense and a regulatory function. The Exchange notes that fines collected by the Exchange in connection with a disciplinary matter offset Options Regulatory Cost.

ORF Regulatory Revenue, when combined with all of the Exchange's other regulatory fees and fines, is designed to recover the Options Regulatory Costs to the Exchange of the supervision and regulation of member Customer options business including performing routine surveillances, investigations, examinations, financial monitoring, and policy, rulemaking, interpretive, and enforcement activities. Options Regulatory Costs include direct regulatory expenses and certain indirect expenses in support of the regulatory function. The direct expenses include in-house and third-party service provider costs to support the day-to-day regulatory work such as surveillance, investigations, and examinations. The indirect expenses are only those expenses that are in support of the regulatory functions, such areas include Office of the General Counsel, technology, finance, and internal audit. Indirect expenses will not exceed 35% of the total Options Regulatory Costs, in which case direct expenses could be

³ Currently, the ORF is assessed by Phlx and collected via the OCC from Customers, Professional Customers, and Broker-Dealers that are not affiliated with a clearing member. These market participants clear in the "C" range at OCC. ORF will continue to be assessed and collected from these market participants under the new methodology. On Phlx, a "Customer" means a person or entity that is not a broker or dealer in securities and is not a Professional as defined within Options 1, Section (b)(45); and a "Broker-Dealer" applies to any transaction which is not subject to any of the other transaction fees applicable within a particular category.

⁴ The term "member organization" means a corporation, partnership (general or limited), limited liability partnership, limited liability company, business trust or similar organization, transacting business as a broker or a dealer in securities and which has the status of a member organization by virtue of (i) admission to membership given to it by the Membership Department pursuant to the provisions of General 3, Sections 5 and 10 or the By-Laws or (ii) the transitional rules adopted by the Exchange pursuant to Section 6-4 of the By-Laws. References herein to officer or partner, when used in the context of a member organization, shall include any person holding a similar position in any organization other than a corporation or partnership that has the status of a member organization. See General 1, Section 1(17).

⁵ The Exchange uses reports from OCC when assessing and collecting the ORF. Market participants must record the appropriate account origin code on all orders at the time of entry of the order. The Exchange represents that it has surveillances in place to verify that members mark orders with the correct account origin code.

⁶ CMTA or Clearing member organization Trade Assignment is a form of "give-up" whereby the position will be assigned to a specific clearing firm at OCC.

⁷ By way of example, if Broker A, an Phlx member organization, routes a Customer order to CBOE and the transaction executes on CBOE and clears in Broker A's OCC Clearing account, ORF will be collected by Phlx from Broker A's clearing account at OCC via direct debit. While this transaction was executed on a market other than Phlx, it was cleared by an Phlx member organization in the member's OCC clearing account in the Customer range, therefore there is a regulatory nexus between Phlx and the transaction. If Broker A was not an Phlx member organization, then no ORF should be assessed and collected because there is no nexus; the transaction did not execute on Phlx nor was it cleared by an Phlx member organization.

⁸ Phlx decreased its ORF from \$0.0034 to \$0.0024 per contract side effective August 1, 2025. See Securities Exchange Act Release No. 103395 (July 7, 2025), 90 FR 30715 (July 10, 2025) (SR-Phlx-2025-26) (Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Lower the Options Regulatory Fee (ORF)).

⁹ The regulatory costs for options comprise a subset of the Exchange's regulatory budget that is specifically related to options regulatory expenses and encompasses the cost to regulate all member organizations' options activity ("Options Regulatory Cost").

65% or more of total Options Regulatory Costs.¹⁰

Proposal for January 2, 2026

Phlx has been reviewing its methodologies for the assessment and collection of ORF. As a result of this review, Phlx proposes to modify its current ORF to continue to assess ORF for options transactions cleared by OCC in the Customer range, however ORF would be assessed to each Phlx member organization for executions that occur on Phlx. Specifically, the ORF would continue to be collected by OCC on behalf of Phlx from Phlx member organizations and non-member organizations for all Customer transactions executed on Phlx. ORF would be assessed and collected on all ultimately cleared Customer contracts, taking into account adjustments for CMTA that were provided to Phlx the same day as the trade.¹¹

Further, the Exchange would bill ORF according to the clearing instructions provided on the execution. More specifically, Phlx proposes to assess ORF based on the clearing instruction provided on the execution on trade date and would not take into consideration CMTA changes or transfers that occur at OCC.¹² As a result of this proposed rule change, if a member organization executes a Customer transaction on Phlx and is the clearing member on record on the transaction on Phlx, the ORF will be assessed to that member organization. With this proposal, in the case where a member organization executes a Customer transaction on Phlx and a

different member organization is the clearing member on record on the transaction on Phlx, the ORF will be assessed to and collected from the member organization who is the clearing member on record on the transaction and not the member organization who executes the transaction. Additionally, in the case where a member organization executes a Customer transaction on Phlx and a non-member organization is the clearing member on record on the transaction on Phlx, the ORF will be assessed to the non-member organization who is the clearing member on record on the transaction and not the member organization who executes the transaction. With this proposal, in the case where a member organization executes a Customer transaction on a non-Phlx exchange, Phlx will not assess an ORF, regardless of how the transaction is cleared. As is the case today, OCC will collect ORF from OCC clearing members on behalf of Phlx based on Phlx's instructions.

With this proposal, the Phlx ORF as of August 1, 2025 of \$0.0024 per contract side would be increased to \$0.0150 per contract side.¹³ With this proposal, the Exchange will endeavor to ensure that ORF Regulatory Revenue generated from ORF will not exceed 82% of Options Regulatory Cost. Phlx will continue to ensure that ORF Regulatory Revenue does not exceed Options Regulatory Cost. As is the case today, the Exchange will notify member organizations via an Options Trader Alert of any change in the amount of the fee at least 30 calendar days prior to the effective date of the change. In this case,

the Exchange will notify member organizations via an Options Trader Alert of these changes at least 30 calendar days prior to January 2, 2026.

The Exchange utilized historical and current data from its affiliated options exchanges to create a new regression model that would tie expenses attributable to regulation to a respective source.¹⁴ To that end, the Exchange plotted Customer volumes from each exchange¹⁵ against Options Regulatory Cost from each exchange for the Time Period. Specifically, the Exchange utilized standard charting functionality to create a linear regression. The charting functionality yields a "slope" of the line, representing the marginal cost of regulation, as well as an "intercept," representing the fixed cost of regulation.¹⁶ The Exchange considered using non-linear models, but concluded that the best R-2 ("R-Squared")¹⁷ results came from a standard $y = Mx + B$ format for regulatory expense. The R-Squared for the charting method ranged from 70% to 90% historically. As noted, the plots below represent the Time Period. The X-axis reflects Customer volumes by exchange, by quarter and the Y-axis reflects regulatory expense by exchange.

¹⁴ This model seeks to relate Options Regulatory Cost to historical volumes on each Nasdaq affiliated exchange by market participant. In creating this model, the Exchange did not rely on data from a single SRO as it had in the past.

¹⁵ The Exchange utilized data from all Nasdaq affiliated options exchanges to create this model from data obtained from Q3 2024 to Q2 2025 ("Time Period").

¹⁶ The Exchange utilized data from Time Period to calculate the slope and intercept.

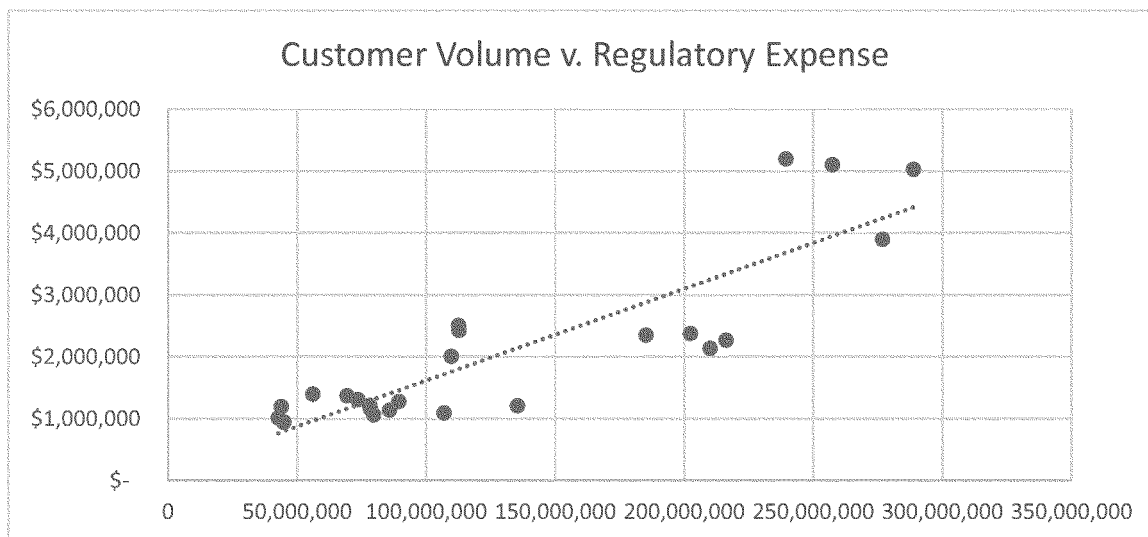
¹⁷ R-Squared is a statistical measure that indicates how much of the variation of a dependent variable is explained by an independent variable in a regression model. The formula for calculating R-squared is: $R^2 = 1 - \text{Unexplained Variation} / \text{Total Variation}$.

¹⁰ Direct and indirect expenses are based on the Exchange's 2025 Regulatory Budget.

¹¹ Adjustments to CMTA that occur at OCC would not be taken into account.

¹² Adjustments that were made the same day as the trade on Phlx will be taken into account.

¹³ Phlx currently assesses an ORF of \$0.0034 per contract side until August 1, 2025. See <https://www.nasdaqtrader.com/MicroNews.aspx?id=OTA2025-27>.



The results of this modelling indicated a high correlation and intercept for the baseline cost of regulating the options market as a whole. Specifically, the regression model indicated that (1) the marginal cost of regulation is measurable, and significantly attributable to Customer activity; and (2) the fixed cost of setting up a regulatory regime should arguably be dispersed across the industry so that all options exchanges have substantially similar revenue streams to satisfy the “intercept” element of cost. When seeking to offset the “set-up” cost of regulation, the Exchange attempted several levels of attribution.¹⁸ This led the Exchange to utilize a model with a two-factor regression on a quarterly basis (Q3 2024 to Q2 2025) of volumes relative to the pool of expense data for the six Nasdaq affiliated options exchanges. Once again, standard spreadsheet functionality (including the Data Analysis Packet) was used to determine the mathematics for this model.¹⁹

Utilizing the new regression model, and assumptions in the proposal, the model demonstrates that Customer volumes are directly attributable to marginal cost. Applying the regression coefficient values historically, the Exchange established a “normalization” by per options exchange. The primary

driver of this need for “normalization” are negotiated regulatory contracts that were negotiated at different points in time, yielding differences in per contract regulatory costs by exchange. Normalization is therefore the average of a given exchange’s historical period (Q3 2024 to Q2 2025) ratio of regulatory expense to revenue when using the regressed values (for Customer ORF) that yields an effective rate by exchange. The “normalization” was then multiplied to a “targeted collection rate” of approximately 82% to arrive at ORF rates for Customer. Of note, when comparing the ORF rates generated from this method, historically, there appears to be a very tight relationship between the estimated modeled collection and actual expense and the regulatory expenses for that same period.

One other important aspect of this modeling is the input of Options Regulatory Costs. The Exchange notes that in defining Options Regulatory Costs it accounts for the nexus between the expense and options regulation. By way of example, the Exchange excludes certain indirect expenses such as payroll expenses, accounts receivable, accounts payable, marketing, executive level expenses and corporate systems.

The Exchange will continue to monitor ORF Regulatory Revenue to ensure that it, in combination with other regulatory fees and fines, does not exceed Options Regulatory Costs. In determining whether an expense is considered an Options Regulatory Cost, the Exchange will continue to review all costs and makes determinations if there is a nexus between the expense and a regulatory function. The Exchange notes that fines collected by the Exchange in connection with a disciplinary matter

will continue to offset Options Regulatory Cost.

As is the case today, ORF Regulatory Revenue is designed to recover a material portion of the Options Regulatory Costs to the Exchange for the supervision and regulation of member organizations’ transactions, including performing routine surveillances, investigations, examinations, financial monitoring, and policy, rulemaking, interpretive, and enforcement activities. As discussed above, Options Regulatory Costs include direct regulatory expenses²⁰ and certain indirect expenses in support of the regulatory function.²¹

Finally, the Exchange notes that this proposal will sunset on February 1, 2026, at which point the Exchange would revert back to the ORF methodology and rate of \$0.0024 per contract side.²²

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the “Act”) and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.²³ Specifically, the Exchange believes the proposed rule change is consistent with Section 6(b)(4)

¹⁸ Of note, through analysis of the results of this regression model, there was no positive correlation that could be established between Customer away volume and regulatory expense. The most successful attribution was related to industry wide Firm and Broker-Dealer Transaction volume which accounted for approximately 3–4% of the regulatory expense both on-exchange and away.

¹⁹ The Exchange notes that various exchanges negotiate their respective contracts independently with FINRA creating some variability. Additionally, an exchange with a floor component would create some variability, such as Phlx which has a floor.

²⁰ The direct expenses include in-house and third-party service provider costs to support the day-to-day regulatory work such as surveillances, investigations, and examinations.

²¹ The indirect expenses include support from such areas as Office of the General Counsel, technology, finance, and internal audit.

²² The Exchange proposes to reconsider the sunset date in 2026 and determine whether to proceed with the proposed ORF structure at that time.

²³ 15 U.S.C. 78f(b).

of the Act²⁴, which provides that Exchange rules may 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 the proposed rule change is consistent with the Section 6(b)(5)²⁵ requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange believes the proposed ORF to be assessed on January 2, 2026, is reasonable, equitable and not unfairly discriminatory for various reasons. First, the Exchange believes that continuing to assess only Customers an ORF is reasonable because Customer transactions account for a material portion of Phlx's Options Regulatory Cost.²⁶ A large portion of the Options Regulatory Cost relates to Customer allocation because obtaining Customer information may be more time intensive. For example, non-Customer market participants are subject to various regulatory and reporting requirements which provides the Exchange certain data with respect to these market participants. In contrast, Customer information is known by member organizations of the Exchange and is not readily available to Phlx.²⁷ The Exchange may have to take additional steps to understand the facts surrounding particular trades involving a Customer which may require requesting such information from a broker-dealer. Further, Customers require more Exchange regulatory services based on the amount of options business they conduct. For example, there are Options Regulatory Costs associated with main office and branch office examinations (*e.g.*, staff expenses), as well as investigations into Customer complaints and the

terminations of registered persons. As a result, the Options Regulatory Costs associated with administering the Customer component of the Exchange's overall regulatory program are materially higher than the Options Regulatory Costs associated with administering the non-Customer component when coupled with the amount of volume attributed to such Customer transactions. Utilizing the new regression model, and assumptions in the proposal, it appears that Phlx's Customer regulation occurs to a large extent on Exchange. Utilizing the new regression model, and assumptions in the proposal, the Exchange does not believe that significant Options Regulatory Costs result from activity attributed to Customers that may occur across options markets. To that end, with this proposal, the amount of Options Regulatory Cost allocated to on-exchange Customer transactions is significant. Also, with respect to Customer transactions, options volume continues to surpass volume from other options participants. Additionally, there are rules in the Exchange's Rulebook that deal exclusively with Customer transactions, such as rules involving doing business with a Customer, which would not apply to Firm and Broker-Dealer Transactions.²⁸ For these reasons, regulating Customer trading activity is "much more labor-intensive" and therefore, more costly.

Second, while the Exchange acknowledges that there is a cost to regulate Market Makers, unlike other market participants, Market Makers have various regulatory requirements with respect to quoting as provided for in Options 2, Section 4. Specifically, Market Makers have certain quoting requirements with respect to their assigned options series as provided in Options 2, Section 5. Lead Market Makers are obligated to quote in the Opening Process and intra-day.²⁹ Additionally, Market Makers may enter quotes in the Opening Process to open an option series and they are required to quote intra-day.³⁰ Further, unlike other market participants, Lead Market Makers and Market Makers have obligations to compete with other Market Makers to improve the market in all series of options classes to which the Market Maker is appointed and to update market quotations in response to changed market conditions in all series of options classes to which the Market

Maker is appointed.³¹ Also, Lead Market Makers and Market Makers incur other costs imposed by the Exchange related to their quoting obligations in addition to other fees paid by other market participants. Market Makers are subject to a number of fees, unlike other market participants. Market Makers pay Streaming Quote Trader Fees,³² Remote Market Maker Organization (RMO) Fee,³³ and Remote Lead Market Maker Fee³⁴ in addition to other fees paid by other market participants. These liquidity providers are critical market participants in that they are the only market participants that are required to provide liquidity to Phlx and are necessary for opening the market. Excluding Market Maker transactions from ORF allows these market participants to manage their costs and consequently their business model more effectively thus enabling them to better allocate resources to other technologies that are necessary to manage risk and capacity to ensure that these market participants continue to compete effectively on Phlx in providing tight displayed quotes which in turn benefits markets generally and market participants specifically. Finally, the Exchange notes that Market Makers may transact orders in addition to submitting quotes on the Exchange. This proposal would except orders submitted by Market Makers, in addition to quotes, for purposes of ORF. Market Makers utilize orders in their assigned options series to sweep the order book. The Exchange believes the quantity of orders utilized by Market Makers in their assigned series is *de minimis*. In their unassigned options series, Market Makers utilize orders to hedge their risk or respond to auctions. The Exchange notes that the number of orders submitted by Market Makers in their unassigned options series are far below the cap³⁵ and therefore *de minimis*.

Additionally, while the Exchange acknowledges that there is a cost to regulate Firm and Broker-Dealer transactions, the Exchange notes that these market participants do not entail significant volume when compared to Customer transactions. The Exchange notes that Firm and Broker-Dealer market participants are more

²⁴ 15 U.S.C. 78f(b)(4).

²⁵ 15 U.S.C. 78f(b)(5).

²⁶ The Exchange notes that the regulatory costs relating to monitoring member organizations with respect to Customer trading activity are generally higher than the regulatory costs associated with member organizations that do not engage in customer trading activity, which tends to be more automated and less labor-intensive. By contrast, regulating member organizations that engage in Customer trading activity is generally more labor intensive and requires a greater expenditure of human and technical resources as the Exchange needs to review not only the trading activity on behalf of Customers, but also the member organization's relationship with its Customers via more labor-intensive exam-based programs. As a result, the costs associated with administering the Customer component of the Exchange's overall regulatory program are materially higher than the costs associated with administering the non-Customer component of the regulatory program.

²⁷ The Know Your Customer or "KYC" provision is the obligation of the broker-dealer.

²⁸ See Phlx Options 10 Rules.

²⁹ See Phlx Options 3, Section 8 and Options 2, Section 5.

³⁰ *Id.*

³¹ See Phlx Options 2, Section 5(a)(3) and (5).

³² See Phlx Options 7, Section 8, B.

³³ See Phlx Options 7, Section 8, C.

³⁴ See Phlx Options 7, Section 8, D.

³⁵ See Phlx Options 2, Section 6. The total number of contracts executed during a quarter by a Market Maker in options classes to which it is not appointed may not exceed twenty-five percent (25%) of the total number of contracts traded. In the Exchange's experience, Market Maker's are generally below the 25% cap.

sophisticated. There are not the same protections in place for Firm and Broker-Dealer Transactions as compared to Customer transactions. The regulation of Firm and Broker-Dealer transactions is less resource intensive than the regulation of Customer transactions and accounts for a small percentage of Options Regulatory Costs.

Third, assessing ORF on Customer executions that occur on Phlx is reasonable, equitable and not unfairly discriminatory because it will avoid overlapping ORFs that would otherwise be assessed by Phlx and other options exchanges that also assess an ORF. With this proposal, Customers executions that occur on other exchanges would no longer be subject to an Phlx ORF. Further, the Exchange believes that collecting 82% of Options Regulatory Cost is appropriate and correlates to the degree of regulatory responsibility and Options Regulatory Cost borne by the Exchange with respect to Customer transactions. The Exchange's proposal continues to ensure that Options Regulatory Revenue, in combination with other regulatory fees and fines, does not exceed Options Regulatory Costs. Fines collected by the Exchange in connection with a disciplinary matter will continue to offset Options Regulatory Cost. Capping ORF collected at 82% of Options Regulatory Cost, commencing January 2, 2026, is reasonable, equitable and not unfairly discriminatory as the Options Regulatory Revenue collected will offset the corresponding Options Regulatory Cost associated with on-exchange Customer transactions. The Exchange will review the ORF Regulatory Revenue and would amend the ORF if it finds that its ORF Regulatory Revenue exceeds its projections.³⁶

The proposed sunset date of February 1, 2026 is reasonable, equitable and not unfairly discriminatory. If all options exchanges have adopted a similar ORF model, the Exchange notes that it would not sunset the proposal on February 1, 2026. The Exchange proposes to reconsider the sunset date in early 2026 and determine whether to proceed with the proposed ORF structure at that time.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on intra-market competition not necessary or appropriate in furtherance of the purposes of the Act. The proposed changes to ORF do not impose an undue burden on inter-

market competition because ORF is a regulatory fee that supports regulation in furtherance of the purposes of the Act. The Exchange notes, however, the proposed change is not designed to address any competitive issues. The Exchange is obligated to ensure that the amount of ORF Regulatory Revenue, in combination with its other regulatory fees and fines, does not exceed ORF Regulatory Cost.

Continuing to assess ORF only on Customer executions that occur on Phlx does not impose an undue burden on intra-market competition. Customer transactions account for a large portion of the Exchange's surveillance expense. With respect to Customer transactions, options volume continues to surpass volume from other options participants. Additionally, there are rules in the Exchange's Rulebook that deal exclusively with Customer transactions, such as rules involving doing business with a Customer, which would not apply to Non-Customer transactions.³⁷ For these reasons, regulating Customer trading activity is "much more labor-intensive" and therefore, more costly. Further, the Exchange believes that a large portion of the Options Regulatory Cost relates to Customer allocation because obtaining Customer information may be more time intensive. For example, non-Customer market participants are subject to various regulatory and reporting requirements which provides the Exchange certain data with respect to these market participants. In contrast, Customer information is known by member organizations of the Exchange and is not readily available to Phlx.³⁸ The Exchange may have to take additional steps to understand the facts surrounding particular trades involving a Customer which may require requesting such information from a broker-dealer. Further, Customers require more Exchange regulatory services based on the amount of options business they conduct. For example, there are Options Regulatory Costs associated with main office and branch office examinations (e.g., staff expenses), as well as investigations into Customer complaints and the terminations of registered persons. As a result, the Options Regulatory Costs associated with administering the Customer component of the Exchange's overall regulatory program are materially higher than the Options Regulatory Costs associated with administering the non-Customer

component when coupled with the amount of volume attributed to such Customer transactions. Not attributing significant Options Regulatory Costs to Customers for activity that may occur across options markets does not impose an undue burden on intra-market competition because the data in the regression model demonstrates that Phlx's Customer regulation occurs to a large extent on Exchange.

The Exchange believes that not assessing ORF on Market Makers does not impose an undue burden on intra-market competition because these liquidity providers are critical market participants in that they are the only market participants that are required to provide liquidity to Phlx and are necessary for opening the market. Excluding Market Maker transactions from ORF does not impose an intra-market burden on competition, rather it allows these market participants to manage their costs and consequently their business model more effectively thus enabling them to better allocate resources to other technologies that are necessary to manage risk and capacity to ensure that these market participants continue to compete effectively on Phlx in providing tight displayed quotes which in turn benefits markets generally and market participants specifically. Unlike other market participants, Market Makers have various regulatory requirements with respect to quoting as provided in Options 2, Section 4. Specifically, Market Makers have certain quoting requirements with respect to their assigned options series as provided in Options 2, Section 5. Lead Market Makers are obligated to quote in the Opening Process and intra-day.³⁹ Additionally, Market Makers may enter quotes in the Opening Process to open an option series and they are required to quote intra-day.⁴⁰ Further, unlike other market participants, Lead Market Makers and Market Makers have obligations to compete with other Market Makers to improve the market in all series of options classes to which the Market Maker is appointed and to update market quotations in response to changed market conditions in all series of options classes to which the Market Maker is appointed.⁴¹ Also, Lead Market Makers and Market Makers incur other costs imposed by the Exchange related to their quoting obligations in addition to other fees paid by other market participants. Market Makers are subject to a number of fees, unlike other market

³⁶ Phlx would submit a rule change to the Commission to amend ORF rates.

³⁷ See Phlx Options 10 Rules.

³⁸ The Know Your Customer or "KYC" provision is the obligation of the broker-dealer.

³⁹ See Phlx Options 3, Section 8 and Options 2, Section 5.

⁴⁰ *Id.*

⁴¹ See Phlx Options 2, Section 5(a)(3) and (5).

participants. Market Makers pay Streaming Quote Trader Fees,⁴² Remote Market Maker Organization (RMO) Fee,⁴³ and Remote Lead Market Maker Fee⁴⁴ in addition to other fees paid by other market participants. These liquidity providers are critical market participants in that they are the only market participants that are required to provide liquidity to Phlx and are necessary for opening the market. Finally, the Exchange notes that Market Makers may transact orders on the Exchange in addition to submitting quotes. The Exchange's proposal to except orders submitted by Market Makers, in addition to quotes, for purposes of ORF does not impose an undue burden on intra-market competition because Market Makers utilize orders in their assigned options series to sweep the order book. Further, the Exchange believes the quantity of orders utilized by Market Makers in their assigned series is de minimis. In their unassigned options series, Market Makers utilize orders to hedge their risk or respond to auctions. The Exchange notes that the number of orders submitted by Market Makers in their unassigned options series are far below the cap⁴⁵ and therefore de minimis.

