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U.S. GOVERNMENT
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FEDERAL REGISTER

Vol. 90 Friday,

No. 166 August 29, 2025

Pages 42131–42308

OFFICE OF THE FEDERAL REGISTER

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

FEDERAL LABOR RELATIONS AUTHORITY

5 CFR Parts 2424, 2425, and 2473

Changes to Geographical Jurisdictions and in Case Handling Procedures

AGENCY: Federal Labor Relations Authority.

ACTION: Final rule.

SUMMARY: The Federal Labor Relations Authority (FLRA) is amending regulations listing the current addresses and describing the geographic jurisdictions of the FLRA, including the Authority component, the General Counsel, and the Federal Service Impasses Panel. These changes reflect the closing of the Chicago Regional Office and changes to the geographical jurisdictions of the Atlanta, Denver, San Francisco, and Washington, DC Regional Directors. The FLRA is further amending regulations to remove references to its Collaboration and Alternative Dispute Resolution Office (CADRO) following the elimination of non-statutory functions to comply with Executive Order 14210, *Implementing the President's ''Department of Government Efficiency'' Workforce Optimization Initiative,* (Feb. 11, 2025).

DATES: Effective August 29, 2025.

ADDRESSES: Written comments about this final rule can be emailed to *fedregcomments@flra.gov* or sent to the Case Intake and Publication Office, Federal Labor Relations Authority, 1400 K Street NW, Washington, DC 20424. All written comments will be available for public inspection during normal business hours at the Case Intake and Publication Office.

FOR FURTHER INFORMATION CONTACT: Erica Balkum, Chief, Case Intake and Publication, at (771) 444–5805 or *fedregcomments@flra.gov.*

SUPPLEMENTARY INFORMATION: Effective January 28, 1980, the Authority and the General Counsel published, at 45 FR 3482, January 17, 1980, final rules and regulations to govern the processing of cases by the Authority and the General Counsel under Chapter 71 of Title 5 of the United States Code. These rules and regulations are required by Title VII of the Civil Service Reform Act of 1978 and are set forth in 5 CFR chapter XIV.

The FLRA amends its regulations related to the FLRA's addresses and geographical jurisdictions. The FLRA has decided to close its Chicago Regional Office and reassign its jurisdiction to other Regional Directors. This office is being closed due to significant staff attrition (voluntary resignations and retirements) throughout the first eight months of 2025 and the impending expiration of the office's lease in December 2025. At the time of this publication, only one employee out of a previous eight remains administratively tied to this Regional Office. Additionally, the lone remaining employee resides outside the office's commuting area and works remotely.

Given the significant loss of staff, resulting underutilization of office space, and lease expiration, the FLRA has determined the best course of action is to close the Chicago Regional Office. The Authority expects no adverse effect on the quality or efficiency of case-handling to result from the closure.

These amendments update paragraphs (d) and (f) of Appendix A to 5 CFR chapter XIV to reflect the new organizational structure by removing the Chicago Regional Office from the list of current addresses, telephone numbers, and fax numbers of the FLRA's Regional Offices and by revising the FLRA's geographical jurisdictions.

For additional information regarding case handling procedures following the Chicago Regional Office closure, please go to *www.flra.gov.*

Further, in accordance with the President's direction to eliminate offices that are not statutorily-mandated, Executive Order 14210 § 3(c) & (e), the FLRA is eliminating CADRO, an office that is not statutorily-mandated. *See* 5 U.S.C. 7101–7135. Remaining components will continue to use Alternative Dispute Resolution (ADR), when appropriate, however there will no longer be a separate, dedicated FLRA office focusing exclusively on the use of ADR. CADRO services were always voluntary and at the discretion of the FLRA, as resources permitted.

These further amendments update parts 2424, 2425, and 2473 of 5 CFR chapter XIV to reflect that there will no longer be a CADRO office within the FLRA. To reflect this change, the FLRA amends its case-handling procedures for negotiability petitions and arbitration-award reviews to remove references to the voluntary use of CADRO.

Regulatory Procedures

Executive Order 12866, Regulatory Review

This final rule is not a significant regulatory action for the purposes of E.O. 12866 (58 FR 51735, Sept. 30, 1993).

Executive Order 13132, Federalism

This final rule will not have a substantial direct effect on the States, on the relationship between the Federal government and the States, or on the distribution of power and responsibilities among the various levels of government under E.O. 13132 (64 FR 43255, Aug. 4, 1999).

Executive Order 14192, Regulatory Repeal

This final rule is not a regulatory action under E.O. 14192 (90 FR 9065, Jan. 31, 2025).

Executive Order 14215, Ensuring Accountability for All Agencies

Pursuant to E.O. 14215, the Office of Information and Regulatory Affairs within the Office of Management and Budget has reviewed this final rule for compliance with applicable law.

Executive Order 14219, Deregulation Initiative

This final rule complies with the requirements of E.O. 14219 (90 FR 10583, Feb. 19, 2025).

Paperwork Reduction Act of 1995

The final rule contains no additional information collection or record-keeping requirements under the Paperwork Reduction Act of 1995, 44 U.S.C. 3501, *et seq.*

Regulatory Flexibility Act Certification

Pursuant to section 605(b) of the Regulatory Flexibility Act, 5 U.S.C. 605(b), the FLRA Chairman has determined that the final rule will not have a significant impact on a substantial number of small entities, because this final rule applies only to

Federal agencies, Federal employees, and labor organizations representing those employees.

Small Business Regulatory Enforcement Fairness Act of 1996

This action is not a major rule as defined by section 804 of the Small Business Regulatory Enforcement Fairness Act of 1996. This final rule will not result in an annual effect on the economy of $100,000,000 or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets.

Unfunded Mandates Reform Act of 1995

This final rule will not result in the expenditure by state, local, and tribal governments, in the aggregate, or by the private sector, of $100,000,000 or more in any one year, and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

List of Subject in 5 CFR Parts 2424, 2425, and 2473

Administrative practice and procedure.

For the reasons discussed in the preamble, the FLRA amends 5 CFR parts 2424, 2425, and 2473 as follows:

PART 2424—NEGOTIABILITY PROCEEDINGS

■ 1. The authority citation for part 2424 continues to read as follows:

Authority: 5 U.S.C. 7134.

■ 2. Revise § 2424.1 to read as follows:

§ 2424.1 Applicability of this part.

This part applies to all petitions for review filed on or after August 29, 2025.

§ 2424.2 [Amended]

■ 3. Amend § 2424.2 by removing and reserving paragraph (b).

■ 4. Revise the heading of Subpart B to read as follows:

Subpart B—Requesting and Providing Allegations Concerning the Duty To Bargain

§ 2424.10 [Removed and Reserved]

■ 5. Remove and reserve § 2424.10.

PART 2425—REVIEW OF ARBITRATION AWARDS

■ 6. The authority citation for part 2425 continues to read as follows:

Authority: 5 U.S.C. 7134.

■ 7. Revise § 2425.1 to read as follows:

§ 2425.1 Applicability of this part.

This part applies to all arbitration cases in which exceptions are filed with the Authority, pursuant to 5 U.S.C. 7122, on or after August 29, 2025.

§ 2425.8 [Removed and Reserved]

■ 8. Remove and reserve § 2425.8.

PART 2473—SUBPOENAS

■ 9. The authority citation for part 2473 continues to read as follows:

Authority: 5 U.S.C. 7119, 7134.

■ 10. Amend Appendix A to 5 CFR chapter XIV by:

■ a. Removing paragraph (d)(3);

■ b. Redesignating paragraphs (d)(4) and (d)(5) as (d)(3) and (d)(4); and

■ c. Revising paragraph (f).

The revision reads as follows:

Appendix A to 5 CFR Chapter XIV—Current Addresses and Geographic Jurisdictions

* * * * *

(f) The geographic jurisdictions of the Regional Directors of the Federal Labor Relations Authority are as follows:

State or other locality	Regional office
Alabama	Atlanta.
Alaska	San Francisco.
Arizona	San Francisco.
Arkansas	Denver.
California	San Francisco.
Colorado	Denver.
Connecticut	Washington, DC.
Delaware	Washington, DC.
District of Columbia	Washington, DC.
Florida	Atlanta.
Georgia	Atlanta.
Hawaii, and all land and water areas west of the continents of North and South America (except coastal islands) to long. 90 degrees East.	San Francisco.
Idaho	Denver.
Illinois	Denver.
Indiana	Denver.
Iowa	Denver.
Kansas	Denver.
Kentucky	Atlanta.
Louisiana	Denver.
Maine	Washington, DC.
Maryland	Washington, DC.
Massachusetts	Washington, DC.
Michigan	Washington, DC.
Minnesota	Denver.
Mississippi	Atlanta.
Missouri	Denver.
Montana	Denver.
Nebraska	Denver.
Nevada	San Francisco.
New Hampshire	Washington, DC.
New Jersey	Washington, DC.
New Mexico	San Francisco.

State or other locality	Regional office
New York	Washington, DC.
North Carolina	Atlanta.
North Dakota	Denver.
Ohio	Washington, DC.
Oklahoma	Denver.
Oregon	San Francisco.
Pennsylvania	Washington, DC.
Puerto Rico and coastal islands	Atlanta.
Rhode Island	Washington, DC.
South Carolina	Atlanta.
South Dakota	Denver.
Tennessee	Atlanta.
Texas	San Francisco.
Utah	Denver.
Vermont	Washington, DC.
Virginia	Washington, DC.
Washington	Denver.
West Virginia	Washington, DC.
Wisconsin	Denver.
Wyoming	Denver.
Virgin Islands	Atlanta.
Panama/limited FLRA jurisdiction	Atlanta.
All land and water areas east of the continents of North and South America to long. 90 degrees East, except the Virgin Islands, Panama/limited FLRA jurisdiction, Puerto Rico and coastal islands.	Washington, DC.

Dated: August 27, 2025.

Thomas Tso,

Solicitor, Federal Labor Relations Authority.

[FR Doc. 2025–16660 Filed 8–28–25; 8:45 am]

BILLING CODE 7627–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2025–1671; Airspace Docket No. 25–ANE–11]

RIN 2120–AA66

Amendment of Class E4 Airspace Over Elmira, NY

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Class E4 airspace at Elmira/Corning Regional Airport, Elmira, NY, due to the currently designated airspace not properly containing instrument flight rule (IFR) operations, which require controlled airspace.

DATES: Effective 0901 UTC, November 27, 2025. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

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

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

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

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

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

History

The FAA published an NPRM for Docket No. FAA–2025–1671 in the **Federal Register** (90 FR 30831; July 11, 2025), proposing to amend Class E airspace over Elmira/Corning Regional Airport, Elmira, NY. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Incorporation by Reference

Class E airspace designations are published in paragraph 6004 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document amends the latest version of that order, FAA Order JO 7400.11K, dated August 4, 2025, and effective September 15, 2025. These amendments will be published in the next update to FAA Order JO 7400.11. FAA Order JO 7400.11K, which lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points, is publicly available as listed in the **ADDRESSES** section of this document.

The Rule

This action amends 14 CFR part 71 by modifying the Class E4 airspace for Elmira/Corning Regional Airport, Elmira, NY. Controlled airspace is necessary for the safety and management of IFR operations in the

area for existing instrument approach procedures.

This action amends the Class E4 airspace over Elmira, NY, by changing the airspace dimensions to: that airspace extending upward from the surface within 1.9 miles each side of the 050° bearing from the airport extending from the 4.2-mile radius of Elmira/Corning Regional Airport to 6.2-miles northeast of the airport, within 1.9 miles each side of the 090° bearing from the airport extending from the 4.2-mile radius to 6.3 miles east of the airport, within 1.9 miles each side of the 230° bearing from the airport extending from the 4.2-mile radius to 7.1 miles southwest of the airport, and within 1.8 miles each side of the 269° bearing from the airport extending from the 4.2-mile radius to 8 miles northwest of the airport. This reconfiguration properly contains the currently published standard instrument approach procedures.

Regulatory Notices and Analyses

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

Environmental Review

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

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

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

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

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

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11K, Airspace Designations and Reporting Points, dated August 4, 2025, and effective September 15, 2025, is amended as follows:

Paragraph 6004 Class E Airspace Designated as an Extension to a Class D Surface Area.

* * * * *

AEA NY E4 Elmira, NY [Amended]

Elmira/Corning Regional Airport, NY
(Lat. 42°09′35″ N, long. 76°53′30″ W)

That airspace extending upward from the surface within 1.9 miles each side of the 050° bearing from the airport extending from the 4.2-mile radius of Elmira/Corning Regional Airport to 6.2-miles northeast of the airport, within 1.9 miles each side of the 090° bearing from the airport extending from the 4.2-mile radius to 6.3 miles east of the airport, within 1.9 miles each side of the 230° bearing from the airport extending from the 4.2-mile radius to 7.1 miles southwest of the airport, and within 1.8 miles each side of the 269° bearing from the airport extending from the 4.2-mile radius to 8 miles northwest of the airport.

* * * * *

Issued in College Park, Georgia, on August 27, 2025.

Patrick Young,

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

[FR Doc. 2025–16654 Filed 8–28–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 14

[Docket No. FDA–2025–N–2427]

Advisory Committee; Arthritis Advisory Committee; Termination; Removal From List of Standing Committees

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA or the Agency) is announcing the termination of the Arthritis Advisory Committee (Committee). Due to that termination, this final rule removes the Committee from the Agency's list of standing advisory committees in 21 CFR 14.100.

DATES: This rule is effective August 29, 2025.

FOR FURTHER INFORMATION CONTACT: Emily Helms Williams, Director, Advisory Committee Oversight and Management Staff, Office of the Chief Scientist, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 1, Silver Spring, MD 20993–0002, 301–796–3381, *Emily.HelmsWilliams@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: The Arthritis Advisory Committee was established on April 5, 1974 (39 FR 14737), to advise the Commissioner of Food and Drugs or designee in discharging responsibilities as they relate to helping to ensure safe and effective drugs for human use in arthritic conditions, and as required, any other product for which FDA has regulatory responsibility.

This Committee has met infrequently in recent years, and FDA has determined that the effort and expense of maintaining the Committee is no longer justified. The Committee was terminated on July 30, 2025 (90 FR 35876). Therefore, the Agency is amending 21 CFR 14.100 to remove the Committee's name and function from its current list of standing advisory committees, as set forth in the regulatory text of this document.

Under 5 U.S.C. 553(b)(4)(B) and (d) and 21 CFR 10.40(d) and (e), the Agency finds good cause to dispense with notice and public comment procedures and to proceed to an immediate effective date on this rule.

Notice and public comment and a delayed effective date are unnecessary and are not in the public interest as this

final rule is merely codifying the removal of the name and function of the Committee from the list of standing FDA advisory committees in 21 CFR 14.100. The termination of this Committee is already effective.

Therefore, the Agency is amending § 14.100(c) as set forth in the regulatory text of the document.

List of Subjects in 21 CFR Part 14

Administrative practice and procedure, Advisory committee, Color additives, Drugs, Radiation protection.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 14 is amended as follows:

PART 14—PUBLIC HEARING BEFORE A PUBLIC ADVISORY COMMITTEE

■ 1. The authority citation for 21 CFR part 14 continues to read as follows:

Authority: 5 U.S.C. 1001 *et seq.;* 15 U.S.C. 1451–1461; 21 U.S.C. 41–50, 141–149, 321–394, 467f, 679, 821, 1034; 28 U.S.C. 2112; 42 U.S.C. 201, 262, 263b, 264, 284m, 284m–1; Pub. L. 107–109, 115 Stat. 1419.

§ 14.100 [Amended]

■ 2. Section 14.100 is amended by removing paragraph (c)(3) and redesignating paragraphs (c)(4) through (18) as (c)(3) through (17).

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–16629 Filed 8–28–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket No. USCG–2025–0804]

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

AGENCY: Coast Guard, DHS.

ACTION: Notification of enforcement of regulation.

SUMMARY: The Coast Guard will enforce a special local regulation for the Clearwater Offshore Nationals on September 27, 2025 and September 28, 2025, to provide for the safety of life on navigable waterways during this event. Our regulation for marine events within the Captain of the Port (COTP) Sector St. Petersburg zone identifies the regulated area for this event in Clearwater, FL. During the enforcement periods, the operator of any vessel in the regulated area must comply with directions from the Patrol Commander or any Official Patrol displaying a Coast Guard ensign.

DATES: The regulations in 33 CFR 100.703 will be enforced for the Clearwater Offshore Nationals race regulated areas listed in Item No. 6, Table 1 to § 100.703, from 10 a.m. until 5 p.m., from September 27, 2025 through September 28, 2025.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notification of enforcement, call or email Lieutenant Ryan McNaughton. Sector St. Petersburg, Ports & Waterways Branch Chief, U.S. Coast Guard; telephone (813) 918–7270, email *Ryan.A.McNaughton@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce a special local regulation in 33 CFR 100.703 for the Clearwater Offshore Nationals regulated area in Item No. 6, Table 1 to § 100.703, from 10 a.m. until 5 p.m., from September 27, 2025, through September 28, 2025. This action is being taken to provide for the safety of life on navigable waterways during this 2-day event. Our regulation for recurring marine events within the COTP Sector St. Petersburg, § 100.703, specifies the location of the regulated area for the Clearwater Offshore Nationals which encompasses portions of the Gulf of America near Clearwater, FL. During the enforcement periods, as reflected in § 100.703(c), if you are the operator of a vessel in the regulated area you must comply with directions from the Patrol Commander or any 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 notice of enforcement in the **Federal Register**, the Coast Guard will provide notice of the regulated area via Local Notice to Mariners, Marine Safety Information Bulletins, Broadcast Notice to Mariners, and on-scene designated representatives.

Dated: August 25, 2025.

Courtney A. Sergent,

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

[FR Doc. 2025–16684 Filed 8–28–25; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2025–0667]

RIN 1625–AA00

Fixed and Moving Safety Zone, Vicinity of the M/V ZHEN HUA 29; Freeport Ship Channel, Freeport, TX

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing two temporary safety zones, a moving safety zone and a fixed safety zone, around the M/V ZHEN HUA 29 in the navigable waters of the Freeport Ship Channel and its vicinity. The temporary safety zones are necessary to protect persons, property, and the marine environment from potential hazards associated with the transit and delivery of large gantry cranes. People and vessels are prohibited from entering, transiting through, anchoring in, or remaining within the safety zones unless specifically authorized by the Captain of the Port (COTP) Houston-Galveston or a designated representative.

DATES: This rule is effective from 5 a.m. on September 15, 2025, through 5 p.m. on October 31, 2025.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *https://www.regulations.gov,* type USCG–2025–0667 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 proposed rulemaking, call or email Lieutenant Ignacio J. Fernández-Cuervo, Marine Safety Unit Texas City, Waterways Management Division, U.S. Coast Guard; telephone (281) 309–1617, email *MSUTexasCityWaterways@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

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

II. Background Information and Regulatory History

The Coast Guard is issuing this temporary rule under the authority in 5

U.S.C. 553(b)(B). This statutory provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' The Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because it is impracticable and contrary to the public interest. The gantry cranes will be delivered from the M/V ZHEN HUA 29, an approximately 800' long cargo ship. The vessel's size, and the size of the gantry cranes, presents a risk to vessels transiting in the Freeport Ship Channel. It is impracticable to publish an NPRM and receive and consider public comments because prompt action is needed to address potential safety hazards associated with the transit and delivery of the gantry cranes, which may begin as early as September 15, 2025.

Also, 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 would be contrary to the public interest because prompt action is needed to respond to the potential safety hazards associated with the transfer of gantry cranes beginning on September 15, 2025.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034. The COTP Houston-Galveston has determined that potential hazards associated with the transfer of gantry cranes starting September 15, 2025, will be a safety concern for anyone within a 100-yard radius while the M/V ZHEN HUA 29 is in inbound and outbound in the Freeport Ship Channel, and for anyone within 25-yard radius while the M/V ZHEN HUA 29 is moored in Port Freeport. This rule is needed to protect people, property, and the marine environment within the navigable waters of the safety zones while the M/V ZHEN HUA 29 transits to and conducts unloading operations in Freeport, Texas.

IV. Discussion of the Rule

This rule establishes two temporary safety zones from 5 a.m. on September 15, 2025, through 5 p.m. on October 31, 2025. The temporary safety zones include a moving safety zone and a fixed safety zone. The moving safety zone will only be enforced when the vessel is transiting. The fixed safety zone will only be enforced when the vessel is moored at Port Freeport. This moving safety zone includes all waters within 100 yards of the M/V ZHEN HUA 29 as the vessel transits inbound and outbound in the Freeport Ship Channel. During the inbound transit, the safety zone will begin at approximate position 28°52.483′ N, 95°14.017′ W, located in the Gulf of America, and will end when the ship is moored in Port Freeport. During the outbound transit, the safety zone will begin when the ship gets underway from Port Freeport and will end when the ship reaches the same position in the Gulf of Mexico, 28°52.483′ N, 95°14.017′ W. The fixed safety zone includes all waters within 25 yards of the M/V ZHEN HUA 29 once M/V ZHEN HUA 29 is moored at Port Freeport in Freeport, Texas, located at approximate position 28°56.567′ N, 95°19.817′ W.The duration of the zones is intended to ensure the safety of the public and navigable waters in the specified areas during the transit of the gantry cranes in the Freeport Ship Channel and while the vessel is moored and unloading. No vessel or person will be permitted to enter, transit through, anchor in, or remain within the safety zones without obtaining permission from the COTP or a designated representative.

V. Regulatory Analyses

We developed this rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive orders.

A. 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 rule will not have a significant economic impact on a substantial number of small entities for the following reasons. Although the rule prohibits people and vessels from entering, transiting through, anchoring in, or remaining within the regulated area, vessels may safely navigate around the safety zone, and may transit through it with the permission of the COTP or a designated representative. The Coast Guard will provide advance notification of the safety zones to the local maritime community by Local Notice to Mariners and/or Broadcast Notice to Mariners, and the rule would allow vessels to seek permission to enter the zones.

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.

B. 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).

C. 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.

D. 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.

E. 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 safety zones that will prohibit people and vessels from entering, transiting through, anchoring in, or remaining within the area around a vessel delivering gantry cranes in the Freeport Ship Channel. 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 discussed 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.T08–0667 to read as follows:

§ 165.T08–0667 Fixed and Moving Safety Zones; Vicinity of the M/V ZHEN HUA 29, Freeport Ship Channel and Freeport, TX

(a) *Location.* The following areas are safety zones:

(1) Moving Safety Zone: This area includes all waters within 100 yards of the M/V ZHEN HUA 29 as the vessel transits inbound and outbound through the Freeport Ship Channel. During the inbound transit, the safety zone will begin when the ship reaches approximate position 28°52.483′ N, 95°14.017′ W, located in the Gulf of America off the coast of Freeport, Texas, and will end when the ship is moored at Port Freeport. During the outbound transit, the safety zone will begin when the ship gets underway from Port Freeport and will end when the ship reaches approximate position 28°52.483′ N, 95°14.017′ W, located in the Gulf of America off the coast of Freeport, Texas.

(2) Fixed Safety Zone: This area includes all waters within 25 yards of the M/V ZHEN HUA 29 during the time the M/V ZHEN HUA 29 is moored at Port Freeport in Freeport, Texas, located at 28°56.567′ N 95°19.817′ W.

(b) *Definition.* The term ''designated representative'' means Coast Guard Patrol Commanders, including Coast Guard coxswains, petty officers, and other officers operating Coast Guard vessels, and Federal, State, and local officers designated by or assisting the COTP Houston-Galveston in the enforcement of the regulated areas.

(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 by telephone at 866–539–8114, or the COTP's designated representative via VHF radio on channel 16. 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 Period.* This section will be subject to enforcement from 5 a.m. on September 15, 2025, through 5 p.m. on October 31, 2025. The moving safety zone will only be enforced when the vessel is transiting. The fixed safety zone will only be enforced when the vessel is moored at Port Freeport.

Dated: August 25, 2025.

Nicole D. Rodriguez,

Captain, U.S. Coast Guard, Captain of the Port Houston-Galveston.

[FR Doc. 2025–16617 Filed 8–28–25; 8:45 am]

BILLING CODE 9110–04–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 64

[GN Docket No. 25–133, CG Docket Nos. 21–402, 02–278, 17–59; DA 25–621; FR ID 309968]

Delete, Delete, Delete; Targeting and Eliminating Unlawful Text Messages; Rules and Regulations Implementing of the Telephone Consumer Protection Act of 1991; Advanced Methods To Target and Eliminate Unlawful Robocalls

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Federal Communications Commission (Commission) conforms the Commission's rules to a court decision nullifying the first full paragraph of the revised prior express written consent rule adopted in the *Second Text Blocking Report and Order*. The court issued its mandate on April 30, 2025, which vacated, as of that date, the rule change for the first full paragraph of the Prior Express Written Consent Requirements section that the Commission adopted in 2023 in Targeting and Eliminating Unlawful Text Messages; Rules and Regulations Implementing of the Telephone Consumer Protection Act of 1991; Advanced Methods to Target and Eliminate Unlawful Robocalls, and Second Report and Order, Second Further Notice of Proposed Rulemaking, and Waiver Order.

DATES: This rule is effective August 29, 2025.

FOR FURTHER INFORMATION CONTACT: Mika Savir of the Consumer Policy Division, Consumer and Governmental Affairs Bureau, at *mika.savir@fcc.gov* or (202) 418–0384.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Order, in GN Docket No. 25–133, CG Docket Nos. 21–402, 02–278, and 17–59, DA 25–621, adopted and released on July 14, 2025. The full text of this document is available online at *https://docs.fcc.gov/public/attachments/DA-25-621A1.pdf*. To request this document in accessible formats for people with disabilities (*e.g.,* Braille, large print, electronic files, audio format) or to request reasonable accommodations (*e.g.,* accessible format documents, sign language interpreters, CART), send an email to *fcc504@fcc.gov* or call the FCC's Consumer and Governmental Affairs Bureau at (202) 418–0530.

Congressional Review Act

The Commission sent a copy of the Order to Congress and the Government Accountability Office pursuant to the Congressional Review Act, 5 U.S.C. 801(a)(1)(A).

Synopsis

1. The United States Court of Appeals for the Eleventh Circuit vacated and remanded the part of the Commission's order adopting the revised rule section 47 CFR 64.1200(f)(9) in Targeting and Eliminating Unlawful Text Messages; Rules and Regulations Implementing of the Telephone Consumer Protection Act of 1991; Advanced Methods to Target and Eliminate Unlawful Robocalls, CG Docket Nos. 21–402, 02–278, and 17–59, Second Report and Order, Second Further Notice of Proposed Rulemaking in CG Docket Nos. 02–278 and 21–402, and Waiver Order in CG Docket No. 17–59, 89 FR 5117 (Jan. 26, 2024). Pursuant to F. R. App. P. 41(b), the court issued its mandate on April 30, 2025, which vacated, as of that date, the rule change for the first full paragraph of § 64.1200(f)(9) that the Commission adopted in 2023. This action reinstates in the Commission's rules the prior version of § 64.1200(f)(9). Prior to the court's mandate, the Commission had postponed the effective date of the revised rule and the revised rule had not gone into effect.

2. The Commission for good cause finds that notice and comment are unnecessary for this rule amendment under 5 U.S.C. 553(b)(B) because this ministerial order merely implements the mandate of the United States Court of Appeals for the Eleventh Circuit, and the Commission lacks discretion to depart from this mandate. Because this Order is being adopted without notice and comment, the Regulatory Flexibility Act does not apply.

List of Subjects in 47 CFR Part 64

Communications common carriers, Reporting and recordkeeping requirements, Telecommunications, Telephone.

Federal Communications Commission.

Robert Garza,

Legal Advisor, Consumer and Governmental Affairs Bureau.

Final Rules

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 64 as follows:

PART 64—MISCELLANEOUS RULES RELATING TO COMMON CARRIERS

■ 1. The authority citation for part 64 continues to read as follows:

Authority: 47 U.S.C. 151, 152, 154, 201, 202, 217, 218, 220, 222, 225, 226, 227, 227b, 228, 251(a), 251(e), 254(k), 255, 262, 276, 403(b)(2)(B), (c), 616, 620, 716, 1401–1473, unless otherwise noted; Pub. L. 115–141, Div. P, sec. 503, 132 Stat. 348, 1091; Pub. L. 117–338, 136 Stat. 6156.

Subpart L—Restrictions on Telemarketing, Telephone Solicitation, and Facsimile Advertising

■ 2. Amend § 64.1200 by revising paragraph (f)(9) to read as follows:

§ 64.1200 Delivery restrictions.

* * * * *

(f) * * *

(9) The term prior express written consent means an agreement, in writing, bearing the signature of the person called that clearly authorizes the seller to deliver or cause to be delivered to the person called advertisements or telemarketing messages using an automatic telephone dialing system or an artificial or prerecorded voice, and the telephone number to which the signatory authorizes such advertisements or telemarketing messages to be delivered.

(i) The written agreement shall include a clear and conspicuous disclosure informing the person signing that:

(A) By executing the agreement, such person authorizes the seller to deliver or cause to be delivered to the signatory telemarketing calls using an automatic telephone dialing system or an artificial or prerecorded voice; and

(B) The person is not required to sign the agreement (directly or indirectly), or agree to enter into such an agreement as a condition of purchasing any property, goods, or services.

(ii) The term ''signature'' shall include an electronic or digital form of signature, to the extent that such form of signature is recognized as a valid signature under applicable federal law or state contract law.

* * * * *

[FR Doc. 2025–16641 Filed 8–28–25; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 1206013412–2517–02; RTID 0648–XF136]

Fisheries of the Gulf of America; 2025 Commercial Closure for Gulf Greater Amberjack

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS implements an accountability measure (AM) for the Gulf of America (Gulf) greater amberjack commercial sector for the 2025 fishing year through this temporary rule. NMFS has determined that Gulf greater amberjack commercial landings have reached the commercial annual catch target (ACT). Therefore, the 2025 commercial fishing season for greater amberjack in the Gulf exclusive economic zone (EEZ) will close on Tuesday, September 2, 2025, and will remain closed through December 31, 2025. These actions are necessary to protect the Gulf greater amberjack resource.

DATES: The commercial closure is effective 12:01 a.m., local time, Tuesday, September 2, 2025, through December 31, 2025.

FOR FURTHER INFORMATION CONTACT: Kelli O'Donnell, NMFS Southeast Regional Office, 727–824–5305, or *kelli.odonnell@noaa.gov.*

SUPPLEMENTARY INFORMATION: NMFS and the Gulf Council manage the reef fish fishery of the Gulf, which includes greater amberjack, under the Fishery Management Plan for the Reef Fish Resources of the Gulf (FMP). The FMP was prepared by the Gulf 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). All greater amberjack weights discussed in this temporary rule are in round weight.

For Gulf greater amberjack, the commercial annual catch limit (ACL) and quota (commercial ACT) are 101,000 pounds (lb)(45,813 kilograms (kg)) and 93,930 lb (42,606 kg), respectively (50 CFR 622.41(a)(2)(iii) and 622.39(a)(2)(ii)). As described at 50 CFR 622.7, the fishing year for the Gulf greater amberjack commercial sector is January 1 through December 31.

Under 50 CFR 622.41(a)(1)(i), NMFS is required to close the greater amberjack commercial sector when the commercial ACT is reached, or is projected to be reached, by filing a notification to that effect with the Office of the Federal Register. NMFS has determined that the 2025 commercial ACT of 93,930 lb (42,606 kg) has been reached. Accordingly, NMFS closes the commercial harvest of greater amberjack from the Gulf EEZ effective 12:01 a.m., local time, Tuesday, September 2, 2025 through December 31, 2025.

During the commercial closure, the sale or purchase of greater amberjack taken from the Gulf EEZ is prohibited. The prohibition on sale or purchase does not apply to the sale or purchase of greater amberjack that were harvested, landed ashore, and sold prior to 12:01 a.m., local time, Tuesday, September 2, 2025, and were held in cold storage by a dealer or processor. The commercial sector for greater amberjack will re-open on January 1, 2026, the beginning of the 2026 greater amberjack commercial fishing season.

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is required by 50 CFR 622.41(a)(1), which was issued pursuant to section 304(b) of the Magnuson-Stevens Act, and is exempt from review under Executive Order 12866.

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment is unnecessary and contrary to the public interest. Such procedures are unnecessary because the regulations associated with the closure of the greater amberjack commercial sector at 50 CFR 622.41(a)(1) have already been subject to notice and public comment, and all that remains is to notify the public of the commercial closure. Prior notice and opportunity for public comment are contrary to the public interest because there is a need to immediately implement this action to protect the greater amberjack stock. Prior notice and opportunity for public comment would require time and could result in a harvest well in excess of the commercial ACL. NMFS is required to reduce the 2026 commercial ACT and ACL by the amount of any overage of the 2025 commercial ACL, which would then reduce the 2026 fishing season.

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

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

Dated: August 27, 2025.

Kelly Denit,

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

[FR Doc. 2025–16675 Filed 8–28–25; 8:45 am]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
Vol. 90, No. 166
Friday, August 29, 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–2025–2270; Project Identifier MCAI–2025–00013–T]

RIN 2120–AA64

Airworthiness Directives; ATR—GIE Avions de Transport Régional Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for certain ATR—GIE Avions de Transport Régional Model ATR42–500 airplanes. This proposed AD was prompted by a determination that new or more restrictive airworthiness limitations are necessary. This proposed AD would require revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. 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 October 14, 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–2025–2270; 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* under Docket No. FAA–2025–2270.
- 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: Fatin Saumik, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 516–228–7350; 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–2025–2270; Project Identifier MCAI–2025–00013–T'' at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

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

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as ''PROPIN.'' The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Fatin Saumik, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 516–228–7350; 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

EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2025–0005, dated January 7, 2025 (EASA AD 2025–0005) (also referred to as the MCAI), to correct an unsafe condition for certain ATR—GIE Avions de Transport Régional Model ATR42–400 and ATR42–500 airplanes. Model ATR42–400 airplanes are not certificated by the FAA and are not included on the U.S. type certificate data sheet; this proposed AD therefore does not include those airplanes in the applicability. Airplanes with an original airworthiness certificate or original export certificate of airworthiness issued after July 30, 2024 must comply with the airworthiness limitations specified as part of the approved type design and referenced on the type certificate data sheet; this proposed AD therefore does not include those airplanes in the applicability. The MCAI states that new or more restrictive airworthiness limitations have been developed.

EASA AD 2025–0005 specifies that it requires a task (limitation) already in

ATR 42 Time Limitations Document (TLD) Revision 18, dated October 16, 2023, that is required by EASA AD 2024–0052 (which corresponds to FAA AD 2024–19–02, Amendment 39–22844 (89 FR 82491, October 11, 2024) (AD 2024–19–02)), and that incorporation of EASA AD 2025–0005 invalidates (terminates) prior instructions for that task. This proposed AD therefore would terminate the limitations required by paragraph (j) of AD 2024–19–02 for the tasks identified in the material referenced in EASA AD 2025–0005 only.

The FAA is proposing this AD to address reduced structural integrity of the airplane or reduced controllability of the airplane. You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2025–2270.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed EASA AD 2025–0005, which specifies new or more restrictive airworthiness limitations for airplane structures and safe life limits.

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

FAA's Determination

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 revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations, which are specified in EASA AD 2025–0005 described previously, as incorporated by reference. Any differences with EASA AD 2025–0005 are identified as exceptions in the regulatory text of this proposed AD.

This proposed AD would require revisions to certain operator maintenance documents to include new actions (*e.g.,* inspections). Compliance with these actions is required by 14 CFR 91.403(c). For airplanes that have been previously modified, altered, or repaired in the areas addressed by this proposed AD, the operator may not be able to accomplish the actions described in the revisions. In this situation, to comply with 14 CFR 91.403(c), the operator must request approval for an alternative method of compliance (AMOC) according to paragraph (k)(1) of this proposed AD.

Explanation of Required Compliance Information

In the FAA's ongoing efforts to improve the efficiency of the AD process, the FAA developed a process to use some civil aviation authority (CAA) ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating this process with manufacturers and CAAs. As a result, the FAA proposes to incorporate EASA AD 2025–0005 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with EASA AD 2025–0005 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 2025–0005 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 2025–0005. Material required by EASA AD 2025–0005 for compliance will be available at *regulations.gov* by searching for and locating Docket No. FAA–2025–2270 after the FAA final rule is published.

Airworthiness Limitation ADs Using the New Process

The FAA's process of incorporating by reference MCAI ADs as the primary source of information for compliance with corresponding FAA ADs has been limited to certain MCAI ADs (primarily those with service bulletins as the primary source of information for accomplishing the actions required by the FAA AD). However, the FAA is now expanding the process to include MCAI ADs that require a change to airworthiness limitation documents, such as airworthiness limitation sections.

For these ADs that incorporate by reference an MCAI AD that changes airworthiness limitations, the FAA requirements are unchanged. Operators must revise the existing maintenance or inspection program, as applicable, to incorporate the information specified in the new airworthiness limitation document. The airworthiness limitations must be followed according to 14 CFR 91.403(c) and 91.409(e).

The previous format of the airworthiness limitation ADs included a paragraph that specified that no alternative actions (*e.g.,* inspections) or intervals may be used unless the actions and intervals are approved as an AMOC in accordance with the procedures specified in the AMOC paragraph under ''Additional AD Provisions.'' This new format includes a ''Provisions for Alternative Actions and Intervals'' paragraph that does not specifically refer to AMOCs, but operators may still request an AMOC to use an alternative action or interval.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 11 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

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

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

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

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

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

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

ATR—GIE Avions de Transport Régional: Docket No. FAA–2025–2270; Project Identifier MCAI–2025–00013–T.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by October 14, 2025.

(b) Affected ADs

This AD affects AD 2024–19–02, Amendment 39–22844 (89 FR 82491, October 11, 2024) (AD 2024–19–02).

(c) Applicability

This AD applies to ATR—GIE Avions de Transport Régional Model ATR42–500 airplanes, certificated in any category, with an original airworthiness certificate or original export certificate of airworthiness issued on or before July 30, 2024.

(d) Subject

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

(e) Unsafe Condition

This AD was prompted by a determination that new or more restrictive airworthiness limitations are necessary. The FAA is issuing this AD to address reduced structural integrity of the airplane or 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 paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, European Union Aviation Safety Agency (EASA) AD 2025–0005, dated January 7, 2025 (EASA AD 2025–0005).

(h) Exceptions to EASA AD 2025–0005

(1) This AD does not adopt the requirements specified in paragraphs (1) and (2) of EASA AD 2025–0005.

(2) Paragraph (3) of EASA AD 2025–0005 specifies revising ''the approved AMP,'' within 12 months after its effective date, but this AD requires revising the existing maintenance or inspection program, as applicable, within 90 days after the effective date of this AD.

(3) The initial compliance time for doing the tasks specified in paragraph (3) of EASA AD 2025–0005 is at the applicable ''limitations'' as incorporated by the requirements of paragraph (3) of EASA AD 2025–0005, or within 90 days after the effective date of this AD, whichever occurs later.

(4) This AD does not adopt the provisions specified in paragraph (4) of EASA AD 2025–0005.

(5) This AD does not adopt the ''Remarks'' section of EASA AD 2025–0005.

(i) Provisions for Alternative Actions and Intervals

After the existing maintenance or inspection program has been revised as required by paragraph (g) of this AD, no alternative actions (*e.g.,* inspections) and intervals are allowed unless they are approved as specified in the provisions of the ''Ref. Publications'' section of EASA AD 2025–0005.

(j) Terminating Action for Certain Tasks Required by AD 2024–19–02

Accomplishing the actions required by this AD terminates the corresponding requirements of paragraph (j) of AD 2024–19–02 for the tasks identified in the material referenced in EASA AD 2025–0005 only.

(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 ATR—GIE Avions de Transport Régional'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 Fatin Saumik, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 516–228–7350; 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 2025–0005, dated January 7, 2025.

(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 26, 2025.

Steven W. Thompson,

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

[FR Doc. 2025–16619 Filed 8–28–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF LABOR

Employment and Training Administration

20 CFR Part 603

[Docket ETA–2025–0004]

RIN 1205–AC11

Federal-State Unemployment Compensation (UC) Program; Data Availability

AGENCY: Employment and Training Administration, Labor.

ACTION: Proposed rule; request for comment.

SUMMARY: The Department of Labor (DOL or the Department) is issuing this proposed rule to require the disclosure of confidential Unemployment Compensation (UC) information to Federal officials for the purposes of UC program oversight and audits. This rule will ensure that Federal officials, including the DOL Office of Inspector General (DOL–OIG), are able to obtain the information they need in order to ensure proper oversight of the UC program and to identify and address fraud in the UC program.

DATES: Comments must be received by September 29, 2025.

ADDRESSES: You may send comments, identified by Docket No. ETA–2025–0004 and Regulatory Identification Number (RIN) 1205–AC11, by the following method:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Search for the above-referenced RIN, open proposed rule, and follow the on-screen instructions for submitting comments.
- *Instructions:* All submissions received must include the agency name and docket number for this rulemaking or ''RIN 1205–AC11.''

Please be advised that the Department will post comments received that relate to this proposed rule to *https://www.regulations.gov,* including any personal information provided. The *https://www.regulations.gov* website is the Federal e-Rulemaking Portal and all comments posted there are available and accessible to the public. Please do not submit comments containing trade secrets, confidential or proprietary commercial or financial information, personal health information, sensitive personally identifiable information (for example, Social Security numbers, driver's license or State identification numbers, passport numbers, or financial account numbers), or other information that you do not want to be made available to the public. Should the Department become aware of such information, the Department reserves the right to redact or refrain from posting sensitive information; libelous, or otherwise inappropriate comments, including those that contain obscene, indecent, or profane language; comments that contain threats or defamatory statements; and comments that contain hate speech. Please note that depending on how information is submitted, the Department may not be able to redact the information, and instead reserves the right to refrain from posting the information or comment in such situations.

Docket: For access to the docket to read background documents, comments received, or the plain-language summary of the proposed rule of not more than 100 words in length required by the Providing Accountability Through Transparency Act of 2023, go to *https://www.regulations.gov* (search using RIN 1205–AC11 or Docket No. ETA–2025–0004). If you need assistance to review the comments, contact the Office of Policy Development and Research at 202–693–3700 (this is not a toll-free number).

FOR FURTHER INFORMATION CONTACT: Luke Murren, Deputy Administrator, Office of Policy Development and Research, Employment and Training Administration, U.S. Department of Labor, 200 Constitution Avenue NW, Room N–5641, Washington, DC 20210, Telephone: (202) 693–3700 (voice) (this is not a toll-free number). For persons with a hearing or speech disability who need assistance to use the telephone system, please dial 711 to access telecommunications relay services.

SUPPLEMENTARY INFORMATION:

I. Background

Title 20 CFR part 603 establishes requirements for maintaining the confidentiality of UC information along with standards for required and permissible disclosures of such information. The current regulation at 20 CFR 603.5(i) provides that State UC agency disclosures to Federal officials for UC program oversight and audits are permissible. When paragraph (i) of section 603.5 was last updated in 2006, the notice of proposed rulemaking (NPRM) proposed an exception to 20 CFR part 603 for disclosures required by Federal law.[1] The Final Rule changed the provision proposed at 20 CFR 603.5(i) to limit it to disclosures for UC program oversight and audits because disclosures to Federal officials as ''required by Federal Law'' was already covered by other provisions in the rule, including the section allowing disclosure to public officials at 20 CFR 603.5(e). See 71 FR 56830, 56837 (Sept. 27, 2006). The Department explained in the Final Rule that it included the provision regarding permissible disclosures for the purpose of Federal oversight and audits because ''the Department believe[d] it [was] necessary to explicitly address the inapplicability of the confidentiality requirement to any disclosure to the Federal Government for purposes of UC program oversight and audits.'' See 71 FR 56830, 56837 (Sept. 27, 2006). The Department now proposes to revise part 603 to make these disclosures required.

As State UC operations have evolved since this regulation was first promulgated, States have faced increased fraud incidents including sophisticated multistate fraud schemes by organized criminals. The COVID–19 pandemic caused a sizable increase in fraudulent activity, costing the UC program billions of dollars according to estimates by DOL–OIG. DOL–OIG identified $45.6 billion in potentially fraudulent unemployment insurance (UI) benefits paid in six high-risk areas,[2] and estimated $191 billion in UI benefits during the pandemic period could have been paid improperly, with a significant portion attributable to fraud.[3] The Secretary must be able to ensure that the UC program is administered consistent with the requirements of Federal law. Audits and oversight of the UC program by DOL–OIG and other Federal officials help detect fraud vulnerabilities and identify possible solutions, which help to ensure the UC program is being administered consistent with Federal law requirements.

The Department previously published a related request for information, entitled ''Federal-State Unemployment Compensation (UC) Program; Confidentiality and Disclosure of State UC Information,'' on July 25, 2023 (88 FR 47829). In total, 30 commenters responded, representing a cross-section of stakeholders including but not limited to State UC agencies, local workforce development boards, private

[1] See 69 FR 50022 (Aug. 12, 2004) (proposing § 603.5(i)).

[2] OIG Alert Memorandum: *Potentially Fraudulent Unemployment Insurance Payments in High-Risk Areas Increased to $45.6 Billion Report Number: 19–22–005–03–315,* September 21, 2022, *https://www.oig.dol.gov/public/reports/oa/2022/19-22-005-03-315.pdf.*

[3] ''The Greatest Theft of American Tax Dollars: Unchecked Unemployment Fraud,'' Hearing, Statement for the Record of Larry D. Turner, Inspector General, U.S. Department of Labor; House Committee on Ways and Means, February 8, 2023, available at: *https://www.oig.dol.gov/public/testimony/02082023.pdf.*

organizations, and individuals. Question 113 of the request for information explicitly asked about required disclosures to DOL–OIG for purposes of UC program oversight and audit. Of the 30 commenters, two responded specifically to this question and their comments were not substantive.

Amending the regulation to require these disclosures will allow the Department to continue the important work of identifying and preventing fraud in the UC program.

II. Discussion

The Department is proposing to remove paragraph 20 CFR 603.5(i), which permits State UC agencies to disclose confidential UC information to Federal officials for purposes of UC program oversight and audits, and to add a provision requiring the disclosure of confidential UC information for purposes of UC program oversight and audits to 20 CFR 603.6, which contains required disclosures. Moving the disclosure to Federal officials for the purposes of UC program oversight and audits to 20 CFR 603.6 would make these disclosures a requirement under 20 CFR part 603. The proposed rule would effectuate this change by redesignating paragraph (c) of § 603.6 as paragraph (d) and inserting a new paragraph (c) in § 603.6. The proposed rule would also make conforming amendments to the introductory matter of § 603.5 and to paragraph (b) of § 603.8.

On March 20, 2025, President Trump issued Executive Order (E.O.) 14243 titled ''Stopping Waste, Fraud, and Abuse by Eliminating Information Silos,'' [4] which required that ''the Secretary of Labor and the Secretary's designees shall receive, to the maximum extent consistent with law, unfettered access to all unemployment data and related payment records. . .'' E.O. 14243, Section 3(d), 90 FR 13681 (Mar. 25, 2025). This NPRM's proposed amendment would further the objectives of the E.O. by requiring, rather than allowing, the disclosure of confidential UC information to Federal officials for the purposes of UC program oversight and audits.

Audits and oversight of the UC program performed by Federal officials, such as those conducted by the DOL–OIG, to identify and address fraud, help ensure the UC program is administered consistent with the Federal law requirements of section 303(a)(1) of the Social Security Act (SSA). The authority for this amendment is derived from the ''methods of administration'' requirement of section 303(a)(1), SSA. Section 303(a)(1), SSA, requires States to provide in their laws, as a condition to be certified to receive administrative grants, for such ''methods of administration'' as the Secretary determines are ''reasonably calculated to insure full payment of unemployment compensation when due.'' The Department interprets the phrase ''when due'' in this requirement to mean accurate payments are made to eligible claimants in addition to ensuring that the payments are timely. It also requires that a State not make payments when payments are not due, *i.e.,* to individuals not eligible, due to fraud or otherwise. Due to the increasingly sophisticated nature of the fraud schemes perpetuated against the UC program, DOL interprets section 303(a)(1), SSA, as requiring the disclosure of confidential UC information to Federal officials, including DOL–OIG, for the purpose of UC program oversight and audits. Identifying and preventing fraud activities through oversight and audits reduces improper payments of benefits and is necessary for the proper and efficient administration of the UC program.

Confidential UC information has been collected by DOL–OIG since 2020 in accordance with the Inspector General Act and its subpoena authority. This collection continued in accordance with the Coronavirus Aid, Relief, and Economic Security (CARES) Act, as amended, to include the American Rescue Plan Act (ARPA). The temporary UC programs under the CARES Act ended in 2021. Subsequent ARPA grants included a condition that continued the required disclosures to DOL–OIG for UC program oversight and audits; however, these grants were terminated in May 2025. Since the termination of those grants, States are expected to comply with DOL–OIG requests and continue to provide the data on a quarterly basis. The collections occur under a System of Records Notice (SORN) that covers such collections. See DOL–OIG 12, Office of Inspector General Warehouse and Learning System (OWLS), 85 FR 60833 (Sept. 28, 2020).

The Department is soliciting comments from the public concerning the proposed changes enumerated in this NPRM. Additionally, the Department is requesting comments from the public regarding a potential amendment to 20 CFR part 603 that would require States to submit all claims data on a regular basis to the Employment and Training Administration as part of a national UC claims database for the purposes of UC program oversight and audits. Specifically, the Department is soliciting public comments regarding this and appropriate safeguards and security measures to protect claimant data collected under such a requirement.

III. Procedural Issues and Regulatory Review

A. Review Under Executive Orders 12866 (Regulatory Planning and Review), 13563 (Improving Regulation and Regulatory Review), and 14192 (Unleashing Prosperity Through Deregulation)

E.O. 12866, ''Regulatory Planning and Review'' (58 FR 51735 (Oct. 4, 1993)), requires agencies, to the extent permitted by law, to: (1) propose or adopt a regulation only upon a reasoned determination that its benefits justify its costs (recognizing that some benefits and costs are difficult to quantify); (2) tailor regulations to impose the least burden on society, consistent with obtaining regulatory objectives, taking into account, among other things, and to the extent practicable, the costs of cumulative regulations; (3) select, in choosing among alternative regulatory approaches, those approaches that maximize net benefits; (4) to the extent feasible, specify performance objectives, rather than specifying the behavior or manner of compliance that regulated entities must adopt; and (5) identify and assess available alternatives to direct regulation, including providing economic incentives to encourage the desired behavior, such as user fees or marketable permits, or providing information upon which choices can be made by the public.

Section 6(a) of E.O. 12866 also requires agencies to submit ''significant regulatory actions,'' as defined by section 3(f) of that E.O., to the Office of Information and Regulatory Affairs (OIRA), which is part of the Office of Management and Budget (OMB). OIRA has determined that this proposed rule is a ''significant regulatory action'' under section 3(f) of E.O. 12866. Accordingly, this proposed rule was submitted to OIRA for review. E.O. 13563 directs agencies to propose or adopt a regulation only upon a reasoned determination that its benefits justify its costs; it is tailored to impose the least burden on society, consistent with achieving the regulatory objectives; and in choosing among alternative regulatory approaches, the agency has

[4] See *https://www.whitehouse.gov/presidential-actions/2025/03/stopping-waste-fraud-and-abuse-by-eliminating-information-silos/.*

selected those approaches that maximize net benefits.

E.O. 14192, titled ''Unleashing Prosperity Through Deregulation,'' was issued on January 31, 2025. This rule, if finalized as proposed, is not expected to be an E.O. 14192 regulatory action, pursuant to section 3(b) of E.O. 14243, ''Stopping Waste, Fraud, and Abuse by Eliminating Information Silos.''

1. Statement of Need

The Department proposes to amend 20 CFR part 603 to require, rather than permit, the disclosure of confidential UC information to Federal officials for the purposes of UC program oversight and audits. Since this regulation was first promulgated, and as State UC operations have evolved, States have faced increased fraud incidents including sophisticated multistate fraud schemes by organized criminals. During the COVID–19 pandemic, there was a sizable increase in fraudulent activity costing the UC program billions of dollars according to estimates by DOL–OIG. DOL–OIG identified $45.6 billion in potentially fraudulent UI benefits paid in six high-risk areas,[5] and estimated $191 billion in UI benefits during the pandemic period could have been paid improperly, with a significant portion attributable to fraud.[6]

The Secretary must be able to ensure that the UC program is administered consistent with the requirements of Federal law. Mandatory disclosure of confidential UC information to Federal officials, including DOL–OIG, for the purpose of UC program oversight and audits is essential to ensure the UC program is being administered consistent with Federal law and to identify and prevent fraud. ARPA grant conditions temporarily required such disclosures; however, these grants were terminated in May 2025. Codifying the requirement for disclosures will allow the Department to continue its important work of identifying and preventing fraud in the UC program.

2. Alternatives Considered

OMB Circular A–4, which outlines best practices in regulatory analysis, directs agencies to analyze reasonable regulatory alternatives to the proposed regulatory action. Accordingly, the Department considered two alternatives regarding disclosure of confidential UC information to Federal officials for the purposes of UC program oversight and audits. The first alternative was to make comprehensive updates to 20 CFR part 603, including to require States to disclose confidential UC information to DOL–OIG for the purposes of UC program oversight and audits. The comprehensive updates the Department considered and that were described in the Fall 2024 Unified Agenda of Regulatory and Deregulatory Actions would have included additional amendments regarding issues raised by stakeholders over the years, including addressing questions around sharing information across the workforce system, the permissibility and use cases of sharing information with agencies within the Department for analysis and evaluation, the permissibility of disclosing confidential UC information to federally recognized Indian tribes, data warehousing, and the use of contractors and subcontractors. While the Department gained valuable information from the engagement with stakeholders and the related request for information that was published on July 25, 2023 (88 FR 47829), the Department ultimately decided that the most critical step needed at this time was to address fraud in the UC program by ensuring the Department, including the DOL–OIG, has access to data to conduct oversight and combat fraud.

Another option considered was to make no change to 20 CFR part 603 concerning disclosure of confidential UC information to Federal officials, including to DOL–OIG. The Department decided against maintaining the status quo because the rise of fraud incidents and sophisticated multistate fraud schemes demand immediate action by the Department to strengthen program integrity and safeguard the UC program from fraudulent activity.

3. Economic Analysis

The Department conducted an economic analysis to determine the costs of the proposed rule and to consider the benefits and the impact of transfers under the rule. The Department recognizes potential costs of the rule for required technological upgrades, compliance costs, and costs related to data submission. However, data availability prevents the Department from estimating these costs. The Department understands that many State UC agencies are already disclosing the information that this proposed rule would codify to the DOL–OIG, minimizing any new costs, but the Department lacks sufficient data to quantify the number of State UC agencies doing so. Separately, the Department lacks information about the number of DOL–OIG disclosure requests that State UC agencies receive annually as well as the costs associated with such disclosures incurred by States. We seek comments on the number of, and the costs, burdens, and/or benefits associated with, requests for confidential UC information States receive annually from the DOL–OIG.

Additionally, the proposed rule would impose a one-time regulatory familiarization cost on the 53 State UC agencies. These costs are associated with State UC agency staff reviewing the new regulation and conducting internal discussions and are determined using U.S. Bureau of Labor Statistics (BLS) Occupational Employment and Wage Statistics (OEWS) data and estimates of the time required to become familiar with the rule.

The Department considers the potential benefits of the proposed rule to be significant, including strengthening program integrity and building and maintaining public trust in the system. Specific benefits include enhancement of fraud prevention, identification, and investigation and providing strong oversight and accountability through timely audits and evaluations. The proposed rule would result in evidence-based policymaking, but data availability and uncertainty limit the Department's ability to quantify the potential benefits of the rule.

i. Rule Familiarization Costs

Regulatory familiarization costs represent direct costs to the 53 State UC agencies with UC programs that will need to review the new regulation in order to implement it. Consequently, the proposed rule will impose a one-time familiarization cost to those entities in the first year after promulgation. The Department anticipates that the changes introduced by the rule will be reviewed by General and Operations Managers (SOC code[7] 11–1021), Lawyers (SOC code 23–1011), and Computer Systems Analysts (SOC code 15–1211) employed by State UC agencies within the State government. The Department anticipates that it will take one State UC Manager, Lawyer, and Computer Systems Analyst an average of 1 hour to

[5] OIG Alert Memorandum: *Potentially Fraudulent Unemployment Insurance Payments in High-Risk Areas Increased to $45.6 Billion Report Number: 19–22–005–03–315,* issued September 21, 2022, *https://www.oig.dol.gov/public/reports/oa/2022/19-22-005-03-315.pdf.*

[6] ''The Greatest Theft of American Tax Dollars: Unchecked Unemployment Fraud,'' Hearing, Statement for the Record of Larry D. Turner, Inspector General, U.S. Department of Labor; House Committee on Ways and Means, February 8, 2023, available at: *https://www.oig.dol.gov/public/testimony/02082023.pdf.*

[7] This analysis uses codes from the Standard Occupational Classification (SOC) system and the North American Industry Classification System (NAICS).

review the rule and hold a meeting concerning the rule.

The BLS OEWS data show that the median hourly wage of a State government General and Operations Manager is $58.81.[8] The Department assumes a 62 percent benefits rate[9] and a 17 percent overhead rate,[10] so the fully loaded wage rate is $105.27 [= $58.81 + ($58.81 × 62%) + ($58.81 × 17%)]. The BLS OEWS data shows that the median hourly wage of a State government Lawyer is $56.51.[11] The fully loaded wage rate is $101.15 [= $56.51 + ($56.51 × 62%)+ ($56.51 × 17%)]. The BLS OEWS data show that the median hourly wage of a State government Computer Systems Analyst is $42.86.[12] The fully loaded wage rate is $76.72 [= $42.86 + ($42.86 × 62%) + ($42.86 × 17%)].

The time burden of 1 hour was multiplied by the estimated number of entities (53), and the total of the loaded hourly wage rate of the readers ($105.27 + $101.15 + $76.72 = $283.14). This calculation results in a one-time undiscounted cost of $15,006.42 in the first year after the rule takes effect.

ii. Technology Costs for State UC Agencies

This proposed rule, if finalized, may require States to update computer systems and security protocols in order to comply with Federal and State laws concerning safeguarding confidential UC information. State UC agencies already have systems in place for providing information to DOL–OIG. However, some States may need to perform upgrades to information technology systems in order to provide additional data required under this proposed rule. The Department is unable to quantify the number of States that may need to perform IT updates, and determine whether updates would require upgrades to existing technology or the purchasing of entirely new systems. The Department is soliciting comments concerning the costs to the States to update their information technology systems as a result of this proposal, and if there are any other operational or logistical impediments at the State level for providing additional data to DOL–OIG or other Federal officials.

iii. Costs for Compliance With State Laws

The requirements for disclosures under State law vary from State to State, as the regulation establishes the Federal minimum requirements. The Department is unable to identify those State law requirements and therefore cannot quantify any associated costs. The Department solicits comments concerning State laws that may impose additional requirements for the disclosure of data and the costs to comply with those State laws.

iv. Costs for Data Request Fulfillment

Grant funds may be used to cover the costs of providing required data under this rule to Federal officials for UC program oversight and audits. It is not clear whether the data requests received will be the same requests for data that States already fulfill, or if the amended rule will result in new requests. Because of this ambiguity, the Department cannot quantify the increased cost to the States to respond to the data requests, but acknowledges that grant funds may be used by the States to offset possible increases in costs. The Department invites States to comment with information on the costs States incur to provide data to DOL–OIG and additional costs States may incur to provide data to entities under this rule.

v. Non-Quantifiable Benefits

The proposed rule is expected to generate several important unquantified benefits that would support the integrity and effectiveness of the UC program. Chief among these is the enhancement of fraud prevention and detection capabilities. By requiring the disclosure of confidential UC information to Federal officials, including DOL–OIG, the proposed rule would enable more effective identification and investigation of fraudulent claims, including complex, multistate schemes. This increased access to data also would strengthen overall program integrity by ensuring that benefits are paid only to eligible individuals and withheld from those who are ineligible, thus aligning the regulation with the statutory requirement for accurate and timely payments under Section 303(a)(1) of the SSA.

In addition, the proposed rule would promote stronger oversight and accountability by facilitating consistent and timely audits and evaluations by Federal entities. This oversight helps ensure that State UC programs are administered in compliance with Federal law and best practices. As noted above, confidential UC information has been collected by DOL–OIG since 2020 under various authorities. This proposed rule would formalize that relationship and close an oversight gap by requiring such information be disclosed upon request to the Department and other Federal officials for UC program oversight and audits.

Moreover, because the rule would require disclosure of confidential UC information to Federal officials for purposes of UC program oversight and audits, the proposed rule would facilitate evidence-based policy making to support program integrity and performance. This data-driven approach would enhance the efficiency and responsiveness of the UC program. The proposed rule also aligns with recent executive orders aimed at reducing information silos and improving interagency collaboration to combat waste, fraud, and abuse.

Finally, by reinforcing transparency and accountability in the administration of the UC program, the proposed rule would help to build and maintain public trust in the system. Although these potential benefits are not readily quantifiable, they represent significant improvements in the administration, oversight, and public perception of the UC program.

B. Review Under the Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA), 5 U.S.C. chapter 6, requires the Department to evaluate the economic impact of this rule on small entities. The RFA defines small entities to include small businesses, small organizations, including not-for-profit organizations, and small governmental jurisdictions. The Department must determine whether the rule will impose a significant economic impact on a substantial number of such small entities. The Department concludes that this rule does not regulate any small entities directly, so any regulatory effect on small entities will be indirect. Accordingly, the Department has determined this rule will not have a significant economic impact on a

[8] General and Operations Managers (11–1021), for industry type ''State Government, excluding Schools and Hospitals'', period May 2024. Data extracted on June 17, 2025, from *https://www.bls.gov/oes/*.

[9] BLS, ''National Compensation Survey, Employer Costs for Employee Compensation,'' *https://www.bls.gov/ecec/data.htm* (last visited May 27, 2025). For State and local government workers, wages and salaries averaged $38.45 per hour worked in 2024, while benefit costs averaged $23.81, which is a benefits rate of 62 percent.

[10] Cody Rice, U.S. Environmental Protection Agency, ''Wage Rates for Economic Analyses of the Toxics Release Inventory Program,'' June 10, 2002, *https://www.regulations.gov/document?D=EPA-HQ-OPPT-2014-0650-0005*.

[11] Lawyers (23–1011) for industry type ''State Government, excluding Schools and Hospitals'', period May 2024. Data extracted on June 18, 2025, from *https://www.bls.gov/oes*.

[12] Computer Systems Analysts (15–1211) for industry type ''State Government, excluding Schools and Hospitals'', period May 2024. Data extracted on June 18, 2025, from *https://www.bls.gov/oes*.

substantial number of small entities within the meaning of the RFA.

C. Paperwork Reduction Act of 1995

The purposes of the Paperwork Reduction Act of 1995 (PRA), 44 U.S.C. 3501 *et seq.,* include minimizing the paperwork burden on affected entities. The PRA requires certain actions before an agency can adopt or revise a collection of information, including publishing for public comment a summary of the collection of information and a brief description of the need for and proposed use of the information.

As part of its continuing effort to reduce paperwork and respondent burden, the Department conducts a preclearance consultation program to provide the public and Federal agencies with an opportunity to comment on proposed and continuing collections of information in accordance with the PRA. See 44 U.S.C. 3506(c)(2)(A). This activity helps to ensure that the public understands the Department's collection instructions, respondents can provide the requested data in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the Department can properly assess the impact of collection requirements on respondents.

A Federal agency may not conduct or sponsor a collection of information unless it is approved by the OMB under the PRA and it displays a currently valid OMB control number. The public is also not required to respond to a collection of information unless it displays a currently valid OMB control number. In addition, notwithstanding any other provisions of law, no person will be subject to penalty for failing to comply with a collection of information if the collection of information does not display a currently valid OMB control number (44 U.S.C. 3512).

Confidential UC data are currently collected by DOL–OIG, which will continue to collect the data after this rulemaking becomes effective. In accordance with the Inspector General Empowerment Act of 2016, Offices of Inspectors General are exempt from the procedural requirements for information collections under the PRA when they are conducting an authorized audit, investigation, inspection, evaluation, or review. The Department, beyond DOL–OIG, is not collecting this information from States at this time.

D. Review Under Executive Order 13132 (Federalism)

E.O. 13132, ''Federalism,'' 64 FR 43255 (Aug. 10, 1999), imposes certain requirements on Federal agencies formulating and implementing policies or regulations that preempt State law or that have Federalism implications. E.O. 13132 requires agencies to examine the constitutional and statutory authority supporting any action that would limit the policymaking discretion of the States and to carefully assess the necessity for such actions. E.O. 13132 also requires agencies to have an accountable process to ensure meaningful and timely input by State and local officials in the development of regulatory policies that have Federalism implications. The Department has reviewed this proposed rule in light of these requirements and has concluded that it meets the requirements of E.O. 13132.

Accordingly, the Department has reviewed this proposed rule and has concluded that the rulemaking has no substantial direct effects on States, the relationship between the Federal Government and the States, or the distribution of power and responsibilities among the various levels of government as described by E.O. 13132. Therefore, the Department has concluded that this proposed rule does not have a sufficient federalism implication to require further agency action or analysis.

E. Review Under the Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) requires each Federal agency to assess the effects of Federal regulatory actions on State, local, and Tribal governments and the private sector. Public Law 104–4, sec. 201 (codified at 2 U.S.C. 1531). For a regulatory action likely to result in a rule that may cause the expenditure by State, local, and Tribal governments, in the aggregate, or by the private sector of $100 million or more in any one year (adjusted annually for inflation), section 202 of UMRA requires a Federal agency to publish a written statement that estimates the resulting costs, benefits, and other effects on the national economy. 2 U.S.C. 1532(a), (b)). UMRA also requires a Federal agency to develop an effective process to permit timely input by elected officers of State, local, and Tribal governments on a ''significant intergovernmental mandate,'' and requires an agency plan for giving notice and opportunity for timely input to potentially affected small governments before establishing any requirements that might significantly or uniquely affect them.

The Department examined this proposed rule according to UMRA and its statement of policy and determined that this proposed rule does not contain a Federal intergovernmental mandate, nor is it expected to require expenditures of $100 million or more in any one year by State, local, and Tribal governments, in the aggregate, or by the private sector. As a result, the analytical requirements of UMRA do not apply.

F. Executive Order 13175 (Indian Tribal Governments)

The Department has reviewed this proposed rule under the terms of E.O. 13175 and the Department's Tribal Consultation Policy and has concluded that the proposed changes to regulatory text would not have Tribal implications. These proposed changes do not have substantial direct effects on one or more Indian tribes, the relationship between the Federal government and Indian tribes, nor the distribution of power and responsibilities between the Federal government and Tribal Governments.

G. Review Under Executive Order 12630

Pursuant to E.O. 12630, ''Governmental Actions and Interference with Constitutionally Protected Property Rights,'' 53 FR 8859 (March 18, 1988), DOL has determined that this proposed rule would not result in any takings that might require compensation under the Fifth Amendment to the U.S. Constitution.

H. Plain Language

E.O. 12866, E.O. 13563, and the Presidential Memorandum of June 1, 1998 (Plain Language in Government Writing), direct executive departments and agencies to use plain language in all rulemaking documents published in the **Federal Register**. The goal is to make the government more responsive, accessible, and understandable in its communications with the public. Accordingly, the Department drafted this proposed rule in plain language.

List of Subjects in 20 CFR Part 603

Unemployment compensation, Wages.

For the reasons set forth in the preamble, the Department of Labor proposes to amend 20 CFR part 603 as follows:

PART 603—FEDERAL-STATE UNEMPLOYMENT COMPENSATION (UC) PROGRAM; CONFIDENTIALITY AND DISCLOSURE OF STATE UC INFORMATION

■ 1. The authority citation for part 603 continues to read as follows:

Authority: Secs. 116, 189, 503, Pub. L. 113–128, 128 Stat. 1425 (Jul. 22, 2014); 20 U.S.C. 1232g.

■ 2. Amend § 603.5 by removing paragraph (i) and revising the introductory text to read as follows:

§ 603.5 What are the exceptions to the confidentiality requirement?

The following are exceptions to the confidentiality requirement. Disclosure of confidential UC information is permissible under the exceptions in paragraphs (a) through (g) of this section only if authorized by State law and if such disclosure does not interfere with the efficient administration of the State UC law. Disclosure of confidential UC information is permissible under the exception in paragraph (h) of this section without such restrictions.

* * * * *

■ 3. Amend § 603.6 by redesignating paragraph (c) as paragraph (d) and adding a new paragraph (c) as follows:

§ 603.6 What disclosures are required by this subpart?

* * * * *

(c) The Department of Labor interprets Section 303(a)(1), SSA, as requiring the disclosure of confidential UC information to a Federal official for purposes of UC program oversight and audits.

* * * * *

■ 4. Amend § 603.8 by revising paragraph (b) to read as follows:

§ 603.8 What are the requirements for payment of costs and program income?

* * * * *

(b) *Use of grant funds permitted.* Grant funds paid to a State under Section 302(a), SSA, may be used to pay the costs of only those disclosures necessary for proper administration of the UC program. (This may include some disclosures under § 603.5(a) (concerning public domain information), § 603.5(c) (to an individual or employer), and § 603.5(d)(1) (to an agent).) In addition, grant funds may be used to pay costs of disclosures under § 603.6(a) (for the proper administration of the UC program) and § 603.6(c) (for UC Program Oversight and Audits). Grant funds may also be used to pay costs associated with disclosures under § 603.7(b)(1) (concerning court-ordered compliance with subpoenas) if a court has denied recovery of costs, or to pay costs associated with disclosures under § 603.7(b)(2) (to officials with subpoena authority) if the State UC agency has attempted but not been successful in obtaining reimbursement of costs. Finally, grant funds may be used to pay costs associated with any disclosure of UC information if not more than an incidental amount of staff time and no more than nominal processing costs are involved in making the disclosure.

* * * * *

Susan Frazier,

Acting Assistant Secretary for Employment and Training, Labor.

[FR Doc. 2025–16645 Filed 8–28–25; 8:45 am]

BILLING CODE 4510–FW–P

DEPARTMENT OF JUSTICE

28 CFR Part 16

[CPCLO Order No. 004–2025]

Privacy Act of 1974; Implementation

AGENCY: Executive Office for Immigration Review, United States Department of Justice.

ACTION: Notice of proposed rulemaking.

SUMMARY: In the Notice section of today's **Federal Register**, the Executive Office for Immigration Review (EOIR), a component within the United States Department of Justice (DOJ or Department), has published a notice of a modified system of records, Adjudication and Appeal Records of the Office of the Chief Immigration Judge and Board of Immigration Appeals, JUSTICE/EOIR–001. This system of records has been exempted from the access and amendment provisions of the Privacy Act of 1974, U.S.C. 552a(d), pursuant to 5 U.S.C. 552a(k)(1), and (k)(2). *See* 28 CFR 16.83. In this notice of proposed rulemaking, EOIR proposes to update 28 CFR 16.83 consistent with the system of records' modifications to exempt this system of records from certain provisions of the Privacy Act to protect properly classified information and law enforcement sensitive materials maintained in the system. For the reasons provided below, the Department proposes to update its Privacy Act regulations exempting records in this system from certain provisions of the Privacy Act. Public comment is invited.

DATES: Comments must be received by September 29, 2025.

ADDRESSES: You may send comments by any of the following methods:

- *Email: privacy.compliance@usdoj.gov.* To ensure proper handling, please reference the CPCLO Order No. in the subject line of the message.
- *Fax:* 202–307–0693.
- *Mail:* United States Department of Justice, Office of Privacy and Civil Liberties, ATTN: Privacy Analyst, Two Constitution Square, 145 N St. NE, Suite 8W–300, Washington, DC 20530. All comments sent via regular or express mail will be considered timely if postmarked on the day the comment period closes. To ensure proper handling, please reference the CPCLO Order No. in your correspondence.
- *Federal eRulemaking Portal: http://www.regulations.gov.* When submitting comments electronically, you must include the CPCLO Order No. in the subject box. Please note that the Department is requesting that electronic comments be submitted before midnight Eastern Daylight Savings Time on the day the comment period closes because *http://www.regulations.gov* terminates the public's ability to submit comments at that time. Commenters in time zones other than Eastern Time may want to consider this so that their electronic comments are received.

Posting of Public Comments: Please note that all comments received are considered part of the public record and made available for public inspection online at *http://www.regulations.gov* and in the Department's public docket. Such information includes personally identifying information (such as your name, address, etc.) voluntarily submitted by the commenter. If you want to submit personal identifying information (such as your name, address, etc.) as part of your comment, but do not want it to be posted online or made available in the public docket, you must include the phrase ''PERSONAL IDENTIFYING INFORMATION'' in the first paragraph of your comment. You must also place all personal identifying information that you do not want posted online or made available in the public docket in the first paragraph of your comment and identify what information you want redacted.

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

Personal identifying information and confidential business information identified and located as set forth above will be redacted and the comment, in redacted form, may be posted online and placed in the Department's public docket file. Please note that the Freedom of Information Act applies to all comments received. If you wish to inspect the agency's public docket file

in person by appointment, please see the **FOR FURTHER INFORMATION CONTACT** paragraph, below.

FOR FURTHER INFORMATION CONTACT: Alexander Y. Hartman, Senior Component Official for Privacy, Executive Office for Immigration Review, Office of the General Counsel, 5107 Leesburg Pike, Suite 2600, Falls Church, VA 22041, *Alexander.Hartman@usdoj.gov, EOIR.Privacy.Intake@usdoj.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Under delegated authority from the Attorney General, EOIR interprets and administers Federal immigration laws by conducting immigration court proceedings, appellate reviews, and administrative hearings. Two of EOIR's adjudicating components include the Office of the Chief Immigration Judge (OCIJ) and the Board of Immigration Appeals (BIA or Board). OCIJ oversees the administration of the immigration courts nationwide. 8 CFR 1003.9. Immigration judges are responsible for conducting immigration court proceedings. 8 CFR 1003.10. Decisions of immigration judges are subject to review by the BIA in any case in which the BIA has jurisdiction. 8 CFR 1003.10(c). The BIA is the highest administrative body for interpreting and applying immigration laws. 8 CFR 1003.1. The BIA and its appellate immigration judges have nationwide jurisdiction to review certain decisions rendered by immigration judges, Adjudicating Officials in attorney discipline cases, and district directors of the Department of Homeland Security (DHS). 8 CFR 1003.1(b).

Parties to immigration proceedings may file documents with the immigration court or the BIA by mail, hand delivery, or electronically. 8 CFR 1003.2(g), 1003.3(g), 1003.31. The official file containing the documents relating to an individual's immigration case is the Record of Proceeding (ROP), which may be paper or electronic. ROPs generally contain the Notice to Appear (Form I–862), hearing notices, a practitioner of record's entry of appearance form (Forms EOIR–27 or EOIR–28) (if any), any change of address forms (Form EOIR–33), applications for immigration relief, evidence, exhibits, motions, briefs, and all written orders and decisions of the immigration judge or appellate immigration judge(s). *See* 8 CFR 1240.9. When relevant to the immigration relief sought, parties may also file documents and materials pertaining to an individual's criminal history or terroristic activities, and such materials are incorporated into the ROP. *See* 8 U.S.C. 1182 (describing grounds for inadmissibility to include criminal- and security-related grounds). Such information may be classified or law enforcement sensitive, filed under seal or per a request for an *in camera* hearing. Immigration hearings are digitally recorded, and hearings may be transcribed. 8 CFR 1240.9. Transcripts of hearings may also be included in the ROP. 8 CFR 1240.9.

EOIR maintains a system of records used by OCIJ and the BIA to process, track, and adjudicate immigration proceedings. EOIR is modifying the system of records, Adjudication and Appeal Records of the Office of the Chief Immigration Judge and Board of Immigration Appeals, JUSTICE/EOIR–001, to account for changes in the scope, character and format, and routine uses of records in this system that have occurred since EOIR last published a complete system of records notice on May 11, 2004. *See* Records and Information Management System, JUSTICE/EOIR–001, 68 FR 26179 (May 11, 2004). EOIR is modifying the system of records in the following ways. First, EOIR is expanding the scope of this system of records by consolidating it with another system of records, Decisions of the Board of Immigration Appeals, JUSTICE/BIA–001, 48 FR 5331 (Feb. 4, 1983). The records in both systems serve the same purposes, are authorized by the same legal authorities, and have similar routine uses. EOIR will rename JUSTICE/EOIR–001 from ''Records and Management Information System'' to ''Adjudication and Appeal Records of the Office of the Chief Immigration Judge and Board of Immigration Appeals.'' Second, EOIR is modifying this system of records to encompass electronic records used by OCIJ and the BIA to adjudicate immigration proceedings. OCIJ and the BIA have incorporated digital processes producing electronic records that are not currently captured in EOIR's systems of records notices. Third, EOIR is updating some of the routine uses of this system of records to clarify EOIR's current information sharing practices. Because the system of records is being modified, EOIR proposes to also update the Privacy Act exemptions claimed for the system.

II. Privacy Act Exemptions

The Privacy Act allows Federal agencies to exempt eligible records in a system of records from certain provisions of the Act, including those that provide individuals with a right to request access to and amendment of records about the individual. If an agency intends to exempt a particular system of records, it must first issue a rulemaking pursuant to 5 U.S.C. 553(b)(1)–(3), (c), and (e).

The Department proposes to modify the Privacy Act exemptions for this system of records at 28 CFR part 16, to better reflect the modified system of records, Adjudication and Appeal Records of the Office of the Chief Immigration Judge and Board of Immigration Appeals, JUSTICE/EOIR–001. The regulations at 28 CFR 16.83 codify the exemption of the Executive Office for Immigration Review's Adjudication and Appeal Records of the Office of the Chief Immigration Judge and Board of Immigration Appeals, JUSTICE/EOIR–001, from 5 U.S.C. 552a(d) pursuant to 5 U.S.C. 552a(k)(1), and from 5 U.S.C. 552a(d)(2), (3), and (4) pursuant to 5 U.S.C. 552a(k)(2). The regulations at 28 CFR 16.84 codify the exemption of the Board of Immigration Appeals system of records, JUSTICE/BIA–001, from 5 U.S.C. 552a(d)(2), (3), and (4) pursuant to 5 U.S.C. 552a(k).

EOIR is consolidating these two systems of records. As such, the Department proposes to remove and reserve 28 CFR 16.84 and to rename the system as it appears in 28 CFR 16.83 to ''Adjudication and Appeal Records of the Office of the Chief Immigration Judge and the Board of Immigration Appeals.'' The Department is not proposing any other changes to 28 CFR 16.83 as the exemptions from 5 U.S.C. 552a(d) pursuant to 5 U.S.C. 552a(k)(1), and from 5 U.S.C. 552a(d)(2), (3), and (4) pursuant to 5 U.S.C. 552a(k)(2), continue to apply to this consolidated system of records for the reasons provided in the regulations and restated here:

(a) The following system of records is exempt from 5 U.S.C. 552a(d):

(1) The Executive Office for Immigration Review's Records and Management Information System (JUSTICE/EOIR–001).

This exemption applies only to the extent that information in the system is subject to exemption pursuant to 5 U.S.C. 552a(k)(1) and (2).

(b) Exemption from the following subsections of the Privacy Act are justified for the following reasons:

(1) From subsection (d) because access to information which has been properly classified pursuant to an Executive Order could have an adverse effect on the national security. In addition, from subsection (d) because unauthorized access to certain investigatory material could compromise ongoing or potential investigations; reveal the identity of confidential informants; or constitute

unwarranted invasions of the personal privacy of third parties.

(2) From subsection (d) (2), (3), and (4) because the record of proceeding constitutes an official record which includes transcripts of quasi-judicial administrative proceedings, investigatory materials, evidentiary materials such as exhibits, decisional memoranda, and other case-related papers. Administrative due process could not be achieved by the ex parte ''correction'' of such materials by the individual who is the subject thereof.

28 CFR 16.83(a)–(b). The language in 28 CFR 16.84 with respect to the exemption from 5 U.S.C. 552a(d)(2), (3), and (4) is duplicative of 28 CFR 16.83(b)(2), obviating the need for any modifications to the regulations to account for the consolidation of the two systems.

These exemptions apply only to the extent that information in this system of records is subject to an exemption pursuant to 5 U.S.C. 552a(k)(1) and (k)(2). To the extent that information in a record pertaining to an individual does not relate to national defense or foreign policy, official Federal investigations and/or law enforcement matters, the exemption does not apply. In addition, where compliance would not appear to interfere with or adversely affect the overall law or regulatory enforcement process, the applicable exemption may be waived by EOIR.

Executive Orders 12866 and 13563—Regulatory Review

In accordance with 5 U.S.C. 552a(k), this proposed action is subject to formal rulemaking procedures by giving interested persons an opportunity to participate in the rulemaking process ''through submission of written data, views, or arguments,'' pursuant to 5 U.S.C. 553. The purpose of this proposed rule is to exempt certain records within this system from the requirements of 5 U.S.C. 552a(d) for the same reasons as currently stated at 28 CFR 16.83 and 16.84. This proposed rule does not raise novel legal or policy issues, nor does it adversely affect the economy, the budgetary impact of entitlements, grants, user fees, loan programs, or the rights and obligations of recipients thereof in a material way. The Department of Justice has determined that this rule is not a ''significant regulatory action'' under Executive Order 12866, section 3(f), and accordingly this rule has not been reviewed by the Office of Information and Regulatory Affairs within the Office of Management and Budget pursuant to Executive Order 12866.

Regulatory Flexibility Act

This proposed rule will only impact Privacy Act-protected records, which are personal and generally do not apply to an individual's entrepreneurial capacity, subject to limited exceptions. Accordingly, the Chief Privacy and Civil Liberties Officer, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed this regulation and by approving it certifies that this regulation will not have a significant economic impact on a substantial number of small entities.

Small Business Regulatory Enforcement Fairness Act of 1996 (Subtitle E—Congressional Review Act)

The Small Business Regulatory Enforcement Fairness Act (SBREFA) of 1996, 5 U.S.C. 801 *et seq.,* requires the Department to comply with small entity requests for information and advice about compliance with statutes and regulations within the Department's jurisdiction. Any small entity that has a question regarding this document may contact the person listed in **FOR FURTHER INFORMATION CONTACT** paragraph, above. Persons can obtain further information regarding SBREFA on the Small Business Administration's web page at *https://www.sba.gov/advocacy.* This proposed rule is not a major rule as defined by 5 U.S.C. 804 of the Congressional Review Act.

Executive Order 13132—Federalism

This proposed rule will not have substantial direct effects on the States, on the relationship between the national government and the States, or on distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 13132, it is determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Executive Order 12988—Civil Justice Reform

This proposed regulation meets the applicable standards set forth in sections 3(a) and 3(b)(2) of Executive Order 12988 to eliminate drafting errors and ambiguity, minimize litigation, provide a clear legal standard for affected conduct, and promote simplification and burden reduction.

Executive Order 13175—Consultation and Coordination With Indian Tribal Governments

This proposed rule will have no implications for Indian Tribal governments. More specifically, it does not have substantial direct effects 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. Therefore, the consultation requirements of Executive Order 13175 do not apply.

Unfunded Mandates Reform Act of 1995

This proposed rule will not result in the expenditure by State, local and Tribal governments, in the aggregate, or by the private sector, of $100,000,000, as adjusted for inflation, or more in any one year, and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

Paperwork Reduction Act

The Paperwork Reduction Act of 1995, 44 U.S.C. 3507(d), requires the Department to consider the impact of paperwork and other information collection burdens imposed on the public. This system of records encompasses the official records of proceedings (ROPs) in immigration cases before EOIR, which are comprised in part by EOIR and DHS forms subject to the Paperwork Reduction Act. A list of active EOIR forms and their OMB Control Numbers can be found on the EOIR website at *https://www.justice.gov/eoir/eoir-forms.* A list of active DHS forms and their OMB Control Numbers can be found on the DHS website at *https://www.dhs.gov/find-dhs-forms.*

List of Subjects in 28 CFR Part 16

Administrative Practices and Procedures, Courts, Freedom of Information, and the Privacy Act.

Pursuant to the authority vested in the Attorney General by 5 U.S.C. 552a and delegated by Attorney General Order 2940–2008, the Department of Justice proposes to amend 28 CFR part 16 as follows:

PART 16—PRODUCTION OR DISCLOSURE OF MATERIAL OR INFORMATION

■ 1. The authority citation for part 16 continues to read as follows:

Authority: 5 U.S.C. 301, 552, 552a, 553; 28 U.S.C. 509, 510, 534; 31 U.S.C. 3717; 42 U.S.C. 405.

Subpart E—Exemption of Records Systems Under the Privacy Act

■ 2. Amend § 16.83 by revising paragraph (a)(1) to read as follows:

§ 16.83 Exemption of the Executive Office for Immigration Review System—limited access.

(a) * * *

(1) The Executive Office for Immigration Review's Adjudication and Appeal Records of the Office of the Chief Immigration Judge and Board of Immigration Appeals (JUSTICE/EOIR–001).

This exemption applies only to the extent that information in the system is subject to exemption pursuant to 5 U.S.C. 552a(k)(1) and (k)(2).

* * * * *

§ 16.84 [Removed and Reserved]

■ 3. Remove and reserve § 16.84

Dated: August 26, 2025.

Peter Winn,

Acting Chief Privacy and Civil Liberties Officer, United States Department of Justice.

[FR Doc. 2025–16648 Filed 8–28–25; 8:45 am]

BILLING CODE 4410–30–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Parts 148, 149, and 150

[Docket No. USCG–2012–0061]

RIN 1625–AB92

Deepwater Ports

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking; withdrawal.