The Exchange believes that not assessing ORF on Firm and Broker-Dealer market participants does not impose an undue burden on intra-market competition because the regulation of Firm and Broker-Dealer transactions is less resource intensive than the regulation of Customer transactions. The volume generated from Firm and Broker-Dealer transactions does not entail significant volume when compared to Customer transactions. Therefore, excluding Firm and Broker-Dealer transactions from ORF does not impose an undue burden on intra-market competition as Customer transactions account for a material portion of Phlx's Options Regulatory Cost.⁴⁶

The Exchange's proposal to assess ORF only on Customer executions that occur on Phlx does not impose an intra-market burden on competition because the amount of activity surveilled across exchanges is small when compared to the overall number of Exchange rules that are surveilled by Phlx for on-Exchange activity. Limiting the amount of ORF assessed to activity that occurs on Phlx avoids overlapping ORFs that would otherwise be assessed by Phlx and other options exchanges that also assess an ORF. Further, capping ORF collected at 82% of Options Regulatory Cost commencing January 2, 2026, does not impose an intra-market burden on competition as this collection accounts for the collection only on Customer executions. The Exchange will review the ORF Regulatory Revenue and would amend the ORF if it finds that its ORF Regulatory Revenue exceeds its projections.⁴⁷

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A) of the Act⁴⁸ and paragraph (f)(2) of Rule 19b-4⁴⁹ thereunder.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and

needs to review not only the trading activity on behalf of customers, but also the member organization's relationship with its customers via more labor-intensive exam-based programs. As a result, the costs associated with administering the customer component of the Exchange's overall regulatory program are materially higher than the costs associated with administering the non-customer component of the regulatory program.

⁴⁷ Phlx would submit a rule change to the Commission to amend ORF rates.

⁴⁸ 15 U.S.C. 78s(b)(3)(A).

⁴⁹ 17 CFR 240.19b-4(f)(2).

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-Phlx-2025-30 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090. All submissions should refer to file number SR-Phlx-2025-30. 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 filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-Phlx-2025-30 and should be submitted on or before August 27, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁵⁰

Vanessa A. Countryman,
Secretary.

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-103621; File No. SR-NYSEAMER-2025-45]

Self-Regulatory Organizations; NYSE American LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Rules 903G and 906G To Permit Flexible Exchange Options in the iShares Bitcoin Trust ETF

August 1, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934

⁵⁰ 17 CFR 200.30-3(a)(12).

⁴² See Phlx Options 7, Section 8, B.

⁴³ See Phlx Options 7, Section 8, C.

⁴⁴ See Phlx Options 7, Section 8, D.

⁴⁵ See Phlx Options 2, Section 6(b). The total number of contracts executed by a Market Maker in options in which it is not registered as a Market Maker shall not exceed 25 percent of the total number of all contracts executed by the Market Maker in any calendar quarter.

⁴⁶ The Exchange notes that the regulatory costs relating to monitoring member organizations with respect to customer trading activity are generally higher than the regulatory costs associated with member organizations that do not engage in customer trading activity, which tends to be more automated and less labor-intensive. By contrast, regulating member organizations that engage in customer trading activity is generally more labor intensive and requires a greater expenditure of human and technical resources as the Exchange

(“Act”),¹ and Rule 19b–4 thereunder,² notice is hereby given that, on July 31, 2025, NYSE American LLC (“NYSE American” or the “Exchange”) filed with the Securities and Exchange Commission (“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 amend Rules 903G and 906G to permit Flexible Exchange (“FLEX”) Options in the iShares Bitcoin Trust ETF. The proposed rule change is available on the Exchange’s website at www.nyse.com, at the principal office of the Exchange, and at the Commission’s Public Reference Room.

II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization’s Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes amend Rules 903G (Terms of FLEX Options) and 906G (Position Limits) to permit iShares Bitcoin Trust ETF (“IBIT”) options to trade as FLEX Equity Options with an aggregated position and exercise limit for IBIT options of 25,000-contracts (“FLEX IBIT options”).³ The Exchange notes that this is a competitive filing as the Commission recently approved a

substantially identical rule proposal by Nasdaq Phlx, LLC (“Phlx”).⁴

IBIT is an Exchange-Traded Fund (“ETF”) that holds bitcoin and is listed on The Nasdaq Stock Market LLC (“Nasdaq”).⁵ On September 20, 2024, Nasdaq ISE, LLC (“ISE”) received approval to list options on IBIT.⁶ On November 22, 2024, the Exchange began listing and trading IBIT options.⁷ The position and exercise limits for IBIT options are 25,000 contracts as set forth in Rule 904, Commentary .07(f), the lowest limit available in options.⁸

FLEX Equity Options are not generally subject to position or exercise limits.⁹ Today, pursuant to Rule 903G(a)(1), IBIT options are not approved for FLEX trading.¹⁰ Therefore, the 25,000-contract limit applicable to IBIT options currently applies solely to non-FLEX IBIT options.

The Exchange proposes to permit options on IBIT to trade as FLEX Equity Options and would require the aggregation of any FLEX and non-FLEX positions in IBIT for purposes of

calculating the 25,000-contract position and exercise limits.¹¹

Per the Commission “rules regarding position and exercise limits are intended to prevent the establishment of options positions that can be used or might create incentives to manipulate or disrupt the underlying market so as to benefit the options positions.”¹² For this reason, the Commission requires that “position and exercise limits must be sufficient to prevent investors from disrupting the market for the underlying security by acquiring and exercising a number of options contracts disproportionate to the deliverable supply and average trading volume of the underlying security.”¹³ Based on its review and analysis of IBIT data, the Commission concluded that the 25,000-contract position (and exercise) limit for non-FLEX IBIT options satisfied these objectives.¹⁴

As proposed, the Exchange will aggregate position (and exercise) limits for all IBIT options, thus limiting positions for options on all IBIT options—FLEX and non-FLEX—to 25,000 contracts. This proposed aggregated limit effectively restricts a market participant from holding positions that could result in the receipt of more than 2,500,000 shares, aggregated for FLEX IBIT and non-FLEX IBIT options (if that market participant exercised all its options). The Exchange believes that capping the aggregated position and exercise limits at 25,000 contracts, the lowest available limit, would be sufficient to address concerns related to manipulation and the protection of investors. The Exchange notes that this number is conservative and therefore appropriate given the liquidity of IBIT.¹⁵

While the Exchange proposes an aggregated 25,000-contract position and exercise limit for FLEX and non-FLEX IBIT options, it nonetheless believes that evidence exists to support a much higher position limit.¹⁶ In fact, the

⁴ See Securities Exchange Act Release No. 103565 (July 29, 2025), 90 FR ____ (August __, 2025) (SR-PHLX–2024–72) (Order Approving a Proposed Rule Change to Permit the Trading of FLEX Options on Shares of the iShares Bitcoin Trust ETF) (“Phlx FLEX IBIT Approval Order”).

⁵ Nasdaq received approval to list and trade Bitcoin-Based Commodity-Based Trust Shares in IBIT pursuant to Rule 5711(d) of Nasdaq. See Securities Exchange Act Release No. 99306 (January 10, 2024), 89 FR 3008 (January 17, 2024) (SR-NASDAQ–2023–016) (Order Granting Accelerated Approval of Proposed Rule Changes, as Modified by Amendments Thereto, To List and Trade Bitcoin-Based Commodity-Based Trust Shares and Trust Units).

⁶ See Securities Exchange Act Release No. 101128 (September 20, 2024), 89 FR 78942 (September 26, 2024) (SR–ISE–2024–03) (Notice of Filing of Amendment Nos. 4 and 5 and Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment Nos. 1, 4, and 5, To Permit the Listing and Trading of Options on the iShares Bitcoin Trust) (“IBIT Approval Order”).

⁷ See Trader Update, dated Nov. 21, 2024, NYSE Options: Trading in Options on Bitcoin Exchange Traded Products, available here: <https://www.nyse.com/trader-update/history#110000945911>.

⁸ Per Rule 905(a)(i), the exercise limit for options on IBIT is the same as the position limit for IBIT as determined by Rule 904.

⁹ See Rule 906G(b) (subject to the exceptions enumerated in the rule “there shall be no position limits for FLEX Equity options.”).

¹⁰ The Exchange recently received approval to trade FLEX Equity Options on certain exchange-traded products that—like IBIT—hold bitcoin, thus removing these products from the prohibition set forth in Rule 903G(a)(1). See Securities Exchange Act Release No. 103566 (July 29, 2025), 90 FR ____ (August __, 2025) (SR–NYSEAMER–2024–78) (Order Approving a Proposed Rule Change, as Modified by Amendment No. 1, to Permit the Trading of FLEX Options on Shares of the Grayscale Bitcoin Trust, the Grayscale Bitcoin Mini Trust ETF, and the Bitwise Bitcoin ETF).

¹¹ See proposed Rules 903(a)(1) (excluding IBIT options from the prohibition against FLEX trading); and 906(b)(iv) (specifying that the Exchange will aggregate any FLEX and non-FLEX IBIT option positions for purposes of calculating the position and exercise limits for IBIT, as set forth in Rules 904 and 905).

¹² See *supra* note 7, IBIT Approval Order, 89 FR 78946.

¹³ See *id.*

¹⁴ See *id.*

¹⁵ See *id.*

¹⁶ See Phlx FLEX IBIT Approval Order, n. 21 (noting that, in the IBIT Approval Order, “the Commission stated that it considered and reviewed the ISE’s analysis that the exercisable risk associated with a position limit of 25,000 contracts represented only 0.4% of the outstanding shares of IBIT. The Commission stated that it also considered

Continued

¹ 15 U.S.C. 78a.

² 17 CFR 240.19b–4.

³ FLEX Options are customized equity or index contracts that allow investors to tailor contract terms for exchange-listed equity and index options. See generally Section 15 (Flexible Exchange (“FLEX”) Options). A “FLEX Equity Option” is an option on a specified underlying equity security that is subject to the rules of Section 15. See Rule 900G(b)(10).

Commission recently approved a proposal by Nasdaq ISE, LLC (“ISE”) to remove 25,000-contract position and exercise limit on IBIT options and to instead allow IBIT options to qualify for increased limits (up to 250,000 contracts) pursuant to the generic limits for options.¹⁷

Despite the proposed addition of FLEX trading in IBIT options, the Exchange would continue to limit to 25,000 the number of IBIT options traded on the Exchange that an investor, acting alone or in concert with others directly or indirectly, may control and thereby mitigate potential manipulation. The Exchange believes that allowing FLEX IBIT options is consistent with the Act given FLEX trading is permitted today in other ETFs overlying a commodity such as SPDR Gold Shares (“GLD”) and iShares Silver Trust (“SLV”).¹⁸

Further, the Exchange believes that the share creation and redemption process unique to ETFs would mitigate any potential risk of manipulation in FLEX IBIT options. The creation and redemption process is designed to ensure that an ETF’s price closely tracks the value of its underlying asset(s). For example, if a market participant exercised a long call position for 25,000 contracts and purchased 2,500,000 shares of IBIT and this purchase resulted in the value of IBIT shares to trade at a premium to the value of the (underlying) bitcoin held by IBIT, the Exchange believes that other market participants would attempt to arbitrage this price difference by selling short IBIT shares while concurrently purchasing bitcoin. Those market participants (arbitrageurs) would then deliver cash to IBIT and receive shares of IBIT, which would be used to close out any previously established short position in IBIT. Thus, this creation and redemptions process would significantly reduce the potential risk of price dislocation between the value of shares in IBIT and the value of bitcoin holdings.

The Exchange understands that FLEX Equity Options on ETFs are currently

and reviewed the ISE’s statement that with a position limit of 25,000 contracts on the same side of the market and 611,040,00 shares of IBIT outstanding, 244 market participants would have to simultaneously exercise their positions to place IBIT under stress).

¹⁷ See Securities Exchange Act Release No. 103564 (July 29, 2025), 90 FR ____ (August __, 2025) (SR-ISE-2024-62) (Order Approving a Proposed Rule Change, as Modified by Amendment Nos. 2 and 3, Regarding Position and Exercise Limits for Options on the iShares Bitcoin Trust ETF).

¹⁸ GLD and SLV, like IBIT, each hold one asset in trust.

traded in the over-the-counter (“OTC”) market by a variety of market participants, e.g., hedge funds, proprietary trading firms, and pension funds, to name a few. The Exchange believes there is room for significant growth if a comparable product were introduced for trading on a regulated market. The Exchange expects that users of these OTC products would be among the primary users of FLEX IBIT options. The Exchange also believes that the trading of FLEX IBIT options would allow these same market participants to better manage the risk associated with the volatility of IBIT (the underlying ETF) given the enhanced liquidity that an exchange-traded product would bring.

Additionally, the Exchange believes that FLEX IBIT options traded on the Exchange would have three important advantages over the contracts that are traded in the OTC market. First, as a result of greater standardization of contract terms, exchange-traded contracts should develop more liquidity. Second, counter-party credit risk would be mitigated by the fact that the contracts are issued and guaranteed by The Options Clearing Corporation (“OCC”). Finally, the price discovery and dissemination provided by the Exchange and its members would lead to more transparent markets. The Exchange believes that its ability to offer FLEX IBIT options would aid it in competing with the OTC market and at the same time expand the universe of products available to interested market participants. The Exchange believes that an exchange-traded alternative may provide a useful risk management and trading vehicle for market participants and their customers.

The Exchange has analyzed its capacity and represents that it and The Options Price Reporting Authority (“OPRA”) have the necessary systems capacity to handle the additional traffic associated with the listing of FLEX IBIT options. The Exchange believes any additional traffic that would be generated from the trading of FLEX IBIT options would be manageable. The Exchange believes ATP Holders will not have a capacity issue as a result of this proposed rule change. The Exchange also represents that it does not believe this proposed rule change will cause fragmentation of liquidity. The Exchange will monitor the trading volume associated with the additional options series listed as a result of this proposed rule change and the effect (if any) of these additional series on market fragmentation and on the capacity of the Exchange’s automated systems.

The Exchange represents that the same surveillance procedures applicable to the Exchange’s other options products listed and traded on the Exchange, including non-FLEX IBIT options, will apply to FLEX IBIT options, and that it has the necessary systems capacity to support such options. FLEX options products (and their respective symbols) are integrated into the Exchange’s existing surveillance system architecture and are thus subject to the relevant surveillance processes. The Exchange’s market surveillance staff (including staff of the Financial Industry Regulatory Authority (“FINRA”) who perform surveillance and investigative work on behalf of the Exchange pursuant a regulatory services agreement) conducts surveillances with respect to IBIT (the underlying ETFs) and, as appropriate, would review activity in applicable ETF when conducting surveillances for market abuse or manipulation in the FLEX IBIT options. The Exchange does not believe that allowing FLEX IBIT options would render the marketplace for non-FLEX IBIT options, or equity options in general, more susceptible to manipulative practices.

The Exchange represents that its existing trading surveillances are adequate to monitor the trading in IBIT, as well as any subsequent trading of FLEX IBIT options on the Exchange. Additionally, the Exchange is a member of the Intermarket Surveillance Group (“ISG”) under the ISG Agreement. ISG members work together to coordinate surveillance and investigative information sharing in the stock, options, and futures markets. For surveillance purposes, the Exchange would therefore have access to information regarding trading activity in IBIT and in other pertinent underlying securities on other exchanges through ISG. In addition, and as referenced above, the Exchange has a regulatory services agreement with FINRA, pursuant to which FINRA conducts certain surveillances on behalf of the Exchange. Further, pursuant to a multi-party 17d-2 joint plan, all options exchanges allocate regulatory responsibilities to FINRA to conduct certain options-related market surveillances.¹⁹ The Exchange will

¹⁹ Section 19(g)(1) of the Act, among other things, requires every SRO registered as a national securities exchange or national securities association to comply with the Act, the rules and regulations thereunder, and the SRO’s own rules, and, absent reasonable justification or excuse, enforce compliance by its members and persons associated with its members. See 15 U.S.C. 78q(d)(1) and 17 CFR 240.17d-2. Section 17(d)(1) of the Act allows the Commission to relieve an SRO of certain responsibilities with respect to members

implement any additional surveillance procedures it deems necessary to effectively monitor the trading of FLEX IBIT options.

The proposed rule change is designed to allow investors seeking to trade IBIT options to utilize FLEX IBIT options. The Exchange believes that offering innovative products flows to the benefit of the investing public. A robust and competitive market requires that exchanges respond to members' evolving needs by constantly improving their offerings. Such efforts would be stymied if exchanges were prohibited from offering innovative products such as the proposed FLEX IBIT options. The Exchange believes that introducing FLEX IBIT options would further broaden the base of investors that use FLEX Equity Options (and options on IBIT in general) to manage their trading and investment risk, including investors that currently trade in the OTC market for customized options. The proposed rule change is also designed to encourage market makers to shift liquidity from the OTC market on the Exchange, which, it believes, will enhance the process of price discovery conducted on the Exchange through increased order flow.

As discussed herein, the Exchange does not believe that this proposed rule change raises any unique regulatory concerns because the proposal to aggregate FLEX and non-FLEX IBIT option positions at the (most conservative) 25,000-contract position and exercise limit, which currently applies solely to non-FLEX IBIT options, should provide an adequate safeguard.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Securities Exchange Act of 1934 (the "Act"),²⁰ in general, and furthers the objectives of Section 6(b)(5) of the Act,²¹ in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Specifically, the

Exchange believes that introducing FLEX IBIT Options will increase order flow to the Exchange, increase the variety of options products available for trading, and provide a valuable tool for investors to manage risk. The proposed rule change is designed to allow investors seeking to trade IBIT options to utilize FLEX IBIT options.

The Exchange believes that the proposal to permit FLEX IBIT options would remove impediments to and perfect the mechanism of a free and open market. The Exchange believes that offering FLEX IBIT options will benefit investors by providing them with an additional, relatively lower cost investing tool to gain exposure to the price of bitcoin and provide a hedging vehicle to meet their investment needs in connection with a bitcoin-related product. Moreover, the proposal would broaden the base of investors that use FLEX Options to manage their trading and investment risk, including investors that currently trade in the OTC market for customized options. By trading a product in an exchange-traded environment (that is currently being used in the OTC market), the Exchange would be able to compete more effectively with the OTC market. The Exchange believes the proposed rule change is designed to prevent fraudulent and manipulative acts and practices in that it would lead to the migration of options currently trading in the OTC market to trading to the Exchange. Also, any migration to the Exchange from the OTC market would result in increased market transparency and enhance the process of price discovery conducted on the Exchange through increased order flow. The Exchange also believes that offering FLEX IBIT options may appeal to retail investors interested in options trading (both FLEX and non-FLEX) on IBIT.

Additionally, the Exchange believes the proposed rule change is designed to remove impediments to and to perfect the mechanism for a free and open market and a national market system, and, in general, to protect investors and the public interest in that it should create greater trading and hedging opportunities and flexibility. The proposed rule change should also result in enhanced efficiency in initiating and closing out positions and heightened contra-party creditworthiness due to the role of OCC as issuer and guarantor of FLEX IBIT options. Further, the proposed rule change would result in increased competition by permitting the Exchange to offer products that are currently used in the OTC market.

The Exchange does not believe that this proposed rule change raises any

unique regulatory concerns because the proposal to aggregate any FLEX and non-FLEX IBIT options at the current (and most conservative) 25,000-contract limit should provide an adequate safeguard. As noted herein, the purpose of position (and exercise) limits is to address potential manipulative schemes and adverse market impacts surrounding the use of options, such as disrupting the market in the security underlying the options. The Exchange believes the proposal will benefit investors and public interest because the aggregated position and exercise limits for (FLEX and non-FLEX) IBIT options at 25,000 contracts, the lowest limit available in options, would address concerns related to manipulation and protection of investors as this number is conservative and therefore appropriate given the sufficient liquidity in IBIT.

The Exchange believes that offering innovative products benefits the investing public. A robust and competitive market requires that exchanges respond to the evolving needs of their members by constantly improving their offerings. Such efforts would be stymied if exchanges were prohibited from offering innovative products such as the proposed FLEX IBIT options. The Exchange does not believe that allowing FLEX IBIT options would render the marketplace for equity options more susceptible to manipulative practices.

Finally, the Exchange represents that it has an adequate surveillance program in place to detect manipulative trading in FLEX IBIT options. Regarding the proposed FLEX IBIT options, the Exchange would use the same surveillance procedures utilized for FLEX Options currently listed on the Exchange (as well as for non-FLEX IBIT options). For surveillance purposes, the Exchange would have access to information regarding trading activity in IBIT (the underlying ETF). In light of surveillance measures related to both IBIT options and IBIT (the underlying ETF), the Exchange believes that existing surveillance procedures are designed to deter and detect possible manipulative behavior which might potentially arise from listing and trading the proposed FLEX IBIT options.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

Intra-market competition. The Exchange does not believe that its

of the SRO who are also members of another SRO. Specifically, Section 17(d)(1) allows the Commission to relieve an SRO of its responsibilities to: (i) receive regulatory reports from such members; (ii) examine such members for compliance with the Act and the rules and regulations thereunder, and the rules of the SRO; or (iii) carry out other specified regulatory responsibilities with respect to such members.

²⁰ 15 U.S.C. 78f(b).

²¹ 15 U.S.C. 78f(b)(5).

proposed rule change will impose any burden on intra-market competition as all market participants would have the option of utilizing the FLEX IBIT options. The proposed rule change is designed to allow investors seeking option exposure to bitcoin to trade FLEX IBIT options. Moreover, the Exchange believes that the proposal to permit FLEX IBIT options would broaden the base of investors that use FLEX Options to manage their trading and investment risk, including investors that currently trade in the OTC market for customized options.

Inter-market competition. The Exchange does not believe that its proposed rule change will impose any burden on inter-market competition as all market participants would have the option of utilizing the FLEX IBIT options. As noted herein, this proposal is competitive and would allow the Exchange to compete with competing options exchanges already authorized to trade FLEX IBIT options. The Exchange notes that it operates in a highly competitive market in which market participants can readily direct order flow to competing venues. The proposed rule change would support that intermarket competition by allowing the Exchange to offer additional functionality to ATP Holders. The Exchange believes that the proposed FLEX IBIT options will increase the variety of options products available for trading in general and bitcoin-related products in particular and, as such, will provide a valuable tool for investors to manage risk.

As such, the Exchange believes that this proposal does not create an undue burden on intermarket competition. Rather, the Exchange believes that the proposed rule would bolster intermarket competition by promoting fair competition among individual markets.

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 Act²² and Rule 19b-4(f)(6) thereunder.²³ Because the foregoing proposed rule change does not: (i) significantly affect the protection

of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act²⁴ and subparagraph (f)(6) of Rule 19b-4 thereunder.²⁵

A proposed rule change filed under Rule 19b-4(f)(6)²⁶ under the Act does not normally become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b-4(f)(6)(iii),²⁷ the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has requested that the Commission waive the 30-day operative delay so that the proposal may become operative immediately upon filing. The Commission previously approved the trading of FLEX Equity Options on the iShares Bitcoin Trust ETF.²⁸ The Exchange proposes to permit options on IBIT to trade as FLEX Equity Options and would require the aggregation of any FLEX and non-FLEX positions in IBIT for purposes of calculating 25,000-contract position and exercise limits. The Exchange further represents that the same surveillance procedures applicable to the Exchange's other options products listed and traded on the Exchange, including non-FLEX IBIT options, will apply to FLEX IBIT options, and that it has the necessary systems capacity to support such options. The Commission believes that waiver of the operative delay could benefit investors by providing an additional venue for trading FLEX Equity Options on the iShares Bitcoin Trust ETF. Therefore, the Commission believes that waiver of the 30-day operative delay is consistent with the protection of investors and the public interest. Accordingly, the Commission hereby waives the 30-day operative delay and designates the proposed rule change as operative upon filing.²⁹

²⁴ 15 U.S.C. 78s(b)(3)(A)(iii).

²⁵ 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied the pre-filing requirement.

²⁶ 17 CFR 240.19b-4(f)(6).

²⁷ 17 CFR 240.19b-4(f)(6)(iii).

²⁸ See Securities Exchange Act Release No. 103565 (July 29, 2025) (Order Approving a Proposed Rule Change to Permit the Trading of FLEX Options on Shares of the iShares Bitcoin Trust ETF) (SR-PHLX-2024-72).

²⁹ For purposes only of waiving the 30-day operative delay, the Commission has also

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission 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-NYSEAMER-2025-45 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-2025-45. 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

considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

²² 15 U.S.C. 78s(b)(3)(A)(iii).

²³ 17 CFR 240.19b-4(f)(6).

copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-NYSEAMER-2025-45 and should be submitted on or before August 27, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.³⁰

Vanessa A. Countryman,
Secretary.

[FR Doc. 2025-14861 Filed 8-5-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235-0219]

Agency Information Collection Activities; Proposed Collection; Comment Request; Reinstatement With Change: Rule 30a-1

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549-2736.

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (the "Commission" or "SEC") is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for reinstatement.

The title for the collection of information is "Rule 30a-1 (17 CFR 270.30a-1) under the Investment Company Act of 1940."

The Commission is seeking to reinstate the Paperwork Reduction Act ("PRA") information collection request for rule 30a-1 (17 CFR 270.30a-1) under the Investment Company Act of 1940 under OMB control number 3235-0219 for the purpose of discontinuing this information collection. The last Commission request for OMB approval under this control number was submitted in May of 2000. Rule 30a-1 is an active rule, but it has been amended since the last PRA submission in 2000. The current rule requires investment companies and unit

investment trusts to file an annual report on Form N-CEN at least every twelve months. The burden associated with the information request outlined within rule 30a-1 is contained within the information collection request for Form N-CEN under OMB control number 3235-0729. Thus, there has been no lapse in reporting the burden associated with rule 30a-1. Since the burden is being reported under an alternative ICR, the Commission is seeking to reinstate the rule 30a-1 ICR under control number 3235-0729 in order to have it properly discontinued. Moving forward, the Commission will reference rule 30a-1 within the ICR for Form N-CEN.

The requirements of this collection of information are mandatory. Responses will not be kept confidential. 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 control number.

Written comments are invited on: (a) whether this proposed collection of information is necessary for the proper performance of the functions of the SEC, including whether the information will have practical utility; (b) the accuracy of the SEC's estimate of the burden imposed by the proposed collection of information, including the validity of the methodology and the assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated, electronic collection techniques or other forms of information technology.

Please direct your written comments on this 60-Day Collection Notice to Austin Gerig, Director/Chief Data Officer, Securities and Exchange Commission, c/o Tanya Ruttenberg via email to PaperworkReductionAct@sec.gov by October 6, 2025. There will be a second opportunity to comment on this SEC request following the **Federal Register** publishing a 30-Day Submission Notice.

Dated: August 4, 2025.

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2025-14928 Filed 8-5-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meetings

TIME AND DATE: 2:00 p.m. on Thursday, August 7, 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. 552b(c)(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 31, 2025.

Vanessa A. Countryman,
Secretary.

[FR Doc. 2025-14773 Filed 7-31-25; 4:15 pm]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235-0206]

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Extension: Rule 19d-1

Upon Written Request, Copies Available From: Securities and Exchange

³⁰ 17 CFR 200.30-3(a)(12).

Commission, Office of FOIA Services,
100 F Street NE, Washington, DC
20549-2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (SEC or "Commission") is submitting to the Office of Management and Budget ("OMB") this request for an extension of the proposed collection of information in Rule 19d-1.

Rule 19d-1 prescribes the form and content of notices to be filed with the Commission by self-regulatory organizations ("SROs") for which the Commission is the appropriate regulatory agency concerning the following final SRO actions: (1) disciplinary actions with respect to any person; (2) denial, bar, prohibition, or limitation of membership, participation or association with a member or of access to services offered by an SRO or member thereof; (3) summarily suspending a member, participant, or person associated with a member, or summarily limiting or prohibiting any persons with respect to access to or services offered by the SRO or a member thereof; and (4) delisting a security.

The Rule enables the Commission to obtain reports from the SROs containing information regarding SRO determinations to delist a security, discipline members or associated persons of members, deny membership or participation or association with a member, and similar adjudicated findings. The Rule requires that such actions be promptly reported to the Commission. The Rule also requires that the reports and notices supply sufficient information regarding the background, factual basis and issues involved in the proceeding to enable the Commission: (1) to determine whether the matter should be called up for review on the Commission's own motion; and (2) to ascertain generally whether the SRO has adequately carried out its responsibilities under the Exchange Act.

It is estimated that approximately eighteen respondents will utilize this application procedure annually, and will file approximately 850 submissions, based upon recent data. The Commission estimates that the average number of hours necessary to comply with the requirements of Rule 19d-1 for each submission is 1 hour. The total annual burden for all respondents is thus 850 hours. The Commission estimates that the internal compliance cost per respondent is approximately \$344 per response. The annual internal cost of compliance for all respondents is thus approximately

\$292,400 (17 respondents × 50 responses × \$344 per response).

The filing of notices pursuant to Rule 19d-1 is mandatory for the SROs but does not require the collection of confidential information.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

Written comments are invited on: (a) whether this proposed collection of information is necessary for the proper performance of the functions of the SEC, including whether the information will have practical utility; (b) the accuracy of the SEC's estimate of the burden imposed by the proposed collection of information, including the validity of the methodology and the assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated, electronic collection techniques or other forms of information technology.

The public may view and comment on this information collection request at: https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202504-3235-004 or email comment to MBX.OMB.OIRA.SEC_desk_officer@omb.eop.gov within 30 days of the day after publication of this notice, by September 8, 2025.

Dated: August 4, 2025.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025-14931 Filed 8-5-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. IC-35704; 812-1586]

Man Diversified Income Fund and Man Solutions LLC

August 1, 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 (the "Act") for an exemption from sections 18(a)(2), 18(c) and 18(i) of the Act, under sections 6(c) and 23(c) of the Act for an exemption from rule 23c-3 under the Act, and for an order pursuant to section 17(d) of the Act and rule 17d-1 under the Act.

SUMMARY OF APPLICATION: Applicants request an order to permit certain registered closed-end investment companies to issue multiple classes of shares and to impose asset-based distribution and/or service fees and early withdrawal charges.

APPLICANTS: Man Diversified Income Fund and Man Solutions LLC.

FILING DATE: The application was filed on July 28, 2025.

HEARING OR NOTIFICATION OF HEARING:

An order granting the requested relief will be issued unless the Commission orders a hearing. Interested persons may request a hearing on any application by emailing the SEC's Secretary at Secretarys-Office@sec.gov and serving the Applicants with a copy of the request by email, if an email address is listed for the relevant Applicant below, or personally or by mail, if a physical address is listed for the relevant Applicant below. Hearing requests should be received by the Commission by 5:30 p.m. on August 26, 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: Lisa Munoz, Man Diversified Income Fund, Lisa.munoz@man.com, with copies to Rajib Chanda, Esq., Simpson, Thatcher and Barlett LLP, rajib.chanda@stblaw.com, Anne Choe, Esq., Simpson, Thatcher and Barlett LLP, anne.choe@stblaw.com, and Jonathan H. Gaines, Esq., Simpson, Thatcher and Barlett LLP, jonathan.gaines@stblaw.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 July 28, 2025, which may be obtained via the Commission's website by searching for the file number at the top of this document, or for an Applicant using the Company name search field on the SEC's EDGAR system. The SEC's EDGAR system may be searched at <https://www.sec.gov/edgar/searchedgar/legacy/companysearch.html>. You may

also call the SEC's Public Reference Room at (202) 551-8090.

For the Commission, by the Division of Investment Management, under delegated authority.

J. Matthew DeLesDernier,
Deputy Secretary.

[FR Doc. 2025-14865 Filed 8-5-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-103619; File No. SR-NASDAQ-2025-054]

Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Methodology for Its Options Regulatory Fee (ORF) as of January 2, 2026

August 1, 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 25, 2025, The Nasdaq Stock Market LLC ("Nasdaq" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend The Nasdaq Options Market LLC's ("NOM") Pricing Schedule at Options 7, Section 5, Nasdaq Options Regulatory Fee, to amend its current methodology of collection.

While the changes proposed herein are effective upon filing, the Exchange has designated the proposed rule change to be operative on January 2, 2026.

The text of the proposed rule change is available on the Exchange's website at <https://listingcenter.nasdaq.com/rulebook/nasdaq/rulefilings> and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for

the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

NOM proposes to amend its current methodology of assessment and collection of the Options Regulatory Fee or "ORF" to assess ORF only for options transactions that occur on NOM that are cleared in the Customer³ range at The Options Clearing Corporation ("OCC"). With this proposal NOM would not assess ORF for transactions that occur on other exchanges. Below is a more detailed description of the proposal.

Background on Current ORF

Today, NOM assesses its ORF for each Customer option transaction that is either: (1) executed by a Participant⁴ on NOM; or (2) cleared by a NOM Participant at OCC in the Customer range, even if the transaction was executed by a non-member of NOM, regardless of the exchange on which the transaction occurs.⁵ If the OCC clearing member is a NOM Participant, ORF is assessed and collected on all ultimately cleared Customer contracts (after

³ Currently, the ORF is assessed by NOM and collected via the OCC from Customers, Professional Customers, and Broker-Dealers that are not affiliated with a clearing member. These market participants clear in the "C" range at OCC. ORF will continue to be assessed and collected from these market participants under the new methodology. On NOM, a "Customer" applies to any transaction that is identified by a Participant for clearing in the Customer range at OCC which is not for the account of broker or dealer or for the account of a "Professional"; a "Professional" means any person or entity that (i) is not a broker or dealer in securities, and (ii) places more than 390 orders in listed options per day on average during a calendar month for its own beneficial account(s) pursuant to Options 1, Section 1(a)(47); and a "Broker-Dealer" applies to any transaction which is not subject to any of the other transaction fees applicable within a particular category.

⁴ The term "Options Participant" or "Participant" mean a firm, or organization that is registered with the Exchange pursuant to Options 2A of these Rules for purposes of participating in options trading on NOM Options as a "Nasdaq Options Order Entry Firm" or "Nasdaq Options Market Maker." See Options 1, Section 1(a)(39).

⁵ The Exchange uses reports from OCC when assessing and collecting the ORF. Market participants must record the appropriate account origin code on all orders at the time of entry of the order. The Exchange represents that it has surveillances in place to verify that members mark orders with the correct account origin code.

adjustment for CMTA⁶); and (2) if the OCC clearing member is not a NOM Participant, ORF is collected only on the cleared Customer contracts executed at NOM, taking into account any CMTA instructions which may result in collecting the ORF from a non-member.⁷ The NOM ORF as of August 1, 2025 is \$0.0005 per contract side.⁸

Today, in the case where a Participant both executes a transaction and clears the transaction, the ORF will be assessed to and collected from that Participant. Today, in the case where a Participant executes a transaction and a different Participant clears the transaction, the ORF will be assessed to and collected from the Participant who clears the transaction and not the Participant who executes the transaction. Today, in the case where a non-member executes a transaction at an away market and a Participant clears the transaction, the ORF will be assessed to and collected from the Participant who clears the transaction. Today, in the case where a Participant executes a transaction on NOM and a non-member clears the transaction, the ORF will be assessed to the Participant that executed the transaction on NOM and collected from the non-member who cleared the transaction. Today, in the case where a Participant executes a transaction at an away market and a non-member ultimately clears the transaction, the ORF will not be assessed to the Participant who executed the transaction or collected from the non-member who cleared the transaction because the Exchange does not have access to the data to make absolutely certain that ORF should apply. Further, the data does not allow the Exchange to identify the Participant executing the trade at an away market.

⁶ CMTA or Clearing Participant Trade Assignment is a form of "give-up" whereby the position will be assigned to a specific clearing firm at OCC.

⁷ By way of example, if Broker A, an NOM Participant, routes a Customer order to CBOE and the transaction executes on CBOE and clears in Broker A's OCC Clearing account, ORF will be collected by NOM from Broker A's clearing account at OCC via direct debit. While this transaction was executed on a market other than NOM, it was cleared by an NOM Participant in the member's OCC clearing account in the Customer range, therefore there is a regulatory nexus between NOM and the transaction. If Broker A was not an NOM Participant, then no ORF should be assessed and collected because there is no nexus; the transaction did not execute on NOM nor was it cleared by an NOM Participant.

⁸ NOM decreased its ORF from \$0.0014 to \$0.0005 per contract side effective August 1, 2025. See Securities Exchange Act Release No. 103392 (July 7, 2025), 90 FR 30710 (July 10, 2025) (SR-NASDAQ-2025-050) (Notice of Filing and Immediate Effectiveness of a Proposed Rule Change to Lower the Options Regulatory Fee (ORF)).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

ORF Revenue and Monitoring of ORF

Today, the Exchange monitors the amount of revenue collected from the ORF ("ORF Regulatory Revenue") to ensure that it, in combination with other regulatory fees and fines, does not exceed Options Regulatory Costs.⁹ In determining whether an expense is considered an Options Regulatory Cost, the Exchange reviews all costs and makes determinations if there is a nexus between the expense and a regulatory function. The Exchange notes that fines collected by the Exchange in connection with a disciplinary matter offset Options Regulatory Cost.

ORF Regulatory Revenue, when combined with all of the Exchange's other regulatory fees and fines, is designed to recover the Options Regulatory Costs to the Exchange of the supervision and regulation of member Customer options business including performing routine surveillances, investigations, examinations, financial monitoring, and policy, rulemaking, interpretive, and enforcement activities. Options Regulatory Costs include direct regulatory expenses and certain indirect expenses in support of the regulatory function. The direct expenses include in-house and third-party service provider costs to support the day-to-day regulatory work such as surveillance, investigations and examinations. The indirect expenses are only those expenses that are in support of the regulatory functions, such areas include Office of the General Counsel, technology, finance, and internal audit. Indirect expenses will not exceed 35% of the total Options Regulatory Costs, in which case direct expenses could be 65% or more of total Options Regulatory Costs.¹⁰

Proposal for January 2, 2026

NOM has been reviewing its methodologies for the assessment and collection of ORF. As a result of this review, NOM proposes to modify its current ORF to continue to assess ORF for options transactions cleared by OCC in the Customer range, however ORF

would be assessed to each NOM Participant for executions that occur on NOM. Specifically, the ORF would continue to be collected by OCC on behalf of NOM from NOM Participants and non-members for all Customer transactions executed on NOM. ORF would be assessed and collected on all ultimately cleared Customer contracts, taking into account adjustments for CMTA that were provided to NOM the same day as the trade.¹¹

Further, the Exchange would bill ORF according to the clearing instructions provided on the execution. More specifically, NOM proposes to assess ORF based on the clearing instruction provided on the execution on trade date and would not take into consideration CMTA changes or transfers that occur at OCC.¹² As a result of this proposed rule change, if a Participant executes a Customer transaction on NOM and is the clearing member on record on the transaction on NOM, the ORF will be assessed to that Participant. With this proposal, in the case where a Participant executes a Customer transaction on NOM and a different Participant is the clearing member on record on the transaction on NOM, the ORF will be assessed to and collected from the Participant who is the clearing member on record on the transaction and not the Participant who executes the transaction. Additionally, in the case where a Participant executes a Customer transaction on NOM and a non-member is the clearing member on record on the transaction on NOM, the ORF will be assessed to the non-member who is the clearing member on record on the transaction and not the Participant who executes the transaction. With this proposal, in the case where a Participant executes a Customer transaction on a non-NOM exchange, NOM will not assess an ORF, regardless of how the transaction is cleared. As is the case today, OCC will collect ORF from OCC clearing members on behalf of NOM based on NOM's instructions.

With this proposal, the NOM ORF as of August 1, 2025 of \$0.0005 per contract side would be increased to \$0.0157 per contract side.¹³ With this

proposal, the Exchange will endeavor to ensure that ORF Regulatory Revenue generated from ORF will not exceed 82% of Options Regulatory Cost. NOM will continue to ensure that ORF Regulatory Revenue does not exceed Options Regulatory Cost. As is the case today, the Exchange will notify Participants via an Options Trader Alert of any change in the amount of the fee at least 30 calendar days prior to the effective date of the change. In this case, the Exchange will notify Participants via an Options Trader Alert of these changes at least 30 calendar days prior to January 2, 2026.

The Exchange utilized historical and current data from its affiliated options exchanges to create a new regression model that would tie expenses attributable to regulation to a respective source.¹⁴ To that end, the Exchange plotted Customer volumes from each exchange¹⁵ against Options Regulatory Cost from each exchange for the Time Period. Specifically, the Exchange utilized standard charting functionality to create a linear regression. The charting functionality yields a "slope" of the line, representing the marginal cost of regulation, as well as an "intercept," representing the fixed cost of regulation.¹⁶ The Exchange considered using non-linear models, but concluded that the best R-2 ("R-Squared")¹⁷ results came from a standard $y = Mx + B$ format for regulatory expense. The R-Squared for the charting method ranged from 70% to 90% historically. As noted, the plots below represent the Time Period. The X-axis reflects Customer volumes by exchange, by quarter and the Y-axis reflects regulatory expense by exchange.

www.nasdaqtrader.com/MicroNews.aspx?id=OTA2025-27.

¹⁴ This model seeks to relate Options Regulatory Cost to historical volumes on each Nasdaq affiliated exchange by market participant. In creating this model, the Exchange did not rely on data from a single SRO as it had in the past.

¹⁵ The Exchange utilized data from all Nasdaq affiliated options exchanges to create this model from data obtained from Q3 2024 to Q2 2025 ("Time Period").

¹⁶ The Exchange utilized data from Time Period to calculate the slope and intercept.

¹⁷ R-Squared is a statistical measure that indicates how much of the variation of a dependent variable is explained by an independent variable in a regression model. The formula for calculating R-squared is: $R^2 = 1 - \text{Unexplained Variation} / \text{Total Variation}$.

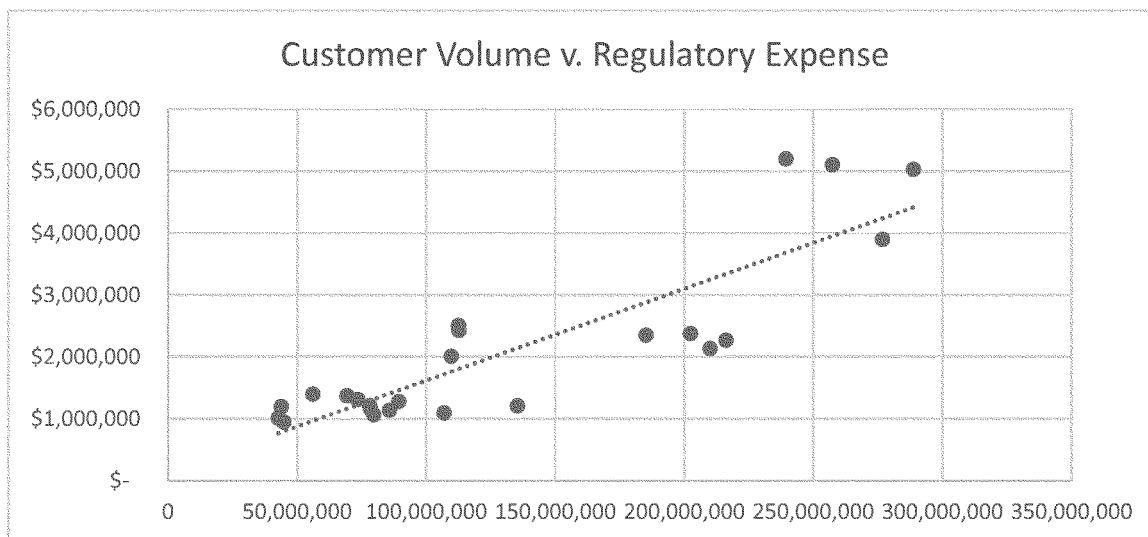
⁹ The regulatory costs for options comprise a subset of the Exchange's regulatory budget that is specifically related to options regulatory expenses and encompasses the cost to regulate all Participants' options activity ("Options Regulatory Cost").

¹⁰ Direct and indirect expenses are based on the Exchange's 2025 Regulatory Budget.

¹¹ Adjustments to CMTA that occur at OCC would not be taken into account.

¹² Adjustments that were made the same day as the trade on NOM will be taken into account.

¹³ NOM currently assesses an ORF of \$0.0014 per contract side until August 1, 2025. See <https://>



The results of this modelling indicated a high correlation and intercept for the baseline cost of regulating the options market as a whole. Specifically, the regression model indicated that (1) the marginal cost of regulation is measurable, and significantly attributable to Customer activity; and (2) the fixed cost of setting up a regulatory regime should arguably be dispersed across the industry so that all options exchanges have substantially similar revenue streams to satisfy the “intercept” element of cost. When seeking to offset the “set-up” cost of regulation, the Exchange attempted several levels of attribution.¹⁸ This led the Exchange to utilize a model with a two-factor regression on a quarterly basis (Q3 2024 to Q2 2025) of volumes relative to the pool of expense data for the six Nasdaq affiliated options exchanges. Once again, standard spreadsheet functionality (including the Data Analysis Packet) was used to determine the mathematics for this model.¹⁹

Utilizing the new regression model, and assumptions in the proposal, the model demonstrates that Customer volumes are directly attributable to marginal cost. Applying the regression coefficient values historically, the Exchange established a “normalization”

¹⁸ Of note, through analysis of the results of this regression model, there was no positive correlation that could be established between Customer away volume and regulatory expense. The most successful attribution was related to industry wide Firm and Broker-Dealer Transaction volume which accounted for approximately 3–4% of the regulatory expense both on-exchange and away.

¹⁹ The Exchange notes that various exchanges negotiate their respective contracts independently with FINRA creating some variability. Additionally, an exchange with a floor component would create some variability, although NOM does not have a floor.

by per options exchange. The primary driver of this need for “normalization” are negotiated regulatory contracts that were negotiated at different points in time, yielding differences in per contract regulatory costs by exchange. Normalization is therefore the average of a given exchange’s historical period (Q3 2024 to Q2 2025) ratio of regulatory expense to revenue when using the regressed values (for Customer ORF) that yields an effective rate by exchange. The “normalization” was then multiplied to a “targeted collection rate” of approximately 82% to arrive at ORF rates for Customer. Of note, when comparing the ORF rates generated from this method, historically, there appears to be a very tight relationship between the estimated modeled collection and actual expense and the regulatory expenses for that same period.

One other important aspect of this modeling is the input of Options Regulatory Costs. The Exchange notes that in defining Options Regulatory Costs it accounts for the nexus between the expense and options regulation. By way of example, the Exchange excludes certain indirect expenses such as payroll expenses, accounts receivable, accounts payable, marketing, executive level expenses and corporate systems.

The Exchange will continue to monitor ORF Regulatory Revenue to ensure that it, in combination with other regulatory fees and fines, does not exceed Options Regulatory Costs. In determining whether an expense is considered an Options Regulatory Cost, the Exchange will continue to review all costs and makes determinations if there is a nexus between the expense and a regulatory function. The Exchange notes that fines collected by the Exchange in connection with a disciplinary matter

will continue to offset Options Regulatory Cost.

As is the case today, ORF Regulatory Revenue is designed to recover a material portion of the Options Regulatory Costs to the Exchange for the supervision and regulation of Participants’ transactions, including performing routine surveillances, investigations, examinations, financial monitoring, and policy, rulemaking, interpretive, and enforcement activities. As discussed above, Options Regulatory Costs include direct regulatory expenses²⁰ and certain indirect expenses in support of the regulatory function.²¹

Finally, the Exchange notes that this proposal will sunset on February 1, 2026, at which point the Exchange would revert back to the ORF methodology and rate of \$0.0005 per contract side.²²

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the “Act”) and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.²³ Specifically, the Exchange believes the proposed rule change is consistent with Section 6(b)(4)

²⁰ The direct expenses include in-house and third-party service provider costs to support the day-to-day regulatory work such as surveillances, investigations and examinations.

²¹ The indirect expenses include support from such areas as Office of the General Counsel, technology, finance and internal audit.

²² The Exchange proposes to reconsider the sunset date in 2026 and determine whether to proceed with the proposed ORF structure at that time.

²³ 15 U.S.C. 78f(b).

of the Act²⁴, which provides that Exchange rules may 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 the proposed rule change is consistent with the Section 6(b)(5)²⁵ requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange believes the proposed ORF to be assessed on January 2, 2026, is reasonable, equitable and not unfairly discriminatory for various reasons. First, the Exchange believes that continuing to assess only Customers an ORF is reasonable because Customer transactions account for a material portion of NOM's Options Regulatory Cost.²⁶ A large portion of the Options Regulatory Cost relates to Customer allocation because obtaining Customer information may be more time intensive. For example, non-Customer market participants are subject to various regulatory and reporting requirements which provides the Exchange certain data with respect to these market participants. In contrast, Customer information is known by Participants of the Exchange and is not readily available to NOM.²⁷ The Exchange may have to take additional steps to understand the facts surrounding particular trades involving a Customer which may require requesting such information from a broker-dealer. Further, Customers require more Exchange regulatory services based on the amount of options business they conduct. For example, there are Options Regulatory Costs associated with main office and branch office examinations (e.g., staff expenses), as well as investigations into Customer complaints and the terminations of registered persons. As a

result, the Options Regulatory Costs associated with administering the Customer component of the Exchange's overall regulatory program are materially higher than the Options Regulatory Costs associated with administering the non-Customer component when coupled with the amount of volume attributed to such Customer transactions. Utilizing the new regression model, and assumptions in the proposal, it appears that NOM's Customer regulation occurs to a large extent on Exchange. Utilizing the new regression model, and assumptions in the proposal, the Exchange does not believe that significant Options Regulatory Costs result from activity attributed to Customers that may occur across options markets. To that end, with this proposal, the amount of Options Regulatory Cost allocated to on-exchange Customer transactions is significant. Also, with respect to Customer transactions, options volume continues to surpass volume from other options participants. Additionally, there are rules in the Exchange's Rulebook that deal exclusively with Customer transactions, such as rules involving doing business with a Customer, which would not apply to Firm and Broker-Dealer Transactions.²⁸ For these reasons, regulating Customer trading activity is "much more labor-intensive" and therefore, more costly.

Second, while the Exchange acknowledges that there is a cost to regulate Market Makers, unlike other market participants, Market Makers have various regulatory requirements with respect to quoting as provided for in Options 2, Section 4. Specifically, Market Makers have certain quoting requirements with respect to their assigned options series as provided in Options 2, Section 5. Market Makers are obligated to quote intra-day.²⁹ Further, unlike other market participants, Market Makers have obligations to compete with other Market Makers to improve the market in all series of options classes to which the Market Maker is appointed and to update market quotations in response to changed market conditions in all series of options classes to which the Market Maker is appointed.³⁰ Market Makers are critical market participants in that they are the only market participants that are required to provide liquidity to NOM. Excluding Market Maker transactions from ORF allows these market participants to manage their costs and consequently their business

model more effectively thus enabling them to better allocate resources to other technologies that are necessary to manage risk and capacity to ensure that these market participants continue to compete effectively on NOM in providing tight displayed quotes which in turn benefits markets generally and market participants specifically. Finally, the Exchange notes that Market Makers may transact orders in addition to submitting quotes on the Exchange. This proposal would except orders submitted by Market Makers, in addition to quotes, for purposes of ORF. Market Makers utilize orders in their assigned options series to sweep the order book. The Exchange believes the quantity of orders utilized by Market Makers in their assigned series is de minimis. In their unassigned options series, Market Makers utilize orders to hedge their risk or respond to auctions. The Exchange notes that the number of orders submitted by Market Makers in their unassigned options series are far below the cap³¹ and therefore de minimis.

Additionally, while the Exchange acknowledges that there is a cost to regulate Firm and Broker-Dealer transactions, the Exchange notes that these market participants do not entail significant volume when compared to Customer transactions. The Exchange notes that Firm and Broker-Dealer market participants are more sophisticated. There are not the same protections in place for Firm and Broker-Dealer Transactions as compared to Customer transactions. The regulation of Firm and Broker-Dealer transactions is less resource intensive than the regulation of Customer transactions and accounts for a small percentage of Options Regulatory Costs.

Third, assessing ORF on Customer executions that occur on NOM is reasonable, equitable and not unfairly discriminatory because it will avoid overlapping ORFs that would otherwise be assessed by NOM and other options exchanges that also assess an ORF. With this proposal, Customers executions that occur on other exchanges would no longer be subject to an NOM ORF. Further, the Exchange believes that collecting 82% of Options Regulatory Cost is appropriate and correlates to the degree of regulatory responsibility and Options Regulatory Cost borne by the Exchange with respect to Customer transactions. The Exchange's proposal

²⁴ 15 U.S.C. 78f(b)(4).

²⁵ 15 U.S.C. 78f(b)(5).

²⁶ The Exchange notes that the regulatory costs relating to monitoring Participants with respect to Customer trading activity are generally higher than the regulatory costs associated with Participants that do not engage in customer trading activity, which tends to be more automated and less labor-intensive. By contrast, regulating Participants that engage in Customer trading activity is generally more labor intensive and requires a greater expenditure of human and technical resources as the Exchange needs to review not only the trading activity on behalf of Customers, but also the Participant's relationship with its Customers via more labor-intensive exam-based programs. As a result, the costs associated with administering the Customer component of the Exchange's overall regulatory program are materially higher than the costs associated with administering the non-Customer component of the regulatory program.

²⁷ The Know Your Customer or "KYC" provision is the obligation of the broker-dealer.

²⁸ See NOM Options 10 Rules.

²⁹ See NOM Options 2, Section 5.

³⁰ See NOM Options 2, Section 4(a)(3) and (5).