SUMMARY: The Coast Guard is withdrawing its notice of proposed rulemaking (NPRM) titled ''Deepwater Ports'' that we published on April 9, 2015. The Coast Guard is taking this action because we will not be pursuing the proposed changes at this time. The Coast Guard may issue a new rulemaking in the future if warranted.

DATES: The NPRM published on April 9, 2015 (80 FR 19118) is withdrawn as of August 29, 2025.

ADDRESSES: The docket for this withdrawn proposed rule is available at the Federal eRulemaking Portal at *www.regulations.gov.* Please search for docket number USCG–2012–0061.

FOR FURTHER INFORMATION CONTACT: For information about this document call or email Brent Yezefski, Coast Guard; telephone 571–608–3191, email *brent.c.yezefski@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Abbreviations

CFR Code of Federal Regulations
FR Federal Register
NPRM Notice of proposed rulemaking
OMB Office of Management and Budget

II. Background

On April 9, 2015, the Coast Guard published a notice of proposed rulemaking (NPRM) titled ''Deepwater Ports'' (80 FR 19118).[1] A deepwater port is any fixed or floating manmade structure other than a vessel, or a group of such structures located beyond State seaward boundaries and used or intended for use as a port or terminal for the transportation, storage, or further handling of oil or natural gas for transportation to or from any State, except as otherwise provided in the Deepwater Port Act of 1974, as amended. The Coast Guard proposed revisions to its regulations in 33 CFR parts 148, 149, and 150 for the licensing, construction, design, equipment, and operation of deepwater ports.

The comment period ended on July 8, 2015. The Coast Guard received 26 comments (including two duplicate submissions) on our April 2015 NPRM. The comments are available in the docket. Since 2015, the Coast Guard has not published any other actions related to this rulemaking and has decided to withdraw the NPRM.

III. Withdrawal

The Coast Guard is withdrawing the proposed rule because the Coast Guard concluded that it will not be pursuing the proposed changes at this time. The Coast Guard will continue to engage with stakeholders regarding potential revisions to Subchapter NN. The Coast Guard's existing regulations in 33 CFR parts 148, 149, and 150 remain in effect.

IV. Executive Order 14192

The withdrawal of this NPRM is an Executive Order 14192 deregulatory action. See Office of Management and Budget (OMB) Memorandum M–25–20, ''Guidance Implementing Section 3 of Executive Order 14192, Titled 'Unleashing Prosperity Through Deregulation' '' (March 26, 2025).

V. Conclusion

The Coast Guard withdraws the ''Deepwater Ports'' proposed rulemaking announced in an NPRM published April 9, 2015 (80 FR 19118). Upon publication of this notice, the Coast Guard will classify the corresponding Unified Agenda entry as a completed action.

[1] *https://www.federalregister.gov/documents/2015/04/09/2015-06611/deepwater-ports.*

This notice is issued under authority of 5 U.S.C. 552(a) and is consistent with the procedures set forth in 5 U.S.C. 553 of the Administrative Procedure Act.

Dated: August 26, 2025.

W.R. Arguin,

Rear Admiral, U.S. Coast Guard, Assistant Commandant for Prevention Policy.

[FR Doc. 2025–16597 Filed 8–28–25; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

[Docket No. FWS–R4–ES–2025–0210; FXES1111090FEDR–256–FF09E21000]

RIN 1018–BI23

Endangered and Threatened Wildlife and Plants; Threatened Species Status With Section 4(d) Rule for Southern Hognose Snake

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), propose to list the southern hognose snake (*Heterodon simus*), a small, fossorial snake species from the coastal plains and sandhills across the southeastern United States, as a threatened species under the Endangered Species Act of 1973, as amended (Act). This determination also serves as our 12-month finding on a petition to list the southern hognose snake. After a review of the best scientific and commercial data available, we find that listing the species is warranted. Accordingly, we propose to list the southern hognose snake as a threatened species with protective regulations under section 4(d) of the Act (''4(d) rule''). If we finalize this rule as proposed, it would add this species to the List of Endangered and Threatened Wildlife and extend the Act's protections to the species. We find that designating critical habitat for this species is prudent but not determinable at this time.

DATES: Comments must be received by October 28, 2025. Comments submitted electronically using the Federal eRulemaking Portal (see **ADDRESSES**, below) must be received by 11:59 p.m. eastern time on the closing date. We must receive requests for a public hearing, in writing, at the address shown in **FOR FURTHER INFORMATION CONTACT** by October 14, 2025.

ADDRESSES: *Comment submission:* You may submit comments by one of the following methods:

(1) *Electronically:* Go to the Federal eRulemaking Portal: *https://www.regulations.gov.* In the Search box, enter FWS–R4–ES–2025–0210, which is the docket number for this rulemaking. Then, click on the Search button. On the resulting page, in the panel on the left side of the screen, under the Document Type heading, check the Proposed Rule box to locate this document. You may submit a comment by clicking on ''Comment.''

(2) *By hard copy:* Submit by U.S. mail to: Public Comments Processing, Attn: FWS–R4–ES–2025–0210, U.S. Fish and Wildlife Service, MS: PRB/3W, 5275 Leesburg Pike, Falls Church, VA 22041–3803.

We request that you send comments only by the methods described above. We will post all comments on *https://www.regulations.gov.* This generally means that we will post any personal information you provide us (see Information Requested, below, for more information).

Availability of supporting materials: Supporting materials, such as the species status assessment report, are available at *https://www.regulations.gov* at Docket No. FWS–R4–ES–2025–0210 and at *https://ecos.fws.gov/ecp/species/3248.*

FOR FURTHER INFORMATION CONTACT: Christy Johnson-Hughes, Field Supervisor, U.S. Fish and Wildlife Service, South Carolina Ecological Services Field Office; 843–727–4707; *christy_johnsonhughes@fws.gov.* 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. Please see Docket No. FWS–R4–ES–2025–0210 on *https://www.regulations.gov* for a document that summarizes this proposed rule.

SUPPLEMENTARY INFORMATION:

Executive Summary

Why we need to publish a rule. Under the Act, a species warrants listing if it meets the definition of an endangered species (in danger of extinction throughout all or a significant portion of its range) or a threatened species (likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range). If we determine that a species warrants listing, we must list the species promptly and designate the species' critical habitat to the maximum extent prudent and determinable. We have determined that the southern hognose snake meets the Act's definition of a threatened species; therefore, we are proposing to list it as such. Listing a species as an endangered or threatened species can be completed only by issuing a rule through the Administrative Procedure Act rulemaking process (5 U.S.C. 551 *et seq.*).

What this document does. We propose to list the southern hognose snake as a threatened species with protective regulations under section 4(d) of the Act.

The basis for our action. Under the Act, we may determine that a species is an endangered or threatened species because of any of five factors: (A) the present or threatened destruction, modification, or curtailment of its habitat or range; (B) overutilization for commercial, recreational, scientific, or educational purposes; (C) disease or predation; (D) the inadequacy of existing regulatory mechanisms; or (E) other natural or manmade factors affecting its continued existence. We have determined that the southern hognose snake meets the Act's definition of a threatened species due to the following threats: under Factor A, habitat loss, conversion, and fragmentation (due to conversion for agriculture, silviculture, and development); and under Factor E, road mortality, effects of small population size, invasive species, and effects of increased temperatures, decreased precipitation, increased severe weather such as drought, flooding, or storms, resulting in changes in wildfire frequency and intensity, decreased ability to conduct prescribed burns, and sea level rise.

Section 4(a)(3) of the Act requires that the Secretary of the Interior (Secretary), to the maximum extent prudent and determinable, concurrently with listing designate critical habitat for the species. Section 3(5)(A) of the Act defines critical habitat as (i) the specific areas within the geographical area occupied by the species, at the time it is listed, on which are found those physical or biological features (I) essential to the conservation of the species and (II) which may require special management considerations or protections; and (ii) specific areas outside the geographical area occupied by the species at the time it is listed, upon a determination by the Secretary that such areas are essential for the conservation of the species. Section 4(b)(2) of the Act states that the Secretary must make the designation on the basis of the best scientific data available and after taking into consideration the economic impact, the impact on national security, and any other relevant impacts of specifying any particular area as critical habitat.

We have determined that critical habitat is not determinable at this time for the southern hognose snake. The Act allows the Service an additional year to publish a critical habitat designation that is not determinable at the time of listing (16 U.S.C. 1533(b)(6)(C)(ii)).

Information Requested

We intend that any final action resulting from this proposed rule will be based on the best scientific and commercial data available and be as accurate and as effective as possible. Therefore, we request comments or information from other governmental agencies, Native American Tribes, the scientific community, industry, or any other interested parties concerning this proposed rule. We particularly seek comments concerning:

(1) The species' biology, range, and population trends, including:

(a) Biological or ecological requirements of the species, including habitat requirements for feeding, breeding, and sheltering;

(b) Genetics and taxonomy;

(c) Historical and current range, including distribution patterns and the locations of any additional populations of this species;

(d) Historical and current population levels, and current and projected trends; and

(e) Past and ongoing conservation measures for the species, its habitat, or both.

(2) Threats and conservation actions affecting the species, including:

(a) Factors that may be affecting the continued existence of the species, which may include habitat modification or destruction, overutilization, disease, predation, the inadequacy of existing regulatory mechanisms, or other natural or manmade factors;

(b) Biological, commercial trade, or other relevant data concerning any threats (or lack thereof) to this species; and

(c) Existing regulations or conservation actions that may be addressing threats to this species.

(3) Additional information concerning the historical and current status of this species.

(4) Information to assist us with applying or issuing protective regulations under section 4(d) of the Act that may be necessary and advisable to

provide for the conservation of the southern hognose snake. In particular, we seek information concerning:

(a) The extent to which we should include any of the Act's section 9 prohibitions in the 4(d) rule;

(b) Whether we should consider any additional or different exceptions from the prohibitions in the 4(d) rule;

(c) Impacts (conservation and economic) associated with implementing the 4(d) rule;

(d) How frequently and in what geographical areas are activities that we propose to regulate under the 4(d) rule (*e.g.,* sale, ''take'') currently occurring;

(e) Whether there are other laws currently in place that regulate the activities or ''take'' prohibited in the proposed 4(d) rule;

(f) The pet market for the southern hognose snake, including how many U.S.-based businesses sell southern hognose snakes domestically as pets or export and what portion of revenues for these businesses come from the sale of southern hognose snakes;

(g) The number of individuals that keep the southern hognose snake as a pet, and in which regions or States;

(h) The entities likely to request section 10(a)(1)(A) permits for conducting activities that would involve ''take'' such as capture or handling of the southern hognose;

(i) Data available on the time and economic costs of obtaining section 10(a)(1)(A) permits for these activities;

(j) The entities likely to develop habitat conservation plans and request section 10(a)(1)(B) permits for conducting activities that would involve incidental ''take'' of the southern hognose;

(k) Data available on the time and economic costs of obtaining section 10(a)(1)(B) permits for these activities; and

(l) Any other entities not addressed in this proposed rule that may be affected by the 4(d) rule.

(5) Information to assist us with identifying critical habitat, including any information as to why we should or should not designate habitat as ''critical habitat'' under section 4 of the Act.

Please include sufficient information with your submission (such as scientific journal articles or other publications) to allow us to verify any scientific or commercial information you include.

Please note that submissions merely stating support for, or opposition to, the action under consideration without providing supporting information, although noted, do not provide substantial information necessary to support a determination. Section 4(b)(1)(A) of the Act directs that determinations as to whether any species is an endangered or a threatened species must be made solely on the basis of the best scientific and commercial data available, and section 4(b)(2) of the Act directs that the Secretary shall designate critical habitat on the basis of the best scientific data available.

You may submit your comments and materials concerning this proposed rule by one of the methods listed in **ADDRESSES**. We request that you send comments only by the methods described in **ADDRESSES**.

If you submit information via *https://www.regulations.gov,* your entire submission—including any personal identifying information—will be posted on the website. If your submission is made via a hardcopy that includes personal identifying information, you may request at the top of your document that we withhold this information from public review. However, we cannot guarantee that we will be able to do so. We will post all hardcopy submissions on *https://www.regulations.gov.*

Comments and materials we receive, as well as supporting documentation we used in preparing this proposed rule, will be available for public inspection on *https://www.regulations.gov.*

Our final determination may differ from this proposal because we will consider all comments we receive during the comment period as well as any information that may become available after this proposal. Based on the new information we receive (and, if relevant, any comments on that new information), we may conclude that the species is endangered instead of threatened, or we may conclude that the species does not warrant listing as either an endangered species or a threatened species. In addition, we may change the parameters of the prohibitions or the exceptions to those prohibitions in the protective regulations issued under section 4(d) of the Act if we conclude it is appropriate in light of comments and new information received. For example, we may expand the prohibitions if we conclude that the protective regulation as a whole, including those additional prohibitions, are necessary and advisable to provide for the conservation of the species. Conversely, we may establish additional or different exceptions to the prohibitions in the final rule if we conclude that the activities would facilitate or are compatible with the conservation and recovery of the species. In our final rule, we will clearly explain our rationale and the basis for our final decision, including why we made changes, if any, that differ from this proposal.

Public Hearing

Section 4(b)(5) of the Act provides for a public hearing on this proposal, if requested. Requests must be received by the date specified in **DATES**. Such requests must be sent to the address shown in **FOR FURTHER INFORMATION CONTACT**. We will schedule a public hearing on this proposal, if requested, and announce the date, time, and place of the hearing, as well as how to obtain reasonable accommodations, in the **Federal Register** and local newspapers at least 15 days before the hearing. We may hold the public hearing in person or virtually via webinar. We will announce any public hearing on our website, in addition to the **Federal Register**. The use of virtual public hearings is consistent with our regulations at 50 CFR 424.16(c)(3).

Previous Federal Actions

We published a 12-month finding for the southern hognose snake on October 7, 2019, concluding that the species was not warranted for listing under the Endangered Species Act (84 FR 53336). On January 26, 2023, the Center for Biological Diversity filed a complaint alleging the 12-month finding violated the Endangered Species Act and Administrative Procedure Act (*Center for Biological Diversity* v. *Haaland, et. al., No. 1:23–cv–00221–RBW* (D.D.C.). We subsequently entered into a settlement agreement that required us to submit a new 12-month finding to the Office of the Federal Register as to whether the listing of the southern hognose snake as threatened or endangered is (a) not warranted; (b) warranted; or (c) warranted but precluded by other pending proposals, pursuant to the Act on or before August 27, 2025. The Service updated the species status assessment (SSA) report with new information and this report (Service 2024, entire) served as the scientific basis that informed this 12-month finding and proposed rule.

Peer Review

An SSA team prepared an updated SSA report for the southern hognose snake. The SSA team was composed of Service biologists, in consultation with other species experts. The SSA report represents a compilation of the best scientific and commercial data available concerning the status of the species, including the impacts of past, present, and future factors (both negative and beneficial) affecting the species.

In accordance with our joint policy on peer review published in the **Federal**

Register on July 1, 1994 (59 FR 34270), and our August 22, 2016, memorandum updating and clarifying the role of peer review in listing and recovery actions under the Act (*https://www.fws.gov/sites/default/files/documents/peer-review-policy-directors-memo-2016-08-22.pdf*), we solicited independent scientific review of the information contained in the southern hognose snake SSA report. We sent the SSA report to three independent peer reviewers and received responses from two reviewers. Results of this structured peer review process can be found at *https://www.regulations.gov* at Docket No. FWS–R4–ES–2025–0210. In preparing this proposed rule, we incorporated the results of these reviews, as appropriate, into the SSA report, which is the foundation for this proposed rule.

Summary of Peer Reviewer Comments

As discussed in Peer Review above, we received comments from two peer reviewers on the draft updated SSA report. We reviewed all comments we received from the peer reviewers for substantive issues and new information regarding the contents of the SSA report. The peer reviewers generally concurred with our methods and provided suggestions for clarifying the influences of threats, such as the red imported fire ants (*Solenopsis invicta*), and other editorial suggestions. Otherwise, no substantive changes to our analysis and conclusions within the SSA report were deemed necessary, and peer reviewer comments are addressed in version 2.1 of the SSA report (Service 2024, entire).

I. Proposed Listing Determination

Background

A thorough review of the taxonomy, life history, and ecology of the southern hognose snake is presented in the SSA report (version 2.1; Service 2024, entire).

The southern hognose snake is the smallest of hognose snake species and is endemic to the Coastal Plain ecoregion of the southeastern United States. States with known occurrence records include North Carolina, South Carolina, Georgia, Florida, Alabama, and Mississippi; however, historically, the species was distributed across much of the southeastern United States from the vicinities of Morehead City and Raleigh, North Carolina, south to Tampa, Florida; west to the Pearl River dividing Louisiana and Mississippi; and north to Calhoun County, Alabama (Meylan 1985, p. 375). For our assessment, occurrence records from 1880–2023 were used to define populations. We identified 233 populations across the historical range of the species, and through our analysis, found that 87 are considered to be extant. We found 144 populations to be considered extirpated and identified 2 unknown populations through our assessment.

The southern hognose snake is associated with the longleaf pine savanna ecosystem. They occupy open-canopy, xeric, upland habitat with well-drained, sandy soils, characterized by pine-dominated or pine-oak woodland. The species favors savanna habitats with an open canopy and a grassy understory (Enge et al. 2016, p. 12), which were historically maintained through fire. The longleaf pine ecosystem is dependent on regular fire intervals and other disturbances to create and maintain open pine conditions that support the species' needs.

The southern hognose snake can be found in multiple physiographic regions across its range that include various habitat compositions. In North Carolina, they have been found in mixed oak-pine forests occurring on well-drained, sandy soils (Palmer and Braswell 1995 p. 176; Tuberville et al. 2000, p. 21). Typical habitat in North Carolina has been reported as longleaf pine-wiregrass (*Aristrida stricta*) and turkey oak (*Quercus laevis*) forests (Beane et al. 2014, p. 169). In Florida, sandhills with disturbed areas seem to be the core natural habitat and are frequently used, whereas, xeric hammock and scrub habitats are seldom used (Enge 1997, pp. 28–49; Enge et al. 2016, p. 12).

Southern hognose snakes typically range from 33 to 51 centimeters (cm) (13 to 20 inches (in)) and have short heads with a sharply upturned keeled snout. The head is dusky brown above the snout, with a dark transverse bar that often occurs on the snout in front of the eyes. The body scales are keeled and anal plate divided. We describe the southern hognose snake's three life stages to include: egg, hatchling/juvenile, and adult. Their prey consists of frogs and toads, small lizards, and in some cases invertebrates. Little is known about any specific habitat requirements that may be needed for nesting and hibernation. The southern hognose snake is strictly diurnal and highly fossorial, with observations of wild individuals made across all months.

Regulatory and Analytical Framework

Regulatory Framework

Section 4 of the Act (16 U.S.C. 1533) and the implementing regulations in title 50 of the Code of Federal Regulations set forth the procedures for determining whether a species is an endangered species or a threatened species, issuing protective regulations for threatened species, and designating critical habitat for endangered and threatened species.

The Act defines an ''endangered species'' as a species that is in danger of extinction throughout all or a significant portion of its range and a ''threatened species'' as a species that is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range. The Act requires that we determine whether any species is an endangered species or a threatened species because of any of the following factors:

(A) The present or threatened destruction, modification, or curtailment of its habitat or range;

(B) Overutilization for commercial, recreational, scientific, or educational purposes;

(C) Disease or predation;

(D) The inadequacy of existing regulatory mechanisms; or

(E) Other natural or manmade factors affecting its continued existence.

These factors represent broad categories of natural or human-caused actions or conditions that could have an effect on a species' continued existence. In evaluating these actions and conditions, we look for those that may have a negative effect on individuals of the species, as well as other actions or conditions that may ameliorate any negative effects or may have positive effects.

We use the term ''threat'' to refer in general to actions or conditions that are known to or are reasonably likely to negatively affect individuals of a species. The term ''threat'' includes actions or conditions that have a direct impact on individuals (direct impacts), as well as those that affect individuals through alteration of their habitat or required resources (stressors). The term ''threat'' may encompass—either together or separately—the source of the action or condition or the action or condition itself.

However, the mere identification of any threat(s) does not necessarily mean that the species meets the statutory definition of an ''endangered species'' or a ''threatened species.'' In determining whether a species meets either definition, we must evaluate all identified threats by considering the species' expected response and the effects of the threats—in light of those actions and conditions that will ameliorate the threats—on an individual, population, and species

level. We evaluate each threat and its expected effects on the species, then analyze the cumulative effect of all of the threats on the species as a whole. We also consider the cumulative effect of the threats in light of those actions and conditions that will have positive effects on the species, such as any existing regulatory mechanisms or conservation efforts. The Secretary determines whether the species meets the definition of an ''endangered species'' or a ''threatened species'' only after conducting this cumulative analysis and describing the expected effect on the species.

The Act does not define the term ''foreseeable future,'' which appears in the statutory definition of ''threatened species.'' Our implementing regulations at 50 CFR 424.11(d) set forth a framework for evaluating the foreseeable future on a case-by-case basis which is further described in the 2009 Memorandum Opinion on the foreseeable future from the Department of the Interior, Office of the Solicitor (M–37021, January 16, 2009; ''M-Opinion,'' available online at *https://www.doi.gov/sites/doi.opengov.ibmcloud.com/files/uploads/M-37021.pdf*). The foreseeable future extends as far into the future as the Service can make reasonably reliable predictions about the threats to the species and the species' responses to those threats. We need not identify the foreseeable future in terms of a specific period of time. We will describe the foreseeable future on a case-by-case basis, using the best available data and taking into account considerations such as the species' life-history characteristics, threat projection timeframes, and environmental variability. In other words, the foreseeable future is the period of time over which we can make reasonably reliable predictions. ''Reliable'' does not mean ''certain''; it means sufficient to provide a reasonable degree of confidence in the prediction, in light of the conservation purposes of the Act.

Analytical Framework

The SSA report documents the results of our comprehensive biological review of the best scientific and commercial data regarding the status of the species, including an assessment of the potential threats to the species. The SSA report does not represent our decision on whether the species should be proposed for listing as an endangered or threatened species under the Act. However, it does provide the scientific basis that informs our regulatory decisions, which involve the further application of standards within the Act and its implementing regulations and policies.

To assess southern hognose snake viability, we used the three conservation biology principles of resiliency, redundancy, and representation (Shaffer and Stein 2000, pp. 306–310). Briefly, resiliency is the ability of the species to withstand variable changes in environmental and demographic conditions (for example, wet or dry, warm or cold years); redundancy is the ability of the species to withstand catastrophic events (for example, droughts, large pollution events); and representation is the ability of the species to adapt to both near-term and long-term changes in its physical and biological environment (for example, climate conditions, pathogens). In general, species viability will increase with increases in resiliency, redundancy, and representation (Smith et al. 2018, p. 306). Using these principles, we identified the species' ecological requirements for survival and reproduction at the individual, population, and species levels, and described the beneficial and risk factors influencing the species' viability.

The SSA process can be categorized into three sequential stages. During the first stage, we evaluated the individual species' life-history needs. The next stage involved an assessment of the historical and current condition of the species' demographics and habitat characteristics, including an explanation of how the species arrived at its current condition. The final stage of the SSA involved making predictions about the species' future condition, including responses to positive and negative environmental and anthropogenic influences. Throughout all of these stages, we used the best available information to characterize viability as the ability of a species to sustain populations in the wild over time, which we then used to inform our regulatory decision.

The following is a summary of the key results and conclusions from the SSA report; the full SSA report can be found at *https://www.regulations.gov* under Docket No. FWS–R4–ES–2025–0210 and at *https://ecos.fws.gov/ecp/species/3248.*

Summary of Biological Status and Threats

In this discussion, we review the biological condition of the species and its resources, and the threats that influence the species' current and future condition, in order to assess the species' overall viability and the risks to that viability.

Species Needs

We assessed the best available information to identify the physical and biological needs to support all life stages for the southern hognose snake. We identified the specific ecological needs for individuals to survive and reproduce, as well as support viable populations (see table 1, below). The species' needs are described in terms of the southern hognose snake's required conditions for feeding, breeding, sheltering, and movement/dispersal. We determined the main elements essential to the survival and reproductive success of southern hognose snake individuals to be well-drained sandy soils, suitable vegetation structure and composition, presence of prey, and habitat connectivity (Service 2024, p. 14). These needs are described for individuals; however, the needs of individuals also result in needs for populations.

TABLE 1—THE ECOLOGICAL REQUISITES FOR SURVIVAL AND REPRODUCTIVE SUCCESS OF SOUTHERN HOGNOSE SNAKE INDIVIDUALS AND POPULATIONS.

Life stage	Survival and reproductive requisites	Resource function (BFSD)[1]	Description
Egg, juvenile, adult	Well-drained sandy soils	All	Supports burrowing and fossorial characteristics
Juvenile, adult	Vegetation structure and composition	All	Provides refuge from predation, creates needed microclimate conditions, supports prey species
Juvenile, adult	Adequate prey	F	Consists of mainly frogs and toads, with some lizards and invertebrates
Adult	Connectivity between suitable habitats	B, D	Supports genetic exchange

[1] The function of each resource or circumstance is indicated (Breeding – B; Feeding – F; Sheltering – S; Dispersal – D).

Feeding

The southern hognose snake has been reported to feed primarily on frogs and toads (anurans). The species also consumes small lizards and in some cases invertebrates (Ashton and Ashton 1981, p. 85; Beane et al. 1998, p. 45; Ernst and Ernst 2003, p. 153; Beane et al. 2011, p. 292, 2014, p. 171). Lizards and anurans may contribute equally to the southern hognose snake diet, or a possible diet shift with age or size may occur (Beane et al. 2014, p. 173). Lizards have only been found in the stomachs of smaller, juvenile individuals indicating lizards are a likely food source for the younger life stages (Beane et al. 2014, p. 173).

The specialized upturned snout of the southern hognose snake is used to dig out buried prey (Goin 1947, p. 275; Conant and Collins 1998, p. 328; Ernst and Ernst 2003, p. 153). It has been speculated that the southern hognose snake forages in the early morning, late evenings, or on cool days when some lizard prey, such as the six-lined racerunner lizard (*Aspidoscelis sexlineatus*), emerge from its nocturnal burrows or is likely to be inactive (Beane et al. 2014, p. 173). The appropriate conditions for feeding are dependent on the presence of prey at the juvenile/adult life stages.

Breeding

The southern hognose snake is oviparous (egg-laying) and requires underground burrows for their nests. There is no information available regarding natural nests for the species; however, a similar species, the eastern hognose snake (*Heterodon platirhinos*) has been found to deposit eggs at 15 cm (5.9 in) below the surface in a gravel deposit, under a rock, and at depths of 10 to 15 cm (3.9 to 5.9 in) in sandy fields (Edgren 1955, pp. 105–108). The soils and substrate are important for providing the appropriate conditions for the species to create the nesting burrows using their shovel-like, upturned snout. The appropriate conditions for breeding are dependent on well-drained sandy soils, suitable vegetation structure and composition for individuals, and connectivity between suitable habitat for both individuals and populations (Service 2024, p 14).

Sheltering

The southern hognose snake is highly fossorial and remains underground much of its life. The species uses underground burrows for all life stages and for much of its life history needs. They excavate underground burrows vertically, through loose sandy soil using their upturned snout and will also utilize existing burrows of other species. During the non-breeding, colder temperature seasons, late fall to early spring, southern hognose snakes use underground burrows for their hibernacula. Southern hognose snakes were observed excavating and entering those hibernacula in North Carolina from late October to late November and emerging from late March to mid-April (Beane et al. 2007, p. 467). Individual snakes did not depend on stump holes or other existing subterranean chambers for hibernacula and did not display hibernaculum site fidelity, though the sample size was small (n=4) (Beane et al. 2007, p. 467; Beane 2019, pers. comm.). The habitat conditions for the hibernacula are dependent on well-drained sandy soils.

The species is strictly diurnal with peak activity occurring in the late morning to early afternoon (Beane et al. 2014, p. 173) and will take cover for protection, resting, and thermoregulating in underground burrows while not above ground. The most rigorous report of the use of burrows by southern hognose snakes discussed finding animals at depths of 20 to 30 cm (7.9 to 11.8 in) of sand within open areas (Palmer and Braswell 1995, p. 178) and the burrows can be very obvious (Beane 2019, pers. comm.).

Southern hognose snakes have been reported to use existing southeastern pocket gopher (*Geomys pinetis*) mounds and gopher tortoise (*Gopherus polyphemus*) burrows (Stevenson et al. 2018, p. 547). It is suspected that they occasionally use the southeastern pocket gopher mounds for sub-surface thermoregulation, particularly on cool, sunny days and may be using the gopher tortoise burrows for both refugia and for foraging for anurans (Stevenson et al. 2018, p. 548). The appropriate conditions for sheltering are dependent on well-drained soils with suitable vegetation structure and composition (Service 2024, p. 14).

Movement/Dispersal

The southern hognose snake requires areas above ground that allow for movement and dispersal for hatchling/juvenile and adult life stages. Southern

hognose snakes have relatively small home range sizes, between 8–30 hectares (19.7–74.1 acres) (Beane 2018, pers. comm.; Tuberville 2018, pers. comm.). One female southern hognose snake was reported to have moved 1.44 kilometer (0.9 mile) in one day (Beane 2018, pers. comm.). During the active seasons when the snakes emerge from their hibernacula and are moving above ground, they favor habitat where the canopy is open with a grassy understory (Enge et al. 2016, p. 12). The annual cycle of the southern hognose snake is characterized by seasonal peaks of activity (Tuberville et al. 2000, p. 21). Records for the species occur across all months, but there are generally two peak periods of detection (when this species is above ground): breeding season (May–June) and hatchling season (October–November). The southern hognose snake is diurnal, with peak activity occurring in the late morning to early afternoon (Beane et al. 2014, p. 173).

Because southern hognose snakes are cryptic and difficult to detect, they are most often encountered along roads; therefore, the habitat descriptions associated with those road detections serve as a proxy to provide for a description of the habitat associated with the species' movement and dispersal. Habitat associations for a subset of southern hognose snakes were recorded between 1985–2012; of those records, 51 percent were found crossing roads between open longleaf pine-wiregrass-turkey oak forests; 12 percent were found crossing between longleaf pine-wiregrass-turkey oak forests and disturbed forests, old fields, or agricultural areas; and 37 percent were found crossing roads between various disturbed forests and ruderal habitats (old fields, agricultural plots, clear cuts, and rural yards), or between ruderal habitats (Beane et al. 2014, p. 173).

In Florida, southern hognose snakes have been found crossing roads near ruderal habitats, such as clearcuts, residential lawns, improved pastures, and old fields (Enge 1997, pp. 28–49; Enge and Wood 2003, p. 198; Enge et al. 2016, p. 12). In a study conducted from 1998–2001 in Hernando County, Florida, half of the southern hognose snakes observed crossing roads were found near longleaf pine-wiregrass-turkey oak forests and 48.7 percent of snakes were found near old fields, agricultural areas, or disturbed forest types (Enge and Wood 2003, p. 189, 2002, p. 371). Near Eglin Air Force Base along the Florida panhandle, road-killed hatchlings were observed adjacent to longleaf pine-turkey oak sandhill, invaded by off-site sand pine (Jensen 1996, p. 25; Tuberville et al. 2000, p. 21).

Southern hognose snakes are more commonly found in fire-maintained upland habitat than in agricultural areas, and when found in agricultural areas those areas are typically adjacent to natural upland habitats. It is likely that natural upland habitats are optimal for individuals' survival and reproduction while agricultural and other low-impact areas of human use (*e.g.,* pastures, pine plantations, rural and urban open areas) support survival and movement through these areas but may not support long-term viability of populations.

Not only do the individual snakes require sufficient area for their home ranges and movement that facilitates all life stages and their needs, but populations require connectivity between populations to retain genetic integrity and diversity within populations and to ensure long-term viability. Connectivity to allow for interbreeding amongst populations provides for the integrity of genetic diversity. Fragmentation and isolation of populations will eventually lead to increased inbreeding and increased homozygosity (pairing of two identical alleles of a particular gene) that contributes to the loss of alleles in the populations. Over time, as more and more genetic diversity continues to decline, alleles are lost, often leading to introduction of locked, deleterious traits.

Threats

Habitat Loss, Conversion, and Fragmentation

The longleaf pine ecosystem is a fire-dependent ecosystem that once dominated the Coastal Plain of the Atlantic and Gulf coast regions, from Virginia to Texas (Ware et al. 1993, p. 447). The longleaf pine uplands once covered an estimated 92 million acres (Frost 1993, p. 20). Original longleaf pine communities were old-growth, open-canopied, and contained a structure of two layers: canopy and diverse herbaceous groundcover. Frequently burned, the natural condition was a canopy cover that rarely exceeded 60 percent and permitted a grassy groundcover to flourish (Noss 2013, p. 9). By the 21st century, the longleaf pine community had declined to less than three million acres due to forest clearing and conversion for agriculture, silviculture, and development (Landers et al. 1995, p. 39; Jensen et al. 2008, p. 16). Much of today's forests is younger, denser stands of slash pine (*Pinus elliottii*) or loblolly pine (*Pinus taeda*). There is also a substantial hardwood component and little or no herbaceous groundcover (Noel et al. 1998, pp. 534–535). Only about three percent of the remaining longleaf pine uplands remain in relatively natural condition due to the exclusion/suppression of naturally occurring wildfires (Frost 1993, p. 17; Simberloff 1993, p. 3). Absent or infrequent fire management, mechanical activities that disturb the soil, and habitat management that favors heavy shrub layers and closed canopy create conditions that are incompatible with the southern hognose snake's needs. For example, soil disturbance can cause direct mortality to southern hognose snakes due to their fossorial nature and may alter or damage the subterranean and the soil profile, rendering soils less suitable for snakes.

The longleaf pine ecosystem continues to be altered for agriculture, short-rotation pine plantations, residential, and commercial purposes. This habitat conversion has likely negatively impacted southern hognose snake populations (Enge et al. 2016, p. 21). Like other reptiles and amphibians associated with the longleaf pine ecosystem, the southern hognose snake has declined in parallel with the decline of the longleaf pine ecosystem (Beane et al. 2014, p. 168).

Human population growth in an area leads to increased commercial and residential development. Many ''hotspots'' of projected urban development are predicted to occur within or near known occurrence records for southern hognose snakes or suitable habitat. Urbanization results in the direct loss of habitat and increases fragmentation of habitat, as well as increases road mortality, human persecution, and domestic predators, such as cats (*Felis catus*) and dogs (*Canis lupus familiaris*).

Development increases the prevalence of roads and associated infrastructure, which increase the fragmentation of the habitat and additionally result in the potential for increased mortality from vehicular traffic. Habitat fragmentation is the breaking apart of contiguous habitat into multiple patches (Fahrig 2003, p. 509). Fragmentation can have a variety of negative impacts on wildlife, including greater mortality rates associated with landscape modifications, more frequent encounters with humans, reduced resources in smaller patches, reduced reproduction, restricted gene flow, and increases in predation and competition (Wiens 1994, p. S97; Kjoss and Litvaitis 2001, p. 285). Reduction of larger habitat patches into smaller patches can lead to population

declines due to limited resource availability and can also negatively affect day-to-day movement (Barbour and Litvaitis 1993, p. 326). Fragmentation may also negatively affect larger-scale movements such as dispersal and movement to nearby populations.

Species that require specialized habitats, such as the southern hognose snake, are thought to be vulnerable to habitat fragmentation (Wiens 1994, p. S101). While research is lacking to quantify the effects of fragmentation and urbanization on the southern hognose snake, continued fragmentation and urbanization is expected to drive habitat loss and degradation within the species' range.

Road Mortality

Roads create habitat fragmentation and pose a barrier to movement that can isolate populations and increase direct mortality for many snake species (Andrews and Gibbons 2005, p. 772). Snakes are more severely affected by road mortality than other animal groups because they are thought to use roads for thermoregulation and are relatively slow-moving (Rosen and Lowe 1994, p. 143). Some will remain immobile on roads in response to oncoming vehicles and are often intentionally hit by drivers (Bonnet et al. 1999, p. 40; Andrews and Gibbons 2005, p. 778). An increase in the number of mortalities from vehicles may result in reduced gene flow among populations, decreased potential for dispersal into fragmented habitats, and altered demographics in the form of lower survival and immigration rates, all of which can lead to declines or extirpation of southern hognose snake populations.

Roads that bisect high quality habitat have higher levels of mortality than those that bisect lower quality habitat (Shepard et al. 2008, p. 357). Snake populations could experience especially high levels of road mortality during periods where high traffic volumes and species' seasonal movements coincide (Ashley et al. 2007, p. 141). Snakes are more vulnerable to vehicle encounters when they travel outside of their normal home range, with the highest mortality occurring in adult males during the mating season, neonates or hatchlings immediately after birth or hatching, and adult females on egg laying migrations (Bonnet et al. 1999, p. 47).

Many records for southern hognose snake are from encounters on roads, which are documented as dead on road (DOR). In North Carolina, between 1985–2012, 764 southern hognose snakes were detected. Of those detections, 643 (84 percent) were observed DOR, 110 (14.4 percent) were observed alive on road (AOR), and 11 (1.4 percent) were encountered incidentally, not on a road (Beane et al. 2014, p. 170). The majority of those encountered were juveniles (Beane et al. 2014, pp. 170–171). Observations in Florida between 1998–2001 detected 39 southern hognose snakes, all of which were DOR, and 62 percent of those observations were juveniles (Enge and Wood 2002, p. 369; Enge and Wood 2003, p. 192). These studies indicate that southern hognose snakes are vulnerable to road mortality, particularly as juveniles.

Invasive Species

Negative impacts on wildlife associated with documented introductions of invasive species are increasing, but the long-term consequences of many introductions are still poorly known (Langkilde 2009, p. 208). The red imported fire ant (*Solenopsis invicta*), originating from South America, was first introduced as early as 1918 to the United States at the port of Mobile, Alabama and subsequently spread across the Southeast. (Wilson 1951, p. 68). Red imported fire ants can multiply rapidly, and infiltrate disturbed and early-successional habitats (Todd et al. 2008, p. 540). Reptiles are particularly susceptible to red imported fire ants. Many species of reptiles are oviparous (egg-laying), and it has been shown that eggs and hatchlings can be depredated by red imported fire ants (Swartwout and Willson 2022, p. 139). Red imported fire ants are aggressive, and their stings can result in direct mortality, as well as reduced survival by preventing weight gain, altering behavior, changing foraging patterns, reductions in food availability, and altered habitat (Wilcox and Giuliano 2014, pp. 3–4).

The apparent declines and extirpations of the southern hognose snake are concurrent with the range expansion of red imported fire ants in the southeast United States. Portions of the snake's range within the coastal plains of Mississippi, Alabama, and the Florida panhandle were infested with red imported fire ants by 1958 and were the first to experience the full impact of red imported fire ant predation (Callcott and Collins 1996, p. 245; Mount 1981, p. 75). The last detections for southern hognose snakes were 1975 in Alabama and 1981 in Mississippi. There is some speculation that a time lag occurs between when an area becomes heavily infested with red imported fire ants and when the impacts become obvious (Mount 1981, p. 77). It should be noted that red imported fire ants have difficulty establishing colonies in excessively sandy soils; in such habitat, the impact would be less severe than in those capable of supporting dense populations of red imported fire ants (Mount 1981, p. 75). This may help explain why southern hognose snakes were extirpated from Mississippi and Alabama. The southern hognose snake has always been considered to be rare in these States. The soils are generally wetter west of the Mobile basin and are not as deep as the sandy soils in other portions of the range. Wetter soils are more readily colonized by red imported fire ants (LeBrun et al. 2012, p. 888). Thus, red imported fire ants were possibly one of the main factors leading to the southern hognose snake's extirpation from Mississippi and Alabama. This may also explain why southern hognose snakes continue to occupy areas that have deep sandy soils.

Not only are the eggs and hatchlings at risk of red imported fire ant attacks, juvenile and adult southern hognose snakes may be particularly susceptible to red imported fire ants because of its small size, slow speed, use of open areas and the fact that it is a burrowing species. This species also relies heavily on crypsis and will feign death as an antipredator defense by curling up on their backs to remain stationary while assessing the danger. This period of immobility does not work to fend off the attack, and provides time for red imported fire ants to overtake the snake with venomous stings (Beane et al. 2014, p. 174). It is possible that the slow, cryptic behavior of the southern hognose snake is maladaptive to the presence of red imported fire ants, creating an evolutionary trap that has contributed to its decline (Beane et al. 2014, p. 174).

Feral hogs (*Sus scrofa*) negatively affect almost all aspects of ecosystem structure and function where they are found (Jolley et al. 2010, p. 519). They are known to have significant impacts to native animal and plant communities through direct consumption and indirectly through rooting and soil disturbance (Barrios-Garcia and Ballari 2012, pp. 2284–2293). Reptiles and amphibians are particularly susceptible to impacts from feral hogs (Taylor and Hellgren 1997, p. 38; Jolley et al. 2010, p. 521). In addition to causing direct mortality to reptiles and amphibians, feral hogs also have indirect effects on populations through rooting and habitat alteration (Jolley et al. 2010, p. 520). Their rooting disturbs soil layers and natural decomposition cycles, which can lead to changes in nutrient cycling (Bratton 1975, pp. 1358–1359).

A study at Fort Benning, Georgia found that an entire population of feral hogs (*i.e.,* estimated to be 3,196 individuals) could consume 3.16 million reptiles and amphibians per year (Jolley et al. 2010, p. 521). Feral hogs are known to consume the eastern spadefoot toad (*Scaphiopus holbrookii*), a critical prey base of the southern hognose snake (Jolley et al. 2010, p. 522). The eastern spadefoot toad remains underground for most of the year, but emerges on warm, rainy nights to breed during the spring and summer months in the southeastern United States (Hansen 1958, p. 57). During these periods of breeding, eastern spadefoot toads are found at extremely high densities, and are a concentrated food source and focus for local populations of feral hogs (Jolley et al. 2010, p. 522). Since there is substantial overlap between feral hog occurrence and the range of the southern hognose snake, the level of amphibian prey consumed by feral hogs has the potential to locally impact the prey base of individual populations of the southern hognose snake. Additionally, for southern hognose snakes, feral hogs could also be a predator, particularly while foraging around wetland edges where snakes are searching for anuran prey (Enge et al. 2016, p. 22).

Cogongrass (*Imperata cylindrica*) was introduced into the United States as a forage crop and soil stabilizer in the early part of the 20th century. It is now considered one of the worst invasive weeds in the world (Holzmueller and Jose 2011, p. 436). Cogongrass is known to impact longleaf pine ecosystems in the southeast. It already occurs throughout much of the southern hognose snake's range and is predicted to continue to expand. Cogongrass can rapidly spread in disturbed areas and those undergoing habitat management and restoration. Unlike other undesirable species in xeric upland communities, cogongrass is well adapted to fire, and may rapidly spread following a disturbance in an ecosystem, such as a prescribed fire (Holzmueller and Jose 2011, pp. 436–437). Cogongrass displaces native grasses and forms thick dense stands that decrease native species biodiversity (Holzmueller and Jose 2011, p. 436).

When cogongrass invades an area, it can quickly result in habitat loss for many of the longleaf pine ecosystem associated species, such as gopher tortoises, which will not use invaded areas or consume cogongrass (Basiotis 2007, p. 21). Because it is fire adapted, cogongrass has additional impacts on the use of prescribed fire by altering fire regimes via increased fuel loads. This effect of cogongrass on fire behavior such that it increases the fire intensity and severity has the potential to directly increase southern hognose snake mortality and the potential to indirectly impact southern hognose snakes through changes in habitat. Cogongrass invasion has reduced plant diversity and forage for keystone species and some ecosystem engineers (*e.g.,* gopher tortoise), and facilitated other invasive plant species in areas where it has been left to spread (Basiotis 2007, p. 24; Lippincott 1997, pp. 48–65). While the effects of cogongrass on southern hognose snakes and habitat suitability have not been assessed, cogongrass is currently the most likely invasive plant that could negatively affect southern hognose snake habitat suitability and populations.

Effects of Climate Change

In the southeastern United States, climate change is expected to result in more frequent drought, more extreme heat (resulting in increases in air and water temperatures), increased heavy precipitation events (*e.g.,* flooding), more intense storms (*e.g.,* frequency of major hurricanes increases), and rising sea level and accompanying storm surge (Intergovernmental Panel Climate Change (IPCC) 2013, entire). Warming in the southeast is expected to be greatest in the summer, which is predicted to increase drought frequency, while annual mean precipitation is expected to increase slightly, leading to increased flooding events (Alder and Hostetler 2013, unpaginated; IPCC 2013, entire). Changes in climate may affect ecosystem processes and communities by altering the physical conditions experienced by organisms resulting in potential effects to the ecosystem and to individual species (DeWan et al. 2010, p. 7). These changes have the potential to impact southern hognose snakes, their prey, and habitat. There is uncertainty about how the ecosystems and species in this region will respond to the shifting climate, and effects on species of conservation concern may result from yet undetermined synergistic effects. Effects of climate change may act as a risk multiplier by increasing the risk and severity of more imminent threats such as urbanization or altered fire regimes.

Terrestrial ectotherms (animals that rely on external sources to regulate their body temperature), such as the southern hognose snake, may be at particularly high risk from climate change because they are less effective at buffering body temperature against ambient temperature. Southern hognose snakes rely on ambient thermal heterogeneity to regulate their temperature behaviorally. The ability to optimally regulate body temperatures by moving among diverse microhabitats affects their growth, locomotion, and reproduction (Aubret and Shine 2010, p. 246; Deutsch et al. 2008, p. 6668; Kearney et al. 2009, entire). Southern hognose snake reproduction is tied to seasons with suitable temperature and moisture regimes, and altered weather conditions during these seasons may result in frequently recurring bust years of reproductive failure, and ultimately population declines. In other reptiles, it has been shown that high temperatures that restrict foraging activity can lead to energy shortfalls, and ultimately reduced population growth (Gibbons et al. 2000, p. 660; Huey et al. 2010, p. 833; Sinervo et al. 2010, entire). Reptile species with specialized diets, such as the southern hognose snake, could be particularly vulnerable to changes in climate that affect their prey base, leading to potential population declines.

The most substantial impacts from climate change on the southern hognose snake are likely habitat based. Current and continued projected warming will increase the risk of wildfire, insect, wind, and disease damage to forests, and limit the number of suitable days to implement prescribed fire. The Southeast leads the nation in number of wildfires per year, and climate change will likely increase the frequency and intensity of wildfires (Blate 2009, p. 58; McNulty et al. 2013, p. 173). The projected temperature increase across the Southeast will likely contribute to increased fire frequency and intensity, total burned area, change in fuel conditions, and longer fire seasons (McNulty et al. 2013, p. 174). These changes in wildfire frequency and intensity have the potential to directly harm individual snakes and could significantly impact individual southern hognose snake populations and their habitat.

Alternatively, constraints to managing southern hognose snake habitat with prescribed fire is likely the most substantial risk factor associated with climate change for the southern hognose. Predicted changes in temperature and precipitation due to climate change will limit the number of days with suitable conditions for controlled burns and will constrain the ability to manage habitat with prescribed burning. As the ability to implement prescribed fire becomes further constrained, the ability to reduce woody vegetation and maintain an open under- and mid-story from prescribed burning will be severely limited, and

southern hognose snake habitat will likely degrade.

Additionally, sea level rise (SLR) poses additional risks to coastal populations of the southern hognose snake. Global mean sea level has risen about 16–21 cm (7–8 in) since 1900, with about half of that rise occurring since 1993 (Hayhoe et al. 2018, p. 85). In areas of the Southeast, tide gauge analysis reveals as much as 0.30 to 0.91 meters (1 to 3 feet) of local relative SLR in the past 100 years (Carter et al. 2018, p. 757). The future estimated amount that sea level will rise depends on the response of Earth's climate to warming, as well as on the future scenarios of human-caused emissions (Hayhoe et al. 2018, p. 85).

Coastal populations of southern hognose snakes are predicted to be directly impacted by inundation of upland habitat directly along the coast by SLR, resulting in loss of habitat. Although the amount of habitat predicted to be lost within a given population due to SLR varies considerably depending on the location of the population, coastal populations of southern hognose snake in the Atlantic Coastal Plain (North and South Carolina, Georgia and Florida), Florida peninsula, Florida ridge, and Alabama/Florida panhandle units are considered vulnerable to SLR, and loss of suitable habitat within a population will result in a decreased probability that a given population will persist.

Persecution and Harassment

Humans have a long history of persecuting snakes. Whether a snake is venomous or not, they tend to be viewed as vile and loathsome creatures (Burghardt et al. 2009, p. 262). Fear of snakes, called ophidiophobia, has made snake conservation more difficult than other vertebrate groups (Burghardt et al. 2009, p. 262). The negative perception of snakes ranges from low interest, to harassment, to persecution resulting in deliberate killing. Many human-snake encounters result in the death of the snake (Whitaker and Shine 2000, p. 121). Due to the southern hognose snake's defensive behavior of flattening their head like a cobra, opening their mouth, and hissing loudly, they tend to be viewed as a threat to humans and thus when encountered in the wild they may be killed by people who do not know they are harmless (Kelley 2011, p. 19).

There has also been an increase in recreational herpetology by enthusiasts actively looking for the southern hognose snake because it is considered an uncommon species and they want to add this species to their life list. With the rise of social media there has been an increase of public knowledge of roads where it is easy to spot these animals. These hobbyists may not be collecting individuals, rather just photographing and releasing, but this increased harassment may cause individuals increased stress that could be detrimental to them. Additionally, the increase in traffic on the roads from hobbyists leads to increased road mortality for the species (Martin 2018, pers. comm.).

Hognose snakes have been in the North American pet trade dating back to the late 1980s and into the 1990s, but within the last several decades their numbers in the pet trade have expanded (Kelley 2011, p. 18). Many view hognose snakes as desirable pets due to their upturned snout and coloration making them aesthetically attractive, as well as their tendency to seldom bite, unless a hand or finger is mistaken for food (Kelley 2011, p. 18). Endearing nicknames such as ''hoggies'' and the fact that they are rear fanged, carry mild venom, and will play dead, add to their mystique as pets (Kelley 2011, pp. 18–19). Western hognose snakes (*Heterodon nasicus*) comprise most of the pet trade, with eastern and southern hognose snakes having a smaller commercial role (Kelley 2011, p. 21). This may be because both the eastern and southern hognose snakes eat predominantly frogs and toads, and maintaining specimens in captivity can be more challenging (Kelley 2011, p. 19).

However, there is evidence that collection for the pet trade is a threat to this species. From 1990 to 1994, 135 wild-caught southern hognose snakes were reportedly sold in Florida, collected on primarily four areas of Florida roads where they were relatively abundant (Enge 2005, pp. 208–209). Although there is some potential that some of these snakes were misidentified and were actually eastern hognose snakes, this finding shows that there is a demand for the southern hognose snake in the pet trade (Enge et al. 2016, p. 22). Since the 1990s, the demand for this species continues and hatchlings often sell for more than $200 at reptile shows (Enge et al. 2016, p. 22; Kelley 2011, p. 19). In Florida, two areas of Madison and Suwannee counties are well known to snake hunters for sometimes producing red-colored individuals that are worth up to $500 (Enge et al. 2016, p. 22). Though the population impact of collecting southern hognose snakes from roads is unknown, social media has allowed rapid dissemination of locations of prime or new collecting areas, and commercial or recreational snake hunters may come from hundreds of miles away to look for this species (Enge et al. 2016, pp. 22–23).

Conservation Efforts and Regulatory Mechanisms

Suitable habitat for southern hognose snakes can be found within National Wildlife Refuges, National Forests, State lands, and other conservation areas across the species' range. In fact, there are more than 45 Federal and State-owned properties within the range of the species that are managed for conservation (see table 3–1 in the SSA; Service 2024, p. 31), not including private lands held in conservation easement. Most conservation lands owned by Federal and State agencies are expected to remain protected and managed for conservation purposes in the near future, which would eliminate the risk of direct loss of habitat to urbanization in these areas. Many of the conservation lands in which southern hognose snakes occur manage habitat for other longleaf-associated species, such as red-cockaded woodpeckers (*Leuconotopicus* (=*Dryobates*) (=*Picoides*) *borealis*) and gopher tortoises. This habitat management benefits the southern hognose snake when it results in an open canopy system with more diverse groundcover. Habitat improvements in these areas, including ecosystem restoration, enhancement, protection, prescribed burning, and mechanical upland habitat restoration conducted across the species' range have likely provided some benefits to the southern hognose snake.

Throughout the Southeast, 12 military installations have records of southern hognose snakes, and an additional 26 installations potentially have them (Petersen et al. 2017, pp. 3–20). Active prescribed burning programs are implemented on most military installations to manage for longleaf pine ecosystems, which also benefits conservation of the southern hognose snake. As part of implementation of the Sikes Improvement Act (16 U.S.C. 670a–670o), the Secretaries of the military departments are required to prepare and implement integrated natural resource management plans (INRMPs) for each military installation in the United States. No installations specifically include southern hognose snake habitat and population management prescriptions and goals within their INRMPs; however, most of the INRMPs do include specific management for other longleaf pine ecosystem species, such as the red-cockaded woodpecker and gopher tortoise, which would provide some benefit to southern

hognose snakes. The Department of Defense's Readiness and Environmental Protection Integration (DoD REPI) Program also offers opportunities to expand land conservation beyond installation boundaries to prevent encroachment and maintain military training flexibility, which also benefits the southern hognose snake through habitat conservation. Working through landscape partnerships, the DoD REPI Program has helped protect, restore, and maintain longleaf pine habitat across the Southeast.

There are several initiatives and programs in the Southeast whose objectives include the establishment, restoration, and management of the native upland longleaf pine ecosystem. These include the Working Lands for Wildlife programs of the Natural Resources Conservation Service, the Service Partners for Fish and Wildlife programs, and America's Longleaf Restoration Initiative. Public land partners, including Federal and State agencies, private landowners, and non-governmental organizations are all active partners in America's Longleaf Restoration Initiative. This is a collaborative effort of multiple public and private sector partners that actively supports range-wide efforts to restore and conserve longleaf pine ecosystems with a 15-year goal to increase longleaf pine coverage from 3.4 to 8 million ac. These efforts are focused on 16 significant landscapes, which are areas with large existing longleaf pine blocks, often anchored by public lands. Within these significant landscapes, local implementation teams (LITs) are leading conservation efforts by coordinating partners, developing priorities, and fundraising to implement on-the-ground conservation. The majority of LITs are working within the range of the southern hognose snake, and each of these teams support restoration of longleaf habitat and serve an important role in southern hognose snake habitat restoration and management. Over the past decade, more than 1.3 million ac of longleaf pine has been planted and now 4.7 million ac of longleaf forests occur across the historical range (America's Longleaf Restoration Initiative 2019, p. 2).

Conservation benefit agreements (CBA), previously candidate conservation agreements with assurances (CCAA) and safe harbor agreements, are voluntary commitments made by non-Federal partners to undertake actions that will remove or reduce threats to the agreement's covered species. The goal of any CBA is to provide a net conservation benefit to the covered species that contributes to the recovery or conservation of the species included in the agreement. As an incentive to the non-Federal property owner who engages in voluntary conservation actions for a particular species or group of species, landowners are given regulatory assurances if the species is listed under the Act. In September 2023, the Service, Florida Fish and Wildlife Conservation Commission, and Georgia Department of Natural Resources, in cooperation with Tall Timbers Research Station, finalized the Quail County Programmatic CCAA for North Florida and Southwest Georgia. This programmatic CCAA aims to enroll landowners to manage lands to the benefit of the covered species, including the southern hognose snake (Service et al. 2023, entire) and to date, one landowner has enrolled, totaling 100 acres.

North Carolina, South Carolina, and Georgia consider the southern hognose snake as threatened and protected by State statutes. In these States it is generally illegal to take, possess, transport, or sell southern hognose snakes (North Carolina General Statutes, Chapter 113 Article 25; South Carolina Code of State Regulations, Chapter 123; Rule and Regulations of the State of Georgia, Chapter 391–4–10). These States do issue permits for scientific research. Alabama and Mississippi list the southern hognose snake as endangered; however, it is presumed extirpated based on our analysis. In Florida, the southern hognose snake is ranked as a species of greatest conservation need (Florida Fish and Wildlife Conservation Commission 2019, p. 156); however, this status does not afford the species additional protections.

Cumulative Effects

We note that, by using the SSA framework to guide our analysis of the scientific information documented in the SSA report, we have analyzed the cumulative effects of identified threats and conservation actions on the species. To assess the current and future condition of the species, we evaluate the effects of all the relevant factors that may be influencing the species, including threats and conservation efforts. Because the SSA framework considers not just the presence of the factors, but to what degree they collectively influence risk to the entire species, our assessment integrates the cumulative effects of the factors and replaces a standalone cumulative-effects analysis.

Current Condition

To describe the southern hognose snake's current condition, we assessed the species' population resiliency and the overall redundancy and representation across its current range considering the threats and conservation actions acting on the species.

Resiliency describes the ability of a population to withstand stochastic disturbance. Stochastic events are those arising from random factors such as weather, flooding, or fire. Resiliency is positively related to demographic and habitat variables that may be influenced by connectivity among populations. Generally speaking, populations need enough individuals within habitat patches of adequate area and quality to maintain survival and reproduction in spite of disturbance. Each population's persistence (*i.e.,* probability that a site is currently occupied by a southern hognose snake) was estimated using a modified version of a population persistence model that was developed in the species' previous SSA report, version 1.0, and subsequently published in peer-reviewed literature (Service 2019, appendix B; Crawford et al. 2020, entire).

Based on expert input, we developed and used the following categories to describe the values associated with each population's probability of persistence across the range: unlikely to persist (<50 percent), more likely than not to persist (≥50 percent), very likely to persist (≥80 percent), and extremely likely to persist (≥95 percent), see table 2, below (Service 2024, p. 46). Although a number of populations were determined likely to currently be extant at >50 percent probability, the habitat conditions and connectivity may be impaired, resulting in lower current resiliency than the category that corresponded to their current persistence probability. To evaluate current resiliency, we assessed metrics using each population's probability of persistence, habitat suitability, and connectivity of populations across the species' range (Service 2024, p. 45–46). We described the resiliency of the 87 extant populations based on the probability of persistence along with habitat variables that include habitat suitability and connectivity using three categories: high, moderate, and low.

For the habitat suitability metrics, we examined an existing habitat suitability model (HSI) to evaluate whether conditions on the landscape are sufficient to support populations and their needs into the near future (Service 2024, 45–46). A HSI value of 0.4 is the threshold for locations where southern

hognose snakes occur versus where they do not occur. This value is estimated by the best available data and the model is a formalization of the relationships between conditions that experts have determined are important for southern hognose snake population persistence.

We then examined connectivity in terms of the spatial distance (km and mi) between each population and its closest population. We considered that a population must have other extant populations within 10 km (6.21 mi) to provide demographic connectivity that contribute to genetic diversity within the species, whereas a population that is further away than 10 km (6.21 mi) from its closest population indicates an isolated population. The 10 km (6.21 mi) distance was determined based on expert opinion on how far an individual snake within a population could travel to another population. A population is considered to have some level of resiliency if it occurs on suitable habitat and has connectivity to another extant population. A population is considered to have low resiliency if it does not occur on suitable habitat (HSI <0.4) or there is no connectivity to populations within the 10 km (6.21 mi) threshold.

TABLE 2—RESILIENCY CATEGORIES OF EXTANT POPULATIONS THAT INCLUDE PROBABILITY OF PERSISTENCE (PERCENTAGES), HABITAT SUITABILITY (HABITAT SUITABILITY INDEX (HSI), AND CONNECTIVITY METRICS (DISTANCE FROM CLOSEST EXTANT POPULATION).

Resiliency	Probability of persistence	Habitat suitability	Connectivity km (mi)
High	>80%	Average HSI value >0.4	≥1 extant population within 10 km (6.21 mi)
Moderate	50–79.9%	Average HSI value >0.4	≥1 extant population within 10 km (6.21 mi)
Low	≥50%	Average HSI value >0.4	0 populations within 10 km (6.21 mi)
Low	≥50%	Average HSI <0.4	≥1 extant population within 10 km (6.21 mi)
Low	≥50%	Average HSI <0.4	0 populations within 10 km (6.21 mi)

We considered a population to be highly resilient if it had a relatively high current persistence probability, had suitable habitat available, and had other extant populations within 10 km. Moderate resilient populations had a probability of persistence of 50 to 79.9 percent, had suitable habitat available, and had other extant populations within 10 km (6.21 mi). Low resiliency populations indicate a combination of low population persistence, and either or both, lack of suitable habitat or no connectivity, indicating that the needs of those southern hognose snake populations are not being fully met. Extirpated populations were those that had ≤50 percent probability of persistence. Of the 87 extant populations, 17 populations (19.5 percent) have high resiliency, 9 populations (10.3 percent) have moderate resiliency, and 61 (70.1 percent) have low resiliency. 144 (61.8 percent) populations are considered extirpated (see table 3, below).

TABLE 3—NUMBER OF SOUTHERN HOGNOSE SNAKE POPULATIONS (N=233) AND NUMBER OF EXTANT POPULATIONS WITH THEIR CURRENT RESILIENCIES.

Population resiliency categories	Number of populations in each category	Percentage of extant populations
High	17	19.5%
Moderate	9	10.3%
Low	61	70.1%
Extirpated	144	0.0%
Unknown	2	0.0%

Representation reflects the ability of a species to adapt to changing environmental conditions and can be measured by the breadth of genetic and/or environmental diversity within and among populations. For the southern hognose snake, we do not have information related to genetic diversity. In the absence of species-specific genetic information, representation can be assessed based on a species' ecological diversity information such as the extent and variability of habitat characteristics across the species' geographical range (Wolf et al. 2015, p. 204).

Ecoregions are a system of classification based on physiography, where areas with similar characteristics of land formation, dominant soil and vegetation types, climate, air and sea currents, and distribution of flora and fauna are grouped into a single ecoregion (Bailey 1983, entire; Bailey et al. 1994, entire). Ecoregions have been used to reflect broad areas within which local adaptations and genetic coadaptation have likely occurred. Therefore, we used ecoregions to act as an appropriate proxy for factors likely to influence the adaptive capacity (*i.e.,* genetic diversity and ecological diversity) of southern hognose snakes across the landscape. After further analysis, we delineated the southern hognose snake range into representative units based on grouping Environmental Protection Agency Level IV Ecoregions by similar ecological characteristics (*e.g.,* soil, geology) and dividing the ecoregions where barriers limited contiguous habitat and movement due to large rivers, such as the Savannah, Chattahoochee-Apalachicola, and Mobile-Tombigbee Rivers where appropriate (Service 2024, pp. 46–47). The nine representative units include Upper Coastal Plain (Carolinas), Upper Coastal Plain (Georgia/Florida), Atlantic Coastal Plain (Carolinas), Atlantic Coastal Plain (Georgia/Florida), Florida Peninsula, Florida Ridge, Alabama/Florida Panhandle, West (Alabama/Mississippi), and Alabama Central. We considered how the distributional and habitat variation between the representative units is indicative of the species' ability to adapt to changing environmental condition (adaptive capacity). We also considered the species' behavior to understand its' ability to adapt in a changing environment.

Redundancy describes the ability of a species to withstand catastrophic events. A catastrophic event is defined here as a rare, destructive event or episode that may have impacts on a population or multiple populations, such as unpredictable, destructive forces that may affect the species acutely in time. Redundancy is about spreading risk among populations, and thus, is assessed by characterizing the number and distribution of populations relative to the scale of anticipated species-relevant catastrophic events across a species' range. The greater the number of populations the species has distributed over a larger area, the better the chances that the species can withstand catastrophic events. For the southern hognose snake, we used the number and distribution of moderate to high resiliency populations within the representative units and across the range of the species to measure redundancy. To have high redundancy, the species needs to have multiple moderate to high resiliency populations within representative units and throughout its range.

Current representation for the southern hognose snake is reduced from historical levels due to range contraction and loss of populations, see table 4. The species is currently represented in seven representative units that have at least one population with moderate to high resiliency, and the southern hognose snake is distributed across multiple representative units across most of the historical range. Two representative units (Alabama Central and West (Alabama/Mississippi)) have no extant populations currently, and one representative unit (Atlantic Coastal Plain (Georgia/Florida)) is at risk of becoming extirpated with the loss of 12 of 14 populations. Therefore, there has been a loss of latitudinal and longitudinal variability within the species' range. The southern hognose snake occurs in longleaf pine savanna ecosystems with well-drained sandy soils, and the well-drained, sandy soils are needed to meet important life history characteristics for this species. Given this, as well as the species' fossorial nature, we expect the species may be limited in its capacity to shift in space in a changing environment. Coupled with the range contraction and loss of populations, the species has lost some adaptive capacity compared to historical conditions.

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TABLE 4—SOUTHERN HOGNOSE SNAKE REPRESENTATIVE UNITS WITH THE NUMBER OF POPULATIONS AND THE CURRENT RESILIENCY CATEGORIES FOR EXTANT (N=87) POPULATIONS WITHIN EACH UNIT.*

Representative units	Extirpated	Extant	Low resiliency	Moderate resiliency	High resiliency
Upper Coastal Plain (Carolinas)	23	9	8	0	1
Upper Coastal Plain (Georgia/Florida)	23	37	28	2	7
Atlantic Coastal Plain (Carolinas)	30	9	8	1	0
Atlantic Coastal Plain (Georgia/Florida)	12	2	1	1	0
Florida Peninsula	20	13	7	2	4
Florida Ridge	7	9	7	0	2
Alabama/Florida Panhandle	18	8	2	3	3
West (Alabama/ Mississippi)	7	0	0	0	0
Alabama Central	4	0	0	0	0
Range-wide	144	87	61	9	17

* The first column also indicates those populations that are considered extirpated as of 2023 (n=144) within each unit in order to account for the current resiliency of all populations within the nine representative units (n=233) and range-wide.

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With the loss of latitudinal and longitudinal variability, the current redundancy of the southern hognose snake has been reduced from historical conditions. As discussed above, nine representative units were delineated, and we determined that each representative unit has likely lost between 37.7 percent to 100 percent of its populations. Range-wide, the number of populations has decreased by 61.8 percent, relative to the historical number of populations as determined from records since 1880. Although the southern hognose snake has experienced a decline in the number of populations across its range, the species is currently represented in seven representative units that have at least one population with moderate to high resiliency and four representative units that have more than two populations with high resiliency. In term of distribution, the southern hognose snake is distributed across multiple representative units across most of the historical range. However, the distributions of populations within each representative unit are clustered, leaving areas of each representative unit with a reduced distribution of populations and a loss of connectivity. Therefore, the species currently has a lower redundancy than historical conditions, and the species may be more vulnerable to the effects of catastrophic events, such as drought, wildfire, disease outbreak. For additional details on the individual patterns of the representative units to determine redundancy, please refer to the SSA report, version 2.1 (Service 2024, pp. 48–49, and 57–58).

Future Condition

In evaluating future conditions for the southern hognose snake, we considered the threats as described above and how they may influence future viability of the species. The threats we analyzed for the future conditions include habitat loss, conversion, and fragmentation, specifically, urbanization, percentage of compatible land cover, compatible land cover (square kilometers (km^2)), fire frequency (percentage of years burned), burn window days per year, total burns (2023–2080), and habitat suitability index, and climate change. We

developed six plausible scenarios projecting the future at three time steps out to years 2040, 2060, and 2080.

Projections of habitat loss due to urban development and climate change were carried forward in our assessment of southern hognose snake populations and the overall viability of the species. We were not able to model impacts from invasive species, such as red imported fire ants and feral hogs, human persecution and increased harassment, over-collection for the pet trade, and disease, because datasets and other information sources do not exist that capture the extent and degree of impact of these stressors to southern hognose snake populations across the species' range. However, these factors may also influence the species' viability in the future.

Using our six plausible scenarios, we performed spatial analyses to predict changes in land cover and fire frequency under various levels of urbanization (low, medium, high), as well as for SLR, and climate change induced changes to the burn windows that dictate opportunities for prescribed fire (RCP 4.5 and RCP 8.5) into the future. Then, using the model framework developed for the current condition analysis, we created a stochastic simulation model that allowed us to project population persistence into the future as influenced by changes in habitat suitability, and summarized predicted patterns of population persistence to the years 2040, 2060, and 2080. Importantly, a feature of this model is that it does not incorporate colonization or recolonization (*i.e.,* immigration or emigration), because that information is not well studied and is unavailable. Therefore, the model will predict population decline over time as the model is not accounting for new individuals joining the populations. To address this inherent feature of the model, we ran the model forward to 2040, 2060, and 2080 assuming no changes in urbanization or climate and SLR. This created a null expectation for model projected population losses against which we could compare the model with projected changes in urbanization, climate, and SLR and we referred to this as the null model. Based on the limitations of the model, confidence in the output is diminished beyond 2080 and we are unable to draw reliable predictions about the species' response to these threats/stressors. For additional information on the model methods and variables, refer to the SSA report, version 2.1 (Service 2024, pp. 72–77).

Using the simulation model, we predicted the future persistence probability for the extant populations in the species' range through the year 2080. All six scenarios yielded nearly identical predictions of the number and percentage of persistent populations. These patterns were seen across all future projections and across three time horizons (2040, 2060, and 2080). We followed similar steps as in the current condition analysis to summarize population resiliency by reporting the number of populations at each persistence category, under these two future scenarios in years 2040, 2060, and 2080.

For all scenarios by 2080, future population persistence decreased from current conditions, and most populations that fell within the extremely likely on landscape (extant) (≥95 percent) threshold under current conditions were predicted to have lower persistence probabilities in the future and, thus, dropped to lower categories. The number and percentage of populations likely to be extirpated (<50 percent persistence probability) increased for all scenarios and future time horizons, relative to current conditions. Under the low urbanization/RCP 4.5 scenario by 2040, 19 populations were predicted to be extirpated. Between 2040 and 2060, an additional 25 populations were predicted to be extirpated, and between 2060 and 2080, an additional 12 populations were predicted to be extirpated. Thus, a total of 56 of the 87 extant populations were predicted to become extirpated by 2080, see table 5, below. The results were predicted to be very similar for the high urbanization/RCP 8.5 scenario; therefore, below, we only discuss the numbers for the low urbanization/RCP 4.5 scenario.

In terms of resiliency of extant populations, by 2040, 13 populations were predicted to have high resiliency, 12 populations to have moderate resiliency, and 43 populations to have low resiliency. By 2080, 2 populations were predicted to have high resiliency, 14 to have moderate resiliency, and 15 to have low resiliency (Service 2024, p. 83).

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TABLE 5—CURRENT AND FUTURE CONDITION SUMMARY OF THE NUMBER OF HIGH, MODERATE, LOW, AND EXTIRPATED POPULATIONS, AND THEIR PERCENTAGE OF THE TOTAL EXTANT POPULATIONS AT 2040, 2060, AND 2080.*

Population resiliency	Current condition		2040		2060		2080	
	No. of pops	% of extant total	No. of pops	% of extant total	No. of pops	% of extant total	No. of pops	% of extant total
High	17	19.54	13	14.94	7	8.05%	2	2.30
Moderate	9	10.34	12	13.79	10	11.49%	14	16.09
Low	61	70.11	43	49.43	26	29.89%	15	17.24
Extirpated	-	-	19	21.84	44	50.57%	56	64.37

* Numbers are reported as the number of populations that are predicted to change in each of the resiliency categories over time and are from the best-case scenario (RCP 4.5).

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The similarity in results among each of the stressor scenarios suggest that future population declines predicted to occur are primarily a consequence of annual population persistence probabilities being less than one for each population and our model not including processes for colonization or recolonization, rather than a consequence of the threats we modelled (decreased habitat suitability due to climate change and urbanization). This indicates that the changes captured by the future scenarios are not large enough to substantially affect future population persistence at the time scales considered (even though urbanization and climate change may affect persistence over longer time periods). Additionally, it indicates that a number of populations estimated to be persisting in 2023 are existing under conditions that do not support long-term persistence. In other words, it suggests an extinction debt, where there is a lag between conditions causing extinction and the actual extinction events. Limited differences between the null model and future scenarios may also reflect a lack of available spatial data for other threats, which may cause larger declines if their effects were able to be included within the future scenarios (*e.g.,* invasive species, disease, increases in soil temperature).

Future representation is projected to decline from current conditions in the future, due to fragmentation of suitable habitat and decreased connectivity within and among representative units, see table 6, below. As mentioned under Current Condition, given the species' fossorial nature and habitat needs, the species may be limited in its capacity to shift in space in a changing environment. With the predicted declines in the future, the species is projected to have reduced adaptive capacity, and therefore, representation is low.

Similarly, we project declines in redundancy within representative units and throughout the species range, due to predicted population losses and resiliency decreases in the future, see table 6. Under the low urbanization/RCP 4.5 scenario by 2040, six of seven representative units were predicted to be occupied by at least one population with moderate to high resiliency. By 2080, five of seven representative units were predicted to be occupied by at least one population with moderate to high resiliency. This was a decline from seven representative units currently having at least one population in moderate to high resiliency. By 2080, only one representative unit (Upper Coastal Plain (Georgia/Florida) was predicted to have more than two populations in moderate to high resiliency by 2080; the remaining four representative units have only one or two moderate to high resiliency populations by 2080. Two representative units were predicted to have no extant populations by 2080. These predicted losses in populations,

resiliency, and range will cause the species to be vulnerable to the effects of single catastrophic events, such as large-scale drought, wildfires, hurricanes, and disease outbreaks. In term of distribution, the southern hognose snake was projected to have reduced distribution within and across multiple representative units, given the predicted extirpations and low resiliency populations. In addition, the distributions of remaining moderate to high resiliency populations within each representative unit are clustered, resulting in reduced connectivity. Given this, the species is projected to have low redundancy.

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TABLE 6—CURRENT AND FUTURE HIGH, MODERATE, AND LOW RESILIENCY POPULATIONS AND THEIR REPRESENTATIVE UNIT.

Representative unit	Scenario							
	Current conditions				Low urbanization/RCP 4.5*			
	Extant	Low	Moderate	High	Extirpated	Low	Moderate	High
Year 2040								
Upper Coastal Plain (Carolinas)	9	8	0	1	5	3	0	1
Upper Coastal Plain (Georgia/Florida)	37	28	2	7	8	20	3	6
Atlantic Coastal Plain (Carolinas)	9	8	1	0	2	6	1	0
Atlantic Coastal Plain (Georgia/Florida)	2	1	1	0	2	0	0	0
Florida Peninsula	13	7	2	4	0	7	4	2
Florida Ridge	9	7	0	2	0	7	0	2
Atlantic/Florida Panhandle	8	2	3	3	2	0	4	2
Range-wide	**87**	**61**	**9**	**17**	**19**	**43**	**12**	**13**
Year 2060								
Upper Coastal Plain (Carolinas)	9	8	0	1	6	2	1	0
Upper Coastal Plain (Georgia/Florida)	37	28	2	7	15	13	5	4
Atlantic Coastal Plain (Carolinas)	9	8	1	0	7	2	0	0
Atlantic Coastal Plain (Georgia/Florida)	2	1	1	0	2	0	0	0
Florida Peninsula	13	7	2	4	8	2	2	1
Florida Ridge	9	7	0	2	0	7	0	2
Atlantic/Florida Panhandle	8	2	3	3	6	0	2	0
Range-wide	**87**	**61**	**9**	**17**	**44**	**26**	**10**	**7**
Year 2080								
Upper Coastal Plain (Carolinas)	9	8	0	1	7	1	1	0
Upper Coastal Plain (Georgia/Florida)	37	28	2	7	18	10	8	1
Atlantic Coastal Plain (Carolinas)	9	8	1	0	9	0	0	0
Atlantic Coastal Plain (Georgia/Florida)	2	1	1	0	2	0	0	0
Florida Peninsula	13	7	2	4	11	0	2	0
Florida Ridge	9	7	0	2	3	4	1	1
Atlantic/Florida Panhandle	8	2	3	3	6	0	2	0
Range-wide	**87**	**61**	**9**	**17**	**56**	**15**	**14**	**2**

* We only report the low urbanization/RCP 4.5 scenario for this table because the number of populations for the high urbanization/RCP 8.5 are the same.

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Determination of Southern Hognose Snake Status

Section 4 of the Act (16 U.S.C. 1533) and its implementing regulations (50 CFR part 424) set forth the procedures for determining whether a species meets the definition of an endangered species or a threatened species. The Act defines an ''endangered species'' as a species in danger of extinction throughout all or a significant portion of its range and a ''threatened species'' as a species likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range. The Act requires that we determine whether a species meets the definition of endangered species or threatened species because of any of the following factors: (A) The present or threatened destruction, modification, or curtailment of its habitat or range; (B) overutilization for commercial, recreational, scientific, or educational purposes; (C) disease or predation; (D) the inadequacy of existing regulatory mechanisms; or (E) other natural or manmade factors affecting its continued existence.

Status Throughout All of Its Range

After evaluating threats to the species and assessing the cumulative effect of the threats under the Act's section 4(a)(1) factors, we find that the overall viability of the southern hognose snake has declined and will continue to decline over time due to ongoing and future threats of habitat loss, conversion, and fragmentation (Factor A), loss of connectivity between populations (Factor A), road mortality (Factor E), invasive species (Factor E), and impacts from climate change (Factor E).

Our analysis to determine the species' status was based on the species' current and future conditions as described in the SSA report, version 2.1 (Service 2024, entire). We first considered the viability to determine if the species is in danger of extinction throughout all of its range. We determined that the species' current viability is sufficient to support populations across its range such that it is not in danger of extinction throughout its range. We recognize the species has fewer resilient populations, lower redundancy, and lower representation across its range from its historical condition to current; however, the overall current viability is supporting the species across most of the representative units (Upper Coastal Plains (Carolinas), Upper Coastal Plain (Georgia/Florida), Atlantic Coastal Plain (Carolinas), Atlantic Coastal Plain (Georgia, Florida), Florida Peninsula, Florida Ridge, and Alabama/Florida Panhandle). There are currently 87 extant populations occurring across these seven representative units. When considering the 87 currently extant populations, we can reasonably say that 17 populations (approximately 20 percent) are at the highest level of resiliency because they have adequate suitable habitat and connectivity and have a high probability of persistence (≥80 percent), and 9 populations (approximately 10 percent) have moderate resiliency. Sixty-one populations (approximately 70 percent) are considered to have low resiliency.

The species' current representation and redundancy is reduced from historical condition. Given the habitat needs and the species' fossorial nature, the species may be limited in its capacity to shift in space in a changing environment, and coupled with the range contraction and loss of populations, the species has lost some adaptive capacity (representation) and may be more vulnerable to catastrophic events (such as drought, wildfire, etc.) compared to historical conditions. While there has been a decline in the number of current populations and range contraction for the southern hognose snake, the species is still relatively widespread in terms of geographic extent. It continues to maintain a level of representation in 7 of 9 analysis units with 26 current populations having moderate to high resiliency across all these representative units. In addition, there is at least one high or moderate resiliency population in each of the seven extant representative units. Thus, after assessing the best scientific and commercial data available, the current condition of the southern hognose snake still provides sufficient resiliency, redundancy, and representation that it is not in danger of extinction throughout all of its range.

When considering the future condition of the southern hognose snake, we found that the species' future viability is projected to decline as population resiliencies and the species' redundancy and representation decline due to ongoing and projected future threats acting on the species and its habitat. In the future, land-use change and other anthropogenic activities are projected to impact southern hognose snake habitat through loss of habitat and fragmentation. Our analysis of low urbanization/RCP 4.5 and high urbanization/RCP 8.5 future scenarios until 2080 encompasses the best available information for the realm of possible future projections of levels of urbanization, and it uses two different representative concentration pathways (RCPs) for climate change to look at the effects of prescribed burn windows. Beyond 2080, model confidence is diminished, and we are unable to draw reliable predictions about the species' response to these threats/stressors.

Loss of habitat and fragmentation associated with urbanization and climate change were projected to occur throughout the species' range. Under the low urbanization/RCP 4.5 scenario at 2080, 56 of the current 87 populations (approximately 64 percent) were predicted to be extirpated (less than 50 percent persistence probability), 2 populations were predicted to have high resiliency, 14 populations were predicted to have moderate resiliency, and 15 populations are predicted to have low resiliency. These numbers are identical for the high urbanization/RCP 8.5 scenario at 2080. Thus, for southern hognose snake, 16 moderate to high resiliency populations are predicted to remain on the landscape by 2080. The species' future representation and redundancy was projected to be reduced from current condition. With the predicted declines in the future, the species is projected to have reduced adaptive capacity, and therefore, representation is low. Our analysis shows that future redundancy, across representative units and throughout the species' range, will also be low. By 2080, only two representative units are predicted to be occupied by a single population with high resiliency and five representative units are predicted to be occupied at least one population with moderate resiliency. Additionally, by 2080, only one representative unit is predicted to have more than two populations with moderate resiliency. The Upper Coastal Plain (Georgia/Florida) representative unit is predicted to have the most extant populations with moderate to high resiliency (nine populations) in the future. However, this unit is also predicted to have reduced redundancy given the predicted extirpation of 18 populations and low resiliency of 10 populations by 2080. Thus, although this unit has the most extant populations in the future, the remaining populations in this unit are isolated. In addition, the projected declines result in reduced distribution for the species, with remaining populations clustered resulting in a loss of connectivity. Therefore, the species is vulnerable to the effects of catastrophic events. Given this, the species is projected to have low redundancy.

Additionally, while we were not able to model impacts from invasive species, human persecution and increased harassment, over-collection for the pet

trade, and disease because datasets and other information sources do not exist that capture the extent and degree of impact of these stressors to southern hognose snake populations, these factors may also influence the species' viability in the future conditions and were considered in making this determination. Overall, the scope and magnitude of future threats are predicted to reduce the resiliency, representation, and redundancy of the southern hognose snake such it is at risk of extinction in the future. Thus, after assessing the best scientific and commercial data available, we conclude that southern hognose snake is not currently in danger of extinction but is likely to become so within the foreseeable future throughout all of its range.

Status Throughout a Significant Portion of Its Range

Under the Act and our implementing regulations, a species may warrant listing if it is in danger of extinction or likely to become so within the foreseeable future throughout all or a significant portion of its range. The court in *Center for Biological Diversity* v. *Everson,* 435 F. Supp. 3d 69 (D.D.C. 2020) (*Everson*) vacated the provision of the Service's Final Policy on Interpretation of the Phrase ''Significant Portion of Its Range'' in the Endangered Species Act's Definitions of ''Endangered Species'' and ''Threatened Species'' (Final Policy; 79 FR 37578; July 1, 2014) that provided if the Service determine that a species is threatened throughout all of its range, the Service will not analyze whether the species is endangered in a significant portion of its range.

Therefore, we proceed to evaluating whether the species is endangered throughout a significant portion of its range—that is, whether there is any portion of the species' range for which both (1) the portion is significant; and (2) the species is in danger of extinction in that portion. We can choose to address either question first. Regardless of which question we address first, if we reach a negative answer with respect to the first question that we address, we do not need to evaluate the other question for that portion of the species' range.

Following the court's holding in *Everson,* we now consider whether the species is in danger of extinction throughout a significant portion of its range. In undertaking this analysis for the southern hognose snake, we choose to address the status question first.

We evaluated the range of the southern hognose snake to determine if the species is in danger of extinction throughout any portion of its range. The range of a species can theoretically be divided in an infinite number of ways. We focused our analysis on portions of the species' range that may meet the Act's definition of an endangered species. For the southern hognose snake, we considered whether the threats or their effects on the species are greater in any biologically meaningful portion of the species' range than in the rest of the range such that the species is in danger of extinction in that portion.

We examined all threats including habitat loss, conversion, and fragmentation, loss of connectivity between populations, road mortality, invasive species, and climate change, including cumulative effects as described in the *Threats* section above in determining portions to consider. By considering the seven representation units for the species, and the threats examined, we identified an area that includes the Atlantic Coastal Plain (Carolinas) and the Atlantic Coastal Plain (Georgia/Florida) as a portion to evaluate given the threats associated with SLR, coastal development, and increasing population isolation through habitat fragmentation. Both units within the portion were assessed to have no populations with high resiliency, only one population with moderate resiliency each, and the remaining populations with low resiliency. In addition, the Atlantic Coastal Plain (Georgia/Florida) population currently has only two extant populations, one assessed to be low and the other as moderate. Given only two populations in the Atlantic Coastal Plain (Carolinas) and the Atlantic Coastal Plain (Georgia/Florida) as a portion were assessed to have moderate resiliency, the current threats of coastal development and lack of connectivity due to habitat fragmentation appear to be having a greater impact to the populations in this portion. In addition, with only two populations remain with a moderate level of resiliency, there is limited capacity to withstand catastrophic events. Therefore, the status of this portion may be different than the remainder of the range.

We next addressed whether that portion is ''significant.'' Two district courts vacated the definition of ''significant'' contained in the Final Policy (*Center for Biological Diversity* v. *Jewell,* 248 F. Supp. 3d 946, 959 (D. Ariz. 2017), hereafter, *CBD* v. *Jewell,* and *Desert Survivors* v. *U.S. Dep't of the Interior,* 321 F. Supp. 3d 1011, 1070–74 (N.D. Cal. 2018), hereafter, *Desert Survivors*). For the purposes of this analysis when considering whether a portion is ''significant,'' we considered that portion of the range's biological importance to the southern hognose snake. We evaluated the available information, including whether this portion occurs in unique habitat, contains high-quality or high value-habitat, or contains a large geographic portion of the suitable habitat, to assess its significance. The identified portion of the range that comprises Atlantic Coastal Plain (Georgia/Florida) and Atlantic Coastal Plain (Carolinas). This portion constitutes 14.9 percent of the species' current range. Therefore, this portion of the range does not constitute a sufficiently large proportion or geographic area of the current species' range. In addition, this portion does not contain habitat of high or unique value, such that it necessarily provides an important conservation value for the southern hognose snake. Accordingly, this portion is not a significant portion of the southern hognose snake's range and we find the species is not in danger of extinction in a significant portion of its range.