³¹ See NOM Options 2, Section 6. The total number of contracts executed during a quarter by a Market Maker in options classes to which it is not appointed may not exceed twenty-five percent (25%) of the total number of contracts traded. In the Exchange's experience, Market Maker's are generally below the 25% cap.

continues to ensure that Options Regulatory Revenue, in combination with other regulatory fees and fines, does not exceed Options Regulatory Costs. Fines collected by the Exchange in connection with a disciplinary matter will continue to offset Options Regulatory Cost. Capping ORF collected at 82% of Options Regulatory Cost, commencing January 2, 2026, is reasonable, equitable and not unfairly discriminatory as the Options Regulatory Revenue collected will offset the corresponding Options Regulatory Cost associated with on-exchange Customer transactions. The Exchange will review the ORF Regulatory Revenue and would amend the ORF if it finds that its ORF Regulatory Revenue exceeds its projections.³²

The proposed sunset date of February 1, 2026 is reasonable, equitable and not unfairly discriminatory. If all options exchanges have adopted a similar ORF model, the Exchange notes that it would not sunset the proposal on February 1, 2026. The Exchange proposes to reconsider the sunset date in early 2026 and determine whether to proceed with the proposed ORF structure at that time.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on intra-market competition not necessary or appropriate in furtherance of the purposes of the Act. The proposed changes to ORF do not impose an undue burden on inter-market competition because ORF is a regulatory fee that supports regulation in furtherance of the purposes of the Act. The Exchange notes, however, the proposed change is not designed to address any competitive issues. The Exchange is obligated to ensure that the amount of ORF Regulatory Revenue, in combination with its other regulatory fees and fines, does not exceed ORF Regulatory Cost.

Continuing to assess ORF only on Customer executions that occur on NOM does not impose an undue burden on intra-market competition. Customer transactions account for a large portion of the Exchange's surveillance expense. With respect to Customer transactions, options volume continues to surpass volume from other options participants. Additionally, there are rules in the Exchange's Rulebook that deal exclusively with Customer transactions, such as rules involving doing business with a Customer, which would not

apply to Non-Customer transactions.³³ For these reasons, regulating Customer trading activity is "much more labor-intensive" and therefore, more costly. Further, the Exchange believes that a large portion of the Options Regulatory Cost relates to Customer allocation because obtaining Customer information may be more time intensive. For example, non-Customer market participants are subject to various regulatory and reporting requirements which provides the Exchange certain data with respect to these market participants. In contrast, Customer information is known by Participants of the Exchange and is not readily available to NOM.³⁴ The Exchange may have to take additional steps to understand the facts surrounding particular trades involving a Customer which may require requesting such information from a broker-dealer. Further, Customers require more Exchange regulatory services based on the amount of options business they conduct. For example, there are Options Regulatory Costs associated with main office and branch office examinations (e.g., staff expenses), as well as investigations into Customer complaints and the terminations of registered persons. As a result, the Options Regulatory Costs associated with administering the Customer component of the Exchange's overall regulatory program are materially higher than the Options Regulatory Costs associated with administering the non-Customer component when coupled with the amount of volume attributed to such Customer transactions. Not attributing significant Options Regulatory Costs to Customers for activity that may occur across options markets does not impose an undue burden on intra-market competition because the data in the regression model demonstrates that NOM's Customer regulation occurs to a large extent on Exchange.

The Exchange believes that not assessing ORF on Market Makers does not impose an undue burden on intra-market competition because these liquidity providers are critical market participants in that they are the only market participants that are required to provide liquidity to NOM. Excluding Market Maker transactions from ORF does not impose an intra-market burden on competition, rather it allows these market participants to manage their costs and consequently their business model more effectively thus enabling them to better allocate resources to other

technologies that are necessary to manage risk and capacity to ensure that these market participants continue to compete effectively on NOM in providing tight displayed quotes which in turn benefits markets generally and market participants specifically. Unlike other market participants, Market Makers have various regulatory requirements with respect to quoting as provided for in Options 2, Section 4. Specifically, Market Makers have certain quoting requirements with respect to their assigned options series as provided in Options 2, Section 5. Market Makers are required to quote intra-day.³⁵ Further, unlike other market participants, Market Makers have obligations to compete with other Market Makers to improve the market in all series of options classes to which the Market Maker is appointed and to update market quotations in response to changed market conditions in all series of options classes to which the Market Maker is appointed.³⁶ Market Makers are critical market participants in that they are the only market participants that are required to provide liquidity to NOM. Finally, the Exchange notes that Market Makers may transact orders on the Exchange in addition to submitting quotes. The Exchange's proposal to except orders submitted by Market Makers, in addition to quotes, for purposes of ORF does not impose an undue burden on intra-market competition because Market Makers utilize orders in their assigned options series to sweep the order book. Further, the Exchange believes the quantity of orders utilized by Market Makers in their assigned series is de minimis. In their unassigned options series, Market Makers utilize orders to hedge their risk or respond to auctions. The Exchange notes that the number of orders submitted by Market Makers in their unassigned options series are far below the cap³⁷ and therefore de minimis.

The Exchange believes that not assessing ORF on Firm and Broker-Dealer market participants does not impose an undue burden on intra-market competition because the regulation of Firm and Broker-Dealer transactions is less resource intensive than the regulation of Customer transactions. The volume generated from Firm and Broker-Dealer transactions does not entail significant

³⁵ See NOM Options 2, Section 5(d).

³⁶ See NOM Options 2, Section 4(a)(3) and (5).

³⁷ See NOM Options 2, Section 6(b). The total number of contracts executed by a Market Maker in options in which it is not registered as a Market Maker shall not exceed 25 percent of the total number of all contracts executed by the Market Maker in any calendar quarter.

³² NOM would submit a rule change to the Commission to amend ORF rates.

³³ See NOM Options 10 Rules.

³⁴ The Know Your Customer or "KYC" provision is the obligation of the broker-dealer.

volume when compared to Customer transactions. Therefore, excluding Firm and Broker-Dealer transactions from ORF does not impose an undue burden on intra-market competition as Customer transactions account for a material portion of NOM's Options Regulatory Cost.³⁸

The Exchange's proposal to assess ORF only on Customer executions that occur on NOM does not impose an intra-market burden on competition because the amount of activity surveilled across exchanges is small when compared to the overall number of Exchange rules that are surveilled by NOM for on-Exchange activity. Limiting the amount of ORF assessed to activity that occurs on NOM avoids overlapping ORFs that would otherwise be assessed by NOM and other options exchanges that also assess an ORF. Further, capping ORF collected at 82% of Options Regulatory Cost commencing January 2, 2026, does not impose an intra-market burden on competition as this collection accounts for the collection only on Customer executions. The Exchange will review the ORF Regulatory Revenue and would amend the ORF if it finds that its ORF Regulatory Revenue exceeds its projections.³⁹

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A) of the Act⁴⁰ and paragraph (f)(2) of Rule 19b-4⁴¹ thereunder.

³⁸ The Exchange notes that the regulatory costs relating to monitoring Participants with respect to customer trading activity are generally higher than the regulatory costs associated with Participants that do not engage in customer trading activity, which tends to be more automated and less labor-intensive. By contrast, regulating Participants that engage in customer trading activity is generally more labor intensive and requires a greater expenditure of human and technical resources as the Exchange needs to review not only the trading activity on behalf of customers, but also the Participant's relationship with its customers via more labor-intensive exam-based programs. As a result, the costs associated with administering the customer component of the Exchange's overall regulatory program are materially higher than the costs associated with administering the non-customer component of the regulatory program.

³⁹ NOM would submit a rule change to the Commission to amend ORF rates.

⁴⁰ 15 U.S.C. 78s(b)(3)(A).

⁴¹ 17 CFR 240.19b-4(f)(2).

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include file number SR-NASDAQ-2025-054 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090. All submissions should refer to file number SR-NASDAQ-2025-054. 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 filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-NASDAQ-2025-054 and should be submitted on or before August 27, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁴²

Vanessa A. Countryman,
Secretary.

[FR Doc. 2025-14863 Filed 8-5-25; 8:45 am]

BILLING CODE 8011-01-P

⁴² 17 CFR 200.30-3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-103616; File No. SR-MX2-2025-02]

Self-Regulatory Organizations; MX2 LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change to Amend Rule 11.3 Regarding Sponsored Access

August 1, 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 28, 2025, MX2 LLC ("MX2" or the "Exchange") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Exchange filed the proposal as a "non-controversial" proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act³ and Rule 19b-4(f)(6) thereunder.⁴ The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange is filing with the Commission a proposal to amend Exchange Rules 11.3(a)-(b) to define the term "Sponsored Access" and to codify that the agreement required by and between the Sponsoring Member and Sponsored Participant must include a provision that any Sponsored Access relationship must follow the requirements of SEC Rule 15c3-5, the Market Access Rule ("MAR").⁵ The text of the proposed rule change is provided in Exhibit 5 and is available on the Exchange's website at <https://info.memxtrading.com/regulation/rules-and-filings/>.⁶

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

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ 15 U.S.C. 78s(b)(3)(A).

⁴ 17 CFR 240.19b-4.

⁵ 17 CFR 240.15c3-5.

⁶ The Exchange proposes to implement the proposed changes to Exchange Rules 11.3(a)-(b) on a date that will be announced via Regulatory Notice, notifying both existing and prospective Sponsoring Members and Sponsored Participants, of the new rule language and required contractual provisions.

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 aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of this filing is to amend Exchange Rules 11.3(a)–(b) to define the term “Sponsored Access” and to codify that the agreement required by and between the Sponsoring Member and Sponsored Participant must include a provision that any Sponsored Access relationship must follow the requirements of the MAR.

Sponsored Access Definition

Per current Exchange rules a Sponsored Participant⁷ may be a Member⁸ or non-Member of the Exchange whose direct electronic access to the Exchange is authorized by a Sponsoring Member⁹ pursuant to the requirements set forth in Exchange Rules 11.3(b)(1)–(3). The Exchange proposes to amend Exchange Rule 11.3(a) to include the following definition, “Sponsored Access shall mean an arrangement whereby a Member permits its Sponsored Participants to enter orders into the Exchange’s System that bypass the Member’s trading system and are routed directly to the Exchange, including through a service bureau or other third-party technology provider.” The

Exchange notes that the proposed definition of Sponsored Access is identical to that adopted¹⁰ by Cboe BZX Exchange, Inc. (“Cboe BZX”) and substantively identical to that adopted¹¹ by The Nasdaq Stock Market LLC (“Nasdaq”). The Exchange believes defining Sponsored Access will provide Sponsoring Members with greater clarity in understanding which types of market access relationships¹² are subject to Exchange Rules 11.3(a)–(b) and what obligations Sponsoring Members and Sponsored Participants must satisfy when establishing a Sponsored Access relationship.

Market Access Rule

The Exchange seeks to codify that the agreement currently required under Exchange Rule 11.3(b)(2), by and between the Sponsoring Member and Sponsored Participant, must include a

¹⁰ See Securities and Exchange Act Release No. 34–97146 (March 15, 2023) 88 FR 17065 (March 21, 2023) (SR–CboeBZX–2023–015) (Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Its Sponsored Participant Rules 11.3(a) and 11.3(b)(2)); Cboe BZX Rule 11.3(a), available at: https://cdn.cboe.com/resources/regulation/rule_book/BZX_Exchange_Rulebook.pdf.

¹¹ See Securities and Exchange Act Release No. 34–76449 (November 27, 2015) 80 FR 73011 (November 23, 2015) (SR–NASDAQ–2015–140) (Notice of Filing and Immediate Effectiveness of the Proposed Rule Change Relating to Sponsored Access); Nasdaq General Equity and Options Rule, General 2: General Provisions, Section 22(a), available at: <https://listingcenter.nasdaq.com/rulebook/Nasdaq/rules>.

¹² Consistent with the proposed definition, such relationships generally include where a broker-dealer allows its customer—such as a hedge fund, mutual fund, bank or insurance company, an Exchange registered market maker, an individual, or another broker-dealer—to use the broker-dealer’s market participant identifier (“MPID”) or other mechanism or mnemonic to enter orders into the Exchange’s System that bypass the Sponsoring Member’s order handling system and are electronically routed directly to the Exchange by the Sponsored Participant, including through a service bureau or other third-party technology provider. For the avoidance of doubt, in a scenario where a Sponsored Participant is also an Exchange Member (e.g., where a Sponsored Member provides market access to an Exchange Member Market Maker), (i) the Sponsored Participant will be subject to all Exchange rules and regulations applicable to Members acting in their own capacity, whether the Sponsored Participant accesses the Exchange via their own Membership or via a Sponsored Access arrangement; and (ii) the Sponsoring Member will be responsible for the Sponsored Participant activity just as it would for any other non-Member Sponsored Participant under Rule 11.3(b), including compliance with the MAR requirements and for compliance with the applicable Member-related activity electronically routed to the Exchange via the Sponsored Access arrangement (e.g., the Sponsoring Member would be required to hold appointments and would be subject to applicable requirements as an Exchange Market Maker in the products for which the Sponsored Participant Market Maker is registered and routes orders/quotes via the Sponsored Access arrangement).

provision that any Sponsored Access relationship must follow the requirements of the MAR. While Sponsoring Members have existing obligations under the MAR because they are providing market access to their Sponsored Participants, the Exchange believes the proposed amendment will help to reinforce such obligations. Sponsored Participants will now be required to contractually agree with their Sponsoring Members to follow the requirements of the MAR.

The Exchange believes that the proposed addition of Exchange Rule 11.3(b)(2)(f) will reinforce to Sponsoring Members that Sponsored Access relationships must comply with the SEC’s MAR, as well as Exchange rules regarding the provision of market access. As noted above, such relationships generally include where a broker-dealer allows its customer to use the broker-dealer’s MPID or other mechanism or mnemonic to enter orders into the Exchange’s System that bypass the Sponsoring Member’s order handling system and are electronically routed directly to the Exchange by the Sponsored Participant, including through a service bureau or other third-party technology provider.

The Exchange notes further that the proposed addition of Exchange Rule 11.3(b)(2)(f) is non-substantive in nature for Sponsoring Members because as broker-dealers providing market access, Sponsoring Members are already required to comply with the MAR, as well as with existing Exchange rules regarding market access. Indeed, per the Exchange’s current Sponsored Participant rules the Sponsoring Member is already responsible for all its Sponsored Participant’s activity on the Exchange¹³ and is required to comply with the Exchange’s Certificate of Incorporation, Exchange LLC Agreement, Rules and procedures.¹⁴ This includes compliance with Exchange Rule 2.2, which requires, among other things, compliance with the Act and the regulations thereunder, including the MAR.

The proposed addition of Exchange Rule 11.3(b)(2)(f) is potentially substantive in nature to Sponsored Participants in that the proposed amendment adds a requirement to the agreement by and between the Sponsoring Member and Sponsored Participant, requiring the Sponsored Participant to contractually agree to follow the requirements of the MAR. Importantly, as part of their obligation to comply with Exchange Rules and

⁷ The term “Sponsored Participant” means a person which has entered into a sponsorship arrangement with a Sponsoring Member pursuant to Rule 11.3. See Exchange Rule 1.5(dd).

⁸ The term “Member” means any registered broker or dealer that has been admitted to membership in the Exchange. A Member will have the status of a “member” of the Exchange as that term is defined in Section 3(a)(3) of the Act. Membership may be granted to a sole proprietor, partnership, corporation, limited liability company or other organization which is a registered broker or dealer pursuant to Section 15 of the Act, and which has been approved by the Exchange. See Exchange Rule 1.5(p).

⁹ The term “Sponsoring Member” shall mean a Member that is a registered broker-dealer and that has been designated by a Sponsored Participant to execute, clear and settle transactions from the System. The Sponsoring Member shall be either (i) a clearing firm with membership in a clearing agency registered with the Commission that maintains facilities through which transactions may be cleared or (ii) a correspondent firm with a clearing arrangement with any such clearing firm. See Exchange Rule 1.5(ee).

¹³ See Exchange Rule 11.3(b)(2)(B).

¹⁴ See Exchange Rule 11.3(b)(2)(C).

procedures, existing Sponsoring Members will be expected to amend any existing contractual arrangements with their Sponsored Participants to include the new contractual provision proposed by the Exchange.¹⁵ The Exchange notes that the contractual requirement under proposed Exchange Rule 11.3(b)(2)(J) is also included, with substantively identical language, in the rulebooks of Cboe BZX¹⁶ and Nasdaq.¹⁷

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.¹⁸ Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)¹⁹ requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)²⁰ requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

Defining Sponsored Access

As noted above, the Exchange believes that defining Sponsored Access will provide Sponsoring Members with

greater clarity as to which types of market access relationships²¹ are subject to Exchange Rules 11.3(a)-(b) and what obligations Sponsoring Members and Sponsored Participants must satisfy when establishing a Sponsored Access relationship. As such, the proposed rule change is designed to prevent fraudulent and manipulative acts and practices and serves to promote just and equitable principles of trade.

The proposed change will also help to reduce confusion by codifying a definition for such activity on the Exchange that is consistent with other industry practices currently in place elsewhere. The Exchange further notes that the proposed Sponsored Access definition is reasonable and does not affect investor protection because the proposed change does not present any novel or unique issues, as the proposed Sponsored Access definition has previously been adopted by both Cboe BZX and Nasdaq.²²

Market Access Rule

As noted above, the proposed addition of Exchange Rule 11.3(b)(2)(J) will reinforce to Sponsoring Members that Sponsored Access relationships must comply with the SEC's MAR, as well as Exchange Rules regarding the provision of market access. Also, by adding proposed Exchange Rule 11.3(b)(2)(J), Sponsored Participants are now required to contractually agree that their Sponsored Access to the Exchange must follow the requirements of the MAR.

In this regard, the proposed amendment will help to ensure that by and between the Sponsoring Member and Sponsored Participant all orders entered onto the Exchange pursuant to a Sponsored Access relationship will follow the requirements of the MAR. As discussed, the Exchange believes the proposed addition of Exchange Rule 11.3(b)(2)(J) is non-substantive in nature for Sponsoring Members because as broker-dealers providing market access, Sponsoring Members are already required to comply with the MAR, as well as with existing Exchange Rules regarding market access. The proposed addition of Exchange Rule 11.3(b)(2)(J) is potentially substantive in nature to Sponsored Participants in that the proposed amendment adds a new requirement to the relationship by and between the Sponsoring Member and Sponsored Participant, requiring the Sponsored Participant to contractually agree to follow the requirements of the MAR.

The Exchange further notes that this aspect of the proposed rule change is reasonable and does not affect investor protection because the proposed change does not present any novel or unique issues, as the proposed contractual requirement also exists in the rulebooks of Cboe BZX and Nasdaq.²³

Accordingly, the proposed rule change will help to promote just and equitable principles of trade, remove impediments to and perfect the mechanism of a free and open market and national market system, and, in general to protect investors and the public interest.

B. Self-Regulatory Organization's Statement on Burden on Competition

For the reasons noted below, the Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

The proposed Sponsored Access definition does not impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed definition merely seeks to make clear to Sponsoring Members that Sponsored Access is a relationship subject to Exchange Rule 11.3(a)-(b). Moreover, Sponsored Access is a voluntary arrangement that a Sponsoring Member voluntarily elects to enter with its Sponsoring Participant. A Member is not required to become a Sponsoring Member, and in fact, may decline to enter such a relationship with its customers.

Additionally, the Exchange does not believe that the proposed rule change will impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. Notably, other exchanges have in place similar rules and documentation requirements applicable to sponsored participants and their sponsoring members.²⁴ Moreover, as described above, the proposed Sponsored Access definition is identical to that adopted by Cboe BZX and substantively identical to that adopted by Nasdaq, and the proposed requirement for Sponsored Participants to contractually agree that their Sponsored Access to the Exchange must follow the requirements of the MAR also exists in the rulebooks of Cboe BZX and Nasdaq.

The proposed rule change to explicitly cite the MAR in Exchange Rule 11.3(b)(2)(J) does not impose any

¹⁵ The Exchange notes that in connection with this proposed change, the Exchange will also amend its Sponsored Access Application form. The amendments to this form will include the deletion of the requirement that a Sponsoring Member provide the Exchange with a copy of its policies and procedures addressing the MAR and a detailed description of how it will comply with the MAR, but will further clarify that Sponsoring Members and Sponsored Participants must satisfy their regulatory obligations arising from the Sponsored Access relationship, including compliance with the MAR and, where a Sponsored Participant is an Exchange registered Market Maker, compliance with the Market Maker obligations required by applicable Exchange rules.

¹⁶ See Cboe BZX Rule 11.3(b)(2)(J), available at: https://cdn.cboe.com/resources/regulation/rule_book/BZX_Exchange_Rulebook.pdf.

¹⁷ See Nasdaq General Equity and Options Rule, General 2: General Provisions, Section 22(b)(ii)(A), available at: <https://listingcenter.nasdaq.com/rulebook/Nasdaq/rules>.

¹⁸ 15 U.S.C. 78f(b).

¹⁹ 15 U.S.C. 78f(b)(5).

²⁰ *Id.*

²¹ *Supra* note 12.

²² *Supra* notes 10–11.

²³ *Supra* notes 16–17.

²⁴ *Supra* notes 10–11 and 16–17.

burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. As noted above, this change is non-substantive as Sponsoring Members are currently responsible for complying with the MAR with respect to their provision of Sponsored Access to Sponsored Participants. While the proposed addition of Exchange Rule 11.3(b)(2)(f) is potentially substantive in nature to Sponsored Participants because it requires a Sponsored Participant to contractually agree with its Sponsoring Member to follow the requirements of the MAR, the Exchange reiterates that the proposed contractual requirement also exists in the rulebooks of Cboe BZX and Nasdaq, and as such, should not raise any new or novel issues for consideration by Sponsored Participants.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The proposed rule change is filed for immediate effectiveness pursuant to Section 19(b)(3)(A) of Act²⁵ and Rule 19b-4(f)(6)²⁶ thereunder. The Exchange designates that the proposed rule change effects a change that (i) does not significantly affect the protection of investors or the public interest; (ii) does not impose any significant burden on competition; and (iii) by its terms, does not become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest. Additionally, the Exchange has given the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission.

As noted above, the proposed Sponsored Access definition is intended only to provide additional clarity as to the type of market access subject to Exchange Rule 11.3(a)–(b). Moreover, as noted above, the proposed definition does not present any unique or novel issues, as it is identical in nature to the

definition of Sponsored Access in the rulebooks of Cboe BZX and Nasdaq. In addition, the proposed MAR change is non-substantive in nature, as Sponsoring Members are already required to comply with the MAR. While the proposed addition of Exchange Rule 11.3(b)(2)(f) is potentially substantive in nature to Sponsored Participants because they must now contractually agree with the Sponsoring Member to follow the requirements of the MAR, as noted above, such requirement also exists in the rulebooks of Cboe BZX and Nasdaq, and, therefore, should not raise any new or novel issues for Sponsored Participants. Accordingly, the Exchange believes proposed Exchange Rule 11.3(b)(2)(f) will help to promote just and equitable principles of trade, remove impediments to and perfect the mechanism of a free and open market and national market system, and, in general to protect investors and the public interest.

Furthermore, Rule 19b-4(f)(6)(iii)²⁷ requires a self-regulatory organization to give the Commission written notice of its intent to file a proposed rule change under that subsection at least five business days prior to the date of filing, or such shorter time as designated by the Commission. The Exchange has provided such notice.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include file number SR-MX2-2025-02 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-MX2-2025-02. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<https://www.sec.gov/rules/sro.shtml>). Copies of the filing 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-MX2-2025-02 and should be submitted on or before August 27, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²⁸

Vanessa A. Countryman,
Secretary.

[FR Doc. 2025-14853 Filed 8-5-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 35703; File No. 812-15551]

Fortress Private Lending Fund, et al.

August 1, 2025.

AGENCY: Securities and Exchange Commission (“Commission” or “SEC”).

ACTION: Notice.

Notice of application for an order under sections 17(d) and 57(i) of the Investment Company Act of 1940 (the “Act”) and rule 17d-1 under the Act to permit certain joint transactions otherwise prohibited by sections 17(d) and 57(a)(4) of the Act and rule 17d-1 under the Act.

SUMMARY OF APPLICATION: Applicants request an order to permit certain business development companies (“BDCs”) and closed-end management investment companies to co-invest in portfolio companies with each other and with certain affiliated investment entities.

²⁵ 15 U.S.C. 78s(b)(3)(A).

²⁶ 17 CFR 240.19b-4(f)(6).

²⁷ 17 CFR 240.19b-4(f)(6)(iii).

²⁸ 17 CFR 200.30-3(a)(12).

APPLICANTS: Fortress Private Lending Fund, FPLF Management LLC, FIG LLC, and certain of their affiliated entities as described in Schedule A to the application.

FILING DATES: The application was filed on February 21, 2024, and amended on June 17, 2024, October 3, 2024, April 16, 2025 and August 1, 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 26, 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 at *Secretarys-Office@sec.gov*.

ADDRESSES: The Commission: *Secretarys-Office@sec.gov*. Applicants: David Brooks, Fortress Investment Group LLC, *DBrooks@Fortress.com*; Nicole M. Runyan, P.C. and Kim E. Kaufman, Kirkland & Ellis LLP, *nicole.runyan@kirkland.com* and *kim.kaufman@kirkland.com*.

FOR FURTHER INFORMATION CONTACT: Adam Large, Senior Special Counsel, Deepak T. Pai, Senior Counsel, or Daniele Marchesani, Assistant Chief 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' fourth amended application, dated August 1, 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.html>. 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.

J. Matthew DeLesDernier,
Deputy Secretary.

[FR Doc. 2025–14866 Filed 8–5–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103624; File No. 600–39]

Paxos Securities Settlement Company, LLC; Notice of Filing of an Application for Registration as a Clearing Agency Under Section 17A of the Securities Exchange Act of 1934

August 1, 2025.

On July 14, 2025, Paxos Securities Settlement Company, LLC (“PSSC”) filed with the Securities and Exchange Commission (“Commission”) an application on Form CA–1 (“Application”) under Section 17A of the Securities Exchange Act of 1934 (“Exchange Act”) seeking to register as a clearing agency.¹ Specifically, the Application states that PSSC is applying to register as a clearing agency to provide clearance and settlement services as a central securities depository (“CSD”) and securities settlement system.² The Application explains that PSSC would provide such services through its private, permissioned settlement service that supports a distributed ledger, which is designed to conduct delivery versus payment (“DVP”) settlement on a bilateral basis.³ The Application provides additional information regarding how PSSC proposes to operate and to satisfy the requirements of the Exchange Act.⁴ The proposed rules of PSSC and its proposed fees are included

¹ 15 U.S.C. 78q–1.

² See, e.g., Application, Exhibit I at 1; Exhibit J at 1. Consistent with the activities described in the Application, PSSC's proposed settlement system meets the definition of “central securities depository” under Commission rules. See 17 CFR 240.17ad–22(a); see also Release No. 34–88616 (Apr. 9, 2020), 85 FR 28853, 28857 (May 14, 2020) (describing the “cluster of services” provided by CSDs and securities settlement systems).

³ See Application, Exhibit J at 1.

⁴ The non-confidential exhibits of the Application are available for viewing on the Commission's website www.sec.gov/rules/other/shtml. PSSC has sought confidential treatment regarding certain elements of the Application, see 17 CFR 240.24b–2, and made redactions from the Application materials available for public viewing on the Commission's website where the Application contains information for which it has sought confidential treatment.

as attachments to Exhibit E to the Application.⁵

The Commission is publishing this notice to solicit comments on the Application. To grant PSSC's request to register as a clearing agency, the Commission must find that it satisfies the requirements of the Exchange Act and the rules and regulations thereunder, including the determinations required by paragraphs (A) through (I) of Section 17A(b)(3).⁶ Pursuant to Section 17A of the Exchange Act, the Commission is directed, having due regard for the public interest, the protection of investors, the safeguarding of securities and funds, and maintenance of fair competition among brokers and dealers, clearing agencies, and transfer agents, to use its authority to: (i) facilitate the establishment of a national system for the prompt and accurate clearance and settlement of transactions in securities (other than exempt securities); and (ii) facilitate the establishment of linked or coordinated facilities for clearance and settlement of transactions in securities in accordance with the findings and to carry out the objectives set forth in Section 17A.⁷ The Commission will consider any comments it receives in making its determination about whether to grant PSSC's request to be registered as a clearing agency.

I. Discussion

Prior to the formation of PSSC in June 2020, its affiliate, Paxos Trust Company, LLC (“Paxos”) received on October 28, 2019, a no-action letter from the Commission's Division of Trading and Markets that enabled Paxos to conduct a feasibility study under specified conditions in connection with the operation of a securities settlement system using a private and permissioned distributed ledger system for an 24-month period, expiring on October 28, 2021.⁸ PSSC is now filing this Application seeking to register as a clearing agency to provide clearance and settlement services similar to the services that were performed by Paxos during the feasibility study.⁹

⁵ Exhibits E.12 through E.26 of the Application contain PSSC's proposed rules. Exhibit E.37 of the Application describes PSSC's proposed fees.

⁶ 15 U.S.C. 78s(a); 15 U.S.C. 78q–1(b)(3).

⁷ 15 U.S.C. 78q–1(a)(2)(A).

⁸ Letter from Jeffrey S. Mooney, Associate Director, Division of Trading and Markets, Commission to Charles G. Cascarilla and Daniel M. Burstein, Paxos Trust Company, LLC (Oct. 28, 2019). Both the request and response letters are available at <https://www.sec.gov/divisions/marketreg/mr-noaction/2019/paxos-trust-company-102819-17a.pdf>. As discussed below, Paxos is an affiliate of PSSC, both wholly owned by Kabompo Holdings, Ltd.

⁹ See Application, Exhibit J.

The Application states that PSSC is a limited liability company formed under Delaware law and a wholly owned subsidiary of Kabompo Holdings, Ltd. (“Kabompo”), which is also the parent holding company for Paxos Holdings LLC (“Paxos Holdings”), which in turn is the parent of 20 other U.S. and non-U.S. subsidiaries, including PSSC and Paxos.¹⁰ Kabompo is domiciled in the Cayman Islands.¹¹

PSSC’s Board would be comprised of ten directors.¹² To assist the Board, PSSC would have five Board-level committees and one Participant Advisory Committee (“PAC”).¹³ Three of the ten directors would be “member directors,” selected by Paxos Holdings. Five directors would be “public directors,” initially specified in PSSC’s bylaws and thereafter elected annually by the PSSC’s Board from among nominees selected by the Board’s Governance Committee.¹⁴ Two directors would be “participant directors,” affiliated with a PSSC participant and nominated by participant representatives serving on the Board’s PAC. PSSC’s Board would not initially include the participant directors. PSSC’s bylaws provide that within 180 calendar days of PSSC commencing operations

and having at least two participants (or a different time that is agreed to by PSSC and its PAC), two additional participant directors selected by the PAC would be added to the Board.¹⁵

PSSC would provide clearance and settlement services through the Paxos Settlement Service (“PSS”), which is a private and permissioned system developed and operated by PSSC. The technology that supports PSS includes a distributed ledger called the Paxos Ledger, which records ownership of eligible securities and cash. PSS is designed to conduct DVP settlement, on a bilateral basis, of settlement obligations between counterparty pairs (“CP Pairs”).¹⁶ As a participant in the Depository Trust Company (“DTC”),¹⁷ PSSC would make its services available to DTC participants who also (i) meet the participant qualifications specified in PSSC’s proposed rules, including qualifications regarding the types of entities eligible to become a PSSC participant;¹⁸ (ii) are approved by the PSSC’s Compliance and Risk Management Committee;¹⁹ and (iii) have met applicable margin requirements pursuant to PSSC’s proposed rules.²⁰

Only trades received by CP Pairs established pursuant to PSSC’s proposed rules would be eligible for settlement in PSSC. Prior to commencing participation in PSSC, each participant would be required to notify PSSC in writing of other participants with which it agrees to settle settlement obligations in PSSC.²¹ By providing such written notices, the PSSC participants and PSSC would agree between and among themselves that: (i) each participant would be a CP Pair of the other such participant as provided in PSSC’s proposed rules for the purposes of settling settlement obligations between them through PSSC; (ii) the settlement obligations

would be determined by PSSC pursuant to its proposed rules; (iii) each participant in the CP Pair agrees to be obligated to the other participant to settle the settlement obligations pursuant to PSSC’s proposed rules; and (iv) PSSC and each participant in the CP Pair would have all the rights and obligations as against each other as specified in the proposed rules.²²

PSSC would not operate as a central counterparty. Instead, all settlement obligations submitted to PSSC would be settled on a net basis between CP Pairs unless both participants in a CP Pair provide written instructions to PSSC specifying that one or more transactions should be settled on a gross basis.²³ As explained more fully in its Application, PSSC would also make available the option for “enhanced netting” across CP Pairs.²⁴

Between trade date and settlement date, PSSC would calculate and collect from participants margin collateral on all settlement obligations in the form of cash. PSSC would require both an initial margin deposit based on factors detailed in its proposed rules and a “minimum required margin deposit” (“MRMD”) of \$10,000, which may be increased based on specified factors detailed in PSSC’s proposed rules.

In addition to the initial margin and MRMD, PSSC’s proposed rules also would calculate a “required margin amount” (“RMA”), which would be defined as the greater of the initial margin deposit, the minimum required margin deposit, and the “computed margin requirement” (“CMR”). As described in more detail in the Application, the CMR would be calculated by (i) determining a “preliminary computed margin requirement” (“PCMR”); (ii) adjusting the PCMR using PSSC’s “credit risk modification factor” to arrive at a CMR; and then (iii) adding to the CMR any fails charges, excessive fails penalties, or both.²⁵

¹⁰ PSSC was formed on June 23, 2020, and subsequently entered into a Limited Liability Company Agreement with Kabompo on October 20, 2021. PSSC Application, Exhibit E.1. The Application describes PSSC as a wholly owned single member limited liability company, operating as a stand-alone entity with no divisions or segregable entities or subsidiaries. In addition to PSSC, Kabompo is the parent holding company for a number of other U.S. and non-U.S. subsidiaries, including Paxos; Paxos Technology Solutions, LLC (“PTS”); Paxos Technology Limited (“PTL”); Paxos Services Limited; Paxos Canada Inc.; Lomami Intermediacao (dba Paxos Brazil); Bruntal SA (dba Paxos Uruguay); Molopo, Sociedad de Responsabilidad Limitada de CV (dba Paxos Mexico); Kabompo Lending Ltd.; Paxos Digital Singapore Pte. Ltd.; Paxos Lending LLC; Paxos Issuance MENA Ltd.; Paxos Insurance Company Ltd.; Paxos Singapore Pte. Ltd.; Paxos Middle East Ltd.; Paxos Issuance Europe Oy; Castor Pollux Holdings SARL (“Castor”); and HRQ, LLC. Paxos Global PTE, Ltd. (“PTE”) is a wholly owned subsidiary of Castor. In addition, the chairman of PSSC’s Board of Directors (“Board”) would also be PSSC’s Chief Executive Officer (“CEO”) and is one of the three owners of Kabompo. Another of the three owners of Kabompo is LCV Digital Currency II, LLC. The PSSC CEO is a majority stakeholder in both Kabompo and LCV Digital Currency II, LLC. See PSSC Application, Exhibits C.1 and C.2, respectively, for more information about each of these affiliates and PSSC’s governance and ownership arrangements.

¹¹ See Application, Exhibit C.2.

¹² See Application, Exhibit B.I.

¹³ See Application, Exhibit B.II. PSSC’s Board committees include the: Governance, Nominating and Policy Committee (“Governance Committee”); Audit Committee; Compliance and Risk Management Committee; Business, Technology and Operations Committee; and Compensation Committee. *Id.*

¹⁴ See Application, Exhibit B.I.

¹⁵ *Id.*

¹⁶ See Application, Exhibit J.E.

¹⁷ DTC, a securities depository as that term is described in the Exchange Act, 15 U.S.C. 78c(a)(23)(A), is registered with the Commission as a clearing agency and provides CSD services. The Application states that PSSC has not yet applied to become a participant in DTC. See Application, Exhibit A.

¹⁸ See Application, Exhibit E.16 (Rule 2A); see also Application, Exhibit J. Pursuant to PSSC’s proposed Rule 2A, the types of entities that would be eligible to become participants include registered broker-dealers, certain bank and trust companies, registered clearing agencies, insurance companies or insurance entities, and registered investment companies.

¹⁹ See Application, Exhibit E.16 (Rule 2A).

²⁰ See Application, Exhibit E.15 (Rule 2, referring to margin requirements in PSSC’s proposed Rules 5A, 5B, and 5C); see also Exhibit J.

²¹ See Application, Exhibit E.19 (Rule 2D); see also Application, Exhibit J.

²² *Id.* The Application states that, in the event of an unsettled close-out liability obligation, PSSC would apply the defaulting participant’s margin assets for any close-out liability obligation not fully settled and generate a final value for any outstanding close-out liability obligation. Each CP Pair then has the discretion to pursue recovery of the amount of the final value against the defaulting participant, provided however, that any such process would not be governed by PSSC’s proposed rules. See Application, Exhibit J.J.

²³ See Application, Exhibit J.H.

²⁴ *Id.*

²⁵ See Application, Exhibit E.25. The PCMR would be calculated using the following measures: (i) a dynamic spot price; (ii) liquidity exposure requirement; (iii) low-priced securities requirement; (iv) market capitalization requirement; and (iv) percentage of outstanding shares requirement. Each

PSSC would determine and communicate to each participant the RMA at least once daily by 10:00 p.m., or in certain circumstances not later than 11:59 p.m. on trade date, and participants would be required to satisfy its RMA by 10:00 a.m. the following day.²⁶ PSSC also would determine and calculate to each participant additional intraday CMR charges as soon as practicable, and participants would be required to satisfy an intraday CMR charge within two hours of communication by PSSC.²⁷ Under PSSC's proposed rules, participants would be permitted to withdraw margin assets exceeding the required margin amount upon request, unless otherwise rejected by PSSC based on parameters set forth in its proposed rules.²⁸

To facilitate the clearance and settlement of obligations between CP Pair participants, each participant would be required to deposit eligible securities²⁹ into its PSSC participant account by instructing DTC to move its securities from the PSSC participant's account at DTC to PSSC's account at DTC, which in turn would hold such securities for the benefit of the PSSC participant.³⁰ Upon receipt, PSSC, through a process it describes as "securities digitization," would create a security entitlement on the Paxos Ledger credited to the relevant participant's account that is a representation of the eligible security held in PSSC's DTC account.³¹ Upon instructions from a PSSC participant, PSSC would facilitate a withdrawal of securities from the participant's PSSC account by removing the security entitlement to the securities credited to that participant's account on the Paxos Ledger and initiating relevant instructions through DTC to remove the security from PSSC's DTC account and deliver it to the PSSC participant's DTC account. PSSC would not remove the security entitlement to the securities credited to the participant's PSSC account without also transferring the securities "in rapid succession" to a

of these measures is further defined and explained in the Application. See Application, Exhibit E.25.

²⁶ See Application, Exhibit E.26.

²⁷ *Id.*

²⁸ See Application, Exhibit E.26.

²⁹ Pursuant to PSSC's proposed rules, eligible securities include those that are securities eligible for deposit at DTC and that meet additional criteria as determined by PSSC. See Application, Exhibit E.20 (Rule 3).

³⁰ See Exhibit E.22 (Rule 4).

³¹ In its Application, in describing the indirect holding system for securities cleared and settled through its proposed clearing agency, PSSC uses the term "security entitlement" as defined in U.C.C. Section 8-102(a)(17). See Application, Exhibit L.

DTC account designated by the PSSC participant.³²

With regard to the deposit of cash into a PSSC participant account, PSSC would maintain two types of omnibus cash custody accounts for the benefit of participants at a settling bank: (i) an operating cash account which would be used to settle PSSC participant settlement obligations and fees owed to PSSC;³³ and (ii) a margin cash account, which would be used to satisfy PSSC participants' margin obligations.³⁴ Upon receipt of cash from a participant into the operating cash or margin cash account, PSSC, through a process called "cash digitization," would create a securities entitlement on the Paxos Ledger credited to the participant account that would be a representation of the cash in the operating cash or margin cash account, as applicable.³⁵ Upon instruction from a participant, PSSC would also facilitate the withdrawal of operating cash or margin cash from the participant's account by removing the security entitlement credited to the participant in its account on the Paxos Ledger and initiating a transfer from PSSC to an account designated by the participant. PSSC would not remove the security entitlement to cash without also transferring the cash "in rapid succession" to the account designated by the participant.³⁶

PSSC would use a cloud services provider to support its core clearing agency services, including trade capture, pre-settlement processing (e.g., comparison, netting), margin, settlement, and custody of security entitlements to securities and cash.³⁷

Additional information concerning PSSC and its proposed operations may be found in the Schedule A and non-confidential exhibits appended to PSSC's Application. For example,

³² *Id.*

³³ PSSC defines the term "Operating Cash Account" to mean an omnibus cash custody account at each settling bank that holds operating cash deposited by participants for the purpose of settling obligations to purchase securities from CP Pairs and to settle fees owed to PSSC. Application, Exhibit E.12 (Rule 1) at 12.

³⁴ *Id.*; see also Application, Exhibit E.34 (Rule 13) (providing information regarding eligibility and ongoing obligations of PSSC-approved settling banks). PSSC defines the term "Margin Cash Account" to mean an omnibus cash custody account at a settling bank that is maintained in PSSC's name for the purpose of holding cash that represents the margin assets of each participant. Application, Exhibit E.12 (Rule 1) at 10.

³⁵ See Application, Exhibit 22 (Rule 4) at 2.

³⁶ *Id.*

³⁷ See Application, Exhibit M.4. PSSC intends to execute a service agreement with a cloud services provider through which that provider would provide computer system hardware and software services to PSSC. *Id.*

Schedule A to PSSC's Application includes a description of the PSSC's arrangements with other entities to perform its clearing agency activities, and internal policy and procedures for reconciling differences within its clearing agency activities. Exhibit A provide a list of PSSC's Board of Directors and shareholder information, while Exhibit B provides a list of its officers and senior managers. Exhibit C includes both a narrative and graphical depiction of PSSC's organizational and governance structure, and Exhibit E includes copies of PSSC's proposed rules for participation, along with copies of PSSC's governing documents and description of fees and charges. Exhibit J provides a description of PSSC's services and functions. Finally, Exhibit K provides a description of PSSC's security measures and procedures, and Exhibit M provides a description of PSSC's systems used to prevent interruptions in the performance of its clearing agency functions.

II. Request for Comment

PSSC's application on Form CA-1, including each exhibit thereto referenced above, is available online at www.sec.gov/rules/other/shtml. Interested persons are invited to submit written data, views, and arguments concerning the Application, including whether the Application is consistent with the Exchange Act and the rules and regulations thereunder applicable to clearing agencies (e.g., Exchange Act Rules 17Ad-22, 17Ad-25, 17Ad-26, and Regulation Systems Compliance and Integrity, among others).³⁸

Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<http://www.sec.gov/rules/other/shtml>); or
- Send an email to rule-comments@sec.gov. Please include File Number 600-39 on the subject line.

Paper Comments

- Send paper comments to Vanessa A. Countryman, Secretary, Securities and Exchange Commission, 100 F Street, NE, Washington, DC 20549-1090. All submissions should refer to File Number 600-39.

To help the Commission process and review your comments more efficiently, please use only one method of

³⁸ See 17 CFR 240.17ad-22 ("Rule 17Ad-22"), 240.17ad-25 ("Rule 17Ad-25"), and 240.17ad-26 ("Rule 17Ad-26"); 17 CFR 242.1000 through 242.1007 ("Regulation Systems Compliance and Integrity").

submission. The Commission will post all comments on the Commission's internet website (<http://www.sec.gov/rules/other.shtml>).

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 600–39 and should be submitted on or before September 22, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.³⁹

Vanessa A. Countryman,
Secretary.

[FR Doc. 2025–14859 Filed 8–5–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103613; File No. SR–MEMX–2025–23]

Self-Regulatory Organizations; MEMX LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Rule 11.3 Regarding Sponsored Access

August 1, 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 28, 2025, MEMX LLC (“MEMX” or the “Exchange”) filed with the Securities and Exchange Commission (the “Commission”) the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Exchange filed the proposal as a “non-controversial” proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act³ and Rule 19b–4(f)(6) thereunder.⁴ The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange is filing with the Commission a proposal to amend Exchange Rules 11.3(a)–(b) to define the term “Sponsored Access” and to codify

that the agreement required by and between the Sponsoring Member and Sponsored Participant must include a provision that any Sponsored Access relationship must follow the requirements of SEC Rule 15c3–5, the Market Access Rule (“MAR”).⁵ The text of the proposed rule change is provided in Exhibit 5 and is available on the Exchange's website at <https://info.memxtrading.com/regulation/rules-and-filings/>.⁶

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 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 aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of this filing is to amend Exchange Rules 11.3(a)–(b) to define the term “Sponsored Access” and to codify that the agreement required by and between the Sponsoring Member and Sponsored Participant must include a provision that any Sponsored Access relationship must follow the requirements of the MAR.

Sponsored Access Definition

Per current Exchange rules a Sponsored Participant⁷ may be a Member⁸ or non-Member of the

Exchange whose direct electronic access to the Exchange is authorized by a Sponsoring Member⁹ pursuant to the requirements set forth in Exchange Rules 11.3(b)(1)–(3). The Exchange proposes to amend Exchange Rule 11.3(a) to include the following definition, “Sponsored Access shall mean an arrangement whereby a Member permits its Sponsored Participants to enter orders into the Exchange's System that bypass the Member's trading system and are routed directly to the Exchange, including through a service bureau or other third-party technology provider.” The Exchange notes that the proposed definition of Sponsored Access is identical to that adopted¹⁰ by Cboe BZX Exchange, Inc. (“Cboe BZX”) and substantively identical to that adopted¹¹ by The Nasdaq Stock Market LLC (“Nasdaq”). The Exchange believes defining Sponsored Access will provide Sponsoring Members with greater clarity in understanding which types of market access relationships¹² are

⁹ The term “Sponsoring Member” shall mean a Member that is a registered broker-dealer and that has been designated by a Sponsored Participant to execute, clear and settle transactions from the System. The Sponsoring Member shall be either (i) a clearing firm with membership in a clearing agency registered with the Commission that maintains facilities through which transactions may be cleared or (ii) a correspondent firm with a clearing arrangement with any such clearing firm. See Exchange Rule 1.5(ee).

¹⁰ See Securities and Exchange Act Release No. 34–97146 (March 15, 2023) 88 FR 17065 (March 21, 2023) (SR–CboeBZX–2023–015) (Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Its Sponsored Participant Rules 11.3(a) and 11.3(b)(2)); Cboe BZX Rule 11.3(a), available at: https://cdn.cboe.com/resources/regulation/rule_book/BZX_Exchange_Rulebook.pdf.

¹¹ See Securities and Exchange Act Release No. 34–76449 (November 27, 2015) 80 FR 73011 (November 23, 2015) (SR–NASDAQ–2015–140) (Notice of Filing and Immediate Effectiveness of the Proposed Rule Change Relating to Sponsored Access); Nasdaq General Equity and Options Rule, General 2: General Provisions, Section 22(a), available at: <https://listingcenter.nasdaq.com/rulebook/Nasdaq/rules>.

¹² Consistent with the proposed definition, such relationships generally include where a broker-dealer allows its customer—such as a hedge fund, mutual fund, bank or insurance company, an Exchange registered market maker, an individual, or another broker-dealer—to use the broker-dealer's market participant identifier (“MPID”) or other mechanism or mnemonic to enter orders into the Exchange's System that bypass the Sponsoring Member's order handling system and are electronically routed directly to the Exchange by the Sponsored Participant, including through a service bureau or other third-party technology provider. For the avoidance of doubt, in a scenario where a Sponsored Participant is also an Exchange Member (e.g., where a Sponsored Member provides market access to an Exchange Member Market Maker), (i) the Sponsored Participant will be subject to all Exchange rules and regulations applicable to Members acting in their own capacity, whether the

Continued

³⁹ 17 CFR 200.30–3(a)(16).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b–4.

³ 15 U.S.C. 78s(b)(3)(A).

⁴ 17 CFR 240.19b–4.

⁵ 17 CFR 240.15c3–5.

⁶ The Exchange proposes to implement the proposed changes to Exchange Rules 11.3(a)–(b) on a date that will be announced via Regulatory Notice, notifying both existing and prospective Sponsoring Members and Sponsored Participants, of the new rule language and required contractual provisions.

⁷ The term “Sponsored Participant” means a person which has entered into a sponsorship arrangement with a Sponsoring Member pursuant to Rule 11.3. See Exchange Rule 1.5(dd).

⁸ The term “Member” means any registered broker or dealer that has been admitted to membership in the Exchange. A Member will have the status of a “member” of the Exchange as that term is defined in Section 3(a)(3) of the Act. Membership may be granted to a sole proprietor, partnership, corporation, limited liability company or other organization which is a registered broker or dealer pursuant to Section 15 of the Act, and which has been approved by the Exchange. See Exchange Rule 1.5(p).

subject to Exchange Rules 11.3(a)–(b) and what obligations Sponsoring Members and Sponsored Participants must satisfy when establishing a Sponsored Access relationship.

Market Access Rule

The Exchange seeks to codify that the agreement currently required under Exchange Rule 11.3(b)(2), by and between the Sponsoring Member and Sponsored Participant, must include a provision that any Sponsored Access relationship must follow the requirements of the MAR. While Sponsoring Members have existing obligations under the MAR because they are providing market access to their Sponsored Participants, the Exchange believes the proposed amendment will help to reinforce such obligations. Sponsored Participants will now be required to contractually agree with their Sponsoring Members to follow the requirements of the MAR.

The Exchange believes that the proposed addition of Exchange Rule 11.3(b)(2)(f) will reinforce to Sponsoring Members that Sponsored Access relationships must comply with the SEC's MAR, as well as Exchange rules regarding the provision of market access. As noted above, such relationships generally include where a broker-dealer allows its customer to use the broker-dealer's MPID or other mechanism or mnemonic to enter orders into the Exchange's System that bypass the Sponsoring Member's order handling system and are electronically routed directly to the Exchange by the Sponsored Participant, including through a service bureau or other third-party technology provider.

The Exchange notes further that the proposed addition of Exchange Rule 11.3(b)(2)(f) is non-substantive in nature for Sponsoring Members because as broker-dealers providing market access, Sponsoring Members are already required to comply with the MAR, as well as with existing Exchange rules regarding market access. Indeed, per the Exchange's current Sponsored

Participant rules the Sponsoring Member is already responsible for all its Sponsored Participant's activity on the Exchange¹³ and is required to comply with the Exchange's Certificate of Incorporation, Exchange LLC Agreement, Rules and procedures.¹⁴ This includes compliance with Exchange Rule 2.2, which requires, among other things, compliance with the Act and the regulations thereunder, including the MAR.

The proposed addition of Exchange Rule 11.3(b)(2)(f) is potentially substantive in nature to Sponsored Participants in that the proposed amendment adds a requirement to the agreement by and between the Sponsoring Member and Sponsored Participant, requiring the Sponsored Participant to contractually agree to follow the requirements of the MAR. Importantly, as part of their obligation to comply with Exchange Rules and procedures, existing Sponsoring Members will be expected to amend any existing contractual arrangements with their Sponsored Participants to include the new contractual provision proposed by the Exchange.¹⁵ The Exchange notes that the contractual requirement under proposed Exchange Rule 11.3(b)(2)(f) is also included, with substantively identical language, in the rulebooks of Cboe BZX¹⁶ and Nasdaq.¹⁷

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.¹⁸ Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)¹⁹ requirements that the rules of

an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)²⁰ requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

Defining Sponsored Access

As noted above, the Exchange believes that defining Sponsored Access will provide Sponsoring Members with greater clarity as to which types of market access relationships²¹ are subject to Exchange Rules 11.3(a)–(b) and what obligations Sponsoring Members and Sponsored Participants must satisfy when establishing a Sponsored Access relationship. As such, the proposed rule change is designed to prevent fraudulent and manipulative acts and practices and serves to promote just and equitable principles of trade.

The proposed change will also help to reduce confusion by codifying a definition for such activity on the Exchange that is consistent with other industry practices currently in place elsewhere. The Exchange further notes that the proposed Sponsored Access definition is reasonable and does not affect investor protection because the proposed change does not present any novel or unique issues, as the proposed Sponsored Access definition has previously been adopted by both Cboe BZX and Nasdaq.²²

Market Access Rule

As noted above, the proposed addition of Exchange Rule 11.3(b)(2)(f) will reinforce to Sponsoring Members that Sponsored Access relationships must comply with the SEC's MAR, as well as Exchange Rules regarding the provision of market access. Also, by adding proposed Exchange Rule 11.3(b)(2)(f), Sponsored Participants are now required to contractually agree that their Sponsored Access to the Exchange must follow the requirements of the MAR.

Sponsored Participant accesses the Exchange via their own Membership or via a Sponsored Access arrangement; and (ii) the Sponsoring Member will be responsible for the Sponsored Participant activity just as it would for any other non-Member Sponsored Participant under Rule 11.3(b), including compliance with the MAR requirements and for compliance with the applicable Member-related activity electronically routed to the Exchange via the Sponsored Access arrangement (e.g., the Sponsoring Member would be required to hold appointments and would be subject to applicable requirements as an Exchange Market Maker in the products for which the Sponsored Participant Market Maker is registered and routes orders/quotes via the Sponsored Access arrangement).