Therefore, we determine that the species is likely to become in danger of extinction within the foreseeable future throughout all of its range. This does not conflict with the courts' holdings in *Desert Survivors* and *CBD* v. *Jewell* because, in reaching this conclusion, we did not apply the aspects of the Final Policy, including the definition of ''significant'' that those court decisions held to be invalid.

Determination of Status

Based on the best scientific and commercial data available, we determine that the southern hognose snake meets the Act's definition of a threatened species. Therefore, we propose to list the southern hognose snake as a threatened species in accordance with sections 3(6) and 4(a)(1) of the Act.

Available Conservation Measures

Conservation measures provided to species listed as endangered or threatened species under the Act include recognition as a listed species, planning and implementation of recovery actions, requirements for Federal protection, and prohibitions against certain practices. Recognition through listing results in public awareness, and conservation by Federal, State, Tribal, and local agencies, foreign governments, private organizations, and individuals. The Act encourages cooperation with the States and other countries and calls for recovery actions to be carried out for listed species. The protection required by Federal agencies, including the Service, and the

prohibitions against certain activities are discussed, in part, below.

The primary purpose of the Act is the conservation of endangered and threatened species and the ecosystems upon which they depend. The ultimate goal of such conservation efforts is the recovery of these listed species, so that they no longer need the protective measures of the Act. Section 4(f) of the Act calls for the Service to develop and implement recovery plans for the conservation of endangered and threatened species. The goal of this process is to restore listed species to a point where they are secure, self-sustaining, and functioning components of their ecosystems.

The recovery planning process begins with development of a recovery outline made available to the public soon after a final listing determination. The recovery outline guides the immediate implementation of urgent recovery actions while a recovery plan is being developed. Recovery teams (composed of species experts, Federal and State agencies, nongovernmental organizations, and stakeholders) may be established to develop and implement recovery plans. The recovery planning process involves the identification of actions that are necessary to halt and reverse the species' decline by addressing the threats to its survival and recovery. The recovery plan identifies recovery criteria for review of when a species may be ready for reclassification from endangered to threatened (''downlisting'') or removal from protected status (''delisting''), and methods for monitoring recovery progress. Recovery plans also establish a framework for agencies to coordinate their recovery efforts and provide estimates of the cost of implementing recovery tasks. Revisions of the plan may be done to address continuing or new threats to the species, as new substantive information becomes available. The recovery outline, draft recovery plan, final recovery plan, and any revisions will be available on our website as they are completed (*https://www.fws.gov/program/endangered-species*) or from our South Carolina Ecological Services Field Office (see **FOR FURTHER INFORMATION CONTACT**).

Implementation of recovery actions generally requires the participation of a broad range of partners, including other Federal agencies, States, Tribes, nongovernmental organizations, businesses, and private landowners. Examples of recovery actions include habitat restoration (*e.g.,* restoration of native vegetation), research, captive propagation and reintroduction, and outreach and education. The recovery of many listed species cannot be accomplished solely on Federal lands because their range may occur primarily or solely on non-Federal lands. To achieve recovery of these species requires cooperative conservation efforts on private, State, and Tribal lands.

If this species is listed, funding for recovery actions will be available from a variety of sources, including Federal budgets, State programs, and cost-share grants for non-Federal landowners, the academic community, and nongovernmental organizations. In addition, pursuant to section 6 of the Act, the States of Florida, Georgia, North Carolina, and South Carolina would be eligible for Federal funds to implement management actions that promote the protection or recovery of the southern hognose snake. Information on our grant programs that are available to aid species recovery can be found at: *https://www.fws.gov/service/financial-assistance.*

Although the southern hognose snake is only proposed for listing under the Act at this time, please let us know if you are interested in participating in recovery efforts for this species. Additionally, we invite you to submit any new information on this species whenever it becomes available and any information you may have for recovery planning purposes (see **FOR FURTHER INFORMATION CONTACT**).

Section 7 of the Act is titled, Interagency Cooperation, and it mandates all Federal action agencies to use their existing authorities to further the conservation purposes of the Act and to ensure that their actions are not likely to jeopardize the continued existence of listed species or adversely modify critical habitat. Regulations implementing section 7 are codified at 50 CFR part 402.

Section 7(a)(2) of the Act states that each Federal action agency shall, in consultation with the Secretary, ensure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence of a listed species or result in the destruction or adverse modification of designated critical habitat. Each Federal agency shall review its action at the earliest possible time to determine whether it may affect listed species or critical habitat. If a determination is made that the action may affect listed species or critical habitat, formal consultation is required (50 CFR 402.14(a)), unless the Service concurs in writing that the action is not likely to adversely affect listed species or critical habitat. At the end of a formal consultation, the Service issues a biological opinion, containing its determination of whether the Federal action is likely to result in jeopardy or adverse modification.

In contrast, section 7(a)(4) of the Act requires Federal agencies to confer with the Service on any action which is likely to jeopardize the continued existence of any species proposed to be listed under the Act or result in the destruction or adverse modification of critical habitat proposed to be designated for such species. Although the conference procedures are required only when an action is likely to result in jeopardy or adverse modification, action agencies may voluntarily confer with the Service on actions that may affect species proposed for listing or critical habitat proposed to be designated. In the event that the subject species is listed or the relevant critical habitat is designated, a conference opinion may be adopted as a biological opinion and serve as compliance with section 7(a)(2) of the Act.

Examples of discretionary actions for the southern hognose snake that may be subject to conference and consultation procedures under section 7 are management of Federal lands administered by the Department of Defense, U.S. Forest Service, and U.S. Fish and Wildlife Service, as well as actions that require a Federal permit (such as a permit from the U.S. Army Corps of Engineers under section 404 of the Clean Water Act (33 U.S.C. 1251 *et seq.*)) or actions funded by Federal agencies such as the Federal Highway Administration, Federal Aviation Administration, or the Federal Emergency Management Agency. Federal actions not affecting listed species or critical habitat—and actions on State, Tribal, local, or private lands that are not federally funded, authorized, or carried out by a Federal agency—do not require section 7 consultation. Federal agencies should coordinate with the South Carolina Ecological Services Field Office (see **FOR FURTHER INFORMATION CONTACT**) with any specific questions on section 7 consultation and conference requirements.

Section 9 of the Act provides a specific list of prohibitions for endangered species but does not provide these same prohibitions for threatened species. Instead, pursuant to section 4(d) of the Act, for any species listed as a threatened species, the Secretary must issue protective regulations that are ''necessary and advisable to provide for the conservation of such species'' (these are referred to as 4(d) rules). Additional measures for the southern hognose snake are described below (see

Protective Regulations Under Section 4(d) of the Act, below).

Section 9(b)(1) provides an exemption from certain prohibited acts for qualifying pre-Act wildlife specimens. Specifically, Section 9(b)(1) states that the prohibitions of subsections (a)(1)(A) and (a)(1)(G) of section 9 shall not apply to any fish or wildlife which was held in captivity or in a controlled environment on (A) December 28, 1973, or (B) the date of the publication in the **Federal Register** of a final regulation adding such fish or wildlife to any list of species published pursuant to subsection (c) of section 4 of this Act [as relevant to listed wildlife, the list of endangered and threatened wildlife (50 CFR 17.11) under the Act]: Provided, that such holding and any subsequent holding or use of the fish or wildlife was not in the course of a commercial activity.

For threatened species, prohibitions are promulgated by regulation under section 4(d), and a specimen may qualify for the exemption in 9(a)(1)(G) with regard to regulatory violations. For those specimens that continue to qualify under the ''pre-Act'' exemption, prohibitions under the 4(d) rule generally will not apply.

However, if a person engages in any commercial activity with an otherwise qualifying specimen—the wildlife would immediately cease to qualify as pre-Act wildlife and become subject to the relevant prohibition, because it has been held or used in the course of a commercial activity. Similarly, engaging in any activity prohibited by this 4(d) rule that also involves an actual or intended transfer of wildlife from one person to another person in the pursuit of gain or profit would involve holding or using the wildlife specimen in the course of a commercial activity. Therefore, if a person engages in such activity on or after the pre-Act date for a wildlife species with an otherwise qualifying specimen, it would be prohibited—the wildlife would immediately cease to qualify as pre-Act wildlife and become subject to the relevant prohibition, because it has been held or used in the course of a commercial activity.

We may issue permits to carry out otherwise prohibited activities involving threatened wildlife under certain circumstances. Regulations governing permits for threatened wildlife are codified at 50 CFR 17.32, and general Service permitting regulations are codified at 50 CFR part 13. With regard to threatened wildlife, a permit may be issued: for scientific purposes, for enhancing the propagation or survival of the species, or for take incidental to otherwise lawful activities. The statute also contains certain exemptions from the prohibitions, which are found in sections 9 and 10 of the Act.

II. Protective Regulations Under Section 4(d) of the Act

Background

As discussed above under Available Conservation Measures, section 9 of the Act provides a specific list of prohibitions for endangered species but does not provide these same prohibitions for threatened species. Instead, pursuant to section 4(d) of the Act, for any species listed as a threatened species, the Secretary must issue protective regulations that are ''necessary and advisable to provide for the conservation of such species'' (these are referred to as ''4(d) rules''). Section 4(d) of the Act contains two sentences. The first sentence states that the Secretary shall issue such regulations as he [or she] deems necessary and advisable to provide for the conservation of species listed as threatened species. Conservation is defined in the Act to mean the use of all methods and procedures which are necessary to bring any endangered species or threatened species to the point at which the measures provided pursuant to the Act are no longer necessary. Additionally, the second sentence of section 4(d) of the Act states that the Secretary may by regulation prohibit with respect to any threatened species any act prohibited under section 9(a)(1), in the case of fish or wildlife, or section 9(a)(2), in the case of plants. With these two sentences in section 4(d), Congress delegated broad authority to the Secretary to determine what protections would be necessary and advisable to provide for the conservation of threatened species, and even broader authority to put in place any of the section 9 prohibitions, for a given species.

Courts have recognized the extent of the Secretary's discretion under section 4(d) to develop regulations that are appropriate for the conservation of threatened species. For example, courts have upheld, as a valid exercise of agency authority, rules developed under section 4(d) that included limited prohibitions against takings (see *Alsea Valley Alliance* v. *Lautenbacher,* 2007 WL 2344927 (D. Or. 2007); *Washington Environmental Council* v. *National Marine Fisheries Service,* 2002 WL 511479 (W.D. Wash. 2002)). Courts have also upheld 4(d) rules that do not address all of the threats a species faces (see *State of Louisiana* v. *Verity,* 853 F.2d 322 (5th Cir. 1988)). As noted in the legislative history when the Act was initially enacted, ''once an animal is on the threatened list, the Secretary has an almost infinite number of options available to him [or her] with regard to the permitted activities for those species. He [or she] may, for example, permit taking, but not importation of such species, or he [or she] may choose to forbid both taking and importation but allow the transportation of such species'' (H.R. Rep. No. 412, 93rd Cong., 1st Sess. 1973).

Under our 4(d) authorities, we put in place protections intended to both prevent a threatened species from becoming an endangered species and to promote its recovery. The 4(d) rule explains what is prohibited for a threatened species, thus making the activity unlawful without a permit or authorization under the Act for the prohibited activity unless otherwise excepted in the 4(d) rule (species-specific 4(d) rules may also include affirmative requirements). Section 4(d) rules are therefore directly related to what actions may require permits in the future. As discussed in Available Conservation Measures, permits may be issued for purposes described in our threatened species permitting regulations at 50 CFR 17.32 and 17.72, including for recovery actions, conservation benefit agreements (previously referred to as candidate conservation agreements with assurances and safe harbor agreements), or habitat conservation plans.

We may also except otherwise prohibited activities through a 4(d) rule itself, in which case threatened species permits would not be required for those activities. For example, there are two categories of exceptions that we frequently include in 4(d) rules, and these are for otherwise prohibited acts or forms or amounts of ''take'' that are: (1) unavoidable while conducting beneficial actions for the species, or (2) considered inconsequential (de minimis) to the conservation of the species. For otherwise prohibited take activities that require permits under section 10 of the Act, programmatic approaches—such as general conservation plans and template habitat conservation plans—may be available as another way for project proponents to comply with take prohibitions or requirements applicable to one or more species while reducing the time that would otherwise be associated with developing individual permit applications. In addition, the Service and project proponents can reduce the need for such permits by developing

standardized conservation measures that avoid the risk of ''take.''

The provisions of this species' proposed protective regulations under section 4(d) of the Act are one of many tools that we would use to promote the conservation of the southern hognose snake. The proposed protective regulations would apply only if and when we make final the listing of the southern hognose snake as a threatened species and finalize the 4(d) rule. Nothing in 4(d) rules changes in any way the recovery planning provisions of section 4(f) of the Act or the consultation requirements under section 7 of the Act. As mentioned previously in Available Conservation Measures, section 7(a)(2) of the Act requires Federal agencies, including the Service, to ensure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of designated critical habitat of such species. In addition, even before the listing of any species or the designation of its critical habitat is finalized, section 7(a)(4) of the Act requires Federal agencies to confer with the Service on any agency action which is likely to jeopardize the continued existence of any species proposed to be listed under the Act or result in the destruction or adverse modification of critical habitat proposed to be designated for such species. These requirements are the same for a threatened species regardless of what is included in its 4(d) rule.

A 4(d) rule does not alter section 7 obligations, including the criteria for informal or formal consultations or the analytical process used for biological opinions or concurrence letters. Section 7 consultation is required for Federal actions that ''may affect'' a listed species regardless of whether take caused by the activity is prohibited or excepted by a 4(d) rule. For example, as with an endangered species, if a Federal agency determines that an action is ''not likely to adversely affect'' a threatened species, this will require the Service's written concurrence (50 CFR 402.13(c)). Similarly, if a Federal agency determines that an action is ''likely to adversely affect'' a threatened species, the action will require formal consultation with the Service and the formulation of a biological opinion (50 CFR 402.14(a)). Because consultation obligations and processes are unaffected by 4(d) rules, we may consider developing tools to streamline future intra-Service and interagency consultations for actions that result in forms of take that are not prohibited by the 4(d) rule (but that still require consultation). These tools may include consultation guidance, online consultation processes via the Service's digital project planning tool (Information for Planning and Consultation; *https://ipac.ecosphere.fws.gov/*), template language for biological opinions, or programmatic consultations.

Provisions of the Proposed 4(d) Rule

Exercising the Secretary's authority under section 4(d) of the Act, we have developed a proposed rule that is designed to address the southern hognose snake conservation needs. As discussed previously in Summary of Biological Status and Threats, we have concluded that the southern hognose snake is likely to become in danger of extinction within the foreseeable future primarily due to habitat loss and degradation as a result of land conversion and fragmentation causing loss of connectivity between populations, road mortality, invasive species, and climate change. Section 4(d) requires the Secretary to issue such regulations as they deem necessary and advisable to provide for the conservation of each threatened species and authorizes the Secretary to include among those protective regulations any of the prohibitions that section 9(a)(1) of the Act prescribes for endangered species (*In re: Polar Bear Endangered Species Act Listing and 4(d) Rule Litigation,* 818 F. Supp. 2d 214, 228 (D.D.C. 2011) (citing *Sweet Home Chapter of Cmtys. for a Great Or.* v. *Babbitt,* 1 F.3d 1, 8 (D.C. Cir. 1993), *rev'd on other grounds,* 515 U.S. 687 (1995))). Our necessary and advisable determination for the southern hognose snake includes consideration of conservation and economic impacts (*Kansas Natural Resources Coalition, et al.* v. *USFWS, et al.* No. 23–CV–00159–DC–RCG (W.D. Tex. 2025)). We explain below why we find that, if finalized, the prohibitions and exceptions in this proposed rule as a whole satisfy the requirement in section 4(d) of the Act to issue regulations deemed necessary and advisable to provide for the conservation of the southern hognose snake.

The protective regulations we are proposing for southern hognose snake incorporate prohibitions from section 9(a)(1) to address the threats to the species. The prohibitions of section 9(a)(1) of the Act, and implementing regulations codified at 50 CFR 17.21, make it illegal for any person subject to the jurisdiction of the United States to commit, to attempt to commit, to solicit another to commit or to cause to be committed any of the following acts with regard to any endangered wildlife: (1) import into, or export from, the United States; (2) take (which includes harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct) within the United States, within the territorial sea of the United States, or on the high seas; (3) possess, sell, deliver, carry, transport, or ship, by any means whatsoever, any such wildlife that has been taken illegally; (4) deliver, receive, carry, transport, or ship in interstate or foreign commerce, by any means whatsoever and in the course of commercial activity; or (5) sell or offer for sale in interstate or foreign commerce. This proposed protective regulation includes all of these prohibitions for the southern hognose snake because the southern hognose snake is likely to become an endangered species within the foreseeable future and putting these prohibitions in place is intended to help to prevent further declines, maintain connectivity between populations, slow populations' rate of decline, and decrease synergistic, negative effects from other ongoing or future threats.

As discussed above under Summary of Biological Status and Threats, habitat loss and degradation, road mortality, invasive species, and impacts from changes to climate are affecting the status of the species. In addition, there is evidence of demand for the southern hognose snake in the pet trade. Therefore, prohibiting take, and activities associated with import, export, trade, commerce, and sale is intended to help prevent further collections from the wild, that could result in population-level impacts to the species.

Under the Act, ''take'' means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. Some of these provisions have been further defined in regulations at 50 CFR 17.3. Take can result knowingly or otherwise, by direct and indirect impacts, intentionally or incidentally. Regulating take is intended to help preserve the species' remaining populations, retain connectivity, slow their rate of decline, and decrease cumulative effects from other ongoing or future threats. Therefore, we propose to prohibit take of the southern hognose snake, except for take resulting from those actions and activities specifically excepted by the 4(d) rule.

The proposed 4(d) rule would also provide for the conservation of the species by allowing exceptions that are intended to incentivize conservation

actions or actions that are not expected to rise to the level that would have a negative impact (*i.e.,* would have only de minimis impacts) on the species' conservation. Exceptions to the prohibitions would include the exceptions to the prohibition for endangered wildlife, as set forth in 50 CFR 17.21(c)(2)–(4), (d)(2) and 50 CFR 17.31(c). This includes allowing for any person to take southern hognose snake in defense of their own life or the lives of others and for law enforcement to possess and conduct other acts with illegally taken southern hognose snake (50 CFR 17.21(c)(2)). In addition, to further the conservation of the species, any employee or agent of the Service, any other Federal land management agency, the National Marine Fisheries Service, a State conservation agency, or a federally recognized Tribe, who is designated by their agency or Tribe for such purposes, may, when acting in the course of their official duties, take threatened wildlife without a permit if such action is necessary to: (i) aid a sick, injured, or orphaned specimen; or (ii) dispose of a dead specimen; or (iii) salvage a dead specimen that may be useful for scientific study; or (iv) remove specimens that constitute a demonstrable but nonimmediate threat to human safety, provided that the taking is done in a humane manner (50 CFR 17.21(c)(3)). Such taking may involve killing or injuring only if it has not been reasonably possible to eliminate such threat by live capturing and releasing the specimen unharmed, in an appropriate area.

We recognize the special and unique relationship that we have with our State natural resource agency partners in contributing to conservation of listed species. State agencies often possess scientific data and valuable expertise on the status and distribution of endangered, threatened, and candidate species of wildlife and plants. State agencies, because of their authorities and their close working relationships with local governments and landowners, are in a unique position to assist us in implementing all aspects of the Act. In this regard, section 6 of the Act provides that we must cooperate to the maximum extent practicable with the States in carrying out programs authorized by the Act. Therefore, any qualified employee or agent of a State conservation agency that is a party to a cooperative agreement with us in accordance with section 6(c) of the Act, who is designated by their agency for such purposes, would be able to conduct activities designed to conserve southern hognose snake that may result in otherwise prohibited take without additional authorization.

We also propose exceptions to take prohibitions for incidental take resulting from habitat management activities that maintain or restore southern hognose snake habitat, including implementation of prescribed fire; actions to reduce the threat of invasive species; silviculture practices and forestry activities that follow State-recommended best management practices (BMPs), as well as operational and maintenance activities for electric infrastructure (described below) that are expected to have negligible impacts to the southern hognose snake and its habitat.

This proposed 4(d) rule applies exceptions from prohibitions for the southern hognose snake for incidental take resulting from activities that restore or maintain existing forest land use, and that when conducted in areas within the range of the southern hognose snake on suitable soils, result in the establishment and maintenance of open-canopy, pine-dominated forest stands across the landscape. As noted above, open-canopy, pine-dominated communities (including sandhill and scrub) support the southern hognose snake. However, incidental take resulting from activities that cause significant soil disturbance, including, but not limited to, mechanical site preparation practices (such as, wind-rowing, shearing that penetrates the soil surface, stumping, disking (except during fire break creation or maintenance), root-raking, and bedding) are not excepted under this proposed 4(d) rule. Significant soil-disturbing activities are not excepted because soil disturbance could have long-term impacts to southern hognose snake habitat and, as a cryptic fossorial species, southern hognose snake presence may not be readily detected before or during the activities, so incidental take may occur without the operator's knowledge. Incidental take resulting from the following specific activities is excepted in the 4(d) rule:

Prescribed burning—We are proposing an exception for take associated with prescribed burning, including all firebreak establishment and maintenance actions. Upland natural communities associated with southern hognose snakes are fire-maintained communities. Implementing fire management creates and maintains the early successional, open-canopied conditions that benefit the southern hognose snake. Successional changes from fire exclusion or suppression in southern hognose snake habitat results in declines in habitat conditions.

Tree harvesting and planting—We are proposing an exception for take associated with tree thinning, tree harvest, planting pines (by hand or machine), and associated activities including skidding logs and the use of loading decks, which are necessary components of harvest operations. While information about the impacts of harvesting and planting is limited, we expect forest management regimes that create or maintain open-canopy, pine-dominated systems will enhance southern hognose snake habitat. Incidental take resulting from deforestation or conversion of forest to non-forest land use is not excepted under this proposed 4(d) rule, because deforestation and conversion of forest to non-forest land use would remove southern hognose snake habitat and have long term impacts on the species.

Maintenance of existing, unimproved forest roads and trails—We are proposing an exception for take associated with maintenance of roads and trails that provide access to habitat so that the habitat can be maintained and enhanced to benefit the southern hognose snake. However, the roads and trails must be unimproved, meaning those that are dirt, typically undisturbed soil, and unsurfaced. This exception includes only take associated with the maintenance of existing forest roads and trails, because creating new roads or trails would increase habitat fragmentation.

Forestry activities that implement State-recommended forestry BMPs—We are proposing an exception for take associated with forestry activities that implement State-recommended forestry BMPs, if those BMPs promote open-canopy forest conditions in upland habitats that improve habitat conditions and provide for the conservation of the southern hognose snake. To qualify for this exception, these activities must not result in soil and subsurface disturbances that would disrupt the movement or safety of the southern hognose snake or damage its subsurface habitat.

Herbicide application—We are proposing an exception for take associated with herbicide application that targets control of woody or invasive vegetation and promotes the long-term restoration of native herbaceous vegetation. Such herbicide applications help create and maintain favorable habitat conditions for the southern hognose snake. These provisions include only herbicide applications conducted in a manner consistent with Federal and applicable State laws, including Environmental Protection Agency label restrictions and herbicide

application guidelines as prescribed by manufacturers.

Electric infrastructure maintenance—We are proposing an exception for take associated with operational and maintenance activities, including tree removal and planting, tree trimming, debris management, and vegetation maintenance (*e.g.,* mowing), associated with electric transmission and generation infrastructure and rights-of-way that minimize ground disturbance, so as not to disrupt the movement or safety of the southern hognose snake, or damage the southern hognose snake's subsurface habitat. We recognize certain mechanical management activities may be used for maintenance requirements to ensure safety and operation needs for electric infrastructure.

We find that the activities presented above, if taken by land managers in the range of the southern hognose snake, will generally result in maintaining or restoring habitat for the species and will further the goal of conserving the southern hognose snake. These activities will also continue to contribute to the southern hognose snake's conservation and long-term viability. Therefore, the prohibitions of this proposed 4(d) rule for the southern hognose snake would not apply to these activities.

We may under certain circumstances issue permits to carry out one or more otherwise prohibited activities, including those described above. The regulations that govern permits for threatened wildlife state that the Director of the Service may issue a permit authorizing any activity otherwise prohibited with regard to threatened species. These include permits issued for the following purposes: for scientific purposes, to enhance propagation or survival, for economic hardship, for zoological exhibition, for educational purposes, for incidental taking, or for special purposes consistent with the purposes of the Act (50 CFR 17.32). The statute also contains certain exemptions from the prohibitions, which are found in sections 9 and 10 of the Act.

The 4(d) rule provides for the conservation of the southern hognose snake because it will regulate activities that pose a threat to the species. However, it also provides flexibilities in management and permitting requirements for several activities that are expected to have negligible impacts to the southern hognose snake and its habitat, as discussed above. Please see our ''Consideration of Economic Costs for the Proposed 4(d) Rule for the Southern Hognose Snake'' on *https://www.regulations.gov* for our consideration of economic impacts. We determined there would likely be limited change to the regulated community as a result of this rule. We do not envision many instances for the need for a permit for prohibited take under the 4(d) rule. Some number of individuals are anticipated to request permits for take associated with surveys or research activities. For incidental take, where there is no Federal nexus for section 7, depending on the situation, this will either be a new permit requirement, an alternative permit requirement, or an additional permit requirement, depending on what is already required by State law. Where there is a Federal nexus, the 4(d) rule does not change any obligations under section 7 of the ESA. Therefore, after considering the conservation needs of the species and the economic costs of the 4(d) rule, we have determined that the 4(d) rule is necessary and advisable to provide for the conservation of the species. We appreciate any public comment on the potential impacts (conservation and economic) of the proposed 4(d) rule.

As stated earlier, nothing in this proposed 4(d) rule will change in any way the recovery planning provisions of section 4(f) of the Act, the consultation requirements under section 7 of the Act, or the ability of the Service to enter into partnerships for the management and protection of the southern hognose snake. However, interagency cooperation may be further streamlined through planned programmatic consultations for the species between Federal agencies and the Service.

III. Critical Habitat

Background

Section 4(a)(3) of the Act requires that, to the maximum extent prudent and determinable, we designate a species' critical habitat concurrently with listing the species. Critical habitat is defined in section 3(5)(A) of the Act as:

(1) The specific areas within the geographical area occupied by the species, at the time it is listed in accordance with the Act, on which are found those physical or biological features (a) essential to the conservation of the species and (b) which may require special management considerations or protection; and

(2) Specific areas outside the geographical area occupied by the species at the time it is listed, upon a determination that such areas are essential for the conservation of the species.

Our regulations at 50 CFR 424.02 define the geographical area occupied by the species as an area that may generally be delineated around species' occurrences, as determined by the Secretary (*i.e.,* range). Such areas may include those areas used throughout all or part of the species' life cycle, even if not used on a regular basis (*e.g.,* migratory corridors, seasonal habitats, and habitats used periodically, but not solely by vagrant individuals).

Conservation, as defined under section 3(3) of the Act, means to use and the use of all methods and procedures that are necessary to bring an endangered or threatened species to the point at which the measures provided pursuant to the Act are no longer necessary. Such methods and procedures include, but are not limited to, all activities associated with scientific resources management such as research, census, law enforcement, habitat acquisition and maintenance, propagation, live trapping, and transplantation, and, in the extraordinary case where population pressures within a given ecosystem cannot be otherwise relieved, may include regulated taking.

Critical habitat receives protection under section 7 of the Act through the requirement that each Federal action agency ensure, in consultation with the Service, that any action they authorize, fund, or carry out is not likely to result in the destruction or adverse modification of designated critical habitat. The designation of critical habitat does not affect land ownership or establish a refuge, wilderness, reserve, preserve, or other conservation area. Such designation also does not allow the government or public to access private lands. Such designation does not require implementation of restoration, recovery, or enhancement measures by non-Federal landowners. Rather, designation requires that, where a landowner requests Federal agency funding or authorization for an action that may affect an area designated as critical habitat, the Federal agency consult with the Service under section 7(a)(2) of the Act. If the action may affect the listed species itself (such as for occupied critical habitat), the Federal agency would have already been required to consult with the Service even absent the critical habitat designation because of the requirement to ensure that the action is not likely to jeopardize the continued existence of the listed species. Even if the Service were to conclude after consultation that the proposed activity is likely to result in destruction or adverse modification of the critical habitat, the Federal action

agency and the landowner are not required to abandon the proposed activity, or to restore or recover the species; instead, they must implement ''reasonable and prudent alternatives'' to avoid destruction or adverse modification of critical habitat.

Under the first prong of the Act's definition of critical habitat, areas within the geographical area occupied by the species at the time it was listed are included in a critical habitat designation if they contain physical or biological features (1) which are essential to the conservation of the species and (2) which may require special management considerations or protection. For these areas, critical habitat designations identify, to the extent known using the best scientific data available, those physical or biological features that are essential to the conservation of the species (such as space, food, cover, and protected habitat).

Under the second prong of the Act's definition of critical habitat, we can designate critical habitat in areas outside the geographical area occupied by the species at the time it is listed, upon a determination that such areas are essential for the conservation of the species.

Section 4(b)(2) of the Act requires that we designate critical habitat on the basis of the best scientific data available. Further, our Policy on Information Standards Under the Endangered Species Act (published in the **Federal Register** on July 1, 1994 (59 FR 34271)), the Information Quality Act (section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001 (Pub. L. 106–554; H.R. 5658)), and our associated Information Quality Guidelines provide criteria, establish procedures, and provide guidance to ensure that our decisions are based on the best scientific data available. They require our biologists, to the extent consistent with the Act and with the use of the best scientific data available, to use primary and original sources of information as the basis for recommendations to designate critical habitat.

When we are determining which areas should be designated as critical habitat, our primary source of information is generally the information compiled in the SSA report and information developed during the listing process for the species. Additional information sources may include any generalized conservation strategy, criteria, or outline that may have been developed for the species; the recovery plan for the species; articles in peer-reviewed journals; conservation plans developed by States and counties; scientific status surveys and studies; biological assessments; other unpublished materials; or experts' opinions or personal knowledge.

Habitat is dynamic, and species may move from one area to another over time. We recognize that critical habitat designated at a particular point in time may not include all of the habitat areas that we may later determine are necessary for the recovery of the species. For these reasons, a critical habitat designation does not signal that habitat outside the designated area is unimportant or may not be needed for recovery of the species. Areas that are important to the conservation of the species, both inside and outside the critical habitat designation, will continue to be subject to: (1) conservation actions implemented under section 7(a)(1) of the Act; (2) regulatory protections afforded by the requirement in section 7(a)(2) of the Act for Federal agencies to ensure their actions are not likely to jeopardize the continued existence of any endangered or threatened species; and (3) the prohibitions found in the species-specific 4(d) rule. Federally funded or permitted projects affecting listed species outside their designated critical habitat areas may still result in jeopardy findings in some cases. These protections and conservation tools will continue to contribute to recovery of the species. Similarly, critical habitat designations made on the basis of the best scientific data available at the time of designation will not control the direction and substance of future recovery plans, habitat conservation plans, or other species conservation planning efforts if new information available at the time of those planning efforts calls for a different outcome.

Critical Habitat Determinability

Our regulations at 50 CFR 424.12(a)(2) state that critical habitat is not determinable when one or both of the following situations exist:

(i) Data sufficient to perform required analyses are lacking, or

(ii) The biological needs of the species are not sufficiently well known to identify any area that meets the definition of ''critical habitat.''

We reviewed the available information pertaining to the biological needs of the southern hognose snake and habitat characteristics where this species is located, but sufficient data to perform the required consideration of economic impacts are lacking at this time. Therefore, we conclude that the designation of critical habitat for the southern hognose snake is not determinable at this time. The Act allows the Service an additional year to publish a critical habitat designation that is not determinable at the time of listing (16 U.S.C. 1533(b)(6)(C)(ii)).

Required Determinations

Clarity of the Proposed Rule

We are required by Executive Orders 12866 and 12988 and by the Presidential memorandum of June 1, 1998, to write all rules in plain language. This means that each rule we publish must:

(1) Be logically organized;

(2) Use the active voice to address readers directly;

(3) Use clear language rather than jargon;

(4) Be divided into short sections and sentences; and

(5) Use lists and tables wherever possible.

If you feel that we have not met these requirements, send us comments by one of the methods listed in **ADDRESSES**. To better help us revise the rule, your comments should be as specific as possible. For example, you should tell us the numbers of the sections or paragraphs that are unclearly written, which sections or sentences are too long, the sections where you feel lists or tables would be useful, etc.

Regulatory Flexibility Act (5 U.S.C. 601 et seq.)

Under the Regulatory Flexibility Act (RFA; 5 U.S.C. 601 *et seq.*), as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA; title II of Pub. L. 104–121, March 29, 1996), whenever an agency is required to publish a notice of rulemaking for any proposed or final rule, it must prepare and make available for public comment a regulatory flexibility analysis that describes the effects of the rule on small entities (*i.e.,* small businesses, small organizations, and small government jurisdictions). However, no regulatory flexibility analysis is required if the head of the agency certifies the rule will not have a significant economic impact on a substantial number of small entities. The SBREFA amended the RFA to require Federal agencies to provide a certification statement of the factual basis for certifying that the rule will not have a significant economic impact on a substantial number of small entities.

While we do not conduct RFA analyses on our classification determinations under the Act, in accordance with recent caselaw (*Kansas Natural Resources Coalition, et al.* v. *USFWS, et al.* No. 23–CV–00159–DC–

RCG (W.D. Tex. 2025)) we comply with RFA through consideration of conservation and economic impacts when promulgating 4(d) rules. Please see our ''Consideration of Economic Costs for the Proposed 4(d) Rule for the Southern Hognose Snake'' on *https://www.regulations.gov* for our consideration of economic impacts. We have examined this proposed rule's potential effects on small entities as required by the RFA and based on our current information, we have determined that this action is unlikely to have a significant economic impact on a substantial number of small entities. We request information (see Information Requested) on the potential impacts of this proposed rule.

National Environmental Policy Act (42 U.S.C. 4321 et seq.)

Regulations adopted pursuant to section 4(a) of the Act are exempt from the National Environmental Policy Act (NEPA; 42 U.S.C. 4321 *et seq.*) and do not require an environmental analysis under NEPA. We published a notice outlining our reasons for this determination in the **Federal Register** on October 25, 1983 (48 FR 49244). This exemption includes listing, delisting, and reclassification rules, as well as critical habitat designations and species-specific protective regulations promulgated concurrently with a decision to list or reclassify a species as threatened. The courts have upheld this position (*e.g., Douglas County* v. *Babbitt,* 48 F.3d 1495 (9th Cir. 1995) (critical habitat); *Center for Biological Diversity* v. *U.S. Fish and Wildlife Service,* 2005 WL 2000928 (N.D. Cal. Aug. 19, 2005) (concurrent 4(d) rule)).

Government-to-Government Relationship With Tribes

In accordance with the President's memorandum of (Government-to-Government Relations with Native American Tribal Governments; 59 FR 22951, May 4, 1994), E.O. 13175 (''Consultation and Coordination with Indian Tribal Governments''), the President's memorandum of November 30, 2022 (Uniform Standards for Tribal Consultation; 87 FR 74479, December 5, 2022), and the Department of the Interior's manual at 512 DM 2, we readily acknowledge our responsibility to communicate meaningfully with federally recognized Tribes and Alaska Native Corporations on a government-to-government basis. In accordance with Department of the Interior Secretary's Order 3206 (''American Indian Tribal Rights, Federal-Tribal Trust Responsibilities, and the Endangered Species Act''), we readily acknowledge our responsibilities to work directly with Tribes in developing programs for healthy ecosystems, to acknowledge that Tribal lands are not subject to the same controls as Federal public lands, to remain sensitive to Indian culture, and to make information available to Tribes. During our initiation of our status review and request for information on southern hognose snake, we contacted those federally recognized Tribes within the range of the species, including Tribes with Catawba Indian Nation, Poarch Band of Creek, and Seminole. We will continue to work with relevant Tribal entities during the development of the final determination for the southern hognose snake.

References Cited

A complete list of references cited in this rulemaking is available on the internet at *https://www.regulations.gov* at Docket No. FWS–R4–ES–2025–0210 and upon request from the South Carolina Ecological Services Field Office (see **FOR FURTHER INFORMATION CONTACT**).

Field Office.

List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Plants, Reporting and recordkeeping requirements, Transportation, and Wildlife.

Proposed Regulation Promulgation

Accordingly, we propose to amend part 17, subchapter B of chapter I, title 50 of the Code of Federal Regulations, as set forth below:

PART 17—ENDANGERED AND THREATENED WILDLIFE AND PLANTS

■ 1. The authority citation for part 17 continues to read as follows:

Authority: 16 U.S.C. 1361–1407; 1531–1544; and 4201–4245, unless otherwise noted.

■ 2. In § 17.11, in paragraph (h), amend the List of Endangered and Threatened Wildlife by adding an entry for ''Snake, southern hognose'' in alphabetical order under REPTILES to read as follows:

§ 17.11 Endangered and threatened wildlife.

* * * * *

(h) * * *

Common name	Scientific name	Where listed	Status	Listing citations and applicable rules
*	*	*	*	*
REPTILES				
*	*	*	*	*
Snake, southern hognose	*Heterodon simus*	Wherever found	T	[**Federal Register** citation when published as a final rule]; 50 CFR 17.42(v); [4d]
*	*	*	*	*

■ 3. As proposed to be amended at, 86 FR 62434 (November 9, 2021), 87 FR 58648 (September 27, 2022), 88 FR 68070 (October 3, 2023), 88 FR 68370 (October 3, 2023), and 89 FR 103938 (December 19, 2024), further amend § 17.42 by adding paragraph (v) to read as follows:

§ 17.42 Species-specific rules—reptiles.

* * * * *

(v) Snake, southern hognose (*Heterodon simus*).

(1) *Prohibitions.* The following prohibitions that apply to endangered wildlife also apply to the southern hognose snake. Except as provided under paragraph (v)(2) of this section and §§ 17.4 and 17.5, it is unlawful for any person subject to the jurisdiction of the United States to commit, to attempt to commit, to solicit another to commit, or cause to be committed, any of the following acts in regard to this species:

(i) Import or export, as set forth at § 17.21(b) for endangered wildlife.

(ii) Take, as set forth at § 17.21(c)(1) for endangered wildlife.

(iii) Possession and other acts with unlawfully taken specimens, as set forth at § 17.21(d)(1) for endangered wildlife.

(iv) Interstate or foreign commerce in the course of a commercial activity, as set forth at § 17.21(e) for endangered wildlife.

(v) Sale or offer for sale, as set forth at § 17.21(f) for endangered wildlife.

(2) *Exceptions from prohibitions.* In regard to this species, you may:

(i) Conduct activities as authorized by a permit under § 17.32.

(ii) Take, as set forth at § 17.21(c)(2) through (c)(4) for endangered wildlife.

(iii) Take as set forth at § 17.31(b).

(iv) Possess and engage in other acts with unlawfully taken wildlife, as set forth at § 17.21(d)(2) for endangered wildlife.

(v) Take incidental to an otherwise lawful activity caused by:

(A) Prescribed burning, including all firebreak establishment and maintenance actions.

(B) Tree harvest, planting (by hand or machine), and associated activities including skidding logs and the use of loading decks.

(C) Maintenance of existing, unimproved forest roads and trails used for access for forest management.

(D) Forest management activities that:

(*1*) Implement State-recommended forestry best management practices;

(*2*) Promote open-canopy forest conditions in upland habitats;

(*3*) Do not result in soil and subsurface disturbances that would disrupt the movement or safety of the southern hognose snake; and

(*4*) Do not damage the southern hognose snake's subsurface habitat.

(E) Herbicide application that targets control of woody or invasive vegetation and promotes the long-term restoration of native herbaceous vegetation. Such herbicide applications must be conducted in a manner consistent with Federal and applicable State laws, including Environmental Protection Agency label restrictions and herbicide application guidelines as prescribed by manufacturers.

(F) Operational and maintenance activities, including tree removal and planting, tree trimming, debris management, and vegetation maintenance (*e.g.,* mowing), associated with electric transmission and generation infrastructure and rights-of-way, if such activities, minimize ground disturbance and do not disrupt the movement or safety of the southern hognose snake or damage the southern hognose snake's subsurface habitat.

Brian R. Nesvik,

Director, U.S. Fish and Wildlife Service.

[FR Doc. 2025–16688 Filed 8–28–25; 8:45 am]

BILLING CODE 4333–15–P

Notices

Federal Register
Vol. 90, No. 166
Friday, August 29, 2025

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

DEPARTMENT OF AGRICULTURE

Farm Service Agency

[Docket ID: FSA–2025–0037]

Information Collection Request; Food Safety Certification for Specialty Crops (FSCSC) Program

AGENCY: Farm Service Agency, USDA.

ACTION: Notice; request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act requirement, the Farm Service Agency (FSA) is requesting comments from all interested individuals and organizations on an extension with a revision of a currently approved information collection request associated with the Food Safety Certification for Specialty Crops (FSCSC) program.

DATES: We will consider comments that we receive by October 28, 2025.

ADDRESSES: We invite you to submit comments on the information collection request. You may submit comments, identified by Docket ID: FSA–2025–0037, by following this method: *federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.

FOR FURTHER INFORMATION CONTACT: Jamie Garriott, telephone: (202) 253–9843; email: *jamie.garriott@usda.gov.* Persons with disabilities who require alternative means for communication should contact the USDA's TARGET Center at (202) 720–2600 (Voice) (voice and text telephone (TTY mode)) or dial 711 for Telecommunications Relay Service (both voice and text telephone users can initiate this call from any telephone).

SUPPLEMENTARY INFORMATION:

Description of Information Collection Request

Title: Food Safety Certification for Specialty Crops (FSCSC) Program.

OMB Control Number: 0560–0311.

Expiration Date: 12/31/2025.

Type of Request: Extension with revision.

Abstract: To apply for the Food Safety Certification for Specialty Crops (FSCSC) program, a producer submits FSA–888–1 (Food Safety Certification for Specialty Crops Program (FSCSC) for Program Years 2024 and 2025). The form is manual. The information submitted by applicants is used by FSA to determine eligibility and issue FSCSC payments to eligible applicants. Information that the producer is required to provide on this form is the applicant's name, address, phone number, email, and all certification information and expenses. The applicant must also certify to being either a small or medium size business.

The producer must sign FSA–888–1 agreeing to the rules and regulations of the FSCSC program and that all information is true and correct.

There is a reduction in the number of respondents and burden hours since the last OMB submission. The estimated number of respondents and burden hours have been updated to reflect a reduction in applicants based on prior year program participation. The burden hours have also been reduced because CCC–860, Socially Disadvantaged, Limited Resource, Beginning and Veteran Farmer or Rancher Certification, is not used for FSCSC for the 2024 and 2025 program years.

For the following estimated total annual burden on respondents, the formula used to calculate the total burden hour is the estimated average time per responses hours multiplied by the estimated total annual responses.

Estimate of Annual Burden: Public reporting burden for the collection of information is estimated to average 1 hour and 15 minutes per response.

Respondents: Producers.

Estimated Number of Respondents: 2,500.

Estimated Number of Responses per Respondent: 1.4.

Estimated Total Annual Responses: 3,500.

Estimated Average Time per Response: 1 hour 3.6 minutes (1.06 hours).

Estimated Total Annual Burden Hours: 2,650 hours.

We are requesting comments on all aspects of this information collection to help us:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the collection of information including the validity of the methodology and assumptions used;

(3) Evaluate the quality, utility, and clarity of the information technology; and

(4) Minimize the burden of the information collection on those who respond through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

All comments received in response to this notice, including names and addresses where provided, will be made a matter of public record. Comments will be summarized and included in the request for OMB approval of the information collection.

William Beam,

Administrator, Farm Service Agency.

[FR Doc. 2025–16647 Filed 8–28–25; 8:45 am]

BILLING CODE 3411–E2–P

DEPARTMENT OF AGRICULTURE

Forest Service

Special Areas; Roadless Area Conservation; National Forest System Lands

AGENCY: Forest Service, Agriculture (USDA).

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: The U.S. Department of Agriculture is initiating an environmental impact statement (EIS) and rulemaking concerning management of inventoried roadless areas on approximately 44.7 million acres of National Forest System lands, including in Alaska. The proposed rule would rescind the 2001 Roadless Area Conservation Rule (2001 Roadless Rule) (66 FR 3244, 36 CFR Subpart B (2001)), which prohibits road construction, road reconstruction, and timber harvesting in inventoried roadless areas, with limited exceptions. State-specific roadless rules for Idaho and Colorado at 36 CFR 294

Subparts C and D will be retained and are excluded from this notice. Rescinding the 2001 Roadless Rule is intended to return decision making for road construction, road reconstruction, and timber harvesting in inventoried roadless areas to local officials, in conjunction with Forest-level land management planning. As directed by *Executive Order 14153: Unleashing Alaska's Extraordinary Resource Potential,* the proposed rule will expressly exclude the Tongass National Forest from the 2001 Roadless Rule. The EIS will evaluate the impacts of the proposed rule rescission and study alternatives for roadless area conservation on National Forest System lands, including the Tongass National Forest, in the context of multiple use resource management. USDA invites written comments on alternatives or effects and on relevant information, studies, or analyses with respect to the proposal.

DATES: Comments must be received in writing by September 19, 2025. The proposed rule, accompanied by a draft EIS, is expected by March 2026, along with a request for additional public comment. The final rule, EIS, and record of decision are expected to be released in late 2026.

ADDRESSES: Additional information, including the eventual publication of the EIS and record of decision, can be found on the following website: *https://www.fs.usda.gov/managing-land/planning/roadless.* Comments must be submitted via one of the following methods:

- *Electronically (preferred):* Through the Federal eRulemaking Portal, *https://www.regulations.gov,* identified by docket number FS–2025–0001. Follow the instructions for submitting comments.
- *Mail:* Hardcopy letters must be submitted to the Director, Ecosystem Management Coordination, 201 14th Street SW, Mailstop 1108, Washington, DC 20250–1124.

FOR FURTHER INFORMATION CONTACT: Brad Kinder, Acting Director, Ecosystem Management Coordination, at the following phone number: 202–205–0650. Individuals who are deaf, hard of hearing, or have a speech disability may call 711 to reach the Telecommunications Relay Service then provide the phone number of the person named as a point of contact for further information.

SUPPLEMENTARY INFORMATION:

Background

Current Status of Inventoried Roadless Areas

Today, inventoried roadless areas total approximately 58.2 million acres, or about 30 percent of all National Forest System lands. The 2001 Roadless Rule applies to approximately 44.7 million acres of National Forest System lands, including about 9.3 million acres within the Tongass National Forest. The 44.7 million acres exclude approximately 9.3 million acres in Idaho and 4.2 million acres in Colorado, which are under state specific roadless rules. Current areas are reflected on national maps at the Forest Service Roadless Area website (*https://www.fs.usda.gov/managing-land/planning/roadless*).

More than 95 percent of inventoried roadless areas managed under the 2001 Roadless Rule (outside of Colorado and Idaho) are in ten Western states, including (from largest inventoried roadless area acreage to smallest): Alaska, Montana, California, Utah, Wyoming, Nevada, Washington, Oregon, New Mexico, and Arizona. Sixty-three percent are forested areas (with at least 10 percent canopy cover). Congress has included approximately 1.3 million acres (or 2.8 percent) of inventoried roadless areas managed under the 2001 Roadless Rule in the National Wilderness Preservation System.

While they are referred to as 'roadless', because of the history of their inventory and designation, there are thousands of miles of existing roads within lands designated under the 2001 Roadless Rule, including National Forest System roads as well as county, state, or other ownerships. About half of these lands are within 1 mile of a road and 31 percent are within 0.5 miles of a road (13.3 million acres).

Between 1984 and 2024, 13 percent of inventoried roadless areas (5.5 million acres) experienced high or moderate severity wildfire. The occurrence of moderate- to high-severity fire in inventoried roadless areas has increased in recent decades, especially since 2000, consistent with trends throughout the National Forest System. Currently, forty percent of lands within inventoried roadless areas have a high or very-high wildfire hazard potential, ranging from 5 percent in the Eastern Region to 60 percent in California. About 23 percent (10.2 million acres) of inventoried roadless areas managed under the 2001 Roadless Rule are within the wildland-urban interface (WUI), areas where human development intermixes with the wildland, based on the definition of WUI set out in the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511(16)). An additional 4.8 million areas are within one mile of the WUI, totaling about 35 percent of these inventoried roadless area acres.

The 2001 Roadless Rule Final EIS predicted that extensive fire reduction work would not be needed within inventoried roadless areas for at least 20 years. In the 24 years since that analysis, the area encompassing the WUI has increased alongside increased insect and disease and wildfire activity throughout the National Forest System, including within inventoried roadless areas. Insect and disease and wildfire activity, especially within the WUI, affects important resources, neighboring infrastructure, and communities. Additional information is available at the Forest Service Roadless Area website (*https://www.fs.usda.gov/managing-land/planning/roadless*).

Relationship of the 2001 Roadless Rule to Land Management Planning and Project-Level Decisions

The relationship between regulations, land management plans, and national forest projects is of particular importance. A land management plan, developed under the National Forest Management Act and the Planning Rule at 36 CFR 219, provides a framework for future project analysis and decision making. All land management plans conform to existing laws and regulations and are administratively changed as needed to conform to new statutory and regulatory requirements (36 CFR 219.1(f) and 219.13(c)).

The 2001 Roadless Rule did not amend, revise, or compel amendment or revision of any land management plans (36 CFR 294.14(b) (2001); 66 FR 3273); however, the Roadless Rule's provisions supersede the plan components for inventoried roadless areas applied through individual land management plans. The Forest Service planning directives (Forest Service Handbook (FSH) 1909.12, Chapter 24, updated in 2015) require land management plans to treat inventoried roadless areas as a type of designated area, with the option to also identify these areas as unique geographic areas or management areas in the plans. Plans may also include additional plan components for inventoried roadless areas if they are compatible with the restrictions of the applicable roadless rule. Within land management plans, inventoried roadless areas currently overlap on some national forests with other management areas, such as core habitats, research natural areas, alpine areas, or areas managed for backcountry recreation where there are expected to be low

levels of development, including timber harvest and road construction. For example, 3.1 million acres managed under the 2001 Roadless Rule are also managed as recommended wilderness, and 6.5 million acres are managed as backcountry.

All site-specific project decisions must be consistent with land management plans. Any site-specific impacts on inventoried roadless areas and other resources must be analyzed, including National Environmental Policy Act compliance prior to a decision. Project decisions must comply with applicable Federal and State laws, such as the Clean Water Act, the Clean Air Act, Endangered Species Act, National Historic Preservation Act, and the Wilderness Act.

2001 Roadless Rule Implementation

Amid legal challenges to the 2001 Roadless Rule and to provide for consistent application, exceptions for specific activities in inventoried roadless areas (294.12(b) and 294.13(b)), were reviewed and authorized by the Secretary and Forest Service Chief until 2012. In 2012, certain exceptions were delegated to the applicable Regional Forester. Since 2018 all exceptions have been delegated to the Regional Forester. Approval requires review and documentation, including maps and justification. The use of exceptions has been limited, and the majority have been for forest stewardship purposes.

Purpose and Need for the Proposed Action

Given changing resource conditions and shifts in policy priorities, the Department believes that the ''one-size-fits-all'' approach to roadless area management under the 2001 Roadless Rule is no longer appropriate and proposes to use local land management planning processes to administer inventoried roadless areas. Rescinding the 2001 Roadless Rule would provide discretion for local land managers to tailor management, as appropriate, to local land conditions.

Under the current Administration, the USDA has refocused policies, programs, and resources on increasing rural economic opportunity, decreasing Federal regulation, and streamlining Federal government services. Specifically, this deregulatory action is proposed pursuant to Executive Order 14192, *Unleashing Prosperity Through Deregulation,* to alleviate unnecessary regulatory burdens. In Executive Order 14225, *Immediate Expansion of American Timber Production,* and Executive Order 14154, *Unleashing American Energy,* the President declared that the United States' national and economic security are currently threatened by our Nation's reliance upon foreign timber, energy and mineral production, and that it is imperative for the United States to take immediate action to facilitate domestic production of these natural resources to the maximum possible extent. As such, USDA is examining regulations that pose undue burden on production of the Nation's timber and identification, development, and use of domestic energy and mineral resources. This action is also being proposed in accordance with Executive Order 14153, *Unleashing Alaska's Extraordinary Resource Potential,* section 3(c), which directs that the Secretary of Agriculture ''shall reinstate'' the 2020 Alaska Roadless Rule (85 FR 68688) which exempted the Tongass National Forest from the 2001 Roadless Rule.

As resource conditions and policies have evolved over time, it is now evident that the blanket, national approach taken in the 2001 Roadless Rule unnecessarily and adversely limits exercise of management discretion. The flexibility to respond to local land and resource conditions is paramount.

Conditions within and adjacent to National Forest System lands have dramatically changed over the twenty-four years since the 2001 Roadless Rule was published and are expected to continue to change, including the expanding wildland-urban interface; growing impacts of extreme wildfire, drought, and insect and disease infestations; and continuing deferred maintenance needs on National Forest System roads and trails. Management flexibility is needed for the Agency to achieve its multiple use conservation mission, including timber production, recreation, wildfire suppression, and fuel reduction treatments. These needs are magnified by the emphasis on domestic timber and energy production on Federal lands and deregulation policies reflected in Executive Orders 14192, 14225, 14154, as well as Secretary's Memorandum 1078–006, *Increasing Timber Production and Designating an Emergency Situation on National Forest System Lands.* The USDA is cognizant that the President's recent Orders have significantly changed the context in which the USDA Forest Service administers these lands for the benefits of all Americans. Local decision making and active land management benefit not only the communities that rely on national forests for jobs, natural resources, open spaces, forage, and clean water, but all citizens who utilize the multiple use attributes of national forests.

Given these national policy priorities and changing conditions, the Department has determined the 2001 Roadless Rule is no longer the best approach to managing inventoried roadless areas within the National Forest System. Managing inventoried roadless areas to maintain their roadless character through a national rule no longer facilitates the maintenance of the long-term health and productivity. A national rule adds administrative burden and does not efficiently support multiple use management of National Forest System lands. This action seeks to reinstate a reliance upon the flexibility of the local land management planning process. The proposed rule responds to the need for national forests to take swift and immediate action to reduce wildfire risk and help protect surrounding communities and infrastructure. It would allow local managers, as deemed appropriate and consistent with land management plans, to build roads and implement active forest management practices (for example, timber sales and thinning) in inventoried roadless areas. Combined with the complex social and resource issues, the litigation and legislative history surrounding inventoried roadless area conservation demonstrates that while differences in opinion seem inevitable, various active management options responding to changing local land conditions are available where needed.

Land management plans and Agency directives provide a comprehensive framework with respect to inventoried roadless area decision making. Eliminating a cumbersome national level oversight process and returning authority to the local decisionmakers provides for efficiency as well as effectiveness for resource conservation. The important resource values of inventoried roadless areas can be effectively conserved through local decision making and planning without restrictive and unnecessary national prohibitions.

Preliminary Description of Proposed Action

The USDA proposes to rescind the 2001 Roadless Area Conservation Rule (66 FR 3244, 36 CFR Subpart B (2001)) on 44.7 million acres, including the Tongass National Forest, but maintain state-specific roadless conservation rules for Idaho and Colorado (36 CFR Subparts C and D). As directed by Executive Order 14153: *Unleashing Alaska's Extraordinary Resource Potential,* the proposed rule will expressly exclude the Tongass National Forest from the 2001 Roadless Rule. If

adopted, management of inventoried roadless areas would be governed by applicable land management plan direction.

The proposed action would rescind the prohibitions set forth in the 2001 Roadless Rule. Local land management planning, guided by public input and information on land conditions, would provide the basis for conservation of inventoried roadless areas. The proposed rule would not compel amendment or revision of any land management plan, though plans may be amended in any manner whatsoever, and are revised periodically (16 U.S.C. 1604(f)).

The proposed rescission of the 2001 Roadless Rule would not authorize any specific ground-disturbing activities or projects, nor does it propose any increase in the overall amount of timber harvested or roads constructed; require any timber harvest or road construction; or dictate when, where, or how such activities may occur in the future. These decisions are left to the local officials through site-specific analysis and evaluation of land and resource conditions and would be consistent with applicable plan provisions. The proposed rule would not alter existing regulatory requirements for environmental analysis, public engagement, or administrative review.

Preliminary Description of Known Alternatives

In addition to the proposed action, the EIS will analyze a 'no action' alternative that would retain the 2001 Roadless Rule.

Preliminary List of Substantive Issues and Summary of Expected Impacts

The EIS will evaluate the potential social, economic, and environmental programmatic effects resulting from the implementation of the alternatives described above. Substantive issues are those that meaningfully inform the consideration of reasonably foreseeable impacts of the proposed action or a decision on the alternative selected for implementation (7 CFR 1b.11). The following preliminary substantive issues are anticipated to be evaluated. The EIS will evaluate the anticipated impacts and benefits, including reasonably foreseeable impacts, related to:

- Public access to National Forest System lands, including for recreation, to facilitate subsistence or other uses, and to exercise legal rights.
- Forest health and management, including timber management, fuels management, and fire suppression.
- Soil, water and air; plant and animal communities, including threatened, endangered, sensitive species; scenic integrity; recreation settings and opportunities; and cultural resources, traditional cultural properties, and sacred sites.
- Local and regional economies.

The level of environmental review of the identified resources for the EIS will be commensurate with the anticipated effects to each resource. Because the proposed rule does not propose to compel changes to land management plans or initiate development of specific activities within currently inventoried roadless areas, it is uncertain if there would be any future project-level decisions, and what those decisions might entail. Effects of any future actions will be considered at Forest or project-level scales where site-specific details of a specific action and the resources it affects can be meaningfully evaluated and weighed, subject to their land management plans and environmental analysis processes.

Cooperating and Participating Agencies

The USDA Forest Service is the lead agency. No Cooperating or Participating Agencies have been designated. The USDA Forest Service does not anticipate designating any Federal, State, Tribal, or local agencies as cooperating or participating agencies. These organizations are encouraged to provide input through the public comment opportunities for this notice of intent, as well as the proposed rule and draft EIS.

Responsible Official

The Responsible Official is the Secretary of Agriculture or her designee.

Request for Public Comments

Comments received on this notice of intent will guide the development of the EIS. The Agency is requesting comments on alternatives or effects and on relevant information, studies, or analyses with respect to the proposal. Follow the instructions for sending comments (see **ADDRESSES** section above).

It is important that reviewers provide their comments at such times and in such a manner that they are useful to the Agency's preparation of the EIS; therefore, comments should be provided prior to the close of the comment period and should clearly articulate the reviewer's concerns and contentions. When lengthy or complex comments are provided, they are most effective if a brief, plainly worded summary of the main points is included. Comments, including attachments and any personal information provided in your comments, will be posted to the docket unchanged. Do not submit any information you consider to be private, Confidential Business Information (CBI), or other information, the disclosure of which is restricted by statute.

This action is not subject to the pre-decisional administrative review (objection) process of 36 CFR 218 or 219.

Tribal governments and Alaska Native Corporations will have an opportunity to be engaged during rulemaking and EIS development through various coordination and consultation events.

Anticipated Permits or Other Authorizations

No anticipated permits or other authorizations are required for this action.

Brooke Rollins,

Secretary of Agriculture.

[FR Doc. 2025–16581 Filed 8–28–25; 8:45 am]

BILLING CODE 3411–15–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Business Meeting of the Alabama Advisory Committee to the U.S. Commission on Civil Rights

AGENCY: U.S. Commission on Civil Rights.

ACTION: Notice of Business Meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act that the Alabama Advisory Committee to the U.S. Commission on Civil Rights will hold a public business meeting via Zoom at 1 p.m. CT on Thursday, September 11, 2025. The purpose of this meeting is to discuss the Committee's upcoming briefings.

DATES: Thursday, September 11, 2025, at 1 p.m.–2:30 p.m. Central Time.

ADDRESSES: The meeting will be held via Zoom Webinar.

Registration Link (Audio/Visual): https://www.zoomgov.com/j/1606714925.

Join by Phone (Audio Only): 833–435–1820, Confirmation Code: 160 671 492.

FOR FURTHER INFORMATION CONTACT: David Barreras, Designated Federal Officer, at *dbarreras@usccr.gov* or (202) 656–8937.

SUPPLEMENTARY INFORMATION: Members of the public may listen to this discussion through the above call-in number. An open comment period will be provided to allow members of the public to make a statement as time allows. Callers can expect to incur regular charges for calls they initiate

over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Individuals who are deaf, deafblind and hard of hear hearing may also follow the proceedings by first calling the Federal Relay Service at 1–800–877–8339 and providing the Service with the conference call number and confirmation code.

Members of the public are entitled to submit written comments; the comments must be received in the regional office within 30 days following the meeting. Written comments may be mailed to the Regional Programs Unit, U.S. Commission on Civil Rights, 230 S. Dearborn, Suite 2120, Chicago, IL 60604. They may also be faxed to the Commission at (312) 353–8324 or emailed to Corrine Sanders at *csanders@usccr.gov.* Persons who desire additional information may contact the Regional Programs Unit at (312) 353–8311.

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

Agenda

I. Welcome and roll call
II. Chair's Comments
III. Committee Discussion
IV. Next steps
V. Public comment
VI. Adjournment

Dated: August 27, 2025.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2025–16622 Filed 8–28–25; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–41–2025]

Foreign-Trade Zone 163—Ponce, Puerto Rico; Application for Reorganization/Expansion

An application has been submitted to the Foreign-Trade Zones (FTZ) Board by CODEZOL, C.D., grantee of FTZ 163, requesting authority to reorganize and expand FTZ 163 in Ponce, Puerto Rico. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a–81u), and the regulations of the FTZ Board (15 CFR part 400). It was formally docketed on August 26, 2025.

FTZ 163 was established by the Board on October 18, 1989 (Board Order 443, 54 FR 46097, November 1, 1989), and expanded on April 18, 2000 (Board Order 1091, 65 FR 24676, April 27, 2000), on June 9, 2005 (Board Order 1397, 70 FR 36117, June 22, 2005), on July 26, 2006 (Board Order 1467, 71 FR 44996, August 8, 2006), on November 9, 2006 (Board Order 1487, 71 FR 67098, November 20, 2006), on June 26, 2009 (Board Order 1631, 74 FR 34306, July 15, 2009), on July 8, 2010 (Board Orders 1692 and 1693, 75 FR 41801, July 19, 2010), on May 24, 2012 (Board Order 1830, 77 FR 32929, June 4, 2012), and on December 13, 2018 (Board Order 2078, 83 FR 65141, December 19, 2018).

FTZ 163 currently consists of thirteen sites (936.984 acres total) in Puerto Rico: *Site 1* (269 acres)—located at the Port of Ponce; *Site 2* (183.8 acres)—Peerless Oil & Chemicals, Inc. petroleum terminal facilities in Peñuelas and Guaynilla; *Site 3* (3 acres)—Hato Rey Distribution Center, located at Angel Buonoma Street #361 and #71, San Juan; *Site 4* (14 acres)—Centro Automatriz Santa Rosa, Inc., State Road No. 3, Km 140.1, Guayama; *Site 5* (256 acres)—Mercedita Industrial Park, Rt. PR–9 and Las Americas Highway, Ponce; *Site 6* (86 acres)—Coto Laurel Industrial Park, Highways PR–56 and PR–52, Ponce; *Site 7* (17.2 acres)—Cesar Castillo warehouse, State Road No. 1, Km 21.1, Guaynabo; *Site 8* (5 acres)—Ayala Warehouse, Inc., 42 Salmon Street, Ponce; *Site 10* (5.83 acres)—Colomer & Suarez, Inc., Centro de Distribucion Playa de Ponce, Building 7, Avenida Santiago de los Caballeros, Ponce; *Site 11* (52 acres)—ProCaribe, Road 385, Km 5.4, Bo. Tallaboa, Peñuelas; *Site 12* (5.97 acres)—Yaucono Industrial Park, 2822 Las Americas Avenue, Corner Cuatro Calles, Ponce; *Site 13* (10 acres)—Rio Piedras Distribution Center, Quebrada Arena Industrial Park, PR Road #1, Km 26.0, San Juan; and, *Site 17* (29.184 acres)—Ponce Regional Distribution Center, 3199 Ave. Santiago de los Caballeros, Ponce.

The applicant is requesting authority to expand Site 1 of the zone to include an additional 93.91 acres at the Port of Ponce. The applicant is also requesting to remove Site 6 from the zone. No authorization for production activity is being requested at this time. Such requests would be made to the FTZ Board on a case-by-case basis.

In accordance with the FTZ Board's regulations, Camille Evans of the FTZ Staff is designated examiner to evaluate and analyze the facts and information presented in the application and case record and to report findings and recommendations to the FTZ Board.

Public comment is invited from interested parties. Submissions shall be addressed to the FTZ Board's Executive Secretary and sent to: *ftz@trade.gov.* The closing period for their receipt is October 28, 2025. Rebuttal comments in response to material submitted during the foregoing period may be submitted through November 12, 2025.

A copy of the application will be available for public inspection in the ''Online FTZ Information Section'' section of the FTZ Board's website, which is accessible via *www.trade.gov/ftz.*

For further information, contact Camille Evans at *Camille.Evans@trade.gov.*

Dated: August 26, 2025.

Elizabeth Whiteman,

Executive Secretary.

[FR Doc. 2025–16587 Filed 8–28–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–40–2025]

Foreign-Trade Zone (FTZ) 186, Notification of Proposed Production Activity; Mölnlycke Health Care; (Medical Dressings and Foam); Brunswick, Portland, and Wiscasset, Maine

Mölnlycke Health Care submitted a notification of proposed production activity to the FTZ Board (the Board) for its facilities in Brunswick, Portland, and Wiscasset, Maine within Subzone 186C. The notification conforming to the requirements of the Board's regulations (15 CFR 400.22) was received on August 15, 2025.

Pursuant to 15 CFR 400.14(b), FTZ production activity would be limited to the specific foreign-status material(s)/component(s) and specific finished product(s) described in the submitted notification (summarized below) and subsequently authorized by the Board. The benefits that may stem from conducting production activity under FTZ procedures are explained in the background section of the Board's website—accessible via *www.trade.gov/ftz.*

The proposed finished products include polyurethane foam and wound care dressings (duty rate ranges from duty-free to 4.2%).

The proposed foreign-status materials/components include: hot melt laminating adhesive; silicone; release liners (polyethylene coated; temporary polyethylene); layered films (polyethylene and polyethylene terephthalate; polyethylene and polyamide); films (low-density polyethylene film; non-cellular polyurethane; polyethylene release; polyurethane backing); various papers (gummed grid; polyethylene coated; casting); air laid cotton linter wound pads; paper labels; informational leaflets; and, laminates (duty rate ranges from duty-free to 5.8%). The request indicates that certain materials/components are subject to duties under section 1702(a)(1)(B) of the International Emergency Economic Powers Act (section 1702), or section 301 of the Trade Act of 1974 (section 301), depending on the country of origin. The applicable section 1702, and section 301 decisions require subject merchandise to be admitted to FTZs in privileged foreign status (19 CFR 146.41).

Public comment is invited from interested parties. Submissions shall be addressed to the Board's Executive Secretary and sent to: *ftz@trade.gov.* The closing period for their receipt is October 8, 2025.

A copy of the notification will be available for public inspection in the ''Online FTZ Information System'' section of the Board's website.

For further information, contact Juanita Chen at *juanita.chen@trade.gov.*

Dated: August 26, 2025.

Elizabeth Whiteman,

Executive Secretary.

[FR Doc. 2025–16657 Filed 8–28–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[S–213–2025]

Approval of Subzone Status; General Electric Company; Peebles, Ohio

On July 10, 2025, the Executive Secretary of the Foreign-Trade Zones (FTZ) Board docketed an application submitted by the Greater Cincinnati FTZ, Inc., grantee of FTZ 46, requesting subzone status subject to the existing activation limit of FTZ 46, on behalf of General Electric Company, in Peebles, Ohio.

The application was processed in accordance with the FTZ Act and Regulations, including notice in the **Federal Register** inviting public comment (90 FR 31601, July 15, 2025). The FTZ staff examiner reviewed the application and determined that it meets the criteria for approval. Pursuant to the authority delegated to the FTZ Board Executive Secretary (15 CFR 400.36(f)), the application to establish Subzone 46N was approved on August 26, 2025, subject to the FTZ Act and the Board's regulations, including section 400.13, and further subject to FTZ 46's 2,000-acre activation limit.

Dated: August 26, 2025.

Elizabeth Whiteman,

Executive Secretary.

[FR Doc. 2025–16588 Filed 8–28–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–583–880]

Certain Monomers and Oligomers From Taiwan: Preliminary Affirmative Countervailing Duty Determination

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

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that countervailable subsidies are being provided to producers and exporters of certain monomers and oligomers (monomers and oligomers) from Taiwan during the period of investigation (POI), January 1, 2024, through December 31, 2024. Interested parties are invited to comment on this preliminary determination.

DATES: Applicable August 29, 2025.

FOR FURTHER INFORMATION CONTACT: Suresh Maniam, 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) 482–1603.

SUPPLEMENTARY INFORMATION:

Background

This preliminary determination is made in accordance with section 703(b) of the Tariff Act of 1930, as amended (the Act). On April 23, 2024, Commerce published the notice of initiation of this countervailing duty investigation in the **Federal Register**.[1] On June 4, 2025, Commerce postponed the preliminary determination of this investigation until August 25, 2025.[2] On August 18, 2025, the petitioner alleged that, pursuant to section 703(e)(1) of the Act and 19 CFR 351.206, critical circumstances exist with respect to imports of monomers and oligomers from Taiwan.[3] As the allegation was submitted less than 20 days before the scheduled date of the preliminary determination, Commerce's intends to issue a separate preliminary critical circumstances determination no later than 30 days after the submission of the allegation consistent with 19 CFR 351.206(c)(2)(ii).

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

Scope of the Investigation

The product covered by this investigation is monomers and oligomers from Taiwan. For a complete description of the scope of this investigation, *see* Appendix I.

Scope Comments

In accordance with the preamble to Commerce's regulations,[5] the *Initiation Notice* set aside a period of time for parties to raise issues regarding product coverage, (*i.e.,* scope).[6] No interested party commented on the scope of the investigation as it appeared in the *Initiation Notice.* Thus, the scope of the investigation is unchanged from the *Initiation Notice.*

[1] *See Certain Monomers and Oligomers from Taiwan: Initiation of Countervailing Duty Investigation,* 90 FR 17032 (April 23, 2025) (*Initiation Notice*).

[2] *See Certain Monomers and Oligomers from Taiwan: Postponement of Preliminary Determination in the Countervailing Duty Investigation,* 90 FR 23672 (June 4, 2025).

[3] *See* Petitioner's Letter, ''Allegation of Critical Circumstances,'' dated August 18, 2025.

[4] *See* Memorandum, ''Decision Memorandum for the Preliminary Determination of the Countervailing Duty Investigation of Certain Monomers and Oligomers from Taiwan,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[5] *See Antidumping Duties; Countervailing Duties, Final Rule,* 62 FR 27296, 27323 (May 19, 1997).

[6] *See Initiation Notice.*

Methodology

Commerce is conducting this investigation in accordance with section 701 of the Act. For each of the subsidy programs found countervailable, Commerce preliminarily determines that there is a subsidy, *i.e.,* a financial contribution by an ''authority'' that gives rise to a benefit to the recipient, and that the subsidy is specific.[7]

Commerce notes that, in making these findings, it relied on facts available and, because it finds that one or more respondents did not act to the best of their ability to respond to Commerce's requests for information, it drew an adverse inference where appropriate in selecting from among the facts otherwise available.[8] For further information, *see* the ''Use of Facts Otherwise Available and Adverse Inferences'' section in the Preliminary Decision Memorandum.

All-Others Rate

Sections 703(d) and 705(c)(5)(A) of the Act provide that in the preliminary determination, Commerce shall determine an estimated all-others rate for companies not individually examined. This rate shall be an amount equal to the weighted average of the estimated subsidy rates established for those companies individually examined, excluding any zero and *de minimis* rates and any rates based entirely under section 776 of the Act.

Pursuant to section 705(c)(5)(A)(ii) of the Act, if the individual estimated countervailable subsidy rates established for all exporters and producers individually examined are zero, *de minimis,* or determined based entirely on facts otherwise available, Commerce may use any reasonable method to establish the estimated subsidy rate for all other producers or exporters. In this investigation, Commerce has preliminarily determined the estimated subsidy rate for the individually examined respondents under section 776 of the Act. This is the only rate available in this proceeding for deriving the all-others rate. Consequently, pursuant to sections 703(d) and 705(c)(5)(A)(ii) of the Act, Commerce established the all-others rate by applying the countervailable subsidy rate assigned to the non-responsive companies listed below.

Preliminary Determination

Commerce preliminarily determines that the following estimated countervailable subsidy rates exist:

Company	Subsidy rate (percent *ad valorem*)
Eternal Materials Co., Ltd	* 159.71
Qualipoly Chemical Corporation	* 159.71
All Others	159.71

* Rate is based on facts available with adverse inferences.

Suspension of Liquidation

In accordance with section 703(d)(2) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to suspend liquidation of entries of subject merchandise as described in the scope of the investigation section entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**.

Further, pursuant to section 703(d)(1)(B) of the Act and 19 CFR 351.107(e), Commerce will instruct CBP to require a cash deposit equal to the estimated company-specific countervailable subsidy rate or the estimated all-others rate, as follows: (1) the cash deposit rate for the respondents listed above will be equal to the company-specific estimated individual countervailable subsidy rates determined in this preliminary determination; (2) if both the producer and exporter of the subject merchandise have company-specific estimated subsidy rates determined in this preliminary determination, and their rates differ, then the applicable cash deposit rate will be the higher of these two rates; (3) if either the producer or the exporter, but not both, of the subject merchandise have a company-specific estimated subsidy rate determined in this preliminary determination, the applicable cash deposit rate will be that company's company-specific rate; and (4) the cash deposit rate for all other producers and exporters will be equal to the estimated all-others subsidy rate.

Disclosure

Normally, Commerce discloses to interested parties the calculations performed in connection with a preliminary determination within five days of its public announcement or, if there is no public announcement, within five days of the date of publication of the notice of preliminary determination in the **Federal Register**, in accordance with 19 CFR 351.224(b). However, because Commerce preliminarily applied adverse facts available with respect to the benefit to the individually examined companies, Eternal Materials Co., Ltd. and Qualipoly Chemical Corporation, in this investigation in accordance with section 776 of the Act, there are no calculations to disclose.

Verification

Because the mandatory respondents in this investigation, as well as the Taiwan Authorities, did not provide requested information, Commerce preliminarily determines each of these parties to be uncooperative; thus, verification will not be conducted.

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than 20 days after the date of publication of the preliminary determination. 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.[9] Interested parties who submit case briefs or rebuttal briefs in this proceeding must submit: (1) a table of contents listing each issue; and (2) a table of authorities.[10]

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 investigation, we instead request that interested parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.[11] Further, we request that interested parties limit their executive summary of each issue to no more than 450 words, not including citations. We intend to use the public executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final determination in this investigation. 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

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

[8] *See* sections 776(a) and (b) of the Act.

[9] *See* 19 CFR 351.309(d); *see also Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings,* 88 FR 67069, 67077 (September 29, 2023) (*APO and Service Final Rule*).

[10] *See* 19 CFR 351.309(c)(2) and (d)(2).

[11] We use the term ''issue'' here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

service of documents in 19 CFR 351.303(f).[12]

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 within 30 days after the date of publication of this notice. 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 the issues to be discussed. If a request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

Final Determination

Section 705(a)(1) of the Act and 19 CFR 351.210(b)(1) provides that Commerce intends to issue the final determination within 75 days after the date of its preliminary determination.

U.S. International Trade Commission (ITC) Notification

In accordance with section 703(f) of the Act, Commerce will notify the ITC of its determination. If the final determination is affirmative, the ITC will determine, before the later of 120 days after the date of this preliminary determination or 45 days after the final determination, whether imports of monomers and oligomers from Taiwan are materially injuring the U.S. industry.

Notification to Interested Parties

This determination is issued and published pursuant to sections 703(f) and 777(i) of the Act, and 19 CFR 351.205(c).

Dated: August 25, 2025.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The products subject to this investigation are certain multifunctional acrylate and methacrylate monomers, and acrylated bisphenol-A epoxy based oligomers (collectively, certain monomers and oligomers or CMOs) that are derived from chemical reactions involving the use of acrylic or methacrylic acid. Products within the scope are listed below and have the following Chemical Abstracts Service (CAS) numbers:

CAS No.	Description	Molecular Formula
109–16–0	Triethylene glycol dimethacrylate (TEGDMA)	$C_{14}H_{22}O_6$.
13048–33–4	1,6-hexanediol diacrylate (HDDA)	$C_{12}H_{18}O_4$.
42978–66–5	Tripropylene glycol diacrylate (TPGDA)	$C_{15}H_{24}O_6$.
3290–92–4	Trimethylolpropane trimethacrylate (TMPTMA)	$C_{18}H_{26}O_6$.
15625–89–5	Trimethylolpropane triacrylate (TMPTA)	$C_{15}H_{20}O_6$.
28961–43–5	Ethoxylated trimethylol-propane triacrylate (EOTMPTA)	$(C_2H_4O)_n(C_2H_4O)_n(C_2H_4O)_nC_{15}H_{20}O_6$.
57472–68–1	Dipropylene glycol diacrylate (DPGDA)	$C_{12}H_{18}O_5$.
55818–57–0	Bisphenol-A-epichlorohydrin copolymer acrylate (EPOXY ACRYLATE)	$(C_{15}H_{16}O_2.C_3H_5ClO)_x.xC_3H_4O_2$.

The monomers are generally known as multifunctional acrylates (MFAs) or multifunctional methacrylates (MFMAs) depending on whether the functional groups are acrylate or methacrylate. The monomers generally contain stabilizers/inhibitors, which include but are not limited to Hydroquinone, Methyl Hydroquinone, and Butylated Hydroxy Toluene. The monomers are either difunctional or trifunctional (having 2 or 3 functional groups/molecule), have viscosities of 9 to 15 centipoise (cPs) at 25 degrees Celsius (if difunctional) or 44 to 110 cPs at 25 degrees Celsius (if trifunctional), have (meth)acrylate equivalent weights (molecular weight per number of functional groups) between 99 and 158 and molecular weights between 226 and 472 grams per mol.

The acrylated bisphenol-A epoxy based oligomer is commonly referred to as epoxy acrylate or acrylated epoxy. In contrast to epoxy resin, the main characteristic of the epoxy acrylate oligomer is that it contains acrylate functional groups which make them curable by free-radical polymerization. The epoxy acrylate has a molecular weight between 508 to 536 grams per mol and a viscosity of 2400 to 3600 cPs at 65 degrees Celsius. The epoxy acrylate generally contains stabilizers/inhibitors, which include but are not limited to Hydroquinone, Methyl Hydroquinone, and Butylated Hydroxy Toluene.

Certain monomers and oligomers are subject to the scope even if an in-scope monomer or oligomer is blended or mixed with one or more other in-scope monomers or oligomers.

Certain monomers and oligomers in any blend or mixture are also subject to the scope, so long as the blend or mixture contains no less than 20 percent by weight of in-scope CMOs.

The scope includes merchandise matching the above description that has been processed in a third country, including by commingling, diluting, introducing, or removing ingredients, or performing any other processing that would not otherwise remove the merchandise from the scope of the investigation if performed in the subject country.

The scope also includes CMOs that are commingled, mixed or blended with in-scope product from sources not subject to this investigation.

Only the subject component(s) of such blends, mixtures or commingled products described above is covered by the scope of this investigation. Subject merchandise contained in a blended, mixed or commingled product described above will not have undergone a chemical reaction as a result of being blended, mixed or commingled.

Notwithstanding the above, specifically excluded from the scope are downstream products, including but not limited to, inks, coatings and overprint varnishes. For purposes of this exclusion, the downstream product requires only the application of energy to be cured, *e.g.,* inks or varnish applied to packaging, coatings applied to wood flooring, *etc.* The energy source required to cure the downstream product to its substrate can be thermal, ultraviolet radiation, visible light, electron beam radiation, or infrared radiation.

This merchandise is currently classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheadings 2916.12.5050, 2916.14.2050, 3824.99.2900, 3907.29.0000 and 3907.30.0000. Subject merchandise may also be entered under subheadings 2916.12.1000 and 3824.99.9397. The HTSUS subheadings and CAS registry numbers are provided for convenience and customs purposes only; the written description of the scope is dispositive.

Appendix II

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Injury Test
IV. Diversification of China's Economy
V. Analysis of China's Financial System
VI. Use of Facts Available and Adverse Inferences
VII. Analysis of Programs

[12] *See APO and Service Final Rule.*

VIII. Recommendation

[FR Doc. 2025–16653 Filed 8–28–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–201–863]

Certain Corrosion-Resistant Steel Products From Mexico: Final Affirmative Determination of Sales at Less Than Fair Value

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that certain corrosion-resistant steel products (CORE) from Mexico are being, or are likely to be, sold in the United States at less than fair value (LTFV). The period of investigation (POI) is July 1, 2023, through June 30, 2024.

DATES: Applicable August 29, 2025.

FOR FURTHER INFORMATION CONTACT: Brian Smith or Katerina Katsiadas, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–1766 or (202) 482–4929, respectively.

SUPPLEMENTARY INFORMATION:

Background

On April 10, 2025, Commerce published in the **Federal Register** its preliminary affirmative determination in the LTFV investigation of CORE from Mexico, in which we also postponed the final determination to August 25, 2025, and invited interested parties to comment on the *Preliminary Determination*.[1] On July 18, 2025, Commerce issued a post-preliminary analysis memorandum in which we made certain changes to our differential pricing analysis.[2] We invited interested parties to comment on the Post-Preliminary Analysis.[3]

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

Scope of the Investigation

The product covered by this investigation is CORE from Mexico. For a full description of the scope of this investigation, *see* Appendix I.

Scope Comments

In the Preliminary Scope Memorandum, we set aside a period of time for parties to raise issues regarding product coverage (*i.e.,* scope) in scope-specific case briefs or other written comments.[5] We received scope case and rebuttal briefs from multiple interested parties. For a summary of the product coverage comments and rebuttal responses submitted to the record for this final determination, and accompanying discussion and analysis of all comments timely received, *see* the Final Scope Memorandum.[6] In the Final Scope Memorandum, Commerce made no changes to the scope language as it appeared in the *Initiation Notice*.[7] *See* Appendix I.

Verification

As provided in section 782(i) of the Tariff Act of 1930, as amended (the Act), in April and May 2025, we conducted verification of the sales and cost information submitted by Ternium Mexico S.A. de C.V. (Ternium)/Tenigal, S.de R.L. de C.V. (Tenigal) (collectively, Ternium/Tenigal) and Galvasid S.A. de C.V. (Galvasid)/Perfiles LM, S.A. de C.V. (Perfiles) (collectively, Galvasid/Perfiles) for use in our final determination.[8] We used standard verification procedures, including an examination of relevant sales and accounting records, and original source documents provided by Ternium/Tenigal and Galvasid/Perfiles.

Analysis of Comments Received

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

Changes Since the Preliminary Determination

Based on our analysis of the comments received and our findings at verification, we made certain changes to Galvasid/Perfiles' and Ternium/Tenigal's margin calculations. For a discussion of these changes, *see* the Issues and Decision Memorandum.

All-Others Rate

Section 735(c)(5)(A) of the Act provides that the estimated weighted-average dumping margin for all other producers and exporters not individually investigated shall be an amount equal to the weighted-average of the estimated weighted-average

[1] *See Certain Corrosion-Resistant Steel Products From Mexico: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures,* 90 FR 15349 (April 10, 2025) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM).

[2] *See* Memorandum, ''Post-Preliminary Analysis for the Affirmative Determination in the Less-Than-Fair-Value Investigation of Certain Corrosion-Resistant Steel Products from Mexico,'' dated July 18, 2025 (Post-Preliminary Analysis).

[3] *See* Memorandum, ''Briefing Schedule,'' dated July 21, 2025.

[4] *See* Memorandum, ''Issues and Decision Memorandum for the Final Affirmative Determination of Sales at Less Than Fair Value in the Investigation of Certain Corrosion-Resistant Steel Products from Mexico,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[5] *See* Memorandum, ''Less-Than-Fair-Value Investigations of Certain Corrosion-Resistant Steel Products from Australia, Brazil, Canada, Mexico, the Netherlands, South Africa, Taiwan, the Republic of Türkiye, the United Arab Emirates, and the Socialist Republic of Vietnam, and Countervailing Duty Investigations of Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Preliminary Scope Decision Memorandum,'' dated April 3, 2025 (Preliminary Scope Memorandum).

[6] *See* Memorandum, ''Less-Than-Fair-Value Investigations of Certain Corrosion-Resistant Steel Products from Australia, Brazil, Canada, Mexico, the Netherlands, South Africa, Taiwan, the Republic of Türkiye, the United Arab Emirates, and the Socialist Republic of Vietnam, and Countervailing Duty Investigations of Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Final Scope Decision Memorandum,'' dated concurrently with this notice (Final Scope Memorandum).