¹³ See Exchange Rule 11.3(b)(2)(B).

¹⁴ See Exchange Rule 11.3(b)(2)(C).

¹⁵ The Exchange notes that in connection with this proposed change, the Exchange will also amend its Sponsored Access Application form. The amendments to this form will include the deletion of the requirement that a Sponsoring Member provide the Exchange with a copy of its policies and procedures addressing the MAR and a detailed description of how it will comply with the MAR, but will further clarify that Sponsoring Members and Sponsored Participants must satisfy their regulatory obligations arising from the Sponsored Access relationship, including compliance with the MAR and, where a Sponsored Participant is an Exchange registered Market Maker, compliance with the Market Maker obligations required by applicable Exchange rules.

¹⁶ See Cboe BZX Rule 11.3(b)(2)(f), available at: https://cdn.cboe.com/resources/regulation/rule_book/BZX_Exchange_Rulebook.pdf.

¹⁷ See Nasdaq General Equity and Options Rule, General 2: General Provisions, Section 22(b)(ii)(A), available at: <https://listingcenter.nasdaq.com/rulebook/Nasdaq/rules>.

¹⁸ 15 U.S.C. 78f(b).

¹⁹ 15 U.S.C. 78f(b)(5).

²⁰ *Id.*

²¹ *Supra* note 12.

²² *Supra* notes 10–11.

In this regard, the proposed amendment will help to ensure that by and between the Sponsoring Member and Sponsored Participant all orders entered onto the Exchange pursuant to a Sponsored Access relationship will follow the requirements of the MAR. As discussed, the Exchange believes the proposed addition of Exchange Rule 11.3(b)(2)(f) is non-substantive in nature for Sponsoring Members because as broker-dealers providing market access, Sponsoring Members are already required to comply with the MAR, as well as with existing Exchange Rules regarding market access. The proposed addition of Exchange Rule 11.3(b)(2)(f) is potentially substantive in nature to Sponsored Participants in that the proposed amendment adds a new requirement to the relationship by and between the Sponsoring Member and Sponsored Participant, requiring the Sponsored Participant to contractually agree to follow the requirements of the MAR.

The Exchange further notes that this aspect of the proposed rule change is reasonable and does not affect investor protection because the proposed change does not present any novel or unique issues, as the proposed contractual requirement also exists in the rulebooks of Cboe BZX and Nasdaq.²³

Accordingly, the proposed rule change will help to promote just and equitable principles of trade, remove impediments to and perfect the mechanism of a free and open market and national market system, and, in general to protect investors and the public interest.

B. Self-Regulatory Organization's Statement on Burden on Competition

For the reasons noted below, the Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

The proposed Sponsored Access definition does not impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed definition merely seeks to make clear to Sponsoring Members that Sponsored Access is a relationship subject to Exchange Rule 11.3(a)–(b). Moreover, Sponsored Access is a voluntary arrangement that a Sponsoring Member voluntarily elects to enter with its Sponsoring Participant. A Member is not required to become a Sponsoring Member, and in fact, may

decline to enter such a relationship with its customers.

Additionally, the Exchange does not believe that the proposed rule change will impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. Notably, other exchanges have in place similar rules and documentation requirements applicable to sponsored participants and their sponsoring members.²⁴ Moreover, as described above, the proposed Sponsored Access definition is identical to that adopted by Cboe BZX and substantively identical to that adopted by Nasdaq, and the proposed requirement for Sponsored Participants to contractually agree that their Sponsored Access to the Exchange must follow the requirements of the MAR also exists in the rulebooks of Cboe BZX and Nasdaq.

The proposed rule change to explicitly cite the MAR in Exchange Rule 11.3(b)(2)(f) does not impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. As noted above, this change is non-substantive as Sponsoring Members are currently responsible for complying with the MAR with respect to their provision of Sponsored Access to Sponsored Participants. While the proposed addition of Exchange Rule 11.3(b)(2)(f) is potentially substantive in nature to Sponsored Participants because it requires a Sponsored Participant to contractually agree with its Sponsoring Member to follow the requirements of the MAR, the Exchange reiterates that the proposed contractual requirement also exists in the rulebooks of Cboe BZX and Nasdaq, and as such, should not raise any new or novel issues for consideration by Sponsored Participants.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The proposed rule change is filed for immediate effectiveness pursuant to Section 19(b)(3)(A) of Act²⁵ and Rule 19b–4(f)(6)²⁶ thereunder. The Exchange designates that the proposed rule

change effects a change that (i) does not significantly affect the protection of investors or the public interest; (ii) does not impose any significant burden on competition; and (iii) by its terms, does not become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest. Additionally, the Exchange has given the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission.

As noted above, the proposed Sponsored Access definition is intended only to provide additional clarity as to the type of market access subject to Exchange Rule 11.3(a)–(b). Moreover, as noted above, the proposed definition does not present any unique or novel issues, as it is identical in nature to the definition of Sponsored Access in the rulebooks of Cboe BZX and Nasdaq. In addition, the proposed MAR change is non-substantive in nature, as Sponsoring Members are already required to comply with the MAR. While the proposed addition of Exchange Rule 11.3(b)(2)(f) is potentially substantive in nature to Sponsored Participants because they must now contractually agree with the Sponsoring Member to follow the requirements of the MAR, as noted above, such requirement also exists in the rulebooks of Cboe BZX and Nasdaq, and, therefore, should not raise any new or novel issues for Sponsored Participants. Accordingly, the Exchange believes proposed Exchange Rule 11.3(b)(2)(f) will help to promote just and equitable principles of trade, remove impediments to and perfect the mechanism of a free and open market and national market system, and, in general to protect investors and the public interest.

Furthermore, Rule 19b–4(f)(6)(iii)²⁷ requires a self-regulatory organization to give the Commission written notice of its intent to file a proposed rule change under that subsection at least five business days prior to the date of filing, or such shorter time as designated by the Commission. The Exchange has provided such notice.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such

²⁴ *Supra* notes 10–11 and 16–17.

²⁵ 15 U.S.C. 78s(b)(3)(A).

²⁶ 17 CFR 240.19b–4(f)(6).

²⁷ 17 CFR 240.19b–4(f)(6)(iii).

²³ *Supra* notes 16–17.

action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include file number SR-MEMX-2025-23 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-MEMX-2025-23. 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 filing 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-MEMX-2025-23 and should be submitted on or before August 27, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²⁸

Vanessa A. Countryman,
Secretary.

[FR Doc. 2025-14855 Filed 8-5-25; 8:45 am]

BILLING CODE 8011-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Availability, Notice of Public Comment Period, Notice of Public Meetings, and Request for Comment on the Draft Environmental Impact Statement for the SpaceX Starship-Super Heavy Vehicle at Launch Complex 39A (LC-39A), at Kennedy Space Center (KSC) in Merritt Island, Florida

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

ACTION: Notice of availability, public comment period, and public meetings.

SUMMARY: In accordance with the National Environmental Policy Act of 1969, as amended (NEPA) and FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*, the FAA is announcing the availability of and requesting comment on the Draft Environmental Impact Statement for SpaceX Starship—Super Heavy Vehicle operations at Launch Complex 39A at Kennedy Space Center in Merritt Island, Florida (Draft EIS).

DATES: The FAA will hold four in-person meetings and one virtual meeting. The four in-person public meetings will be held on the following dates:

Tuesday, August 26, 2025; two meetings: 1:00 p.m.–3:00 p.m. and 6:00 p.m.–8:00 p.m. ET; Astronauts Memorial Foundation, Center for Space Education, Conference Center, State Road 405, Kennedy Space Center, FL 32899

Thursday, August 28, 2025; two meetings: 1:00 p.m.–3:00 p.m. and 6:00 p.m.–8:00 p.m. ET; Radisson Conference Center, Grande Caribbean, 8701 Astronaut Boulevard, Cape Canaveral, FL 32920

One virtual public meeting will be held on the following date and time:
Wednesday, September 3, 2025; 6:00 p.m.–8:00 p.m. ET

Interested parties must register to join the virtual public meeting. Registration is now available at the link in **ADDRESSES**.

The public comment period for the Draft EIS will close on September 22, 2025.

ADDRESSES: The Draft EIS is available for public review at https://www.faa.gov/space/stakeholder_engagement/spacex_starship_ksc. The Draft EIS has been posted and comments will be received through the Federal E-Rulemaking Portal: <https://www.regulations.gov>.

Search for “FAA–2024–1395” to retrieve the docket and follow the instructions to submit a comment.

The FAA invites interested parties to submit comments on the Draft EIS. Public comments can be submitted electronically to www.regulations.gov under Docket No. FAA–2024–1395, by postal mail to Ms. Eva Long, FAA Environmental Protection Specialist, c/o Leidos, 2877 Guardian Lane Virginia Beach, VA 23452 or delivered in written or oral form at a public meeting. Oral public comments during the in-person and virtual public meetings will be limited to three minutes. Members of the public will have three minutes to provide oral comments to a court reporter who will transcribe the comment for the record.

- *Virtual Public Meeting Registration Link:* https://us02web.zoom.us/webinar/register/WN_2aotLSQERXCHC5yJjOvm5A.

Dial-in phone number: 888–788–0099 (Toll Free), Webinar ID: 892 9206 9685, Passcode: 095859.

SUPPLEMENTARY INFORMATION:

The Draft EIS analyzes:

- Up to 44 Starship—Super Heavy launches per year;
- Up to 44 Super Heavy landings per year, to include landings at LC-39A, landing on a droneship in the Atlantic Ocean, or expending in the Atlantic Ocean;
- Up to 44 Starship landings per year, to include landings at LC-39A, landing on a droneship in the Atlantic Ocean, or soft-water or hard-water landing with expending or recovery in the Atlantic Ocean, Pacific Ocean, or Indian Ocean;
- Construction of launch, landing, and other associated infrastructure at and in proximity to LC-39A.

The FAA will present a pre-recorded presentation during the first half hour of the public meetings.

If any accommodation for the public meetings is needed (such as translation services), please submit a request by August 14, 2025, to SpaceXStarship39AEIS@icf.com.

Before including your address, phone number, email address, or other personal identifying information in your comment, be advised that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask the FAA in your comment to withhold from public review your personal identifying information, the FAA cannot guarantee that it will be able to do so. All comments received during the comment period will be given equal weight and be taken into

²⁸ 17 CFR 200.30-3(a)(12).

consideration in the preparation of the Final EIS.

Issued in Washington, DC, on August 4, 2025.

Stacey Molinich Zee,

Manager, Operations Support Branch.

[FR Doc. 2025-14888 Filed 8-5-25; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD-2025-0367]

Request Notice: Use of Foreign-Built Small Passenger Vessel in United States Coastwise Trade, M/V SUNBELLE

AGENCY: Maritime Administration, DOT.

ACTION: Notice and request for comments.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to make determinations regarding the coastwise use of foreign built; certain U.S. built; and U.S. and foreign rebuilt vessels that solely carry no more than twelve passengers for hire. MARAD has received such a determination request and is publishing this notice to solicit comments to assist with determining whether the proposed use of the vessel set forth in the request would have an adverse effect on U.S. vessel builders or U.S. coastwise trade businesses that use U.S.-built vessels in those businesses. Information about the requestor's vessel, including a description of the proposed service, is in the **SUPPLEMENTARY INFORMATION** section below.

DATES: Submit comments on or before September 5, 2025.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD-2025-0367 by any one of the following methods:

- **Federal eRulemaking Portal:** Go to <https://www.regulations.gov>. Search MARAD-2025-0367 and follow the instructions for submitting comments.
- **Mail or Hand Delivery:** Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is U.S. Department of Transportation, MARAD-2025-0367, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at www.regulations.gov, including any personal information provided. For detailed instructions on submitting comments, or to submit comments that are confidential in nature, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT:

Patricia Hagerty, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Mail Stop 2, MAR-620, Washington, DC 20590. Telephone: (202) 366-5400. Email: smallvessels@dot.gov.

SUPPLEMENTARY INFORMATION: Pursuant to 46 U.S.C. 12121(b), the U.S. Coast Guard may issue a certificate of documentation with a coastwise trade endorsement for eligible, small passenger vessels authorized to carry no more than 12 passengers for hire if MARAD, after notice and an opportunity for public comment, determines the use of the small passenger vessel in the coastwise trade will not adversely affect United States vessel builders or the coastwise trade business of any person that employs vessels built in the United States in that business.¹

MARAD has received an eligibility determination request. Further details about the requester's vessel and its proposed operations may be found in the determination request posted in the DOT docket as MARAD-2025-0367 at <https://www.regulations.gov>. Interested parties may comment on the undue adverse effect this action may have on U.S. vessel builders or coastwise trade businesses in the U.S. that employ U.S.-built vessels in those businesses. Comments should refer to the vessel name, state the commenter's interest in the request, and demonstrate, with supporting documentation, the undue adverse effect on U.S. vessel builders and coastwise trade businesses.

¹ The U.S. Coast Guard and MARAD have authority under 46 U.S.C. 12121(b) through the Secretary of the Department of Homeland Security and the Secretary of the Department of Transportation, respectively.

Public Participation

How do I submit comments?

Please submit comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. It may take a few hours or even days for comments to be reflected on the docket. Comments must be written in English. Provide concise comments and attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

The docket online is located at <https://www.regulations.gov>, keyword search MARAD-2025-0367 or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). Please periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

You may request that MARAD treat your comments as commercially confidential by submitting them to SmallVessels@dot.gov. Include in the email subject heading "Contains Confidential Commercial Information" or "Contains CCI" and state in your submission, with specificity, the basis for any such confidential treatment highlighting the CCI portions. If possible, please provide a summary of your submission that can be made available to the public.

If MARAD receives a Freedom of Information Act (FOIA) request for the information, procedures described in the Department's FOIA regulation at 49 CFR 7.29 will be followed. Only information that is ultimately determined to be confidential under those procedures will be exempt from disclosure under FOIA.

Privacy Act

Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). For information on DOT's compliance with the Privacy Act, please visit <https://www.transportation.gov/privacy>.

(Authority: 49 CFR 1.93(a), 46 U.S.C. 12121)

By Order of the Maritime Administration.
T. Mitchell Hudson, Jr.,
Secretary, Maritime Administration.
[FR Doc. 2025–14902 Filed 8–5–25; 8:45 am]
BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2025–0366]

Request Notice: Use of Foreign-Built Small Passenger Vessel in United States Coastwise Trade, M/V YAMUY

AGENCY: Maritime Administration, DOT.

ACTION: Notice and request for comments.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to make determinations regarding the coastwise use of foreign built; certain U.S. built; and U.S. and foreign rebuilt vessels that solely carry no more than twelve passengers for hire. MARAD has received such a determination request and is publishing this notice to solicit comments to assist with determining whether the proposed use of the vessel set forth in the request would have an adverse effect on U.S. vessel builders or U.S. coastwise trade businesses that use U.S.-built vessels in those businesses. Information about the requestor's vessel, including a description of the proposed service, is in the **SUPPLEMENTARY INFORMATION** section below.

DATES: Submit comments on or before September 5, 2025.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD–2025–0366 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to <https://www.regulations.gov>. Search MARAD–2025–0366 and follow the instructions for submitting comments.
- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is U.S. Department of Transportation, MARAD–2025–0366, 1200 New Jersey Avenue SE, West Building, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you

if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at www.regulations.gov, including any personal information provided. For detailed instructions on submitting comments, or to submit comments that are confidential in nature, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT: Patricia Hagerty, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Mail Stop 2, MAR–620, Washington, DC 20590. Telephone: (202) 366–5400. Email: smallvessels@dot.gov.

SUPPLEMENTARY INFORMATION: Pursuant to 46 U.S.C. 12121(b), the U.S. Coast Guard may issue a certificate of documentation with a coastwise trade endorsement for eligible, small passenger vessels authorized to carry no more than 12 passengers for hire if MARAD, after notice and an opportunity for public comment, determines the use of the small passenger vessel in the coastwise trade will not adversely affect United States vessel builders or the coastwise trade business of any person that employs vessels built in the United States in that business.¹

MARAD has received an eligibility determination request. Further details about the requester's vessel and its proposed operations may be found in the determination request posted in the DOT docket as MARAD–2025–0366 at <https://www.regulations.gov>. Interested parties may comment on the undue adverse effect this action may have on U.S. vessel builders or coastwise trade businesses in the U.S. that employ U.S.-built vessels in those businesses. Comments should refer to the vessel name, state the commenter's interest in the request, and demonstrate, with supporting documentation, the undue adverse effect on U.S. vessel builders and coastwise trade businesses.

Public Participation

How do I submit comments?

Please submit comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. It may take

a few hours or even days for comments to be reflected on the docket. Comments must be written in English. Provide concise comments and attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

The docket online is located at <https://www.regulations.gov>, keyword search MARAD–2025–0366 or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). Please periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

You may request that MARAD treat your comments as commercially confidential by submitting them to SmallVessels@dot.gov. Include in the email subject heading “Contains Confidential Commercial Information” or “Contains CCI” and state in your submission, with specificity, the basis for any such confidential treatment highlighting the CCI portions. If possible, please provide a summary of your submission that can be made available to the public.

If MARAD receives a Freedom of Information Act (FOIA) request for the information, procedures described in the Department's FOIA regulation at 49 CFR 7.29 will be followed. Only information that is ultimately determined to be confidential under those procedures will be exempt from disclosure under FOIA.

Privacy Act

Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). For information on DOT's compliance with the Privacy Act, please visit <https://www.transportation.gov/privacy>.

(Authority: 49 CFR 1.93(a), 46 U.S.C. 12121)

By Order of the Maritime Administration.
T. Mitchell Hudson, Jr.,
Secretary, Maritime Administration.
[FR Doc. 2025–14901 Filed 8–5–25; 8:45 am]
BILLING CODE 4910–81–P

¹ The U.S. Coast Guard and MARAD have authority under 46 U.S.C. 12121(b) through the Secretary of the Department of Homeland Security and the Secretary of the Department of Transportation, respectively.

DEPARTMENT OF TRANSPORTATION**Pipeline and Hazardous Materials Safety Administration****Hazardous Materials: Notice of Applications for New Special Permits**

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

ACTION: List of applications for special permits.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, special permits from the Department of Transportation's Hazardous Material Regulations, notice is hereby given that the Office of Hazardous Materials Safety has received the application described herein.

DATES: Comments must be received on or before September 5, 2025.

ADDRESSES: Record Center, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the special permit number.

FOR FURTHER INFORMATION CONTACT:

Donald Burger, Chief, Office of Hazardous Materials Safety General Approvals and Permits Branch, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, East Building, PHH-13, 1200 New Jersey Avenue Southeast, Washington, DC 20590-0001, (202) 366-4535.

SUPPLEMENTARY INFORMATION: Each mode of transportation for which a particular special permit is requested is indicated by a number in the "Nature of

Application" portion of the table below as follows: (1) Motor vehicle, (2) Rail freight, (3) Cargo vessel, (4) Cargo aircraft only, (5) Passenger-carrying aircraft.

Copies of the applications are available for inspection in the Records Center, East Building, PHH-13, 1200 New Jersey Avenue Southeast, Washington, DC.

This notice of receipt of applications for special permit is published in accordance with part 107 of the Federal hazardous materials transportation law (49 U.S.C. 5117(b); 49 CFR 1.53(b)).

Issued in Washington, DC, on August 4, 2025.

T. Glenn Foster,

Chief, Regulatory Review and Reinvention Branch, Office of Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration.

Application No.	Applicant	Regulation(s) affected	Nature of the special permits thereof
Special Permits Data			
22063-N	Arcwood Environmental, LLC.	173.12(c)(2)	To authorize the transportation in commerce by rail freight of previously used drums for the shipment of waste material transported for disposal or recovery. (mode 2).
22065-N	Alpine Aviation, Inc	172.203(a), 175.700(b)(2)(ii), 175.701(a), 175.702(a)(2)(ii).	To authorize the carriage of radioactive materials aboard cargo-only aircraft when the combined transport index exceeds the authorized limit of 200 TI per aircraft, or the separation distance cannot be met. (mode 4).
22066-N	Entegris, Inc	173.3(d)(2)(i)	To authorize the transportation of salvage cylinders that are not constructed and marked in accordance Section VIII, Division I of the ASME Code that contain specification cylinders that are damaged or leaking. (modes 1, 3).
22067-N	Amazon.com, Inc	173.301(c), 173.306(a)(1)	To authorize the transportation in commerce of compressed gases (Argon, Carbon dioxide, Helium, and Nitrogen) in DOT specification pressure receptacles with a capacity of not more than 1 liter. (modes 1, 2, 3).
22068-N	Noble Walters & Associates Ltd.	172.102(c)(1)	To authorize the transportation in commerce of UN 3363 Dangerous goods in apparatus, containing a quantity of Division 4.2 Spontaneous Combustible Material. (mode 4).
22069-N	Spire Missouri Inc	172.102(c)(7), 172.102(c)(8), 173.242, 173.302, 180.605(d), 180.605(e), 180.605(h)(1).	To authorize alternate testing procedures for DOT specification portable tanks. (mode 1).
22070-N	Chemring Energetic Devices, Inc.	172.320(a), 173.56(b), 173.62(a)	To authorize the transportation of previously approved explosives in non-specification packaging between Chemring Energetic Devices, Inc.'s manufacturing facilities. (mode 1).

[FR Doc. 2025-14940 Filed 8-5-25; 8:45 am]

BILLING CODE P

DEPARTMENT OF TRANSPORTATION**Pipeline and Hazardous Materials Safety Administration****Hazardous Materials: Notice of Actions on Special Permits**

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

ACTION: Notice of actions on special permit applications.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, special permits from the Department of Transportation's Hazardous Material Regulations, notice is hereby given that the Office of Hazardous Materials Safety

has granted or denied the application described herein.

DATES: Comments must be received on or before September 5, 2025.

ADDRESSES: Record Center, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the special permit number.

FOR FURTHER INFORMATION CONTACT:

Donald Burger, Chief, Office of Hazardous Materials Safety General Approvals and Permits Branch, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, East Building, PHH-13, 1200 New Jersey Avenue Southeast, Washington, DC 20590-0001, (202) 366-4535.

SUPPLEMENTARY INFORMATION: Copies of the applications are available for inspection in the Records Center, East

Building, PHH-13, 1200 New Jersey Avenue Southeast, Washington, DC.

This notice of receipt of applications for special permit is published in accordance with part 107 of the Federal hazardous materials transportation law (49 U.S.C. 5117(b); 49 CFR 1.53(b)).

Issued in Washington, DC, on August 4, 2025.

T. Glenn Foster,

Chief, Regulatory Review and Reinvention Branch, Office of Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration.

Application No.	Applicant	Regulation(s) affected	Nature of the special permits thereof
Special Permits Data—Granted			
7945-M	Meggitt Safety Systems, Inc	173.304a(a)(1)	To modify the special permit to authorize additional cylinder marking methods.
10814-M	Spellman High Voltage Electronics Corporation.	173.302a	To modify the special permit to authorize an additional packaging.
11725-M	Thales Alenia Space Italia Spa.	173.301(f), 173.302a(a)(1), 173.304a(a)(2).	To modify the special permit to authorize an additional packaging.
11818-M	Northrop Grumman Systems Corporation.	173.301(f), 173.302a(a)(1), 173.304a(a)(2).	To modify the special permit to authorize an additional hazardous material.
13169-M	ConocoPhillips Alaska, Inc ..	172.101(j)(1), 173.27(b)(3)	To modify the special permit to authorize the removal of technical names and a different main hub.
14152-M	Entegris, Inc	173.27(f)(3), 173.187(a), 173.187(b), 173.187(c).	To modify the special permit to authorize an additional hazardous material.
15404-M	Proserv UK Ltd	173.201, 173.301(f), 173.302a, 173.304a.	To modify the special permit to authorize additional cylinder designs.
20251-M	Salco Products Inc	172.203(a), 178.345-1, 180.413	To modify the special permit to authorize additional manway assemblies.
20279-M	Kaplan Industries, Inc	180.207(d)(1)	To modify the special permit to authorize an additional cylinder.
20493-M	Tesla, Inc	172.101(j)	To modify the special permit to authorize an additional battery.
21297-M	Luxfer Canada Limited	173.301(i), 178.75	To modify the special permit to authorize different methods of requalification, an increase in the maximum service use, and alternative bonfire acceptance criteria.
21427-N	Walmart Inc	49 CFR Parts 171-180	To authorize the transportation in commerce of certain hazardous materials as not subject to the Hazardous Materials Regulations when transported to their final delivery destination.
21433-M	Pyrotek Special Effects Rock Litz Inc.	173.306(k)(1)(iv)(A), 173.306(k)(1)(iv)(B).	To modify the special permit to authorize additional packaging and marking.
21898-N	Mercedes-Benz AG	173.309(c)(3), 173.309(c)(4)	To authorize the transportation in commerce of non-specification fire extinguishers constructed to a foreign specification that do not meet the requirements of 49 CFR 173.309(c)(3) and (4).
21940-N	Shijiazhuang Enric Gas Equipment Co., Ltd.	178.37(k)(2)(i), 178.37(l), 178.45(j)(1), 178.45(k)(2).	To authorize the manufacture, mark, sale and use of specification DOT 3AA, 3AAX and DOT 3TCylinders using an alternative tensile test specimen for batch acceptance as specified in the UN ISO 11120.
21947-N	Amazon.com, Inc	172.315(a)(2)	To authorize the transportation in commerce of hazardous materials qualifying for a limited quantity exception, using a reduced size limited quantity mark for customer return shipments.
21956-N	Zoox, Inc	172.101(j)	To authorize the transportation in commerce of lithium batteries exceeding 35 kg via cargo-only aircraft.
21992-N	Tesla, Inc	173.185(b), 173.185(b)(3)(i)	To authorize the transportation in commerce by motor vehicle and rail freight of lithium cells packaged within a UN50H rigid plastic Large Packaging.
22009-N	Garrett Transfer and Storage, Inc.	173.196(a), 173.196(b), 173.199, 178.609.	To authorize the transportation of certain Division 6.2 infectious substances and biological substances in alternative packaging (freezers) transported in privately owned motor vehicles by highway.