[7] *See Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Initiation of Countervailing Duty Investigations,* 89 FR 80204 (October 2, 2024) (*Initiation Notice*).

[8] *See* Memoranda, ''U.S. Verification of the Sales Response of Ternium USA, Inc. in the Antidumping Duty Investigation of Certain Corrosion-Resistant Steel Products from Mexico,'' dated July 10, 2025; ''Verification of the Sales Response of Ternium Mexico S.A. de C.V. in the Antidumping Investigation of Certain Corrosion-Resistant Steel Products from Mexico,'' dated July 18, 2025; ''Verification of the Cost Response of Ternium Mexico, S.A. de C.V. in the Less-Than-Fair-Value Investigation of Certain Corrosion-Resistant Steel Products from Mexico,'' dated June 23, 2025; ''Verification of the Sales Response of Galvasid S.A. de C.V. in the Antidumping Investigation of Certain Corrosion-Resistant Steel Products from Mexico,'' dated July 11, 2025; and ''Less-Than-Fair-Value Investigation of Certain Corrosion-Resistant Steel Products from Mexico,'' dated May 12, 2025.

dumping margins established for exporters and producers individually investigated excluding rates that are zero, *de minimis,* or determined entirely under section 776 of the Act, *i.e.,* facts otherwise available. Therefore, we calculated the all-others rate based on a weighted average of the dumping margins calculated for the mandatory respondents using each company's publicly ranged values for the merchandise under consideration.[9]

Final Determination

Commerce determines that the following estimated weighted-average dumping margins exist:

Producer or exporter	Weighted-average dumping margin (percent)	Cash deposit rate (adjusted for subsidy offset(s)) (percent)
Galvasid S.A. de C.V./Perfiles LM, S.A. de C.V	24.05	[10] 24.05
Ternium Mexico S.A. de C.V./Tenigal, S.de R.L. de C.V	14.17	[11] 1.07
All Others	17.40	4.30

Disclosure

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

Continuation of Suspension of Liquidation

In accordance with section 735(c)(1)(B) of the Act, Commerce will instruct U.S. Customs and Border Protection (CBP) to continue to suspend liquidation of all appropriate entries of subject merchandise, as described in Appendix I of this notice, which were entered, or withdrawn from warehouse, for consumption on or after April 10, 2025, the date of publication of the *Preliminary Determination* in the **Federal Register**.

Pursuant to section 735(c)(1)(B)(ii) of the Act and 19 CFR 351.210(d), where appropriate, Commerce will instruct CBP to require a cash deposit equal to the estimated weighted-average dumping margin or the estimated all-others rate, as follows: (1) the cash deposit rate for the respondents listed above will be equal to the company-specific estimated weighted-average dumping margin determined in this final determination; (2) if the exporter is not a company identified above but the producer is, then the cash deposit rate will be equal to the company-specific estimated weighted-average dumping margin established for that producer of the subject merchandise; and (3) the cash deposit rate for all other producers and exporters will be equal to the all-others estimated weighted-average dumping margin. These suspension of liquidation instructions will remain in effect until further notice.

To determine the cash deposit rate, Commerce normally adjusts the estimated weighted-average dumping margin by the amount of export subsidies countervailed in a companion CVD proceeding, when CVD provisional measures are in effect. Accordingly, where Commerce has made a final affirmative determination for countervailable export subsidies, Commerce offsets the estimated weighted-average dumping margin by the appropriate CVD rate. Commerce would adjust the cash deposit rate for export subsidies in the companion CVD investigation by the appropriate export subsidy rate; however, suspension of liquidation of provisional measures in the companion CVD proceeding has been discontinued.[12] Therefore, we are not instructing CBP to collect cash deposits based upon the adjusted estimated weighted-average dumping margin for those export subsidies at this time. If the U.S. International Trade Commission (ITC) makes a final affirmative determination of injury due to both dumping and subsidies, then the cash deposit rate will be revised effective on the date of the publication of the ITC's final affirmative determination in the **Federal Register** to be the company-specific estimated weighted-average dumping margin adjusted for export subsidies.

U.S. International Trade Commission (ITC) Notification

In accordance with section 735(d) of the Act, Commerce will notify the ITC of the final affirmative determination of sales at LTFV. Because Commerce's final determination is affirmative, in accordance with section 735(b)(2) of the Act, the ITC will make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports or sales (or the likelihood of sales) by reason of importation of CORE from Mexico, no later than 45 days after this final determination. If the ITC determines that such injury does not exist, this proceeding will be terminated, and all cash deposits posted will be refunded and suspension of liquidation will be lifted. If the ITC determines that such injury does exist, Commerce will issue an antidumping duty order directing CBP to assess, upon further instruction by Commerce, antidumping duties on all imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation, as discussed above in the ''Continuation of Suspension of Liquidation'' section. In addition, we are making available to the ITC all non-privileged and non-proprietary information in our files, provided the ITC confirms that it will not disclose such information, either publicly or under administrative protective order (APO), without the written consent of the Assistant

[9] We followed our normal practice, which is, with two respondents, we calculate (A) a weighted-average of the dumping margins calculated for the mandatory respondents; (B) a simple average of the dumping margins calculated for the mandatory respondents; and (C) a weighted-average of the dumping margins calculated for the mandatory respondents using each company's publicly-ranged values for the merchandise under consideration. We then compare (B) and (C) to (A) and select the rate closest to (A) as the most appropriate rate for all other companies. See Ball Bearings and Parts Thereof From France, Germany, Italy, Japan, and the United Kingdom: Final Results of Antidumping Duty Administrative Reviews, Final Results of Changed-Circumstances Review, and Revocation of an Order in Part, 75 FR 53661, 53663 (September 1, 2010).

[10] *See* the unpublished companion CVD final determination, Certain Corrosion-Resistant Steel Products from Mexico: Final Affirmative Countervailing Duty Determination, dated concurrently with this memorandum.

[11] *Id.*

[12] *See* section 703(d) of the Act, which states that the provisional measures may not be in effect for more than four months, which in the companion CVD case is 120 days after the publication of the preliminary determination, or June 9, 2025 (*i.e.,* the last day provisional measures are in effect).

Secretary for Enforcement and Compliance.

Administrative Protective Order (APO)

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

Notification to Interested Parties

This determination is issued and published in accordance with sections 735(d) and 777(i)(1) of the Act, and 19 CFR 351.210(c).

Dated: August 25, 2025.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The products covered by this investigation are certain flat-rolled steel products, either clad, plated, or coated with corrosion-resistant metals such as zinc, aluminum, or zinc-, aluminum-, nickel- or iron-based alloys, whether or not corrugated or painted, varnished, laminated, or coated with plastics or other non-metallic substances in addition to the metallic coating. The products covered include coils that have a width of 12.7 mm or greater, regardless of form of coil (*e.g.,* in successively superimposed layers, spirally oscillating, etc.). The products covered also include products not in coils (*e.g.,* in straight lengths) of a thickness less than 4.75 mm and a width that is 12.7 mm or greater and that measures at least 10 times the thickness. The products covered also include products not in coils (*e.g.,* in straight lengths) of a thickness of 4.75 mm or more and a width exceeding 150 mm and measuring at least twice the thickness. The products described above may be rectangular, square, circular, or other shape and include products of either rectangular or non-rectangular cross-section where such cross-section is achieved subsequent to the rolling process, *i.e.,* products which have been ''worked after rolling'' (*e.g.,* products which have been beveled or rounded at the edges).

For purposes of the width and thickness requirements referenced above:

(1) Where the nominal and actual measurements vary, a product is within the scope if application of either the nominal or actual measurement would place it within the scope based on the definitions set forth above, and

(2) where the width and thickness vary for a specific product (*e.g.,* the thickness of certain products with non-rectangular cross-section, the width of certain products with non-rectangular shape, etc.), the measurement at its greatest width or thickness applies.

Steel products included in the scope of this investigation are products in which: (1) iron predominates, by weight, over each of the other contained elements; and (2) the carbon content is 2 percent or less, by weight.

Subject merchandise also includes corrosion-resistant steel that has been further processed in a third country, including but not limited to annealing, tempering, painting, varnishing, trimming, cutting, punching and/or slitting or any other processing that would not otherwise remove the merchandise from the scope of the investigation if performed in the country of manufacture of the in-scope corrosion resistant steel.

All products that meet the written physical description are within the scope of this investigation unless specifically excluded. The following products are outside of and/or specifically excluded from the scope of this investigation:

- Flat-rolled steel products either plated or coated with tin, lead, chromium, chromium oxides, both tin and lead (''terne plate'') or both chromium and chromium oxides (''tin free steel''), whether or not painted, varnished or coated with plastics or other nonmetallic substances in addition to the metallic coating;
- Clad products in straight lengths of 4.7625 mm or more in composite thickness and of a width which exceeds 150 mm and measures at least twice the thickness;
- Certain clad stainless flat-rolled products, which are three-layered corrosion-resistant carbon steel flat-rolled products less than 4.75 mm in composite thickness that consist of a carbon steel flat-rolled product clad on both sides with stainless steel in a 20%-60%-20% ratio.

The products subject to this investigation are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers: 7210.30.0030, 7210.30.0060, 7210.41.0000, 7210.49.0030, 7210.49.0040, 7210.49.0045, 7210.49.0091, 7210.49.0095, 7210.61.0000, 7210.69.0000, 7210.70.6030, 7210.70.6060, 7210.70.6090, 7210.90.6000, 7210.90.9000, 7212.20.0000, 7212.30.1030, 7212.30.1090, 7212.30.3000, 7212.30.5000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7212.60.0000, 7225.91.0000, 7225.92.0000, 7226.99.0110, and 7226.99.0130.

The products subject to this investigation may also enter under the following HTSUS item numbers: 7210.90.1000, 7215.90.1000, 7215.90.3000, 7215.90.5000, 7217.20.1500, 7217.30.1530, 7217.30.1560, 7217.90.1000, 7217.90.5030, 7217.90.5060, 7217.90.5090, 7225.99.0090, 7226.99.0180, 7228.60.6000, 7228.60.8000, and 7229.90.1000.

The HTSUS subheadings above are provided for convenience and customs purposes only. The written description of the scope of this investigation is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Changes Since the *Preliminary Determination*
IV. Application of Facts Available and Use of Adverse Inferences
V. Discussion of the Issues
Comment 1: Use of Zeroing
Comment 2: Flaws in Applying the New Differential Price Test
Comment 3: Use of Average-to-Average Method
Comment 4: Use of Facts Otherwise Available With An Adverse Inference
Comment 5: Multiple Costs Reported for the Same Control Number
Comment 6: Adjusting Cost of Manufacture for Unreconciled or Unexplained Differences
Comment 7: Adjusting Affiliated Purchase Prices to Reflect Actual Market Prices
Comment 8: Treatment of Certain Excluded Expenses
Comment 9: U.S. Warehousing Expenses, Home Market and U.S. Freight Expenses, and Home Market Credit Expenses (Calculated Using Average Payment Dates)
Comment 10: Cash Deposit Instructions
Comment 11: U.S. and Home Market Royalty Expenses and U.S. Insurance Expenses
Comment 12: U.S. Freight and Insurance Revenue
Comment 13: U.S. Warranty Expenses
VI. Recommendation

[FR Doc. 2025–16605 Filed 8–28–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–602–812]

Certain Corrosion-Resistant Steel Products From Australia: Final Affirmative Determination of Sales at Less Than Fair Value

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that imports of certain corrosion-resistant steel products (CORE) from Australia are being, or are likely to be, sold in the United States at less than fair value (LTFV) for the period of investigation (POI) of July 1, 2023, through June 30, 2024.

DATES: Applicable August 29, 2025.

FOR FURTHER INFORMATION CONTACT: Krisha Hill, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4037.

SUPPLEMENTARY INFORMATION:

Background

On April 10, 2025, Commerce published in the **Federal Register** its

preliminary affirmative determination in the LTFV investigation of CORE from Australia,[1] in which it also postponed the final determination until August 25, 2025, and invited interested parties to comment on the *Preliminary Determination*.[2] On July 18, 2025, Commerce issued a post-preliminary analysis memorandum in which it made certain changes to its differential pricing analysis.[3] We invited interested parties to comment on the Post-Preliminary Analysis.[4]

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

Scope of the Investigation

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

Scope Comments

In the Preliminary Scope Memorandum, we set aside a period of time for parties to raise issues regarding product coverage (*i.e.,* scope) in scope-specific case briefs or other written comments.[6] We received scope case and rebuttal briefs from multiple interested parties. For a summary of the product coverage comments and rebuttal responses submitted to the record for this final determination, and accompanying discussion and analysis of all comments timely received, *see* the Final Scope Memorandum.[7] In the Final Scope Memorandum, Commerce made no changes to the scope language as it appeared in the *Initiation Notice*.[8] *See* Appendix I.

Verification

Commerce conducted verification of the information relied upon in making its final determination in this investigation, in accordance with section 782(i) of the Tariff Act of 1930, as amended (the Act). Specifically, Commerce conducted on-site verifications of the sales and cost information submitted by BlueScope Steel Ltd./BlueScope Distribution Pty Ltd./Fielders Manufacturing Pty Ltd./Lysaght Building Solutions Pty Ltd. (BlueScope).[9] We used standard verification procedures, including an examination of relevant sales and accounting records, and original source documents provided by BlueScope.

Analysis of Comments Received

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

Changes Since the Preliminary Determination

We made certain changes to the dumping margin calculations for BlueScope since the *Preliminary Determination.* For a discussion of these changes, *see* the Issues and Decision Memorandum.

All-Others Rate

Section 735(c)(5)(A) of the Act provides that Commerce shall determine an estimated all-others rate for all exporters and producers not individually examined. This rate shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero and *de minimis* dumping margins, and any dumping margins determined entirely under section 776 of the Act. Because there is only one mandatory respondent in this investigation, namely BlueScope, and its final dumping margin is not zero, *de minimis,* or based entirely on facts otherwise available, we assigned BlueScope's estimated weighted-average dumping margin to all other producers and exporters, pursuant to section 735(c)(5)(A) of the Act.

Final Determination

Commerce determines that the following estimated weighted-average dumping margins exist:

Exporter/producer	Weighted-average dumping margin (percent)
BlueScope Steel Ltd./BlueScope Distribution Pty Ltd./Fielders Manufacturing Pty Ltd./Lysaght Building Solutions Pty Ltd	19.10
All Others	19.10

[1] *See Certain Corrosion-Resistant Steel Products from Australia: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures,* 90 FR 15347 (April 10, 2025) (Preliminary Determination), and accompanying Preliminary Decision Memorandum (PDM).

[2] *See Preliminary Determination,* 90 FR at 15348.

[3] *See* Memorandum, ''Post-Preliminary Analysis for the Affirmative Determination in the Less-Than-Fair-Value Investigation of Certain Corrosion-Resistant Steel Products from Australia,'' dated July 18, 2025 (Post-Preliminary Analysis).

[4] *See* Memorandum, ''Briefing Schedule,'' dated July 21, 2025.

[5] *See* Memorandum, ''Issues and Decision Memorandum for the Final Affirmative Determination of Sales at Less Than Fair Value in the Investigation of Certain Corrosion-Resistant Steel Products from Australia,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[6] *See* Memorandum, ''Less-Than-Fair-Value Investigations of Certain Corrosion-Resistant Steel Products from Australia, Brazil, Canada, Mexico, the Netherlands, South Africa, Taiwan, the Republic of Türkiye, the United Arab Emirates, and the Socialist Republic of Vietnam, and Countervailing Duty Investigations of Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Preliminary Scope Decision Memorandum,'' dated April 3, 2025 (Preliminary Scope Memorandum).

[7] *See* Memorandum, ''Less-Than-Fair-Value Investigations of Certain Corrosion-Resistant Steel Products from Australia, Brazil, Canada, Mexico, the Netherlands, South Africa, Taiwan, the Republic of Türkiye, the United Arab Emirates, and the Socialist Republic of Vietnam, and Countervailing Duty Investigations of Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Final Scope Decision Memorandum,'' dated concurrently with this notice (Final Scope Memorandum).

[8] *See Certain Corrosion-Resistant Steel Products from Australia, Brazil, Canada, Mexico, the Netherlands, South Africa, Taiwan, the Republic of Türkiye, the United Arab Emirates, and the Socialist Republic of Vietnam: Initiation of Less-Than-Fair-Value Investigations,* 89 FR 80196 (October 2, 2024) (*Initiation Notice*).

[9] *See* Memoranda, ''Verification of the Cost Response of BlueScope Steel, Ltd., in the Less-Than-Fair-Value Investigation of Certain Corrosion-Resistant Steel Products from Australia,'' dated June 10, 2025; ''Verification of BlueScope Steel Americas LLC in the Less-Than-Fair-Value Investigation of Certain Corrosion-Resistant Steel Products from Australia,'' dated July 17, 2025; and ''Verification of BlueScope Steel Americas LLC in the Less Than-Fair-Value Investigation of Certain Corrosion-Resistant Steel Products from Australia,'' dated July 17, 2025.

Disclosure

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

Continuation of Suspension of Liquidation

In accordance with section 735(c)(1)(B) of the Act, we will instruct U.S. Customs and Border Protection (CBP) to continue to suspend liquidation of all entries of subject merchandise, as described in Appendix I of this notice, which were entered, or withdrawn from warehouse, for consumption, on or after April 10, 2025, which is the date of publication of the *Preliminary Determination* in the **Federal Register**.

Pursuant to sections 735(c)(1)(B)(ii) and 735(c)(5)(A) of the Act, and 19 CFR 351.210(d), upon the publication of this notice, we will instruct CBP to require a cash deposit for estimated antidumping duties for such entries as follows: (1) the cash deposit rate for the respondent listed in the table above will be equal to the company-specific estimated weighted-average dumping margin determined in this final determination; (2) if the exporter is not the respondent identified in the table above, but the producer is, then the cash deposit rate will be equal to the company-specific estimated weighted-average dumping margin established for that producer of the subject merchandise; and (3) the cash deposit rate for all other producers and exporters will be equal to the estimated weighted-average dumping margin for ''All Others'' in the table above. These suspension of liquidation instructions will remain in effect until further notice.

U.S. International Trade Commission (ITC) Notification

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

Administrative Protective Order (APO)

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

Notification to Interested Parties

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

Dated: August 25, 2025.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The products covered by this investigation are certain flat-rolled steel products, either clad, plated, or coated with corrosion-resistant metals such as zinc, aluminum, or zinc-, aluminum-, nickel- or iron-based alloys, whether or not corrugated or painted, varnished, laminated, or coated with plastics or other non-metallic substances in addition to the metallic coating. The products covered include coils that have a width of 12.7 mm or greater, regardless of form of coil (*e.g.,* in successively superimposed layers, spirally oscillating, *etc.*). The products covered also include products not in coils (*e.g.,* in straight lengths) of a thickness less than 4.75 mm and a width that is 12.7 mm or greater and that measures at least 10 times the thickness. The products covered also include products not in coils (*e.g.,* in straight lengths) of a thickness of 4.75 mm or more and a width exceeding 150 mm and measuring at least twice the thickness. The products described above may be rectangular, square, circular, or other shape and include products of either rectangular or non-rectangular cross-section where such cross-section is achieved subsequent to the rolling process, *i.e.,* products which have been ''worked after rolling'' (*e.g.,* products which have been beveled or rounded at the edges).

For purposes of the width and thickness requirements referenced above:

(1) Where the nominal and actual measurements vary, a product is within the scope if application of either the nominal or actual measurement would place it within the scope based on the definitions set forth above, and

(2) where the width and thickness vary for a specific product (*e.g.,* the thickness of certain products with non-rectangular cross-section, the width of certain products with non-rectangular shape, *etc.*), the measurement at its greatest width or thickness applies.

Steel products included in the scope of these investigations are products in which: (1) iron predominates, by weight, over each of the other contained elements; and (2) the carbon content is 2 percent or less, by weight.

Subject merchandise also includes corrosion-resistant steel that has been further processed in a third country, including but not limited to annealing, tempering, painting, varnishing, trimming, cutting, punching and/or slitting or any other processing that would not otherwise remove the merchandise from the scope of the investigation if performed in the country of manufacture of the in-scope corrosion resistant steel.

All products that meet the written physical description are within the scope of the investigation unless specifically excluded. The following products are outside of and/or specifically excluded from the scope of this investigation:

- Flat-rolled steel products either plated or coated with tin, lead, chromium, chromium oxides, both tin and lead (''terne plate'') or both chromium and chromium oxides (''tin free steel''), whether or not painted, varnished or coated with plastics or other non-metallic substances in addition to the metallic coating;
- Clad products in straight lengths of 4.7625 mm or more in composite thickness and of a width which exceeds 150 mm and measures at least twice the thickness;
- Certain clad stainless flat-rolled products, which are three-layered corrosion-resistant carbon steel flat-rolled products less than 4.75 mm in composite thickness that consist of a carbon steel flat-rolled product clad on both sides with stainless steel in a 20%-60%-20% ratio; and

Also excluded from the scope of the antidumping duty investigation on corrosion resistant steel from Taiwan are any products covered by the existing antidumping duty order on corrosion-resistant steel from Taiwan. *See Certain Corrosion-Resistant Steel Products from India, Italy, the People's Republic of China, the Republic of Korea and Taiwan: Amended Final Affirmative Antidumping Determination for India and Taiwan, and Antidumping Duty Orders,* 81 FR 48390 (July 25, 2016); *Corrosion-Resistant Steel Products from Taiwan: Notice of Third Amended Final Determination of Sales at Less Than Fair Value Pursuant to Court Decision and Partial Exclusion from Antidumping Duty Order,* 88 FR 58245 (August 25, 2023).

Also excluded from the scope of the antidumping duty investigation on corrosion-resistant steel from the United Arab Emirates and the antidumping duty and countervailing duty investigations on corrosion-resistant steel from the Socialist Republic of Vietnam are any products covered by the existing antidumping and countervailing duty orders on corrosion-resistant steel from the People's Republic of China and the Republic of Korea and the antidumping duty order on corrosion-resistant steel from Taiwan. *See Certain Corrosion-Resistant Steel Products from India, Italy, the People's Republic of China, the Republic of Korea and Taiwan: Amended Final Affirmative Antidumping Determination for India and Taiwan, and Antidumping Duty Orders,* 81 FR 48390 (July 25, 2016); *see also Certain Corrosion-Resistant Steel Products from India, Italy, Republic of Korea and the People's Republic of China: Countervailing Duty Order,* 81 FR 48387 (July 25, 2016). This exclusion does not apply to imports of corrosion-resistant steel that are entered, or withdrawn from warehouse, for consumption in the United States for which the relevant importer and exporter certifications have been completed and maintained and all other applicable certification requirements have been met such that the entry is entered into the United States as not subject to the antidumping and countervailing duty orders on corrosion-resistant steel from the People's Republic of China, the antidumping and countervailing duty orders on corrosion-resistant steel from the Republic of Korea, or the antidumping duty order on corrosion-resistant steel from Taiwan.

The products subject to the investigation are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers: 7210.30.0030, 7210.30.0060, 7210.41.0000, 7210.49.0030, 7210.49.0040, 7210.49.0045, 7210.49.0091, 7210.49.0095, 7210.61.0000, 7210.69.0000, 7210.70.6030, 7210.70.6060, 7210.70.6090, 7210.90.6000, 7210.90.9000, 7212.20.0000, 7212.30.1030, 7212.30.1090, 7212.30.3000, 7212.30.5000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7212.60.0000, 7225.91.0000, 7225.92.0000, 7226.99.0110, and 7226.99.0130.

The products subject to the investigation may also enter under the following HTSUS item numbers: 7210.90.1000, 7215.90.1000, 7215.90.3000, 7215.90.5000, 7217.20.1500, 7217.30.1530, 7217.30.1560, 7217.90.1000, 7217.90.5030, 7217.90.5060, 7217.90.5090, 7225.99.0090, 7226.99.0180, 7228.60.6000, 7228.60.8000, and 7229.90.1000.

The HTSUS subheadings above are provided for convenience and customs purposes only. The written description of the scope of the investigation is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Changes Since the *Preliminary Determination*
IV. Discussion of the Issues
Comment 1: Whether Commerce Should Apply Total Adverse Facts Available (AFA)
Comment 2: Whether Commerce Should Apply Zeroing to All Sales Comparisons and Treat All Non-Dumped Sales as Having Zero Dumping Margins
Comment 3: Whether Certain U.S. Sales Are Export Price (EP) or Constructed Export Price (CEP) Sales
Comment 4: Whether Commerce Correctly Applied CEP Sales Adjustments
Comment 5: Whether to Deny BlueScope's Reported Home Market Early Payment Discounts and Rebates
Comment 6: Whether Commerce Should Revise BlueScope Steel Americas LLC's (BSA) Indirect Selling Expense Ratio
Comment 7: Whether Commerce Should Revise Home Market Inventory Carrying Costs for U.S. Sales
V. Recommendation

[FR Doc. 2025–16600 Filed 8–28–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–580–897]

Large Diameter Welded Pipe From the Republic of Korea: 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) preliminarily determines that large diameter welded pipe (LDWP) from the Republic of Korea (Korea) was not sold in the United States at less than normal value (NV) during the period of review (POR) May 1, 2023, through April 30, 2024. We invite interested parties to comment on these preliminary results.

DATES: Applicable August 29, 2025.

FOR FURTHER INFORMATION CONTACT: Katerina Katsiadas or Brian Smith, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4929 or (202) 482–1766, respectively.

SUPPLEMENTARY INFORMATION:

Background

On May 2, 2019, Commerce published in the **Federal Register** the antidumping duty (AD) order on LDWP from Korea.[1] On May 2, 2024, Commerce published in the **Federal Register** a notice of opportunity to request an administrative review of the *Order*.[2] On July 5, 2024, in accordance with 19 CFR 351.221(c)(1)(i), Commerce initiated an administrative review of the *Order*.[3] On July 22, 2024, Commerce tolled certain deadlines in this administrative proceeding by seven days.[4] Additionally, on December 9, 2024, Commerce tolled the deadline to issue the preliminary results in this administrative review by 90 days.[5] Pursuant to section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act), Commerce extended the deadline until August 8, 2025.[6]

Scope of the Order

The product covered by the *Order* is LDWP from Korea. For a full description of the scope, *see* the Preliminary Decision Memorandum.[7]

Methodology

Commerce is conducting this administrative review in accordance with section 751(a) of the Act. Constructed export price is calculated in accordance with section 772 of the Act. NV is calculated 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 topics included in the Preliminary Decision Memorandum is provided in Appendix I. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Preliminary

[1] *See Large Diameter Welded Pipe from the Republic of Korea: Amended Final Affirmative Antidumping Determination and Antidumping Duty Order,* 84 FR 18767 (May 2, 2019) (*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 35778 (May 2, 2024).

[3] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 89 FR 55567 (July 5, 2024).

[4] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated July 22, 2024.

[5] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated December 9, 2024.

[6] *See* Memoranda, ''Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated May 5, 2025; and ''Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated July 25, 2025.

[7] *See* Memorandum, ''Decision Memorandum for Preliminary Results of the Antidumping Duty Administrative Review of Large Diameter Welded Pipe from the Republic of Korea; 2023–2024,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

Decision Memorandum can be accessed at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Rate for Non-Selected Companies

The Act and Commerce's regulations do not address the establishment of a weighted-average dumping margin to be determined for companies not selected for individual examination when Commerce limits its examination in an administrative review pursuant to section 777A(c)(2) of the Act. Generally, Commerce looks to section 735(c)(5) of the Act, which provides instructions for calculating the all-others rate in an investigation, for guidance when determining the weighted-average dumping margin for companies which were not selected for individual examination in an administrative review. Under section 735(c)(5)(A) of the Act, the all-others rate is normally ''an amount equal to the weighted average of the estimated weighted average dumping margins established for exporters and producers individually investigated, excluding any zero and *de minimis* margins, and any margins determined entirely {on the basis of facts available}.''

Where the rates for the individually examined companies are all zero, *de minimis,* or determined entirely using facts available, section 735(c)(5)(B) of the Act instructs that Commerce ''may use any reasonable method to establish the estimated all-others rate for exporters and producers not individually investigated, including averaging the estimated weighted average dumping margins determined for the exporters and producers individually investigated.'' One such reasonable method is to weight average the zero and *de minimis* rates, and the rates determined entirely pursuant to facts available. In fact, the SAA states that this is the ''expected'' method in such circumstances.[8]

In this review, we have preliminarily calculated a weighted-average dumping margin for each of the mandatory respondents, Hyundai Steel Company (Hyundai Steel)/Hyundai Steel Pipe Co., Ltd. (HSP) [9] and SeAH Steel Corporation (SeAH), that is zero percent. Accordingly, we preliminarily assign to the non-selected companies a dumping margin of zero percent consistent with section 735(c)(5)(B) of the Act.

Preliminary Results of the Review

We preliminarily determine that the following estimated weighted-average dumping margins exist for the period May 1, 2023, through April 30, 2024:

Exporter and/or producer	Weighted-average dumping margin (percent)
Hyundai Steel Company/Hyundai Steel Pipe Co., Ltd	0.00
SeAH Steel Corporation	0.00
Non-Examined Companies [10]	0.00

Disclosure

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

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance. Pursuant to 19 CFR 351.309(c)(1)(ii), we have modified the deadline for interested parties to submit case briefs to Commerce to no later than 21 days after the date of the publication of this notice.[11] 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.[12] Interested parties who submit case briefs or rebuttal briefs in this proceeding must submit: (1) a table of contents listing each issue; and (2) a table of authorities.[13] Case and rebuttal briefs should be filed using ACCESS.

As provided under 19 CFR 351.309(c)(2) and (d)(2), in prior proceedings we have encouraged interested parties to provide an executive summary of their brief that should be limited to five pages total, including footnotes. In this review, we instead request that interested parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.[14] 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 in 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).[15]

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS. Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants and whether any participant is a foreign national; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case and rebuttal briefs. An electronically filed hearing request must be received successfully in its entirety via ACCESS by 5 p.m. Eastern Time within 30 days after the date of publication of this notice.

Assessment Rates

Pursuant to section 751(a)(2)(A) of the Act and 19 CFR 351.212(b)(1), upon completion of the final results of this administrative review, 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.

If the weighted-average dumping margin for an individually examined respondent is not zero or *de minimis* (*i.e.,* less than 0.5 percent) in the final results of this review, Commerce intends to calculate an importer-specific *ad valorem* AD assessment rate based on the ratio of the total amount of dumping calculated for each importer's examined sales to the total entered value of those sales, in accordance with 19 CFR 351.212(b)(1).[16] We intend to instruct

[8] *See* Statement of Administrative Action Accompanying the Uruguay Round Agreements Act, H.R. Doc. 103–316, vol. 1 (1994) (SAA) at 873.

[9] On November 14, 2024, Commerce determined that HSP is the successor-in-interest to Hyundai Steel. *See Circular Welded Non-Alloy Steel Pipe From the Republic of Korea; Certain Oil Country Tubular Goods From the Republic of Korea; Welded Line Pipe From the Republic of Korea; and Large Diameter Welded Pipe From the Republic of Korea: Notice of Final Results of Antidumping Duty Changed Circumstances Reviews,* 89 FR 89962 (November 14, 2024).

[10] *See* Appendix II.

[11] *See* 19 CFR 351.309(c)(1)(ii); *see also* 19 CFR 351.303 (for general filing requirements).

[12] *See* 19 CFR 351.309(d); *see also Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings,* 88 FR 67069, 67077 (September 29, 2023) (*APO and Service Final Rule*).

[13] *See* 19 CFR 351.309(c)(2) and (d)(2).

[14] We use the term ''issue'' here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

[15] *See APO and Service Final Rule,* 88 FR at 67069.

[16] *See Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and*

Continued

CBP to assess antidumping duties on all appropriate entries covered by this review when the importer-specific assessment rate calculated in the final results of this review is above *de minimis* (*i.e.,* 0.50 percent).

Where we do not have entered values for all U.S. sales to a particular importer (or customer), we will calculate a per-unit assessment rate by aggregating the antidumping duties due for all U.S. sales to that importer (or customer) and dividing this amount by the total quantity sold to that importer (or customer).[17] To determine whether a per-unit assessment rate is *de minimis,* we will calculate estimated entered values.

If the weighted-average dumping margin for an individually examined respondent or an importer-specific assessment rate is zero or *de minimis* in the final results of review, we intend to instruct CBP to liquidate the appropriate entries without regard to antidumping duties.[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]

For entries of subject merchandise during the POR produced by each individually examined respondent for which it did not know that the merchandise was destined for the United States, we intend to instruct CBP to liquidate unreviewed entries at the all-others rate (*i.e.,* 7.08 percent) established in the less-than-fair-value (LTFV) investigation [20] if there is no rate for the intermediate company involved in the transaction.[21]

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this administrative 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).

Assessment Rate in Certain Antidumping Proceedings; Final Modification, 77 FR 8101, 8103 (February 14, 2012) (*Final Modification*).

[17] *See* 19 CFR 351.212(b)(1).

[18] *See* 19 CFR 351.106(c)(2); *see also Final Modification,* 77 FR at 8103.

[19] *See* section 751(a)(2)(C) of the Act.

[20] *See Order,* 87 FR at 14515.

[21] For a full discussion of this practice, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication in the **Federal Registe**r of the notice of final results of 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 Hyundai Steel/HSP and SeAH will be equal to the weighted-average dumping margin 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 a company not covered in this review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific cash deposit rate published in the completed segment for the most recent period; (3) if the exporter is not a firm covered in this review, or a previous segment, but the producer is, then the cash deposit rate will be the rate established in the completed segment for the most recent period of the producer of the merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 7.08 percent, the all-others rate established in the LTFV investigation.[22] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Final Results of the Review

Unless the deadline is extended, Commerce intends to issue the final results of this administrative review, including the results of our analysis of issues raised by interested parties in any case or rebuttal briefs, within 120 days of publication of these preliminary results in the **Federal Register**.[23]

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 doubled antidumping duties, and/or an increase in the amount of antidumping duties by the amount of the countervailing duties.

[22] *See Order,* 84 FR at 18769.

[23] *See* section 751(a)(3)(A) of the Act; and 19 CFR 351.213(h).

Notification to Interested Parties

We are issuing and publishing these preliminary results in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: August 14, 2025.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

Appendix I

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

Appendix II

Companies Not Selected for Individual Review

1. AJU Besteel Co., Ltd.
2. Chang Won Bending Co., Ltd.
3. Daiduck Piping Co., Ltd.
4. Dong Yang Steel Pipe Co., Ltd.
5. Dongbu Incheon Steel Co., Ltd.
6. EEW KHPC Co., Ltd.
7. EEW Korea Co., Ltd.
8. Geumok Tech. Co. Ltd.
9. Hansol Metal Co. Ltd.
10. HiSteel Co., Ltd.
11. Husteel Co., Ltd.
12. Hyundai RB Co., Ltd.
13. Il Jin Nts Co. Ltd.
14. Kiduck Industries Co., Ltd.
15. Kum Kang Kind. Co., Ltd.
16. Kumsoo Connecting Co., Ltd.
17. Nexteel Co., Ltd.
18. Seonghwa Industrial Co., Ltd.
19. SIN–E B&P Co., Ltd.
20. Steel Flower Co., Ltd.
21. WELTECH Co., Ltd.

[FR Doc. 2025–16659 Filed 8–28–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–122–871]

Certain Corrosion-Resistant Steel Products From Canada: Final Affirmative Determination of Sales at Less Than Fair Value

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that imports of certain corrosion-resistant steel products (CORE) from Canada are being, or are likely to be, sold in the United States at less than fair value

(LTFV) for the period of investigation (POI) of July 1, 2023, to June 30, 2024.

DATES: Applicable August 29, 2025.

FOR FURTHER INFORMATION CONTACT: Benjamin Blythe or Reginald Anadio, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–3457 or (202) 482–3166, respectively.

SUPPLEMENTARY INFORMATION:

Background

On April 10, 2025, Commerce published in the **Federal Register** its preliminary affirmative determination in the LTFV investigation of CORE from Canada,[1] in which it also postponed the final determination until August 25, 2025, and invited interested parties to comment on the *Preliminary Determination.*[2] On July 18, 2025, Commerce issued a post-preliminary analysis memorandum in which it made certain changes to its differential pricing analysis.[3] We invited interested parties to comment on the Post-Preliminary Analysis.[4]

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

Scope of the Investigation

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

Scope Comments

In the Preliminary Scope Memorandum, we set aside a period of time for parties to raise issues regarding product coverage (*i.e.,* scope) in scope-specific case briefs or other written comments.[6] We received scope case and rebuttal briefs from multiple interested parties. For a summary of the product coverage comments and rebuttal responses submitted to the record for this final determination, and accompanying discussion and analysis of all comments timely received, *see* the Final Scope Memorandum.[7] In the Final Scope Memorandum, Commerce made no changes to the scope language as it appeared in the *Initiation Notice.*[8] *See* Appendix I.

Verification

Commerce conducted verification of the information relied upon in making its final determination in this investigation, in accordance with section 782(i) of the Tariff Act of 1930, as amended (the Act). Specifically, Commerce conducted on-site verifications of the sales and cost information submitted by ArcelorMittal G.P. (AMD) and ArcelorMittal Coteau-du-Lac Limited Partnership (ACDLP) (collectively, AMD/ACDLP) and Stelco Inc. (Stelco). We used standard verification procedures, including an examination of relevant sales and accounting records, and original source documents provided by AMD/ACDLP and Stelco.

Analysis of Comments Received

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

Changes Since the Preliminary Determination

We made certain changes to the dumping margin calculations for AMD/ACDLP and Stelco since the *Preliminary Determination.* For a discussion of these changes, *see* the Issues and Decision Memorandum.

Use of Adverse Facts Available

We continue to find that the application of adverse facts available, pursuant to sections 776(a) and (b) of the Act, is warranted to determine the estimated weighted-average dumping margin for Nova Steel Inc.

All-Others Rate

Section 735(c)(5)(A) of the Act provides that Commerce shall determine an estimated all-others rate for all exporters and producers not individually examined. This rate shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero and *de minimis* dumping margins, and any dumping margins determined entirely under section 776 of the Act.

Commerce calculated individual estimated weighted-average dumping margins for Stelco and AMD/ACDLP that are not zero, *de minimis,* or based entirely on facts otherwise available. Therefore, Commerce calculated the all-others rate by weight averaging the estimated weighted-average dumping margins that it calculated for Stelco and AMD/ACDLP by each company's publicly-ranged values of sales of subject merchandise during the POI.[9]

[1] *See Certain Corrosion-Resistant Steel Products from Canada: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures,* 90 FR 15337, (April 10, 2025) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM).

[2] *See Preliminary Determination,* 90 FR at 15337.

[3] *See* Memorandum, ''Post-Preliminary Analysis for the Affirmative Determination in the Less-Than-Fair-Value Investigation of Certain Corrosion-Resistant Steel Products from Canada,'' dated July 18, 2025 (Post-Preliminary Analysis).

[4] *See* Memorandum, ''Briefing Schedule,'' dated July 21, 2025.

[5] *See* Memorandum, ''Decision Memorandum for the Final Affirmative Determination of Sales at Less Than Fair Value in the Investigation of Corrosion-Resistant Steel Products from Canada,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[6] *See* Memorandum, ''Less-Than-Fair-Value Investigations of Certain Corrosion-Resistant Steel Products from Australia, Brazil, Canada, Mexico, the Netherlands, South Africa, Taiwan, the Republic of Türkiye, the United Arab Emirates, and the Socialist Republic of Vietnam, and Countervailing Duty Investigations of Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Preliminary Scope Decision Memorandum,'' dated April 3, 2025 (Preliminary Scope Memorandum).

[7] *See* Memorandum, ''Less-Than-Fair-Value Investigations of Certain Corrosion-Resistant Steel Products from Australia, Brazil, Canada, Mexico, the Netherlands, South Africa, Taiwan, the Republic of Türkiye, the United Arab Emirates, and the Socialist Republic of Vietnam, and Countervailing Duty Investigations of Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Final Scope Decision Memorandum,'' dated concurrently with this notice (Final Scope Memorandum).

[8] *See Certain Corrosion-Resistant Steel Products from Australia, Brazil, Canada, Mexico, the Netherlands, South Africa, Taiwan, the Republic of Türkiye, the United Arab Emirates, and the Socialist Republic of Vietnam: Initiation of Less-Than-Fair-Value Investigations,* 89 FR 80196 (October 2, 2024) (*Initiation Notice*).

[9] With two respondents under examination, Commerce normally calculates: (A) a weighted-average of the estimated weighted-average dumping margins calculated for the examined respondents; (B) a simple average of the estimated weighted-average dumping margins calculated for the examined respondents; and (C) a weighted-average of the estimated weighted-average dumping margins calculated for the examined respondents using each company's publicly-ranged U.S. sales values for the merchandise under consideration. Commerce then compares (B) and (C) to (A) and selects the rate closest to (A) as the most appropriate rate for all

Continued

Final Determination

Commerce determines that the following estimated weighted-average dumping margins exist:

Exporter/producer	Weighted-average dumping margin (percent)	Cash deposit rate (adjusted for subsidy offset(s)) (percent)
Stelco Inc	8.13	8.13
ArcelorMittal Dofasco G.P./ArcelorMittal Coteau-du-Lac Limited Partnership [10]	5.59	5.59
Nova Steel Inc	* 52.08	[11] 50.25
All Others	5.79	5.79

* Based on facts available with adverse inferences.

Disclosure

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

Continuation of Suspension of Liquidation

In accordance with section 735(c)(1)(B) of the Act, Commerce will instruct U.S. Customs and Border Protection (CBP) to continue to suspend liquidation of all entries of subject merchandise, as described in Appendix I of this notice, which were entered, or withdrawn from warehouse, for consumption on or after April 10, 2025, which is the date of publication of the *Preliminary Determination* in the **Federal Register**.

Pursuant to sections 735(c)(1)(B)(ii) and 735(c)(5)(A) of the Act, and 19 CFR 351.210(d), upon the publication of this notice, we will instruct CBP to require a cash deposit for estimated antidumping duties for such entries as follows: (1) the cash deposit rates for the companies listed in the table above will be equal to the company-specific estimated weighted-average dumping margins determined in this final determination; (2) if the exporter is not a company identified in the table above, but the producer is, then the cash deposit rate will be equal to the company-specific estimated weighted-average dumping margin established for that producer of the subject merchandise; and (3) the cash deposit rate for all other producers and exporters will be equal to the estimated weighted-average dumping margin for ''All Others'' in the table above. These suspension of liquidation instructions will remain in effect until further notice.

To determine the cash deposit rates in LTFV investigations, Commerce normally adjusts the estimated weighted-average dumping margins by the amount of export subsidies countervailed in the companion countervailing duty (CVD) investigation when CVD provisional measures are in effect. Accordingly, where Commerce has made a final affirmative determination of countervailable export subsides, Commerce offsets the estimated weighted-average dumping margins in the companion LTFV investigation by the appropriate export subsidy rate. Here, Commerce normally would have adjusted the estimated weighted-average dumping margins that are listed in the table above by the appropriate export subsidy rate determined in the companion CVD investigation to determine the cash deposit rate. However, the suspension of liquidation of provisional measures in the companion CVD investigation has been discontinued.[12] Therefore, at this time Commerce is instructing CBP to collect cash deposits based on the ''Weighted-Average Dumping Margin'' listed in the above table rather than the ''Cash Deposit Rate (Adjusted for Subsidy Offset(s))'' listed in the above table. If the U.S. International Trade Commission (ITC) makes a final affirmative determination of injury due to both dumping and subsidies, then the cash deposit rates will be revised effective as of the date of publication of the ITC's final affirmative determination in the **Federal Register** to be the ''Cash Deposit Rate (Adjusted for Subsidy Offset(s))'' listed in the table above.

ITC Notification

In accordance with section 735(d) of the Act, Commerce will notify ITC of its final affirmative determination of sales at LTFV. Because Commerce's final determination is affirmative, in accordance with section 735(b)(2) of the Act, the ITC will make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports or sales (or the likelihood of sales) of CORE for importation from Canada no later than 45 days after this final determination. If the ITC determines that such injury does not exist, this proceeding will be terminated, all cash deposits posted will be refunded, and suspension of liquidation will be lifted. If the ITC determines that such injury does exist, Commerce will issue an antidumping duty order directing CBP

other producers and exporters. *See, e.g., Ball Bearings and Parts Thereof from France, Germany, Italy, Japan, and the United Kingdom: Final Results of Antidumping Duty Administrative Reviews, Final Results of Changed-Circumstances Review, and Revocation of an Order in Part,* 75 FR 53661, 53662 (September 1, 2010), and accompanying Issues and Decision Memorandum at Comment 1. As complete publicly ranged sales data were available, Commerce based the all-others rate on the publicly ranged sales data of the mandatory respondents. For a complete analysis of the data, *see* Memorandum, ''Final Determination All-Others Rate Calculation,'' dated concurrently with this memorandum.

[10] In the *Preliminary Determination,* Commerce preliminarily determined that these companies are a single entity. *See Preliminary Determination* PDM at 4–5; *see also* Memorandum, ''Preliminary Affiliation and Collapsing Memorandum,'' dated April 3, 2025. No parties commented on this determination; thus, we continue to treat these companies as a single entity for purposes of this final determination.

[11] *See* unpublished **Federal Register** notice, ''Certain Corrosion-Resistant Steel Products from Canada: Final Affirmative Countervailing Duty Determination,'' dated concurrently with this notice and accompanying Issues and Decision Memorandum (IDM) at Comment 31.

[12] *See* section 703(d) of the Act, which states that the provisional measures may not be in effect for more than four months, which in the companion CVD investigation is 120 days after the publication of the preliminary determination in the **Federal Register**, or June 9, 2025 (*i.e.,* the last day provisional measures are in effect).

to assess, upon further instruction by Commerce, antidumping duties on all imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation, as discussed in the ''Continuation of Suspension of Liquidation'' section above.

Administrative Protective Order (APO)

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

Notification to Interested Parties

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

Dated: August 25, 2025.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The products covered by the investigation are certain flat-rolled steel products, either clad, plated, or coated with corrosion-resistant metals such as zinc, aluminum, or zinc-, aluminum-, nickel- or iron-based alloys, whether or not corrugated or painted, varnished, laminated, or coated with plastics or other non-metallic substances in addition to the metallic coating. The products covered include coils that have a width of 12.7 mm or greater, regardless of form of coil (*e.g.,* in successively superimposed layers, spirally oscillating, *etc.*). The products covered also include products not in coils (*e.g.,* in straight lengths) of a thickness less than 4.75 mm and a width that is 12.7 mm or greater and that measures at least 10 times the thickness. The products covered also include products not in coils (*e.g.,* in straight lengths) of a thickness of 4.75 mm or more and a width exceeding 150 mm and measuring at least twice the thickness. The products described above may be rectangular, square, circular, or other shape and include products of either rectangular or non-rectangular cross-section where such cross-section is achieved subsequent to the rolling process, *i.e.,* products which have been ''worked after rolling'' (*e.g.,* products which have been beveled or rounded at the edges).

For purposes of the width and thickness requirements referenced above:

(1) Where the nominal and actual measurements vary, a product is within the scope if application of either the nominal or actual measurement would place it within the scope based on the definitions set forth above, and

(2) where the width and thickness vary for a specific product (*e.g.,* the thickness of certain products with non-rectangular cross-section, the width of certain products with non-rectangular shape, *etc.*), the measurement at its greatest width or thickness applies.

Steel products included in the scope of the investigation are products in which: (1) iron predominates, by weight, over each of the other contained elements; and (2) the carbon content is 2 percent or less, by weight.

Subject merchandise also includes corrosion-resistant steel that has been further processed in a third country, including but not limited to annealing, tempering, painting, varnishing, trimming, cutting, punching and/or slitting or any other processing that would not otherwise remove the merchandise from the scope of the investigation if performed in the country of manufacture of the in-scope corrosion resistant steel.

All products that meet the written physical description are within the scope of the investigation unless specifically excluded. The following products are outside of and/or specifically excluded from the scope of the investigation:

- Flat-rolled steel products either plated or coated with tin, lead, chromium, chromium oxides, both tin and lead (''terne plate'') or both chromium and chromium oxides (''tin free steel''), whether or not painted, varnished or coated with plastics or other non-metallic substances in addition to the metallic coating;
- Clad products in straight lengths of 4.7625 mm or more in composite thickness and of a width which exceeds 150 mm and measures at least twice the thickness;
- Certain clad stainless flat-rolled products, which are three-layered corrosion-resistant carbon steel flat-rolled products less than 4.75 mm in composite thickness that consist of a carbon steel flat-rolled product clad on both sides with stainless steel in a 20%–60%–20% ratio; and

Also excluded from the scope of the antidumping duty investigation on corrosion resistant steel from Taiwan are any products covered by the existing antidumping duty order on corrosion-resistant steel from Taiwan. *See Certain Corrosion-Resistant Steel Products from India, Italy, the People's Republic of China, the Republic of Korea and Taiwan: Amended Final Affirmative Antidumping Determination for India and Taiwan, and Antidumping Duty Orders,* 81 FR 48390 (July 25, 2016); *Corrosion-Resistant Steel Products from Taiwan: Notice of Third Amended Final Determination of Sales at Less Than Fair Value Pursuant to Court Decision and Partial Exclusion from Antidumping Duty Order,* 88 FR 58245 (August 25, 2023).

Also excluded from the scope of the antidumping duty investigation on corrosion-resistant steel from the United Arab Emirates and the antidumping duty and countervailing duty investigations on corrosion-resistant steel from the Socialist Republic of Vietnam are any products covered by the existing antidumping and countervailing duty orders on corrosion-resistant steel from the People's Republic of China and the Republic of Korea and the antidumping duty order on corrosion-resistant steel from Taiwan. *See Certain Corrosion-Resistant Steel Products from India, Italy, the People's Republic of China, the Republic of Korea and Taiwan: Amended Final Affirmative Antidumping Determination for India and Taiwan, and Antidumping Duty Orders,* 81 FR 48390 (July 25, 2016); *see also Certain Corrosion-Resistant Steel Products from India, Italy, Republic of Korea and the People's Republic of China: Countervailing Duty Order,* 81 FR 48387 (July 25, 2016). This exclusion does not apply to imports of corrosion-resistant steel that are entered, or withdrawn from warehouse, for consumption in the United States for which the relevant importer and exporter certifications have been completed and maintained and all other applicable certification requirements have been met such that the entry is entered into the United States as not subject to the antidumping and countervailing duty orders on corrosion-resistant steel from the People's Republic of China, the antidumping and countervailing duty orders on corrosion-resistant steel from the Republic of Korea, or the antidumping duty order on corrosion-resistant steel from Taiwan.

The products subject to the investigation are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers: 7210.30.0030, 7210.30.0060, 7210.41.0000, 7210.49.0030, 7210.49.0040, 7210.49.0045, 7210.49.0091, 7210.49.0095, 7210.61.0000, 7210.69.0000, 7210.70.6030, 7210.70.6060, 7210.70.6090, 7210.90.6000, 7210.90.9000, 7212.20.0000, 7212.30.1030, 7212.30.1090, 7212.30.3000, 7212.30.5000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7212.60.0000, 7225.91.0000, 7225.92.0000, 7226.99.0110, and 7226.99.0130.

The products subject to the investigation may also enter under the following HTSUS item numbers: 7210.90.1000, 7215.90.1000, 7215.90.3000, 7215.90.5000, 7217.20.1500, 7217.30.1530, 7217.30.1560, 7217.90.1000, 7217.90.5030, 7217.90.5060, 7217.90.5090, 7225.99.0090, 7226.99.0180, 7228.60.6000, 7228.60.8000, and 7229.90.1000.

The HTSUS subheadings above are provided for convenience and customs purposes only. The written description of the scope of the investigation is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Changes Since the *Preliminary Determination*
IV. Discussion of the Issues
Comment 1: Whether Commerce Should Apply Zeroing and Revise Its Differential Pricing Methodology
Comment 2: Whether Commerce Improperly Initiated This Investigation
Comment 3: Whether Commerce Acted Unlawfully by Providing the GOC Only Two Days To Respond to Petitioners' Case Brief
Comment 4: Whether To Apply Partial AFA to AMD

Comment 5: Whether To Grant and Correct AMD's Retroactive Sales Billing Adjustments
Comment 6: Whether Commerce Should Apply Partial AFA With Respect to AMD's Early Payment Discounts and Deny Certain Rebates
Comment 7: Whether Commerce Made Certain Ministerial Errors
Comment 8: Whether Commerce Should Revise AMD's Financial Ratio and Treat All Foreign Exchange Losses as Financial Expenses
Comment 9: Whether Commerce Should Adjust AMD's Reported Cost for Affiliate Purchases of Steel Slab Pursuant to the Major Input Rule
Comment 10: Whether Commerce Should Disallow AMD's Claimed Offset for Insurance Proceeds Related to a Prior Period
Comment 11: Whether To Apply AFA to Nova Steel Inc.
V. Recommendation

[FR Doc. 2025–16603 Filed 8–28–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–791–829]

Certain Corrosion-Resistant Steel Products From South Africa: Final Affirmative Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances, in Part

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that imports of certain corrosion-resistant steel products (CORE) from South Africa are being, or are likely to be, sold in the United States at less than fair value (LTFV). The period of investigation (POI) is July 1, 2023, through June 30, 2024.

DATES: Applicable August 29, 2025.

FOR FURTHER INFORMATION CONTACT: Jacob Saude, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–0981.

SUPPLEMENTARY INFORMATION:

Background

On April 10, 2025, Commerce published in the **Federal Register** its preliminary affirmative determination in the LTFV investigation of CORE from South Africa,[1] in which we also postponed the final determination until August 25, 2025, and invited interested parties to comment on the *Preliminary Determination*.[2] On July 18, 2025, Commerce issued a post-preliminary analysis memorandum in which we made certain changes to our differential pricing analysis.[3] We invited interested parties to comment on general issues, sales issues, and the changes to the differential pricing analysis.[4]

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

Scope of the Investigation

The product covered by this investigation is CORE from South Africa. For a complete description of the scope of this investigation, *see* Appendix I.

Scope Comments

In the Preliminary Scope Memorandum, we set aside a period of time for parties to raise issues regarding product coverage (*i.e.,* scope) in scope-specific case briefs or other written comments.[6] We received scope case and rebuttal briefs from multiple interested parties. For a summary of the product coverage comments and rebuttal responses submitted to the record for this final determination, and accompanying discussion and analysis of all comments timely received, *see* the Final Scope Memorandum.[7] In the Final Scope Memorandum, Commerce made no changes to the scope language as it appeared in the *Initiation Notice*.[8] *See* Appendix I.

Verification

Commerce conducted verification of the information relied upon in making its final determination in this investigation, in accordance with section 782(i) of the Tariff Act of 1930, as amended (the Act). Specifically, we conducted on-site verifications of the sales and cost information submitted by Duferco Steel Processing PTY Ltd. (DSP), for use in our final determination.[9] We used standard verification procedures, including an examination of relevant sales and accounting records, and original source documents provided by DSP.

Analysis of Comments Received

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

Final Affirmative Determination of Critical Circumstances, In Part

Commerce preliminarily determined, in accordance with section 733(e)(1) of

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[1] *See Certain Corrosion-Resistant Steel Products from South Africa: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures,* 90 FR 15330 (April 10, 2025) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum.

[2] *See Preliminary Determination,* 90 FR at 15331–2.

[3] *See* Memorandum, ''Post-Preliminary Analysis,'' dated July 18, 2025.

[4] *See* Memorandum, ''Briefing Schedule for Post-Preliminary Determination,'' dated July 18, 2025.

[5] *See* Memorandum, ''Issues and Decision Memorandum for the Final Affirmative Determination in the Less-Than-Fair-Value Investigation of Certain Corrosion-Resistant Steel Products from South Africa,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[6] *See* Memorandum, ''Less-Than-Fair-Value Investigations of Certain Corrosion-Resistant Steel Products from Australia, Brazil, Canada, Mexico, the Netherlands, South Africa, Taiwan, the Republic of Türkiye, the United Arab Emirates, and the Socialist Republic of Vietnam, and Countervailing Duty Investigations of Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Preliminary Scope Decision Memorandum,'' dated April 3, 2025 (Preliminary Scope Memorandum).

[7] *See* Memorandum, ''Less-Than-Fair-Value Investigations of Certain Corrosion-Resistant Steel Products from Australia, Brazil, Canada, Mexico, the Netherlands, South Africa, Taiwan, the Republic of Türkiye, the United Arab Emirates, and the Socialist Republic of Vietnam, and Countervailing Duty Investigations of Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Final Scope Decision Memorandum,'' dated concurrently with this notice (Final Scope Memorandum).

[8] *See Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Initiation of Countervailing Duty Investigations,* 89 FR 80204 (October 2, 2024) (*Initiation Notice*).

[9] *See* Memoranda, ''Verification of the Cost Responses of Duferco Steel Processing (PTY) Limited in the Less Than Fair Value Investigation of Certain Corrosion-Resistant Steel Products from South Africa,'' dated May 18, 2025; and ''Verification of the Sales Response of Duferco Steel Processing Pty Ltd. in the Antidumping Investigation of Certain Corrosion-Resistant Steel Products from South Africa,'' dated June 24, 2025.

the Act and 19 CFR 351.206, that critical circumstances do not exist with respect to imports of CORE from South Africa produced and exported by DSP and all other producers and exporters.[10] For the final determination, pursuant to sections 735(a)(3)(A) and (B) of the Act and 19 CFR 351.206, we find that critical circumstances exist for all other producers and exporters. Furthermore, we continue to find that critical circumstances do not exist for DSP. For a discussion and analysis of comments regarding Commerce's critical circumstances analysis, *see* the Issues and Decision Memorandum.

Changes Since the Preliminary Determination

Based on our analysis of the comments received and additional information obtained since the *Preliminary Determination,* we made certain changes to the margin calculation for this final determination. For a discussion of these changes, *see* the Issues and Decision Memorandum.

All-Others Rate

Section 735(c)(5)(A) of the Act provides that Commerce shall determine an estimated all-others rate for all exporters and producers not individually examined. This rate shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero and *de minimis* margins, and any margins determined entirely under section 776 of the Act.

In this investigation, Commerce calculated an individual estimated weighted-average dumping margin for DSP, the only individually examined exporter/producer in this investigation, that is not zero, *de minimis,* or based entirely on facts otherwise available. Therefore, because the only individually calculated dumping margin is not zero, *de minimis,* or based entirely on facts otherwise available, the estimated weighted-average dumping margin calculated for DSP is the margin assigned to all other producers and exporters, pursuant to section 735(c)(5)(A) of the Act.

Final Determination

Commerce determines that the following estimated weighted-average dumping margins exist:

Producer/exporter	Weighted-average dumping margin (percent)
Duferco Steel Processing PTY Ltd	19.21
All Others	19.21

Disclosure

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

Continuation of Suspension of Liquidation

In accordance with section 735(c)(1)(B) of the Act, Commerce will instruct U.S. Customs and Border Protection (CBP) to continue to suspend liquidation of all entries of CORE, as described in Appendix I of this notice, which were entered, or withdrawn from warehouse, for consumption on or after April 10, 2025, the date of publication of the *Preliminary Determination* in the **Federal Register**.

Pursuant to sections 735(c)(1)(B)(ii) and 735(c)(5)(A) of the Act, and 19 CFR 351.210(d), upon the publication of this notice, we will instruct CBP to require a cash deposit for estimated antidumping duties as follows: (1) the cash deposit rate for the companies listed in the table above that exported the subject merchandise will be equal to the company-specific estimated weighted-average dumping margins determined in this final determination; (2) if the exporter is not a company identified in the table above, but the producer is, then the cash deposit rate will be equal to the company-specific estimated weighted-average dumping margin established for that producer; and (3) the cash deposit rate for all other producers and exporters will be equal to the estimated weighted-average dumping margin for all other producers and exporters listed in the table above. These suspension of liquidation instructions will remain in effect until further notice.

U.S. International Trade Commission (ITC) Notification

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

Administrative Protective Order (APO)

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

Notification to Interested Parties

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

Dated: August 25, 2025.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The products covered by this investigation are certain flat-rolled steel products, either clad, plated, or coated with corrosion-resistant metals such as zinc, aluminum, or zinc-, aluminum-, nickel- or iron-based alloys, whether or not corrugated or painted, varnished, laminated, or coated with plastics or other non-metallic substances in addition to the metallic coating. The products covered include coils that have a width of 12.7 mm or greater, regardless of form of coil (*e.g.,* in successively superimposed layers, spirally oscillating, *etc.*). The products covered also include products not in coils (*e.g.,* in straight lengths) of a thickness less than 4.75 mm and a width that is 12.7 mm or greater and that measures at least 10 times the thickness. The products covered also include products not

[10] *See Certain Corrosion-Resistant Steel Products From the United Arab Emirates and South Africa: Preliminary Affirmative Determination, in Part, of Critical Circumstances,* 90 FR 14599 (April 3, 2025).

in coils (*e.g.,* in straight lengths) of a thickness of 4.75 mm or more and a width exceeding 150 mm and measuring at least twice the thickness. The products described above may be rectangular, square, circular, or other shape and include products of either rectangular or non-rectangular cross-section where such cross-section is achieved subsequent to the rolling process, *i.e.,* products which have been ''worked after rolling'' (*e.g.,* products which have been beveled or rounded at the edges).

For purposes of the width and thickness requirements referenced above:

(1) Where the nominal and actual measurements vary, a product is within the scope if application of either the nominal or actual measurement would place it within the scope based on the definitions set forth above, and

(2) where the width and thickness vary for a specific product (*e.g.,* the thickness of certain products with non-rectangular cross-section, the width of certain products with non-rectangular shape, *etc.*), the measurement at its greatest width or thickness applies.

Steel products included in the scope of this investigation are products in which: (1) iron predominates, by weight, over each of the other contained elements; and (2) the carbon content is 2 percent or less, by weight.

Subject merchandise also includes corrosion-resistant steel that has been further processed in a third country, including but not limited to annealing, tempering, painting, varnishing, trimming, cutting, punching and/or slitting or any other processing that would not otherwise remove the merchandise from the scope of the investigations if performed in the country of manufacture of the in-scope corrosion resistant steel.

All products that meet the written physical description are within the scope of this investigation unless specifically excluded. The following products are outside of and/or specifically excluded from the scope of this investigation:

- Flat-rolled steel products either plated or coated with tin, lead, chromium, chromium oxides, both tin and lead (''terne plate'') or both chromium and chromium oxides (''tin free steel''), whether or not painted, varnished or coated with plastics or other non-metallic substances in addition to the metallic coating;
- Clad products in straight lengths of 4.7625 mm or more in composite thickness and of a width which exceeds 150 mm and measures at least twice the thickness;
- Certain clad stainless flat-rolled products, which are three-layered corrosion-resistant carbon steel flat-rolled products less than 4.75 mm in composite thickness that consist of a carbon steel flat-rolled product clad on both sides with stainless steel in a 20%–60%–20% ratio; and

Also excluded from the scope of the antidumping duty investigation on corrosion resistant steel from Taiwan are any products covered by the existing antidumping duty order on corrosion-resistant steel from Taiwan. *See Certain Corrosion-Resistant Steel Products from India, Italy, the People's Republic of China, the Republic of Korea and Taiwan: Amended Final Affirmative Antidumping Determination for India and Taiwan, and Antidumping Duty Orders,* 81FR 48390 (July 25, 2016); *Corrosion-Resistant Steel Products from Taiwan: Notice of Third Amended Final Determination of Sales at Less Than Fair Value Pursuant to Court Decision and Partial Exclusion from Antidumping Duty Order,* 88 FR 58245 (August 25, 2023).

Also excluded from the scope of the antidumping duty investigation on corrosion-resistant steel from the United Arab Emirates and the antidumping duty and countervailing duty investigations on corrosion-resistant steel from the Socialist Republic of Vietnam are any products covered by the existing antidumping and countervailing duty orders on corrosion-resistant steel from the People's Republic of China and the Republic of Korea and the antidumping duty order on corrosion-resistant steel from Taiwan. *See Certain Corrosion-Resistant Steel Products from India, Italy, the People's Republic of China, the Republic of Korea and Taiwan: Amended Final Affirmative Antidumping Determination for India and Taiwan, and Antidumping Duty Orders,* 81 FR 48390 (July 25, 2016); *see also Certain Corrosion-Resistant Steel Products from India, Italy, Republic of Korea and the People's Republic of China: Countervailing Duty Order,* 81 FR 48387 (July 25, 2016). This exclusion does not apply to imports of corrosion-resistant steel that are entered, or withdrawn from warehouse, for consumption in the United States for which the relevant importer and exporter certifications have been completed and maintained and all other applicable certification requirements have been met such that the entry is entered into the United States as not subject to the antidumping and countervailing duty orders on corrosion-resistant steel from the People's Republic of China, the antidumping and countervailing duty orders on corrosion-resistant steel from the Republic of Korea, or the antidumping duty order on corrosion-resistant steel from Taiwan.

The products subject to the investigation are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers: 7210.30.0030, 7210.30.0060, 7210.41.0000, 7210.49.0030, 7210.49.0040, 7210.49.0045, 7210.49.0091, 7210.49.0095, 7210.61.0000, 7210.69.0000, 7210.70.6030, 7210.70.6060, 7210.70.6090, 7210.90.6000, 7210.90.9000, 7212.20.0000, 7212.30.1030, 7212.30.1090, 7212.30.3000, 7212.30.5000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7212.60.0000, 7225.91.0000, 7225.92.0000, 7226.99.0110, and 7226.99.0130.

The products subject to the investigation may also enter under the following HTSUS item numbers: 7210.90.1000, 7215.90.1000, 7215.90.3000, 7215.90.5000, 7217.20.1500, 7217.30.1530, 7217.30.1560, 7217.90.1000, 7217.90.5030, 7217.90.5060, 7217.90.5090, 7225.99.0090, 7226.99.0180, 7228.60.6000, 7228.60.8000, and 7229.90.1000.

The HTSUS subheadings above are provided for convenience and customs purposes only. The written description of the scope of the investigation is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Final Affirmative Determination of Critical Circumstances, In Part
IV. Changes from the *Preliminary Determination*
V. Discussion of the Issues
Comment 1: Whether Commerce Should Apply Zeroing to All Sales Comparisons and Deny Offsets by Assigning a Value of Zero to Non-Dumped Sales
Comment 2: Whether Commerce Should Maintain its Determination That Critical Circumstances Do Not Exist for CORE From South Africa
Comment 3: Whether Commerce Should Not Exclude Two Post-Sale Adjustments Because Both Excluded Discounts Are Supported by Record Evidence
Comment 4: Whether Commerce Should Update the Margin Program to Rely on CONNUM2U for U.S. Sales, and CONNUMU as the Link to the Cost
Comment 5: Whether DSP's Unaffiliated Hot Rolled Coil (HRC) Purchases Are Distorted and Cannot be Relied on as a Market Price in the Transactions Disregarded Analysis
Comment 6: Whether Commerce Should Correct a Methodological Error in its Calculation of the Transactions Disregarded Adjustment to DSP's Purchases of HRC From Affiliated Parties
Comment 7: Whether Commerce Should Continue to Impute Interest Expenses on DSP's Interest-Free Shareholder Loans
Comment 8: Whether Commerce Should Continue to Adjust DSP's Purchases of Electricity From an Affiliated Party
Comment 9: Whether Commerce Should Reduce the Denominator of the General and Administrative (G&A) and Financial Expenses Ratios for Scrap Recoveries
Comment 10: Whether Commerce Should Continue to Grant Offsets to DSP's G&A Expenses
VI. Recommendation

[FR Doc. 2025–16608 Filed 8–28–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–122–872]

Certain Corrosion-Resistant Steel Products From Canada: Final Affirmative Countervailing Duty Determination

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that countervailable subsidies are being provided to producers and exporters of certain corrosion-resistant steel products (CORE) from Canada. The

period of investigation is January 1, 2023, through December 31, 2023.

DATES: Applicable August 29, 2025.

FOR FURTHER INFORMATION CONTACT: Peter Shaw or Colin Thrasher, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–0697 or (202) 482–3004.

SUPPLEMENTARY INFORMATION:

Background

On February 10, 2025, Commerce published in the **Federal Register** the *Preliminary Determination* and invited interested parties to comment.[1] On July 16, 2025, Commerce issued a post-preliminary analysis.[2]

For a complete description of the events that occurred since Commerce published the *Preliminary Determination,* as well as a full discussion of the issues raised by parties for this final determination, *see* the Issues and Decision Memorandum.[3] The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *http://access.trade.gov.* In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Scope of the Investigation

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

Scope Comments

In the Preliminary Scope Memorandum, we set aside a period of time for parties to raise issues regarding product coverage (*i.e.,* scope) in scope-specific case briefs or other written comments.[4] We received case and rebuttal briefs from multiple interested parties. For a summary of the product coverage comments and rebuttal responses submitted to the record for this final determination, and accompanying discussion and analysis of all comments timely received, *see* the Final Scope Memorandum.[5] In the Final Scope Memorandum, Commerce made no changes to the scope language as it appeared in the *Initiation Notice*.[6] *See* Appendix I.

Verification

Commerce conducted verification of the information relied upon in making its final determination in this investigation, in accordance with section 782(i) of the Tariff Act of 1930, as amended (the Act). Specifically, we conducted on-site verifications of the subsidy information reported by ArcelorMittal Dofasco G.P. (AMD), Stelco, Inc. (Stelco) and the Government of Ontario in May 2025 using standard verification procedures, including an examination of relevant sales and accounting records, and original source documents provided by the company respondents and the Government of Ontario.[7]

Analysis of Subsidy Programs and Comments Received

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

Changes Since the Preliminary Determination

Based on our analysis of the comments received from interested parties and our verification findings, we made certain changes to the countervailable subsidy rate calculations for AMD, Stelco, and for all other producers/exporters. For a discussion of these changes, *see* the Issues and Decision Memorandum.

Methodology

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

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

All-Others Rate

Pursuant to section 705(c)(5)(A)(i) of the Act, Commerce will determine an all-others rate equal to the weighted-average countervailable subsidy rates established for exporters and/or producers individually investigated, excluding any rates that are zero, *de minimis,* or rates based entirely under section 776 of the Act.

For this final determination, Commerce has calculated individual estimated countervailable subsidy rates for AMD and Stelco that are not zero, *de minimis,* or based entirely on facts otherwise available. Therefore, we calculated the all-others rate using a weighted average of the estimated subsidy rates calculated for the individually investigated respondents, AMD and Stelco, using each company's publicly ranged value for their exports to the United States of subject

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[1] *See Certain Corrosion-Resistant Steel Products from Canada: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination With Antidumping Duty Determination,* 90 FR 9231 (February 10, 2025) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum.

[2] *See* Memorandum, ''Post-Preliminary Analysis Memorandum,'' dated July 16, 2025.

[3] *See* Memorandum, ''Issues and Decision Memorandum for the Final Affirmative Determination in the Countervailing Duty Investigation of Certain Corrosion-Resistant Steel Products from Canada,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[4] *See* Memorandum, ''Less-Than-Fair-Value Investigations of Certain Corrosion-Resistant Steel Products from Australia, Brazil, Canada, Mexico, the Netherlands, South Africa, Taiwan, the Republic of Türkiye, the United Arab Emirates, and the Socialist Republic of Vietnam, and Countervailing Duty Investigations of Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Preliminary Scope Decision Memorandum,'' dated April 3, 2025 (Preliminary Scope Memorandum).

[5] *See* Memorandum, ''Less-Than-Fair-Value Investigations of Certain Corrosion-Resistant Steel Products from Australia, Brazil, Canada, Mexico, the Netherlands, South Africa, Taiwan, the Republic of Türkiye, the United Arab Emirates, and the Socialist Republic of Vietnam, and Countervailing Duty Investigations of Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Final Scope Decision Memorandum,'' dated concurrently with this notice (Final Scope Memorandum).

[6] *See Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Initiation of Countervailing Duty Investigations,* 89 FR 80204 (October 2, 2024) (*Initiation Notice*).

[7] *See* Memorandum, ''Verification of ArcelorMittal Dofasco G.P. Questionnaire Responses,'' dated July 14, 2025; *see also* Memorandum, ''Verification of Stelco, Inc. Questionnaire Responses,'' dated July 10, 2025; and Memorandum, ''Verification of Questionnaire Responses of the Government of Ontario,'' dated July 14, 2025.

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

merchandise, in accordance with section 705(c)(5)(A)(i) of the Act.[9]

Final Determination

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

Company	Subsidy rate (percent *ad valorem*)
ArcelorMittal Dofasco G.P.[10]	1.14
Stelco, Inc.	1.50
Nova Steel Inc.	*34.55
All Others	1.16

*Rate based on facts available with adverse inferences

Disclosure

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

Continuation of Suspension of Liquidation

As a result of our *Preliminary Determination,* and pursuant to sections 703(d)(1)(B) and (d)(2) of the Act, we instructed U.S. Customs and Border Protection (CBP) to collect cash deposits and suspend liquidation of entries of subject merchandise, as described in the scope of the investigation section, that were entered, or withdrawn from warehouse, for consumption on or after February 10, 2025, the date of publication of the *Preliminary Determination* in the **Federal Register**. In accordance with section 703(d) of the Act, we instructed CBP to discontinue the suspension of liquidation of all entries of subject merchandise entered or withdrawn from warehouse, on or after June 10, 2025, the first day provisional measures were no longer in effect, but to continue the suspension of liquidation of all entries of subject merchandise between February 10, 2025, and June 9, 2025.

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

ITC Notification

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

If the ITC determines that such injury does exist, Commerce will issue a CVD order directing CBP to assess, upon further instruction by Commerce, countervailing duties on all imports of the subject merchandise that are entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation, as discussed above in the ''Continuation of Suspension of Liquidation'' section.

Administrative Protective Order

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

Notification to Interested Parties

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

Dated: August 25, 2025.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The products covered by this investigation are certain flat-rolled steel products, either clad, plated, or coated with corrosion-resistant metals such as zinc, aluminum, or zinc-, aluminum-, nickel- or iron-based alloys, whether or not corrugated or painted, varnished, laminated, or coated with plastics or other non-metallic substances in addition to the metallic coating. The products covered include coils that have a width of 12.7 mm or greater, regardless of form of coil (*e.g.,* in successively superimposed layers, spirally oscillating, *etc.*). The products covered also include products not in coils (*e.g.,* in straight lengths) of a thickness less than 4.75 mm and a width that is 12.7 mm or greater and that measures at least 10 times the thickness. The products covered also include products not in coils (*e.g.,* in straight lengths) of a thickness of 4.75 mm or more and a width exceeding 150 mm and measuring at least twice the thickness. The products described above may be rectangular, square, circular, or other shape and include products of either rectangular or non-rectangular cross-section where such cross-section is achieved subsequent to the rolling process, *i.e.,* products which have been ''worked after rolling'' (*e.g.,* products which have been beveled or rounded at the edges).

[9] With two respondents under examination, Commerce normally calculates: (A) a weighted-average of the estimated subsidy rates calculated for the examined respondents; (B) a simple average of the estimated subsidy rates calculated for the examined respondents; and (C) a weighted-average of the estimated subsidy rates calculated for the examined respondents using each company's publicly ranged U.S. sale values for the merchandise under consideration. Commerce then compares (B) and (C) to (A) and selects the rate closer to (A) as the most appropriate rate for all other producers and exporters. *See, e.g., Ball Bearings and Parts Thereof from France, Germany, Italy, Japan, and the United Kingdom: Final Results of Antidumping Duty Administrative Reviews, Final Results of Changed-Circumstances Review, and Revocation of an Order in Part,* 75 FR 53661, 53662 (September 1, 2010), and accompanying Issues and Decision Memorandum at Comment 1. As complete publicly ranged sales data were available, Commerce based the all-others rate on the publicly ranged sales data of the mandatory respondents. For a complete analysis of the data, *see* Memorandum, ''Calculation of the All-Others Rate for the Final Determination,'' dated concurrently with this notice.

[10] Commerce found ArcelorMittal Dofasco G.P., ArcelorMittal Canada Holdings Inc., ArcelorMittal Canada Inc., ArcelorMittal Canada MP Inc., ArcelorMittal Long Products Canada G.P., ArcelorMittal Mining Canada GP, ArcelorMittal Exploitation Miniere Canada s.e.n.c., and ArcelorMittal Coteau-du-Lac Limited Partnership to be cross-owned entities.

For purposes of the width and thickness requirements referenced above:

(1) Where the nominal and actual measurements vary, a product is within the scope if application of either the nominal or actual measurement would place it within the scope based on the definitions set forth above, and

(2) where the width and thickness vary for a specific product (*e.g.,* the thickness of certain products with non-rectangular cross-section, the width of certain products with non-rectangular shape, *etc.*), the measurement at its greatest width or thickness applies.

Steel products included in the scope of these investigations are products in which: (1) iron predominates, by weight, over each of the other contained elements; and (2) the carbon content is 2 percent or less, by weight.

Subject merchandise also includes corrosion-resistant steel that has been further processed in a third country, including but not limited to annealing, tempering, painting, varnishing, trimming, cutting, punching and/or slitting or any other processing that would not otherwise remove the merchandise from the scope of the investigations if performed in the country of manufacture of the in-scope corrosion resistant steel.

All products that meet the written physical description are within the scope of these investigations unless specifically excluded. The following products are outside of and/or specifically excluded from the scope of these investigations:

- Flat-rolled steel products either plated or coated with tin, lead, chromium, chromium oxides, both tin and lead (''terne plate'') or both chromium and chromium oxides (''tin free steel''), whether or not painted, varnished or coated with plastics or other non-metallic substances in addition to the metallic coating;
- Clad products in straight lengths of 4.7625 mm or more in composite thickness and of a width which exceeds 150 mm and measures at least twice the thickness;
- Certain clad stainless flat-rolled products, which are three-layered corrosion-resistant carbon steel flat-rolled products less than 4.75 mm in composite thickness that consist of a carbon steel flat-rolled product clad on both sides with stainless steel in a 20%–60%–20% ratio; and

Also excluded from the scope of the antidumping duty investigation on corrosion resistant steel from Taiwan are any products covered by the existing antidumping duty order on corrosion-resistant steel from Taiwan. *See Certain Corrosion-Resistant Steel Products from India, Italy, the People's Republic of China, the Republic of Korea and Taiwan: Amended Final Affirmative Antidumping Determination for India and Taiwan, and Antidumping Duty Orders,* 81 FR 48390 (July 25, 2016); *Corrosion-Resistant Steel Products from Taiwan: Notice of Third Amended Final Determination of Sales at Less Than Fair Value Pursuant to Court Decision and Partial Exclusion from Antidumping Duty Order,* 88 FR 58245 (August 25, 2023).

Also excluded from the scope of the antidumping duty investigation on corrosion-resistant steel from the United Arab Emirates and the antidumping duty and countervailing duty investigations on corrosion-resistant steel from the Socialist Republic of Vietnam are any products covered by the existing antidumping and countervailing duty orders on corrosion-resistant steel from the People's Republic of China and the Republic of Korea and the antidumping duty order on corrosion-resistant steel from Taiwan. *See Certain Corrosion-Resistant Steel Products from India, Italy, the People's Republic of China, the Republic of Korea and Taiwan: Amended Final Affirmative Antidumping Determination for India and Taiwan, and Antidumping Duty Orders,* 81 FR 48390 (July 25, 2016); *see also Certain Corrosion-Resistant Steel Products from India, Italy, Republic of Korea and the People's Republic of China: Countervailing Duty Order,* 81 FR 48387 (July 25, 2016). This exclusion does not apply to imports of corrosion-resistant steel that are entered, or withdrawn from warehouse, for consumption in the United States for which the relevant importer and exporter certifications have been completed and maintained and all other applicable certification requirements have been met such that the entry is entered into the United States as not subject to the antidumping and countervailing duty orders on corrosion-resistant steel from the People's Republic of China, the antidumping and countervailing duty orders on corrosion-resistant steel from the Republic of Korea, or the antidumping duty order on corrosion-resistant steel from Taiwan.

The products subject to this investigation are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers: 7210.30.0030, 7210.30.0060, 7210.41.0000, 7210.49.0030, 7210.49.0040, 7210.49.0045, 7210.49.0091, 7210.49.0095, 7210.61.0000, 7210.69.0000, 7210.70.6030, 7210.70.6060, 7210.70.6090, 7210.90.6000, 7210.90.9000, 7212.20.0000, 7212.30.1030, 7212.30.1090, 7212.30.3000, 7212.30.5000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7212.60.0000, 7225.91.0000, 7225.92.0000, 7226.99.0110, and 7226.99.0130.

The products subject to this investigation may also enter under the following HTSUS item numbers: 7210.90.1000, 7215.90.1000, 7215.90.3000, 7215.90.5000, 7217.20.1500, 7217.30.1530, 7217.30.1560, 7217.90.1000, 7217.90.5030, 7217.90.5060, 7217.90.5090, 7225.99.0090, 7226.99.0180, 7228.60.6000, 7228.60.8000, and 7229.90.1000.

The HTSUS subheadings above are provided for convenience and customs purposes only. The written description of the scope of the investigation is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Changes Since the *Preliminary Determination*
IV. Calculation of the All-Others Rate
V. Use of Facts Otherwise Available and Application of Adverse Inferences
VI. Subsidies Valuation Information
VII. Interest Rates and Benchmarks
VIII. Analysis of Programs
IX. Discussion of the Issues
Comment 1: Whether Commerce Improperly Initiated This Investigation
Comment 2: Whether To Apply Adverse Facts Available (AFA) to Nova Steel
Comment 3: Whether Stelco's Non-Recurring Subsidies Were Extinguished With the Change-In-Ownership (CIO)
Comment 4: Whether Stelco's Pension Restructuring Is Countervailable
Comment 5: Whether the New Subsidy Allegation (NSA) Programs Are Countervailable
Comment 6: Whether the Ontario Tax Credit for Manufacturing and Processing (OTCMP) Program Is Countervailable
Comment 7: Whether To Revise the Denominators for Certain Tax Programs Used by AMD
Comment 8: Whether the Federal Scientific Research and Experimental Development Tax Program (FSR&ED) Is Countervailable
Comment 9: Whether the Class 53 Accelerated Capital Cost Allowances (ACCA) Program Is Countervailable
Comment 10: Whether Commerce Erred in its Benefit Calculations for the Class 53 ACCA Program
Comment 11: Whether the Class 1 Assets Program Is Countervailable
Comment 12: Whether the ACCA for Class 29 Assets Program Is Countervailable
Comment 13: Whether the ACCA for Class 43.1 and Class 43.2 Assets Program Is Countervailable
Comment 14: Whether the Québec Additional Depreciation for Class 53 and Class 50 Assets Program Is Countervailable
Comment 15: Whether the Investment and Innovation Tax Credit Is Countervailable
Comment 16: Whether the Federal Apprenticeship Job Creation Tax Credit (AJCTC) Program Is Countervailable
Comment 17: Whether the Strategic Innovation Fund (SIF) Support for the Steel Sector Program Is Countervailable
Comment 18: Whether the Ontario Energy-Savings Grants (Industrial Accelerator (IAP)) Program Is Countervailable
Comment 19: Whether the Ontario Independent Electricity System Operator (IESO) Capacity Auction Program Is Countervailable
Comment 20: Whether the Ontario Achievement Incentive Grant Program Is Countervailable
Comment 21: Whether the Hydro-Québec Interruptible Electricity Option (IEO) Is Countervailable
Comment 22: Whether the Electricity Discount Program for Capital Investments (EDL) Program Is Countervailable
Comment 23: Whether the Énergir Feasibility Study and Implementation Program Is Countervailable
Comment 24: Whether the Net-Zero Accelerator Assistance (NZA) to AMD Program Is Countervailable
Comment 25: Whether the Energy Efficiency for Industry (EEI) Grant Program Is Countervailable
Comment 26: Whether the EcoENERGY Retrofit Incentive Program for Industry (EERII) Is Countervailable

Comment 27: Whether the Retrofit Program of Ontario's IESO Is Countervailable
Comment 28: Whether the Clean Growth Program Is Countervailable
Comment 29: Whether the Global Innovation Clusters Advanced Manufacturing Program Is Countervailable
Comment 30: Whether the Duty Drawback on Obsolete or Surplus Goods Program Is Countervailable
Comment 31: Whether the Programs Administered by Export Development Canada (EDC) Are Countervailable
X. Recommendation

[FR Doc. 2025–16604 Filed 8–28–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–351–863]

Certain Corrosion-Resistant Steel Products From Brazil: Final Affirmative Countervailing Duty Determination

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that countervailable subsidies are being provided to producers and exporters of certain corrosion-resistant steel products (CORE) from Brazil during the period of investigation (POI), January 1, 2023, through December 31, 2023.

DATES: Applicable August 29, 2025.

FOR FURTHER INFORMATION CONTACT: Sofia Pedrelli or Paul Senoyuit, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4310 or (202) 482–6206, respectively.

SUPPLEMENTARY INFORMATION:

Background

On February 10, 2025, Commerce published in the **Federal Register** the *Preliminary Determination* and invited interested parties to comment.[1] On August 5, 2025, Commerce issued a post-preliminary analysis.[2] Because Commerce aligned the deadline for the final determination in this countervailing duty (CVD) investigation with the deadline for the final determination in the companion less-than-fair-value (LTFV) investigation of CORE from Brazil, the deadline for this final CVD determination is now August 25, 2025.[3]

For a complete description of the events that occurred since Commerce published the *Preliminary Determination,* as well as a full discussion of the issues raised by parties for this final determination, *see* the Issues and Decision Memorandum.[4] The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *http://access.trade.gov.* In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Scope of the Investigation

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

Scope Comments

In the Preliminary Scope Memorandum, we set aside a period of time for parties to raise issues regarding product coverage (*i.e.,* scope) in scope-specific case briefs or other written comments.[5] We received scope case and rebuttal briefs from multiple interested parties. For a summary of the product coverage comments and rebuttal responses submitted to the record for this final determination, and accompanying discussion and analysis of all comments timely received, *see* the Final Scope Memorandum.[6] In the Final Scope Memorandum, Commerce made no changes to the scope language as it appeared in the *Initiation Notice.*[7] *See* Appendix I.