Application No.	Applicant	Regulation(s) affected	Nature of the special permits thereof
22054-N	Tesla, Inc	172.101(j), 173.185(a)	To authorize the transportation in commerce of lithium-ion battery powered vehicles and prototype lithium ion batteries that exceed 35 kg by cargo-only aircraft that have not been tested in accordance with Section 38.3 of the UN Manual Tests and Criteria.
22064-N	Daicel Safety Systems (Thailand) Company Limited.	173.301(a)(1), 173.302a(a), 178.65(b), 178.65(c)(3), 178.65(e)(1), 178.65(f)(1), 178.65(g), 178.65(i)(1).	To authorize the manufacture, mark, sale and use of non-DOT specification cylinders (pressure vessels) for use as components of vehicle safety systems.
22071-N	United States Environmental Protection Agency.	173.21(b), 173.51(a), 173.54(a), 173.56(b).	To authorize the transportation of unapproved fireworks from Commerce, CA to the CalFire magazine in Mojave, CA and disposal at Naval Air Weapons Station China Lake.

Special Permits Data—Denied

21326-M	Channel Medsystems, Inc ...	173.304(f)(3)	To modify the special permit to remove the Operation Controls in Paragraph 7.c. of the special permit.
21813-N	Norsk, Inc	172.200	To authorize the transportation in commerce of lithium batteries exceeding 300 Wh by motor vehicle without shipping papers.
21983-N	Resonac America, Inc	178.35	To authorize the transportation in commerce of foreign cylinders containing Dichlorosilane.
22017-N	Starfire Corporation	173.56(b)	To authorize the transportation in commerce of packaged firework components from one facility to another without classification.

Special Permits Data—Withdrawn

21323-M	Canadian Pacific Railway Company.	172.203(a), 174.26(a)	To modify the special permit to include The Kansas City Southern Railway Company.
22014-N	Starfish Space Inc	172.203(a), 172.301(c), 172.400, 173.301(f)(1), 173.302a(a)(1), 173.304a(a)(1).	To authorize the transportation in commerce of non-DOT specification cylinders that are not equipped with pressure relief devices that is further incorporated into an orbital spacecraft.
22022-N	Snatch-It LLC	173.306(a)(1)	To authorize the transportation in commerce of 2P inner containers containing butane as a limited quantity when the capacity of the receptacle exceeds 4 fluid ounces.
22026-N	Pushback Limited	172.200, 172.400, 172.500, 173.302a(a)(1), 174.1, 177.800.	To authorize the transportation in commerce of DOT 2Q inner containers containing gases not otherwise authorized in that packaging type.
22053-N	Cargojet Airways Ltd	172.101(j)	To authorize the one-time one-way movement of forbidden explosives by cargo-only aircraft.

[FR Doc. 2025-14938 Filed 8-5-25; 8:45 am]

BILLING CODE P**DEPARTMENT OF TRANSPORTATION****Pipeline and Hazardous Materials Safety Administration****Hazardous Materials: Notice of Applications for Modification to Special Permits**

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

ACTION: List of applications for modification of special permits.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, special permits from the Department of Transportation's Hazardous Material

Regulations, notice is hereby given that the Office of Hazardous Materials Safety has received the application described herein.

DATES: Comments must be received on or before August 21, 2025.

ADDRESSES: Record Center, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the special permit number.

FOR FURTHER INFORMATION CONTACT: Donald Burger, Chief, Office of Hazardous Materials Safety, General Approvals and Permits Branch, Pipeline and Hazardous Materials Safety Administration, U.S. Department of

Transportation, East Building, PHH-13, 1200 New Jersey Avenue Southeast, Washington, DC 20590-0001, (202) 366-4535.

SUPPLEMENTARY INFORMATION: Each mode of transportation for which a particular special permit is requested is indicated by a number in the "Nature of Application" portion of the table below as follows: (1) Motor vehicle, (2) Rail freight, (3) Cargo vessel, (4) Cargo aircraft only, (5) Passenger-carrying aircraft.

Copies of the applications are available for inspection in the Records Center, East Building, PHH-13, 1200 New Jersey Avenue Southeast, Washington, DC or at <http://regulations.gov>.

This notice of receipt of applications for special permit is published in accordance with part 107 of the Federal hazardous materials transportation law (49 U.S.C. 5117(b); 49 CFR 1.53(b)).

Issued in Washington, DC, on August 4, 2025.

T. Glenn Foster,

*Chief, Regulatory Review and Reinvention
Branch, Office of Hazardous Materials Safety,
Pipeline and Hazardous Materials Safety
Administration.*

Application No.	Applicant	Regulation(s) affected	Nature of the special permits thereof
Special Permits Data			
15999-M	National Aeronautics and Space Administration.	172.300, 172.400, 173.1	To modify the special permit to authorize additional hazardous materials.
16606-M	5-state Helicopters, Inc	172.301(c), 172.302(c), 175.30	To modify the special permit to authorize an additional hazardous material.
20845-M	Lithos Energy, Inc	173.185(a), 173.185(b)	To modify the special permit to authorize additional modules comprised of additional types of cells tested in accordance with the UN Manual of Tests and Criteria, Part II, subsection 38. (mode 5).
21552-M	Veolia ES Technical Solutions, LLC.	172.320, 173.56(b)	To modify the special permit to authorize use of plain water as an alternative soaking solution. (mode 1).
21607-M	Amazon.com, Inc	172.200(b)(3), 172.315(a)(2), 176.30	To modify the special permit to authorize use by third-party logistics providers that utilize the grantee's hazardous materials classification system and customer fulfillment technologies in the Amazon Fulfillment Network. (modes 1, 2).
21774-M	American Airlines, Inc	172.203(a), 172.301(c), 173.309(c) ...	To modify the special permit to authorize an alternative outer packaging. (modes 1, 2, 3, 4, 5).
22004-M	VFT, LLC	172.101(j)(1), 172.200, 172.204(c)(3), 172.300, 172.301(c), 172.400, 173.27(b)(2), 175.1, 175.30(a)(1), 175.75.	To modify the special permit to extend the expiration date and to increase the geographic area of the special permit. (mode 4).

[FR Doc. 2025-14939 Filed 8-5-25; 8:45 am]

BILLING CODE 4910-60-P

UNIFIED CARRIER REGISTRATION PLAN

Sunshine Act Meetings

TIME AND DATE: August 7, 2025, 12:00 p.m. to 3:00 p.m., EDT

PLACE: The 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: 929 6697 3936, to listen and participate in this meeting. The website to participate via Zoom Meeting and Screenshare is <https://kellen.zoom.us/meeting/register/pZ4egaUkR922s1nYPv7omg>.

STATUS: This meeting will be open to the public.

MATTERS TO BE CONSIDERED: The Unified Carrier Registration Plan Board of Directors (the "Board") 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. Welcome and Call to Order—UCR Board Chair

The UCR Board Chair will welcome attendees, call the meeting to order, call roll for the Board, confirm the presence of a quorum, and facilitate self-introductions.

II. Verification of Publication of Meeting Notice—UCR Executive Director

The UCR Executive Director will verify publication of the meeting notice on the UCR website and distribution to the UCR contact list via email, followed by subsequent publication of the notice in the **Federal Register**.

III. Review and Approval of Board Agenda—UCR Board Chair

For Discussion and Possible Board Action

The proposed Agenda will be reviewed. The Board will consider action to adopt.

Ground Rules

➤ Board actions taken only in designated areas on the agenda

IV. Approval of Minutes of the June 12, 2025, UCR Board Meeting—UCR Board Chair

For Discussion and Possible Board Action

Draft Minutes from the June 12, 2025, UCR Board meeting will be reviewed. The Board will consider action to approve.

V. Report of FMCSA—FMCSA Representative

The Federal Motor Carrier Safety Administration (FMCSA) will provide a report on any relevant agency activity.

VI. Possible Renewal of Contracts for Compliance Specialists at Seikosoftware and DSL Transportation Services, Inc.—UCR Board Chair, UCR Executive Director, Seikosoftware and DSL

For Discussion and Possible Board Action

The UCR Board Chair, UCR Executive Director, Seikosoftware, and DSL will discuss possible renewal of the current contracts with Seikosoftware (for 2 FTEs) and DSL Transportation Services, Inc. (for 2 FTEs), for compliance specialists expiring on September 30, 2025. The Board may take action to approve the renewal of the contracts on terms and conditions approved by the Board.

VII. Possible Renewal of Contract With the UCR Executive Director—UCR Board Chair, UCR Legal Counsel

For Discussion and Possible Board Action

The UCR Board Chair, and UCR Plan Legal Counsel will discuss possible renewal of the current contract with the UCR Executive Director expiring on October 31, 2025. The Board may take action to approve the renewal of the contract on terms and conditions approved by the Board.

VIII. Possible Renewal of Contract With Kellen—UCR Board Chair, UCR Executive Director, UCR Legal Counsel

For Discussion and Possible Board Action

The UCR Board Chair, UCR Executive Director, and UCR Legal Counsel will discuss possible renewal of the UCR Plan's contract with Kellen for an additional one-year term as provided in the UCR Plan's current contract with Kellen. The Board may take action to exercise the option to renew the current UCR Plan contract with Kellen for an additional one-year period under such terms provided under the current contract.

IX. Subcommittee Reports

Audit Subcommittee—UCR Audit Subcommittee

No report.

Dispute Resolution Subcommittee—UCR Dispute Resolution Subcommittee Chair

The UCR Dispute Resolution Subcommittee Chair will report on the Dispute Resolution Subcommittee meeting that took place on July 10, 2025.

Education and Training Subcommittee—UCR Education and Training Subcommittee Chair

The UCR Education and Training Subcommittee Chair will provide an update on key projects and initiatives, including the ongoing development of the learning management program and training modules, awareness and engagement efforts for various

stakeholders, and the optimization of the website and newsletter.

Enforcement Subcommittee—UCR Enforcement Subcommittee Chair

The UCR Enforcement Subcommittee Chair will provide an update on current and planned initiatives, including efforts to enhance UCR enforcement efficiency, and recognition of states and inspectors.

Finance Subcommittee—UCR Finance Subcommittee Chair and UCR Depository Manager

A. Possible Approval of a 2027 UCR Plan Registration Year Fee and Revenue Requirement Recommendation to United States Department of Transportation/Federal Motor Carrier Safety Administration (“USDOT/FMCSA”) (From the Finance Subcommittee)—UCR Finance Subcommittee Chair and UCR Depository Manager

For Discussion and Possible Board Action

The UCR Finance Subcommittee Chair and UCR Depository Manager will present the Finance Subcommittee's recommendation to the Board regarding the 2027 UCR Plan Registration Year fee and revenue requirement including its analysis. The Board may take action to approve a 2027 UCR Plan Registration Year fee recommendation and revenue requirement to be forwarded to USDOT/FMCSA its consideration.

B. Selection of an External Auditor To Audit the Unified Carrier Registration Plan Depository for the Year Ended December 31, 2024—UCR Finance Subcommittee Chair and UCR Depository Manager

The UCR Finance Subcommittee Chair and UCR Depository Manager will discuss the engagement of WBL as an External Auditor to audit the UCR Plan Depository for the Year Ended December 31, 2024.

Industry Advisory Subcommittee—UCR Industry Advisory Subcommittee Chair and UCR Plan Board Member Monte Wiederhold

UCR Plan Board member Monte Wiederhold will discuss Broker

transparency under 49 CFR 371.3. Mr. Wiederhold will seek input during the discussion as to why this regulation is not being enforced and what can be done to achieve more enforcement?

Mr. Wiederhold will also discuss the process and numbers of Brokers registering for UCR.

X. Contractor Reports—UCR Board Chair

UCR Executive Director Update

The UCR Executive Director will provide a report covering his recent activity for the UCR Plan.

UCR Administrator Update (Kellen)

The UCR Chief of Staff will provide a management update covering any additional activity for the Depository, Operations, and Communications.

DSL Transportation Services, Inc.

DSL Transportation Services, Inc. will report on the latest data from the FARs program, Tier 5 and 6 unregistered motor carriers, and other matters.

Seikosoft

Seikosoft will provide an update on its recent/new activity related to the UCR's National Registration System.

XI. Other Business—UCR Board Chair

The UCR Board Chair will call for any other business, old or new, from the floor.

XII. Adjournment—UCR Board Chair

The UCR Board Chair will adjourn the meeting.

The agenda will be available no later than 5:00 p.m. Eastern daylight time, July 30, 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. 2025-14926 Filed 8-4-25; 4:15 pm]

BILLING CODE 4910-YL-P



FEDERAL REGISTER

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Wednesday,

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August 6, 2025

Part II

The President

Executive Order 14325—Amendment to Duties To Address the Flow of Illicit Drugs Across Our Northern Border

Executive Order 14326—Further Modifying the Reciprocal Tariff Rates

Executive Order 14327—President's Council on Sports, Fitness, and Nutrition, and the Reestablishment of the Presidential Fitness Test

Presidential Documents

Title 3—

Executive Order 14325 of July 31, 2025

The President

Amendment to Duties To Address the Flow of Illicit Drugs Across Our Northern Border

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), section 604 of the Trade Act of 1974, as amended (19 U.S.C. 2483), and section 301 of title 3, United States Code, I hereby determine and order:

Section 1. Background. In Executive Order 14193 of February 1, 2025 (Imposing Duties To Address the Flow of Illicit Drugs Across Our Northern Border), I declared a national emergency arising from certain conditions, including the public health crisis caused by fentanyl and other illicit drugs, and the failure of Canada to do more to arrest, seize, detain, or otherwise intercept drug trafficking organizations, other drug or human traffickers, criminals at large, and illicit drugs. In that order, I found that those conditions constitute an unusual and extraordinary threat, which has its source in substantial part outside the United States, to the national security, foreign policy, and economy of the United States.

To deal with the emergency declared in Executive Order 14193, I imposed an additional *ad valorem* rate of duty of 25 percent on certain articles that are products of Canada and an additional *ad valorem* rate of duty of 10 percent on certain energy or energy resources that are products of Canada. In Executive Order 14231 of March 6, 2025 (Amendment to Duties To Address the Flow of Illicit Drugs Across Our Northern Border), I provided that the additional *ad valorem* rates of duties under Executive Order 14193 do not apply to articles that are products of Canada that qualify for duty-free entry under the Agreement between the United States of America, United Mexican States, and Canada (USMCA), and I reduced the additional *ad valorem* rate of duty on potash from 25 percent to 10 percent.

Section 2(d) of Executive Order 14193 provides that “[s]hould Canada retaliate against the United States . . . through import duties on United States exports to Canada or similar measures,” I “may increase or expand in scope the duties imposed . . . to ensure the efficacy of th[e] action” taken in Executive Order 14193. Section 3(b) of Executive Order 14193 provides that the Secretary of Homeland Security, in coordination with other senior officials, “shall recommend additional action, if necessary, should the Government of Canada fail to take adequate steps to alleviate the illegal migration and illicit drug crises through cooperative enforcement actions.”

I have received additional information and recommendations from various senior officials regarding, among other things, Canada’s lack of cooperation in stemming the flood of fentanyl and other illicit drugs across our northern border—including its failure to devote satisfactory resources to arrest, seize, detain, or otherwise intercept drug trafficking organizations, other drug or human traffickers, criminals at large, and illicit drugs—and Canada’s efforts to retaliate against the United States in response to Executive Order 14193, as amended. After considering the additional information and recommendations that I have received, among other things, I have determined that, for the products of Canada that are subject to the additional *ad valorem* rate of duty of 25 percent, the additional *ad valorem* rate of duty shall increase from 25 percent to 35 percent. In my judgment, this action is

necessary and appropriate to deal with the emergency declared in Executive Order 14193.

Sec. 2. Implementation. (a) All articles that are subject to the additional *ad valorem* rate of duty of 25 percent under Executive Order 14193, as amended, shall instead be subject to an additional *ad valorem* rate of duty of 35 percent. Accordingly, the Harmonized Tariff Schedule of the United States (HTSUS) shall be modified as provided in the Annex to this order.

(b) The changes set forth herein shall be effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time on August 1, 2025.

(c) Nothing in this order shall be construed to alter or otherwise affect section 2(b) of Executive Order 14193 or section 2(a) or section 2(b) of Executive Order 14231.

(d) The stacking rules set out in Executive Order 14289 of April 29, 2025 (Addressing Certain Tariffs on Imported Articles), and any subsequent order or proclamation addressing stacking of tariffs imposed under IEEPA, shall continue to apply to goods that are subject to subsection (a) of this section.

(e) The Secretary of Homeland Security, in consultation with the United States International Trade Commission, shall determine whether any additional modifications to the HTSUS are necessary to effectuate this order and may make such modifications through notice in the *Federal Register*.

Sec. 3. Transshipment. (a) All articles of Canada that do not qualify as originating under USMCA and are determined by U.S. Customs and Border Protection (CBP) to have been transshipped to evade applicable duties under section 2 of this order shall be subject to (i) an additional *ad valorem* rate of duty of 40 percent, in lieu of the additional *ad valorem* rate of duty applicable under section 2 of this order to goods of the country of origin; (ii) any other applicable or appropriate fine or penalty, including those assessed under 19 U.S.C. 1592; and (iii) any other United States duties, fees, taxes, exactions, or charges applicable to goods of the country of origin. CBP shall not allow, consistent with applicable law, for mitigation or remission of the penalties assessed on imports found to be transshipped to evade applicable duties.

(b) The Secretary of Commerce and the Secretary of Homeland Security, acting through the Commissioner of CBP, in consultation with the United States Trade Representative, shall publish every 6 months a list of countries and specific facilities used in circumvention schemes, to inform public procurement, national security reviews, and commercial due diligence.

Sec. 4. Monitoring and Recommendations. (a) The Secretary of Homeland Security shall continue to monitor, and regularly consult with the Secretary of State, the Attorney General, the Assistant to the President for National Security Affairs, and the Assistant to the President for Homeland Security, on the situation at our northern border. The Secretary of Homeland Security shall inform the President of any circumstances that, in her opinion, might indicate the need for further action by the President. The Secretary of Homeland Security shall also inform the President of any circumstance that, in her opinion, might indicate that the Government of Canada has taken adequate steps to alleviate the emergency declared in Executive Order 14193.

(b) The Secretary of Homeland Security, in coordination with the Secretary of State, the Attorney General, the Assistant to the President for National Security Affairs, and the Assistant to the President for Homeland Security, shall recommend additional action, if necessary, should the Government of Canada fail to take adequate steps to alleviate the illicit drug crisis or should the Government of Canada retaliate against the United States in response to the actions taken in Executive Order 14193 or any subsequent order issued to address the emergency declared in Executive Order 14193.

Sec. 5. Delegation. The Secretary of Homeland Security, in consultation with the Secretary of the Treasury, the Attorney General, and the Secretary

of Commerce, is hereby authorized to take such actions, including adopting rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to implement this order. The Secretary of Homeland Security may, consistent with applicable law, redelegate any of these functions within the Department of Homeland Security. All executive departments and agencies shall take all appropriate measures within their authority to implement this order.

Sec. 6. *Severability.* If any provision of this order, or the application of any provision of this order to any individual or circumstance, is held to be invalid, the remainder of this order and the application of its provisions to any other individuals or circumstances shall not be affected.

Sec. 7. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

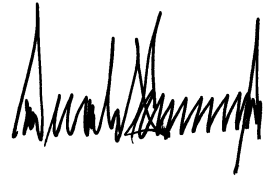
(i) the authority granted by law to an executive department or agency, or the head thereof; or

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

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

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

(d) The costs for publication of this order shall be borne by the Department of Homeland Security.

A handwritten signature in black ink, appearing to be 'Donald Trump', located at the bottom right of the page.

THE WHITE HOUSE,
July 31, 2025.

Annex

Effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time on August 1, 2025, subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States (HTSUS) is modified as follows:

(a) Heading 9903.01.10 of the HTSUS is amended by deleting “25%” each place that it appears and by inserting “35%” in lieu thereof; and

(b) Subdivision (j) of U.S. note 2 to subchapter III of chapter 99 of the HTSUS is amended by:

(i) deleting “25%” and inserting “35%” in lieu thereof, and

(ii) deleting “described in headings 9903.01.11, 9903.01.12, 9903.01.13, 9903.01.14, and 9903.01.15” and inserting “described in headings 9903.01.11, 9903.01.12, 9903.01.13, 9903.01.14, 9903.01.15 and 9903.01.16” in lieu thereof.

(c) Note 2 to subchapter III of chapter 99 of the HTSUS is modified by inserting new subdivision (m) in alphabetical order:

“(m) For the purposes of heading 9903.01.16, products of Canada that do not qualify as originating under the United States-Canada-Mexico Free Trade Agreement (USMCA) and are determined by U.S. Customs and Border Protection (“CBP”) to have been transshipped to evade applicable duties provided for by headings 9903.01.10, 9903.01.13, or 9903.01.15 shall be subject to an additional 40% ad valorem rate of duty in lieu of the additional rate of duty provided for in headings 9903.01.10, 9903.01.13, or 9903.01.15. Heading 9903.01.16 does not apply to products described in headings 9903.01.11, 9903.01.12, and 9903.01.14, or products for personal use included in accompanied baggage of persons arriving in the United States. Notwithstanding U.S. note 1 to this subchapter, all products of Canada that are subject to the additional ad valorem rate of duty imposed by heading 9903.01.16 shall also be subject to the general rates of duty imposed on products of Canada entered under subheadings in chapters 1 to 97 of the tariff schedule.

The additional duties imposed by heading 9903.01.16 apply to products of Canada including both goods of Canada under the rules set forth in part 102, title 19 of the Code of Federal Regulations, as applicable, as well as goods for which Canada was the last country of substantial transformation prior to importation into the United States.

Products of Canada that are eligible for temporary duty exemptions or reductions under subchapter II to chapter 99, shall be subject to the additional ad valorem rate of duty imposed by heading 9903.01.16.

The additional duties imposed by heading 9903.01.16 shall not apply to goods for which entry is properly claimed under a provision of chapter 98 of the tariff schedule pursuant to applicable regulations of CBP, and whenever CBP agrees that entry under such a provision is appropriate, except for goods entered under heading 9802.00.80; and subheadings 9802.00.40, 9802.00.50, and 9802.00.60. For subheadings 9802.00.40, 9802.00.50, and 9802.00.60, the additional duties apply to the value of repairs, alterations, or processing performed (in Canada), as described in the applicable subheading. For heading 9802.00.80, the additional duties apply to the value of the article assembled abroad (in Canada), less the cost or value of such products of the United States, as described.

Products of Canada that are provided for in heading 9903.01.16 shall continue to be subject to antidumping, countervailing, or other duties, taxes, fees, exactions and charges that apply to such products.

Products of Canada that are provided for in heading 9903.01.16 that are otherwise eligible for the administrative exemption from duty and certain taxes at 19 U.S.C. 1321(a)(2)(C) — known as the “de minimis” exemption — may continue to qualify for the exemption, but the de minimis exemption shall cease to be available for such articles upon notification by the Secretary of Commerce, in consultation with the Secretary of the Treasury, to the President that adequate systems are in place to fully and expediently process and collect tariff revenue applicable for covered articles otherwise eligible for the de minimis exemption.

(d) The HTSUS is modified as follows, to implement this provision: (i) by inserting the following new heading 9903.01.16 in numerical sequence, with the material in the new heading inserted in the columns of the HTSUS labeled “Heading/Subheading”, “Article Description”, “Rates of Duty 1—General”, “Rates of Duty 1—Special” and “Rates of Duty 2”, respectively:

Heading/ Subheading	Article Description	Rates of Duty	
		1	2
		General	Special

“9903.01.16	Except for products described in 9903.01.11, 9903.01.12, and 9903.01.14, articles the product of Canada as provided for in subdivision (m) to note 2 to this subchapter and determined by CBP to have been transshipped to evade applicable duties.	The duty provided in the applicable subheading + 40%	The duty provided in the applicable subheading	The duty provided in the applicable subheading”
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Presidential Documents

Executive Order 14326 of July 31, 2025

Further Modifying the Reciprocal Tariff Rates

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), section 604 of the Trade Act of 1974, as amended (19 U.S.C. 2483), and section 301 of title 3, United States Code, I hereby determine and order:

Section 1. Background. In Executive Order 14257 of April 2, 2025 (Regulating Imports With a Reciprocal Tariff To Rectify Trade Practices That Contribute to Large and Persistent Annual United States Goods Trade Deficits), I found that conditions reflected in large and persistent annual U.S. goods trade deficits constitute an unusual and extraordinary threat to the national security and economy of the United States that has its source in whole or substantial part outside the United States. I declared a national emergency with respect to that threat, and to deal with that threat, I imposed additional *ad valorem* duties that I deemed necessary and appropriate.

I have received additional information and recommendations from various senior officials on, among other things, the continued lack of reciprocity in our bilateral trade relationships and the impact of foreign trading partners' disparate tariff rates and non-tariff barriers on U.S. exports, the domestic manufacturing base, critical supply chains, and the defense industrial base. I also have received additional information and recommendations on foreign relations, economic, and national security matters, including the status of trade negotiations, efforts to retaliate against the United States for its actions to address the emergency declared in Executive Order 14257, and efforts to align with the United States on economic and national security matters.

For example, some trading partners have agreed to, or are on the verge of agreeing to, meaningful trade and security commitments with the United States, thus signaling their sincere intentions to permanently remedy the trade barriers that have contributed to the national emergency declared in Executive Order 14257, and to align with the United States on economic and national security matters. Other trading partners, despite having engaged in negotiations, have offered terms that, in my judgment, do not sufficiently address imbalances in our trading relationship or have failed to align sufficiently with the United States on economic and national-security matters. There are also some trading partners that have failed to engage in negotiations with the United States or to take adequate steps to align sufficiently with the United States on economic and national security matters.

After considering the information and recommendations that I have recently received, among other things, I have determined that it is necessary and appropriate to deal with the national emergency declared in Executive Order 14257 by imposing additional *ad valorem* duties on goods of certain trading partners at the rates set forth in Annex I to this order, subject to all applicable exceptions set forth in Executive Order 14257, as amended, in lieu of the additional *ad valorem* duties previously imposed on goods of such trading partners in Executive Order 14257, as amended.

Sec. 2. Tariff Modifications. (a) The Harmonized Tariff Schedule of the United States (HTSUS) shall be modified as provided in Annex II to this order. These modifications shall be effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or

after 12:01 a.m. eastern daylight time 7 days after the date of this order, except that goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time 7 days after the date of this order, and entered for consumption, or withdrawn from warehouse for consumption, before 12:01 a.m. eastern daylight time on October 5, 2025, shall not be subject to such additional duty and shall instead remain subject to the additional *ad valorem* duties previously imposed in Executive Order 14257, as amended.

(b) Certain foreign trading partners identified in Annex I to this order have agreed to, or are on the verge of concluding, meaningful trade and security agreements with the United States. Goods of those trading partners will remain subject to the additional *ad valorem* duties provided in Annex I to this order until such time as those agreements are concluded, and I issue subsequent orders memorializing the terms of those agreements.