Verification

Commerce conducted verification of the information relied upon in making its final determination in this investigation, in accordance with section 782(i) of the Tariff Act of 1930, as amended (the Act). Specifically, we conducted on-site verifications of the subsidy information reported by Usinas Siderúrgicas de Minas Gerais S.A. (Usiminas) and its cross-owned companies and Companhia Siderúrgica Nacional (CSN) and its cross-owned companies in May 2025 using standard verification procedures, including an examination of relevant sales and accounting records, and original source documents provided by Usiminas and CSN.[8]

Analysis of Subsidy Programs and Comments Received

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

Changes Since the Preliminary Determination

Based on our review and analysis of the information received during verification, our post-preliminary analysis, and comments received from parties, for this final determination, we made certain changes to the countervailable subsidy rate calculations for Usiminas, CSN, and for

[1] *See Certain Corrosion-Resistant Steel Products from Brazil: Preliminary Affirmative Countervailing Duty Determination, and Alignment of Final Determination with Final Antidumping Duty Determination,* 90 FR 9228 (February 10, 2025) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM).

[2] *See* Memorandum, ''Post-Preliminary Analysis Memorandum for the Countervailing Duty Investigation of Certain Corrosion-Resistant Steel Products from Brazil,'' dated August 5, 2025 (Post-Preliminary Analysis).

[3] *See Preliminary Determination,* 90 FR at 9229; *see also Certain Corrosion-Resistant Steel Products from Brazil: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures,* 90 FR 15333 (April 10, 2025).

[4] *See* Memorandum, ''Issues and Decision Memorandum for the Final Affirmative Determination in the Countervailing Duty Investigation of Certain Corrosion-Resistant Steel Products from Brazil,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[5] *See* Memorandum, ''Less-Than-Fair-Value Investigations of Certain Corrosion-Resistant Steel Products from Australia, Brazil, Canada, Mexico, the Netherlands, South Africa, Taiwan, the Republic of Türkiye, the United Arab Emirates, and the Socialist Republic of Vietnam, and Countervailing Duty Investigations of Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Preliminary Scope Decision Memorandum,'' dated April 3, 2025 (Preliminary Scope Memorandum).

[6] *See* Memorandum, ''Less-Than-Fair-Value Investigations of Certain Corrosion-Resistant Steel Products from Australia, Brazil, Canada, Mexico, the Netherlands, South Africa, Taiwan, the Republic of Türkiye, the United Arab Emirates, and the Socialist Republic of Vietnam, and Countervailing Duty Investigations of Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Final Scope Decision Memorandum,'' dated concurrently with this notice (Final Scope Memorandum).

[7] *See Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Initiation of Countervailing Duty Investigations,* 89 FR 80204 (October 2, 2024) (*Initiation Notice*).

[8] *See* Memorandum, ''Verification of the Questionnaire Responses of Usinas Siderúrgicas de Minas Gerais S.A.,'' dated July 11, 2025; *see also* Memorandum, ''Verification of the Questionnaire Responses of Companhia Siderúrgica Nacional,'' dated July 11, 2025.

all other producers/exporters. For a discussion of these changes, *see* the Issues and Decision Memorandum.

Methodology

Commerce conducted this investigation in accordance with section 701 of the Act. For each of the subsidy programs found to be countervailable, Commerce determines that there is a subsidy, *i.e.,* a financial contribution by an ''authority'' that gives rise to a benefit to the recipient, and that the subsidy is specific.[9] For a full description of the methodology underlying our final determination, *see* the Issues and Decision Memorandum.

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

All-Others Rate

Pursuant to section 705(c)(5)(A)(i) of the Act, Commerce will determine an all-others rate for companies not individually examined equal to the weighted-average countervailable subsidy rates established for exporters and producers individually examined, excluding any zero and *de minimis* rates and any rates based entirely under section 776 of the Act.

In this investigation, Commerce calculated total subsidy rates for CSN and Usiminas that are not zero, *de minimis,* or based entirely on facts otherwise available. Commerce calculated the all-others rate using a weighted average of the individual estimated subsidy rates calculated for the examined respondents using each company's publicly-ranged values for the merchandise under consideration.

Final Determination

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

Company	Subsidy rate (percent *ad valorem*)
Companhia Siderúrgica Nacional; CSN Mineração S.A.; Companhia Energetica Chapeco; Companhia Estadual de Geração de Energia Elétrica.[10]	16.84
Usinas Siderúrgicas de Minas Gerais S.A.;[11] Mineração Usiminas S.A.; Usiminas Mecânica S.A; Unigal Ltda.; Ternium Brasil Ltda	4.39
All Others	15.99

Disclosure

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

Continuation of Suspension of Liquidation

As a result of our *Preliminary Determination,* and pursuant to sections 703(d)(1)(B) and (d)(2) of the Act, we instructed U.S. Customs and Border Protection (CBP) to collect cash deposits and suspend liquidation of entries of subject merchandise, as described in the scope of the investigation section, that were entered, or withdrawn from warehouse, for consumption on or after February 10, 2025, the date of publication of the *Preliminary Determination* in the **Federal Register** for entries produced and/or exported by CSN and all other producers and exporters. In accordance with section 703(d) of the Act, we instructed CBP to discontinue the suspension of liquidation of all entries of subject merchandise entered or withdrawn from warehouse on, or after, June 10, 2025, but to continue the suspension of liquidation of all entries of subject merchandise between February 10, 2025, and June 9, 2025. Because the preliminary subsidy rate for Usiminas was *de minimis,* Commerce directed CBP not to suspend liquidation of entries of the merchandise from Usiminas.

However, because the final subsidy rate for Usiminas is above *de minimis,* in accordance with section 705(c)(1)(C) of the Act, we are directing CBP to suspend liquidation of all entries of subject merchandise produced and/or exported by Usiminas that are entered, or withdrawn from warehouse, for consumption on or after the date of the publication of this notice in the **Federal Register** and to require a cash deposit for such entries of merchandise in the amount indicated above.

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

ITC Notification

In accordance with section 705(d) of the Act, Commerce will notify the ITC of its final affirmative determination that countervailable subsidies are being provided to producers and exporters of CORE from Brazil. Because the final determination is affirmative, in accordance with section 705(b) of the Act, the ITC will make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports of CORE from Brazil no later than 45 days after this final determination. In addition, we are making available to the ITC all non-privileged and nonproprietary information related to this investigation. We will allow the ITC access to all privileged and business

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

[10] As discussed in the Preliminary Decision Memorandum, Commerce has found the following companies to be cross owned with CSN: CSN Mineração S.A.; Companhia Energetica Chapeco; and Companhia Estadual de Geração de Energia Elétrica. See Preliminary Decision Memorandum at 6.

[11] As discussed in the Preliminary Decision Memorandum, Commerce has found the following companies to be crossed owned with Usiminas: Usiminas: Mineração Usiminas S.A.; Usiminas Mecânica S.A; Unigal Ltda.; Ternium Brasil Ltda. See Preliminary Decision Memorandum at 6–7.

proprietary information in our files, provided the ITC confirms that it will not disclose such information, either publicly or under an administrative protective order (APO), without the written consent of the Assistant Secretary for Enforcement and Compliance. If the ITC determines that material injury or threat of material injury does not exist, this proceeding will be terminated and all cash deposits will be refunded.

If the ITC determines that such injury does exist, Commerce will issue a countervailing duty order directing CBP to assess, upon further instruction by Commerce, countervailing duties on all imports of the subject merchandise that are entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation, as discussed above in the ''Continuation of Suspension of Liquidation'' section.

Administrative Protective Order

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

Notification to Interested Parties

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

Dated: August 25, 2025.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The products covered by this investigation are certain flat-rolled steel products, either clad, plated, or coated with corrosion-resistant metals such as zinc, aluminum, or zinc-, aluminum-, nickel- or iron-based alloys, whether or not corrugated or painted, varnished, laminated, or coated with plastics or other non-metallic substances in addition to the metallic coating. The products covered include coils that have a width of 12.7 mm or greater, regardless of form of coil (*e.g.,* in successively superimposed layers, spirally oscillating, *etc.*). The products covered also include products not in coils (*e.g.,* in straight lengths) of a thickness less than 4.75 mm and a width that is 12.7 mm or greater and that measures at least 10 times the thickness. The products covered also include products not in coils (*e.g.,* in straight lengths) of a thickness of 4.75 mm or more and a width exceeding 150 mm and measuring at least twice the thickness. The products described above may be rectangular, square, circular, or other shape and include products of either rectangular or non-rectangular cross-section where such cross-section is achieved subsequent to the rolling process, *i.e.,* products which have been ''worked after rolling'' (*e.g.,* products which have been beveled or rounded at the edges).

For purposes of the width and thickness requirements referenced above:

(1) Where the nominal and actual measurements vary, a product is within the scope if application of either the nominal or actual measurement would place it within the scope based on the definitions set forth above, and

(2) where the width and thickness vary for a specific product (*e.g.,* the thickness of certain products with non-rectangular cross-section, the width of certain products with non-rectangular shape, *etc.*), the measurement at its greatest width or thickness applies.

Steel products included in the scope of these investigations are products in which: (1) iron predominates, by weight, over each of the other contained elements; and (2) the carbon content is 2 percent or less, by weight.

Subject merchandise also includes corrosion-resistant steel that has been further processed in a third country, including but not limited to annealing, tempering, painting, varnishing, trimming, cutting, punching and/or slitting or any other processing that would not otherwise remove the merchandise from the scope of the investigation if performed in the country of manufacture of the in-scope corrosion resistant steel.

All products that meet the written physical description are within the scope of the investigation unless specifically excluded. The following products are outside of and/or specifically excluded from the scope of this investigation:

- Flat-rolled steel products either plated or coated with tin, lead, chromium, chromium oxides, both tin and lead (''terne plate'') or both chromium and chromium oxides (''tin free steel''), whether or not painted, varnished or coated with plastics or other non-metallic substances in addition to the metallic coating;
- Clad products in straight lengths of 4.7625 mm or more in composite thickness and of a width which exceeds 150 mm and measures at least twice the thickness;
- Certain clad stainless flat-rolled products, which are three-layered corrosion-resistant carbon steel flat-rolled products less than 4.75 mm in composite thickness that consist of a carbon steel flat-rolled product clad on both sides with stainless steel in a 20%–60%–20% ratio; and

Also excluded from the scope of the antidumping duty investigation on corrosion resistant steel from Taiwan are any products covered by the existing antidumping duty order on corrosion-resistant steel from Taiwan. *See Certain Corrosion-Resistant Steel Products from India, Italy, the People's Republic of China, the Republic of Korea and Taiwan: Amended Final Affirmative Antidumping Determination for India and Taiwan, and Antidumping Duty Orders,* 81 FR 48390 (July 25, 2016); *Corrosion-Resistant Steel Products from Taiwan: Notice of Third Amended Final Determination of Sales at Less Than Fair Value Pursuant to Court Decision and Partial Exclusion from Antidumping Duty Order,* 88 FR 58245 (August 25, 2023).

Also excluded from the scope of the antidumping duty investigation on corrosion-resistant steel from the United Arab Emirates and the antidumping duty and countervailing duty investigations on corrosion-resistant steel from the Socialist Republic of Vietnam are any products covered by the existing antidumping and countervailing duty orders on corrosion-resistant steel from the People's Republic of China and the Republic of Korea and the antidumping duty order on corrosion-resistant steel from Taiwan. *See Certain Corrosion-Resistant Steel Products from India, Italy, the People's Republic of China, the Republic of Korea and Taiwan: Amended Final Affirmative Antidumping Determination for India and Taiwan, and Antidumping Duty Orders,* 81 FR 48390 (July 25, 2016); *see also Certain Corrosion-Resistant Steel Products from India, Italy, Republic of Korea and the People's Republic of China: Countervailing Duty Order,* 81 FR 48387 (July 25, 2016). This exclusion does not apply to imports of corrosion-resistant steel that are entered, or withdrawn from warehouse, for consumption in the United States for which the relevant importer and exporter certifications have been completed and maintained and all other applicable certification requirements have been met such that the entry is entered into the United States as not subject to the antidumping and countervailing duty orders on corrosion-resistant steel from the People's Republic of China, the antidumping and countervailing duty orders on corrosion-resistant steel from the Republic of Korea, or the antidumping duty order on corrosion-resistant steel from Taiwan.

The products subject to the investigation are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers: 7210.30.0030, 7210.30.0060, 7210.41.0000, 7210.49.0030, 7210.49.0040, 7210.49.0045, 7210.49.0091, 7210.49.0095, 7210.61.0000, 7210.69.0000, 7210.70.6030, 7210.70.6060, 7210.70.6090, 7210.90.6000, 7210.90.9000, 7212.20.0000, 7212.30.1030, 7212.30.1090, 7212.30.3000, 7212.30.5000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7212.60.0000, 7225.91.0000, 7225.92.0000, 7226.99.0110, and 7226.99.0130.

The products subject to the investigation may also enter under the following HTSUS item numbers: 7210.90.1000, 7215.90.1000, 7215.90.3000, 7215.90.5000, 7217.20.1500, 7217.30.1530, 7217.30.1560, 7217.90.1000, 7217.90.5030, 7217.90.5060, 7217.90.5090, 7225.99.0090, 7226.99.0180, 7228.60.6000, 7228.60.8000, and 7229.90.1000.

The HTSUS subheadings above are provided for convenience and customs purposes only. The written description of the scope of the investigation is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Changes Since the *Preliminary Determination*
IV. Calculation of the All-Others Rate
V. Use of Facts Otherwise Available and Application of Adverse Inferences
VI. Subsidies Valuation Information
VII. Interest Rate, Electricity, and Natural Gas Benchmarks
VIII. Analysis of Programs
IX. Discussion of Issues
Comment 1: Whether Commerce Should Apply Adverse Facts Available (AFA) to Usiminas for the Ex-Tarifário Program
Comment 2: Whether Commerce Should Apply AFA to CSN for the Ex-Tarifário Program
Comment 3: Whether the Ex-Tarifário Program is Specific
Comment 4: Whether Ternium Brasil is Cross-Owned with Usiminas
Comment 5: Whether the ICMS Deferral Regime in Rio de Janeiro Confers a Benefit
Comment 6: Whether Commerce Has Basis to Investigate Allegations of Uncreditworthiness and Unequityworthiness for TLSA
Comment 7: Whether CSN Used the Provision of Electricity for Less Than Adequate Renumeration (LTAR) Program.
Comment 8: Whether Commerce Should Modify the Benchmark for the Provision of Natural Gas for LTAR
Comment 9: Whether Commerce Should Revise the Benefit Calculation for the ICMS Regime in Rio de Janeiro Program
Comment 10: Whether Commerce Should Attribute Benefit from the Railroad Grants Program to CSN
Comment 11: Whether Commerce Should Find that TLSA is Not Equityworthy
Comment 12: Whether Commerce Should Apply AFA to the Railroad Grants Program for the GOB
Comment 13: Whether Commerce Should Revise its Benefit Calculation for the Railroad Grants Program
Comment 14: Whether Commerce Should Attribute Benefits from the ICMS Exemptions in Rio de Janeiro to CSN
X. Recommendation

[FR Doc. 2025–16602 Filed 8–28–25; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C–552–844]

Certain Corrosion-Resistant Steel Products From the Socialist Republic of Vietnam: Final Affirmative Countervailing Duty Determination

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that countervailable subsidies are being provided to producers and exporters of certain corrosion-resistant steel products (CORE) from the Socialist Republic of Vietnam (Vietnam) during the period of investigation (POI), January 1, 2023, through December 31, 2023.

DATES: Applicable August 29, 2025.

FOR FURTHER INFORMATION CONTACT: Ted Pearson, 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) 482–2631.

SUPPLEMENTARY INFORMATION:

Background

On February 10, 2025, Commerce published in the **Federal Register** the *Preliminary Determination* and invited interested parties to comment.[1] On June 10, 2025, Commerce issued a post-preliminary analysis.[2] Because Commerce aligned the deadline for the final determination in this countervailing duty (CVD) investigation with the deadline for the final determination in the companion less-than-fair-value (LTFV) investigation of CORE from Vietnam, the deadline for this final CVD determination is now August 25, 2025.[3]

For a complete description of the events that occurred since Commerce published the *Preliminary Determination,* as well as a full discussion of the issues raised by parties for this final determination, *see* the Issues and Decision Memorandum.[4] The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *http://access.trade.gov.* In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Scope of the Investigation

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

Scope Comments

In the Preliminary Scope Memorandum, we set aside a period of time for parties to raise issues regarding product coverage (*i.e.,* scope) in scope-specific case briefs or other written comments.[5] We received scope case and rebuttal briefs from multiple interested parties. For a summary of the product coverage comments and rebuttal responses submitted to the record for this final determination, and accompanying discussion and analysis of all comments timely received, *see* the Final Scope Memorandum.[6] In the Final Scope Memorandum, Commerce made no changes to the scope language as it appeared in the *Initiation Notice.*[7] *See* Appendix I.

Verification

Commerce conducted verification of the information relied upon in making its final determination in this investigation, in accordance with section 782(i) of the Tariff Act of 1930, as amended (the Act). Specifically, we conducted on-site verifications of the subsidy information reported by Hoa Sen Group (HSG) and Ton Dong A

[1] *See Certain Corrosion-Resistant Steel Products from the Socialist Republic of Vietnam: Preliminary Affirmative Countervailing Duty Determination, and Alignment of Final Determination With Antidumping Duty Determination,* 90 FR 9235 (February 10, 2025) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum.

[2] *See* Memorandum, ''Post-Preliminary Analysis,'' dated June 10, 2025 (Post-Preliminary Analysis).

[3] *See Preliminary Determination,* 90 FR 9235; *see also Certain Corrosion-Resistant Steel Products From the Socialist Republic of Vietnam: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures,* 90 FR 15343, 15345 (April 10, 2025).

[4] *See* Memorandum, ''Issues and Decision Memorandum for the Final Affirmative Determination in the Countervailing Duty Investigation of Certain Corrosion-Resistant Steel Products from the Socialist Republic of Vietnam,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[5] *See* Memorandum, ''Less-Than-Fair-Value Investigations of Certain Corrosion-Resistant Steel Products from Australia, Brazil, Canada, Mexico, the Netherlands, South Africa, Taiwan, the Republic of Türkiye, the United Arab Emirates, and the Socialist Republic of Vietnam, and Countervailing Duty Investigations of Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Preliminary Scope Decision Memorandum,'' dated April 3, 2025 (Preliminary Scope Memorandum).

[6] *See* Memorandum, ''Less-Than-Fair-Value Investigations of Certain Corrosion-Resistant Steel Products from Australia, Brazil, Canada, Mexico, the Netherlands, South Africa, Taiwan, the Republic of Türkiye, the United Arab Emirates, and the Socialist Republic of Vietnam, and Countervailing Duty Investigations of Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Final Scope Decision Memorandum,'' dated concurrently with this notice (Final Scope Memorandum).

[7] *See Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Initiation of Countervailing Duty Investigations,* 89 FR 80204 (October 2, 2024) (*Initiation Notice*).

Corporation (TDA) in May 2025 using standard verification procedures, including an examination of relevant sales and accounting records, and original source documents provided by HSG and TDA.[8]

Analysis of Subsidy Programs and Comments Received

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

Changes Since the Preliminary Determination

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

Methodology

Commerce conducted this investigation in accordance with section 701 the Act. For each of the subsidy programs found to be countervailable, Commerce determines that there is a subsidy, *i.e.,* a financial contribution by an ''authority'' that gives rise to a benefit to the recipient, and that the subsidy is specific.[9] For a full description of the methodology underlying our final determination, *see* the Issues and Decision Memorandum.

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

All-Others Rate

Pursuant to section 705(c)(5)(A)(i) of the Act, Commerce will determine an all-others rate equal to the weighted average countervailable subsidy rates established for those exporters and/or producers individually investigated, excluding any zero and *de minimis* countervailable subsidy rates, and any rates based entirely under section 776 of the Act. In this investigation, Commerce calculated a total subsidy rate for HSG that is *de minimis.* Therefore, the only rate that is not zero, *de minimis,* or based entirely on facts otherwise available is the rate calculated for TDA. Consequently, the rate calculated for TDA is also assigned as the rate for all other producers and exporters.

Final Determination

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

Company	Subsidy rate (percent *ad valorem*)
Hoa Sen Group[10]	0.30 (*de minimis*).
Ton Dong A Corporation	1.29.
190 Steel Pipe Co Ltd.	257.83*.
Vietnam Steel Pipe Co., Ltd	257.83*.
Vina One Steel Manufacturing Corporation	257.83*.
VNSTEEL—Thang Long Coated Sheets Joint Stock Company	257.83*.
VNSTEEL—Vietnam Steel Corp	257.83*.
All Others[11]	1.29.

* Rate based on facts available with adverse inferences.

Disclosure

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

Continuation of Suspension of Liquidation

As a result of our *Preliminary Determination,* and pursuant to sections 703(d)(1)(B) and (d)(2) of the Act, we instructed U.S. Customs and Border Protection (CBP) to collect cash deposits and suspend liquidation of entries of CORE, as described in the scope of the investigation section, that were entered, or withdrawn from warehouse, for consumption on or after February 10, 2025, the date of publication of the *Preliminary Determination* in the **Federal Register** for entries produced and/or exported by the non-responsive companies and all other producers and exporters. In accordance with section 703(d) of the Act, we instructed CBP to discontinue the suspension of liquidation of all entries of CORE entered or withdrawn from warehouse on, or after, June 10, 2025, but to continue the suspension of liquidation of all entries of CORE between February 10, 2025, and June 9, 2025. Because the subsidy rates for HSG and TDA were zero and *de minimis* at the *Preliminary Determination,* respectively, Commerce directed CBP not to suspend liquidation of entries of the merchandise from these companies.

However, because the final subsidy rate for TDA is above *de minimis,* in accordance with section 705(c)(1)(C) of the Act, we are directing CBP to suspend liquidation of all entries of subject merchandise produced and/or exported by TDA that are entered, or withdrawn from warehouse, for consumption on or after the date of the publication of this notice in the **Federal Register** and to require a cash deposit

[8] *See* Memorandum, ''Verification of Hoa Sen Group,'' dated June 9, 2025; *see also* Memorandum, ''Verification of Ton Dong A Corporation,'' dated June 9, 2025.

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

[10] We find HSG to be cross-owned with the following companies: Hoa Sen Nghe An One Member Limited Liabilities Company; Hoa Sen Nhon Hoi—Binh Dinh One Member Limited Liability Company; Hoa Sen Phu My One Member Limited Liabilities; and Hoa Sen Steel One Member Company Limited.

[11] We note that (1) Vietnam Germany Steel JSC and (2) Formosa H Tinh Steel are subject to the all-others rate.

for such entries of merchandise in the amount indicated above.

If the U.S. International Trade Commission (ITC) issues a final affirmative injury determination, we will issue a countervailing duty (CVD) order, reinstate the suspension of liquidation under section 706(a) of the Act, and require a cash deposit of estimated countervailing duties for such entries of subject merchandise in the amounts indicated above, except for HSG and its cross-owned companies because HSG's rate is *de minimis,* in accordance with section 706(a) of the Act. If the ITC determines that material injury, or threat of material injury, does not exist, this proceeding will be terminated, and all estimated duties deposited or securities posted as a result of the suspension of liquidation will be refunded or canceled.

ITC Notification

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

If the ITC determines that such injury does exist, Commerce will issue a CVD order directing CBP to assess, upon further instruction by Commerce, countervailing duties on all imports of the subject merchandise that are entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation, as discussed above in the ''Continuation of Suspension of Liquidation'' section.

Administrative Protective Order

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

Notification to Interested Parties

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

Dated: August 25, 2025.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The products covered by this investigation are certain flat-rolled steel products, either clad, plated, or coated with corrosion-resistant metals such as zinc, aluminum, or zinc-, aluminum-, nickel- or iron-based alloys, whether or not corrugated or painted, varnished, laminated, or coated with plastics or other non-metallic substances in addition to the metallic coating. The products covered include coils that have a width of 12.7 mm or greater, regardless of form of coil (*e.g.,* in successively superimposed layers, spirally oscillating, *etc.*). The products covered also include products not in coils (*e.g.,* in straight lengths) of a thickness less than 4.75 mm and a width that is 12.7 mm or greater and that measures at least 10 times the thickness. The products covered also include products not in coils (*e.g.,* in straight lengths) of a thickness of 4.75 mm or more and a width exceeding 150 mm and measuring at least twice the thickness. The products described above may be rectangular, square, circular, or other shape and include products of either rectangular or non-rectangular cross-section where such cross-section is achieved subsequent to the rolling process, *i.e.,* products which have been ''worked after rolling'' (*e.g.,* products which have been beveled or rounded at the edges).

For purposes of the width and thickness requirements referenced above:

(1) Where the nominal and actual measurements vary, a product is within the scope if application of either the nominal or actual measurement would place it within the scope based on the definitions set forth above, and

(2) where the width and thickness vary for a specific product (*e.g.,* the thickness of certain products with non-rectangular cross-section, the width of certain products with non-rectangular shape, *etc.*), the measurement at its greatest width or thickness applies.

Steel products included in the scope of these investigations are products in which: (1) iron predominates, by weight, over each of the other contained elements; and (2) the carbon content is 2 percent or less, by weight.

Subject merchandise also includes corrosion-resistant steel that has been further processed in a third country, including but not limited to annealing, tempering, painting, varnishing, trimming, cutting, punching and/or slitting or any other processing that would not otherwise remove the merchandise from the scope of the investigations if performed in the country of manufacture of the in-scope corrosion resistant steel.

All products that meet the written physical description are within the scope of these investigations unless specifically excluded. The following products are outside of and/or specifically excluded from the scope of these investigations:

- Flat-rolled steel products either plated or coated with tin, lead, chromium, chromium oxides, both tin and lead (''terne plate'') or both chromium and chromium oxides (''tin free steel''), whether or not painted, varnished or coated with plastics or other non-metallic substances in addition to the metallic coating;
- Clad products in straight lengths of 4.7625 mm or more in composite thickness and of a width which exceeds 150 mm and measures at least twice the thickness;
- Certain clad stainless flat-rolled products, which are three-layered corrosion-resistant carbon steel flat-rolled products less than 4.75 mm in composite thickness that consist of a carbon steel flat-rolled product clad on both sides with stainless steel in a 20%–60%–20% ratio; and

Also excluded from the scope of the antidumping duty investigation on corrosion resistant steel from Taiwan are any products covered by the existing antidumping duty order on corrosion-resistant steel from Taiwan. *See Certain Corrosion-Resistant Steel Products from India, Italy, the People's Republic of China, the Republic of Korea and Taiwan: Amended Final Affirmative Antidumping Determination for India and Taiwan, and Antidumping Duty Orders,* 81 FR 48390 (July 25, 2016); *Corrosion-Resistant Steel Products from Taiwan: Notice of Third Amended Final Determination of Sales at Less Than Fair Value Pursuant to Court Decision and Partial Exclusion from Antidumping Duty Order,* 88 FR 58245 (August 25, 2023).

Also excluded from the scope of the antidumping duty investigation on corrosion-resistant steel from the United Arab Emirates and the antidumping duty and countervailing duty investigations on corrosion-resistant steel from the Socialist Republic of Vietnam are any products covered by the existing antidumping and countervailing duty orders on corrosion-resistant steel from the People's Republic of China and the Republic of Korea and the antidumping duty order on corrosion-resistant steel from Taiwan. *See Certain Corrosion-Resistant Steel Products from India, Italy, the People's Republic of China, the Republic of Korea and Taiwan: Amended Final Affirmative Antidumping*

Determination for India and Taiwan, and Antidumping Duty Orders, 81 FR 48390 (July 25, 2016); *see also Certain Corrosion-Resistant Steel Products from India, Italy, Republic of Korea and the People's Republic of China: Countervailing Duty Order,* 81 FR 48387 (July 25, 2016). This exclusion does not apply to imports of corrosion-resistant steel that are entered, or withdrawn from warehouse, for consumption in the United States for which the relevant importer and exporter certifications have been completed and maintained and all other applicable certification requirements have been met such that the entry is entered into the United States as not subject to the antidumping and countervailing duty orders on corrosion-resistant steel from the People's Republic of China, the antidumping and countervailing duty orders on corrosion-resistant steel from the Republic of Korea, or the antidumping duty order on corrosion-resistant steel from Taiwan.

The products subject to this investigation are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers: 7210.30.0030, 7210.30.0060, 7210.41.0000, 7210.49.0030, 7210.49.0040, 7210.49.0045, 7210.49.0091, 7210.49.0095, 7210.61.0000, 7210.69.0000, 7210.70.6030, 7210.70.6060, 7210.70.6090, 7210.90.6000, 7210.90.9000, 7212.20.0000, 7212.30.1030, 7212.30.1090, 7212.30.3000, 7212.30.5000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7212.60.0000, 7225.91.0000, 7225.92.0000, 7226.99.0110, and 7226.99.0130.

The products subject to this investigation may also enter under the following HTSUS item numbers: 7210.90.1000, 7215.90.1000, 7215.90.3000, 7215.90.5000, 7217.20.1500, 7217.30.1530, 7217.30.1560, 7217.90.1000, 7217.90.5030, 7217.90.5060, 7217.90.5090, 7225.99.0090, 7226.99.0180, 7228.60.6000, 7228.60.8000, and 7229.90.1000.

The HTSUS subheadings above are provided for convenience and customs purposes only. The written description of the scope of the investigation is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Changes Since the *Preliminary Determination*
IV. Calculation of the All-Others Rate
V. Use of Facts Otherwise Available and Application of Adverse Inferences
VI. Subsidies Valuation Information
VII. Interest Rate, Discount Rate, Electricity, and Compressed Natural Gas Benchmarks
VIII. Analysis of Programs
IX. Discussion of the Issues
Comment 1: Whether Commerce Should Apply Adverse Facts Available (AFA) to HSG for Certain Sales Issues Discovered at Verification
Comment 2: Whether HSG Failed To Provide Information for an Export Trading Company
Comment 3: Whether Commerce Should Countervail Additional Loans for HSG
Comment 4: Whether Commerce Should Countervail Additional Land-Use Rights for HSG
Comment 5: Whether Commerce Should Apply AFA to TDA's Land-Use Rights for Certain Issues Discovered at Verification
Comment 6: Whether Commerce Should Find Certain TDA Loans To Be Export Specific
Comment 7: Whether Commerce Should Correct Certain Errors in HSG's Land-Use Rights Calculations
Comment 8: Whether the Provision of Electricity for Less Than Adequate Remuneration (LTAR) is Specific
Comment 9: Whether Commerce Should Modify the Benchmark for the Provision of Compressed Natural Gas for LTAR
Comment 10: Whether Commerce Should Modify the Benchmark for the Provision of Electricity for LTAR
Comment 11: Whether Commerce Should Change the Calculation of the All-Others Rate
X. Recommendation

[FR Doc. 2025–16613 Filed 8–28–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–583–878]

Certain Corrosion-Resistant Steel Products From Taiwan: Final Affirmative Determination of Sales at Less Than Fair Value

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that imports of certain corrosion-resistant steel products (CORE) from Taiwan are being, or are likely to be, sold in the United States at less than fair value (LTFV). The period of investigation is July 1, 2023, through June 30, 2024.

DATES: Applicable August 29, 2025.

FOR FURTHER INFORMATION CONTACT: Preston Cox, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (240) 956–8630.

SUPPLEMENTARY INFORMATION:

Background

On April 10, 2025, Commerce published in the **Federal Register** its preliminary affirmative determination in the LTFV investigation of CORE from Taiwan, in which we also postponed the final determination until August 25, 2025 and invited interested parties to comment on the *Preliminary Determination*.[1] On June 10, 2025, Commerce clarified that the deadlines for case briefs and rebuttal briefs would be established at a future date, notwithstanding the deadlines established in the *Preliminary Determination*.[2] On July 23, 2025, Commerce issued a post-preliminary analysis memorandum in which we: (1) preliminarily determined that both a cost-based particular market situation (PMS) and a sales-based PMS existed during the POI and (2) made certain changes to our differential pricing analysis.[3] We invited interested parties to comment on the *Preliminary Determination* and the Post-Preliminary Analysis.[4]

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

Scope of the Investigation

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

Scope Comments

In the Preliminary Scope Memorandum, we set aside a period of time for parties to raise issues regarding product coverage (*i.e.,* scope) in scope-

[1] *See Certain Corrosion-Resistant Steel Products from Taiwan: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures,* 90 FR 15359 (April 10, 2025) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM).

[2] *See* Memorandum, ''Clarification of the Deadlines,'' dated June 10, 2025.

[3] *See* Memorandum, ''Post-Preliminary Analysis for the Less-Than-Fair-Value Investigation of Certain Corrosion-Resistant Steel Products from Taiwan,'' dated July 23, 2025 (Post-Preliminary Memorandum).

[4] *See* Memorandum, ''Briefing Schedule,'' dated July 24, 2025.

[5] *See* Memorandum, ''Issues and Decision Memorandum for the Final Affirmative Determination in the Less Than Fair Value Investigation of Certain Corrosion-Resistant Steel Products from Taiwan,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

specific case briefs or other written comments.[6] We received scope case and rebuttal briefs from multiple interested parties. For a summary of the product coverage comments and rebuttal response submitted to the record for this final determination, and accompanying discussion and analysis of all comments timely received, *see* the Final Scope Memorandum.[7] In the Final Scope Memorandum, Commerce made no changes to the scope language as it appeared in the *Initiation Notice. See* Appendix I.

Verification

Commerce conducted verification of the information relied upon in making its final determination in this investigation, in accordance with section 782(i) of the Tariff Act of 1930, as amended (the Act). Specifically, we conducted on-site verifications of the sales and cost information submitted by Yieh Phui Enterprise Co., Ltd. (Yieh Phui) and Yieh Phui America, Inc. for use in our final determination. We used standard verification procedures, including an examination of relevant sales and accounting records, and original source documents provided by Yieh Phui and Yieh Phui America, Inc.[8]

Analysis of Comments Received

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

Changes Since the Preliminary Determination

Based on our review and analysis of the comments submitted in case briefs, we made no methodological changes to our final determination.[9]

Use of Facts Available With Adverse Inferences

For the purposes of this final determination, we find that, pursuant to section 776(a)(1) of the Act, the use of facts available with adverse inferences is warranted in determining the weighted-average dumping margin for non-responsive companies. For further discussion of these issues, *see* the Issues and Decision Memorandum.

All-Others Rate

Section 735(c)(5)(A) of the Act provides that Commerce shall determine an estimated all-others rate for all exporters and producers not individually examined. This rate shall be equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero and *de minimis* margins, and any margins determined entirely under section 776 of the Act.

In this investigation, Commerce calculated an individual estimated weighted-average dumping margin for Yieh Phui, the only individually examined exporter/producer in this investigation, that is not zero, *de minimis,* or based entirely on facts otherwise available. Therefore, because the only individually calculated dumping margin is not zero, *de minimis,* or based entirely on facts otherwise available, the estimated weighted-average dumping margin calculated for Yieh Phui is the margin assigned to all other producers and exporters, pursuant to section 735(c)(5)(A) of the Act.

Final Determination

Commerce determines that the following estimated weighted-average dumping margins exist:

Producer/exporter	Weighted-average dumping margin (percent)
Yieh Phui Enterprise Co., Ltd	10.85
Sheng Yu Steel Co. Ltd	*67.81
Kounan Steel Co. Ltd	*67.81
Meglobe Co. Ltd	*67.81
All Others	10.85

*Rate is based on facts available with adverse inferences.

Disclosure

Normally, Commerce discloses its calculations performed in connection with the final determination to interested parties within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of this final determination in the **Federal Register**, in accordance with 19 CFR 351.224(b). However, because Commerce has made no changes to its margin calculation for Yieh Phui since the Post-Preliminary Analysis, and there are no additional calculations performed in this final determination, there are no calculations to disclose.[10]

Continuation of Suspension of Liquidation

In accordance with section 735(c)(1)(B) of the Act, Commerce will instruct U.S. Customs and Border Protection (CBP) to continue to suspend liquidation of entries of CORE, as described in Appendix I of this notice, which were entered, or withdrawn from warehouse, for consumption, on or after April 10, 2025, the date of publication of the *Preliminary Determination* in the **Federal Register**.

Pursuant to section 735(c)(1)(B)(ii) of the Act and 735(c)(5)(A) of the Act, and 19 CFR 351.210(d), upon the publication of this notice, we will instruct CBP to require a cash deposit for estimated weighted-average antidumping duties as follows: (1) the cash deposit rate for the companies listed in the table above that exported the subject merchandise will be equal to the company-specific estimated weighted-average dumping margins determined in this final determination; (2) if the exporter is not a company identified in the table above, but the producer is, then the cash deposit rate will be equal to the company-specific estimated weighted-average dumping margin established for that producer of the subject merchandise; and (3) the cash deposit rate for all other producers

[6] *See* Memorandum, ''Less-Than-Fair-Value Investigations of Certain Corrosion-Resistant Steel Products from Australia, Brazil, Canada, Mexico, the Netherlands, South Africa, Taiwan, the Republic of Türkiye, the United Arab Emirates, and the Socialist Republic of Vietnam, and Countervailing Duty Investigations of Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Preliminary Scope Decision Memorandum,'' dated April 3, 2025 (Preliminary Scope Memorandum).

[7] *See* Memorandum, ''Less-Than-Fair-Value Investigations of Certain Corrosion-Resistant Steel Products from Australia, Brazil, Canada, Mexico, the Netherlands, South Africa, Taiwan, the Republic of Türkiye, the United Arab Emirates, and the Socialist Republic of Vietnam, and Countervailing Duty Investigations of Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Final Scope Decision Memorandum,'' dated concurrently with this notice (Final Scope Memorandum).

[8] *See* Memorandum, ''Verification of the Cost Response of Yieh Phui Enterprise Co., Ltd. in the Less Than Fair Value Investigation of Corrosion-Resistant Steel Products from Taiwan,'' dated May 27, 2025; *see also* Memorandum, ''Less-Than-Fair-Value Investigation of Certain Corrosion-Resistant Steel Products from Taiwan: Sales Verification Report for Yieh Phui Enterprise Co., Ltd. and Yieh Phui America Inc.,'' dated June 6, 2025.

[9] Although we made no methodological changes to our *Preliminary Determination,* we revised the AFA rate applied to non-responsive companies. For this final determination, we applied the estimated dumping margin included in the Initiation Checklist as the AFA rate. *See* Initiation Checklist, ''Certain Corrosion-Resistant Steel Products from Taiwan,'' dated September 25, 2024 (Initiation Checklist); *see also* Petitioners' Letter, ''Response to Supplemental Questions on Petition,'' dated September 12, 2024, at Exhibit VIII–SUPP–9.

[10] *See* Post-Preliminary Memorandum; *see also* Memorandum, ''Yieh Phui Enterprise Co., Ltd. Post-Preliminary Sales Analysis Memorandum,'' dated July 23, 2025.

and exporters will be equal to the estimated weighted-average dumping margin for all other producers and exporters. These suspension of liquidation instructions will remain in effect until further notice.

U.S. International Trade Commission (ITC) Notification

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

Administrative Protective Order (APO)

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

Notification to Interested Parties

This determination is issued and published in accordance with sections 735(d) and 777(i)(1) of the Act, and 19 CFR 351.210(c).

Dated: August 25, 2025.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The products covered by this investigation are certain flat-rolled steel products, either clad, plated, or coated with corrosion-resistant metals such as zinc, aluminum, or zinc-, aluminum-, nickel- or iron-based alloys, whether or not corrugated or painted, varnished, laminated, or coated with plastics or other non-metallic substances in addition to the metallic coating. The products covered include coils that have a width of 12.7 mm or greater, regardless of form of coil (*e.g.,* in successively superimposed layers, spirally oscillating, *etc.*). The products covered also include products not in coils (*e.g.,* in straight lengths) of a thickness less than 4.75 mm and a width that is 12.7 mm or greater and that measures at least 10 times the thickness. The products covered also include products not in coils (*e.g.,* in straight lengths) of a thickness of 4.75 mm or more and a width exceeding 150 mm and measuring at least twice the thickness. The products described above may be rectangular, square, circular, or other shape and include products of either rectangular or non-rectangular cross-section where such cross-section is achieved subsequent to the rolling process, *i.e.,* products which have been ''worked after rolling'' (*e.g.,* products which have been beveled or rounded at the edges).

For purposes of the width and thickness requirements referenced above:

(1) Where the nominal and actual measurements vary, a product is within the scope if application of either the nominal or actual measurement would place it within the scope based on the definitions set forth above, and

(2) where the width and thickness vary for a specific product (*e.g.,* the thickness of certain products with non-rectangular cross-section, the width of certain products with non-rectangular shape, *etc.*), the measurement at its greatest width or thickness applies.

Steel products included in the scope of this investigation are products in which: (1) iron predominates, by weight, over each of the other contained elements; and (2) the carbon content is 2 percent or less, by weight.

Subject merchandise also includes corrosion-resistant steel that has been further processed in a third country, including but not limited to annealing, tempering, painting, varnishing, trimming, cutting, punching and/or slitting or any other processing that would not otherwise remove the merchandise from the scope of the investigation if performed in the country of manufacture of the in-scope corrosion resistant steel.

All products that meet the written physical description are within the scope of this investigation unless specifically excluded. The following products are outside of and/or specifically excluded from the scope of this investigation:

- Flat-rolled steel products either plated or coated with tin, lead, chromium, chromium oxides, both tin and lead (''teme plate'') or both chromium and chromium oxides (''tin free steel''), whether or not painted, varnished or coated with plastics or other non-metallic substances in addition to the metallic coating;
- Clad products in straight lengths of 4.7625 mm or more in composite thickness and of a width which exceeds 150 mm and measures at least twice the thickness;
- Certain clad stainless flat-rolled products, which are three-layered corrosion-resistant carbon steel flat-rolled products less than 4.75 mm in composite thickness that consist of a carbon steel flat-rolled product clad on both sides with stainless steel in a 20%–60%–20% ratio; and

Also excluded from the scope of the antidumping duty investigation on corrosion resistant steel from Taiwan are any products covered by the existing antidumping duty order on corrosion-resistant steel from Taiwan. *See Certain Corrosion-Resistant Steel Products from India, Italy, the People's Republic of China, the Republic of Korea and Taiwan: Amended Final Affirmative Antidumping Determination for India and Taiwan, and Antidumping Duty Orders,* 81FR 48390 (July 25, 2016); *Corrosion-Resistant Steel Products from Taiwan: Notice of Third Amended Final Determination of Sales at Less Than Fair Value Pursuant to Court Decision and Partial Exclusion from Antidumping Duty Order,* 88 FR 58245 (August 25, 2023).

The products subject to the investigation are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers: 7210.30.0030, 7210.30.0060, 7210.41.0000, 7210.49.0030, 7210.49.0040, 7210.49.0045, 7210.49.0091, 7210.49.0095, 7210.61.0000, 7210.69.0000, 7210.70.6030, 7210.70.6060, 7210.70.6090, 7210.90.6000, 7210.90.9000, 7212.20.0000, 7212.30.1030, 7212.30.1090, 7212.30.3000, 7212.30.5000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7212.60.0000, 7225.91.0000, 7225.92.0000, 7226.99.0110, and 7226.99.0130.

The products subject to the investigation may also enter under the following HTSUS item numbers: 7210.90.1000, 7215.90.1000, 7215.90.3000, 7215.90.5000, 7217.20.1500, 7217.30.1530, 7217.30.1560, 7217.90.1000, 7217.90.5030, 7217.90.5060, 7217.90.5090, 7225.99.0090, 7226.99.0180, 7228.60.6000, 7228.60.8000, and 7229.90.1000.

The HTSUS subheadings above are provided for convenience and customs purposes only. The written description of the scope of the investigation is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Changes Since the *Preliminary Determination*
IV. Discussion of the Issues
Comment 1: Whether Commerce Should Apply Adverse Facts Available for Yieh Phui's Cost Reporting
Comment 2: Whether Commerce Should Apply Zeroing to All Sales Comparisons and Deny Offsets by Assigning a Value of Zero to Non-Dumped Sales
Comment 3: Whether Commerce's Cost-Based Particular Market Situation (PMS) Finding Was Correct
Comment 4: Whether Commerce's Sales-Based PMS Finding Was Correct
Comment 5: Whether Commerce's Choice of Data Source in Making the Cost-Based PMS Adjustment Represents the Best Available Information on the Record
Comment 6: Whether Commerce Should Adjust Its Total Cost of Production Calculation

Comment 7: Whether Commerce Should Apply AFA to Sheng Yu Steel Co. Ltd.
Comment 8: Cash Deposit Instructions
V. Recommendation

[FR Doc. 2025–16609 Filed 8–28–25; 8:45 am]
BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–421–818]

Certain Corrosion-Resistant Steel Products From the Netherlands: Final Affirmative Determination of Sales at Less Than Fair Value

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that imports of certain corrosion-resistant steel products (CORE) from the Netherlands are being, or are likely to be, sold in the United States at less than fair value (LTFV). The period of investigation (POI) is July 1, 2023, through June 30, 2024.

DATES: Applicable August 29, 2025.

FOR FURTHER INFORMATION CONTACT: Rachel Jennings or Miranda Bourdeau, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–1110 or (202) 482–2021, respectively.

SUPPLEMENTARY INFORMATION:

Background

On April 10, 2025, Commerce published in the **Federal Register** its preliminary affirmative determination in the LTFV investigation of CORE from the Netherlands, in which Commerce also postponed the final determination until August 25, 2025.[1] On July 17, 2025, Commerce issued a post-preliminary analysis memorandum in which it made certain changes to the differential pricing analysis.[2] Commerce invited interested parties to comment on the *Preliminary Determination* and the Post-Preliminary Analysis.[3]

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

Scope of the Investigation

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

Scope Comments

In the Preliminary Scope Memorandum, we set aside a period of time for parties to raise issues regarding product coverage (*i.e.,* scope) in scope-specific case briefs or other written comments.[5] We received scope case and rebuttal briefs from multiple interested parties. For a summary of the product coverage comments and rebuttal responses submitted to the record for this final determination, and accompanying discussion and analysis of all comments timely received, *see* the Final Scope Memorandum.[6] In the Final Scope Memorandum, Commerce made no changes to the scope language as it appeared in the *Initiation Notice.*[7] *See* Appendix I.

Verification

Commerce conducted verification of the information relied upon in making its final determination in this investigation, in accordance with section 782(i) of the Tariff Act of 1930, as amended (the Act). Specifically, we conducted on-site verifications of the sales and cost information submitted by Tata-Wuppermann[8] for use in our final determination.[9] We used standard verification procedures, including an examination of relevant sales and accounting records, and original source documents provided by Tata-Wuppermann.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs submitted by interested parties in this investigation are addressed in the Issues and Decision

[1] *See Certain Corrosion-Resistant Steel Products from the Netherlands: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures,* 90 FR 15352 (April 10, 2025) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM).

[2] *See* Memorandum, ''Less-Than-Fair-Value Investigation of Certain Corrosion-Resistant Steel Products from the Netherlands: Post-Preliminary Analysis,'' dated July 17, 2025 (Post-Preliminary Analysis).

[3] *See Preliminary Determination,* 90 FR 15354; *see also* Memoranda, ''Establishment of Briefing Schedule,'' dated July 22 and July 25, 2025.

[4] *See* Memorandum, ''Issues and Decision Memorandum for the Final Affirmative Determination of Sales at Less Than Fair Value of Certain Corrosion-Resistant Steel Products from the Netherlands,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[5] *See* Memorandum, ''Less-Than-Fair-Value Investigations of Certain Corrosion-Resistant Steel Products from Australia, Brazil, Canada, Mexico, the Netherlands, South Africa, Taiwan, the Republic of Türkiye, the United Arab Emirates, and the Socialist Republic of Vietnam, and Countervailing Duty Investigations of Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Preliminary Scope Decision Memorandum,'' dated April 3, 2025 (Preliminary Scope Memorandum).

[6] *See* Memorandum, ''Less-Than-Fair-Value Investigations of Certain Corrosion-Resistant Steel Products from Australia, Brazil, Canada, Mexico, the Netherlands, South Africa, Taiwan, the Republic of Türkiye, the United Arab Emirates, and the Socialist Republic of Vietnam, and Countervailing Duty Investigations of Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Final Scope Decision Memorandum,'' dated concurrently with this notice (Final Scope Memorandum).

[7] *See Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Initiation of Countervailing Duty Investigations,* 89 FR 80204 (October 2, 2024) (*Initiation Notice*).

[8] In the *Preliminary Determination,* we found that Tata Steel IJmuiden BV (Tata) and Wuppermann Staal Nederland BV (Wuppermann) are affiliated within the meaning of section 771(33) of the Act and that it is appropriate to collapse the three companies, pursuant to 19 CFR 351.401(f)(1). Additionally, we found that Tata and Service Center Maastricht BV (Multisteel) are affiliated within the meaning of section 771(33) of the Act and that it is appropriate to collapse the two companies, pursuant to 19 CFR 351.401(f)(1). We refer to the collapsed entity of Multisteel, Tata, and Wuppermann as Tata-Wuppermann. *See Preliminary Determination* PDM at 4–5. We received several comments regarding this determination but have made no changes to for the final determination. *See* the Issues and Decision Memorandum at Comments 2 and 3.

[9] *See* Memoranda ''Verification of the Questionnaire Responses of Wuppermann Staal Nederland BV in the Less-Than-Fair-Value Investigation of Certain Corrosion-Resistant Steel Products from the Netherlands,'' dated July 14, 2024; ''Verification of the Cost Response of Tata IJmuiden B.V. in the Less-Than-Fair-Value Investigation of Certain Corrosion-Resistant Steel Products from The Netherlands,'' dated July 16, 2025; ''Verification of the Questionnaire Responses of Tata Steel IJmuiden BV in the Less-Than-Fair-Value Investigation of Certain Corrosion-Resistant Steel Products from the Netherlands,'' dated July 21, 2025; ''Verification of the Questionnaire Responses of Service Centre Maastricht BV in the Less-Than-Fair-Value Investigation of Certain Corrosion-Resistant Steel Products from the Netherlands,'' dated July 22, 2025; and ''Verification of the Cost Response of Wuppermann Staal Nederland B.V. in the Antidumping Duty Investigation of Certain Corrosion Resistant Steel Products from The Netherlands,'' dated July 24, 2025.

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

Changes Since the Preliminary Determination

We made certain changes to the margin calculation for Tata-Wuppermann since the *Preliminary Determination.* For a discussion of these changes, *see* the Issues and Decision Memorandum.

All-Others Rate

Section 735(c)(5)(A) of the Act provides that Commerce shall determine an estimated weighted-average dumping margin, *i.e.,* the all-others rate, for all exporters and producers not individually examined. This rate shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero and *de minimis* margins, and any margins determined entirely under section 776 of the Act.

In this investigation, Commerce calculated an estimated weighted-average dumping margin for Tata-Wuppermann, the only individually examined producer in this investigation, that is not zero, *de minimis,* or based entirely on facts otherwise available. Therefore, because the only individually calculated dumping margin is not zero, *de minimis,* or based entirely on facts otherwise available, the estimated weighted-average dumping margin calculated for Tata-Wuppermann is the estimated weighted-average dumping margin assigned to all other producers and exporters, pursuant to section 735(c)(5)(A) of the Act.

Final Determination

Commerce determines that the following estimated weighted-average dumping margins exist:

Exporter or producer	Estimated weighted-average dumping margin (percent)
Tata Steel IJmuiden BV/Wuppermann Staal Nederland BV/Service Center Maastricht BV	22.64
All Others	22.64

Disclosure

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

Continuation of Suspension of Liquidation

In accordance with section 735(c)(1)(B) of the Act, Commerce will instruct U.S. Customs and Border Protection (CBP) to continue to suspend liquidation of all entries of CORE, as described in Appendix I of this notice, which were entered, or withdrawn from warehouse, for consumption on or after April 10, 2025, the date of publication of the *Preliminary Determination* in the **Federal Register**.

Pursuant to section 735(c)(1)(B)(ii) of the Act and 735(c)(5)(A) of the Act, and 19 CFR 351.210(d), upon the publication of this notice, we will instruct CBP to require a cash deposit for estimated antidumping duties as follows: (1) the cash deposit rate for entries of subject merchandise exported by one of the companies listed in the table above will be equal to the company-specific estimated weighted-average dumping margins determined in this final determination; (2) if the exporter is not a company identified in the table above, but the producer is, then the cash deposit rate will be equal to the company-specific estimated weighted-average dumping margin established for that producer; and (3) the cash deposit rate for all other producers and exporters will be equal to the estimated weighted-average dumping margin for all other producers and exporters listed in the table above.

These suspension of liquidation instructions and cash deposit requirements will remain in effect until further notice.

U.S. International Trade Commission (ITC) Notification

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

Administrative Protective Order (APO)

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

Notification to Interested Parties

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

Dated: August 25, 2025.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The products covered by this investigation are certain flat-rolled steel products, either clad, plated, or coated with corrosion-resistant metals such as zinc, aluminum, or zinc-, aluminum-, nickel- or iron-based alloys, whether or not corrugated or painted, varnished, laminated, or coated with plastics or other non-metallic substances in addition to the metallic coating. The products covered include coils that have a width of 12.7 mm or greater, regardless of form of coil (*e.g.,* in successively superimposed layers, spirally oscillating, *etc.*). The products covered also

include products not in coils (*e.g.,* in straight lengths) of a thickness less than 4.75 mm and a width that is 12.7 mm or greater and that measures at least 10 times the thickness. The products covered also include products not in coils (*e.g.,* in straight lengths) of a thickness of 4.75 mm or more and a width exceeding 150 mm and measuring at least twice the thickness. The products described above may be rectangular, square, circular, or other shape and include products of either rectangular or non-rectangular cross-section where such cross-section is achieved subsequent to the rolling process, *i.e.,* products which have been ''worked after rolling'' (*e.g.,* products which have been beveled or rounded at the edges).

For purposes of the width and thickness requirements referenced above:

(1) Where the nominal and actual measurements vary, a product is within the scope if application of either the nominal or actual measurement would place it within the scope based on the definitions set forth above, and

(2) where the width and thickness vary for a specific product (*e.g.,* the thickness of certain products with non-rectangular cross-section, the width of certain products with non-rectangular shape, *etc.*), the measurement at its greatest width or thickness applies.

Steel products included in the scope of these investigations are products in which: (1) iron predominates, by weight, over each of the other contained elements; and (2) the carbon content is 2 percent or less, by weight.

Subject merchandise also includes corrosion-resistant steel that has been further processed in a third country, including but not limited to annealing, tempering, painting, varnishing, trimming, cutting, punching and/or slitting or any other processing that would not otherwise remove the merchandise from the scope of the investigation if performed in the country of manufacture of the in-scope corrosion resistant steel.

All products that meet the written physical description are within the scope of the investigation unless specifically excluded. The following products are outside of and/or specifically excluded from the scope of this investigation:

- Flat-rolled steel products either plated or coated with tin, lead, chromium, chromium oxides, both tin and lead (''terne plate'') or both chromium and chromium oxides (''tin free steel''), whether or not painted, varnished or coated with plastics or other non-metallic substances in addition to the metallic coating;
- Clad products in straight lengths of 4.7625 mm or more in composite thickness and of a width which exceeds 150 mm and measures at least twice the thickness;
- Certain clad stainless flat-rolled products, which are three-layered corrosion-resistant carbon steel flat-rolled products less than 4.75 mm in composite thickness that consist of a carbon steel flat-rolled product clad on both sides with stainless steel in a 20%- 60%- 20% ratio; and

Also excluded from the scope of the antidumping duty investigation on corrosion resistant steel from Taiwan are any products covered by the existing antidumping duty order on corrosion-resistant steel from Taiwan. *See Certain Corrosion-Resistant Steel Products from India, Italy, the People's Republic of China, the Republic of Korea and Taiwan: Amended Final Affirmative Antidumping Determination for India and Taiwan, and Antidumping Duty Orders,* 81 FR 48390 (July 25, 2016); *Corrosion-Resistant Steel Products from Taiwan: Notice of Third Amended Final Determination of Sales at Less Than Fair Value Pursuant to Court Decision and Partial Exclusion from Antidumping Duty Order,* 88 FR 58245 (August 25, 2023).

Also excluded from the scope of the antidumping duty investigation on corrosion-resistant steel from the United Arab Emirates and the antidumping duty and countervailing duty investigations on corrosion-resistant steel from the Socialist Republic of Vietnam are any products covered by the existing antidumping and countervailing duty orders on corrosion-resistant steel from the People's Republic of China and the Republic of Korea and the antidumping duty order on corrosion-resistant steel from Taiwan. *See Certain Corrosion-Resistant Steel Products from India, Italy, the People's Republic of China, the Republic of Korea and Taiwan: Amended Final Affirmative Antidumping Determination for India and Taiwan, and Antidumping Duty Orders,* 81 FR 48390 (July 25, 2016); *see also Certain Corrosion-Resistant Steel Products from India, Italy, Republic of Korea and the People's Republic of China: Countervailing Duty Order,* 81 FR 48387 (July 25, 2016). This exclusion does not apply to imports of corrosion-resistant steel that are entered, or withdrawn from warehouse, for consumption in the United States for which the relevant importer and exporter certifications have been completed and maintained and all other applicable certification requirements have been met such that the entry is entered into the United States as not subject to the antidumping and countervailing duty orders on corrosion-resistant steel from the People's Republic of China, the antidumping and countervailing duty orders on corrosion-resistant steel from the Republic of Korea, or the antidumping duty order on corrosion-resistant steel from Taiwan.

The products subject to the investigation are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers: 7210.30.0030, 7210.30.0060, 7210.41.0000, 7210.49.0030, 7210.49.0040, 7210.49.0045, 7210.49.0091, 7210.49.0095, 7210.61.0000, 7210.69.0000, 7210.70.6030, 7210.70.6060, 7210.70.6090, 7210.90.6000, 7210.90.9000, 7212.20.0000, 7212.30.1030, 7212.30.1090, 7212.30.3000, 7212.30.5000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7212.60.0000, 7225.91.0000, 7225.92.0000, 7226.99.0110, and 7226.99.0130.

The products subject to the investigation may also enter under the following HTSUS item numbers: 7210.90.1000, 7215.90.1000, 7215.90.3000, 7215.90.5000, 7217.20.1500, 7217.30.1530, 7217.30.1560, 7217.90.1000, 7217.90.5030, 7217.90.5060, 7217.90.5090, 7225.99.0090, 7226.99.0180, 7228.60.6000, 7228.60.8000, and 7229.90.1000.

The HTSUS subheadings above are provided for convenience and customs purposes only. The written description of the scope of the investigation is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Changes from the *Preliminary Determination*
IV. Application of Facts Available and Use of Adverse Inference
V. Discussion of the Issues
Comment 1: Whether Commerce Should Apply Zeroing
Comment 2: Whether Tata and Wuppermann Are Affiliated Pursuant to Section 771(33) of the Act
Comment 3: Whether Commerce Should Continue To Collapse Tata and Wuppermann
Comment 4: Whether Commerce Should Add CO_2 Surcharges to Tata's Home Market (HM) Price
Comment 5: Whether Commerce Should Accept All of Multisteel's Minor Corrections
Comment 6: Whether Commerce Should Apply Partial Adverse Facts Available (AFA) to Certain of Tata and Multisteel's Expenses
a. Tata's U.S. Inventory Carrying Expenses
b. Tata's U.S. Inland Freight From Warehouse to Customer Expense
c. Multisteel's HM Inland Freight From Warehouse to Customer Expense
d. Multisteel's HM Warranty Expense
e. Multisteel's HM Inland Freight and Repacking Expenses
Comment 7: Whether Commerce Should Correct Wuppermann's HM Indirect Selling Expense (ISE) Ratio
Comment 8: Whether To Modify the Adjustment of Work-In-Process Inventories (WIP)
Comment 9: Whether Commerce Should Continue To Apply AFA to Multisteel's Input Coil
Comment 10: Whether Commerce Should Continue To Apply AFA to Unexplained Changes in Cost Reporting
Comment 11: Whether To Adjust the Purchases From Affiliated Parties
Comment 12: Whether Commerce Should Continue To Apply AFA to Tata's Affiliated Purchases of Zinc
VI. Recommendation

[FR Doc. 2025–16607 Filed 8–28–25; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–489–855]

Certain Corrosion-Resistant Steel Products From the Republic of Türkiye: Final Affirmative Determination of Sales at Less Than Fair Value

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that imports of certain corrosion-resistant steel products (CORE) from the Republic of Türkiye (Türkiye) are being, or are likely to be, sold in the United States at less than fair value (LTFV). The period of investigation (POI) is July 1, 2023, through June 30, 2024.

DATES: Applicable August 29, 2025.

FOR FURTHER INFORMATION CONTACT: Brittany Bauer or Olivia Woolverton, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–3860 or (202) 482–7452, respectively.

SUPPLEMENTARY INFORMATION:

Background

On April 10, 2025, Commerce published in the **Federal Register** its preliminary affirmative determination in the LTFV investigation of CORE from Türkiye, in which we also postponed the final determination until August 25, 2025, and invited interested parties to comment on the Preliminary Determination.[1] On May 9, 2025, Commerce published an amended preliminary determination.[2] On July 16, 2025, we issued a post-preliminary determination where we made certain changes to the differential pricing analysis.[3] We invited interested parties to comment on the Post Preliminary Analysis.[4]

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

Scope of the Investigation

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

Scope Comments

In the Preliminary Scope Memorandum, we set aside a period of time for parties to raise issues regarding product coverage (*i.e.,* scope) in scope-specific case briefs or other written comments.[6] We received scope case and rebuttal briefs from multiple interested parties. For a summary of the product coverage comments and rebuttal responses submitted to the record for this final determination, and accompanying discussion and analysis of all comments timely received, *see* the Final Scope Memorandum.[7] In the Final Scope Memorandum, Commerce made no changes to the scope language as it appeared in the *Initiation Notice.*[8] *See* Appendix I.

Verification

Commerce verified the sales and cost information submitted by Borcelik Celik Sanayii Ticaret A.S., ArcelorMittal Çelik Ticaret A.Ş., Bamesa Celik Servıs San. Ve Tic. A.Ş. and Bamesa Muradiye Demir Çelik San. Ve Tic. A.Ş (collectively, Borcelik)[9] and Yıldız Demir Çelik Sanayi A.S. and Yıldız Entegre Ağaç Sanayi ve Ticaret A.S (collectively, YDÇ)[10] for use in our final determination, consistent with section 782(i) of the Tariff Act of 1930, as amended (the Act). We used standard verification procedures, including an examination of relevant sales and accounting records, and original source documents provided by Borcelik and YDÇ.

Analysis of Comments Received

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

Changes Since the Preliminary Determination

We made certain changes to the margin calculations for Borcelik and YDÇ since the *Preliminary Determination.* For a discussion of these changes, *see* the Issues and Decision Memorandum.

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[1] *See Certain Corrosion-Resistant Steel Products from the Republic of Türkiye: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures,* 90 FR 15340 (April 10, 2025) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM).

[2] *See Certain Corrosion-Resistant Steel Products from the Republic of Türkiye: Amended Preliminary Determination of Sales at Less Than Fair Value,* 90 FR 19677 (May 9, 2025).

[3] *See* Memorandum, ''Decision Memorandum for the Post Preliminary Affirmative Determination in the Less-Than-Fair-Value Investigation of Certain Corrosion-Resistant Steel Products from the Republic of Türkiye,'' dated July 16, 2025 (Post Preliminary Analysis).

[4] *See Preliminary Determination,* 90 FR at 15341. *See also* Memorandum, ''Establishment of Briefing Schedule for Post-Preliminary Determination,'' dated July 17, 2025.

[5] *See* Memorandum, ''Issues and Decision Memorandum for the Final Affirmative Determination of Sales at Less Than Fair Value in the Investigation of Certain Corrosion-Resistant Steel Products from the Republic of Türkiye,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[6] *See* Memorandum, ''Less-Than-Fair-Value Investigations of Certain Corrosion-Resistant Steel Products from Australia, Brazil, Canada, Mexico, the Netherlands, South Africa, Taiwan, the Republic of Türkiye, the United Arab Emirates, and the Socialist Republic of Vietnam, and Countervailing Duty Investigations of Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Preliminary Scope Decision Memorandum,'' dated April 3, 2025 (Preliminary Scope Memorandum).

[7] *See* Memorandum, ''Less-Than-Fair-Value Investigations of Certain Corrosion-Resistant Steel Products from Australia, Brazil, Canada, Mexico, the Netherlands, South Africa, Taiwan, the Republic of Türkiye, the United Arab Emirates, and the Socialist Republic of Vietnam, and Countervailing Duty Investigations of Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Final Scope Decision Memorandum,'' dated concurrently with this notice (Final Scope Memorandum).

[8] *See Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Initiation of Countervailing Duty Investigations,* 89 FR 80204 (October 2, 2024) (*Initiation Notice*).

[9] *See* Memoranda, ''Verification of the Sales Response of Borcelik in the Less-Than-Fair-Value Investigation of Certain Corrosion-Resistant Steel Products from the Republic of Türkiye,'' dated July 8, 2025, and ''Verification of the Cost Responses of Borcelik Celik Sanayii Ticaret A.S in the Less-Than-Fair-Value Investigation of Corrosion-Resistant Steel Products from the Republic of Türkiye,'' dated July 7, 2025.

[10] *See* Memoranda, ''Verification of the Sales Response of YDÇ in the Less-Than-Fair-Value Investigation of Certain Corrosion-Resistant Steel Products from the Republic of Türkiye,'' dated May 27, 2025, and ''Verification of the Cost Response of Yildiz Demir Celik Sanayi A.S. and Yildiz Entegre Agac Sanayi ve Ticaret A.S. in the Antidumping Duty Investigation of Certain Corrosion-Resistant Steel Products from the Republic of Türkiye,'' dated July 9, 2025.

All-Others Rate

Section 735(c)(5)(A) of the Act provides that Commerce shall determine an estimated all-others rate for all exporters and producers not individually examined. This rate shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for individually investigated exporters and producers, excluding rates that are zero, *de minimis,* or determined entirely under section 776 of the Act.

In this investigation, Commerce calculated estimated weighted-average dumping margins for Borcelik and YDÇ that are not zero, *de minimis,* or based entirely on facts otherwise available. Commerce calculated the all-others rate using a weighted average of the estimated weighted-average dumping margins calculated for the examined respondents weighted by each respondent's publicly-ranged total U.S. sales values for the merchandise under consideration.[11]

Final Determination

Commerce determines that the following estimated weighted-average dumping margins exist:

Exporter/producer	Weighted-average dumping margin (percent)
Borcelik Celik Sanayii Ticaret A.S./ArcelorMittal Çelik Ticaret A.Ş./Bamesa Celik Servıs San. Ve Tic. A.Ş./Bamesa Muradiye Demir Çelik San. Ve Tic. A.Ş	6.48
Yıldız Demir Çelik Sanayi A.S./Yıldız Entegre Ağaç Sanayi ve Ticaret A.S	10.49
All Others	8.06

Disclosure

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

Continuation of Suspension of Liquidation

In accordance with section 735(c)(1)(B) of the Act, Commerce will instruct U.S. Customs and Border Protection (CBP) to continue to suspend liquidation of all entries of subject merchandise, as described in Appendix I of this notice, which were entered, or withdrawn from warehouse, for consumption on or after April 10, 2025, the date of publication of the *Preliminary Determination* in the **Federal Register**.

Pursuant to section 735(c)(1)(B)(ii) of the Act and 19 CFR 351.210(d), upon the publication of this notice, we will instruct CBP to require a cash deposit for estimated weighted-average antidumping duties as follows: (1) the cash deposit rate for the companies listed in the table above that exported the subject merchandise will be equal to the company-specific estimated weighted-average dumping margins determined in this final determination; (2) if the exporter is not a company identified in the table above, but the producer is, then the cash deposit rate will be equal to the company-specific estimated weighted-average dumping margin established for that producer of the subject merchandise; and (3) the cash deposit rate for all other producers and exporters will be equal to the estimated weighted-average dumping margin for all other producers and exporters. These suspension of liquidation instructions will remain in effect until further notice.

U.S. International Trade Commission Notification

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

Administrative Protective Order

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

Notification to Interested Parties

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

Dated: August 25, 2025.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The products covered by this investigation are certain flat-rolled steel products, either clad, plated, or coated with corrosion-resistant metals such as zinc, aluminum, or zinc-, aluminum-, nickel- or iron-based alloys, whether or not corrugated or painted,

[11] With more than one respondent under examination, Commerce normally calculates: (A) A weighted-average of the estimated weighted-average dumping margins calculated for the examined respondents; (B) a simple average of the estimated weighted-average dumping margins calculated for the examined respondents; and (C) a weighted-average of the estimated weighted-average dumping margins calculated for the examined respondents using each company's publicly-ranged U.S. sale values for the merchandise under consideration. Commerce then compares (B) and (C) to (A) and selects either the (B) or (C) rate based on the rate closest to (A) as the most appropriate rate for all other producers and exporters. *See, e.g., Ball Bearings and Parts Thereof from France, Germany, Italy, Japan, and the United Kingdom: Final Results of Antidumping Duty Administrative Reviews, Final Results of Changed-Circumstances Review, and Revocation of an Order in Part,* 75 FR 53661, 53663 (September 1, 2010). For a complete analysis of the data, *see* Memorandum, ''Calculation of All-Others Rate,'' dated August 25, 2025.

varnished, laminated, or coated with plastics or other non-metallic substances in addition to the metallic coating. The products covered include coils that have a width of 12.7 mm or greater, regardless of form of coil (*e.g.,* in successively superimposed layers, spirally oscillating, *etc.*). The products covered also include products not in coils (*e.g.,* in straight lengths) of a thickness less than 4.75 mm and a width that is 12.7 mm or greater and that measures at least 10 times the thickness. The products covered also include products not in coils (*e.g.,* in straight lengths) of a thickness of 4.75 mm or more and a width exceeding 150 mm and measuring at least twice the thickness. The products described above may be rectangular, square, circular, or other shape and include products of either rectangular or non-rectangular cross-section where such cross-section is achieved subsequent to the rolling process, *i.e.,* products which have been ''worked after rolling'' (*e.g.,* products which have been beveled or rounded at the edges).

For purposes of the width and thickness requirements referenced above:

(1) Where the nominal and actual measurements vary, a product is within the scope if application of either the nominal or actual measurement would place it within the scope based on the definitions set forth above, and

(2) where the width and thickness vary for a specific product (*e.g.,* the thickness of certain products with non-rectangular cross-section, the width of certain products with non-rectangular shape, *etc.*), the measurement at its greatest width or thickness applies.

Steel products included in the scope of these investigations are products in which: (1) iron predominates, by weight, over each of the other contained elements; and (2) the carbon content is 2 percent or less, by weight.

Subject merchandise also includes corrosion-resistant steel that has been further processed in a third country, including but not limited to annealing, tempering, painting, varnishing, trimming, cutting, punching and/or slitting or any other processing that would not otherwise remove the merchandise from the scope of the investigation if performed in the country of manufacture of the in-scope corrosion resistant steel.

All products that meet the written physical description are within the scope of the investigation unless specifically excluded. The following products are outside of and/or specifically excluded from the scope of this investigation:

- Flat-rolled steel products either plated or coated with tin, lead, chromium, chromium oxides, both tin and lead (''terne plate'') or both chromium and chromium oxides (''tin free steel''), whether or not painted, varnished or coated with plastics or other non-metallic substances in addition to the metallic coating;
- Clad products in straight lengths of 4.7625 mm or more in composite thickness and of a width which exceeds 150 mm and measures at least twice the thickness;
- Certain clad stainless flat-rolled products, which are three-layered corrosion-resistant carbon steel flat-rolled products less than 4.75 mm in composite thickness that consist of a carbon steel flat-rolled product clad on both sides with stainless steel in a 20%–60%–20% ratio; and

Also excluded from the scope of the antidumping duty investigation on corrosion resistant steel from Taiwan are any products covered by the existing antidumping duty order on corrosion-resistant steel from Taiwan. *See Certain Corrosion-Resistant Steel Products from India, Italy, the People's Republic of China, the Republic of Korea and Taiwan: Amended Final Affirmative Antidumping Determination for India and Taiwan, and Antidumping Duty Orders,* 81 FR 48390 (July 25, 2016); *Corrosion-Resistant Steel Products from Taiwan: Notice of Third Amended Final Determination of Sales at Less Than Fair Value Pursuant to Court Decision and Partial Exclusion from Antidumping Duty Order,* 88 FR 58245 (August 25, 2023).

Also excluded from the scope of the antidumping duty investigation on corrosion-resistant steel from the United Arab Emirates and the antidumping duty and countervailing duty investigations on corrosion-resistant steel from the Socialist Republic of Vietnam are any products covered by the existing antidumping and countervailing duty orders on corrosion-resistant steel from the People's Republic of China and the Republic of Korea and the antidumping duty order on corrosion-resistant steel from Taiwan. *See Certain Corrosion-Resistant Steel Products from India, Italy, the People's Republic of China, the Republic of Korea and Taiwan: Amended Final Affirmative Antidumping Determination for India and Taiwan, and Antidumping Duty Orders,* 81 FR 48390 (July 25, 2016); *see also Certain Corrosion-Resistant Steel Products from India, Italy, Republic of Korea and the People's Republic of China: Countervailing Duty Order,* 81 FR 48387 (July 25, 2016). This exclusion does not apply to imports of corrosion-resistant steel that are entered, or withdrawn from warehouse, for consumption in the United States for which the relevant importer and exporter certifications have been completed and maintained and all other applicable certification requirements have been met such that the entry is entered into the United States as not subject to the antidumping and countervailing duty orders on corrosion-resistant steel from the People's Republic of China, the antidumping and countervailing duty orders on corrosion-resistant steel from the Republic of Korea, or the antidumping duty order on corrosion-resistant steel from Taiwan.

The products subject to the investigation are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers: 7210.30.0030, 7210.30.0060, 7210.41.0000, 7210.49.0030, 7210.49.0040, 7210.49.0045, 7210.49.0091, 7210.49.0095, 7210.61.0000, 7210.69.0000, 7210.70.6030, 7210.70.6060, 7210.70.6090, 7210.90.6000, 7210.90.9000, 7212.20.0000, 7212.30.1030, 7212.30.1090, 7212.30.3000, 7212.30.5000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7212.60.0000, 7225.91.0000, 7225.92.0000, 7226.99.0110, and 7226.99.0130.

The products subject to the investigation may also enter under the following HTSUS item numbers: 7210.90.1000, 7215.90.1000, 7215.90.3000, 7215.90.5000, 7217.20.1500, 7217.30.1530, 7217.30.1560, 7217.90.1000, 7217.90.5030, 7217.90.5060, 7217.90.5090, 7225.99.0090, 7226.99.0180, 7228.60.6000, 7228.60.8000, and 7229.90.1000.

The HTSUS subheadings above are provided for convenience and customs purposes only. The written description of the scope of the investigation is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Changes Since the *Preliminary Determination*
IV. Discussion of the Issues
Comment 1. Reliance on Reported Indirect Selling Expenses
Comment 2. Treatment of Home Market Billing Adjustments
Comment 3. Application of Adverse Facts Available for Incomplete Home Market Expense Reporting
Comment 4. Duty Drawback Ministerial Error
Comment 5. Inclusion of Sales Not Produced During the Period of Investigation
Comment 6. Completeness and Accuracy of Cost Information
Comment 7. Reported Values for Major Inputs
Comment 8. Adjustments to Cost Reconciliation
Comment 9. Revisions Presented During Verification
Comment 10. Inclusion of Monetary Gain/Loss in the Interest Expense
Comment 11. Accuracy of Reported Costs
Comment 12. Adjustment of Depreciation Expense
Comment 13. Date of Sale
Comment 14. Correction of Programming Error
Comment 15. Use of Revised Databases
Comment 16. Adjustment to Reported U.S. Packing Expenses
Comment 17. Duty Drawback Adjustment
Comment 18. Commerce Should Use Zeroing Regardless of Comparison
Comment 19. Revised Differential Pricing Methodology
V. Recommendation

[FR Doc. 2025–16610 Filed 8–28–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–821–817]

Silicon Metal From the Russian Federation: Final Results of the Expedited Fourth Sunset Review of the Antidumping Duty Order

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

SUMMARY: The U.S. Department of Commerce (Commerce) finds that

revocation of the antidumping duty (AD) order on silicon metal from the Russian Federation (Russia) would be likely to lead to continuation or recurrence of dumping, at the levels indicated in the ''Final Results of Sunset Review'' section of this notice.

DATES: Applicable August 29, 2025.

FOR FURTHER INFORMATION CONTACT: Kamila Khamidova, Trade Agreements Policy and Negotiations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: 202–482–4303.

SUPPLEMENTARY INFORMATION:

Background

On March 26, 2003, Commerce published in the **Federal Register** the AD order on silicon metal from the Russian Federation (Russia).[1] On May 1, 2025, Commerce published the notice of initiation of this fourth sunset review of the *Order,* pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).[2] On May 7, 2025, Commerce received a timely and complete notice of intent to participate in the sunset review from the Domestic Interested Parties [3] within the deadline specified in the 19 CFR 351.218(d)(1)(i).[4] The Domestic Interested Parties claimed the interested party status within the meaning of section 771(9)(C) of the Act as producers of silicon metal.[5] On May 22, 2025, Commerce notified the U.S. International Trade Commission (ITC) that it had received a notice of intent to participate from the Domestic Interested Parties.[6]

On June 2, 2025, pursuant to 19 CFR 351.218(d)(3)(i), Domestic Interested Parties filed a timely and adequate substantive response.[7] Commerce did not receive a substantive response from any respondent interested party. On June 20, 2025, Commerce notified the ITC that it did not receive substantive response from any respondent interested parties.[8] As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), Commerce is conducting an expedited (120-day) sunset review of the *Order.*

Scope of the Order

The product covered by these *Order* is silicon metal from the Russian Federation. For the full description of the scope of the *Order, see* the Issues and Decisions Memorandum.[9]

Analysis of Comments Received

A complete discussion of all issues raised in this sunset review, including the likelihood of continuation or recurrence of dumping in the event of revocation of the *Order* and the magnitude of the margins likely to prevail if the *Order* were to be revoked, is provided in the accompanying Issues and Decision Memorandum.[10] A list of the topics discussed in the Issues and Decision Memorandum is attached in the Appendix to this notice. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Issues and Decision Memorandum can be directly accessed at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Final Results of Sunset Review

Pursuant to sections 751(c)(1), 752(c)(1) and (3) of the Act, Commerce determines that revocation of the *Order* would be likely to lead to continuation or recurrence of dumping, and that the magnitude of the dumping margins likely to prevail would be weighted-average dumping margins up to 87.08 percent.

Notification Regarding Administrative Protective Orders

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

Notification to Interested Parties

We are issuing and publishing these final results in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act, and 19 CFR 351.218 and 19 CFR 351.221(c)(5)(ii).

Dated: August 26, 2025.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. History of the *Order*
V. Legal Framework
VI. Discussion of the Issues
  1. Likelihood of Continuation or Recurrence of Dumping
  2. Magnitude of the Margins of Dumping Likely To Prevail
VII. Final Results of Sunset Review
VIII. Recommendation

[FR Doc. 2025–16655 Filed 8–28–25; 8:45 am]

BILLING CODE 3510–DS–P

[1] *See Antidumping Duty Order: Silicon Metal from Russia,* 68 FR 14578 (March 26, 2003), amended in *Silicon Metal from the Russian Federation; Notice of Amended Final Determination Pursuant to Court Decision,* 71 FR 8277 (February 16, 2006) (*Order*).

[2] *See Initiation of Five-Year (Sunset) Reviews,* 90 FR 18642 (May 1, 2025).

[3] The Domestic Interested Parties are Ferroglobe USA, Inc. and Mississippi Silicon LLC.

[4] *See* Domestic Interested Parties' Letter, ''Silicon Metal from the Russian Federation: Notice of Intent to Participate in Sunset Review,'' dated May 7, 2025.

[5] *Id.* at 3.

[6] *See* Commerce's Letter, ''Sunset Reviews Initiated on February 3, 2025,'' dated May 22, 2025.

[7] *See* Domestic Interested Parties' Letter, ''Silicon Metal from the Russian Federation: Substantive Response to Notice of Initiation,'' dated June 2, 2025.

[8] *See* Commerce's Letter, ''Sunset Reviews Initiated on May 1, 2025,'' dated June 20, 2025.

[9] *See* Memorandum, ''Issues and Decision Memorandum for the Final Results of the Expedited Fourth Sunset Reviews of the Antidumping Duty Order on Silicon Metal from the Russian Federation,'' dated concurrently with, and hereby adopted by, this notice.

[10] *Id.*

DEPARTMENT OF COMMERCE

International Trade Administration

[A–351–862]

Certain Corrosion-Resistant Steel Products From Brazil: Final Affirmative Determination of Sales at Less Than Fair Value

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that imports of certain corrosion-resistant steel products (CORE) from Brazil are being, or are likely to be, sold in the United States at less than fair value (LTFV). The period of investigation is July 1, 2023, through June 30, 2024.

DATES: Applicable August 29, 2025.

FOR FURTHER INFORMATION CONTACT: Carter Sherwin or Nathan Araya, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4260 or (202) 482–3401, respectively.

SUPPLEMENTARY INFORMATION:

Background

On April 10, 2025, Commerce published in the **Federal Register** its preliminary affirmative determination in the LTFV investigation of CORE from Brazil,[1] in which we also postponed the final determination until August 25, 2025, and invited interested parties to comment on the *Preliminary Determination*.[2] On July 17, 2025, Commerce issued a post-preliminary analysis memorandum in which we made certain changes to our differential pricing analysis.[3] We invited interested parties to comment on the changes to the differential pricing analysis.[4]

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

Scope of the Investigation

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

Scope Comments

In the Preliminary Scope Memorandum, we set aside a period of time for parties to raise issues regarding product coverage (*i.e.,* scope) in scope-specific case briefs or other written comments.[6] We received scope case and rebuttal briefs from multiple interested parties. For a summary of the product coverage comments and rebuttal responses submitted to the record for this final determination, and accompanying discussion and analysis of all comments timely received, *see* the Final Scope Memorandum.[7] In the Final Scope Memorandum, Commerce made no changes to the scope language as it appeared in the *Initiation Notice*.[8] *See* Appendix I.

Verification

Commerce conducted verification of the information relied upon in making its final determination in this investigation, in accordance with section 782(i) of the Tariff Act of 1930, as amended (the Act). Specifically, we conducted on-site verifications of the sales and cost information submitted by CSN[9] and Usiminas[10] for use in our final determination.[11] We used standard verification procedures, including an examination of relevant sales and accounting records, and original source documents provided by CSN and Usiminas.

Analysis of Comments Received

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

Final Determination of the Single Entity

In the *Preliminary Determination,* we found that CSN is affiliated with Prada, and Usiminas is affiliated with Unigal and Solucoes, and that each should be treated as single entities, pursuant to 19 CFR 351.401(f).[12] No interested party commented on these preliminary findings. As the record contains no other information or evidence that calls into question our preliminary findings, we adopt the reasoning and findings of fact outlined in the *Preliminary Determination* with respect to this issue. Therefore, we continue to find that CSN and Prada should be treated as a single entity, and that Usiminas, Unigal, and Solucoes should be treated as a single entity, for the purpose of this proceeding.

Changes Since the Preliminary Determination

We have made certain changes to the margin calculations for CSN and Usiminas since the *Preliminary Determination.* For a discussion of these changes, *see* the Issues and Decision Memorandum.

All-Others Rate

Section 735(c)(5)(A) of the Act provides that Commerce shall determine an estimated all-others rate for all exporters and producers not individually examined. This rate shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any

[1] *See Certain Corrosion-Resistant Steel Products from Brazil: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures,* 90 FR 15333 (April 10, 2025) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM).

[2] *Id.,* 90 FR at 15333.

[3] *See* Memorandum, ''Less-Than-Fair-Value Investigation of Certain Corrosion-Resistant Steel Products from Brazil: Post-Preliminary Analysis,'' dated July 17, 2025.

[4] *See* Memorandum, ''Less-Than-Fair-Value Investigation of Certain Corrosion-Resistant Steel Products from Brazil: Briefing Schedule for Post-Preliminary Determination,'' dated July 25, 2025.

[5] *See* Memorandum, ''Issues and Decision Memorandum for the Final Affirmative Determination in the Less-Than-Fair-Value Investigation of Certain Corrosion-Resistant Steel Products from Brazil,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[6] *See* Memorandum, ''Less-Than-Fair-Value Investigations of Certain Corrosion-Resistant Steel Products from Australia, Brazil, Canada, Mexico, the Netherlands, South Africa, Taiwan, the Republic of Türkiye, the United Arab Emirates, and the Socialist Republic of Vietnam, and Countervailing Duty Investigations of Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Preliminary Scope Decision Memorandum,'' dated April 3, 2025 (Preliminary Scope Memorandum).