(c) As provided in Annex I to this order, the additional *ad valorem* rate of duty applicable to any good of the European Union is determined by the good's current *ad valorem* (or *ad valorem* equivalent) rate of duty under column 1 (General) of the HTSUS ("Column 1 Duty Rate"). For a good of the European Union with a Column 1 Duty Rate that is less than 15 percent, the sum of its Column 1 Duty Rate and the additional *ad valorem* rate of duty pursuant to this order shall be 15 percent. For a good of the European Union with a Column 1 Duty Rate that is at least 15 percent, the additional *ad valorem* rate of duty pursuant to this order shall be zero.

(d) Goods of any foreign trading partner that is not listed in Annex I to this order will be subject to an additional *ad valorem* rate of duty of 10 percent pursuant to the terms of Executive Order 14257, as amended, unless otherwise expressly provided. This rate shall be effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time 7 days after the date of this order.

(e) The HTSUS shall also be modified by continuing to suspend headings 9903.01.43 through 9903.01.62 and 9903.01.64 through 9903.01.76, and subdivisions (v)(xiii)(1)–(9) and (11)–(57) of U.S. note 2 to subchapter III of chapter 99 of the HTSUS, until the effective date of the modifications provided in Annex II to this order. Upon the effective date of the modifications provided in Annex II to this order, to facilitate implementation of the rates of duty provided in Annex I to this order, headings 9903.01.43 through 9903.01.62 and 9903.01.64 through 9903.01.76, which are organized by rate of duty, and subdivisions (v)(xiii) (1)–(9) and (11)–(57) of U.S. note 2 to subchapter III of chapter 99 of the HTSUS shall be terminated as to future entries and replaced by the new trading partner-specific headings provided in Annex II to this order.

(f) Excluding the changes set forth in subsections (a) through (d) of this section, the terms of Executive Order 14257, as amended, shall continue to apply.

(g) Nothing in this order shall be construed to alter or otherwise affect Executive Order 14298 of May 12, 2025 (Modifying Reciprocal Tariff Rates To Reflect Discussions With the People's Republic of China).

(h) The Secretary of Commerce and the United States Trade Representative, in consultation with the Secretary of Homeland Security, acting through the Commissioner of U.S. Customs and Border Protection (CBP), and the Chair of the United States International Trade Commission, shall determine whether any additional modifications to the HTSUS are necessary to effectuate this order and may make such modifications through notice in the *Federal Register*.

Sec. 3. Transshipment. (a) An article determined by CBP to have been transshipped to evade applicable duties under section 2 of this order shall be subject to (i) an additional *ad valorem* rate of duty of 40 percent, in

lieu of the additional *ad valorem* rate of duty applicable under section 2 of this order to goods of the country of origin, (ii) any other applicable or appropriate fine or penalty, including those assessed under 19 U.S.C. 1592, and (iii) any other United States duties, fees, taxes, exactions, or charges applicable to goods of the country of origin. CBP shall not allow, consistent with applicable law, for mitigation or remission of the penalties assessed on imports found to be transshipped to evade applicable duties.

(b) The Secretary of Commerce and the Secretary of Homeland Security, acting through the Commissioner of CBP, in consultation with the United States Trade Representative, shall publish every 6 months a list of countries and specific facilities used in circumvention schemes, to inform public procurement, national security reviews, and commercial due diligence.

Sec. 4. Implementation. The Secretary of Commerce, the Secretary of Homeland Security, and the United States Trade Representative, as applicable, in consultation with the Secretary of State, the Secretary of the Treasury, the Assistant to the President for Economic Policy, the Assistant to the President and Senior Counselor for Trade and Manufacturing, the Assistant to the President for National Security Affairs, and the Chair of the International Trade Commission, are directed and authorized to take all necessary actions to implement and effectuate this order, consistent with applicable law, including through temporary suspension or amendment of regulations or notices in the *Federal Register* and by adopting rules, regulations, or guidance, and to employ all powers granted to the President by IEEPA, as may be necessary to implement this order. Each executive department and agency shall take all appropriate measures within its authority to implement this order.

Sec. 5. Monitoring and Recommendations. (a) The Secretary of Commerce and the United States Trade Representative shall monitor the circumstances involving the emergency declared in Executive Order 14257 and shall regularly consult on such circumstances with any senior official they deem appropriate. The Secretary of Commerce and the United States Trade Representative shall inform me of any circumstance that, in their opinion, might indicate the need for further action by the President. The Secretary of Commerce and the United States Trade Representative shall also inform me of any circumstance that, in their opinion, might indicate that a foreign trading partner has taken adequate steps to address the emergency declared in Executive Order 14257.

(b) The Secretary of Commerce and the United States Trade Representative, in consultation with any senior official they deem appropriate, shall recommend to me any necessary additional action if this action is not effective in resolving the emergency declared in Executive Order 14257.

(c) The Secretary of Commerce and the United States Trade Representative, in coordination with the appropriate senior officials, shall recommend additional action, if necessary, should a foreign trading partner fail to take adequate steps to address the emergency declared in Executive Order 14257 or should a foreign trading partner retaliate against the United States in response to the actions taken to address the emergency declared in Executive Order 14257 or any subsequent order issued to address that emergency.

Sec. 6. Severability. If any provision of this order, or the application of any provision of this order to any individual or circumstance, is held to be invalid, the remainder of this order and the application of its provisions to any other individuals or circumstances shall not be affected.

Sec. 7. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

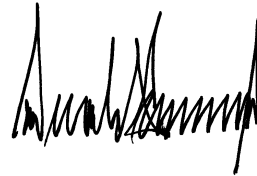
(i) the authority granted by law to an executive department or agency, or the head thereof; or

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

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

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

(d) The costs for publication of this order shall be borne by the Office of the United States Trade Representative.

A handwritten signature in black ink, appearing to be a stylized name with a long, sweeping underline.

THE WHITE HOUSE,
July 31, 2025.

ANNEX I

Countries and Territories	Reciprocal Tariff, Adjusted
Afghanistan	15%
Algeria	30%
Angola	15%
Bangladesh	20%
Bolivia	15%
Bosnia and Herzegovina	30%
Botswana	15%
Brazil	10%
Brunei	25%
Cambodia	19%
Cameroon	15%
Chad	15%
Costa Rica	15%
Côte d'Ivoire	15%
Democratic Republic of the Congo	15%
Ecuador	15%
Equatorial Guinea	15%
European Union: Goods with Column 1 Duty Rate ¹ $\geq$ 15%	0%
European Union: Goods with Column 1 Duty Rate < 15%	15% minus Column 1 Duty Rate
Falkland Islands	10%
Fiji	15%
Ghana	15%
Guyana	15%
Iceland	15%
India	25%
Indonesia	19%
Iraq	35%
Israel	15%

¹ For purposes of this Executive Order and its Annexes, "Column 1 Duty Rate" means the *ad valorem* (or *ad valorem* equivalent) rate of duty under column 1-General of the Harmonized Tariff Schedule of the United States (HTSUS).

Countries and Territories	Reciprocal Tariff, Adjusted
Japan	15%
Jordan	15%
Kazakhstan	25%
Laos	40%
Lesotho	15%
Libya	30%
Liechtenstein	15%
Madagascar	15%
Malawi	15%
Malaysia	19%
Mauritius	15%
Moldova	25%
Mozambique	15%
Myanmar (Burma)	40%
Namibia	15%
Nauru	15%
New Zealand	15%
Nicaragua	18%
Nigeria	15%
North Macedonia	15%
Norway	15%
Pakistan	19%
Papua New Guinea	15%
Philippines	19%
Serbia	35%
South Africa	30%
South Korea	15%
Sri Lanka	20%
Switzerland	39%
Syria	41%
Taiwan	20%
Thailand	19%
Trinidad and Tobago	15%
Tunisia	25%
Turkey	15%

Countries and Territories	Reciprocal Tariff, Adjusted
Uganda	15%
United Kingdom	10%
Vanuatu	15%
Venezuela	15%
Vietnam	20%
Zambia	15%
Zimbabwe	15%

ANNEX II

1. Effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time 7 days after the date of the executive order, excluding the day the executive order is signed, subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States (HTSUS) is modified as follows:
- a. Heading 9903.01.25 of the HTSUS shall be amended by deleting the article description and by inserting “Articles the product of any country, except for products described in headings 9903.01.26–9903.01.33, 9903.02.02–9903.02.71, and 9903.96.01, and except as provided for in headings 9903.01.34 and 9903.02.01, as provided for in subdivision (v) of U.S. note 2 to this subchapter” in lieu thereof; and

b. Headings 9903.01.43–9903.01.62 and 9903.01.64–9903.01.76 and corresponding subdivisions (v)(xiii)(1)–(9) and (11)–(57) of U.S. note 2 to subchapter III of chapter 99 of the HTSUS are hereby terminated as to any future entries.

c. Subdivision (v) of U.S. note 2 to subchapter III of chapter 99 of the HTSUS shall be amended by:

i. Deleting “and 9903.01.43–9903.01.76” each place that it appears and inserting “9903.01.63, and 9903.02.01–9903.02.71” in lieu thereof;

ii. Inserting the following new subdivision in numerical sequence at the end of subdivision (v) of U.S. note 2:

“As provided in headings 9903.02.19 and 9903.02.20, for any good of the European Union subject to a specific or compound rate of duty under column 1-General, the *ad valorem* equivalent rate of duty of such good shall be determined by dividing the amount of duty payable under column 1-General by the customs value of the good. For example, if a good were subject to a specific duty of 50 cents per kilogram, and one kilogram of the good were entered with a customs value of \$10, then the *ad valorem* equivalent rate of duty would be obtained by dividing 50 cents by \$10, yielding 5 percent.”

- d. The following new headings shall be inserted in numerical sequence, with the material in the new heading inserted in the columns of the HTSUS labeled “Heading/Subheading”, “Article Description”, “Rates of Duty 1-General”, “Rates of Duty 1-Special”, and “Rates of Duty 2”, respectively:

Heading / Subheading	Article Description	Rates of Duty		
		1		2
		General	Special	
9903.02.01	Articles the product of any country determined by U.S. Customs and Border Protection to have been transshipped to	The duty provided in the	The duty provided in the applicable	The duty provided in the

	evade applicable duties under section 2 of Executive Order [Insert EO number], as amended.	applicable subheading + 40%	subheading + 40%	applicable subheading
9903.02.02	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Afghanistan, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading
9903.02.03	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Algeria, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 30%	The duty provided in the applicable subheading + 30%	The duty provided in the applicable subheading
9903.02.04	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Angola, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading

9903.02.05	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Bangladesh, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 20%	The duty provided in the applicable subheading + 20%	The duty provided in the applicable subheading
9903.02.06	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Bolivia, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading
9903.02.07	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Bosnia and Herzegovina, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 30%	The duty provided in the applicable subheading + 30%	The duty provided in the applicable subheading
9903.02.08	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and	The duty provided in the applicable	The duty provided in the applicable	The duty provided in the applicable subheading

	entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Botswana, as provided for in subdivision (v) of U.S. note 2 to this subchapter	subheading + 15%	subheading + 15%	
9903.02.09	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Brazil, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 10%	The duty provided in the applicable subheading + 10%	The duty provided in the applicable subheading
9903.02.10	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Brunei, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 25%	The duty provided in the applicable subheading + 25%	The duty provided in the applicable subheading
9903.02.11	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in	The duty provided in the applicable subheading + 19%	The duty provided in the applicable subheading + 19%	The duty provided in the applicable subheading

	headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Cambodia, as provided for in subdivision (v) of U.S. note 2 to this subchapter			
9903.02.12	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Cameroon, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading
9903.02.13	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Chad, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading
9903.02.14	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Costa Rica, as provided for in	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading

	subdivision (v) of U.S. note 2 to this subchapter			
9903.02.15	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Côte d'Ivoire, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading
9903.02.16	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of the Democratic Republic of the Congo, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading
9903.02.17	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Ecuador, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading
9903.02.18	Except for goods loaded onto a vessel at the port of loading and in transit on the final	The duty provided in	The duty provided in	The duty provided in the

	mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Equatorial Guinea, as provided for in subdivision (v) of U.S. note 2 to this subchapter	the applicable subheading + 15%	the applicable subheading + 15%	applicable subheading
9903.02.19	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of the European Union, with an ad valorem (or ad valorem equivalent) rate of duty under column 1-General equal to or greater than 15 percent, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading	The duty provided in the applicable subheading	The duty provided in the applicable subheading
9903.02.20	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of the European Union, with an ad valorem (or ad valorem equivalent) rate of duty under column 1-General less than 15 percent, as provided for in subdivision (v) of U.S. note 2 to this subchapter	15%	15%	The duty provided in the applicable subheading

9903.02.21	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of the Falkland Islands, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 10%	The duty provided in the applicable subheading + 10%	The duty provided in the applicable subheading
9903.02.22	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Fiji, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading
9903.02.23	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Ghana, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading
9903.02.24	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and	The duty provided in the applicable	The duty provided in the applicable	The duty provided in the applicable subheading

	entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Guyana, as provided for in subdivision (v) of U.S. note 2 to this subchapter	subheading + 15%	subheading + 15%	
9903.02.25	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Iceland, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading
9903.02.26	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of India, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 25%	The duty provided in the applicable subheading + 25%	The duty provided in the applicable subheading
9903.02.27	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in	The duty provided in the applicable subheading + 19%	The duty provided in the applicable subheading + 19%	The duty provided in the applicable subheading

	headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Indonesia, as provided for in subdivision (v) of U.S. note 2 to this subchapter			
9903.02.28	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Iraq, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 35%	The duty provided in the applicable subheading + 35%	The duty provided in the applicable subheading
9903.02.29	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Israel, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading
9903.02.30	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Japan, as provided for in	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading

	subdivision (v) of U.S. note 2 to this subchapter			
9903.02.31	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Jordan, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading
9903.02.32	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Kazakhstan, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 25%	The duty provided in the applicable subheading + 25%	The duty provided in the applicable subheading
9903.02.33	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Laos, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 40%	The duty provided in the applicable subheading + 40%	The duty provided in the applicable subheading
9903.02.34	Except for goods loaded onto a vessel at the port of loading and in transit on the final	The duty provided in	The duty provided in	The duty provided in the

	mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Lesotho, as provided for in subdivision (v) of U.S. note 2 to this subchapter	the applicable subheading + 15%	the applicable subheading + 15%	applicable subheading
9903.02.35	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Libya, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 30%	The duty provided in the applicable subheading + 30%	The duty provided in the applicable subheading
9903.02.36	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Liechtenstein, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading
9903.02.37	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading

	a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Madagascar, as provided for in subdivision (v) of U.S. note 2 to this subchapter			
9903.02.38	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Malawi, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading
9903.02.39	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Malaysia, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 19%	The duty provided in the applicable subheading + 19%	The duty provided in the applicable subheading
9903.02.40	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading

	9903.01.34 and 9903.02.01, articles the product of Mauritius, as provided for in subdivision (v) of U.S. note 2 to this subchapter			
9903.02.41	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Moldova, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 25%	The duty provided in the applicable subheading + 25%	The duty provided in the applicable subheading
9903.02.42	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Mozambique, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading
9903.02.43	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Myanmar (Burma), as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 40%	The duty provided in the applicable subheading + 40%	The duty provided in the applicable subheading

9903.02.44	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Namibia, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading
9903.02.45	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Nauru, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading
9903.02.46	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of New Zealand, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading
9903.02.47	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and	The duty provided in the applicable	The duty provided in the applicable	The duty provided in the applicable subheading

	entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Nicaragua, as provided for in subdivision (v) of U.S. note 2 to this subchapter	subheading + 18%	subheading + 18%	
9903.02.48	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Nigeria, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading
9903.02.49	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of North Macedonia, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading
9903.02.50	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading

	headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Norway, as provided for in subdivision (v) of U.S. note 2 to this subchapter			
9903.02.51	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Pakistan, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 19%	The duty provided in the applicable subheading + 19%	The duty provided in the applicable subheading
9903.02.52	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Papua New Guinea, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading
9903.02.53	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of the Philippines, as provided for in	The duty provided in the applicable subheading + 19%	The duty provided in the applicable subheading + 19%	The duty provided in the applicable subheading

	subdivision (v) of U.S. note 2 to this subchapter			
9903.02.54	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Serbia, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 35%	The duty provided in the applicable subheading + 35%	The duty provided in the applicable subheading
9903.02.55	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of South Africa, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 30%	The duty provided in the applicable subheading + 30%	The duty provided in the applicable subheading
9903.02.56	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of South Korea, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading
9903.02.57	Except for goods loaded onto a vessel at the port of loading and in transit on the final	The duty provided in	The duty provided in	The duty provided in the

	mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Sri Lanka, as provided for in subdivision (v) of U.S. note 2 to this subchapter	the applicable subheading + 20%	the applicable subheading + 20%	applicable subheading
9903.02.58	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Switzerland, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 39%	The duty provided in the applicable subheading + 39%	The duty provided in the applicable subheading
9903.02.59	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Syria, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 41%	The duty provided in the applicable subheading + 41%	The duty provided in the applicable subheading
9903.02.60	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01	The duty provided in the applicable subheading + 20%	The duty provided in the applicable subheading + 20%	The duty provided in the applicable subheading

	a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Taiwan, as provided for in subdivision (v) of U.S. note 2 to this subchapter			
9903.02.61	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Thailand, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 19%	The duty provided in the applicable subheading + 19%	The duty provided in the applicable subheading
9903.02.62	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Trinidad and Tobago, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading
9903.02.63	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings	The duty provided in the applicable subheading + 25%	The duty provided in the applicable subheading + 25%	The duty provided in the applicable subheading

	9903.01.34 and 9903.02.01, articles the product of Tunisia, as provided for in subdivision (v) of U.S. note 2 to this subchapter			
9903.02.64	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Turkey, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading
9903.02.65	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Uganda, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading
9903.02.66	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34, 9903.02.01, and 9903.96.01, articles the product of the United Kingdom, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 10%	The duty provided in the applicable subheading + 10%	The duty provided in the applicable subheading

9903.02.67	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Vanuatu, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading
9903.02.68	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Venezuela, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading
9903.02.69	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Vietnam, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 20%	The duty provided in the applicable subheading + 20%	The duty provided in the applicable subheading
9903.02.70	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and	The duty provided in the applicable	The duty provided in the applicable	The duty provided in the applicable subheading

	entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Zambia, as provided for in subdivision (v) of U.S. note 2 to this subchapter	subheading + 15%	subheading + 15%	
9903.02.71	Except for goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. eastern daylight time on August 7, 2025, and entered for consumption or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on October 5, 2025, except for products described in headings 9903.01.30–9903.01.33, and except as provided for in headings 9903.01.34 and 9903.02.01, articles the product of Zimbabwe, as provided for in subdivision (v) of U.S. note 2 to this subchapter	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading + 15%	The duty provided in the applicable subheading

Presidential Documents

Executive Order 14327 of July 31, 2025

President's Council on Sports, Fitness, and Nutrition, and the Reestablishment of the Presidential Fitness Test

By the authority vested in me as President by the Constitution and the laws of the United States of America, and to promote the economic, academic, and social benefits of youth sports, fitness, and nutrition, it is hereby ordered:

Section 1. Revocation. Executive Order 13824 of February 26, 2018 (President's Council on Sports, Fitness, and Nutrition), is hereby revoked.

Sec. 2. Amendment. Executive Order 13265 of June 6, 2002 (President's Council on Physical Fitness and Sports), is hereby amended as follows:

(a) The title is revised to read as follows: "President's Council on Sports, Fitness, and Nutrition, and the Reestablishment of the Presidential Fitness Test".

(b) The preamble is revised to read as follows: "By the authority vested in me as President by the Constitution and the laws of the United States of America, and to establish the President's Council on Sports, Fitness, and Nutrition, and to reestablish the Presidential Fitness Test, it is hereby ordered:".

(c) Sections 1 through 5 are revised to read as follows:

"Section 1. Purpose. As the United States prepares to celebrate its semiquincentennial anniversary in 2026, we must address the threat to the vitality and longevity of our country that is posed by America's declining health and physical fitness. For far too long, the physical and mental health of the American people has been neglected. Rates of obesity, chronic disease, inactivity, and poor nutrition are at crisis levels, particularly among our children. These trends weaken our economy, military readiness, academic performance, and national morale. President Eisenhower recognized this issue when he created the President's Council on Youth Fitness in response to reports on the poor state of youth fitness in America. As President-elect, John F. Kennedy famously published an essay titled "The Soft American," which outlined the imperative for improved health in order to maintain a strong and vital America. During my first term, I renamed the council the "President's Council on Sports, Fitness, and Nutrition" and directed the development of a National Youth Sports Strategy, among other activities.

My Administration has taken decisive action to reverse this health crisis. In the first month of my second term, I created the President's Make America Healthy Again Commission to restore the urgency of improving the health of Americans. Now, we build further. To advance this commitment, I hereby reestablish the Presidential Fitness Test, which shall be administered by the Secretary of Health and Human Services with the support of the Secretary of Education.

With this order, I revitalize the President's Council on Sports, Fitness, and Nutrition as a cornerstone of our national health renewal. In 2026, we will celebrate the 250th anniversary of our great Nation, honor the 70th anniversary of the original President's Council on Youth Fitness, and showcase America's continued global dominance in sports. Over the next 3 years, America will host the Ryder Cup, the President's Cup, the FIFA World Cup, and the Olympic Games—the world's premiere sporting competitions. These events will provide inspiration for all generations of Americans.

Sec. 2. Policy. It is the policy of my Administration to:

(a) prioritize and expand children's participation in youth sports and active play;

(b) promote the physical, mental, and civic benefits of daily movement, exercise, and good nutrition; and

(c) engage every sector—public and private, civilian and military—in creating a national culture of strength, vitality, and excellence.

Sec. 3. *President's Council on Sports, Fitness, and Nutrition.* (a) There is hereby established the President's Council on Sports, Fitness, and Nutrition (Council).

(b) The Council shall consist of up to 30 members appointed by the President. Members shall serve for a term of 2 years, shall be eligible for reappointment, and may continue to serve after the expiration of their terms until the appointment of a successor. The President may designate one or more of the members as Chair or Vice Chair.

(c) The President shall designate an Executive Director of the Council who shall manage day-to-day operations; serve as a liaison to the President on matters and activities pertaining to the Council; and oversee engagement with executive departments and agencies, athletic institutions, and community partners.

Sec. 4. *Functions of the Council.* (a) The Council shall advise the President concerning progress made in carrying out the provisions of this order and shall recommend to the President actions to accelerate such progress.

(b) In advising the President pursuant to subsection (a) of this section, the Council shall recommend:

(i) strategies for reestablishing the Presidential Fitness Test, with any appropriate improvements, as the main assessment tool for a Presidential Fitness Award;

(ii) strategies for the development and promotion of Presidential challenges and school-based programs that reward excellence in physical education;

(iii) actions to expand opportunities at the global, national, State, and local levels for participation in sports and engagement in physical fitness;

(iv) bold and innovative fitness goals for American youth with the aim of fostering a new generation of healthy, active citizens;

(v) campaigns and events that elevate American sports, military readiness, and health traditions;

(vi) opportunities at the global, national, State, and local levels that expand participation in sports and emphasize the importance of an active lifestyle and good nutrition, which should include partnerships with professional athletes, sports organizations, player's associations, influential figures, non-profit organizations, and community groups to inspire all Americans, among other initiatives; and

(vii) strategies to address the growing national security threat posed by the increasing rates of childhood obesity, chronic diseases, and sedentary lifestyles, which threaten the future readiness of the United States workforce and military.

Sec. 5. *Administration.* (a) Each executive department and agency shall, to the extent permitted by law and subject to the availability of funds, furnish such information and assistance to the Council as it may request.

(b) Members of the Council shall serve without compensation but may receive travel reimbursement, including per diem in lieu of subsistence, as allowed under applicable law (5 U.S.C. 5701–5707), consistent with the availability of funds.

(c) The Department of Health and Human Services shall provide such funding and administrative and technical support as the Council may require, to the extent permitted by law and as authorized by existing appropriations.

(d) The Council may, with the approval of the President, establish subcommittees as appropriate to aid in its work.

(e) The seal prescribed by Executive Order 10830 of July 24, 1959 (Establishing a Seal for the President's Council on Physical Fitness and Sports), as amended, shall be modified to reflect the name of the Council as established by this order.

(f) Insofar as the Federal Advisory Committee Act, as amended (5 U.S.C. 1001 *et seq.*) (the "Act"), may apply to the administration of any portion of this order, any functions of the President under the Act, except that of reporting to the Congress, shall be performed by the Secretary of Health and Human Services in accordance with the guidelines and procedures issued by the Administrator of General Services.

(g) In accordance with the Act, the Council shall terminate 2 years from the date of this order, unless extended by the President.

(h) Executive Order 12345 of February 2, 1982 (Physical Fitness and Sports), as amended, is revoked."

(d) A new section 6 is added to read as follows:

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

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

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

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

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

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

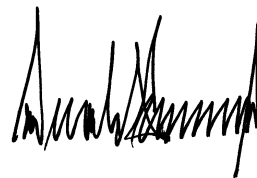
(i) the authority granted by law to an executive department or agency, or the head thereof; or

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

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

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

(d) The costs for publication of this order shall be borne by the Department of Education.

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

THE WHITE HOUSE,
July 31, 2025.



FEDERAL REGISTER

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No. 149

August 6, 2025

Part III

The President

Notice of August 4, 2025—Continuation of the National Emergency With Respect to Export Control Regulations

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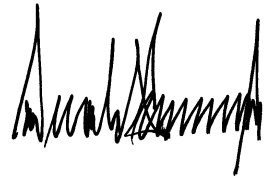
Notice of August 4, 2025

The President

Continuation of the National Emergency With Respect to Export Control Regulations

On August 17, 2001, the President issued Executive Order 13222 pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*). In that order, the President declared a national emergency with respect to the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States related to the expiration of the Export Administration Act of 1979, as amended (50 U.S.C. 4601 *et seq.*). Because the implementation of certain sanctions authorities, including sections 11A, 11B, and 11C of such Export Administration Act of 1979, consistent with section 1766(b) of Public Law 115–232, the Export Control Reform Act of 2018 (50 U.S.C. 4801 note), is to be carried out under the International Emergency Economic Powers Act, the national emergency declared on August 17, 2001, must continue in effect beyond August 17, 2025. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13222, as amended by Executive Order 13637 of March 8, 2013.

This notice shall be published in the *Federal Register* and transmitted to the Congress.



THE WHITE HOUSE,
August 4, 2025.

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