[7] *See* Memorandum, ''Less-Than-Fair-Value Investigations of Certain Corrosion-Resistant Steel Products from Australia, Brazil, Canada, Mexico, the Netherlands, South Africa, Taiwan, the Republic of Türkiye, the United Arab Emirates, and the Socialist Republic of Vietnam, and Countervailing Duty Investigations of Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Final Scope Decision Memorandum,'' dated concurrently with this notice (Final Scope Memorandum).

[8] *See Certain Corrosion-Resistant Steel Products from Australia, Brazil, Canada, Mexico, the Netherlands, South Africa, Taiwan, Turkey, the United Arab Emirates, and the Socialist Republic of Vietnam: Initiation of Less-Than-Fair-Value Investigations,* 89 FR 80196 (October 2, 2024) (*Initiation Notice*).

[9] We preliminarily found that Companhia Siderurgica Nacional and Companhia Metalurgica Prada (Prada) (collectively, CSN) should be treated as a single entity. *See Preliminary Determination* PDM at 4–5; *see also* Memorandum, ''Preliminary Affiliation and Collapsing Memorandum for Companhia Siderurgica Nacional,'' dated April 3, 2025. No interested party commented on this finding, and we continue to find these companies should be treated as a single entity for our final determination.

[10] We preliminarily found that Usinas Siderurgicas de Minas Gerais S.A.; Unigal Ltda. (Unigal); and Soluçoes em Aco Usiminas (Solucoes) (collectively, Usiminas) should be treated as a single entity. *See Preliminary Determination* PDM at 5; *see also* Memorandum, ''Preliminary Affiliation and Collapsing Memorandum for Usiminas Siderurgicas de Minas Gerais S.A.,'' dated April 3, 2025. No interested party commented on this finding, and we continue to find these companies should be treated as a single entity for our final determination.

[11] *See* Memoranda, ''Verification of the Sales Questionnaire Responses of Companhia Siderurgica Nacional,'' dated June 2, 2025; ''Verification of the Sales Response of Usinas Siderurgicas de Minas Gerais (Usiminas) and affiliates, Unigal Ltda. (Unigal), and Solucoes em Aco Usiminas (Solucoes),'' dated June 2, 2025; ''Verification of the Cost Responses of Companhia Siderurgica Nacional,'' dated June 26, 2025; and ''Verification of the Cost Response of Usinas Siderurgicas de Minas Gerais S.A.,'' dated June 17, 2025.

[12] *See Preliminary Determination* PDM at 5–6.

zero and *de minimis* margins, and any margins determined entirely under section 776 of the Act.

In this investigation, Commerce calculated estimated weighted-average dumping margins for CSN and Usiminas that are not zero, *de minimis,* or based entirely on facts otherwise available. Therefore, Commerce calculated the all-others rate using a weighted average of the estimated weighted-average dumping margins calculated for the examined respondents using each company's publicly-ranged values for the merchandise under consideration.[13]

Final Determination

Commerce determines that the following estimated weighted-average dumping margins exist:

Exporter/producer	Weighted-average dumping margin (percent)	Cash deposit rate (adjusted for export subsidy offset) (percent)
Companhia Siderurgica Nacional; Companhia Metalurgica Prada	191.26	[14] 191.26
Usinas Siderurgicas de Minas Gerais S.A.; Unigal Ltda.; Soluçoes em Aco Usiminas	25.70	21.77
All Others	161.44	157.51

Disclosure

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

Continuation of Suspension of Liquidation

In accordance with section 735(c)(1)(B) of the Act, Commerce will instruct U.S. Customs and Border Protection (CBP) to continue to suspend liquidation of all entries of CORE, as described in Appendix I of this notice, which were entered, or withdrawn from warehouse, for consumption on or after April 10, 2025, the date of publication of the *Preliminary Determination* in the **Federal Register**.

Pursuant to section 735(c)(1)(B)(ii) of the Act and 19 CFR 351.210(d), upon publication of this notice, Commerce will instruct CBP to require a cash deposit for estimated antidumping duties as follows: (1) the cash deposit rate for the companies listed in the table above that exported the subject merchandise will be equal to the company-specific estimated weighted-average dumping margins determined in this final determination; (2) if the exporter is not a company identified in the table above, but the producer is, then the cash deposit rate will be equal to the company-specific estimated weighted-average dumping margin established for that producer; and (3) the cash deposit rate for all other producers and exporters will be equal to the estimated weighted-average dumping margin for all other producers and exporters listed in the table above. These suspension of liquidation instructions will remain in effect until further notice.

To determine the cash deposit rate, Commerce normally adjusts the estimated weighted-average dumping margin by the amount of export subsidies countervailed in a companion CVD investigation, when CVD provisional measures are in effect. Accordingly, because Commerce made an affirmative final determination for countervailable export subsidies, Commerce has offset the estimated weighted-average dumping margin by the appropriate export subsidy rate. Any such adjusted cash deposit rate may be found in the ''Final Determination'' section above. However, the suspension of liquidation of provisional measures in the companion CVD case has been discontinued.[15] Therefore, we are not instructing CBP to collect cash deposits based on the adjusted estimated weighted-average dumping margin for export subsidies at this time. If the U.S. International Trade Commission (ITC) makes a final affirmative determination of injury due to both dumping and subsidies, then the cash deposit rate will be revised effective on the date of publication of the ITC's final affirmative determination in the **Federal Register** to be the company-specific estimated weighted-average dumping margin adjusted for export subsidies.

ITC Notification

In accordance with section 735(d) of the Act, Commerce will notify the ITC of its final affirmative determination of sales at LTFV. Because the final determination is affirmative, in accordance with section 735(b)(2) of the Act, the ITC will make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports or sales (or the likelihood of sales) for importation of CORE from the Brazil no later than 45 days after this final determination. If the ITC determines that such injury does not exist, this proceeding will be terminated, all cash deposits posted will be refunded, and suspension of liquidation will be lifted. If the ITC determines that such injury does exist, Commerce will issue an antidumping duty order directing CBP to assess, upon further instruction by

[13] With two respondents under examination, Commerce normally calculates: (A) a weighted-average of the estimated weighted-average dumping margins calculated for the examined respondents; (B) a simple average of the estimated weighted-average dumping margins calculated for the examined respondents; and (C) a weighted-average of the estimated weighted-average dumping margins calculated for the examined respondents using each company's publicly-ranged U.S. sales values for the merchandise under consideration. Commerce then compares (B) and (C) to (A) and selects the rate closest to (A) as the most appropriate rate for all other producers and exporters. *See, e.g., Ball Bearings and Parts Thereof from France, Germany, Italy, Japan, and the United Kingdom: Final Results of Antidumping Duty Administrative Reviews, Final Results of Changed-Circumstances Review, and Revocation of an Order in Part,* 75 FR 53661, 53662 (September 1, 2010), and accompanying Issues and Decision Memorandum at Comment 1. As complete publicly ranged sales data were available, Commerce based the all-others rate on the publicly ranged sales data of the mandatory respondents. For a complete analysis of the data, *see* Memorandum, ''Final Affirmative Determination in the Less-Than-Fair-Value Investigation of Certain Corrosion-Resistant Steel Products from Brazil: All-Others Rate Calculation Memorandum,'' dated concurrently with this **Federal Register** notice.

[14] CSN received a final net subsidy rate in the companion countervailing duty (CVD) investigation; however, none of the countervailable subsidies were export-contingent. Therefore, no CVD offset/adjustment is being made to CSN's cash deposit rate.

[15] *See Certain Corrosion-Resistant Steel Products from Brazil: Preliminary Affirmative Countervailing Duty Determination, and Alignment of Final Determination With Final Antidumping Duty Determination,* 90 FR 9228 (February 10, 2025); *see also* section 703(d) of the Act, which states that the provisional measures may not be in effect for more than four months, which in the companion CVD case is 120 days after the publication of the preliminary determination, or June 9, 2025 (*i.e.,* the last day provisional measures are in effect); and CBP Message 5162402, ''Discontinuation of suspension of liquidation in the countervailing duty investigation of certain corrosion-resistant steel products from Brazil (C–351–863), dated June 11, 2025.

Commerce, antidumping duties on all imports of CORE from Brazil entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation, as discussed in the ''Continuation of Suspension of Liquidation'' section above.

Administrative Protective Order (APO)

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

Notification to Interested Parties

This final determination and notice are issued and published pursuant to sections 735(d) and 777(i) of the Act, and 19 CFR 351.210(c).

Dated: August 25, 2025.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The products covered by this investigation are certain flat-rolled steel products, either clad, plated, or coated with corrosion-resistant metals such as zinc, aluminum, or zinc-, aluminum-, nickel- or iron-based alloys, whether or not corrugated or painted, varnished, laminated, or coated with plastics or other non-metallic substances in addition to the metallic coating. The products covered include coils that have a width of 12.7 mm or greater, regardless of form of coil (*e.g.,* in successively superimposed layers, spirally oscillating, *etc.*). The products covered also include products not in coils (*e.g.,* in straight lengths) of a thickness less than 4.75 mm and a width that is 12.7 mm or greater and that measures at least 10 times the thickness. The products covered also include products not in coils (*e.g.,* in straight lengths) of a thickness of 4.75 mm or more and a width exceeding 150 mm and measuring at least twice the thickness. The products described above may be rectangular, square, circular, or other shape and include products of either rectangular or non-rectangular cross-section where such cross-section is achieved subsequent to the rolling process, *i.e.,* products which have been ''worked after rolling'' (*e.g.,* products which have been beveled or rounded at the edges).

For purposes of the width and thickness requirements referenced above:

(1) Where the nominal and actual measurements vary, a product is within the scope if application of either the nominal or actual measurement would place it within the scope based on the definitions set forth above, and

(2) where the width and thickness vary for a specific product (*e.g.,* the thickness of certain products with non-rectangular cross-section, the width of certain products with non-rectangular shape, *etc.*), the measurement at its greatest width or thickness applies.

Steel products included in the scope of this investigation are products in which:

(1) iron predominates, by weight, over each of the other contained elements; and (2) the carbon content is 2 percent or less, by weight.

Subject merchandise also includes corrosion-resistant steel that has been further processed in a third country, including but not limited to annealing, tempering, painting, varnishing, trimming, cutting, punching and/or slitting or any other processing that would not otherwise remove the merchandise from the scope of the investigation if performed in the country of manufacture of the in-scope corrosion resistant steel.

All products that meet the written physical description are within the scope of this investigation unless specifically excluded. The following products are outside of and/or specifically excluded from the scope of this investigation:

- Flat-rolled steel products either plated or coated with tin, lead, chromium, chromium oxides, both tin and lead (''terne plate'') or both chromium and chromium oxides (''tin free steel''), whether or not painted, varnished or coated with plastics or other non-metallic substances in addition to the metallic coating;
- Clad products in straight lengths of 4.7625 mm or more in composite thickness and of a width which exceeds 150 mm and measures at least twice the thickness;
- Certain clad stainless flat-rolled products, which are three-layered corrosion-resistant carbon steel flat-rolled products less than 4.75 mm in composite thickness that consist of a carbon steel flat-rolled product clad on both sides with stainless steel in a 20%–60%–20% ratio;

Also excluded from the scope of the antidumping duty investigations on corrosion resistant steel from Taiwan are any products covered by the existing antidumping duty order on corrosion resistant steel from Taiwan. *See Certain Corrosion-Resistant Steel Products from India, Italy, the People's Republic of China, the Republic of Korea and Taiwan: Amended Final Affirmative Antidumping Determination for India and Taiwan, and Antidumping Duty Orders,* 81 FR 48390 (July 25, 2016); *Corrosion-Resistant Steel Products from Taiwan: Notice of Third Amended Final Determination of Sales at Less Than Fair Value Pursuant to Court Decision and Partial Exclusion from Antidumping Duty Order,* 88 FR 58245 (August 25, 2023).

Also excluded from the scope of the antidumping duty investigation on corrosion-resistant steel from the United Arab Emirates and the antidumping duty and countervailing duty investigations on corrosion-resistant steel from the Socialist Republic of Vietnam are any products covered by the existing antidumping and countervailing duty orders on corrosion-resistant steel from the People's Republic of China and the Republic of Korea and the antidumping duty order on corrosion-resistant steel from Taiwan. *See Certain Corrosion-Resistant Steel Products from India, Italy, the People's Republic of China, the Republic of Korea and Taiwan: Amended Final Affirmative Antidumping Determination for India and Taiwan, and Antidumping Duty Orders,* 81 FR 48390 (July 25, 2016); *see also Certain Corrosion-Resistant Steel Products from India, Italy, Republic of Korea and the People's Republic of China: Countervailing Duty Order,* 81 FR 48387 (July 25, 2016). This exclusion does not apply to imports of corrosion-resistant steel that are entered, or withdrawn from warehouse, for consumption in the United States for which the relevant importer and exporter certifications have been completed and maintained and all other applicable certification requirements have been met such that the entry is entered into the United States as not subject to the antidumping and countervailing duty orders on corrosion-resistant steel from the People's Republic of China, the antidumping and countervailing duty orders on corrosion-resistant steel from the Republic of Korea, or the antidumping duty order on corrosion-resistant steel from Taiwan.

The products subject to the investigation are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers: 7210.30.0030, 7210.30.0060, 7210.41.0000, 7210.49.0030, 7210.49.0040, 7210.49.0045, 7210.49.0091, 7210.49.0095, 7210.61.0000, 7210.69.0000, 7210.70.6030, 7210.70.6060, 7210.70.6090, 7210.90.6000, 7210.90.9000, 7212.20.0000, 7212.30.1030, 7212.30.1090, 7212.30.3000, 7212.30.5000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7212.60.0000, 7225.91.0000, 7225.92.0000, 7226.99.0110, and 7226.99.0130.

The products subject to the investigation may also enter under the following HTSUS item numbers: 7210.90.1000, 7215.90.1000, 7215.90.3000, 7215.90.5000, 7217.20.1500, 7217.30.1530, 7217.30.1560, 7217.90.1000, 7217.90.5030, 7217.90.5060, 7217.90.5090, 7225.99.0090, 7226.99.0180, 7228.60.6000, 7228.60.8000, and 7229.90.1000. The HTSUS subheadings above are provided for convenience and customs purposes only. The written description of the scope of the investigation is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Changes Since the *Preliminary Determination*
IV. Discussion of the Issues
CSN
Comment 1: Whether to Apply Partial Adverse Facts Available (AFA) to CSN's Downstream Sales
Comment 2: Whether Commerce Should File Its Copy of Exhibit VE–9 on the Record
Comment 3: Whether CSN's Unreconciled Costs from Its Cost Reconciliation Should be Added to Its Reported Cost of Production

Comment 4: Whether CSN's Idle Asset Costs Have Been Double Counted
Comment 5: Whether to Adjust CSN's General and Administrative (G&A) Expense Rate
Comment 6: Whether to Adjust CSN's Financial Expense Rate
Usiminas
Comment 7: Whether to Revise our Treatment of Usiminas' Downstream Sales
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Comment 13: Whether Zeroing Methodology Should Be Applied in This Investigation
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V. Recommendation

[FR Doc. 2025–16601 Filed 8–28–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–552–843]

Certain Corrosion-Resistant Steel Products From the Socialist Republic of Vietnam: Final Affirmative Determination of Sales at Less Than Fair Value

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that certain corrosion-resistant steel products (CORE) from the Socialist Republic of Vietnam (Vietnam) are being, or are likely to be, sold in the United States at less than fair value (LTFV) for the period of investigation (POI) January 1, 2024, through June 30, 2024.

DATES: Applicable August 29, 2025.

FOR FURTHER INFORMATION CONTACT: Jacob Waddell, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–1369.

SUPPLEMENTARY INFORMATION:

Background

On April 10, 2025, Commerce published in the **Federal Register** its preliminary affirmative determination in the LTFV investigation of CORE from Vietnam, in which we also postponed the final determination until August 25, 2025, and invited interested parties to comment on the *Preliminary Determination*.[1] On May 29, 2025, Commerce published its *Amended Preliminary Determination*.[2] On July 17, 2025, Commerce issued a post-preliminary analysis memorandum in which we made certain changes to our differential pricing analysis.[3] We invited interested parties to comment on changes to the differential pricing analysis.[4]

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

Scope of the Investigation

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

Scope Comments

In the Preliminary Scope Memorandum, we set aside a period of time for parties to raise issues regarding product coverage (*i.e.,* scope) in scope-specific case briefs or other written comments.[6] We received scope case and rebuttal briefs from multiple interested parties. For a summary of the product coverage comments and rebuttal response submitted to the record for this final determination, and accompanying discussion and analysis of all comments timely received, *see* the Final Scope Memorandum.[7] In the Final Scope Memorandum, Commerce made no changes to the scope language as it appeared in the *Initiation Notice. See* Appendix I.

Verification

Commerce conducted verification of the information relied upon in making its final determination in this investigation, in accordance with section 782(i) of the Tariff Act of 1930, as amended (the Act). Specifically, we conducted on-site verifications of the sales and cost information submitted by Hoa Sen Group (HSG) and Ton Dong A Corporation (TDA), for use in our final determination.[8] We used standard verification procedures, including an examination of relevant sales and accounting records, and original source documents provided by HSG and TDA.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs submitted by interested parties in this investigation are addressed in the Issues and Decision Memorandum. A list of the issues addressed in the Issues and Decision

[1] *See Certain Corrosion-Resistant Steel Products from the Socialist Republic of Vietnam: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures,* 90 FR 15343 (April 10, 2025) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum.

[2] *See Certain Corrosion-Resistant Steel Products from the Socialist Republic of Vietnam: Amended Preliminary Determination of Sales at Less than Fair Value,* 90 FR 22690 (May 29, 2025) (*Amended Preliminary Determination*).

[3] *See* Memorandum, ''Decision Memorandum for the Post Preliminary Affirmative Determination in the Less-Than-Fair-Value Investigation of Certain Corrosion-Resistant Steel Products from the Socialist Republic of Vietnam,'' dated July 16, 2025 (Post-Preliminary Analysis).

[4] *See Preliminary Determination,* 90 FR 15354; *see also* Memorandum, ''Briefing Schedule for the Post-Preliminary Determination,'' dated July 17, 2025.

[5] *See* Memorandum, ''Issues and Decision Memorandum for the Final Affirmative Determination of Sales at Less Than Fair Value in the Investigation of Certain Corrosion-Resistant Steel Products from the Socialist Republic of Vietnam,'' dated concurrently with, and hereby adopted by this notice (Issues and Decision Memorandum).

[6] *See* Memorandum, ''Less-Than-Fair-Value Investigations of Certain Corrosion-Resistant Steel Products from Australia, Brazil, Canada, Mexico, the Netherlands, South Africa, Taiwan, the Republic of Türkiye, the United Arab Emirates, and the Socialist Republic of Vietnam, and Countervailing Duty Investigations of Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Preliminary Scope Decision Memorandum,'' dated April 3, 2025 (Preliminary Scope Memorandum).

[7] *See* Memorandum, ''Less-Than-Fair-Value Investigations of Certain Corrosion-Resistant Steel Products from Australia, Brazil, Canada, Mexico, the Netherlands, South Africa, Taiwan, the Republic of Türkiye, the United Arab Emirates, and the Socialist Republic of Vietnam, and Countervailing Duty Investigations of Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Final Scope Decision Memorandum,'' dated concurrently with this notice (Final Scope Memorandum).

[8] *See* Memoranda, ''Verification of Hoa Sen Group,'' dated June 30, 2025, and ''Verification of Sales Response of Ton Dong A Corporation,'' dated June 30, 2025; ''Verification of CEP Sales Response of Ton Dong A Corporation,'' dated June 30, 2025.

Memorandum is attached to this notice as Appendix II.

Changes Since the Preliminary Determination

We made certain changes to the margin calculations for HSG and TDA since the *Preliminary Determination, Amended Preliminary Determination,* and Post-Preliminary Analysis. For a discussion of these changes, *see* the Issues and Decision Memorandum.

Use of Adverse Facts Available (AFA)

As discussed in the *Preliminary Determination,* Commerce assigned an estimated weighted-average dumping margin on the basis of AFA, pursuant to sections 776(a) and (b) of the Act, to the Vietnam-wide entity (including, but not limited to, 12 companies which did not rebut the presumption of government control).[9] No party commented on our findings with respect to the Vietnam-wide entity and use of the highest corroborated dumping margin alleged in the petition as the appropriate rate assigned to the Vietnam-wide entity. Therefore, Commerce continues to find, pursuant to sections 776(a) and (b) of the Act, that the use of facts otherwise available, with adverse inferences, is warranted in determining the dumping rate for the Vietnam-wide entity, and we continue to assign the highest transaction-specific dumping margin calculated for the mandatory respondents (*i.e.,* 162.96 percent).[10]

Separate Rates

On July 7 and 9, 2025, interested parties commented on Commerce's preliminary separate rate determinations.[11] We have reconsidered our methodology for calculating the separate rate in this investigation, which we have addressed in the Issues and Decision Memorandum. We have not made any changes regarding our determination of companies eligible to receive a separate rate. Accordingly, we continue to find that HSG and TDA, and certain non-individually examined companies that are listed in the ''Final Determination'' rate table below, are eligible for a separate rate.

Combination Rates

Consistent with the *Preliminary Determination* and Policy Bulletin 05.1,[12] Commerce calculated combination rates for the companies eligible for a separate rate.

Final Determination

Commerce determines that the following estimated weighted-average dumping margins exist:

Producer	Exporter	Weighted-average dumping margin (percent)	Cash deposit rate (adjusted for export subsidy offset) (percent)
Hoa Sen Group/Hoa Sen Nghe An One Member Limited Liabilities Company/Hoa Sen Nhon Hoi—Binh Dinh One Member Limited Liabilities Company.	Hoa Sen Group/Hoa Sen Nghe An One Member Limited Liabilities Company/Hoa Sen Nhon Hoi—Binh Dinh One Member Limited Liabilities Company.	110.19	[13] 110.19
Ton Dong A Corporation	Ton Dong A Corporation	87.07	[14] 87.07
China Steel and Nippon Steel Viet Nam Joint Stock Company.	China Steel and Nippon Steel Viet Nam Joint Stock Company.	94.89	[15] 94.89
Hoa Phat Steel Sheet Limited Liability Company	Hoa Phat Steel Sheet Limited Liability Company	94.89	94.89
Maruichi Sun Steel Joint Stock Company	Maruichi Sun Steel Joint Stock Company	94.89	94.89
Nam Kim Steel Joint Stock Company	Nam Kim Steel Joint Stock Company	94.89	94.89
Pomina Flat Steel Joint Stock Company	Pomina Flat Steel Joint Stock Company	94.89	94.89
Sam Hwan Vina Co., Ltd	Sam Hwan Vina Co., Ltd.	94.89	94.89
Southern Steel Sheet Co., Ltd	Southern Steel Sheet Co., Ltd	94.89	94.89
Tay Nam Steel Manufacturing & Trading Co., Ltd.	Tay Nam Steel Manufacturing & Trading Co., Ltd.	94.89	94.89
TVP Steel Trading Joint Stock Company	TVP Steel Trading Joint Stock Company	94.89	94.89
Viet Phap Steel Corrugated Joint Stock Company.	Viet Phap Steel Corrugated Joint Stock Company.	94.89	94.89
Vietnam-Wide Entity		* 162.96	162.96

* This rate is based on facts available with adverse inferences.

Disclosure

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

Continuation of Suspension of Liquidation

In accordance with section 735(c)(1)(B) of the Act, we will instruct U.S. Customs and Border Protection (CBP) to continue to suspend liquidation of subject merchandise entries, as described in Appendix I of this notice, which are entered, or withdrawn from warehouse, for consumption on or after April 10, 2025, the date of publication of the *Preliminary Determination* in the **Federal Register**.

[9] *See Preliminary Determination,* 90 FR at 15344.

[10] *See* Memorandum, ''Final Analysis Memorandum for Ton Dong A Corporation,'' at Attachment 2 and Attachment 3.

[11] *See* Government of Vietnam's Letter, ''Case Brief,'' dated July 7, 2025; *see also* Hoa Phat Group JSC, Hoa Phat Steel Sheet LLC, Southern Steel Sheet Co., Ltd., Pomina Flat Steel JSC, TVP Steel JSC, TVP Steel Trading JSC, Sam Hwan Vina CO., Ltd.'s Letter, ''Case Brief,'' dated July 9, 2025.

[12] *See* Enforcement and Compliance's Policy Bulletin No. 05.1, regarding, ''Separate-Rates Practice and Application of Combination Rates in Antidumping Investigations involving Non-Market Economy Countries,'' dated April 5, 2005 (Policy Bulletin 05.1), available on Commerce's website at *http://enforcement.trade.gov/policy/bull05-1.pdf.*

[13] Commerce calculated a *de minimis* rate for HSG in the companion countervailing duty (CVD) investigation. Therefore, no CVD offset/adjustment is being made to HSG's cash deposit rate.

[14] TDA received a final net subsidy rate in the companion CVD investigation; however, none of the countervailable subsidies were export-contingent. Therefore, no CVD offset/adjustment is being made to TDA's cash deposit rate.

[15] Because neither HSG nor TDA's estimated dumping margin is being offset by export-contingent CVD subsidies, no CVD offset adjustment has been made to the cash deposit rate of the separate rate companies or the Vietnam-Wide Entity.

Pursuant to section 735(c)(1)(B)(ii) of the Act and 19 CFR 351.210(d), Commerce will instruct CBP to require a cash deposit equal to the amount by which the normal value exceeds the U.S. price as follows: (1) the cash deposit rate for the exporter/producer combination listed in the table above will be the rate identified in the table; (2) for all combination of Vietnamese exporters/producers of subject merchandise that have not received their own separate rate above, the cash deposit rate will be the cash deposit rate established for the Vietnam-wide entity; and (3) for all non-Vietnamese exporters of subject merchandise which have not received their own separate rate above, the cash deposit rate will be the cash deposit rate applicable to the Vietnamese exporter/producer combination that supplied that non-Vietnamese exporter. These suspension of liquidation instructions will remain in effect until further notice.

To determine the cash deposit rate, Commerce normally adjusts the estimated weighted-average dumping margin by the amount of export subsidies countervailed in a companion countervailing duty (CVD) investigation, when CVD provisional measures are in effect. Accordingly, where Commerce made an affirmative determination for countervailable export subsidies, Commerce would offset the estimated weighted-average dumping margins by the appropriate export subsidy rate.[16] Any such adjusted cash deposit rates may be found in the ''Final Determination'' section above. However, the suspension of liquidation of provisional measures in the companion CVD investigation has been discontinued.[17] Therefore, we are not instructing CBP to collect cash deposits based upon the adjusted estimated weighted-average dumping margins for export subsidies at this time. If the U.S. International Trade Commission (ITC) makes a final affirmative determination of injury due to both dumping and subsidies, then the cash deposit rate will be revised effective on the date of publication of the ITC's final affirmative determination in the **Federal Register** to be the company-specific estimated weighted-average dumping margin adjusted for export subsidies.

[16] *See Preliminary Determination* PDM at 31–32.

[17] *See Certain Corrosion-Resistant Steel Products From the Socialist Republic of Vietnam: Preliminary Affirmative Countervailing Duty Determination, and Alignment of Final Determination With Antidumping Duty Determination,* 90 FR 9235 (February 10, 2025); *see also* section 703(d) of the Act, which states that the provisional measures may not be in effect for more than four months, which in the companion CVD case is 120 days after the publication of the preliminary determination, or June 9, 2025 (*i.e.,* last day provisional measures are in effect).

U.S. International Trade Commission (ITC)

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

Administrative Protective Order

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

Notification to Interested Parties

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

Dated: August 25, 2025.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The products covered by this investigation are certain flat-rolled steel products, either clad, plated, or coated with corrosion-resistant metals such as zinc, aluminum, or zinc-, aluminum-, nickel- or iron-based alloys, whether or not corrugated or painted, varnished, laminated, or coated with plastics or other non-metallic substances in addition to the metallic coating. The products covered include coils that have a width of 12.7 mm or greater, regardless of form of coil (*e.g.,* in successively superimposed layers, spirally oscillating, etc.). The products covered also include products not in coils (*e.g.,* in straight lengths) of a thickness less than 4.75 mm and a width that is 12.7 mm or greater and that measures at least 10 times the thickness. The products covered also include products not in coils (*e.g.,* in straight lengths) of a thickness of 4.75 mm or more and a width exceeding 150 mm and measuring at least twice the thickness. The products described above may be rectangular, square, circular, or other shape and include products of either rectangular or non-rectangular cross-section where such cross-section is achieved subsequent to the rolling process, *i.e.,* products which have been ''worked after rolling'' (*e.g.,* products which have been beveled or rounded at the edges).

For purposes of the width and thickness requirements referenced above:

(1) Where the nominal and actual measurements vary, a product is within the scope if application of either the nominal or actual measurement would place it within the scope based on the definitions set forth above, and

(2) where the width and thickness vary for a specific product (*e.g.,* the thickness of certain products with non-rectangular cross-section, the width of certain products with non-rectangular shape, etc.), the measurement at its greatest width or thickness applies.

Steel products included in the scope of these investigations are products in which: (1) iron predominates, by weight, over each of the other contained elements; and (2) the carbon content is 2 percent or less, by weight.

Subject merchandise also includes corrosion-resistant steel that has been further processed in a third country, including but not limited to annealing, tempering, painting, varnishing, trimming, cutting, punching and/or slitting or any other processing that would not otherwise remove the merchandise from the scope of the investigations if performed in the country of manufacture of the in-scope corrosion resistant steel.

All products that meet the written physical description are within the scope of these investigations unless specifically excluded. The following products are outside of and/or specifically excluded from the scope of this investigation:

- Flat-rolled steel products either plated or coated with tin, lead, chromium, chromium oxides, both tin and lead (''terne plate'') or both chromium and chromium oxides (''tin free steel''), whether or not painted, varnished or coated with plastics or other non-metallic substances in addition to the metallic coating;
- Clad products in straight lengths of 4.7625 mm or more in composite thickness and of a width which exceeds 150 mm and measures at least twice the thickness;
- Certain clad stainless flat-rolled products, which are three-layered corrosion-resistant carbon steel flat-rolled products less

than 4.75 mm in composite thickness that consist of a carbon steel flat-rolled product clad on both sides with stainless steel in a 20%-60%-20% ratio; and

Also excluded from the scope of the antidumping duty investigation on corrosion resistant steel from Taiwan are any products covered by the existing antidumping duty order on corrosion-resistant steel from Taiwan. *See Certain Corrosion-Resistant Steel Products from India, Italy, the People's Republic of China, the Republic of Korea and Taiwan: Amended Final Affirmative Antidumping Determination for India and Taiwan, and Antidumping Duty Orders,* 81FR 48390 (July 25, 2016); *Corrosion-Resistant Steel Products from Taiwan: Notice of Third Amended Final Determination of Sales at Less Than Fair Value Pursuant to Court Decision and Partial Exclusion from Antidumping Duty Order,* 88 FR 58245 (August 25, 2023).

Also excluded from the scope of the antidumping duty investigation on corrosion-resistant steel from the United Arab Emirates and the antidumping duty and countervailing duty investigations on corrosion-resistant steel from the Socialist Republic of Vietnam are any products covered by the existing antidumping and countervailing duty orders on corrosion-resistant steel from the People's Republic of China and the Republic of Korea and the antidumping duty order on corrosion-resistant steel from Taiwan. *See Certain Corrosion-Resistant Steel Products from India, Italy, the People's Republic of China, the Republic of Korea and Taiwan: Amended Final Affirmative Antidumping Determination for India and Taiwan, and Antidumping Duty Orders,* 81 FR 48390 (July 25, 2016); *see also Certain Corrosion-Resistant Steel Products from India, Italy, Republic of Korea and the People's Republic of China: Countervailing Duty Order,* 81 FR 48387 (July 25, 2016). This exclusion does not apply to imports of corrosion-resistant steel that are entered, or withdrawn from warehouse, for consumption in the United States for which the relevant importer and exporter certifications have been completed and maintained and all other applicable certification requirements have been met such that the entry is entered into the United States as not subject to the antidumping and countervailing duty orders on corrosion-resistant steel from the People's Republic of China, the antidumping and countervailing duty orders on corrosion-resistant steel from the Republic of Korea, or the antidumping duty order on corrosion-resistant steel from Taiwan.

The products subject to the investigation are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers: 7210.30.0030, 7210.30.0060, 7210.41.0000, 7210.49.0030, 7210.49.0040, 7210.49.0045, 7210.49.0091, 7210.49.0095, 7210.61.0000, 7210.69.0000, 7210.70.6030, 7210.70.6060, 7210.70.6090, 7210.90.6000, 7210.90.9000, 7212.20.0000, 7212.30.1030, 7212.30.1090, 7212.30.3000, 7212.30.5000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7212.60.0000, 7225.91.0000, 7225.92.0000, 7226.99.0110, and 7226.99.0130.

The products subject to the investigation may also enter under the following HTSUS item numbers: 7210.90.1000, 7215.90.1000, 7215.90.3000, 7215.90.5000, 7217.20.1500, 7217.30.1530, 7217.30.1560, 7217.90.1000, 7217.90.5030, 7217.90.5060, 7217.90.5090, 7225.99.0090, 7226.99.0180, 7228.60.6000, 7228.60.8000, and 7229.90.1000.

The HTSUS subheadings above are provided for convenience and customs purposes only. The written description of the scope of the investigation is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Changes Since the *Preliminary Determination*
IV. Application of Facts Available (AFA) and Use of Adverse Inference
V. Discussion of the Issues
Comments Relating to HSG:
Comment 1: Applying AFA to HSG's Consumption of Demineralized Water
Comment 2: Applying AFA to Factors of Production Information Concerning a Certain Number of HSG's Reported Control Numbers
Comment 3: Inclusion of Alloy Hot-Rolled Coil in HSG's Normal Value Calculation
Comment 4: Calculation of Surrogate Value (SV) for Brokerage and Handling Expenses
Comments Relating to TDA:
Comment 5: Assigning TDA a Dumping Margin Based Entirely on AFA
Comment 6: Correcting TDA's Misreported Ocean Freight Expenses
Comment 7: Subtracting Domestic Inland Insurance from TDA's Starting U.S. Price
Comment 8: Application of AFA to a Certain Percentage of TDA's HRC
Comment 9: Granting TDA a By-Product Offset
Comment 10: Valuing Certain of TDA's Input Purchases in Market Economy Currency
Comment 11: Treatment of Packing Materials Involved TDA's Sales of Ferrosoferric Oxide By Product
General Comments:
Comment 12: Application of Zeroing Methodology to HSG and TDA's Margin Calculations
Comment 13: Calculating Freight Charges Based on Gross Weight
Comment 14: Selection of the Primary Surrogate Country
Comment 15: SVs for Water, Electricity, and Marine Insurance
Comment 16: SV for Ocean Freight
Comment 17: Rejection of Petitioners' SV Submissions as Unlawful
Comment 18: Calculation of the Separate Rate
VI. Recommendation

[FR Doc. 2025–16612 Filed 8–28–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–520–811]

Certain Corrosion-Resistant Steel Products From the United Arab Emirates: Final Affirmative Determination of Sales at Less Than Fair Value and Final Negative Determination of Critical Circumstances

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that imports of certain corrosion-resistant steel products (CORE) from the United Arab Emirates (UAE) are being, or are likely to be, sold in the United States at less than fair value (LTFV). The period of investigation is July 1, 2023, through June 30, 2024.

DATES: Applicable August 29, 2025.

FOR FURTHER INFORMATION CONTACT: Jose Rivera or Lingjun Wang, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–0842 or (202) 482–2316, respectively.

SUPPLEMENTARY INFORMATION:

Background

On April 10, 2025, Commerce published in the **Federal Register** its preliminary affirmative determination in the LTFV investigation of CORE from the UAE,[1] in which we also postponed the final determination until August 25, 2025, and invited interested parties to comment on the *Preliminary Determination*.[2] On July 8, 2025, Commerce issued a post-preliminary analysis memorandum in which we made certain changes to our differential pricing analysis.[3] We invited interested parties to comment on the changes to the differential pricing analysis.[4]

[1] *See Certain Corrosion-Resistant Steel Products From the United Arab Emirates: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures,* 90 FR 15355 (April 10, 2025) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM).

[2] *See Preliminary Determination,* 90 FR at 15357.

[3] *See* Memorandum, ''Decision Memorandum for the Post Preliminary Affirmative Determination in the Less-Than-Fair-Value Investigation of Certain Corrosion-Resistant Steel Products from the United Arab Emirates,'' dated July 8, 2025.

[4] *See* Memorandum, ''Less-Than-Fair-Value Investigation of Certain Corrosion-Resistant Steel Products from the United Arab Emirates: Briefing

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

Scope of the Investigation

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

Scope Comments

In the Preliminary Scope Memorandum, we set aside a period of time for parties to raise issues regarding product coverage (*i.e.,* scope) in scope-specific case briefs or other written comments.[6] We received scope case and rebuttal briefs from multiple interested parties. For a summary of the product coverage comments and rebuttal responses submitted to the record for this final determination, and accompanying discussion and analysis of all comments timely received, *see* the Final Scope Memorandum.[7] In the Final Scope Memorandum, Commerce made no changes to the scope language as it appeared in the *Initiation Notice.*[8] *See* Appendix I.

Verification

Commerce conducted verification of the information relied upon in making its final determination in this investigation, in accordance with section 782(i) of the Tariff Act of 1930, as amended (the Act). Specifically, we conducted on-site verifications of the sales and cost information submitted by Al Ghurair Iron & Steel LLC (AGIS) and United Iron & Steel Company LLC (UISC) for use in our final determination.[9] We used standard verification procedures, including an examination of relevant sales and accounting records, and original source documents provided by AGIS and UISC.

Analysis of Comments Received

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

Final Negative Determination of Critical Circumstances

We find that critical circumstances do not exist for imports of CORE for all UAE producers and exporters pursuant to section 735(a)(3) of the Act and 19 CFR 351.206. For a discussion of Commerce's critical circumstance analysis, *see* the Issues and Decision Memorandum.

Final Determination of the Single Entity

In the *Preliminary Determination,* we found that UISC is affiliated with United Metal Coating (UMC), and they should be treated as a single entity, pursuant to 19 CFR 351.401(f).[10] No interested party commented on this preliminary finding. As the record contains no other information or evidence that calls into question our preliminary findings, we adopt the reasoning and findings of fact outlined in the *Preliminary Determination* with respect to this issue. Therefore, we continue to find that UISC and UMC should be treated as a single entity for purpose of this proceeding.

Changes Since the Preliminary Determination

We have made certain changes to the margin calculations for AGIS and UISC/UMC since the *Preliminary Determination.* For a discussion of these changes, *see* the Issues and Decision Memorandum.

All-Others Rate

Section 735(c)(5)(A) of the Act provides that Commerce shall determine an estimated all-others rate for all exporters and producers not individually examined. This rate shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero and *de minimis* margins, and any margins determined entirely under section 776 of the Act.

In this investigation, Commerce calculated estimated weighted-average dumping margins for AGIS and UISC that are not zero, *de minimis,* or based entirely on facts otherwise available. Therefore, Commerce calculated the all-others rate using a weighted average of the estimated weighted-average dumping margins calculated for the examined respondents using each company's publicly-ranged values for the merchandise under consideration.[11]

Schedule for Post-Preliminarily Determination,'' dated July 8, 2025.

[5] *See* Memorandum, ''Issues and Decision Memorandum for the Final Affirmative Determination in the Less-Than-Fair-Value Investigation of Certain Corrosion-Resistant Steel Products from the United Arab Emirates,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[6] *See* Memorandum, ''Less-Than-Fair-Value Investigations of Certain Corrosion-Resistant Steel Products from Australia, Brazil, Canada, Mexico, the Netherlands, South Africa, Taiwan, the Republic of Türkiye, the United Arab Emirates, and the Socialist Republic of Vietnam, and Countervailing Duty Investigations of Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Preliminary Scope Decision Memorandum,'' dated April 3, 2025 (Preliminary Scope Memorandum).

[7] *See* Memorandum, ''Less-Than-Fair-Value Investigations of Certain Corrosion-Resistant Steel Products from Australia, Brazil, Canada, Mexico, the Netherlands, South Africa, Taiwan, the Republic of Türkiye, the United Arab Emirates, and the Socialist Republic of Vietnam, and Countervailing Duty Investigations of Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Final Scope Decision Memorandum,'' dated concurrently with this notice (Final Scope Memorandum).

[8] *See Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Initiation of Countervailing Duty Investigations,* 89 FR 80204 (October 2, 2024) (*Initiation Notice*).

[9] *See* Memoranda, ''Verification of Al Ghurair Iron & Steel LLC'' dated May 27, 2025; *see also* ''Sales Verification of Questionnaire Responses of United Iron & Steel Company LLC'' dated May 27, 2025; ''Verification of the Cost Response of Al-Ghurair Iron & Steel LLC in the Less-Than-Fair-Value Investigation of Certain Corrosion-Resistant Steel Products from the United Arab Emirates,'' dated June 26, 2025; and ''Verification of the Cost Response of United Iron & Steel Company LLC in the Less-Than-Fair-Value Investigation of Certain Corrosion-Resistant Steel Products from the United Arab Emirates,'' dated June 26, 2026.

[10] *See Preliminary Determination* PDM at 5–6.

[11] With two respondents under examination, Commerce normally calculates: (A) a weighted-average of the estimated weighted-average dumping margins calculated for the examined respondents; (B) a simple average of the estimated weighted-average dumping margins calculated for the examined respondents; and (C) a weighted-average of the estimated weighted-average dumping margins calculated for the examined respondents using each company's publicly-ranged U.S. sales values for the merchandise under consideration. Commerce then compares (B) and (C) to (A) and selects the rate closest to (A) as the most appropriate rate for all other producers and exporters. *See, e.g., Ball Bearings and Parts Thereof from France, Germany, Italy, Japan, and the United Kingdom: Final Results of Antidumping Duty Administrative Reviews, Final Results of Changed-Circumstances Review, and Revocation of an Order in Part,* 75 FR 53661, 53662 (September 1, 2010), and accompanying Issues and Decision Memorandum at Comment 1. As complete publicly ranged sales data were available, Commerce based the all-others rate on the publicly ranged sales data of the mandatory respondents. For a complete analysis of the data, *see* Memorandum, ''Final Affirmative Determination in the Less-Than-Fair-Value Investigation of Certain Corrosion-Resistant Steel Products from the United Arab Emirates: All-Others Rate Calculation

Continued

Final Determination

Commerce determines that the following estimated weighted-average dumping margins exist:

Exporter/producer	Weighted-average dumping margin (percent)
Al Ghurair Iron & Steel LLC	7.20
United Iron & Steel Company LLC/United Metal Coating[12]	16.38
All Others	8.40

Disclosure

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

Continuation of Suspension of Liquidation

In accordance with section 735(c)(1)(B) of the Act, Commerce will instruct U.S. Customs and Border Protection (CBP) to continue to suspend liquidation of all entries of CORE, as described in Appendix I of this notice, which were entered, or withdrawn from warehouse, for consumption on or after April 10, 2025, the date of publication of the *Preliminary Determination* in the **Federal Register**.

Pursuant to sections 735(c)(1)(B)(ii) and 735(c)(5)(A) of the Act, and 19 CFR 351.210(d), upon the publication of this notice, we will instruct CBP to require a cash deposit for estimated antidumping duties as follows: (1) the cash deposit rate for the companies listed in the table above that exported the subject merchandise will be equal to the company-specific estimated weighted-average dumping margins determined in this final determination; (2) if the exporter is not a company identified in the table above, but the producer is, then the cash deposit rate will be equal to the company-specific estimated weighted-average dumping margin established for that producer; and (3) the cash deposit rate for all other producers and exporters will be equal to the estimated weighted-average dumping margin for all other producers and exporters listed in the table above. These suspension of liquidation instructions will remain in effect until further notice.

U.S. International Trade Commission (ITC) Notification

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

Administrative Protective Order (APO)

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

Notification to Interested Parties

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

Dated: August 25, 2025.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The products covered by this investigation are certain flat-rolled steel products, either clad, plated, or coated with corrosion-resistant metals such as zinc, aluminum, or zinc-, aluminum-, nickel- or iron-based alloys, whether or not corrugated or painted, varnished, laminated, or coated with plastics or other non-metallic substances in addition to the metallic coating. The products covered include coils that have a width of 12.7 mm or greater, regardless of form of coil (*e.g.,* in successively superimposed layers, spirally oscillating, *etc.*). The products covered also include products not in coils (*e.g.,* in straight lengths) of a thickness less than 4.75 mm and a width that is 12.7 mm or greater and that measures at least 10 times the thickness. The products covered also include products not in coils (*e.g.,* in straight lengths) of a thickness of 4.75 mm or more and a width exceeding 150 mm and measuring at least twice the thickness. The products described above may be rectangular, square, circular, or other shape and include products of either rectangular or non-rectangular cross-section where such cross-section is achieved subsequent to the rolling process, *i.e.,* products which have been ''worked after rolling'' (*e.g.,* products which have been beveled or rounded at the edges).

For purposes of the width and thickness requirements referenced above:

(1) Where the nominal and actual measurements vary, a product is within the scope if application of either the nominal or actual measurement would place it within the scope based on the definitions set forth above, and

(2) where the width and thickness vary for a specific product (*e.g.,* the thickness of certain products with non-rectangular cross-section, the width of certain products with non-rectangular shape, *etc.*), the measurement at its greatest width or thickness applies.

Steel products included in the scope of this investigation are products in which: (1) iron

Memorandum,'' dated concurrently with this **Federal Register** notice.

[12] Commerce determines that United Iron & Steel Company LLC and United Metal Coating comprise a single entity. *See* Issues and Decision Memorandum.

predominates, by weight, over each of the other contained elements; and (2) the carbon content is 2 percent or less, by weight.

Subject merchandise also includes corrosion-resistant steel that has been further processed in a third country, including but not limited to annealing, tempering, painting, varnishing, trimming, cutting, punching and/or slitting or any other processing that would not otherwise remove the merchandise from the scope of the investigations if performed in the country of manufacture of the in-scope corrosion resistant steel.

All products that meet the written physical description are within the scope of this investigation unless specifically excluded. The following products are outside of and/or specifically excluded from the scope of this investigation:

- Flat-rolled steel products either plated or coated with tin, lead, chromium, chromium oxides, both tin and lead (''terne plate'') or both chromium and chromium oxides (''tin free steel''), whether or not painted, varnished or coated with plastics or other non-metallic substances in addition to the metallic coating;
- Clad products in straight lengths of 4.7625 mm or more in composite thickness and of a width which exceeds 150 mm and measures at least twice the thickness;
- Certain clad stainless flat-rolled products, which are three-layered corrosion-resistant carbon steel flat-rolled products less than 4.75 mm in composite thickness that consist of a carbon steel flat-rolled product clad on both sides with stainless steel in a 20%–60%–20% ratio; and

Also excluded from the scope of the antidumping duty investigation on corrosion resistant steel from Taiwan are any products covered by the existing antidumping duty order on corrosion-resistant steel from Taiwan. *See Certain Corrosion-Resistant Steel Products from India, Italy, the People's Republic of China, the Republic of Korea and Taiwan: Amended Final Affirmative Antidumping Determination for India and Taiwan, and Antidumping Duty Orders,* 81FR 48390 (July 25, 2016); *Corrosion-Resistant Steel Products from Taiwan: Notice of Third Amended Final Determination of Sales at Less Than Fair Value Pursuant to Court Decision and Partial Exclusion from Antidumping Duty Order,* 88 FR 58245 (August 25, 2023).

Also excluded from the scope of the antidumping duty investigation on corrosion-resistant steel from the United Arab Emirates and the antidumping duty and countervailing duty investigations on corrosion-resistant steel from the Socialist Republic of Vietnam are any products covered by the existing antidumping and countervailing duty orders on corrosion-resistant steel from the People's Republic of China and the Republic of Korea and the antidumping duty order on corrosion-resistant steel from Taiwan. *See Certain Corrosion-Resistant Steel Products from India, Italy, the People's Republic of China, the Republic of Korea and Taiwan: Amended Final Affirmative Antidumping Determination for India and Taiwan, and Antidumping Duty Orders,* 81 FR 48390 (July 25, 2016); *see also Certain Corrosion-Resistant Steel Products from India, Italy, Republic of Korea and the People's Republic of China: Countervailing Duty Order,* 81 FR 48387 (July 25, 2016). This exclusion does not apply to imports of corrosion-resistant steel that are entered, or withdrawn from warehouse, for consumption in the United States for which the relevant importer and exporter certifications have been completed and maintained and all other applicable certification requirements have been met such that the entry is entered into the United States as not subject to the antidumping and countervailing duty orders on corrosion-resistant steel from the People's Republic of China, the antidumping and countervailing duty orders on corrosion-resistant steel from the Republic of Korea, or the antidumping duty order on corrosion-resistant steel from Taiwan.

The products subject to the investigation are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers: 7210.30.0030, 7210.30.0060, 7210.41.0000, 7210.49.0030, 7210.49.0040, 7210.49.0045, 7210.49.0091, 7210.49.0095, 7210.61.0000, 7210.69.0000, 7210.70.6030, 7210.70.6060, 7210.70.6090, 7210.90.6000, 7210.90.9000, 7212.20.0000, 7212.30.1030, 7212.30.1090, 7212.30.3000, 7212.30.5000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7212.60.0000, 7225.91.0000, 7225.92.0000, 7226.99.0110, and 7226.99.0130.

The products subject to the investigation may also enter under the following HTSUS item numbers: 7210.90.1000, 7215.90.1000, 7215.90.3000, 7215.90.5000, 7217.20.1500, 7217.30.1530, 7217.30.1560, 7217.90.1000, 7217.90.5030, 7217.90.5060, 7217.90.5090, 7225.99.0090, 7226.99.0180, 7228.60.6000, 7228.60.8000, and 7229.90.1000.

The HTSUS subheadings above are provided for convenience and customs purposes only. The written description of the scope of the investigation is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Final Negative Determination of Critical Circumstances
IV. Changes from the *Preliminary Determination*
V. Discussion of the Issues
Comment 1: Whether Commerce Should Apply Zeroing to All Sales Comparisons and Deny Offsets by Assigning a Value of Zero to Non-Dumped Sales
Comment 2: Adequacy of Rationale for Price Difference Test
Comment 3: Whether Commerce Should Continue to Apply Adverse Facts Available (AFA) to AGIS' Inland Freight
Comment 4: Whether To Apply Total AFA to UISC/UMC
Comment 5: Whether To Apply Partial AFA to UISC/UMC
Comment 6: Whether To Revise the Highest Home Market (HM) Price Used as Partial AFA for UISC/UMC
Comment 7: Whether To Include the HM Other Discounts for UISC/UMC
Comment 8: Whether To Deny Certain HM Commissions for UISC/UMC
VI. Recommendation

[FR Doc. 2025–16611 Filed 8–28–25; 8:45 am]
BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–201–864]

Certain Corrosion-Resistant Steel Products From Mexico: Final Affirmative Countervailing Duty Determination

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that countervailable subsidies are being provided to producers and exporters of certain corrosion-resistant steel products (CORE) from Mexico during the period of investigation (POI), January 1, 2023, through December 31, 2023.

DATES: Applicable August 29, 2025.

FOR FURTHER INFORMATION CONTACT: Maria Teresa Aymerich or Paul Kebker, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–0499 or (202) 482–2254, respectively.

SUPPLEMENTARY INFORMATION:

Background

On February 10, 2025, Commerce published in the **Federal Register** its *Preliminary Determination* in the countervailing duty (CVD) investigation of CORE from Mexico and invited interested parties to comment.[1] On July 31, 2025, Commerce issued its post-preliminary analysis regarding new subsidy allegations.[2] Because Commerce aligned the deadline for this final determination with the deadline for the final determination in the less-than-fair-value (LTFV) investigation of CORE from Mexico, the deadline for the final determination is now August 25, 2025.[3]

[1] *See Certain Corrosion-Resistant Steel Products From Mexico: Preliminary Affirmative Countervailing Duty Determination, and Alignment of Final Determination With Final Antidumping Duty Determination,* 90 FR 9226 (February 10, 2025) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM).

[2] *See* Memorandum, ''Post-Preliminary Analysis,'' dated July 31, 2025 (Post-Preliminary Memorandum).

[3] *See Preliminary Determination,* 90 FR at 9226–9227; *see also Certain Corrosion-Resistant Steel Products From Mexico: Preliminary Affirmative*

Continued

For a complete description of the events that occurred since Commerce published the *Preliminary Determination,* as well as a full discussion of the issues raised by parties for this final determination, *see* the Issues and Decision Memorandum.[4] The Issues and Decision Memorandum is a public document that is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Scope of the Investigation

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

Scope Comments

In the Preliminary Scope Memorandum, we set aside a period of time for parties to raise issues regarding product coverage (*i.e.,* scope) in scope-specific case briefs or other written comments.[5] We received scope case and rebuttal briefs from multiple interested parties. For a summary of the product coverage comments and rebuttal responses submitted to the record for this final determination, and accompanying discussion and analysis of all comments timely received, *see* the Final Scope Memorandum.[6] In the Final Scope Memorandum, Commerce made no changes to the scope language as it appeared in the *Initiation Notice.*[7] *See* Appendix I.

Verification

Commerce conducted verification of the information relied upon in making its final determination in this investigation, in accordance with section 782(i) of the Tariff Act of 1930, as amended (the Act). Specifically, we conducted on-site verifications of the subsidy information reported by Ternium Mexico, S.A. de C.V. (Ternium Mexico), Galvasid S.A. de C.V. (Galvasid), and the Government of Mexico (GOM) in July 2025 using standard verification procedures, including an examination of relevant sales and accounting records, and original source documents provided by Ternium Mexico and Galvasid.[8]

Analysis of Subsidy Programs and Comments Received

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

Changes Since the Preliminary Determination

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

Methodology

Commerce conducted this investigation in accordance with section 701 the Act. For each of the subsidy programs found to be countervailable, Commerce determines that there is a subsidy, *i.e.,* a financial contribution by an ''authority'' that gives rise to a benefit to the recipient, and that the subsidy is specific.[9] For a full description of the methodology underlying our final determination, *see* the Issues and Decision Memorandum.

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

All-Others Rate

Pursuant to section 705(c)(5)(A)(i) of the Act, Commerce will determine an all-others rate equal to the weighted average countervailable subsidy rates established for those exporters and/or producers individually investigated, excluding any zero and *de minimis* countervailable subsidy rates, and any rates based entirely under section 776 of the Act. In this investigation, the only rate above *de minimis* is partially based on AFA under section 776 of the Act. This is the only rate available in this proceeding for deriving the all-others rate. Given these facts, Commerce has determined that a reasonable method for establishing the estimated all-others countervailable subsidy rate is to assign Ternium Mexico's estimated countervailable subsidy rate to all other producers and exporters.

Final Determination

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

Company	Subsidy rate (percent *ad valorem*)
Ternium Mexico, S.A. de C.V	13.26
Galvasid S.A. de C.V	0.00
All Others	13.26

Disclosure

Commerce intends to disclose its calculations and analysis performed to interested parties in this final determination within five days of its public announcement, or if there is no public announcement, within five days of the date of publication of this notice

Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures, 90 FR 15349 (April 10, 2025).

[4] *See* Memorandum, ''Issues and Decision Memorandum for the Final Affirmative Determination of Countervailing Duty Investigation of Certain Corrosion-Resistant Steel Products from Mexico,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[5] *See* Memorandum, ''Less-Than-Fair-Value Investigations of Certain Corrosion-Resistant Steel Products from Australia, Brazil, Canada, Mexico, the Netherlands, South Africa, Taiwan, the Republic of Türkiye, the United Arab Emirates, and the Socialist Republic of Vietnam, and Countervailing Duty Investigations of Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Preliminary Scope Decision Memorandum,'' dated April 3, 2025 (Preliminary Scope Memorandum).

[6] *See* Memorandum, ''Less-Than-Fair-Value Investigations of Certain Corrosion-Resistant Steel Products from Australia, Brazil, Canada, Mexico, the Netherlands, South Africa, Taiwan, the Republic of Türkiye, the United Arab Emirates, and the Socialist Republic of Vietnam, and Countervailing Duty Investigations of Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Final Scope Decision Memorandum,'' dated concurrently with this notice (Final Scope Memorandum).

[7] *See Certain Corrosion-Resistant Steel Products from Brazil, Canada, Mexico, and the Socialist Republic of Vietnam: Initiation of Countervailing Duty Investigations,* 89 FR 80204 (October 2, 2024) (*Initiation Notice*).

[8] *See* Memoranda, ''Verification of the Questionnaire Responses of the Ternium Mexico, S.A. de C.V.,'' dated July 24, 2025; ''Verification of the Questionnaire Responses of the Galvasid, S.A. de C.V.,'' dated July 24, 2025; and ''Verification of the Questionnaire Responses of the Government of Mexico,'' dated July 24, 2025.

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

in the **Federal Register,** in accordance with 19 CFR 351.224(b).

Continuation of Suspension of Liquidation

As a result of our *Preliminary Determination,* and pursuant to sections 703(d)(1)(B) and (d)(2) of the Act, Commerce instructed U.S. Customs and Border Protection (CBP) to collect cash deposits and suspend liquidation of entries of CORE as described in the scope of the investigation section, that were entered, or withdrawn from warehouse, for consumption on or after February 10, 2025, the date of publication of the *Preliminary Determination* in the **Federal Register**, except for Galvasid and its cross-owned companies because Galvasid's preliminary rate was zero. In accordance with section 733(d) of the Act, we instructed CBP to discontinue the suspension of liquidation of all entries of CORE entered or withdrawn from warehouse, on or after June 10, 2025, but to continue the suspension of liquidation of all entries of CORE from February 10, 2025, through June 9, 2025.

If the U.S. International Trade Commission (ITC) issues a final affirmative injury determination, we will issue a countervailing duty order, reinstate the suspension of liquidation under section 706(a) of the Act, and require a cash deposit of estimated countervailing duties for such entries of CORE, other than those produced and exported by Galvasid and its cross-owned companies because Galvasid's rate is zero, in the amounts indicated above. If the ITC determines that material injury, or threat of material injury, does not exist, this proceeding will be terminated, and all estimated duties deposited or securities posted as a result of the suspension of liquidation will be refunded or canceled.

ITC Notification

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

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

Administrative Protective Order

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

Notification to Interested Parties

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

Dated: August 25, 2025.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The products covered by this investigation are certain flat-rolled steel products, either clad, plated, or coated with corrosion-resistant metals such as zinc, aluminum, or zinc-, aluminum-, nickel- or iron-based alloys, whether or not corrugated or painted, varnished, laminated, or coated with plastics or other non-metallic substances in addition to the metallic coating. The products covered include coils that have a width of 12.7 mm or greater, regardless of form of coil (*e.g.,* in successively superimposed layers, spirally oscillating, *etc.*). The products covered also include products not in coils (*e.g.,* in straight lengths) of a thickness less than 4.75 mm and a width that is 12.7 mm or greater and that measures at least 10 times the thickness. The products covered also include products not in coils (*e.g.,* in straight lengths) of a thickness of 4.75 mm or more and a width exceeding 150 mm and measuring at least twice the thickness. The products described above may be rectangular, square, circular, or other shape and include products of either rectangular or non-rectangular cross-section where such cross-section is achieved subsequent to the rolling process, *i.e.,* products which have been ''worked after rolling'' (*e.g.,* products which have been beveled or rounded at the edges).

For purposes of the width and thickness requirements referenced above:

(1) Where the nominal and actual measurements vary, a product is within the scope if application of either the nominal or actual measurement would place it within the scope based on the definitions set forth above, and

(2) where the width and thickness vary for a specific product (*e.g.,* the thickness of certain products with non-rectangular cross-section, the width of certain products with non-rectangular shape, *etc.*), the measurement at its greatest width or thickness applies.

Steel products included in the scope of these investigations are products in which: (1) iron predominates, by weight, over each of the other contained elements; and (2) the carbon content is 2 percent or less, by weight.

Subject merchandise also includes corrosion-resistant steel that has been further processed in a third country, including but not limited to annealing, tempering, painting, varnishing, trimming, cutting, punching and/or slitting or any other processing that would not otherwise remove the merchandise from the scope of the investigations if performed in the country of manufacture of the in-scope corrosion resistant steel.

All products that meet the written physical description are within the scope of these investigations unless specifically excluded. The following products are outside of and/or specifically excluded from the scope of these investigations:

- Flat-rolled steel products either plated or coated with tin, lead, chromium, chromium oxides, both tin and lead (''terne plate'') or both chromium and chromium oxides (''tin free steel''), whether or not painted, varnished or coated with plastics or other non-metallic substances in addition to the metallic coating;
- Clad products in straight lengths of 4.7625 mm or more in composite thickness and of a width which exceeds 150 mm and measures at least twice the thickness;
- Certain clad stainless flat-rolled products, which are three-layered corrosion-resistant carbon steel flat-rolled products less than 4.75 mm in composite thickness that consist of a carbon steel flat-rolled product clad on both sides with stainless steel in a 20%-60%-20% ratio; and

Also excluded from the scope of the antidumping duty investigation on corrosion resistant steel from Taiwan are any products covered by the existing antidumping duty order on corrosion-resistant steel from Taiwan. *See Certain Corrosion-Resistant Steel Products from India, Italy, the People's Republic of China, the Republic of Korea and Taiwan: Amended Final Affirmative Antidumping Determination for India and Taiwan, and Antidumping Duty Orders,* 81

FR 48390 (July 25, 2016); *Corrosion-Resistant Steel Products from Taiwan: Notice of Third Amended Final Determination of Sales at Less Than Fair Value Pursuant to Court Decision and Partial Exclusion from Antidumping Duty Order,* 88 FR 58245 (August 25, 2023).

Also excluded from the scope of the antidumping duty investigation on corrosion-resistant steel from the United Arab Emirates and the antidumping duty and countervailing duty investigations on corrosion-resistant steel from the Socialist Republic of Vietnam are any products covered by the existing antidumping and countervailing duty orders on corrosion-resistant steel from the People's Republic of China and the Republic of Korea and the antidumping duty order on corrosion-resistant steel from Taiwan. *See Certain Corrosion-Resistant Steel Products from India, Italy, the People's Republic of China, the Republic of Korea and Taiwan: Amended Final Affirmative Antidumping Determination for India and Taiwan, and Antidumping Duty Orders,* 81 FR 48390 (July 25, 2016); *see also Certain Corrosion-Resistant Steel Products from India, Italy, Republic of Korea and the People's Republic of China: Countervailing Duty Order,* 81 FR 48387 (July 25, 2016). This exclusion does not apply to imports of corrosion-resistant steel that are entered, or withdrawn from warehouse, for consumption in the United States for which the relevant importer and exporter certifications have been completed and maintained and all other applicable certification requirements have been met such that the entry is entered into the United States as not subject to the antidumping and countervailing duty orders on corrosion-resistant steel from the People's Republic of China, the antidumping and countervailing duty orders on corrosion-resistant steel from the Republic of Korea, or the antidumping duty order on corrosion-resistant steel from Taiwan.

The products subject to this investigation are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers: 7210.30.0030, 7210.30.0060, 7210.41.0000, 7210.49.0030, 7210.49.0040, 7210.49.0045, 7210.49.0091, 7210.49.0095, 7210.61.0000, 7210.69.0000, 7210.70.6030, 7210.70.6060, 7210.70.6090, 7210.90.6000, 7210.90.9000, 7212.20.0000, 7212.30.1030, 7212.30.1090, 7212.30.3000, 7212.30.5000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7212.60.0000, 7225.91.0000, 7225.92.0000, 7226.99.0110, and 7226.99.0130.

The products subject to this investigation may also enter under the following HTSUS item numbers: 7210.90.1000, 7215.90.1000, 7215.90.3000, 7215.90.5000, 7217.20.1500, 7217.30.1530, 7217.30.1560, 7217.90.1000, 7217.90.5030, 7217.90.5060, 7217.90.5090, 7225.99.0090, 7226.99.0180, 7228.60.6000, 7228.60.8000, and 7229.90.1000.

The HTSUS subheadings above are provided for convenience and customs purposes only. The written description of the scope of the investigation is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Subsidies Valuation
IV. Use of Facts Otherwise Available and Application of Adverse Inferences
V. Changes Since the *Preliminary Determination*
VI. Calculation of the All-Others Rate
VII. Analysis of Programs
VIII. Discussion of the Issues
Comment 1: Commerce's Determination that the Government of Mexico's (GOM) Provision of Mining Rights for Less Than Adequate Remuneration (LTAR) Program Provided No Benefit to Ternium Mexico
Comment 2: Application of Adverse Facts Available (AFA) Rates to the Banco Nacional de Comercio Exterior S.N.C. (Bancomext) Financial Factoring and Nacional Financiera, S.N.C., Development Banking Institution (NAFIN) Factoring Programs
Comment 3: AFA for the Bancomext Program
Comment 4: Whether the Bancomext Program Provides a Countervailable Subsidy Exceeding the *De Minimis* Level
Comment 5: AFA for the NAFIN Factoring Program
Comment 6: Whether to Use Ternium Mexico's Total Sales as the Denominator in Calculating the Benefit for the Bancomext and NAFIN Factoring Programs
IX. Recommendation

[FR Doc. 2025–16606 Filed 8–28–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF119]

Marine Mammals; File No. 29122

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

ACTION: Notice; receipt of application.

SUMMARY: Notice is hereby given that Pacific Whale Foundation, 300 Ma'alaea Road, Suite 211, Wailuku, HI, 96793 (Responsible Party: Selket Kaufman), has applied in due form for a permit to conduct commercial and educational photography on marine mammals.

DATES: Written comments must be received on or before September 29, 2025.

ADDRESSES: These documents are available upon written request via email to *NMFS.Pr1Comments@noaa.gov.*

Written comments on this application should be submitted via email to *NMFS.Pr1Comments@noaa.gov.* Please include File No. 29122 in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request via email to *NMFS.Pr1Comments@noaa.gov.* The request should set forth the specific reasons why a hearing on this application would be appropriate.

FOR FURTHER INFORMATION CONTACT: Erin Markin, Ph.D., or Shasta McClenahan, Ph.D., (301) 427–8401.

SUPPLEMENTARY INFORMATION: The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*), and the regulations governing the taking and importing of marine mammals (50 CFR part 216).

The applicant proposes to film up to 232 humpback whales (*Megaptera novaeangliae*) in Hawaii for a wildlife documentary. Filming may occur from a vessel, underwater pole camera, and unmanned aircraft system. Fifty bottlenose (*Tursiops truncatus*), 50 spinner (*Stenella longirostris*), and 50 pantropical spotted (*S. attenuata*) dolphins may be filmed while interacting with humpback whales. The permit would be valid through April 2028.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of the application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: August 26, 2025.

Shannon Bettridge,

Chief, Marine Mammal and Sea Turtle Conservation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2025–16580 Filed 8–28–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF126]

New England Fishery Management Council; Public Meeting

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

ACTION: Notice of public meeting.

SUMMARY: The New England Fishery Management Council (Council) is scheduling a public meeting of its Scallop Advisory Panel via webinar to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

DATES: This meeting will be held on Friday, September 12, 2025 at 9 a.m.

Webinar registration URL information: *https://nefmc-org.zoom.us/meeting/register/lvOsydGdQ0yKRuLpQ03Svg.*

ADDRESSES: *Council address:* New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT: Cate O'Keefe, Executive Director, New England Fishery Management Council; telephone: (978) 465–0492.

SUPPLEMENTARY INFORMATION:

Agenda

The Scallop Advisory Panel will meet to discuss Framework 40—review results of 2025 scallop surveys, and preliminary projections. The primary focus of this meeting will be to develop input on the range of potential specification alternatives for FY 2026 and FY 2027. The action will set ABC/ACLs, days-at-sea, access area allocations, total allowable landings for the Northern Gulf of Maine (NGOM) management area, targets for General Category incidental catch, General Category access area trips and trip accounting, and set-asides for the observer and research programs for fishing year 2026 and default specifications for fishing year 2027. They also plan to discuss Social and Wellbeing Outcomes in Catch Share Programs—receive a presentation by Dr. Kanae Tokunaga (Gulf of Maine Research Institute) on a Case Study of the LAGC IFQ Scallop Program. The Advisory Panel will also discuss 2025 Scallop Work Priorities—review Long-Term Strategic Plan Roadmap and discuss prioritization, LAGC IFQ Review. Other business will be discussed, if necessary.

Although non-emergency issues not contained on the agenda may come before this Council for discussion, those issues may not be the subject of formal action during this meeting. Council action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency. The public also should be aware that the meeting will be recorded. Consistent with 16 U.S.C. 1852, a copy of the recording is available upon request.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Cate O'Keefe, Executive Director, at (978) 465–0492, at least 5 days prior to the meeting date.

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

Dated: August 27, 2025.

Becky J. Curtis,

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

[FR Doc. 2025–16668 Filed 8–28–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF DEFENSE

Department of the Army

[Docket ID: USA–2024–HQ–0014]

Submission for OMB Review; Comment Request

AGENCY: Department of the Army, Department of Defense (DoD).

ACTION: 30-Day information collection notice.

SUMMARY: The DoD has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act.

DATES: Consideration will be given to all comments received by September 29, 2025.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Reginald Lucas, (571) 372–7574, *whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil.*

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Exchange Employment Applications; Exchange Forms 1200–718 and 1200–026; OMB Control Number 0702–0133.

Type of Request: Revision.

Exchange Web-Based Applications

Number of Respondents: 147,400.

Responses per Respondent: 1.

Annual Responses: 147,400.

Average Burden per Response: 30 minutes.

Annual Burden Hours: 73,700.

Driver's Supplemental Information (Form 1200–026)

Number of Respondents: 2,060.

Responses per Respondent: 1.

Annual Responses: 2,060.

Average Burden per Response: 60 minutes.

Annual Burden Hours: 2,060.

Local National Employment Applications (Germany, Turkey, Italy, United Kingdom)

Number of Respondents: 849.

Responses per Respondent: 1.

Annual Responses: 849.

Average Burden per Response: 45 minutes.

Annual Burden Hours: 637.

Total

Number of Respondents: 150,309.

Annual Responses: 150,309.

Annual Burden Hours: 76,397.

Needs and Uses: This information collection covers the documentation related to the employment of individuals to the Exchange within the Continental United States of America and Exchange facilities outside the Continental United States of America. The collection allows the Exchange to capture the essential information required to evaluate applicants for Exchange civilian opportunities in order to hire the best, qualified individuals empowering the Exchange's mission of enhancing the quality of life for members of the U.S. Military.

Affected Public: Individuals or households.

Frequency: On occasion.

Respondent's Obligation: Voluntary.

DoD Clearance Officer: Mr. Reginald Lucas.

Dated: August 27, 2025.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025–16673 Filed 8–28–25; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Department of the Army

[Docket ID: USA–2025–HQ–0102]

Proposed Collection; Comment Request

AGENCY: Department of the Army, Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Department of the Army announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by October 28, 2025.

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

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

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

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

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to Army & Air Force Exchange Service, Office of the General Counsel, Compliance Division, ATTN: Teresa Schreurs, 3911 South Walton Walker Blvd., Dallas, TX 75236–1598, through email to *PrivacyManager@aafes.com,* or call the Exchange Compliance Division at 800–967–6067, Option 5.

SUPPLEMENTARY INFORMATION:

Title, Associated Form and OMB Number: Exchange Credit Program; OMB Control Number 0702–0137.

Needs and Uses: The information collection is the basis for determining Exchange patron credit eligibility, enhancing the patron's shopping experience, determining the patron's suitability to cash checks at Exchange facilities, and collecting government debts. Allowing patrons to use credit in their shopping experience supports the efficiency and effectiveness of the Exchange's marketing programs and the mission to support the Army's Family and Morale, Welfare and Recreation Programs. Authorized patrons include individuals who are members of the uniformed services, retired members, authorized veterans, and dependents of members of the Armed Forces, commissioned officers of the Public Health Service, and commissioned officers of the National Oceanic and Atmospheric Administration. Other individuals may meet the requirements of being patrons as mandated by regulation. The Exchange offers ''personal credit'' accounts to service members for purchases of military clothing and to all authorized patrons a private label Military Star credit card for retail purchases. Patrons deciding to apply for credit may voluntarily complete the application form online, through a local Exchange facility by completing the Exchange paper form CRC 7429395 ''Military Star Credit Paper Application'', or by supplying information to an authorized Exchange cashier at the Point of Sale. Account holders requesting to update information on their account may do so electronically by visiting *https://www.myecp.com/,* or by contacting the Exchange MILITARY STAR department at 1–877–891–7827. Information collected from the patron allows the Exchange to address their credit worthiness, and supply monthly statements and debt communication, to include wage garnishments.

Affected Public: Individuals or households.

Annual Burden Hours: 28,975.

Number of Respondents: 869,231.

Responses per Respondent: 1.

Annual Responses: 869,231.

Average Burden per Response: 2 minutes.

Frequency: On occasion.

Dated: August 27, 2025.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025–16674 Filed 8–28–25; 8:45 am]

BILLING CODE 3710–08–P

DEPARTMENT OF EDUCATION

Common Instructions and Information for Applicants to Department of Education Discretionary Grant Programs

AGENCY: Office for Planning, Evaluation and Policy Development, Department of Education.

ACTION: Notice; revised common instructions.

SUMMARY: On December 23, 2024, the Department of Education (Department) published a set of common instructions for applicants seeking funds under a Department discretionary grant competition. In this notice, the Department is publishing a revised version of the common instructions that supersedes the version published on December 23, 2024.

FOR FURTHER INFORMATION CONTACT: Kelly Terpak, U.S. Department of Education, 400 Maryland Avenue SW, Room 4C212, Washington, DC 20202. Telephone: (202) 280–8472. Email: *Kelly.Terpak@ed.gov.*

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

SUPPLEMENTARY INFORMATION:

Background: This document is a centralized and up-to-date set of instructions for applying to the Department's discretionary grant programs. Notices inviting applications (NIAs) will reference this document instead of providing this series of instructions within each NIA. If in the rare circumstance exceptions to these instructions are necessary, they will be noted in an individual competition NIA.

Revised Common Instructions: The Department is making changes to the revised common instructions for applicants that were published in the **Federal Register** on December 23, 2024 (89 FR 104528), to update common instructions and include information previously found in Department NIAs, including Application and Submission Information, Application Review Information, and Award Administration Information. This effort is intended to help simplify and reduce the traditional length of Department NIAs by moving further common application elements into these instructions. In addition, the

Department has added guidance on the usage of Artificial Intelligence (AI) when applying to grant competitions. The revised common instructions and information are below.

Common Set of Instructions and Information for Applicants: Application and Submission Information.

1. *Where to Find the Application Package:* You can obtain an application package from the Department's website or *Grants.gov*.

2. *Content and Formatting Requirements:* Requirements concerning the content and formatting of an application, together with the forms you must submit, are in the application package for the program located on *Grants.gov*.

We recommend that you use the following standards:

- A ''page'' is 8.5″ x 11″, on one side only, with 1″ margins at the top, bottom, and both sides.
- Double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions.
- Meet or exceed standards for accessibility d (including alternative text for charts, figures, and graphs) in compliance with Section 508 of the Rehabilitation Act of 1973. For assistance with 508 compliance, please visit *section508.gov/create.*
- Use a font that is 12 point.
- Use one of the following fonts: Times New Roman, Courier, Courier New, or Arial.

3. *Unique Entity Identifier, Taxpayer Identification Number, and System for Award Management:* To do business with the Department, and to submit your application electronically using *Grants.gov*, you must—

a. Have a Unique Entity Identifier (UEI) and a Taxpayer Identification Number (TIN);

b. Be registered in the System for Award Management (*SAM.gov*), the Government's primary registrant database. Information about SAM is available at *www.SAM.gov.* To further assist you with registering in *SAM.gov* and getting a UEI or updating your existing SAM registration, see the Quick Start Guide for Grant Registrations at *https://www.fsd.gov/sys_attachment.do?sys_id=f51d017e1bab7c105465eaccac4bcb9f%20* and the Entity Registration Video at *https://sam.gov/content/entity-registration;*

c. Provide your UEI number and TIN on your application; and

d. Maintain an active SAM registration with current information while your application is under review by the Department and, if you are awarded a grant, during the project period.

If you are a corporate entity, agency, institution, or organization, you can obtain a TIN from the Internal Revenue Service (IRS). If you are an individual, you can obtain a TIN from the IRS or the Social Security Administration. If you need a new TIN, please allow two to five weeks for your TIN to become active.

The SAM registration process usually takes approximately 7 to 10 business days, but may take longer, depending on the completeness and accuracy of the data you enter into the *SAM.gov* database. The Department recommends that you register early, at least 10 to 14 business days before the application deadline. If you are unable to submit an application on *Grants.gov* by the application deadline because you do not have an active SAM registration, you will not be considered for funding.

Note: Once your *SAM.gov* registration is active, it may be 24 to 48 hours before you can access the information in, and submit an application through, *Grants.gov*.

If you are currently registered with *SAM.gov*, you may not need to make any changes. However, please make certain that the TIN associated with your UEI is correct.

Note: You must update your SAM registration annually. This may take three or more business days.

e. Register as an applicant using your UEI number and be designated by your organization's E-Biz Point of Contact as an Authorized Organization Representative (AOR). Details on these steps are outlined at the following *Grants.gov* web page: *https://grants.gov/register.*

4. *Submission Instructions:*

a. *Electronic Submission of Applications.*

The Department is participating as a partner in the Government-wide *Grants.gov* site. Submit applications electronically using *Grants.gov*. Do not mail or email them unless explicitly allowed in a competition NIA.

You may access the electronic grant applications at *www.grants.gov.* You may search for the downloadable application package for the competition that you are interested in applying to by the Assistance Listing Number (ALN). Do not include the ALN's alpha suffix in your search (*e.g.,* search for 84.184, not 84.184D).

A *Grants.gov* applicant must apply online using Workspace, a shared environment in *Grants.gov* where members of a grant team may simultaneously access and edit different web forms within an application. You begin by creating an individual Workspace for each application and establish, for that application, a collaborative application package that allows more than one person in your organization to work concurrently on an application. You will then complete the application forms in Workspace and submit the application when completed. For further instructions on how to apply using *Grants.gov*, refer to: *https://grants.gov/applicants/grant-applications/how-to-apply-for-grants.*

Please note the following:

- *Assistance:* Applicants needing assistance with *Grants.gov* may contact the *Grants.gov* Support Center either by calling 1–800–518–4726 or by sending an email to *support@grants.gov.* The *Grants.gov* Support Center is available 24 hours a day, seven days a week, except for Federal holidays. Applicants needing assistance from Department staff with their applications should contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section in the competition NIA prior to the application deadline date during normal business hours, and no later than 5:00 p.m., Eastern Time, on the application deadline date.

Further information about applying for discretionary grants can also be found on the ED.gov website: *https://www.ed.gov/grants-and-programs/apply-grant/getting-started-discretionary-grant-applications.*

- *Time to Submit an Application:* The amount of time it can take to upload an application will vary depending on a variety of factors, including the size of the application and the speed of your internet connection. Therefore, the Department recommends that you leave yourself plenty of time to complete your submission.
- *Application Deadline, Date- and Time-Stamps:* Applications received by *Grants.gov* are date- and time-stamped upon submission. Your application must be fully uploaded and submitted, received, and date- and time-stamped by the *Grants.gov* system no later than 11:59:59 p.m., Eastern Time, on the application deadline date. Except as otherwise noted in this section, the Department will not accept your application if it is submitted, received, and date- and time-stamped by the *Grants.gov* system after 11:59:59 p.m., Eastern Time, on the application deadline date. The Department will not consider an application that does not comply with the deadline requirements. When the Department retrieves your application from *Grants.gov*, the Department will notify you if the Department is rejecting your application because it was late. Receipt of a date-

and time-stamp from *Grants.gov* does not mean that your application meets program eligibility requirements described in the NIA.

• *Artificial Intelligence:* The Department recognizes the potential of artificial intelligence (AI) systems (including machine learning, generative artificial intelligence, and large language models) and generated content to support the mission of promoting student achievement and ensuring equal access. The use of AI in the development of grant application materials is allowable. Applicants submitting a grant application must certify on the standard application form to the ''true, complete, and accurate'' nature of all the contents of their grant application, regardless of whether it is generated by AI.

• *Forms:* When you submit your application electronically, all documents must be submitted electronically, including all information you typically provide on the following forms: the Application for Federal Assistance (SF 424), the Department of Education Supplemental Information for SF 424, Budget Information—Non-Construction Programs (ED 524), and all Department-specific assurances and certifications.

• *File Type:* When you submit your application electronically, you must upload any narrative sections and all other attachments to your application as files in Portable Document Format (PDF). The Department recommends applicants submit all documents as read-only flattened PDFs, meaning any fillable PDF files must be saved and submitted as non-fillable PDF files and not as interactive or fillable PDF files, to better ensure applications are processed in a more timely, accurate, and efficient manner. If you upload a file type other than PDF or if you submit a password-protected file, the Department will be unable to review that material. Please note that this will likely result in your application not being considered for funding. The Department will not convert material from other formats to PDF.

• *Notification of Receipt:* After you electronically submit your application, you will receive from *Grants.gov* an automatic notification of receipt that contains a *Grants.gov* tracking number. *Grants.gov* will also notify you automatically by email if your application met all of the *Grants.gov* validation requirements or if there were any errors. If you discover that your submitted application was incomplete or included errors, you will be given an opportunity to correct any errors and resubmit, but you must still meet the deadline date and time (11:59:59) for submission.

Once your application is successfully validated by *Grants.gov*, the Department will retrieve your application from *Grants.gov* and send you an email with a unique PR/Award number for your application.

If you are prevented from electronically submitting your application on the application deadline date because of technical problems within the *Grants.gov* system, the Department will grant you an extension until 11:59:59 p.m., Eastern Time, the following business day to enable you to transmit your application electronically, provided the Department can verify the technical issues that affected your ability to submit your application on time via your *Grants.gov* Support Desk Case Number.

Note: The extensions to which the Department refers in this section apply only to technical problems with the *Grants.gov* system. The Department will not grant you an extension if you failed to fully register in order to submit your application to *Grants.gov* (including with the required UEI number and TIN currently registered in SAM) before the application deadline date and time or if the technical problem you experienced is unrelated to the *Grants.gov* system.

Application Review Information

1. *Submission of Proprietary Information:* Given the types of projects that may be proposed in applications for funding, your application may include business information that you consider proprietary. In 34 CFR 5.11 we define ''business information'' and describe the process we use in determining whether any of that information is proprietary and, thus, protected from disclosure under Exemption 4 of the Freedom of Information Act (5 U.S.C. 552, as amended).

Because we plan to make successful applications available to the public, you may wish to request confidentiality of business information.

Consistent with Executive Order 12600, please designate in your application any information that you believe is exempt from disclosure under Exemption 4 of the Freedom of Information Act. In the appropriate Appendix section of your application, under ''Other Attachments Form,'' please list the page number or numbers on which we can find this information. For additional information please see 34 CFR 5.11(c).

2. *Intergovernmental Review:* Most Department competitions are subject to intergovernmental review under Executive Order 12373. If applicable, information about this process is in the program application package.

3. *Past Performance:* In reviewing applications in any discretionary grant competition, the Secretary may consider the past performance of the applicant in carrying out a previous award, such as the applicant's use of funds, achievement of project objectives, and compliance with grant conditions. The Secretary may also consider whether the applicant failed to submit a timely performance report or submitted a report of unacceptable quality.

4. *Assurances:* In addition, in making a competitive grant award, the Secretary requires various assurances, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department.

5. *Risk Assessment and Specific Conditions:* Before awarding grants under this competition, the Department conducts a review of the risks posed by applicants. The Secretary may impose specific conditions and, in appropriate circumstances, high-risk conditions on a grant if the applicant or grantee is not financially stable; has a history of unsatisfactory performance; has a financial or other management system that does not meet the standards in 2 CFR part 200, subpart D; has not fulfilled the conditions of a prior grant; or is otherwise not responsible.

6. *Integrity and Performance Review:* If you are selected to receive an award that over the course of the project period may exceed the simplified acquisition threshold (currently $250,000), we must make a judgment about your integrity, business ethics, and record of performance under Federal awards—that is, the risk posed by you as an applicant—before we make an award. In doing so, we must consider any information about you that is in the System for Award Management's (SAM) Responsibility/Qualification reports (formerly referred to as the Federal Awardee Performance and Integrity Information System (FAPIIS)). You may review and comment on any information about yourself that a Federal agency previously entered and that is currently in the Responsibility/Qualification reports in SAM.

If the total value of your currently active grants, cooperative agreements, and procurement contracts from the Federal Government exceeds $10,000,000, the reporting requirements in 2 CFR part 200, Appendix XII, require you to report certain integrity information to SAM semiannually. Please review these requirements if this

grant plus all the other Federal funds you receive exceed $10,000,000.

Award Administration Information

1. *Award Notices:* If your application is successful, we will notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN), or we may send you an email containing a link to access an electronic version of your GAN. We also may notify you informally.

If your application is not evaluated or not selected for funding, we will notify you.

2. *Administrative and National Policy Requirements*: Administrative and national policy requirements are identified in the application package and referenced in the *Applicable Regulations* section of the competition's NIA. The regulations outlining the terms and conditions of an award in the *Applicable Regulations* section of the competition notice include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. *Open Licensing Requirements:* Unless an exception applies and is identified in the NIA, if you are awarded a grant by the Department, you will be required to openly license to the public grant deliverables created in whole, or in part, with Department grant funds. When the deliverable consists of modifications to pre-existing works, the license extends only to those modifications that can be separately identified and only to the extent that open licensing is permitted under the terms of any licenses or other legal restrictions on the use of pre-existing works. Additionally, a grantee that is awarded competitive grant funds must have a plan to disseminate these public grant deliverables. This dissemination plan can be developed and submitted after your application has been reviewed and selected for funding. For additional information on the open licensing requirements please refer to 2 CFR 3474.20.

4. *Reporting:* (a) If you apply for a grant, you must ensure that you have in place the necessary processes and systems to comply with the reporting requirements should you receive funding under the competition. This does not apply if you have an exception.

(b) At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multiyear award, you must submit an annual performance report that provides the most current performance and financial expenditure information as directed by the Secretary. The Secretary may also require more frequent performance reports.

(c) The Secretary may provide a grantee with additional funding for data collection analysis and reporting. In this case the Secretary establishes a data collection period.

5. *Continuations:* When applicable, in making a continuation award, the Secretary considers, among other things: whether a grantee has made substantial progress in achieving the goals and objectives of the project; whether the grantee has expended funds in a manner that is consistent with its approved application and budget; if the Secretary has established performance measurement requirements, whether the grantee has made substantial progress in achieving the performance targets in the grantee's approved application; and whether the continuation of the project is in the best interest of the Federal Government.

In making a continuation award, the Secretary also considers whether the grantee is operating in compliance with the assurances and specific conditions in its approved application, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department.

Accommodations; Accessible Format: Individuals with disabilities who need an accommodation or auxiliary aid in connection with the application process should contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section in the competition NIA. If the Department provides an accommodation or auxiliary aid to an individual with a disability in connection with the application process, the individual's application remains subject to all other requirements and limitations in the competition NIA.

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

Murray Bessette.

Principal Deputy Assistant Secretary and Acting Assistant Secretary, Office of Planning, Evaluation and Policy Development.

[FR Doc. 2025–16571 Filed 8–28–25; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2025–SCC–0023]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Transition and Postsecondary Programs for Students With Intellectual Disabilities (TPSID) Evaluation Protocol

AGENCY: Office of Postsecondary Education (OPE), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act (PRA) of 1995, the Department is proposing a revision of a currently approved information collection request (ICR).

DATES: Interested persons are invited to submit comments on or before September 29, 2025.

ADDRESSES: Written comments and recommendations for proposed information collection requests should be submitted within 30 days of publication of this notice. Click on this link *www.reginfo.gov/public/do/PRAMain* to access the site. Find this information collection request (ICR) by selecting ''Department of Education'' under ''Currently Under Review,'' then check the ''Only Show ICR for Public Comment'' checkbox. *Reginfo.gov* provides two links to view documents related to this information collection request. Information collection forms and instructions may be found by clicking on the ''View Information Collection (IC) List'' link. Supporting statements and other supporting documentation may be found by clicking on the ''View Supporting Statement and Other Documents'' link.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Shedita Alston, 202–453–7090.

SUPPLEMENTARY INFORMATION: The Department is especially interested in public comment addressing the following issues: (1) is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in

response to this notice will be considered public records.

Title of Collection: Transition and Postsecondary Programs for Students With Intellectual Disabilities (TPSID) Evaluation Protocol.

OMB Control Number: 1840–0825.

Type of Review: A revision of a currently approved ICR.

Respondents/Affected Public: Private Sector.

Total Estimated Number of Annual Responses: 40.

Total Estimated Number of Annual Burden Hours: 788.

Abstract: The Transition and Postsecondary Programs for Students with Intellectual Disabilities Coordinating Center (TPSID–CC) program is the evaluation arm for the work that is being completed by the TPSID program grantees. TPSID–CC uses data collected from the work that the TPSID program grantees are doing on behalf of the TPSID program participants, to establish a comprehensive research and evaluation protocol for TPSID program grantees, non-TPSID program CTP (comprehensive transition programs) and pertinent stakeholders. TPSID program grantees can use the evidence-based information they receive from the data that is collected by the TPSID–CC to find ways to apply what they have learned to their respective TPSID program projects. Simultaneously, the TPSID–CC is also providing technical assistance to build the capacity of IHEs across the country to make college possible for students with intellectual disabilities who want to go to college Data must be collected by the TPSID–CC on accreditation standards and communications with recognized accrediting agencies; descriptions and analyses of funding streams, and the impact of the TPSID–CC's technical assistance activities related to outreach and dissemination.

In October 2020, the Institute for Community Inclusion (ICI), UMass Boston received a five-year cooperative agreement from the Office of Postsecondary Education to serve as the National Coordinating Center (NCC) for colleges and universities implementing inclusive higher education programs for students with intellectual disabilities, including 22 model demonstration projects aimed at creating inclusive comprehensive transition and postsecondary programs for students with intellectual disabilities known as Transition and Postsecondary Programs for Students with Intellectual Disabilities (TPSIDs).

To reduce respondent burden, the NCC has streamlined and simplified the previously approved evaluation system for the TPSID programs. The NCC will enhance the collection and analyses of longitudinal follow-up data from TPSID model programs via an already developed and previously OMB approved evaluation system for the TPSID programs. The revised data collection system is part of an evaluation effort. The system will collect program data at the institutions from TPSID program staff via an online, secure data management system.

Ross Santy,

Chief Data Officer, Office of Planning, Evaluation and Policy Development.

[FR Doc. 2025–16656 Filed 8–28–25; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL25–108–000]

NedPower Mount Storm LLC; Notice of Institution of Section 206 Proceeding and Refund Effective Date

On August 26, 2025, the Commission issued an order in Docket No. EL25–108–000, pursuant to section 206 of the Federal Power Act (FPA), 16 U.S.C. 824e, instituting an investigation to determine whether NedPower Mount Storm LLC's Rate Schedule is unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful. *NedPower Mount Storm LLC,* 192 FERC ¶ 61,176 (2025).

The refund effective date in Docket No. EL25–108–000 established pursuant to section 206(b) of the FPA, will be the date of publication of this notice in the **Federal Register**.

Any interested person desiring to be heard in Docket No. EL25–108–000 must file a notice of intervention or motion to intervene, as appropriate, with the Federal Energy Regulatory Commission, in accordance with Rule 214 of the Commission's Rules of Practice and Procedure, 18 CFR 385.214 (2024), within 21 days of the date of issuance of the order.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (*http://www.ferc.gov*) using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. From FERC's Home Page on the internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field. User assistance is available for eLibrary and the FERC's website during normal business hours from FERC Online Support at 202–502–6652 (toll free at 1–866–208–3676) or email at *ferconlinesupport@ferc.gov,* or the Public Reference Room at (202) 502–8371, TTY (202) 502–8659. Email the Public Reference Room at *public.referenceroom@ferc.gov.*

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the ''eFile'' link at *http://www.ferc.gov.* In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

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

Dated: August 26, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–16636 Filed 8–28–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

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

Docket Numbers: EC25–134–000.

Applicants: Chestnut Flats Lessee, LLC.

Description: Application for Authorization Under Section 203 of the Federal Power Act of Chestnut Flats Lessee, LLC.
Filed Date: 8/21/25.
Accession Number: 20250821–5154.
Comment Date: 5 p.m. ET 9/11/25.
Docket Numbers: EC25–135–000.
Applicants: Logan Wind, LLC, Logan Wind Energy, LLC.
Description: Joint Application for Authorization Under Section 203 of the Federal Power Act of Logan Wind, LLC, et al.
Filed Date: 8/22/25.
Accession Number: 20250822–5223.
Comment Date: 5 p.m. ET 9/12/25.
Docket Numbers: EC25–136–000.
Applicants: Limon Wind III Energy, LLC, Limon Wind III, LLC.
Description: Joint Application for Authorization Under Section 203 of the Federal Power Act of Limon Wind III Energy, LLC, et al.
Filed Date: 8/22/25.
Accession Number: 20250822–5224.
Comment Date: 5 p.m. ET 9/12/25.
Docket Numbers: EC25–137–000.
Applicants: Cimarron Wind Energy, LLC, Cimarron Wind, LLC.
Description: Joint Application for Authorization Under Section 203 of the Federal Power Act of Cimarron Wind Energy, LLC, et al.
Filed Date: 8/22/25.
Accession Number: 20250822–5227.
Comment Date: 5 p.m. ET 9/12/25.
Docket Numbers: EC25–138–000.
Applicants: Garden Wind, LLC, Garden Wind Energy, LLC.
Description: Joint Application for Authorization Under Section 203 of the Federal Power Act of Garden Wind, LLC, et al.
Filed Date: 8/22/25.
Accession Number: 20250822–5228.
Comment Date: 5 p.m. ET 9/12/25.
Docket Numbers: EC25–139–000.
Applicants: Rev Renewables Fund V Holdings, LLC, Rev Renewables, LLC.
Description: Joint Application for Authorization Under Section 203 of the Federal Power Act of Rev Renewables Fund V Holdings, LLC, et al.
Filed Date: 8/22/25.
Accession Number: 20250822–5229.
Comment Date: 5 p.m. ET 9/12/25.
Docket Numbers: EC25–140–000.
Applicants: Troy ParentCo LLC, TXNM Energy Inc., Public Service Company of New Mexico, New Mexico PPA Corporation.
Description: Joint Application for Authorization Under Section 203 of the Federal Power Act of Troy ParentCo LLC, et al.
Filed Date: 8/25/25.
Accession Number: 20250825–5223.
Comment Date: 5 p.m. ET 10/24/25.

Take notice that the Commission received the following exempt wholesale generator filings:
Docket Numbers: EG25–501–000.
Applicants: Desert Sands Energy Center, LLC.
Description: Desert Sands Energy Center, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.
Filed Date: 8/25/25.
Accession Number: 20250825–5044.
Comment Date: 5 p.m. ET 9/15/25.
Docket Numbers: EG25–502–000.
Applicants: Grace Orchard Solar II, LLC.
Description: Grace Orchard Solar II, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.
Filed Date: 8/25/25.
Accession Number: 20250825–5046.
Comment Date: 5 p.m. ET 9/15/25.
Docket Numbers: EG25–503–000.
Applicants: Grace Orchard Energy Center, LLC.
Description: Grace Orchard Energy Center, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.
Filed Date: 8/25/25.
Accession Number: 20250825–5048.
Comment Date: 5 p.m. ET 9/15/25.

Take notice that the Commission received the following electric rate filings:
Docket Numbers: ER11–4443–003; ER11–3670–002; ER16–1689–002.
Applicants: ArcelorMittal Cleveland LLC, ArcelorMittal USA LLC, AK Electric Supply, LLC.
Description: Supplement to 01/21/2021, Notice of Change in Status of AK Electric Supply LLC, et al.
Filed Date: 8/25/25.
Accession Number: 20250825–5225.
Comment Date: 5 p.m. ET 9/15/25.
Docket Numbers: ER17–2059–015.
Applicants: Puget Sound Energy, Inc.
Description: Notice of Non-Material Change in Status of Puget Sound Energy, Inc.
Filed Date: 8/21/25.
Accession Number: 20250821–5156.
Comment Date: 5 p.m. ET 9/11/25.
Docket Numbers: ER24–2046–002.
Applicants: Midcontinent Independent System Operator, Inc.
Description: Compliance filing: 2025–08–25_Compliance Filing for Order Nos. 2023 and 2023–A to be effective 7/28/2025.
Filed Date: 8/25/25.
Accession Number: 20250825–5178.
Comment Date: 5 p.m. ET 9/15/25.
Docket Numbers: ER25–2682–000; ER25–3039–000.
Applicants: AL Solar G, LLC, FL Solar 8, LLC.
Description: Supplement to 06/27/2025 and 07/31/2025, tariff filings of FL Solar 8, LLC, et al.
Filed Date: 8/25/25.
Accession Number: 20250825–5226.
Comment Date: 5 p.m. ET 9/4/25.
Docket Numbers: ER25–3287–000.
Applicants: Calpine Mid-Atlantic Generation, LLC.
Description: Tariff Amendment: Calpine Mid-Atlantic Generation, LLC submits tariff filing per 35.15: Reactive Service Rate Schedules, Cancellation, Info. Filing, Req. for Waivers to be effective 12/31/9998.
Filed Date: 8/25/25.
Accession Number: 20250825–5187.
Comment Date: 5 p.m. ET 9/15/25.
Docket Numbers: ER25–3288–000.
Applicants: First State Generation, LLC.
Description: Initial rate filing: Reactive Service Rate Schedules, Cancellation, Info. Filing, Req. for Waivers to be effective 12/31/9998.
Filed Date: 8/25/25.
Accession Number: 20250825–5189.
Comment Date: 5 p.m. ET 9/15/25.
Docket Numbers: ER25–3289–000.
Applicants: Calpine Mid-Atlantic Generation, LLC.
Description: Tariff Amendment: Reactive Service Rate Schedules, Cancellation, Info. Filing, Req. for Waivers to be effective 12/31/9998.
Filed Date: 8/26/25.
Accession Number: 20250826–5000.
Comment Date: 5 p.m. ET 9/16/25.
Docket Numbers: ER25–3290–000.
Applicants: Calpine Mid-Atlantic Generation, LLC.
Description: § 205(d) Rate Filing: Reactive Service Rate Schedules, Cancellation, Info. Filing, Req. for Waivers to be effective 12/31/9998.
Filed Date: 8/26/25.
Accession Number: 20250826–5001.
Comment Date: 5 p.m. ET 9/16/25.
Docket Numbers: ER25–3291–000.
Applicants: New York Independent System Operator, Inc., Rochester Gas and Electric Corporation.
Description: § 205(d) Rate Filing: New York Independent System Operator, Inc. submits tariff filing per 35.13(a)(2)(iii: NYISO–RG&E Joint 205: Amended EPCA Cider Solar Project SA2856 to be effective 8/12/2025.
Filed Date: 8/26/25.
Accession Number: 20250826–5039.
Comment Date: 5 p.m. ET 9/16/25.
Docket Numbers: ER25–3292–000.
Applicants: Midcontinent Independent System Operator, Inc.
Description: § 205(d) Rate Filing: 2025–08–26_MISO Tariff Revisions

Related to 1803 Cooperative Integration to be effective 10/26/2025.

Filed Date: 8/26/25.

Accession Number: 20250826–5072.

Comment Date: 5 p.m. ET 9/16/25.

Docket Numbers: ER25–3293–000.

Applicants: San Diego Gas & Electric.

Description: § 205(d) Rate Filing: Service Agreement No. 71 to be effective 8/27/2025.

Filed Date: 8/26/25.

Accession Number: 20250826–5087.

Comment Date: 5 p.m. ET 9/16/25.

Docket Numbers: ER25–3294–000.

Applicants: Black Hills Power, Inc.

Description: § 205(d) Rate Filing: Revisions to Attachment N to be effective 10/26/2025.

Filed Date: 8/26/25.

Accession Number: 20250826–5106.

Comment Date: 5 p.m. ET 9/16/25.

Docket Numbers: ER25–3295–000.

Applicants: California North Floating LLC.

Description: Petition for Limited Waiver of California North Floating LLC.

Filed Date: 8/25/25.

Accession Number: 20250825–5229.

Comment Date: 5 p.m. ET 9/15/25.

Docket Numbers: ER25–3296–000.

Applicants: AEP Oklahoma Transmission Company, Inc.

Description: § 205(d) Rate Filing: AEPOTC-Crooked Creek Solar Preliminary Development Agreement to be effective 8/6/2025.

Filed Date: 8/26/25.

Accession Number: 20250826–5118.

Comment Date: 5 p.m. ET 9/16/25.

Take notice that the Commission received the following qualifying facility filings:

Docket Numbers: QF25–1239–000.

Applicants: ABB000.0 PROJECTCO, LLC.

Description: Form 556 of ABB000.0 PROJECTCO, LLC.

Filed Date: 8/25/25.

Accession Number: 20250825–5205.

Comment Date: 5 p.m. ET 9/15/25.

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

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

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

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members and others, access publicly available information and navigate Commission processes.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or *OPP@ferc.gov.*

Dated: August 26, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–16634 Filed 8–28–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 4202–025]

KEI Power Management, LLC; Notice of Availability of Environmental Assessment

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's (Commission) regulations, 18 CFR part 380, the Office of Energy Projects has reviewed the application for a subsequent license to continue to operate and maintain the Lowell Tannery Hydroelectric Project (Lowell Tannery Project, or project). The project is located on Passadumkeag River in Penobscot County, Maine. Commission staff has prepared an Environmental Assessment (EA) for the project.[1]

The EA contains staff's analysis of the potential environmental impacts of the project and concludes that licensing the project, with appropriate environmental protective measures, would not constitute a major federal action that would significantly affect 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–019–20–000–1727186599.

The Commission provides all interested persons with an opportunity to view and/or print the EA via the internet through the Commission's Home Page (*http://www.ferc.gov/*), using the ''eLibrary'' link. Enter the docket number, excluding the last three digits, in the docket number field to access the document. For assistance, contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* or toll-free at (866) 208–3676, or for TTY, (202) 502–8659.

You may also register online at *https://ferconline.ferc.gov/FERCOnline.aspx* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

Any comments should be filed on or before 5:00 p.m. Eastern Time on September 25, 2025.

The Commission strongly encourages electronic filing. Please file comments using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp.* For assistance, please contact FERC Online Support. In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include docket number P–4202–025.

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.*

For further information, contact Robert Haltner at (202) 502–8612 or by email at *robert.haltner@ferc.gov.*

Dated: August 26, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–16637 Filed 8–28–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 15410–000]

Western Maine Energy Storage, LLC; Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Competing Applications

On July 22, 2025, Western Maine Energy Storage, LLC (Western Maine Energy) filed an application for a preliminary permit, pursuant to section 4(f) of the Federal Power Act (FPA), proposing to study the feasibility of the Western Maine Energy Storage Project No. 15410 (project), to be located off river, on 625 acres of private land near the Town of Dixfield, Oxford County, Maine. The sole purpose of a preliminary permit, if issued, is to grant the permit holder priority to file a license application during the permit term. A preliminary permit does not authorize the permit holder to perform any land-disturbing activities or otherwise enter upon lands or waters owned by others without the owners' express permission.

The proposed pumped storage project would consist of the following new features: (1) a 100-acre upper reservoir with a storage capacity of 3,500 acre-feet; (2) a 100-acre lower reservoir with a storage capacity of 4,500 acre-feet; (3) two 16-foot-diameter, 7,820-foot-long round steel penstocks; (4) a 125-foot-long, 100-foot-wide concrete powerhouse; (5) a water intake structure and 2.3-mile-long intake pipe; (6) ground water wells; (7) a 2-mile-long, 115 kilovolt (kV) generator tie-in transmission line; (8) two Double Ring Bus interconnects on two existing 115 kV transmission lines; (9) two pump/turbines each with a rating range of 200–250 megawatts (MW); and (10) two generators each with a rating range of 200–250 MW. The proposed project would have an estimated average annual generation of 1,000,000 megawatt-hours.

Applicant Contact: Craig Weaver, Western Maine Energy, P.O. Box 1000, Pittsfield, ME 04967; phone: (207) 679–2569; email: *info@westernmaineenergystorage.com.*

FERC Contact: Justin R. Robbins; phone: (202) 502–8308, or by email at *justin.robbins@ferc.gov.*

Deadline for filing comments, motions to intervene, competing applications (without notices of intent), or notices of intent to file competing applications: on or before 5:00 p.m. Eastern Time on October 27, 2025. Competing applications and notices of intent must meet the requirements of 18 CFR 4.36.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, notices of intent, and competing applications using the Commission's eFiling system at *https://ferconline.ferc.gov/eFiling.aspx.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *https://ferconline.ferc.gov/QuickComment.aspx.* For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include docket number P–15410–000.

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.*

More information about this project, including a copy of the application, can be viewed on the Commission's website (*http://www.ferc.gov*) using the ''eLibrary'' link. Enter the docket number, excluding the last three digits (P–15410), in the docket number field to access the document. For assistance, contact FERC Online Support.

Dated: August 26, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–16639 Filed 8–28–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RM98–1–000]

Records Governing Off-the-Record Communications; Public Notice

This constitutes notice, in accordance with 18 CFR 385.2201(b), of the receipt of prohibited and exempt off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive a prohibited or exempt off-the-record communication relevant to the merits of a contested proceeding, to deliver to the Secretary of the Commission, a copy of the communication, if written, or a summary of the substance of any oral communication.

Prohibited communications are included in a public, non-decisional file associated with, but not a part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become a part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such a request only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication shall serve the document on all parties listed on the official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications are included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).

The following is a list of off-the-record communications recently received by the Secretary of the Commission. Each filing may be viewed on the Commission's website at *http://www.ferc.gov* using the eLibrary link. Enter the docket number, excluding the last three digits, in the docket number field to access the document. 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.

Docket Nos.	File date	Presenter or requester
Prohibited:		
NONE.		
Exempt:		
1. P–7987–000	8–22–2025	FERC Staff.[1]
2. CP16–454–000	8–13–2025	FERC Staff.[2]

Dated: August 26, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–16640 Filed 8–28–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EF25–10–000]

Southwestern Power Administration; Notice of Filing

Take notice that on August 21, 2025, Southwestern Power Administration submitted a tariff filing: RDW–23, Wholesale Rates for Hydro Power and Energy at Robert D. Willis Hydropower Project—Rate Order No. WAPA–88, 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.

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 September 22, 2025.

Dated: August 26, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–16635 Filed 8–28–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 6414–001]

Douglas Water Power Company; Notice of Proposed Termination of Exemption by Implied Surrender and Soliciting Comments, Motions To Intervene, and Protests

Take notice that the following hydroelectric proceeding has been initiated by the Commission and is available for public inspection:

a. *Type of Proceeding:* Proposed Termination of Exemption by Implied Surrender.

b. *Project No:* 6414–001.

c. *Date Initiated:* August 26, 2025.

d. *Applicant:* Douglas Water Power Company.

e. *Name of Project:* Canyon Creek Hydroelectric Project.

f. *Location:* The project is located on Canyon Creek in Clackamas County, Oregon. The project occupies federal lands administered by the US Forest Service.

g. *Filed Pursuant to:* 18 CFR 6.4.

h. *Applicant Contact:* Mr. Douglas Pegar, Douglas Water Power Company, P.O. Box 563, Brightwood, OR 97011.

i. *FERC Contact:* Rebecca Martin, (202) 502–6012, *rebecca.martin@ferc.gov.*

j. *Resource Agency Comments:* Federal, state, local and Tribal agencies are invited to file comments on the described proceeding. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments.

k. *Deadline for filing comments, motions to intervene, and protests:* October 10, 2025 5:00 p.m. Eastern Time.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp.* For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

[1] Letter dated 7/25/25 from Representative Richard Hudson.

[2] Letter dated 8/13/2025 from Representatives Westley Hunt, Randy Weber, Dan Crenshaw, and August Pfluger.

The first page of any filing should include the docket number P–6414–001. Comments emailed to Commission staff are not considered part of the Commission record.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

l. *Description of Project Facilities:* The project works include: (1) an intake structure; (2) a 12-inch-diameter, 1,950-foot-long penstock; (3) a powerhouse containing two 60-kilowatt generating units; and (4) associate electrical and transmission equipment. The project has not operated since July 2013.

m. *Description of Proceeding:* Douglas Water Power Company was issued an exemption from licensing on December 15, 1982. Article 5 of the exemption requires the exemptee to obtain the right to use or occupancy of any Federal lands from the administering Federal land agencies and the Commission has the right to revoke the exemption if these permissions are not obtained. In addition, Article 1 grants the Commission the right to conduct investigations with respect to any acts, complaints, facts, conditions, practices, or other matters related to the construction, operation, or maintenance of the exempt project. If any term or condition of the exemption is violated, the Commission may revoke the exemption. The Commission's Division of Dam Safety and Inspections requested information on the project on February 3, 2014, August 1, 2018, and August 31, 2024. To date none of the requested information has been filed. On April 7, 2025, the U.S. Forest Service, filed a copy of a Notice of Termination Order to Cease Occupancy and Use that ordered the exemptee to cease occupancy and use of the hydroelectric facility on Forest Service Lands. The Commission's Division of Hydropower Administration and Compliance also issued letters, on May 14, 2025 and July 17, 2025, requesting follow-up, and have not received a response. On August 19, 2025, the exemptee was notified that the Commission was going to initiate termination of the exemption by implied surrender.

n. *Location of the Order Issuing License:* The order may be viewed on the Commission's website at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1–866–208–3676 or email *FERCOnlineSupport@ferc.gov,* for TTY, call (202) 502–8659.

o. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

p. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214, respectively. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

q. *Filing and Service of Documents:* Any filing must (1) bear in all capital letters the title ''COMMENTS'', ''PROTEST'', or ''MOTION TO INTERVENE'' as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person commenting, protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. Any filing made by an intervenor must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

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

Dated: August 26, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–16638 Filed 8–28–25; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL OP–OFA–193]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information 202–564–5632 or *https://www.epa.gov/nepa.*

Weekly receipt of Environmental Impact Statements (EIS) Filed August 18, 2025 10 a.m. EST Through August 25, 2025 10 a.m. EST Pursuant to CEQ Guidance on 42 U.S.C. 4332.

Notice: Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: *https://cdxapps.epa.gov/cdx-enepa-II/public/action/eis/search.*

EIS No. 20250121, Draft, TxDOT, TX, Downtown 10, Comment Period Ends: 10/14/2025, Contact: Doug Booher 512–416–2663.

EIS No. 20250122, Final, UDOT, UT, Kimball Junction, Contact: Carissa Watanabe 503–939–3798. Under 23 U.S.C. 139(n)(2), FHWA has issued a single document that consists of a final environmental impact statement and record of decision.

EIS No. 20250123, Draft, USAF, OK, T–7A Recapitalization at Vance Air Force Base, Oklahoma, Comment Period Ends: 10/14/2025, Contact: Chinling Chen 580–213–7273.

EIS No. 20250124, Final Supplement, NRC, PA, Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Supplement 10, Second Renewal, Regarding Subsequent License Renewal for Peach Bottom Atomic Power Station Units 2 and 3, Supplement 1, Final Report, Review Period Ends: 09/29/2025, Contact: Kevin T. Folk 301–415–6944.

EIS No. 20250125, Final, NRC, AL, Generic Environmental Impact Statement for License Renewal of Nuclear Plants Supplement 21, Second Renewal Regarding Subsequent License Renewal of Browns Ferry Nuclear Power Plant, Units 1, 2, and 3 Final Report, Review Period Ends: 09/29/2025, Contact: Jessica Umana 301–415–5207.

EIS No. 20250126, Final, BOEM, LA, Gulf of America Regional Outer

Continental Shelf Oil and Gas Lease Sales and Post-Lease Activities Final Programmatic Environmental Impact Statement, Review Period Ends: 09/29/2025, Contact: Helen Rucker 504–736–2421.

Amended Notice:

EIS No. 20220161, Draft, APHIS, NAT, WITHDRAWN—The State University of New York College of Environmental Science and Forestry Petition (19–309–01p) for Determination of Nonregulated Status for Blight-Tolerant Darling 58 American Chestnut (Castanea dentata), Contact: Cindy Eck 301–851–3892. Revision to FR Notice Published 11/20/2022; Officially Withdrawn per request of the submitting agency.

EIS No. 20240048, Draft, APHIS, NAT, WITHDRAWN—Monsanto Petition (19–316–01p) for Determination of Nonregulated Status for Dicamba, Glufosinate, Quizalofop, and 2,4–D Tolerant MON 87429 Maize with Tissue-Specific Glyphosate Tolerance Facilitating the Production of Hybrid Maize Seed [OECD Unique Identifier: MON–87429–9], Contact: Joseph Tangredi 301–851–4061. Revision to FR Notice Published 3/22/2024; Officially Withdrawn per request of the submitting agency.

Dated: August 25, 2025.

Nancy Abrams,

Associate Director, Office of Federal Activities.

[FR Doc. 2025–16631 Filed 8–28–25; 8:45 am]

BILLING CODE 6560–50–P

FARM CREDIT ADMINISTRATION

Sunshine Act Meetings

TIME AND DATE: 10 a.m., Thursday, September 11, 2025.

PLACE: You may observe this meeting in person at 1501 Farm Credit Drive, McLean, Virginia 22102–5090, or virtually. If you would like to observe, at least 24 hours in advance, visit *FCA.gov*, select ''Newsroom,'' then select ''Events.'' From there, access the linked ''Instructions for board meeting visitors'' and complete the described registration process.

STATUS: This meeting will be open to the public.

MATTERS TO BE CONSIDERED: The following matters will be considered:

- Approval of August 14, 2025, Minutes
- Quarterly Report on Economic Conditions and Farm Credit System Condition and Performance

CONTACT PERSON FOR MORE INFORMATION: If you need more information or assistance for accessibility reasons, or have questions, contact Ashley Waldron, Secretary to the Board. Telephone: 703–883–4009. TTY: 703–883–4056.

Ashley Waldron,

Secretary to the Board.

[FR Doc. 2025–16694 Filed 8–27–25; 4:15 pm]

BILLING CODE 6705–01–P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (Act) (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the applications are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at *https://www.federalreserve.gov/foia/request.htm.* Interested persons may express their views in writing on the standards enumerated in paragraph 7 of the Act.

Comments received are subject to public disclosure. In general, comments received will be made available without change and will not be modified to remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would not be appropriate for public disclosure.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E. Misback, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551–0001, not later than September 15, 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. *Leonard R. Wolfe, Frankfort, Kansas, individually, and as a trust committee member of UBT Bancshares, Inc., ESOP, Marysville, Kansas; the Leonard R. Wolfe Trust, Leonard R. Wolfe and Beth A. Wolfe, individually, and as co-trustees, and the Beth A. Wolfe Trust, Beth A. Wolfe and Leonard R. Wolfe, individually, and as co-trustees, all of Frankfort, Kansas; the Dellamano Family Trust, Anthony Dellamano and Jenna Wolfe, individually, and as co-trustees, all of Solana Beach, California; Joseph T. Massey and Peggy Massey, both of Cedar Vale, Kansas; Kellie Lamasters, Kansas City, Missouri; Randall Lamasters and Lana Lamasters, both of Chanute, Kansas; Nicholas Wolfe, Rylee Wolfe, and Sherri L. Edmundson, all of Marysville, Kansas; Ryan C. Edmundson, Marion, Kansas; Mackenzie M. Cyr, Clyde, Kansas; and Vivian S. Shaw, Sedan, Kansas;* to become members of the Wolfe Family Group, a group acting in concert, to retain voting shares of UBT Bancshares, Inc., and thereby indirectly retain voting shares of United Bank and Trust.

B. Federal Reserve Bank of Dallas (Lindsey Wieck, Director, Mergers & Acquisitions) 2200 North Pearl Street, Dallas, Texas 75201–2272. Comments can also be sent electronically to *Comments.applications@dal.frb.org:*

1. *Todd R. Staats, Albuquerque, New Mexico; and Shawna L. Pooley, Martindale, Texas;* to retain voting shares of Marion Bancshares, Inc., and thereby indirectly retain voting shares of Marion State Bank, both of Marion, Texas.

Board of Governors of the Federal Reserve System.

Michele Taylor Fennell,

Associate Secretary of the Board.

[FR Doc. 2025–16662 Filed 8–28–25; 8:45 am]

BILLING CODE 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 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)).

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 29, 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. *Security Bancorp of Tennessee, Inc., Halls, Tennessee;* to acquire additional voting shares of Patriot of Tennessee Corporation, and thereby indirectly acquire voting shares of Patriot Bank, both of Millington, Tennessee.

Board of Governors of the Federal Reserve System.

Michele Taylor Fennell,

Associate Secretary of the Board.

[FR Doc. 2025–16663 Filed 8–28–25; 8:45 am]

BILLING CODE P

GOVERNMENT PUBLISHING OFFICE

Depository Library Council Meeting

AGENCY: U.S. Government Publishing Office.

ACTION: Notice of meeting.

SUMMARY: The Depository Library Council (DLC) will meet virtually in conjunction with the Federal Depository Library Conference from Thursday, September 25, 2025, through Friday, September 26, 2025. The meetings will take place online, and anyone may register to attend at *https://www.fdlp.gov/2025-fdl-conference.* Closed captioning will also be provided. The purpose is to discuss matters affecting the Federal Depository Library Program. All sessions are open to the public.

DATES: September 25–26, 2025.

Hugh Nathanial Halpern,

Director, U.S. Government Publishing Office.

[FR Doc. 2025–16661 Filed 8–28–25; 8:45 am]

BILLING CODE 1520–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[Docket No. CDC–2025–0454]

Meeting of the Advisory Committee on Immunization Practices

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice of meeting and request for comment.

SUMMARY: In accordance with the Federal Advisory Committee Act, the Centers for Disease Control and Prevention (CDC) announces the following meeting of the Advisory Committee on Immunization Practices (ACIP). Time will be available for public comment.

DATES: The meeting will be held on September 18, 2025, from 10 a.m. to 5 p.m., EDT, and September 19, 2025, from 8 a.m. to 4 p.m., EDT (times subject to change; see the ACIP website for updates: *https://www.cdc.gov/vaccines/acip/index.html*). The meeting is expected to be held at the Centers for Disease Control and Prevention, with a virtual option. Written comments must be received between September 2–13, 2025.

ADDRESSES: You may submit comments, identified by Docket No. CDC–2025–0454, by either of the methods listed below. CDC does not accept comments by email.

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* ACIP Secretariat, ACIP Meeting, Centers for Disease Control and Prevention, 1600 Clifton Road NE, Mailstop H21–12, Atlanta, Georgia 30329–4027. Attn: Docket No. CDC–2025–0454.

Instructions: All submissions received must include the Agency name and docket number. For access to the docket to read background documents or comments received, go to *https://www.regulations.gov.*

The meeting will be webcast live via the World Wide Web. The webcast link can be found on the ACIP website at *https://www.cdc.gov/acip.*

FOR FURTHER INFORMATION CONTACT: ACIP Secretariat, Advisory Committee on Immunization Practices, Centers for Disease Control and Prevention, 1600 Clifton Road NE, Mailstop H21–12, Atlanta, Georgia 30329–4027. Email: *ACIP@cdc.gov*.

SUPPLEMENTARY INFORMATION:

Purpose: The Advisory Committee on Immunization Practices is charged with advising the Director, Centers for Disease Control and Prevention (CDC), on the use of immunizing agents. In addition, under 42 U.S.C. 1396s, the Committee is mandated to establish and periodically review and, as appropriate, revise the list of vaccines for administration to vaccine-eligible children through the Vaccines for Children program, along with schedules regarding dosing interval, dosage, and contraindications to administration of vaccines. Further, under applicable provisions of the Affordable Care Act and section 2713 of the Public Health Service Act, immunization recommendations of ACIP that have been adopted by the Director, CDC, and appear on CDC immunization schedules generally must be covered by applicable health plans.

Matters to be Considered: The agenda will include discussions on COVID–19 vaccines; Hepatitis B vaccine; measles, mumps, rubella, varicella (MMRV) vaccine; and Respiratory Syncytial Virus (RSV). The agenda will include updates on ACIP Workgroups. Recommendation votes may be scheduled for COVID–19 vaccines, Hepatitis B vaccine, MMRV vaccine, and RSV. Vaccines for Children (VFC) may be scheduled for COVID–19 vaccines, Hepatitis B vaccine, MMRV vaccine, and RSV. Agenda items are subject to change as priorities dictate. For more information on the meeting agenda, visit *https://www.cdc.gov/acip/meetings/index.html.*

Meeting Information: The meeting will be webcast live via the World Wide Web. For more information on ACIP, please visit the ACIP website: *https://www.cdc.gov/acip.*

Public Participation

Interested persons or organizations are invited to participate by submitting written views, recommendations, and data. Please note that comments received, including attachments and other supporting materials, are part of the public record and are subject to public disclosure. Comments will be posted on *https://www.regulations.gov.* Therefore, do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure. If you include your name, contact information, or other information that identifies you in the body of your comments, that information will be on public display. CDC will review all submissions and may choose to redact, or withhold, submissions containing private or proprietary information such as Social Security numbers, medical information, inappropriate language, or duplicate/near-duplicate examples of a mass-mail campaign. CDC will carefully consider all comments submitted into the docket.

Written Public Comment: The docket will be opened to receive written comments September 2–13, 2025. Written comments must be received no later than September 13, 2025.

Oral Public Comment: This meeting will include time for members of the public to make an oral comment. Oral public comment will occur before any scheduled votes, including all votes relevant to the ACIP's Affordable Care Act and Vaccines for Children Program roles. Priority will be given to individuals who submit a request to make an oral public comment before the meeting according to the procedures below.

Procedure for Oral Public Comment: All persons interested in making an oral public comment at the September 18–19, 2025, ACIP meeting must submit a request at *https://www.cdc.gov/acip/meetings/index.html* between September 2–13, 2025, and no later than 11:59 p.m., EDT, September 13, 2025, according to the instructions provided.

If the number of persons requesting to speak is greater than can be reasonably accommodated during the scheduled time, CDC will conduct a random draw to determine the speakers for the scheduled public comment session. CDC staff will notify individuals regarding their request to speak by email by September 16, 2025. To accommodate the significant interest in participation in the oral public comment session of ACIP meetings, each speaker will be limited to three minutes, and each speaker may speak only once per meeting.

The Director, Office of Strategic Business Initiatives, Office of the Chief Operating Officer, Centers for Disease Control and Prevention, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry.

Kalwant Smagh,

Director, Office of Strategic Business Initiatives, Office of the Chief Operating Officer, Centers for Disease Control and Prevention.

[FR Doc. 2025–16706 Filed 8–28–25; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS–10495 and CMS–855S]

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, HHS.

ACTION: Notice; partial withdrawal.

SUMMARY: On Tuesday, August 5, 2025, the Centers for Medicare & Medicaid Services (CMS) published a notice document entitled, ''Agency Information Collection Activities: Proposed Collection; Comment Request''. That notice invited public comments on five separate information collection requests, under Document Identifiers: CMS–10495, CMS 855S and CMS–R–131. Through the publication of this document, we are withdrawing the portion of the notice requesting public comment on the information collection request titled, ''Data Collection and Submission for Open Payments'' Form number: CMS–10495 (OMB control number: 0938–1237). We are also withdrawing the portion of the notice requesting public comment on the information collection titled, ''Medicare Enrollment Application: Durable Medical Equipment, Prosthetics, Orthotics, and Supplies (DMEPOS) Suppliers.'' Form number: CMS–855S (OMB control number: 0938–1056.

DATES: The original comment period for the document that published on August 5, 2025, remains in effect and ends October 6, 2025.

SUPPLEMENTARY INFORMATION: In FR document, 2025–14828, published on August 5, 2025 (90 FR 37515), we are withdrawing item 1 ''Registration, Attestation, Dispute Resolution and Correction, Assumptions Document and Data Retention Requirements for Open Payments'' which begins at the top of the left column on page 37516. We are also withdrawing item 2 ''Medicare Enrollment Application—Durable Medical Equipment, Prosthetics, Orthotics and Supplies (DMEPOS) Suppliers,'' which begins at the top of the middle column on page 37516.

William N. Parham, III,

Director, Division of Information Collections and Regulatory Impacts, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2025–16572 Filed 8–28–25; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS–R–70, CMS–R–72 and CMS–10781]

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. Under the Paperwork Reduction Act of 1995 (PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information (including each proposed extension or reinstatement of an existing collection of information) and to allow 60 days for public comment on the proposed action. Interested persons are invited to send comments regarding our burden estimates or any other aspect of this collection of information, including the necessity and utility of the proposed information collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance the quality, utility, and clarity of the information to be collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments must be received by October 28, 2025.

ADDRESSES: When commenting, please reference the document identifier or OMB control number. To be assured consideration, comments and recommendations must be submitted in any one of the following ways:

1. *Electronically.* You may send your comments electronically to *http://www.regulations.gov.* Follow the instructions for ''Comment or Submission'' or ''More Search Options'' to find the information collection document(s) that are accepting comments.

2. By *regular mail.* You may mail written comments to the following address: CMS, Office of Strategic Operations and Regulatory Affairs, Division of Regulations Development, Attention: Document Identifier/OMB Control Number: _____ Room C4–26–05, 7500 Security Boulevard, Baltimore, Maryland 21244–1850.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, please access the CMS PRA website by copying and pasting the following web address into your web browser: *https://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing.*

FOR FURTHER INFORMATION CONTACT: William N. Parham at (410) 786–4669.

SUPPLEMENTARY INFORMATION:

Contents

This notice sets out a summary of the use and burden associated with the following information collections. More detailed information can be found in each collection's supporting statement and associated materials (see **ADDRESSES**).

CMS–R–70 Information Collection Requirements in HSQ–110, Acquisition, Protection and Disclosure of Peer review Organization Information and Supporting Regulations

CMS–R–72 Information Collection Requirements in 42 CFR 478.18, 478.34, 478.36, 478.42, QIO Reconsiderations and Appeals

CMS–10781 FOIA/Privacy Act Requests for Medicare Claims Data via CMS FOIA Public Portal

Under the PRA (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. The term ''collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA requires federal agencies to publish a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice.

Information Collections

1. *Type of Information Collection Request:* Extension of a currently approved collection; *Title of Information Collection:* Information Collection Requirements in HSQ–110, Acquisition, Protection and Disclosure of Peer review Organization Information and Supporting Regulations; *Use:* The Peer Review Improvement Act of 1982 authorizes quality improvement organizations (QIOs), formally known as peer review organizations (PROs), to acquire information necessary to fulfill their duties and functions and places limits on disclosure of the information. The QIOs are required to provide notices to the affected parties when disclosing information about them. These requirements serve to protect the rights of the affected parties. The information provided in these notices is used by the patients, practitioners and providers to: obtain access to the data maintained and collected on them by the QIOs; add additional data or make changes to existing QIO data; and reflect in the QIO's record the reasons for the QIO's disagreeing with an individual's or provider's request for amendment.

Beneficiary and Family-Centered Care-Quality Improvement Organization (BFCC–QIO) Contracts have been signed with QIOs for their respective geographic areas (which includes all United States & Territories). The second type of QIOs and Quality Innovation Network-QIOs focus on health care quality improvement efforts.

The scope of information collection by the BFCC–QIOs includes the number of Medicare beneficiaries with expedited appeals, reconsideration appeals and Beneficiary Complaint cases which are then reported into the CMS System of Record. Medicare beneficiaries or their appointed representatives have the right to appeal the provider's decision to discharge or end services if beneficiaries believe their Medicare Part A Medicare services (*e.g.,* hospital discharge, skilled nursing home care, home health, etc.) are ending too soon. They also have the right to file a Beneficiary Complaint case when they have concerns about the quality of care they received. *Form Number:* CMS–R–70 (OMB control number: 0938–0426); *Frequency:* Reporting—On occasion; *Affected Public:* Business or other for-profits; *Number of Respondents:* 50,000; *Total Annual Responses:* 398,388; *Total Annual Hours:* 521,599. (For policy questions regarding this collection contact *Kellie.Leveille@cms.hhs.gov*).

2. *Type of Information Collection Request:* Extension of a currently approved collection; *Title of Information Collection:* Information Collection Requirements in 42 CFR 478.18, 478.34, 478.36, 478.42, QIO Reconsiderations and Appeals; *Use:* The Peer Review Improvement Act of 1982 amended Title XI of the Social Security Act to create the Utilization and Quality Control Peer Review Organization (PRO) program. Under this program, a PRO is designated in each State to ensure that care provided to Medicare patients is reasonable, medically necessary, and of a quality that meets professionally recognized standards of care. A **Federal Register** notice dated May 24, 2002, renamed the PROs as Quality Improvement Organizations (QIOs).

Beneficiary and Family-Centered Care-Quality Improvement Organization (BFCC–QIO) Contracts have been signed with QIOs for their respective geographic areas (which includes all United States & Territories). The second type of QIOs are Quality Innovation Network-QIOs, and focus on health care quality improvement efforts.

The scope of this information collection includes that from the BFCC–QIOs for the number of Medicare beneficiary level 2 appeals. Medicare beneficiaries or their appointed representatives have the right to appeal the provider's decision to discharge or end services if beneficiaries believe that their Medicare Part A Medicare services (*e.g.,* hospital discharge, skilled nursing home care, home health, etc.) are ending too soon. Medicare beneficiaries have the right to file a reconsideration of a BFCC–QIO appeals review determination. *Form Number:* CMS–R–72 (OMB control number: 0938–0443); *Frequency:* Reporting—On occasion; *Affected Public:* Individuals or Households and Business or other for-profit institutions; *Number of Respondents:* 20,129; *Total Annual Responses:* 60,729; *Total Annual Hours:* 22,014. (For policy questions regarding this collection contact *Kellie.Leveille@cms.hhs.gov*).

3. *Type of Information Collection Request:* Reinstatement without change of a previously approved collection; *Title of Information Collection:* FOIA/Privacy Act Requests for Medicare Claims Data via CMS FOIA Public

Portal; *Use:* This collection of information is dedicated to Medicare beneficiaries and third-party requesters (law firms or others) acting on behalf of beneficiaries that are making requests for CMS to produce Medicare beneficiary records through 5 U.S.C. 552(b) (See also 42 CFR 401.136). The online portal allows for ease and efficiency in uploading requests and required authorizations. Additionally, with the portal, requesters can securely submit requests electronically that contain PHI or PII. They are advised that *MyMedicare.gov/Blue Button3* is an online service available for beneficiaries to set up an account to access their own records and give authorization to share with third parties. This secure public online portal is integrated with CMS's current FOIA/Privacy Act case management system to enter, track, and process incoming FOIA requests (See 45 CFR 5.22 and 5.24). Unless permitted or required by law, the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule (45 CFR 164.508) prohibits Medicare (a HIPAA-covered entity) from disclosing an individual's protected health information without valid authorization. *Form Number:* CMS–10781 (OMB control number: 0938–1419); *Frequency:* Reporting—Occasionally; *Affected Public:* Individuals or Households; *Number of Respondents:* 22,600; *Total Annual Responses:* 22,600; *Total Annual Hours:* 7,533. (For policy questions regarding this collection contact Joseph Tripline at *joseph.tripline@cms.hhs.gov*).

William N. Parham, III,

Director, Division of Information Collections and Regulatory Impacts, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2025–16589 Filed 8–28–25; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Submission for Office of Management and Budget Review; Formative Data Collections for ACF Program Support (OMB #0970–0531)

AGENCY: Administration for Children and Families, U.S. Department of Health and Human Services.

ACTION: Request for public comments.

SUMMARY: The Administration for Children and Families (ACF) plans to submit a request to the Office of Management and Budget (OMB) to extend approval of the existing overarching generic clearance for the Formative Data Collections for ACF Program Support (OMB #0970–0531; expiration date 06/30/2025). ACF proposes minor updates to supporting statement justification for the overarching generic for clarity.

DATES: *Comments due September 29, 2025.* OMB must make a decision about the collection of information between 30 and 60 days after publication of this document in the **Federal Register**. Therefore, a comment is best assured of having its full effect if OMB receives it within 30 days of publication.

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. You can also obtain copies of the proposed collection of information by emailing *infocollection@acf.hhs.gov.* Identify all emailed requests by the title of the information collection.

SUPPLEMENTARY INFORMATION:

Description: The goals of the generic information collections (GenICs) under this approval are to obtain information about program and grant recipient processes or needs and to inform the following types of activities, among others:

- Delivery of training or technical assistance (T/TA) and/or workflows related to program implementation or the development or refinement of program and grant recipient processes. This could include the development and refinement of recordkeeping or communication systems.
- Planning for provision of programmatic or evaluation-related T/TA.
- Obtaining input on the development of program performance measures (PM) from grant recipients or experts in a relevant field (such as development of PMs for programs focused on a specific population served by ACF).
- Obtaining feedback about processes and/or practices to inform ACF program development or support, or ACF research.
- Use of rapid-cycle testing activities to strengthen programs in preparation for summative evaluations.
- Development of learning agendas and research priorities.
- Requesting information about resources, programs, or other ACF services or related activities to provide consolidated public sources of information for those using or interested in ACF funded services, or those interested in systems, programs, or research related to ACF.

ACF uses a variety of techniques such as semi-structured discussions, focus groups, surveys, templates, open-ended requests, document analysis, observation, and telephone or in-person interviews in order to reach these goals. Information collected under this overarching generic is meant to inform ACF activities and may be incorporated into documents or presentations that are made public such as through conference presentations, websites, or social media. The following are some examples of ways in which we may share information resulting from these data collections: technical assistance plans, presentations, infographics, project specific reports, or other documents relevant to the field, such as federal leadership and staff, grant recipients, local implementing agencies, and/or T/TA providers. We may also request information for the sole purpose of publication in cases where we are working to create a single source for users (clients, programs, researchers) to find information about resources such as services in their area, TA materials, different types of programs or systems available, or research using ACF data.

Any planned uses, including for publication or sharing of information from this IC will be described and submitted for approval in each individual GenIC. Following standard OMB requirements, ACF will submit GenIC request for each specific data collection activity under this generic clearance. Each request will include the individual instrument(s), a justification specific to the individual information collection, and any supplementary documents. ACF asks that OMB review individual requests expeditiously, ideally within 10 days of submission. The proposed types and the purpose of generic information collections submitted under this umbrella generic remain the same. Minor revisions are proposed to the description provided in the justification for clarification about purpose and use and in alignment with current priorities of ACF.

Respondents: Example respondents include current or prospective service providers, T/TA providers, grant recipients, contractors, current and potential participants in ACF programs or similar comparison groups, experts in fields pertaining to ACF programs, key groups involved in ACF projects and programs, individuals engaged in program re-design or demonstration development for evaluation, state or

local government officials, or others involved in or prospectively involved in ACF programs whose engagement could directly inform the improvement of ACF programs.

Annual Burden Estimates

ACF is requesting to extend approval for 32 of the currently approved GenICs. A list is available by emailing *infocollection@acf.hhs.gov.*

TABLE 1—AGGREGATE BURDEN DATA FOR ONGOING DATA COLLECTIONS

Number of information collections	Number of respondents	Number of responses	Average time per response	Total ongoing burden
32	23,432	22,448	1.41	7,287

All currently approved GenICs can be found here: *https://www.reginfo.gov/public/do/PRAICList?ref_nbr=202412-0970-005.*

Burden estimates for the following 3 years are provided in the following table. The total estimated new burden remains consistent, but the estimates were slightly adjusted based on experience over the past three years.

TABLE 2—BURDEN ESTIMATES FOR NEW GENICS

Instrument	Number of respondents (total over request period)	Number of responses per respondent (total over request period)	Average burden per response (in hours)	Total burden (in hours)
Semi-Structured Discussions and Focus Groups	10,000	1	2	20,000
Interviews	4,500	1	1	4,500
Questionnaires/Surveys	15,000	1.142	.35	6,000
Templates and Open-ended requests	1,000	1	10	10,000
Estimated Total Annual Burden Hours				40,500

Mary C. Jones,

ACF/OPRE Certifying Officer.

[FR Doc. 2025–16569 Filed 8–28–25; 8:45 am]

BILLING CODE 4184–88–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Proposed Information Collection Activity: Personal Responsibility Education Program Innovative Strategies Local Evaluation Support: Final Evaluation Report Template (New Collection)

AGENCY: Office of Planning, Research, and Evaluation, Administration for Children and Families, U.S. Department of Health and Human Services.

ACTION: Request for public comments.

SUMMARY: The Administration for Children and Families (ACF) at the U.S. Department of Health and Human Services seeks approval of the Personal Responsibility Education Program (PREP) Innovative Strategies (PREIS) Local Evaluation Support (LES) Final Evaluation Report Template for PREIS grantees. PREIS grant recipients are required to carry out local evaluations of their programs and submit a final evaluation report to ACF documenting their analyses and findings. This request includes guidance for grant recipients in the form of templates. Information will inform technical assistance (TA) to support grantees in developing and submitting the final reports to ACF to fulfill a grant requirement. We do not intend for this information to be used as the principal basis for public policy decisions.

DATES: *Comments due* October 28, 2025.

ADDRESSES: In compliance with the requirements of the Paperwork Reduction Act (PRA) of 1995, ACF is soliciting public comment on the specific aspects of the information collection described above. You can obtain copies of the proposed collection of information and submit comments by emailing *opreinfocollection@acf.hhs.gov.* Identify all requests by the title of the information collection.

SUPPLEMENTARY INFORMATION:

Description: The purpose of the current information collection request is to provide a standardized template and accompanying instructions to the 12 PREIS grant recipients carrying out impact evaluations. This template will help them document their evaluation's research questions, measures, study design, planned and actual implementation of the program, analytic methods, and findings. A structured final evaluation report template will facilitate grant recipients' efficient and effective reporting of evaluation findings. The completed reports will be reviewed by the PREP LES team to determine whether they meet ACF's standards of rigor. The LES team will then develop recommendations for improvement and provide TA to support report development prior to final submission to ACF. While grantees are developing the reports, the PREP LES team will continue to provide support primarily by continuing to offer one-on-one TA calls with grant recipients.

The template will be used by grant recipients upon Office of Management and Budget approval until September 2026 (or until the end of their grant, if a no-cost extension is granted), which will allow them to submit draft versions of their final evaluation reports before revising and finalizing their reports by the end of their grant. Grant recipients will complete the PREIS Final Evaluation Report Template using the instructions which are included within each template section.

The information collected is meant to contribute to the body of knowledge on ACF programs. It is not intended to be used as the principal basis for a decision

by a federal decision-maker and is not expected to meet the threshold of influential or highly influential scientific information.

Respondents: PREP PREIS Grant Recipients.

ANNUAL BURDEN ESTIMATES

Instrument	Number of respondents (total over request period)	Number of responses per respondent (total over request period)	Average burden per response (in hours)	Total burden (in hours)	Annual burden (in hours)
PREIS Final Evaluation Report Template	12	1	40	480	240

Comments: The Department specifically requests comments on (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted within 60 days of this publication.

Authority: Authorized and appropriated by Social Security Act section 513.

Mary C. Jones,

ACF/OPRE Certifying Officer.

[FR Doc. 2025–16583 Filed 8–28–25; 8:45 am]

BILLING CODE 4184–37–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

[OMB #: 0970–0386]

Proposed Information Collection Activity; Office of Community Services Community Economic Development Performance Progress Report

AGENCY: Office of Community Services, Administration for Children and Families, U.S. Department of Health and Human Services.

ACTION: Request for public comments.

SUMMARY: The Office of Community Services (OCS), Administration for Children and Families (ACF), U.S. Department of Health and Human Services is requesting a 3-year extension of the Community Economic Development (CED) Performance Progress Report (PPR) (Office of Management and Budget (OMB) #: 0970–0386, expiration date February 28, 2026) with revisions to support a quarterly reporting schedule. This request revises the burden estimates to reflect new reporting requirements for quarterly reporting. While the core CED PPR form remains unchanged and will still be submitted semi-annually, new awardees must now report quarterly. In alternate quarters (Q1 and Q3), they will complete a shorter version of the form with narrative updates only.

DATES: *Comments due* October 28, 2025.

ADDRESSES: In compliance with the requirements of the Paperwork Reduction Act of 1995, ACF is soliciting public comment on the specific aspects of the information collection described above. You can obtain copies of the proposed collection of information and submit comments by emailing *infocollection@acf.hhs.gov.* Identify all requests by the title of the information collection.

SUPPLEMENTARY INFORMATION:

Description: OCS is seeking to extend the CED PPR (OMB #0970–0386), with revisions, for three years. This extension will permit OCS to continue collecting the performance progress information about projects funded through the CED Program from current and future grant recipients.

The CED PPR collects information regarding the implementation and outcomes of CED projects to support program monitoring, the provision of training and technical assistance, and the fulfillment of congressional reporting requirements. The report tracks quantitative information, including measures of job creation and project expenditures, along with narrative descriptions of project activities, challenges, and changes.

The CED PPR will continue to be administered to all active grant recipients of the CED Program. Grant recipients will complete this report based on activities completed through the second and fourth quarters of each project year.

This request revises the burden estimates to reflect new reporting requirements for quarterly reporting. The burden estimates reflect quarterly reporting for new awardees as well as a shorter response time for quarterly reporters in alternate quarters when they will only be required to complete a subset of items on the form. This request makes no changes to the current approved CED PPR form that all grant recipients will be required to complete semi-annually. The current approved CED PPR is cumulative and covers activities completed through the second and fourth quarters of each project year. For the first and third quarters of each project year, quarterly reporters will complete a subset of items to provide narrative updates on project progress.

Currently, grant recipients submit the CED PPR semi-annually. Through this request, OCS proposes to change the reporting requirements to collect information on CED project progress on a quarterly basis. This will allow OCS to monitor grant recipient progress more frequently and to support the timely provision of training and technical assistance. The reporting schedule for CED projects will be identified in the Notice of Funding Opportunity (NOFO) under which projects are funded. Currently, CED NOFOs identify a semi-annual reporting schedule. OCS anticipates that quarterly reporting requirements will be included in NOFOs beginning in federal fiscal year (FFY) 2026.

To reduce the burden for quarterly reporters, OCS will only require grant recipients to complete a subset of items from the CED PPR in the first and third quarters of each project year. The burden estimates for the subset of items are included in the annual burden estimates for the CED PPR Short Form. The CED PPR Short Form does not include the quantitative measures and focuses on narrative descriptions of project activities, challenges, and changes.

Respondents: The CED *PPR* will be completed by all CED grant recipients active during the 3-year extension. The CED PPR Short Form will be completed by grant recipients receiving awards

through an application to a NOFO requiring quarterly reporting.

Annual Burden Estimates

OCS anticipates including quarterly reporting requirements in NOFOs published in FFY 2026 and later. Because CED projects are funded for 3- to 4-year project periods, OCS anticipates that only half of active grant recipients will be required to complete the short-form during the extension period. These assumptions are reflected in the burden estimates below.

Instrument	Total number of respondents	Annual number of responses per respondent	Average burden hours per response	Annual burden hours
CED PPR	79	2	1.5	237
CED PPR Short Form	48	2	0.5	48
Estimated Total Annual Burden Hours				285

Comments: The Department specifically requests comments on (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted within 60 days of this publication.

Authority: Section 680(a)(2), Community Services Block Grant Act, 42 U.S.C. 9921.

Mary C. Jones,

ACF/OPRE Certifying Officer.

[FR Doc. 2025–16584 Filed 8–28–25; 8:45 am]

BILLING CODE 4184–27–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2025–N–2654]

Amylyx Pharmaceuticals, Inc.; Withdrawal of Approval of New Drug Application for RELYVRIO (Sodium Phenylbutyrate and Taurursodiol) for Suspension, 3 Gram/Packet and 1 Gram/Packet

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) is withdrawing approval of the new drug application (NDA) for RELYVRIO (sodium phenylbutyrate and taurursodiol) for suspension, 3 gram (g)/packet and 1 g/packet, held by Amylyx Pharmaceuticals, Inc. (Amylyx), 43 Thorndike St., Cambridge, MA 02141. Amylyx has voluntarily requested that FDA withdraw approval of this application and has waived its opportunity for a hearing.

DATES: Approval is withdrawn as of August 29, 2025.

FOR FURTHER INFORMATION CONTACT: Kimberly Lehrfeld, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6250, Silver Spring, MD 20993–0002, 301–796–3137, *Kimberly.Lehrfeld@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: On September 29, 2022, FDA approved NDA 216660 for RELYVRIO (sodium phenylbutyrate and taurursodiol) for suspension, 3 g/packet and 1 g/packet, for the treatment of amyotrophic lateral sclerosis (ALS) in adults.

On April 30, 2024, Amylyx reported to the Agency that a Phase 3 Trial of AMX0035 for Amyotrophic Lateral Sclerosis Treatment (Study A35–004, also known as PHOENIX), a global, 48-week, randomized, placebo-controlled clinical trial of sodium phenylbutyrate and taurursodiol in patients living with ALS, did not meet its prespecified primary and secondary endpoints. On September 30, 2024, Amylyx notified the Agency they planned to discontinue marketing of RELYVRIO as of October 31, 2024. On October 31, 2024, FDA requested that the applicant submit a letter to voluntarily request withdrawal of approval of RELYVRIO (sodium phenylbutyrate and taurursodiol) for suspension, 3 g/packet and 1 g/packet, according to § 314.150(d) (21 CFR 314.150(d)) based on the results of the Phase 3 PHOENIX trial.

On February 28, 2025, Amylyx submitted a letter asking FDA to withdraw approval of NDA 216660 for RELYVRIO (sodium phenylbutyrate and taurursodiol) for suspension, 3 g/packet and 1 g/packet, according to § 314.150(d) and waiving its opportunity for a hearing. In its letter requesting withdrawal of approval, Amylyx stated that it is voluntarily requesting withdrawal based on results from the Phase 3 PHOENIX trial.

For the reasons discussed above, and in accordance with the applicant's request, approval of NDA 216660 for RELYVRIO (sodium phenylbutyrate and taurursodiol) for suspension, 3 g/packet and 1 g/packet, and all amendments and supplements thereto, is withdrawn under § 314.150(d). Distribution of RELYVRIO (sodium phenylbutyrate and taurursodiol) for suspension, 3 g/packet and 1 g/packet, into interstate commerce without an approved application is illegal and subject to regulatory action (see sections 505(a) and 301(d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(a) and 331(d)).

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–16646 Filed 8–28–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2025–N–1330]

Agency Information Collection Activities; Submission for Office of Management and Budget Review; Comment Request; Electronic Submissions of Medical Device Registration and Listing

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that a proposed collection of information has been submitted to the Office of Management and Budget

(OMB) for review and clearance under the Paperwork Reduction Act of 1995.

DATES: Submit written comments (including recommendations) on the collection of information by September 29, 2025.

ADDRESSES: To ensure that comments on the information collection are received, OMB recommends that written comments be submitted to *https://www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under Review—Open for Public Comments'' or by using the search function. The OMB control number for this information collection is 0910–0625. Also include the FDA docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: Amber Sanford, Office of Operations, Food and Drug Administration, Three White Flint North, 10A–12M, 11601 Landsdown St., North Bethesda, MD 20852, 301–796–8867, *PRAStaff@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: In compliance with 44 U.S.C. 3507, FDA has submitted the following proposed collection of information to OMB for review and clearance.

Electronic Submission of Medical Device Registration and Listing—21 CFR Part 807, Subparts A Through D

OMB Control Number 0910–0625—Extension

This information collection supports FDA statutes and regulations. Under section 510 of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 360) and part 807, subparts A through D (21 CFR part 807, subparts A, B, C, and D), medical device establishment owners and operators are required to electronically submit establishment registration and device listing information. Complete and accurate registration and listing information is necessary to accomplish a number of statutory and regulatory objectives, such as: (1) Identification of establishments producing marketed medical devices, (2) identification of establishments producing a specific device when that device is in short supply or is needed for national emergency, (3) facilitation of recalls for devices marketed by owners and operators of device establishments, (4) identification and cataloguing of marketed devices, (5) administering post marketing surveillance programs for devices, (6) identification of devices marketed in violation of the law, (7) identification and control of devices imported into the country from foreign establishments, (8) and scheduling and planning inspections of registered establishments under section 704 of the FD&C Act (21 U.S.C. 374).

Respondents to this information collection are owners or operators of establishments that engage in the manufacturing, preparation, propagation, compounding, or processing of a device or devices, who must register their establishments and submit listing information for each of their devices in commercial distribution. Notwithstanding certain exceptions, foreign device establishments that manufacture, prepare, propagate, compound, or process a device that is imported or offered for import into the United States must also comply with the registration and listing requirements. The number of respondents is based on data from the FDA Unified Registration and Listing System (FURLS).

In the **Federal Register** of June 20, 2025 (90 FR 26304), FDA published a 60-day notice requesting public comment on the proposed collection of information. No comments were received.

FDA estimates the burden of this collection of information as follows:

TABLE 1—ESTIMATED ANNUAL REPORTING BURDEN

21 CFR part FDA form number	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours
807.20(a)(5)[2] Initial Submittal of Manufacturer Information by Initial Importers (FDA 3673)	2,219	1	2,219	1.75	3883
807.20(a)(5)[3] Annual Submittal of Manufacturer Information by Initial Importers (FDA 3673)	2,219	1	2,219	0.1	222
807.21(a)[2] Creation of electronic system account (FDA 3673)	8,876	1	8,876	0.5	4,438
807.21(b)[3] Annual Request for Waiver from Electronic Registration & Listing	1	1	1	1	1
807.21(b)[2] Initial Request for Waiver from Electronic Registration & Listing	1	1	1	1	1
807.22(a)[2] Initial Registration & Listing (FDA 3673)	2,106	1	2,106	1	2,106
807.22(b)(1)[3] Annual Registration (FDA 3673)	30,280	1	30,280	0.5	15,140
807.22(b)(2)[3] Other updates of Registration (FDA 3673)	3,906	1	3,906	0.5	1,953
807.22(b)(3)[3] Annual Update of Listing Information (FDA 3673)	28,925	1	28,925	0.5	14,463
807.22(b)(4) Changes to listing information (outside of annual listing requirement period): Voluntary reporting of transfer of 510(k) clearance in FURLS (outside of annual listing requirement period)	4,080	1	4,080	0.25	1,020
Submission of 510(k) transfer documentation when more than one party lists the same 510(k)	2,033	1	2,033	4	8,132
807.26(e)[3] Labeling & Advertisement Submitted at FDA Request	1	1	1	1	1
807.34(a)[2] Initial Registration & Listing when Electronic Filing Waiver Granted	1	1	1	1	1
807.34(a)[3] Annual Registration & Listing when Electronic Filing Waiver granted	1	1	1	1	1
807.40(b)(2)[3] Annual Update of US Agent Information (FDA 3673)	3,410	1	3,410	0.5	1,705
807.40(b)(3)[3] US Agent Responses to FDA Requests for Information (FDA 3673)	1,535	1	1,535	0.25	384

TABLE 1—ESTIMATED ANNUAL REPORTING BURDEN—Continued

21 CFR part FDA form number	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours
807.41(a)[3] Identification of initial importers defined in 21 CFR 807.3(g) by foreign establishments (FDA 3673)	2,955	1	2,955	0.5	1,478
807.41(b)[3] Identification of other importers (defined in 21 CFR 807.3(x) and (y) that facilitate import by foreign establishments (FDA 3673)	3,234	1	3,234	0.5	1,617
Total					56,546

[1] Totals are rounded to the nearest whole number.
[2] One Time Burden—Firm only provides initially.
[3] Recurring Burden—Firm is required to review annually.

TABLE 2—ESTIMATED ANNUAL RECORDKEEPING BURDEN1

21 CFR part	Number of recordkeepers	Number of records per recordkeeper	Total annual records	Average burden per recordkeeping	Total hours
807.25(d)[2] List of Officers, Directors & Partners	22,338	1	22,338	.25	5,585
807.26[2] Labeling & Advertisements Available for Review	17,032	4	68,128	.5	34,064
Total					39,649

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.
[2] Recurring burden—Firm is required to keep records.

Our estimated burden for the information collection reflects an overall decrease of 17,637 hours and a corresponding decrease of 34,526 responses. Burden estimates are based on recent registration and listing information collected from establishments registering for the first time (initial registration) and establishments re-registering. We attribute this adjustment to a decrease in the number of submissions we received over the last approval period.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–16630 Filed 8–28–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Agency Information Collection Activities: Proposed Collection: Public Comment Request; Information Collection Request Title: Ryan White HIV/AIDS Program (RWHAP) Parts A and B Unobligated Balances and Rebate Addendum Tables, OMB No. 0906–0047—Extension

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services.

ACTION: Notice.

SUMMARY: In compliance with the requirement for opportunity for public comment on proposed data collection projects of the Paperwork Reduction Act of 1995, HRSA announces plans to submit an Information Collection Request (ICR), described below, to the Office of Management and Budget (OMB). Prior to submitting the ICR to OMB, HRSA seeks comments from the public regarding the burden estimate, below, or any other aspect of the ICR.

DATES: Comments on this ICR should be received no later than October 28, 2025.

ADDRESSES: Submit your comments to *paperwork@hrsa.gov* or mail the HRSA Information Collection Clearance Officer, Room 14NWH04, 5600 Fishers Lane, Rockville, Maryland 20857.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the data collection plans and draft instruments, email *paperwork@hrsa.gov* or call Samantha Miller, the HRSA Information Collection Clearance Officer, at (301) 443–3983.

SUPPLEMENTARY INFORMATION: When submitting comments or requesting information, please include the ICR title for reference.

Information Collection Request Title: Ryan White HIV/AIDS Program Parts A and B Unobligated Balances and Rebate Addendum Tables, OMB No. 0906–0047—Extension.

Abstract: HRSA's Ryan White HIV/AIDS Program (RWHAP) funds and coordinates with cities, states and territories, and local clinics/community-based organizations to deliver efficient and effective HIV care, treatment, and support to low-income people diagnosed with HIV. Nearly two-thirds of RWHAP clients (patients) live at or below 100 percent of the federal poverty level (FPL). Since 1990, RWHAP has developed a comprehensive system of HIV service providers who deliver high quality direct health care and support services to over half a million people with diagnosed HIV—more than 50 percent of all people with diagnosed HIV in the United States.

Grant recipients funded under RWHAP Parts A, B, C, and D (codified under Title XXVI of the Public Health Service Act) are required to report financial data to HRSA at the beginning (Allocations Report) and at the end of each grant budget period (Expenditures Report) using the designated HRSA grant submission software which is approved by OMB under the 0915–0318 control number. HRSA collects unobligated balances (UOB) of federal funds and rebate addendum information by subprogram from their grant recipients. A UOB is the cumulative amount that is available for obligation in an unexpired account. HRSA uses the UOB and rebate addendum financial information to determine formula funding as directed by the RWHAP

statute. HRSA is not planning to make changes to this information collection as part of this extension request.

Federal award expenditure data were previously collected when grant recipients submitted their annual Federal Financial Report (FFR SF–425), which HRSA then combined with the UOB and rebate addendum tables submitted by recipients using the designated HRSA grant submission software. HRSA created the currently approved instrument, which has been in use for several years now, to streamline the process for grant recipients by collecting financial information in the same location and at the same time as the FFR SF–425. Whereas grant recipients previously completed the FFR SF–425 in the HRSA EHBs, they now complete it in the Payment Management System. Additionally, grant recipients complete the UOB and rebate addendum data tables as part of their FFR SF–425 submission in the Payment Management System.

Need and Proposed Use of the Information: Before implementing the current process described above, RWHAP Part A and Part B recipients completed the UOB and rebate addendum tables in a non-electronic form and uploaded them as attachments to their FFR SF–425 submission. Renewal of the current process will continue to increase transparency and improve the quality of data submitted to HRSA. These UOB and rebate addendum tables are essential for allowing HRSA to ensure that RWHAP recipients are meeting the goal of accountability to Congress, clients, advocacy groups, and the general public. Information provided in the UOB and rebate addendum tables is critical for HRSA, cities, states and territories, local clinics, and individual providers to evaluate the effectiveness of these programs.

CURRENTLY APPROVED RWHAP PART A TABLE

Unobligated balance (UOB) of federal funds by subprogram				
Category	Federal funds authorized	Unexpended carryover	Prior year (FY20XX)	Current year (FY 20XX)
Part A Formula.				
Part A Supplemental.				
Part A MAI.				

CURRENTLY APPROVED RWHAP PART B TABLE

Unobligated balance (UOB) of federal funds by subprogram				
Category	Federal funds authorized	Unexpended carryover	Prior year (FY20XX)	Current year (FY 20XX)
Part B Base.				
Part B ADAP.				
Part B Emerging Communities.				
Part B MAI.				
Part B ADAP Supplemental.				
Part A Transfer.				

CURRENTLY APPROVED RWHAP PART B REBATE TABLE

Ryan White rebate funding
Total Rebates Available
Expended Rebate Amount
Unexpended Rebate
Expended Rebate Amount to be Used to Reduce UOB

Likely Respondents: HRSA RWHAP Parts A and B Grant Recipients.

Burden Statement: Burden in this context means the time expended by persons to generate, maintain, retain, disclose, or provide the information requested. This includes the time needed to review instructions; to develop, acquire, install, and utilize technology and systems for the purpose of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information; to search data sources; to complete and review the collection of information; and to transmit or otherwise disclose the information. The last total annual burden hours estimated are summarized in the table below.

TOTAL OF PREVIOUSLY ESTIMATED ANNUALIZED BURDEN HOURS

Form name	Number of respondents	Number of responses per respondent	Total responses	Average burden per response (in hours)	Total burden hours
Part A UOB Table	52	1	52	0.5	26.0
Part B UOB Table	59	1	59	0.5	29.5
Total	111		111		55.5

Note: This is the previously estimated annualized burden hours. A current assessment of recipient burden hours is under way. The newly captured estimates will be included in the 30-day FRN.

HRSA specifically requests comments on (1) the necessity and utility of the proposed information collection for the proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

Maria G. Button,

Director, Executive Secretariat.

[FR Doc. 2025–16667 Filed 8–28–25; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Notice of Supplemental Funding; Autism Longitudinal Data Project and Linking the Boston Birth Cohort and Pregnancy to Health Databases: A Longitudinal Cohort of Mother-Child Dyads

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services.

ACTION: Notice of supplemental funding.

SUMMARY: HRSA is announcing supplemental award funds through the Patient-Centered Outcomes Research Trust Fund to the current HRSA award recipient to build further data capacity under the Autism Longitudinal Data Project. The funding will support this multi-agency data linkage project linking existing datasets to create a comprehensive longitudinal dataset. Supplemental funding was previously awarded in fiscal year 2024 for the initial phase of the project, which started in July 2024, and this award will continue that work.

FOR FURTHER INFORMATION CONTACT: Evva Assing-Murray, Senior Health Scientist, Division of Research, Office of Epidemiology and Research, Maternal and Child Health Bureau, HRSA, at *EAssing-Murray@hrsa.gov* or 301–594–4113.

SUPPLEMENTARY INFORMATION:

Intended Recipient of the Award: Johns Hopkins University.

Amount of Non-Competitive Award: One award for $533,887.

Project Period: September 1, 2022, to August 31, 2027.

Assistance Listing Number: 93.877.

Award Instrument: Non-competitive single-source supplement.

Authority: 26 U.S.C. 9511(d)(2)(C).

TABLE 1—RECIPIENT(S) AND AWARD AMOUNT(S)

Grant No.	Award recipient name	City, state	Award amount
UT7MC45949 ...	Johns Hopkins University	Baltimore, MD	$533,887

Justification: There is a lack of longitudinal data from birth cohorts in the United States to assess maternal and infant health and inter-generational health from a life course perspective. Through this supplement, the data linkage will generate a rich dataset with a broad array of data on biological, socio-economic, home and neighborhood environment, behavioral risk and protective factors, health services, and expenses across the developmental and life stages. Johns Hopkins University is uniquely qualified to conduct this work because it has:

- A long-standing record of successfully completing government-funded projects. Johns Hopkins University is currently in the 4th year of its second 5-year award from HRSA and has consistently met its goals and objectives.
- Led and managed the Boston Birth Cohort since its inception in 1998. As such, Johns Hopkins University is experienced in the:
  - Complexities of data sharing across institutions, and
  - Technical aspects of linking data.
- Access to these restricted datasets. The Boston Birth Cohort is a restricted use data resource that contains personally identifiable, confidential data, the disclosure of which is protected by law. Johns Hopkins University and its clinical site, Boston Medical Center, maintain these data and are the only entities that currently have access to the datasets required for this activity.

This data linkage project will run from July 2024 to July 2027. This is a continuation of an ongoing activity that was funded in fiscal year 2024 to the same intended recipient. The Patient-Centered Outcomes Research Trust Fund, administered by the Office of the Assistant Secretary for Planning and Evaluation, funds this supplement.

Thomas J. Engels,

Administrator.

[FR Doc. 2025–16649 Filed 8–28–25; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[OMB Control Number 1615–0060]

Agency Information Collection Activities; Revision of a Currently Approved Collection: Medical Certification for Disability Exceptions

AGENCY: U.S. Citizenship and Immigration Services, Department of Homeland Security.

ACTION: 60-Day notice.

SUMMARY: The Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS) invites the general public and other Federal agencies to comment upon this proposed revision of a currently approved collection of information. In accordance with the Paperwork Reduction Act (PRA) of 1995, the information collection notice is published in the **Federal Register** to obtain comments regarding the nature of the information collection, the categories of respondents, the estimated burden (*i.e.* the time, effort, and resources used by the respondents to respond), the estimated cost to the respondent, and the actual information collection instruments.

DATES: Comments are encouraged and will be accepted for 60 days until October 28, 2025.

ADDRESSES: All submissions received must include the OMB Control Number 1615–0060 in the body of the letter, the agency name and Docket ID USCIS–2008–0021. Submit comments via the Federal eRulemaking Portal website at *https://www.regulations.gov* under e-Docket ID number USCIS–2008–0021.

FOR FURTHER INFORMATION CONTACT: USCIS, Office of Policy and Strategy, Regulatory Coordination Division, John R. Pfirrmann-Powell, Acting Deputy Chief, telephone number (240) 721–3000 (This is not a toll-free number. Comments are not accepted via telephone message). Please note contact information provided here is solely for questions regarding this notice. It is not for individual case status inquiries. Applicants seeking information about the status of their individual cases can check Case Status Online, available at the USCIS website at *https://www.uscis.gov,* or call the USCIS Contact Center at 800–375–5283 (TTY 800–767–1833).

SUPPLEMENTARY INFORMATION:

Comments

You may access the information collection instrument with instructions or additional information by visiting the Federal eRulemaking Portal site at: *https://www.regulations.gov* and entering USCIS–2008–0021 in the search box. Comments must be submitted in English, or an English translation must be provided. All submissions will be posted, without change, to the Federal eRulemaking Portal at *https://www.regulations.gov,* and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to consider limiting the amount of personal information that you provide in any voluntary submission you make to DHS. DHS may withhold information provided in comments from public viewing that it determines may impact the privacy of an individual or is offensive. For additional information, please read the Privacy Act notice that is available via the link in the footer of *https://www.regulations.gov.*

Written comments and suggestions from the public and affected agencies should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Revision of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Medical Certification for Disability Exceptions.

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* N–648; USCIS.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary:* Business or other for-profit. USCIS uses the Form N–648 to substantiate a claim for an exception to the requirements of section 312(a) of the Act. Only medical doctors, doctors of osteopathy, or clinical psychologists licensed to practice in the United States are authorized to certify Form N–648. By certifying the form, the doctor states that an applicant filing an Application for Naturalization, Form N–400, is unable to complete the English and/or civics requirements because of a physical or developmental disability or mental impairment(s).

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The estimated total number of respondents for the information collection N–648 (Medical Professional) is 19,527 and the estimated hour burden per response is 2.4 hours; the estimated total number of respondents for the information collection N–648 (applicant) is 19,527 and the estimated hour burden per response is 8.0 hours.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The estimated total annual hour burden associated with this collection is 203,081 hours.

(7) *An estimate of the total public burden (in cost) associated with the collection:* The estimated total annual cost burden associated with this collection of information is $17,775,089.

Dated: August 25, 2025.

John R. Pfirrmann-Powell,

Acting Deputy Chief, Regulatory Coordination Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security.

[FR Doc. 2025–16582 Filed 8–28–25; 8:45 am]

BILLING CODE 9111–97–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–7098–N–04; OMB Control No.: 2502–0562]

60-Day Notice of Proposed Information Collection: Manufactured Housing Dispute Resolution

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, Department of Housing and Urban Development (HUD).

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the

Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* October 28, 2025.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Written comments and recommendations for the proposed information collection can be sent within 60 days of publication of this notice to *www.regulations.gov.* Interested persons are also invited to submit comments regarding this proposal and comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Darian Ziegler, PRA Liaison, Department of Housing and Urban Development, 451 7th Street SW, Room 9139–37, Washington, DC 20410–5000.

FOR FURTHER INFORMATION CONTACT: Darian Ziegler, PRA Liaison, Office of Housing, Department of Housing and Urban Development, 451 7th Street SW, Room 9139–37, Washington, DC 20410; email *darian.ziegler@hud.gov,* or telephone (202) 402–4144. This is not a toll-free number. HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.* Copies of available documents submitted to OMB may be obtained from Ms. Guido.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Manufactured Housing Dispute Resolution.

OMB Approval Number: 2502–0562.

Type of Request: Extension of currently approved collection.

Form Number: HUD 310–DRSC; HUD 311–DR.

Description of the need for the information and proposed use: The HUD certified state programs and those states desirous of certification will file form HUD–310–DRSC. HUD uses the information on state certifications to determine whether the state programs comply with the minimum requirements set out in the regulations. The information is retained by HUD until it receives a subsequent certification form, due every three years for recertification of certain states that do not have their dispute resolution program included in their state plan. This is a required form.

Homeowners and industry respondents will use form HUD–311–DR. HUD uses the required information for screening that a defect is properly alleged and timely reported under the Federal manufactured housing dispute resolution program. The information is retained for three years after the dispute has been resolved. This is a required form.

Respondents: States, homeowners, and industry respondents.

Estimated Number of Respondents: 33.

Estimated Number of Responses: 33.

Frequency of Response: HUD–DR–310 tri-annually; HUD–DR–311 as needed throughout the year by manufactured homeowners and industry respondents.

Average Hours per Response: 1 hour.

Total Estimated Burdens: $1,950.00.

Estimated Annualized Burden Hours and Costs:

BILLING CODE 4210–67–P

State Certifications Estimated Annualized Burden Hours and Costs

Note: The estimate includes 25 requests initially filed from state entities and received by HUD.

Individuals / Households

Information Collection / Type of Respondent	Form Name / Form Number	Number of Respondents		Response Per Year	Average Burden Hours Per Response	Annual Burden Hours	Hourly Cost per Response	Total
Requests Received for Dispute Resolution Initial Filing **Individuals / Households**	Dispute Resolution Certification HUD-311-DR	5	1	5	1	5	$25	$125
Sub-total		**5**		**5**		**5**		**$125**

Note: The estimate includes 5 requests initially filed from individuals/households and received by HUD.

	Form Name / Form Number	Number of Respondents	Frequency of Response	Response Per Year		Average Burden Hours Per Response	Annual Burden Hours	Hourly Cost per Response	Total
State Certifications	Dispute Resolution Certification HUD-310-DRSC	25	1	25		1	25	$68	$1,700
Sub-total		**25**		**25**			**25**		**$1,700**

Industry Respondents (Installers)

Information Collection / Type of Respondent	Form Name / Form Number	Number of Respondents	Frequency of Response	Response Per Year	Average Burden Hours Per Response	Annual Burden Hours	Hourly Cost per Response	Total
Requests Received for Dispute Resolution Initial Filing **Installer**	Dispute Resolution Certification HUD-311-DR	1	1	1	1	1	$28	$28
Sub-total		**1**		**1**		**1**		**$28**

Note: The estimate includes 1 request initially filed by installers and received by HUD.

Industry Respondents (Retailers)

Information Collection / Type of Respondent	Form Name / Form Number	Number of Respondents	Frequency of Response	Response Per Year	Average Burden Hours Per Response	Annual Burden Hours	Hourly Cost per Response	Total
Requests Received for Dispute Resolution Initial Filing **Retailer**	Dispute Resolution Certification HUD-311-DR	1	1	1	1	1	$26	$26
Sub-total		**1**		**1**		**1**		**$26**

Note: The estimate includes 1 request initially filed by retailers and received by HUD.

Industry Respondents (Manufacturers)

Information Collection / Type of Respondent	Form Name / Form Number	Number of Respondents	Frequency of Response	Response Per Year	Average Burden Hours Per Response	Annual Burden Hours	Hourly Cost per Response	Total
Requests Received for Dispute Resolution Initial Filing **Manufacturer**	Dispute Resolution Certification HUD-311-DR	1	1	1	1	1	$71	$71
Sub-total		**1**		**1**		**1**		**$71**

Note: The estimate includes 1 request initially filed by manufacturers and received by HUD.

Totals for State, Individuals/Households, & Industry Respondents

Information Collection / Type of Respondent	Form Name / Form Number	Number of Respondents	Frequency of Response	Response Per Year	Average Burden Hours Per Response	Annual Burden Hours	Hourly Cost per Response	Total
State Certifications	Dispute Resolution Certification **HUD-310-DRSC**	25	1	25	1	25	$68	$1,700
Individuals or Households; Business or Other for-Profit	Dispute Resolution Certification **HUD-311-DR**	8	1	8	1	8	Varies Individuals - $25 Installer - $28 Retailer – $26 Manufacturer - $71	$250
TOTALS		**33**		**33**		**33**		**$1,950**

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) The accuracy of the agency's estimate of the burden of the proposed collection of information;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

HUD encourages interested parties to submit comments in response to these questions.

C. Authority

Section 2 of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507.

Vance T. Morris,

Associate General Deputy Assistant Secretary for Housing.

[FR Doc. 2025–16596 Filed 8–28–25; 8:45 am]

BILLING CODE 4210–67–C

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS–HQ–IA–2025–0374; FXIA16710900000–256–FF09A30000]

Emergency Exemption: Issuance of Emergency Permit To Import Endangered Species

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of issuance of permit.

SUMMARY: We, the U.S. Fish and Wildlife Service, have waived the 30-day public notice period and have issued an endangered species permit for import of five tigers (*Panthera tigris*). We issue this permit under the Endangered Species Act and the Convention on International Trade in Endangered Species of Wild Fauna and Flora.

ADDRESSES: Materials pertaining to the permit application are available by submitting a Freedom of Information Act (FOIA) request to the Service's FOIA office at *https://www.doi.gov/foia/foia-request-form.*

FOR FURTHER INFORMATION CONTACT: Brenda Tapia, by phone at 703–358–2104 or via email at *DMAFR@fws.gov.* Individuals in the United States who are deaf, blind, 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: We, the U.S. Fish and Wildlife Service (Service), have issued an emergency permit to conduct certain activities with the endangered tigers (*Panthera tigris*) in response to a permit application that we received under the authority of section 10(a)(1)(A) of the Endangered Species Act of 1973 (ESA; 16 U.S.C. 1531 *et seq.*).

We issued the requested permit subject to certain conditions set forth in the permit. For the application, we found that (1) the application was filed in good faith, (2) the granted permit would not operate to the disadvantage of the endangered species, and (3) the granted permit would be consistent with the purposes and policy set forth in section 2 of the ESA.

PERMIT ISSUED UNDER EMERGENCY EXEMPTION

Permit No.	Applicant	Permit issuance date
PER21349374	Carolina Tiger Rescue	July 14, 2025.

The Carolina Tiger Rescue requested a permit to import five live tigers from Honduras due to deteriorating conditions in the animal's current enclosures and the lack of available permanent spaces to house these animals in Honduras. After assessing the situation facing partner organizations in Honduras, the Service determined that an emergency affecting the lives of these animals existed, and that no reasonable alternative was available to the applicant.

On July 14, 2025, the Service issued permit no. PER21349374 to the Carolina Tiger Rescue, to import five tigers for the purpose of enhancement of the survival of the species.

Authority

We issue this notice under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), and its implementing regulations.

Timothy MacDonald,

Government Information Specialist, Branch of Permits, Division of Management Authority.

[FR Doc. 2025–16579 Filed 8–28–25; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS–R4–ES–2025–0038; FXES11140400000–256–FF04EF4000]

Receipt of Incidental Take Permit Application and Proposed Habitat Conservation Plan for the Sand Skink; Lake County, FL; Categorical Exclusion

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for comments and information.

SUMMARY: We, the Fish and Wildlife Service (Service), announce receipt of an application from Revels Road Investors, LLC (Howey Groves Development) (applicant) for an incidental take permit (ITP) under the Endangered Species Act. The applicant requests the ITP to take the federally listed sand skink incidental to the construction of a housing development in Lake County, Florida. We request public comment on the application, which includes the applicant's proposed habitat conservation plan (HCP), and on the Service's preliminary determination that the proposed permitting action may be eligible for a categorical exclusion pursuant to the National Environmental Policy Act (NEPA), the Department of the Interior's (DOI) NEPA regulations and the DOI Departmental Manual. To make this preliminary determination, we prepared a draft screening form and NEPA statement for HCPs, which are also available for public review. We invite comment from the public and local, State, Tribal, and Federal agencies.

DATES: We must receive your written comments on or before September 29, 2025.

ADDRESSES: *Obtaining Documents:* You may obtain copies of the documents online in Docket No. FWS–R4–ES–2025–0038 at *https://www.regulations.gov.*

Submitting Comments: If you wish to submit comments on any of the documents, you may do so in writing by one of the following methods:

- *Online: https://www.regulations.gov.* Follow the instructions for submitting comments on Docket No. FWS–R4–ES–2025–0038.
- *U.S. mail:* Public Comments Processing, Attn: Docket No. FWS–R4–ES–2025–0038; U.S. Fish and Wildlife Service, MS: PRB/3W, 5275 Leesburg Pike, Falls Church, VA 22041–3803.

FOR FURTHER INFORMATION CONTACT: Erin Gawera, by U.S. mail (see **ADDRESSES**), by telephone at 904–404–2464 or via email at *erin_gawera@fws.gov.* 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: We, the Fish and Wildlife Service (Service), announce receipt of an application from Revels Road Investors, LLC (Howey Groves Development) (applicant) for an incidental take permit (ITP) under the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*). The applicant requests the ITP to take federally listed sand skinks (*Neoseps* (=*Plestiodon*) *reynoldsi*) (skink) incidental to the construction and operation of a housing development in Lake County, Florida. We request public comment on the application, which includes the applicant's habitat conservation plan (HCP), and on the Service's preliminary determination that this proposed ITP may qualify for a categorical exclusion pursuant to the National Environmental Policy Act (NEPA), the Department of the Interior's (DOI) National Environmental Policy Act (NEPA) regulations (43 CFR 46) and the DOI's Departmental Manual (516 DM 8.5(C)(2)). To make this preliminary determination, we prepared a draft screening form and NEPA statement for HCPs, which is also available for public review.

Proposed Project

The applicant requests a 5-year ITP to take skinks via the conversion of approximately 2.20 acres (ac) of occupied nesting, foraging, and sheltering skink habitat incidental to the construction and operation of a housing development on 34.00 ac, Parcel numbers 02–21–25–0001–000–00100 and 02–21–25–0001–000–00200 in Section 02, Township 21 South, Range 25 East, Lake County, Florida. The applicant proposes to mitigate for take of the skinks by purchasing credits equivalent to 4.40 ac of skink-occupied habitat within the Lake Wales Ridge Conservation Bank or another Service-approved conservation bank. The Service would require the applicant to purchase the credits prior to engaging in any phase of the project.

Our Preliminary Determination

The Service has made a preliminary determination that reasonably foreseeable effects of the applicant's proposed project, including the construction of the buildings and associated infrastructure (*e.g.,* electric, water, and sewer lines), would have a minor effect on the sand skink and the human environment, an no extraordinary circumstances in 43 CFR 43.215 apply. Reasonably foreseeable effects encompass effects of implementation of the action including effects of the action in addition to other past, present, and reasonably foreseeable future effects. Therefore, we have preliminarily determined that the proposed ESA section 10(a)(1)(B) permit would be a low-effect ITP that may

qualify for application of a categorical exclusion (516 DM 8.5(C)(2)), pursuant to NEPA, the DOI's NEPA regulations, and the DOI Departmental Manual. A low-effect ITP is one that would result in (1) negligible or minor individual or cumulative effects on species covered in the HCP; (2) no significant effects on the human environment; and (3) reasonably foreseeable effects that would not result in significant effects to the human environment.

Next Steps

The Service will evaluate the application and the comments to determine whether to issue the requested permit. We will also conduct an intra-Service consultation pursuant to section 7 of the ESA to evaluate the effects of the proposed take. After considering the preceding and other matters, we will determine whether the permit issuance criteria of section 10(a)(1)(B) of the ESA have been met. If met, the Service will issue ITP number PER12504739 to Revels Road Investors, LLC (Howey Groves Development).

Public Availability of Comments

Before including your address, phone number, email address, or other personal identifying information in your comment, be aware that your entire comment, including your personal identifying information, may be made available to the public. If you submit a comment at *https://www.regulations.gov,* your entire comment, including any personal identifying information, will be posted on the website. If you submit a hardcopy comment that includes personal identifying information, such as your address, phone number, or email address, you may request at the top of your document that we withhold this information from public review. However, we cannot guarantee that we will be able to do so. Moreover, all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public disclosure in their entirety.

Authority

The Service provides this notice under section 10(c) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*) and its implementing regulations (50 CFR 17.32) and the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and its implementing regulations (43 CFR 46).

José J. Rivera,

Manager, Division of Environmental Review, Florida Ecological Services Field Office.

[FR Doc. 2025–16627 Filed 8–28–25; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R3–ES–2025–N014 FXES11130300000–256–FF03E00000]

Endangered and Threatened Species; Receipt of Recovery Permit Applications

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of receipt of permit applications; request for comments.

SUMMARY: We, the U.S. Fish and Wildlife Service, have received applications for permits to conduct scientific research to promote conservation or other activities intended to enhance the propagation or survival of endangered or threatened species under the Endangered Species Act. We invite the public and local, State, Tribal, and Federal agencies to comment on these applications. Before issuing any of the requested permits, we will take into consideration any information that we receive during the public comment period.

DATES: We must receive your written comments on or before September 29, 2025.

ADDRESSES: *Document availability and comment submission:* Submit requests for copies of the applications and related documents, as well as any comments, by one of the following methods. All requests and comments should specify the applicant name(s) and application number(s) (*e.g.,* ESXXXXXX; see table in **SUPPLEMENTARY INFORMATION**):

- *Email (preferred method): permitsR3ES@fws.gov.* Please refer to the respective application number (*e.g.,* Application No. ESXXXXXX) in the subject line of your email message.
- *U.S. Mail:* Regional Director, Attn: Nathan Rathbun, U.S. Fish and Wildlife Service, Ecological Services, 5600 American Blvd. West, Suite 990, Bloomington, MN 55437–1458.

FOR FURTHER INFORMATION CONTACT: Nathan Rathbun, 612–713–5343 (phone); *permitsR3ES@fws.gov* (email). 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: We, the U.S. Fish and Wildlife Service, invite review and comment from the public and local, State, Tribal, and Federal agencies on applications we have received for permits to conduct certain activities with endangered and threatened species under section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1539(c)). and our regulations in the Code of Federal Regulations (CFR) at 50 CFR part 17. Documents and other information submitted with the applications are available for review, subject to the requirements of the Privacy Act and the Freedom of Information Act.

Background

The ESA prohibits certain activities with endangered and threatened species unless authorized by a Federal permit. The ESA and our implementing regulations in part 17 of title 50 of the CFR provide for the issuance of such permits and require that we invite public comment before issuing permits for activities involving endangered species.

A recovery permit issued by us under section 10(a)(1)(A) of the ESA authorizes the permittee to conduct activities with endangered species for scientific purposes that promote recovery or for enhancement of propagation or survival of the species. Our regulations implementing section 10(a)(1)(A) for these permits are found at 50 CFR 17.22 for endangered wildlife species, 50 CFR 17.32 for threatened wildlife species, 50 CFR 17.62 for endangered plant species, and 50 CFR 17.72 for threatened plant species.

Permit Applications Available for Review and Comment

The ESA requires that we invite public comment before issuing these permits. Accordingly, we invite local, State, Tribal, and Federal agencies and the public to submit written data, views, or arguments with respect to these applications. The comments and recommendations that will be most useful and likely to influence agency decisions are those supported by quantitative information or studies. Proposed activities in the following permit requests are for the recovery and enhancement of propagation or survival of the species in the wild.

Application No.	Applicant	Species	Location	Activity	Type of take	Permit action
ES75495D	Tip of the Mitt Watershed Council; Petoskey, MI.	Hungerford's crawling water beetle (*Brychius hungerfordi*)	MI	Conduct presence/absence surveys, document habitat use, conduct population monitoring, and evaluate impacts.	Capture, handle, collect non-intrusive measurements, release.	Renew/Amend.
ESPER16985456	Orchard, Hiltz, & McCliment, Inc.; Livonia, MI.	Clubshell (*Pleurobema clava*), fanshell (*Cyprogenia stegaria*), longsolid (*Fusconaia subrotunda*), northern riffleshell (*Epioblasma torulosa rangiana*), pink mucket (*Lampsilis abrupta*), purple catspaw (*Epioblasma obliquata obliquata*), rabbitsfoot (*Quadrula cylindrica cylindrica*), rayed bean (*Villosa fabalis*), round hickorynut (*Obovaria subrotunda*), scaleshell (*Leptodea leptedon*), sheepnose (*Plethobasus cyphyus*), spectaclecase (*Cumberlandia monodonta*), snuffbox (*Epioblasma triquetra*), white catspaw (*Epioblasma obliquata perobliqua*), and winged mapleleaf (*Quadrula fragosa*).	MI, OH	Conduct presence/absence surveys, document habitat use, conduct population monitoring, and evaluate impacts.	Capture, handle, collect non-intrusive measurements, relocate under special circumstances, release.	New.
ESPER16990476	Dortman Environmental LLC; Burtchville, MI.	Northern riffleshell (*Epioblasma torulosa rangiana*), rayed bean (*Villosa fabalis*), round hickorynut (*Obovaria subrotunda*), snuffbox (*Epioblasma triquetra*).	MI	Conduct presence/absence surveys, document habitat use, conduct population monitoring, and evaluate impacts.	Capture, handle, collect non-intrusive measurements, relocate under special circumstances, release.	New.
ESPER17570050	Bethanne Bruninga-Socolar; Reading, PA.	Rusty patched bumble bee (*Bombus affinis*)	IL, WV	Conduct presence/absence surveys, document habitat use, conduct population monitoring, and evaluate impacts.	Capture, handle, release	New.
ESPER17569283	Nathan Patterson; Potosi, MO.	Indiana bat (*Myotis sodalis*), northern long-eared bat (*M. septentrionalis*), gray bat (*M. grisescens*), and tricolored bat (*Perimyotis subflavus*).	MO, IN	Conduct presence/absence surveys, document habitat use, conduct population monitoring, and evaluate impacts.	Capture, handle, harp trap, band, radiotelemetry, enter hibernacula.	New.
ESPER18058452	Ryan Rasmussen; Bloomfield, IA.	Higgins' eye pearly mussel (*Lampsilis higginsi*), sheepnose (*Plethobasus cyphyus*), snuffbox (*Epioblasma triquetra*), spectaclecase (*Cumberlandia monodonta*), winged mapleleaf (*Quadrula fragos*).	IA, IL, MN, MO, WI	Conduct presence/absence surveys, document habitat use, conduct population monitoring, and evaluate impacts.	Capture, handle, collect non-intrusive measurements, relocate under special circumstances, release.	New.
ES049738	Third Rock Consultants, LLC; Lexington, KY.	Add new species—tri-colored Bat (*Perimyotis subflavus*), longsolid (*Fusconaia subrotunda*), round hickorynut (*Obovaria subrotunda*)—to existing authorized species: nine freshwater fish species, 50 freshwater mussel species, Indiana bat (*Myotis sodalis*), gray bat (*M. grisescens*), northern long-eared bat (*M. septentrionalis*), Ozark big-eared bat (*Corynorhinus townsendii ingens*), Virginia big-eared bat (*C. t. virginianus*), big sandy crayfish (*Cambarus callainus*), American burying beetle (*Nicrophorus Americanus*).	AL, AR, FL, GA, IL, IN, IA, KY, LA, MS, MI, MN, MO, NC, OH, PA, SC, TN, VA, WV, WI.	Conduct presence/absence surveys, document habitat use, conduct population monitoring, and evaluate impacts.	Capture, handle, collect non-intrusive measurements, relocate under special circumstances, release, conduct radiotelemetry, mist net, harp trap.	Amend.
ES72093B	Rebecca Winterringer; Euclid, OH.	Add new species—longsolid (*Fusconaia subrotunda*), round hickorynut (*Obovaria subrotunda*)—to existing 35 authorized freshwater mussel species.	AL, AR, IL, IN, IA, KS, KY, LA, MD, MS, MI, MN, MO, NJ, NY, NC, OK, OH, PA, TN, VA, WV, WI.	Conduct presence/absence surveys, document habitat use, conduct population monitoring, and evaluate impacts.	Capture, handle, relocate, release	Renew and amend.

ES33467D	Aaron McAlexander; Unionville, IN.	Indiana bat (*Myotis sodalis*), northern long-eared bat (*M. septentrionalis*), and gray bat (*M. grisescens*).	AL, AR, CT, DE, FL, GA, IL, IN, IA, KS, KY, LA, MD, MA, MI, MN, MS, MO, NE, NH, NJ, NY, NC, ND, OH, OK, PA, RI, SC, SD, TN, VT, VA, WV, WI,.	Conduct presence/absence surveys, document habitat use, conduct population monitoring, and evaluate impacts.	Capture with mist nets, handle, collect non-intrusive measurements, release.	Renew.
ES33518D	Julia Aukland; Denver, CO.	Dakota skipper (*Hesperia dacotae*) and Poweshiek skipperling (*Oarisma poweshiek*).	MN, ND, SD	Conduct presence/absence surveys, document habitat use, conduct population monitoring, and evaluate impacts.	Capture, handle, collect non-intrusive measurements, release.	Renew.
ESPER15379450	Ashley Epstein; Knoxville,TN.	Indiana bat (*Myotis sodalis*), northern long-eared bat (*M. septentrionalis*), gray bat (*M. grisescens*), and tricolored bat (*Perimyotis subflavus*).	AL, AR, CO, CT, DE, FL, GA, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MN, MO, MS, MT, NE, NH, NJ, NY, NC, ND, OK, OH, PA, RI, SC, SD, TN, TX, VT, VA, WV, WI, WY.	Conduct presence/absence surveys, document habitat use, conduct population monitoring, and evaluate impacts.	Capture with mist nets, handle, collect non-intrusive measurements, band, radiotelemetry, release.	New.
ES33374D	GEI Consultants of Michigan; Traverse City, MI.	Add new species—11 freshwater mussel species, 7 plant species, eastern massasauga rattlesnake (*Sistrurus catenatus*), Hungerford's crawling water beetle (*Brychius hungerfordi*), and rusty-patched bumble bee (*Bombus affinis*)—to existing authorized species: clubshell (*Pleurobema clava*), northern riffleshell (*Epioblasma torulosa rangiana*), rayed bean (*Villosa fabalis*), snuffbox (*Epioblasma triquetra*).	Add new locations—IN, IL, OH, MN, TX, WI—to existing authorized locations: MI.	Conduct presence/absence surveys, document habitat use, conduct population monitoring, and evaluate impacts.	Add new activities—collect voucher specimens, relocate, relocate due to stranding, mark, tag—to existing authorized activities: capture, handle, release.	Renew and amend.
ES12174D	Joshua Allen; Easton, KS.	Add new species—tricolored bat (*Perimyotis subflavus*)—to existing authorized species: Indiana bat (*Myotis sodalis*), northern long-eared bat (*M. septentrionalis*), gray bat (*M. grisescens*).	AL, AR, CN, DE, FL, GA, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MN, MS, MO, NH, NJ, NY, NC, OH, OK, PA, RI, SC, TN, VT, VA, WV, WI, WY.	Conduct presence/absence surveys, document habitat use, conduct population monitoring, and evaluate impacts.	Capture, handle, band, radiotelemetry, release.	Amend and renew.
ESPER15397449	Levi Webster; Sunbury, OH.	Clubshell (*Pleurobema clava*), fanshell (*Cyprogenia stegaria*), northern riffleshell (*Epioblasma torulosa rangiana*), pink mucket (pearlymussel) (*Lampsilis abrupta*), purple cat's paw pearlymussel (*Epioblasma obliquata obliquata*), rayed bean (*Villosa fabalis*), sheepnose mussel (*Plethobasus cyphyus*), rabbitsfoot (*Quadrula cylindrica cylindrica*), snuffbox mussel (*Epioblasma triquetra*), white catspaw (pearlymussel) (*Epioblasma obliquata perobliqua*), round hickorynut (*Obovaria subrotunda*), longsolid (*Fusconaia subrotunda*).	OH	Conduct presence/absence surveys, document habitat use, conduct population monitoring, and evaluate impacts.	Capture, handle, relocate due to stranding, salvage.	New.
ESPER18535213	Marissa Thalken; Aurora, CO.	Indiana bat (*Myotis sodalis*), northern long-eared bat (*M. septentrionalis*), gray bat (*M. grisescens*), and tricolored bat (*Perimyotis subflavus*).	AL, AR, CO, CT, DE, DC, FL, GA, IL, IA, IN, KS, KY, LA, ME, MD, MA, MI, MN, MS, MO, MT, NE, NH, NJ, NM, NY, NC, ND, OH, OK, PA, RI, SC, SD, TN, TX,VT, VA, WV, WI, WY.	Conduct presence/absence surveys, document habitat use, conduct population monitoring, and evaluate impacts.	Capture with mist nets/harp traps, radio telemetry, banding, collect non-intrusive measurements, release.	New.

Application No.	Applicant	Species	Location	Activity	Type of take	Permit action
ESPER18694675	Jane DeClerck; Mount Healthy, OH.	Higgins' eye pearly mussel (*Lampsilis higginsi*), sheepnose (*Plethobasus cyphyus*), snuffbox (*Epioblasma triquetra*), spectaclecase (*Cumberlandia monodonta*), rayed bean (*Villosa fabalis*), round hickorynut (*Obovaria subrotunda*), and pink mucket (*Lampsilis abrupta*).	IA, IL, IN, MI, MN, MO, OH, WI.	Conduct presence/absence surveys, document habitat use, conduct population monitoring, and evaluate impacts.	Capture, handle, relocate due to stranding, salvage.	New.
ES40247C	Minnesota Department of Natural Resources; Saint Paul, MN.	Rusty patched bumble bee (*Bombus affinis*)	MN	Conduct presence/absence surveys, document habitat use, conduct population monitoring, and evaluate impacts.	Add new activities—bio-sample, excavate nests, mark—to existing authorized activities: capture, handle, release, tarsal clip.	Amend.

Public Availability of Comments

Written comments we receive become part of the administrative record associated with this action. 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 request in your comment that we withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. Moreover, all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public disclosure in their entirety.

Next Steps

If we decide to issue permits to any of the applicants listed in this notice, we will publish a notice in the **Federal Register**.

Authority

We publish this notice under section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1539(c)).

Sean Marsan,

Acting—Assistant Regional Director, Ecological Service, Midwest Region.

[FR Doc. 2025–16574 Filed 8–28–25; 8:45 am]

BILLING CODE 4333–15–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731–TA–1143 (Third Review)]

Small Diameter Graphite Electrodes From China; Determination

On the basis of the record [1] developed in the subject five-year review, the United States International Trade Commission (''Commission'') determines, pursuant to the Tariff Act of 1930 (''the Act''), that revocation of the antidumping duty order on small diameter graphite electrodes from China would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

Background

The Commission instituted this review on March 3, 2025 (90 FR 11056) and determined on June 6, 2025, that it would conduct an expedited review (90 FR 36452, August 4, 2025).

The Commission made this determination pursuant to section 751(c) of the Act (19 U.S.C. 1675(c)). It completed and filed its determination in this review on August 26, 2025. The views of the Commission are contained in USITC Publication 5657 (August 2025), entitled *Small Diameter Graphite Electrodes from China: Investigation No. 731–TA–1143 (Third Review).*

By order of the Commission.

Issued: August 26, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025–16578 Filed 8–28–25; 8:45 am]

BILLING CODE 7020–02–P

[1] The record is defined in § 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

DEPARTMENT OF JUSTICE

[CPCLO Order No. 03–2025]

Privacy Act of 1974; Systems of Records

AGENCY: Executive Office for Immigration Review, United States Department of Justice.

ACTION: Notice of a modified system of records. System of records notice republished in full.

SUMMARY: Pursuant to the Privacy Act of 1974 and Office of Management and Budget (OMB) Circular No. A–108, notice is hereby given that the Executive Office for Immigration Review (EOIR), a component within the United States Department of Justice (DOJ or Department), proposes to modify a system of records notice, JUSTICE/EOIR–001, previously titled ''Records and Management Information System'' and now retitled as ''Adjudication and Appeal Records of the Office of the Chief Immigration Judge and Board of Immigration Appeals.'' EOIR proposes this update and reissuance to notify the public of the expanded functionality of this system of records, which now includes new types of electronic records, as well as records previously covered by the Decisions of the Board of Immigration Appeals system of records, JUSTICE/BIA–001. This system of records will also adopt new and modified routine uses to better reflect the operation of the system.

DATES: In accordance with 5 U.S.C. 552a(e)(4) and (11), this notice is effective upon publication, subject to a 30-day period in which to comment on the routine uses, described below. Therefore, please submit any comments by September 29, 2025.

ADDRESSES: The public, OMB, and Congress are invited to submit any comments: by mail to the United States Department of Justice, Office of Privacy and Civil Liberties, ATTN: Privacy Analyst, Two Constitution Square, 145 N St. NE, Suite 8W–300, Washington, DC 20530; by facsimile at 202–307–0693; or by email at *privacy.compliance@usdoj.gov.* To ensure proper handling, please reference the above CPCLO Order No. on your correspondence.

FOR FURTHER INFORMATION CONTACT: Justine Fuga, Senior Component Official for Privacy, Office of the General Counsel; Executive Office for Immigration Review, 5107 Leesburg Pike, Suite 2600, Falls Church, VA 22041; *Justine.Fuga@usdoj.gov; EOIR.Privacy.Intake@usdoj.gov.*

SUPPLEMENTARY INFORMATION: EOIR is modifying this system of records, Adjudication and Appeal Records of the Office of the Chief Immigration Judge and Board of Immigration Appeals, JUSTICE/EOIR–001, to account for changes in the character, format, and routine uses of records in this system of records that have occurred since EOIR published the last system of records notice (SORN) for it on May 11, 2004. To clarify the scope of this system of records, EOIR is changing the title of this system from ''Records and Management Information System'' to ''Adjudication and Appeal Records of the Office of the Chief Immigration Judge and Board of Immigration Appeals.'' This new title is intended to clarify that JUSTICE/EOIR–001 primarily pertains to a subset of EOIR records used to process, track, and adjudicate immigration proceedings before the Office of the Chief Immigration Judge (OCIJ) and the Board of Immigration Appeals (Board).

EOIR is modifying this system of records to include electronic records that are part of the record of proceedings in cases adjudicated by OCIJ and the Board. Since 2018, OCIJ and the Board have generally used two electronic case management systems, the Case Access System for EOIR (CASE) and the EOIR Courts and Appeals System (ECAS), to generate, process, and maintain the electronic records in this system of records. CASE is an internal, web-based electronic case management system and database of immigration case information for OCIJ and the Board, designed to internally manage all aspects of an immigration proceeding and serve as an official data repository for immigration case data. ECAS is a suite of internal and public-facing, web-based applications to manage electronic

notices, filings, exhibits, and other files in immigration proceedings before EOIR's immigration courts and the Board. The immigration courts and the Board primarily use ECAS to receive submissions of electronic filings from the parties in immigration proceedings, maintain and store the official electronic record of proceedings (eROP), and issue notices, orders, and decisions.

EOIR is further consolidating this system of records with the system of records entitled ''Decisions of the Board of Immigration Appeals,'' JUSTICE/BIA–001, 48 FR 5331 (Feb. 4, 1983). The records in both JUSTICE/EOIR–001 and JUSTICE/BIA–001 serve the same purposes, are authorized by the same legal authorities, and have the same routine uses. This modified SORN for JUSTICE/EOIR–001 will encompass all records contained in JUSTICE/BIA–001, which will be rescinded.

EOIR is also modifying the routine uses for this system of records to reflect EOIR's current information sharing practices. Specifically, EOIR separated out the seven routine uses previously consolidated under Routine Use A into individual routine uses, with modifications as described below, and included new applicable routine uses for disclosures to authorized entities, as determined to be relevant and necessary, for purposes which are consistent and compatible with the purpose for which the information was collected. For the reasons discussed below, these new and modified routine uses satisfy the compatibility requirement of the Privacy Act.

Routine Use 1 clarifies that EOIR may, at the immigration judge's discretion, disseminate information to the Department of State for comment on individual cases or types of claims under consideration by an immigration judge, including advisory opinions regarding applications for asylum, withholding of removal, or protection under the Convention Against Torture, consistent with 8 CFR 1208.11. Previously, this routine use was limited to sharing information with Department of State to obtain advisory opinions on political asylum applications only.

Routine Uses 2 and 6 relate to disclosures to the parties to the proceedings before EOIR, namely the Department of Homeland Security (DHS) and the representative or attorney for the individual in immigration proceedings. Similarly, Routine Use 4 relates to disclosures to Health and Human Services (HHS) as the custodian of some individuals in immigration proceedings.

Routine Use 3 provides that information may be shared with other Federal agencies, such as DHS, HHS, and the Social Security Administration (SSA), as the administrators of federal benefits programs to verify eligibility for benefits. The fact that an individual is in proceedings before EOIR, and the outcome of such proceedings, may constitute evidence necessary to determine eligibility for certain federal benefits.

Routine Use 5 provides that EOIR may disseminate information to the Administrative Office of the United States Courts (AOUSC) in connection with judicial review of EOIR administrative decisions. The AOUSC is the administrative headquarters and central support entity of the Federal court system. EOIR's final administrative orders of removal may be subject to judicial review, pursuant to 8 U.S.C. 1252, and in connection with this review, EOIR shares certified copies of records in this system with the AOUSC.

Routine Uses 7, 8, and 9 provide that EOIR may share: aggregate statistical information with the U.S. Commission for International Religious Freedom for the purpose of preparing a variety of reports advising on the status of religious freedom abroad, *see* 22 U.S.C. 6412; information with the United Nations High Commissioner for Refugees to demonstrate compliance with the 1967 Protocol to the 1951 Refugee Convention; and information with certain individuals in immigration proceedings designated as ''leads'' and ''riders,'' where the immigration relief for one individual may turn on the outcome of the other's immigration proceeding and vice-versa.

The remaining routine uses were previously published in JUSTICE/EOIR–001 or JUSTICE/BIA–001, with the addition of two new common routine uses, one in litigation for the purpose of negotiation or discussion of such matters as settlement, plea bargaining, or information discovery proceedings, and the other for audits and oversight.

Finally, EOIR claims that properly classified materials and information in this modified system of records is exempt from 5 U.S.C. 552a(d) pursuant to 5 U.S.C. 552a(k)(1) and (k)(2). This modified SORN will replace the two systems of records for which these exemptions were originally claimed (JUSTICE/EOIR–001 and JUSTICE/BIA–001) and published in the **Federal Register** at 28 CFR 16.83 and 16.84.

In accordance with 5 U.S.C. 552a(r), the Department has provided a report to OMB and Congress on this notice of a modified system of records.

Dated: August 26, 2025.

Peter Winn,

Chief Privacy and Civil Liberties Officer, United States Department of Justice.

JUSTICE/EOIR–001

SYSTEM NAME AND NUMBER:

Adjudication and Appeal Records of the Office of the Chief Immigration Judge and Board of Immigration Appeals.

SECURITY CLASSIFICATION:

Not classified.

SYSTEM LOCATION:

Executive Office for Immigration Review, Department of Justice, 5107 Leesburg Pike, Suite 2600, Falls Church, Virginia 22041. The system is also located in EOIR's immigration courts and adjudication centers and the Board of Immigration Appeals (Board). EOIR's website, *http://www.usdoj.gov/eoir/,* maintains a current address listing of all EOIR immigration courts and adjudication centers. Electronic records are maintained in EOIR's electronic case management systems, the Case Access System for EOIR (CASE) and the EOIR Courts and Appeals System (ECAS), and the records are stored in the DOJ EOIR Microsoft Azure Cloud.

SYSTEM MANAGER(S):

Chief Immigration Judge, Executive Office for Immigration Review, U.S. Department of Justice, 5107 Leesburg Pike, Suite 2500, Falls Church, Virginia 22041.

Chief Appellate Immigration Judge, Executive Office for Immigration Review, U.S. Department of Justice, 5107 Leesburg Pike, Suite 2000, Falls Church, Virginia 22041.

Chief Information Officer, Office of Information Technology (OIT), Executive Office for Immigration Review, Department of Justice, 4825 Mark Center Drive, Suite 200, Alexandria, VA 22311.

* * * * *

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

The authorities for the maintenance of this system of records include: 8 U.S.C. 1101 *et seq.,* 1103(g), 1158, 1159, 1154, 1229a, 1255, 1255a; 31 U.S.C. Ch. 33; 31 U.S.C. 3720; 44 U.S.C. 3101 and 3103; 8 CFR parts 1001 and 1003; 8 CFR 103.7; 8 CFR 1103.7; 8 CFR 1240.9; 8 CFR 1292.1; 28 CFR 16.10; and 28 CFR part 68.

PURPOSE(S) OF THE SYSTEM:

Information in this system is primarily used to facilitate agency adjudication processes for two of EOIR's adjudicating components: the Office of

the Chief Immigration Judge (OCIJ) and the Board of Immigration Appeals (Board). Information in this system serves as an official record of immigration proceedings. EOIR employees use the information to adjudicate cases; conduct appellate reviews; prepare, process and track immigration proceedings; schedule and conduct administrative hearings; prepare administrative orders and decisions; and generate statistical reports.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

This system contains case-related information pertaining to individuals in immigration proceedings and cases adjudicated by EOIR's immigration courts and the Board, including certain individuals previously or subsequently admitted for lawful permanent residence and persons who have since become United States Citizens. The system also includes information pertaining to: (1) EOIR personnel, such as immigration judges (IJs), appellate immigration judges (AIJs), and court staff; (2) other federal government personnel, such as the Department of Homeland Security (DHS) attorney of record for the U.S. Government; (3) the relatives, friends, family members, and associates of individuals in immigration proceedings; and (4) individuals representing persons in immigration proceedings, including attorneys and accredited representatives practicing before the immigration courts and the Board.

CATEGORIES OF RECORDS IN THE SYSTEM:

The categories of records in this system include information relating to:

(1) Matters before the immigration courts and the Board, including but not limited to claims for relief from removal, such as asylum, cancellation of removal, and adjustment of status, review of credible fear and reasonable fear determinations, custody redetermination and decisions from the review of DHS decisions regarding certain family-based immigration petitions, waivers of inadmissibility for certain nonimmigrants, and fines.

(2) Internal agency systems that track the physical locations of paper Records of Proceedings (ROPs), create and maintain audio recordings of in-person, telephonic, and virtual immigration proceedings, and manage transcription and language interpreter services providing data used in immigration proceedings.

(3) Registration information pertaining to practitioners seeking to represent individuals in EOIR immigration proceedings.

(4) A payment function for members of the public who wish to electronically pay filing fees for document filings providing data used to allow for further processing of immigration proceedings.

Matters before the immigration courts and the Board are documented in a paper or electronic ROP, which contains orders, decisions, investigatory reports and materials compiled for the purpose of enforcing immigration laws, exhibits, audio recordings and transcripts of proceedings, and other case-related materials pertaining to individuals in immigration proceedings. Case management data and internal agency case processing actions are recorded in EOIR's internal, web-based electronic case management system and database for the immigration courts and the Board.

RECORD SOURCE CATEGORIES:

Department of Justice offices and employees, the Department of Homeland Security, the Department of State, the Department of Health and Human Services, and other Federal, State, local, and Tribal government entities; and the parties to immigration proceedings, their attorneys or representatives, witnesses or sponsors, and other individuals authorized to file documents in proceedings before EOIR.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Information may be disseminated as follows:

(1) To the Department of State, pursuant to a request from an immigration judge per 8 CFR 1208.11, as necessary for the Department of State to provide comments regarding individual cases or types of claims under consideration, or other information the immigration judge deems appropriate, including advisory opinions regarding applications for asylum under 8 U.S.C. 1158, for withholding of removal under 8 U.S.C. 1231, for withholding or deferral of removal under the Convention Against Torture as provided in 8 CFR 1208.16 and 1208.17, or for withholding of deportation under former section 243(h) of the Immigration and Nationality Act.

(2) To the Department of Homeland Security as one of the parties to EOIR proceedings, as an entity affected by EOIR decisions, and as the agency that enforces EOIR decisions.

(3) To Federal agencies, such as the Department of Homeland Security, Department of Health and Human Services, and Social Security Administration, as the administrators of federal benefits programs, as necessary to verify an individual's eligibility for benefits.

(4) To the Department of Health and Human Services as the custodian of some individuals in immigration proceedings.

(5) To the Administrative Office of the United States Courts for the adjudication of a petition for review of a final administrative decision; or in an appropriate proceeding before a court, grand jury, or administrative or adjudicative body, when the Department of Justice determines that the records are arguably relevant to the proceeding; or in an appropriate proceeding before an administrative or adjudicative body when the adjudicator determines the records to be relevant to the proceeding.

(6) To the representative or attorney of record for an individual in immigration proceedings.

(7) To the U.S. Commission for International Religious Freedom as necessary to perform its official mission pursuant to the International Religious Freedom Act of 1998, as amended (22 U.S.C. 6401 *et seq.*).

(8) To the United Nations High Commissioner for Refugees, pursuant to the U.S. accession to the 1967 Protocol to the 1951 Refugee Convention, as necessary to satisfy U.S. responsibilities and reporting obligations.

(9) To individuals designated as a ''lead'' in proceedings before EOIR who submit a Form I–589, *Application for Asylum and for Withholding of Removal,* identifying derivatives, such as a ''spouse'' as defined in 8 U.S.C. 1101(a)(35), or a ''child'' or ''children'' as defined in 8 U.S.C. 1101(b)(1)(A), (B), (C), (D), or (E) (*i.e.,* ''riders''), EOIR may disclose copies of case files pertaining to the ''riders''; and to individuals designated as ''riders,'' EOIR may disclose copies of case files pertaining to ''leads''; where the disclosure is necessary as a matter of due process for the lead or rider in their respective immigration proceedings, and the lead-rider relationship has not been severed.

(10) To members of the public, in the case of Attorney General (AG) decisions and selected Board decisions, designated as precedent decisions pursuant to 8 CFR 103.10(b). These decisions are published online to provide the public with guidance on the administrative interpretation of the immigration laws and to facilitate open and uniform adjudication of cases and are available on EOIR's website at *https://www.justice.gov/eoir/ag-bia-decisions.*

(11) Where a record, either alone or in conjunction with other information, indicates a violation or potential violation of law—criminal, civil, or regulatory in nature—the relevant records may be referred to the appropriate Federal, State, local, territorial, Tribal, or foreign law enforcement authority or other appropriate entity charged with the responsibility for investigating or prosecuting such violation or with enforcing and implementing such law.

(12) To an actual or potential party to litigation or the party's authorized representative for the purpose of negotiation or discussion of such matters as settlement, plea bargaining, or information discovery proceedings.

(13) To Federal, state, local, territorial, tribal, foreign, or international licensing agencies or associations which require information concerning the suitability or eligibility of an individual for a license or permit.

(14) To contractors, grantees, experts, consultants, students, and others performing or working on a contract, service, grant, cooperative agreement, or other assignment for the Federal Government, when necessary to accomplish an agency function related to this system of records.

(15) To a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of, and at the request of the individual, who is the subject of the record.

(16) To the National Archives and Records Administration (NARA) in records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906.

(17) To appropriate agencies, entities, and persons when (1) the Department suspects or has confirmed that there has been a breach of the system of records; (2) the Department has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, the Department (including its information systems, programs, and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Department's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

(18) To another Federal agency or Federal entity, when the Department determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach, or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

(19) To any agency, organization, or individual, such as the Government Accountability Office, the Department's Office of the Inspector General, or the Office of Special Counsel, for the purpose of performing authorized audit or oversight operations of EOIR, including those related to fraud, waste, and abuse, and meeting related reporting requirements.

(20) To such recipients and under such circumstances and procedures as are mandated by Federal statute, regulation, or treaty.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Physical records are maintained in hard-copy, paper format in secure filing cabinets, office spaces, and storage locations, including Federal Records Centers. Electronic records and data are stored in electronic media via a configuration of government servers. Stored records are organized by the number of the alien registration proceeding (A-number) or fine proceeding. The assigned case number for the individual or carrier in a fine proceeding is called a ''fine number''.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Records may be retrieved from paper and electronic systems by A-number, fine number, name, nationality, EOIR ID number, and/or Federal Records Center (FRC) transfer number. Records may only be retrieved by authorized DOJ personnel on a need-to-know basis.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records are retained in accordance with EOIR's Agency Records Control Schedules. The records in EOIR's Case Access System for EOIR (CASE), which contains immigration case information, including appeals, contain identification and biographic data of noncitizens, testimony, decisions rendered, important dates and actions in each proceeding, as well as information about practitioners of record, and docket listings of all documents filed in proceedings. Case records are designated as permanent pursuant to EOIR–N1–60–08–7 (closed records are cut off annually and transferred to the National Archive and Records Administration (NARA) 25 years after cutoff).

ROPs are temporary records with a retention period of 50 years after cutoff (DAA–0582–2024–0002); Bond Proceeding Files are temporary records with a retention period of two to 20 years after cutoff (DAA–0582–2014–0002; DAA–0582–2023–0001); Digital Audio Recordings (DAR) are temporary records with a retention period of 25 years after cutoff (N1–060–08–007), or eight years after cutoff if stored on a cassette tape (NC1–085–81–03).

EOIR is in the process of drafting and obtaining NARA approval of new records schedules, which may implement new retention periods for both scheduled and unscheduled records in this system of records. Unscheduled records will be retained until they are scheduled.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Information in this system is maintained in accordance with applicable laws, rules, and policies that protect individual privacy. Servers storing electronic data and backup records stored on-site are in locked rooms with access restricted to authorized agency personnel. Backup records stored off-site are maintained in accordance with applicable laws, rules, and policies. Internet connections are protected by multiple firewalls. Security personnel conduct periodic vulnerability scans using DOJ-approved software to ensure security compliance, and security logs are enabled for all computers to assist in troubleshooting and forensics analysis during incident investigations. Users of individual computers can only gain access to the data by authorized user identification and authentication processes. Paper records are stored in secure locations accessible only to those with a need to access the information. In addition, the parties in immigration proceedings will be able to submit and access information specifically related to their immigration proceedings using EOIR's secure public-facing web-based applications.

RECORD ACCESS PROCEDURES:

Portions of this system may be exempt from disclosure pursuant to 5 U.S.C. 552a(k)(1) and (k)(2). All requests for access to records must be made in writing and include a general description of the records sought and information about the record subject, including but not limited to, the record subject's full name, date of birth, place of birth, and alien registration number (A-number), where applicable. *See* 28 CFR 16.41; 28 CFR part 16 Appendix I. If the A-number is not known, or the case occurred before 1988, the date of an Order to Show Cause, country of origin,

and location of the immigration hearing must be provided. *See* 28 CFR part 16 Appendix I.

All requests for access to records may be submitted by mail to the EOIR FOIA Service Center at 5107 Leesburg Pike, Suite 2600, Falls Church, VA 22041, by email at *EOIR.FOIARequests@usdoj.gov,* or online through the EOIR FOIA Public Access Link, available at *https://foia.eoir.justice.gov/app/Home.aspx.* Additional information for submitting requests to the FIOA Service Center can be found at *https://www.justice.gov/eoir/foia-submit-a-request.*

Unrepresented individuals in proceedings before an immigration court or the Board who have registered and received approval for an account in the EOIR Respondent Access Portal may access a complete copy of their own eROP through the portal, available at *https://www.justice.gov/eoir/respondentaccess.* Attorneys and Accredited Representatives may access a client's eROP online through the EOIR Court & Appeals System (ECAS) Case Portal. Attorneys for DHS may access eROPs through the ECAS DHS Portal. Links to the ECAS Portals are available at *https://www.justice.gov/eoir/ECAS.*

Requests for ROPs may also be made directly with the immigration court or the Board by individuals for their own ROP, by individuals for their minor children, or by attorneys or representatives of record. Requests may be made by email, mail, or in person at the immigration court where the last hearing was scheduled. Requests may be made by email or mail to the Board if the case is pending before the Board. Instructions for filing an ROP request can be found at *https://www.justice.gov/eoir/ROPrequest.*

Requests must be signed and either notarized or submitted under penalty of perjury. Although no specific form is required, individuals may use Form EOIR–59, Certification and Release of Records, available at *https://www.justice.gov/eoir/eoir-forms,* or obtain forms for this purpose from the FOIA/Privacy Act Mail Referral Unit, U.S. Department of Justice, 950 Pennsylvania Avenue NW, Washington, DC 20530, or on the Department of Justice website at *http://www.justice.gov/oip/oip-request-html.* Individuals requesting records on behalf of a child or client are required to provide additional information about themselves and their relationship to the record subject.

More information regarding the Department's procedures for accessing records in accordance with the Privacy Act can be found at 28 CFR part 16 Subpart D, ''Protection of Privacy and Access to Individual Records Under the Privacy Act of 1974.''

CONTESTING RECORD PROCEDURES:

Individuals seeking to contest or amend information maintained in the system should direct their requests to the EOIR Office of the General Counsel, 5107 Leesburg Pike, Suite 2600, Falls Church, VA 22041, or through the Public Access Link, available at *https://foia.eoir.justice.gov/app/Home.aspx,* stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought. Some information may be exempt from the amendment provisions as described in the section below entitled ''Exemptions Promulgated for the System.'' An individual who is the subject of a record in this system may seek amendment of those records that are not exempt. A determination of whether a record is exempt from amendment will be made after a request is received.

NOTIFICATION PROCEDURES:

Individuals may be notified if a record in this system of records pertains to them when the individuals request information utilizing the same procedures as those identified in the ''RECORD ACCESS PROCEDURES'' paragraph, above. Individuals may also receive notice pursuant to 5 U.S.C. 552a(e)(3) when they register for an ECAS account, when they access a web-based EOIR information system, or when they complete forms and applications for relief in immigration court or before the Board.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

The Attorney General has exempted certain records of this system from the access provisions of the Privacy Act (5 U.S.C. 552a(d)), pursuant to 5 U.S.C. 552a(k)(1) and (k)(2)). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c), and (e) and have been published in the **Federal Register** and are codified at 28 CFR 16.83(a) and (b).

* * * * *

HISTORY:

EOIR–001, Records and Management Information System, 69 FR 26179 (May 11, 2004), 72 FR 3410 (Jan. 25, 2007) (rescinded by 82 FR 24147), 82 FR 24147 (May 25, 2017).

BIA–001, Decisions of the Board of Immigration Appeals, 48 FR 5331 (Feb. 4, 1983); 66 FR 8425 (Jan. 31, 2001); 72 FR 3410 (Jan. 25, 2007) (rescinded by 82 FR 24147); 82 FR 24147 (May 25, 2017).

[FR Doc. 2025–16644 Filed 8–28–25; 8:45 am]

BILLING CODE 4410–30–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Modification of Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act (''CERCLA'')

On August 26, 2025, the Department of Justice lodged a proposed modification of a consent decree with the United States District Court for the Eastern District of Pennsylvania in the lawsuit entitled *United States of America and the Chemclene Site Defense Group* v. *Chemclene Corporation Inc. et al.*, Civil Action No. 99–cv–3715.

In July 1999, the United States filed a lawsuit under Section 107, 42 U.S.C. 9607, of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (''CERCLA''), as amended, to recover costs incurred in response to the release or threatened release of hazardous substances at the Malvern TCE Superfund Site, located at and around 258 Phoenixville Pike in Malvern, East Whiteland and Charlestown Townships, Chester County, Pennsylvania. The United States also sought a declaratory judgment under CERCLA Section 113, 42 U.S.C. 9613, establishing Defendants' liability for future response costs at or in connection with the Malvern TCE Superfund Site.

In July 2006, the Eastern District Court for the District of Pennsylvania approved a Consent Decree resolving the United States' claims against the Settling Defendants, Chemclene Corporation Inc., Springridge Management Corporation, Inc., W. Lloyd Balderston, and the Estate of Ruth Balderston (the ''Consent Decree''). To resolve their obligation to reimburse the United States for its CERCLA response costs at the Site, the Consent Decree required Settling Defendants to either pay the United States a lump sum of $1,417,200, plus interest, or to sell certain parcels of land and pay certain proceeds of the sales of those properties to the United States.

Settling Defendants have now entered into proposed agreements of sale with the East Whiteland Township to sell two properties for $1,100,000, based on the fair-market appraisal value of the properties. If the proposed modification to the Consent Decree is approved, the United States will receive $1,073,373

from the sale of the properties, in satisfaction of Settling Defendants' obligations to the United States.

The publication of this notice opens a period for public comment on the modification of the consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States of America and the Chemclene Site Defense Group* v. *Chemclene Corporation Inc. et al.,* D.J. Ref. No. 90–11–3–1731. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	*Send them to:*
By email	*pubcomment-ees.enrd@usdoj.gov.*
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Any comments submitted in writing may be filed by the United States in whole or in part on the public court docket without notice to the commenter.

During the public comment period, the proposed modification to the Consent Decree may be examined and downloaded at this Justice Department website: *https://www.justice.gov/enrd/consent-decrees.* If you require assistance accessing the proposed modification to the Consent Decree, you may request assistance by email or by mail to the addresses provided above for submitting comments.

Jason A. Dunn,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2025–16591 Filed 8–28–25; 8:45 am]

BILLING CODE 4410–15–P

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Endowment for the Arts

30-Day Notice for the ''Blanket Justification for National Endowment for the Arts Funding Application Guidelines and Requirements''

AGENCY: National Endowment for the Arts, National Foundation on the Arts and the Humanities.

ACTION: Submission for OMB review; comment request.

SUMMARY: The National Endowment for the Arts (Arts Endowment) has submitted the following public 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: *Blanket Justification for National Endowment for the Arts Funding Application Guidelines and Requirements.* Copies of this ICR, with applicable supporting documentation, may be obtained by visiting *www.Reginfo.gov.*

DATES: Interested persons are invited to submit comments within 30 days from the date of this publication in the **Federal Register**.

ADDRESSES: Written comments should be sent to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the National Endowment for the Arts, Office of Management and Budget, Room 10235, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: The Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the National Endowment for the Arts, Office of Management and Budget, Room 10235, Washington, DC 20503, (T) 202–395–7316.

SUPPLEMENTARY INFORMATION: The Office of Management and Budget (OMB) is particularly interested in comments which: (1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used; (3) Enhance the quality, utility, and clarity of the information to be collected; and (4) Could help minimize the burden of the collection of information on those who are to respond, including through the use of electronic submission of responses through *Grants.gov*.

Agency: National Endowment for the Arts.

Title of Collection: Blanket Justification for National Endowment for the Arts Funding Application Guidelines and Requirements.

OMB Number: 3135–0112.

Frequency: Annually.

Affected Public: Nonprofit organizations, government agencies, and individuals.

Estimated Number of Respondents: 4,702.

Estimated Time per Respondent: 22 hours.

Total Burden Hours: 104,096.

Total Annualized Capital/Startup Costs: 0.

Total Annual Costs (Operating/Maintaining Systems or Purchasing Services): 0.

The National Endowment for the Arts requests the review of its funding application guidelines and requirements. Application guidelines elicit relevant information from individuals, nonprofit organizations, and government agencies that apply for funding from the National Endowment for the Arts. This information is necessary for the accurate, fair, and thorough consideration of competing proposals in the review process. This request is issued by the National Endowment for the Arts and contains the following information: (1) the title of the form; (2) how often the required information will be collected; (3) who will be required or asked to use the form; (4) what the form will be used for; (5) an estimate of the number of responses; (6) the average burden hours per response; (7) an estimate of the total number of hours needed to prepare the form. This entry is not subject to 44 U.S.C. 3504(h).

Dated: August 27, 2025.

Daniel Beattie,

Director, Office of Guidelines and Panel Operations, National Endowment for the Arts.

[FR Doc. 2025–16650 Filed 8–28–25; 8:45 am]

BILLING CODE 7537–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 72–09; NRC–2025–0075]

Department of Energy; Fort St. Vrain Independent Spent Fuel Storage Installation; License Amendment

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) reviewed an application by the Department of Energy (DOE) for an amendment to Special Nuclear Materials (SNM) License No. SNM–2504, for the Fort St. Vrain (FSV) independent spent fuel storage installation (ISFSI) located in Platteville, Colorado. The requested amendment revises certain license conditions and technical specifications (TS) by adjusting references to relevant organizational components of DOE, correcting prior clerical drafting errors, and changing the description of a DOE official who is responsible for the operation and nuclear safety of the FSV ISFSI and for ensuring its compliance with certain conditions and

requirements of the license and applicable regulations.

DATES: The license amendment is issued and effective on August 27, 2025.

ADDRESSES: Please refer to Docket ID NRC–2025–0075 when contacting the NRC about the availability of information regarding this action. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking website:* Go to *https://www.regulations.gov* and search for NRC–2025–0075. 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(s) listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at *https://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''Begin ADAMS Public 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.

FOR FURTHER INFORMATION CONTACT: Daneira Meléndez-Colón, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington DC 20555–0001; telephone: 301–415–7295, email: *Daneira.Melendez-Colon@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Introduction

By letter dated November 14, 2024, DOE submitted to the NRC an application to amend the license conditions and TS for the FSV ISFSI, located in Platteville, Colorado. Materials License No. SNM–2504 authorizes the licensee to receive, possess, store, and transfer spent nuclear fuel from the decommissioned FSV Nuclear Generating Station. The proposed amendment revises TS 5.1.1 and 5.2.1.1 so that they explicitly designate the Manager for the Idaho Cleanup Project (ICP) as the DOE official who is responsible for the operation and nuclear safety of the FSV ISFSI and for ensuring its compliance with NRC license conditions and regulatory requirements. TS 5.1.1 currently designates the Deputy Manager for the ICP as the DOE official who is responsible for the operation of the FSV ISFSI and for ensuring its compliance with NRC license conditions and regulatory requirements. The proposed amendment also revises TS 5.6.1 so that it identifies the Manager for the ICP, rather than the Deputy Manager, as one of the two DOE officials who are responsible for submitting certain reports that are required in connection with the license. Additionally, the proposed amendment corrects clerical drafting errors in TS 3.3.1 and 5.5.2.6 so that those technical specifications accurately reflect changes that were previously approved and included in License Amendment No. 10 but were inadvertently omitted from License Amendment No. 11. The proposed amendment also corrects an erroneous regulatory citation in TS 5.5.1.d, corrects a typographical error in TS 5.5.2.5, and adjusts references to relevant organizational components of DOE in License Condition 14 and in TS 5.1.5, 5.4.2, and 5.5.2.7.

In a letter dated March 21, 2025, the NRC notified DOE that the application was acceptable to begin a technical review. The NRC's Office of Nuclear Material Safety and Safeguards docketed the application under Docket No. 72–09. In accordance with section 72.16(e) of title 10 of the *Code of Federal Regulations* (10 CFR), the NRC published a notice of docketing in the **Federal Register** on May 5, 2025 (90 FR 19011).

The NRC prepared a safety evaluation report (SER) to document its review and evaluation of the amendment request. As further explained in the SER, the NRC has determined that the license amendment is administrative in nature and satisfies the criterion of 10 CFR 51.22(c)(10) for categorical exclusion from the requirement to prepare an environmental assessment or an environmental impact statement. This action qualifies for categorical exclusion under 10 CFR 51.22(c)(10) because it is an amendment to a materials license issued under 10 CFR chapter I which merely changes the position titles of relevant officials of the licensee and makes certain editorial, corrective, and minor revisions, as described previously. Consequently, neither an environmental assessment nor an environmental impact statement is required.

Upon completing its review, the NRC staff determined the application complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the NRC's regulations. The NRC has made appropriate findings as required by the Act and the NRC's regulations in 10 CFR part 72, which are set forth in the license amendment. The license amendment, Amendment No. 12 to License No. SNM–2504, is issued and effective on August 27, 2025.

In accordance with 10 CFR 72.46(b)(2), the NRC has determined that Amendment No. 12 does not present a genuine issue as to whether the health and safety of the public will be significantly affected. Therefore, the publication of a notice of proposed action and an opportunity for hearing or a notice of hearing is not warranted. Notice is hereby given of the right of interested persons to request a hearing on whether the action should be rescinded or modified.

II. Availability of Documents

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

Document description	ADAMS accession No. or Federal Register citation
DOE Letter—License Amendment Request to Update the Licensee Designation of Authority Title for the Fort St. Vrain Independent Spent Fuel Storage Installation, Docket 72–0009, Materials License No. SNM–2504 (CLN250095), dated November 14, 2024.	ML24324A062 (Package).
NRC Letter—Issuance of Amendment No. 10 to Renewed Materials License No. SNM–2504 for the Fort St. Vrain Independent Spent Fuel Storage Installation (TAC No. L24994), dated March 17, 2016.	ML15258A217 (Package).
NRC Letter—Amendment No. 11 to Materials License No. SNM–2504 for the Fort St. Vrain Independent Spent Fuel Storage Installation, dated June 6, 2017.	ML17151A387 (Package).

Document description	ADAMS accession No. or Federal Register citation
NRC Letter—Application for License Amendment Request—Amendment No. 12 to Materials License No. SNM–2504 for the Fort St. Vrain Independent Spent Fuel Storage Installation—Accepted for Review (CAC/EPID Nos. 001028/L–2024–LLA–0161), dated March 21, 2025.	ML25073A130.
Federal Register notice, ''Department of Energy; Fort St. Vrain Independent Spent Fuel Storage Installation; License Amendment Request,'' published May 5, 2025.	90 FR 19011.
Special Nuclear Materials License No. SNM–2504, dated August 27, 2025	ML25191A190.
SNM–2504 Technical Specifications, dated August 27, 2025	ML25191A192.
Fort St. Vrain Independent Spent Fuel Storage Installation, NRC Safety Evaluation Report, dated August 27, 2025.	ML25191A191.

Dated: August 27, 2025.

For the Nuclear Regulatory Commission.

Haimanot Yilma,

Acting Chief, Storage and Transportation Licensing Branch, Division of Fuel Management, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2025–16670 Filed 8–28–25; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–259, 50–260, and 50–296; NRC–2024–0030]

Tennessee Valley Authority; Browns Ferry Nuclear Plant, Units 1, 2, and 3; Final Environmental Impact Statement

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has published a final Environmental Impact Statement (EIS), issued as NUREG–1437, Supplement 21, ''Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Supplement 21, Second Renewal, Regarding Subsequent License Renewal of Browns Ferry Nuclear Power Plant, Units 1, 2, and 3, Final Report.'' This EIS evaluates the environmental impacts of license renewal of Facility Operating License Nos. DPR–33, DPR–52, and DPR–68 for an additional 20 years of operation for Browns Ferry Nuclear Plant, Units 1, 2, and 3 (Browns Ferry). Browns Ferry is located on the north shore of Wheeler Reservoir at Tennessee River Mile 294, approximately 10 miles northwest of Decatur, Alabama, and 10 miles southwest of Athens, Alabama.

DATES: NUREG–1437, Supplement 21, is available as of August 21, 2025.

ADDRESSES: Please refer to Docket ID NRC–2024–0030 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking Website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2024–0030. 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(s) listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may access 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 ADAMS Public 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.* Final Supplement 21, Second Renewal, to the GEIS, NUREG–1437, is available in ADAMS under Accession No. ML25230A077.
- *NRC's PDR:* The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to *PDR.Resource@nrc.gov* or call 1–800–397–4209 or 301–415–4737, between 8 a.m. and 4 p.m. eastern time, Monday through Friday, except Federal holidays.
- *Public Library:* A copy of the Final Supplement 21, Second Renewal, to the GEIS for License Renewal of Nuclear Plants, NUREG–1437, regarding the proposed SLR of Renewed Facility Operating License Nos. DPR–33, DPR–52, and DPR–68 for an additional 20 years of operation for Browns Ferry, will be available for public review at the Athens-Limestone County Public Library, 603 S Jefferson Street, Athens, AL 35611.

FOR FURTHER INFORMATION CONTACT: Jessica Umaña, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–5207; email: *Jessica.Umana@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

In accordance with section 51.118 of title 10 of the *Code of Federal Regulations* (10 CFR), ''Final environmental impact statement—notice of availability,'' the NRC is making available for public inspection NUREG–1437, Supplement 21, Second Renewal, regarding the subsequent license renewal of Tennessee Valley Authority (TVA), renewed Facility Operating License No. DPR–33, DPR–52, and DPR–68 for an additional 20 years of operation for Browns Ferry. A notice of availability of the draft EIS (NUREG–1437, Supplement 21, Draft for Comment) was published in the **Federal Register** on May 30, 2025 (90 FR 23074). The U.S. Environmental Protection Agency issued its Notice of Availability on May 30, 2025 (90 FR 23050). The public comment period on the draft EIS ended on July 14, 2025, and the comments received on the draft EIS are addressed in the final EIS (NUREG–1437, Supplement 21, Second Renewal, Final Report).

II. Discussion

The draft EIS (NUREG–1437, Supplement 21, Second Renewal, Draft for Comment) was issued for public comment on May 21, 2025. The final EIS (NUREG–1437, Supplement 17, Second Renewal, Final Report) addresses the comments received on draft EIS. As discussed in Chapter 4 of the final EIS, the NRC staff has determined that the adverse environmental impacts of license renewal for Browns Ferry (*i.e.,* the continued operation of Browns Ferry for a period of 20 years beyond the expiration date of the initial license) are not so great that preserving the option of license renewal for energy-planning decision-makers would be unreasonable. This recommendation is based on: (1) the analysis and findings in NUREG–1437, Generic Environmental Impact Statement for

License Renewal of Nuclear Plants; (2) information provided in TVA's EIS and the environmental report, as supplemented, and other documents submitted by TVA; (3) consultation with Federal, State, Tribal, and local governmental agencies; (4) the NRC staff's independent environmental review; and (5) consideration of public comments received during the scoping process and on the draft EIS (NUREG–1437, Supplement 21, Second Renewal, Draft for Comment).

Dated: August 21, 2025.

For the Nuclear Regulatory Commission.

Kimyata Savoy,

Acting Deputy Director, Division of Rulemaking, Environmental, and Financial Support, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2025–16595 Filed 8–28–25; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 40–8943; NRC–2025–0976]

Crow Butte Resources, Inc.; Crow Butte Project and Marsland Expansion Area In-Situ Uranium Recovery Facility; License Renewal Application

AGENCY: Nuclear Regulatory Commission.

ACTION: Opportunity to request a hearing and to petition for leave to intervene.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is considering an application for the renewal of Source and Byproduct Materials License Number SUA–1534, which authorizes Crow Butte Resources, Inc., to operate the existing Crow Butte Project *in-situ* uranium recovery facility and to construct and operate the Marsland Expansion Area.

DATES: A request for a hearing or petition for leave to intervene must be filed by October 28, 2025.

ADDRESSES: Please refer to Docket ID NRC–2025–0976 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking Website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2025–0976. Address questions about Docket ID NRC–2025–0976 in *regulations.gov* to Bridget Curran; telephone: 301–415–1003; email: *Bridget.Curran@nrc.gov.* For technical questions, contact the individual(s) listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at *https://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''Begin ADAMS Public Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, at 301–415–4737, or by email to *PDR.Resource@nrc.gov.* The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document.
- *NRC's PDR:* The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to *PDR.Resource@nrc.gov* or call 1–800–397–4209 or 301–415–4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

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: Thomas Lancaster, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, telephone: 301–415–6563; email: *Thomas.Lancaster@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Introduction

The NRC has received a license renewal application (LRA) from Crow Butte Resources, Inc. (CBR), dated September 24, 2024 (ADAMS Accession No. ML24268A164), requesting the renewal of Source and Byproduct Materials License SUA–1534. This license authorizes CBR to operate the existing Crow Butte Project and to construct and operate the Marsland Expansion Area. The Crow Butte Project and the Marsland Expansion Area are located in Dawes County, Nebraska. CBR submitted the application pursuant to part 2 and part 40 of title 10 of the *Code of Federal Regulations* (10 CFR).

The NRC staff has determined that the LRA, as supplemented and updated in January 2025 (ADAMS Accession No. ML25002A278) and April 2025 (ADAMS Accession Nos. ML25120A427 and ML25120A428), contains sufficient information to enable the staff to undertake a technical review of the application, and that the application is, therefore, acceptable for docketing. The current docket number, 40–8943, for license SUA–1534 will be retained. The determination to accept the LRA for docketing does not constitute a determination that a renewed license should be issued and does not preclude the NRC staff from requesting additional information as the review proceeds.

Before issuance of the requested renewed license, the NRC will have to make the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The NRC may issue a renewed license on the basis of its review if it finds there is reasonable assurance that the activities authorized by the renewed license will continue to meet the requirements for the issuance of a license under the Act and the Commission's regulations. Additionally, in accordance with 10 CFR part 51, the NRC will prepare a National Environmental Policy Act environmental review document. In considering the LRA, the NRC must find that the applicable requirements of 10 CFR part 51 have been satisfied.

II. Opportunity To Request a Hearing and Petition for Leave To Intervene

Within 60 days after the date of publication of this notice, any person (petitioner) whose interest may be affected by this action may file a request for a hearing and petition for leave to intervene (petition) with respect to the action. Petitions shall be filed in accordance with the Commission's ''Agency Rules of Practice and Procedure'' in 10 CFR part 2. Interested persons should consult 10 CFR 2.309. If a petition is filed, the presiding officer will rule on the petition and, if appropriate, a notice of a hearing will be issued.

Petitions must be filed no later than 60 days from the date of publication of this notice in accordance with the filing instructions in the ''Electronic Submissions (E-Filing)'' section of this document. Petitions and motions for leave to file new or amended contentions that are filed after the deadline will not be entertained absent a determination by the presiding officer that the filing demonstrates good cause by satisfying the three factors in 10 CFR 2.309(c)(1)(i) through (iii).

A State, local governmental body, Federally recognized Indian Tribe, or designated agency thereof, may submit a petition to the Commission to participate as a party under 10 CFR 2.309(h) no later than 60 days from the date of publication of this notice.

Alternatively, a State, local governmental body, Federally recognized Indian Tribe, or agency thereof may participate as a non-party under 10 CFR 2.315(c).

For information about filing a petition and about participation by a person not a party under 10 CFR 2.315, see ADAMS Accession No. ML20340A053 (*https://adamswebsearch2.nrc.gov/webSearch2/main.jsp?AccessionNumber=ML20340A053*) and on the NRC's public website at *https://www.nrc.gov/about-nrc/regulatory/adjudicatory/hearing.html#participate.*

III. Electronic Submissions (E-Filing)

All documents filed in NRC adjudicatory proceedings, including documents filed by an interested State, local governmental body, Federally recognized Indian Tribe, or designated agency thereof that requests to participate under 10 CFR 2.315(c), must be filed in accordance with 10 CFR 2.302. The E-Filing process requires participants to submit and serve all adjudicatory documents over the internet, or in some cases, to mail copies on electronic storage media, unless an exemption permitting an alternative filing method, as further discussed, is granted. Detailed guidance on electronic submissions is located in the ''Guidance for Electronic Submissions to the NRC'' (ADAMS Accession No. ML13031A056) and on the NRC's public website at *https://www.nrc.gov/site-help/e-submittals.html.*

To comply with the procedural requirements of E-Filing, at least 10 days prior to the filing deadline, the participant should contact the Office of the Secretary by email at *Hearing.Docket@nrc.gov,* or by telephone at 301–415–1677, to (1) request a digital identification (ID) certificate, which allows the participant (or its counsel or representative) to digitally sign submissions and access the E-Filing system for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a petition or other adjudicatory document (even in instances in which the participant, or its counsel or representative, already holds an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on the NRC's public website at *https://www.nrc.gov/site-help/e-submittals/getting-started.html.* After a digital ID certificate is obtained and a docket created, the participant must submit adjudicatory documents in Portable Document Format. Guidance on submissions is available on the NRC's public website at *https://www.nrc.gov/site-help/electronic-sub-ref-mat.html.* A filing is considered complete at the time the document is submitted through the NRC's E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. ET on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an email confirming receipt of the document. The E-Filing system also distributes an email that provides access to the document to the NRC's Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the document on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before adjudicatory documents are filed to obtain access to the documents via the E-Filing system.

A person filing electronically using the NRC's adjudicatory E-Filing system may seek assistance by contacting the NRC's Electronic Filing Help Desk through the ''Contact Us'' link located on the NRC's public website at *https://www.nrc.gov/site-help/e-submittals.html,* by email to *MSHD.Resource@nrc.gov,* or by a toll-free call at 1–866–672–7640. The NRC Electronic Filing Help Desk is available between 9 a.m. and 6 p.m., ET, Monday through Friday, except Federal holidays.

Participants who believe that they have good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing stating why there is good cause for not filing electronically and requesting authorization to continue to submit documents in paper format. Such filings must be submitted in accordance with 10 CFR 2.302(b)–(d). Participants filing adjudicatory documents in this manner are responsible for serving their documents on all other participants. Participants granted an exemption under 10 CFR 2.302(g)(2) must still meet the electronic formatting requirement in 10 CFR 2.302(g)(1), unless the participant also seeks and is granted an exemption from 10 CFR 2.302(g)(1).

Documents submitted in adjudicatory proceedings will appear in the NRC's electronic hearing docket, which is publicly available at *https://adams.nrc.gov/ehd,* unless excluded pursuant to an order of the presiding officer. If you do not have an NRC-issued digital ID certificate as previously described, click ''cancel'' when the link requests certificates and you will be automatically directed to the NRC's electronic hearing docket where you will be able to access any publicly available documents in a particular hearing docket. Participants are requested not to include personal privacy information such as social security numbers, home addresses, or personal phone numbers in their filings unless an NRC regulation or other law requires submission of such information. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants should not include copyrighted materials in their submission.

Dated: August 20, 2025.

For the Nuclear Regulatory Commission.

Randolph von Till,

Chief, Uranium Recovery and Materials Decommissioning Branch, Division of Decommissioning, Uranium Recovery and Waste Programs, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2025–16671 Filed 8–28–25; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2025–0676]

Enforcement Policy Materials Security Violation Examples

AGENCY: Nuclear Regulatory Commission.

ACTION: Proposed revision to policy statement; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is proposing revisions to Section 6.12 of its Enforcement Policy (the Policy). The NRC is proposing to revise the examples provided in the Policy of violations of physical protection requirements for Category 1 and Category 2 quantities of radioactive material.

DATES: Submit comments by September 29, 2025. Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received before this date.

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–2025–0676. Address questions about NRC dockets to Helen Chang; telephone: 301–415–3228; email: *Helen.Chang@nrc.gov.* For technical questions contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

• *Email comments to: Rulemaking.Comments@nrc.gov.* If you do not receive an automatic email reply confirming receipt, then contact us at 301–415–1677.

• *Fax comments to:* Secretary, U.S. Nuclear Regulatory Commission at 301–415–1101.

• *Mail comments to:* Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, ATTN: Rulemakings and Adjudications Staff.

• *Hand deliver comments to:* 11555 Rockville Pike, Rockville, Maryland 20852, between 7:30 a.m. and 4:15 p.m. eastern time, Federal workdays; telephone: 301–415–1677.

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: David Furst, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–287–9087, email: *David.Furst@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2025–0676 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–2025–0676.

• *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at *https://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''Begin Web-based ADAMS Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, at 301–415–4737, or by email to *PDR.Resource@nrc.gov.* The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in the **SUPPLEMENTARY INFORMATION** section.

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

B. Submitting Comments

The NRC encourages electronic comment submission through the Federal rulemaking website (*https://www.regulations.gov*). Please include Docket ID NRC–2025–0676 in your comment submission.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at *https://www.regulations.gov* as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. Background

On November 14, 2005, and December 22, 2005, the NRC issued Orders entitled: ''Increased Controls for Licensees that Possess Sources Containing Radioactive Material Quantities of Concern,'' also referred to as the IC Orders, to radioactive materials licensees who held licenses issued by the NRC authorizing possession of such material at or above threshold limits. The Orders supplemented existing regulatory requirements in title 10 of the *Code of Federal Regulations* (10 CFR) 20.1801 and 10 CFR 20.1802 in order to ensure adequate protection of, and minimize danger to, the public health and safety.

On September 28, 2006, NRC issued Enforcement Guidance Memorandum (EGM) 06–003, ''Guidance for Dispositioning Enforcement Issues Associated with Orders Imposing Increased Controls for Licensees Authorized to Possess Radioactive Material Quantities of Concern'' which provided interim severity level examples for disposition of violations of the IC Orders (ADAMS Accession No. ML062710365). The NRC later incorporated those examples into the July 12, 2011, revision to the NRC Enforcement Policy (the Policy) by adding Section 6.12 ''Materials Security'' (ADAMS Accession No. ML093480037) which superseded EGM–06–003.

On March 19, 2013 (78 FR 16922), the NRC issued a final rule establishing 10 CFR part 37. The rule establishes physical protection requirements for licensees in possession of aggregated quantities of category 1 or category 2 radioactive material listed in Appendix A, ''Category 1 and Category 2 Radioactive Materials,'' to 10 CFR part 37. Similar requirements had previously been imposed by the IC Orders.

Section 6.12 ''Materials Security,'' of the Policy contains examples of severity levels for violations associated with the physical protection requirements of 10 CFR part 37. These examples were originally written based on the IC Orders to serve as guidance for dispositioning violations of part 37. An update is being proposed to reflect the current language in part 37 and to include examples for requirements that are new in part 37. The latest revision to the Enforcement Policy was on November 1, 2016, when Section 6.12 was edited to remove one SL III and one SL IV violation example for limiting access to physical protection information.

III. Discussion

On March 25, 2024, the Office of the Inspector General (OIG) issued audit report OIG–24–A–06—Audit of the U.S. Nuclear Regulatory Commission's Security Oversight of Category 1 and Category 2 Quantities of Radioactive Material (ADAMS Accession No. ML24085A694). The audit report identified opportunities ''to strengthen the assessment of enforcement activities,'' and recommended, among other things, that the NRC staff ''Update the Enforcement Policy and Enforcement Manual to specifically reference 10 CFR part 37 requirements.'' In response to the OIG recommendations, the staff is proposing to update Section 6.12 ''Material Security,'' of the Enforcement Policy to incorporate severity level examples specific to 10 CFR part 37 violations.

The proposed revision is based on data analysis of previously issued enforcement actions and leveraging lessons learned from approximately 10

years of implementation and inspections of part 37 requirements. The revision examples were developed by an NRC working group formed from various program office and regional staff with knowledge of part 37 requirements. The violation examples in this section are intentionally broad in scope so as to serve as a set of guiding examples that are neither exhaustive nor controlling for making severity level (SL) determinations. The examples are not intended to address every possible material security violation, nor do they capture every possible circumstance. SL determinations reflect nuclear safety and security risks associated with the specific facts of a material security violation.

IV. Proposed Revision

The NRC Enforcement Policy contains violation examples used to assess and disposition apparent violations of NRC requirements.

This notice provides the public with an opportunity to review and provide comments on the draft revision to the Policy found in ADAMS under Accession No. ML25127A219. Comments received during this 30-day comment period will be considered for the final version of the policy.

V. Paperwork Reduction Act

This policy statement does not contain any new or amended collection of information subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). Existing collections of information were approved by the Office of Management and Budget (OMB), approval number 3150–0136.

Public Protection Notification

The NRC may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the document requesting or requiring the collection displays a currently valid OMB control number.

VI. Regulatory Planning and Review

Executive Order (E.O.) 12866

The Office of Information and Regulatory Affairs (OIRA) has determined that this enforcement policy is not a significant regulatory action under E.O. 12866. Accordingly, the NRC submitted this enforcement policy to OIRA for review. The NRC is required to conduct an economic analysis in accordance with section 6(a)(3)(B) of E.O. 12866.

The text of the Enforcement Policy is attached.

Dated: August 26, 2025.

For the Nuclear Regulatory Commission.

Bo Pham,

Acting Director, Office of Enforcement.

6.12 Materials Security for 10 CFR Part 37—Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material

This section applies to the requirements of 10 CFR part 37—Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material. These examples were developed using a risk-informed approach considering actual or potential loss, theft, or diversion of material.

Additionally, when determining the significance of the violations, factors that could be considered include the specific circumstances of the failure, including the time and equipment needed to result in an actual loss, theft, or diversion.

This section should be the primary reference for violations related to the protection of information under 10 CFR part 37. If a violation is not adequately addressed by the examples provided in Section 6.12, Section 6.13 may be applied as appropriate.

a. *SL I* violations involve, for example:

1. An actual theft, diversion, or loss of a category 1 quantity of radioactive material that results from failure to establish or implement one or more requirements of 10 CFR part 37; or

2. A licensee fails to verify prior to transfer that a recipient is authorized to possess the type, form, and quantity of category 1 radioactive material at the location where the material is being transferred, where the transfer was made to a recipient that was not authorized to possess either the type, form, or quantity of category 1 radioactive material at the location where the material was transferred.

b. *SL II* violations involve, for example:

1. An actual theft, diversion, or loss of a category 2 quantity of radioactive material that results from failure to establish or implement one or more requirements of 10 CFR part 37; or

2. A licensee fails to verify prior to transfer that a recipient is authorized to possess the type, form, and quantity of category 2 radioactive material being transferred, where the transfer was made to a recipient that was not authorized to possess either the type, form, or quantity of category 2 radioactive material.

c. *SL III* violations involve, for example:

1. Failures occur involving access authorization requirements, such as the following:

(a) An individual who has not been determined trustworthy and reliable (T&R) has the ability to access, without an escort, security zones containing category 1 or category 2 quantities of radioactive material;

(b) A failure to establish, implement and maintain an access authorization program that is specific to the licensee's operations; or

(c) An individual who was not determined T&R has determined that other individuals were T&R.

2. A failure to complete elements of the initial background requirements for granting unescorted access.

3. Failures occur involving general security program requirements, such as the following:

(a) A failure to develop, implement, and maintain a security plan specific to the licensee's facilities and operations; or failure to address the required elements of the subpart;

(b) A failure to develop, implement, and maintain procedures specific to the licensee's facilities and operations; or failure to address how the requirements of 10 CFR part 37 Subpart C and the security plan will be met;

(c) A failure to conduct formal training in accordance with 37.43(c) or to complete the training at the required frequency, where the individuals did not demonstrate knowledge of how to implement the licensee's security program commensurate with their role(s); or

(d) A failure to limit access to, or unauthorized disclosure of, the security plan or implementing procedures.

4. Failures occur involving Local Law Enforcement Agency (LLEA) coordination, such as the following:

(a) A licensee fails to initially coordinate with LLEA, as required by 10 CFR 37.45(a) or fails to notify NRC, as required by 10 CFR 37.45(b); or

(b) A licensee fails to perform coordination every 12 months and there were changes to the facility design or operation that adversely affected the potential vulnerability of the licensee's material to theft, sabotage, or diversion.

5. Failures occur involving security zones, monitoring, detection, and assessment, such as the following:

(a) A failure to continuously monitor and immediately detect, assess, and respond to unauthorized entry to a security zone with a category 1 or category 2 quantity of radioactive material;

(b) A failure to maintain the capability to immediately detect any attempted unauthorized removal of a category 1 quantity of radioactive material from a security zone; or

(c) A licensee has no means for continuous capability for personnel communication and electronic data transmission and processing among site security systems.

6. A licensee fails to implement, or fails to implement at the required frequency, a maintenance and testing program to ensure that intrusion alarms, associated communications systems, and other physical components of the systems used to secure or detect unauthorized access to radioactive material are maintained in operable condition and are capable of performing their intended function when needed, where the equipment was not operable.

7. Failures occur involving requirements for mobile devices, such as the following:

(a) A licensee fails to secure a mobile device containing a category 1 or category 2 quantity of radioactive material as required by 10 CFR 37.53(a), when the mobile device is not under direct control and constant surveillance by the licensee; or

(b) A licensee fails to disable a vehicle or trailer containing a category 1 or category 2 quantity of radioactive material, when not under direct control and constant surveillance by the licensee.

8. A licensee fails to make verbal (telephonic) notification, or makes a late verbal (telephonic) notification, as required by 10 CFR 37.

d. *SL IV* Violations involve, for example:

1. Failures occur involving access authorization requirements, such as the following:

(a) An individual who has not been determined T&R has the ability for unescorted access to security zones containing category 1 or category 2 quantities of radioactive material, however:

1. the individual did not gain access, or

2. gained access, yet the individual had been previously vetted under a comparable review by the licensee that mitigates the security risk posed by the individual (*e.g.,* federal security clearance, a licensee's hiring process), or

3. gained access, yet the scope/duration of unescorted access mitigated the ability to exploit the failure.

(b) A failure to establish, implement and maintain written procedures for implementing the access authorization program;

(c) An individual who was determined T&R but was not formally appointed a reviewing official under oath or affirmation has determined that other individuals were T&R;

(d) A failure to create or maintain a list of persons approved for unescorted access; or

(e) A failure to document the basis for the determination of T&R for the purpose of granting unescorted access to category 1 and category 2 quantities of radioactive material.

2. Failures occur involving background investigation requirements, such as the following:

(a) An isolated/limited failure to complete elements of 10 CFR 37.25(a)(3)–(6) of the initial background requirements for granting unescorted access to category 1 or category 2 quantities of radioactive material; or

(b) A failure to complete fingerprinting and an FBI identification and criminal history records check during reinvestigation.

3. Failures occur involving general security program requirements, such as the following:

(a) A licensee has developed a security plan and implementing procedures specific to its facilities and operations; however, the written security plan or implementing procedures did not describe the required elements of 10 CFR part 37 Subpart C;

(b) A licensee did not conduct formal training in accordance with 37.43(c) or did not complete the training at the required frequency, where the individuals demonstrated knowledge of how to implement the licensee's security program commensurate with their role(s);

(c) A failure to document required training for an individual granted unescorted access;

(d) A failure to limit access to, or unauthorized disclosure of, the security plan or implementing procedures; however, access to sensitive information was to an individual who had been previously vetted under a comparable review completed or initiated by the licensee that mitigates the security risk posed by the individual (*e.g.* federal security clearance, a licensee's hiring process); or

(e) A failure to limit access to, or unauthorized disclosure of, the list of individuals approved for unescorted access.

4. Failures occur involving LLEA coordination, such as the following:

(a) A licensee initially coordinates with LLEA, but fails to meet all the requirements set forth in 10 CFR 37.45(a);

(b) A licensee fails to perform coordination every 12 months and there were no changes to the facility design or operation that adversely affected the potential vulnerability of the licensee's material to theft, sabotage, or diversion; or

(c) For initial or subsequent LLEA coordination, a failure to notify, or late notification to NRC, as required by 10 CFR 37.45(b);

5. Failures occur involving security zones, monitoring, detection, and assessment, such as the following:

(a) An isolated failure to continuously monitor and immediately detect, assess, and respond to unauthorized entry to a security zone with a category 1 quantity of radioactive material, where the unauthorized entry is of limited duration and where there is a capability to detect removal of category 1 material;

(b) An isolated failure to maintain the capability to immediately detect any attempted unauthorized removal of a category 1 quantity of radioactive material from the security zone, where there is the capability to detect intrusion into the security zone and there is some other function or feature in place that mitigates the ability to exploit the failure;

(c) An isolated failure to continuously monitor and immediately detect, assess, and respond to unauthorized entry to a security zone with a category 2 quantity of radioactive material, where there is a function or feature in place, separate from the means to detect removal of category 2 material, that mitigates the ability to exploit the failure;

(d) A licensee has one means for continuous capability for personnel communication and electronic data transmission and processing among site security systems; or

(e) A failure to conduct weekly verification checks for category 2 material.

6. A licensee fails to implement, or fails to implement at the required frequency, a maintenance and testing program to ensure that intrusion alarms, associated communications systems, and other physical components of the systems used to secure or detect unauthorized access to radioactive material are maintained in operable condition and are capable of performing their intended function when needed, where the equipment was operable.

7. Failures occur involving requirements for mobile devices, such as the following:

(a) A licensee fails to secure material as required by 10 CFR 37.53(a), when the material is not under direct control and constant surveillance by the licensee; however, one tangible barrier exists, there is no actual loss of material, and the failure is isolated; or

(b) A licensee fails to disable a vehicle or trailer containing a category 1 or category 2 quantity of radioactive

material, when not under direct control and constant surveillance by the licensee, where there is a function or feature in place that mitigates the ability to exploit the failure.

8. A licensee fails to make written reports, or makes a late written report, required by 10 CFR part 37.

9. A licensee fails to maintain records as required by 10 CFR part 37 requirements.

10. A licensee fails to conduct an annual review of the access authorization program or the security program.

[FR Doc. 2025–16585 Filed 8–28–25; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–277 and 50–278; NRC–2024–0214; SEIS–429–00–000–1734688863]

Constellation Energy Generation, LLC; Peach Bottom Atomic Power Station Units 2 and 3; Final Supplement to Environmental Impact Statement

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has published a final supplement to a final supplemental environmental impact statement (SEIS), issued as NUREG–1437, Supplement 10, Second Renewal, Supplement 1, ''Generic Environmental Impact Statement for License Renewal of Nuclear Plants Regarding Subsequent License Renewal for Peach Bottom Atomic Power Station Units 2 and 3, Final Report.'' This document concerns the NRC staff's review of the environmental impacts of the proposed subsequent renewal of Renewed Facility Operating License Nos. DPR–44 and DPR–56 for Peach Bottom Atomic Power Station (Peach Bottom) Units 2 and 3, respectively, for an additional 20 years. Peach Bottom is located primarily in Peach Bottom Township, York County, Pennsylvania, near Delta, Pennsylvania. Possible alternatives to the proposed action of subsequent license renewal include the no-action alternative and reasonable replacement power alternatives.

DATES: NUREG–1437, Supplement 10, Second Renewal, Supplement 1 is available as of August 22, 2025.

ADDRESSES: Please refer to Docket ID NRC–2024–0214 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking Website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2024–0214. 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(s) listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may access 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.* NUREG–1437, Supplement 10, Second Renewal, Supplement 1 is available in ADAMS under Accession No. ML25191A237.
- *NRC's PDR:* The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to *PDR.Resource@nrc.gov* or call 1–800–397–4209 or 301–415–4737, between 8 a.m. and 4 p.m. eastern time, Monday through Friday, except Federal holidays.
- *Public Library:* A copy of NUREG–1437, Supplement 10, Second Renewal, Supplement 1 will be available for public review at the Harford County Public Library—Whiteford Branch, 2407 Whiteford Road, Whiteford, MD 21160.

FOR FURTHER INFORMATION CONTACT: Kevin Folk, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–6944; email: *Kevin.Folk@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

In accordance with section 51.118 of title 10 of the *Code of Federal Regulations,* ''Final environmental impact statement—notice of availability,'' the NRC is making available to the public NUREG–1437, Supplement 10, Second Renewal, Supplement 1 regarding the subsequent renewal of Renewed Facility Operating License Nos. DPR–44 and DPR–56 for an additional 20 years for Peach Bottom. A notice of availability of the draft supplement, which updated the 2020 final SEIS, was published in the **Federal Register** on May 30, 2025 (90 FR 23075). The U.S. Environmental Protection Agency issued its notice of availability of the draft supplement on May 30, 2025 (90 FR 23050). The public comment period on the draft supplement ended on July 14, 2025, and the comments received on the draft supplement are addressed in the final supplement.

II. Discussion

The draft supplement, which updated the 2020 final SEIS, was issued for public comment on May 30, 2025. The final supplement (NUREG–1437, Supplement 10, Second Renewal, Supplement 1) addresses the comments received on the draft supplement. As discussed in Chapter 4 of the final supplement, the NRC staff has determined that the adverse environmental impacts of subsequent license renewal for Peach Bottom (*i.e.,* the continued operation of Peach Bottom for a period of 20 years beyond the expiration dates of the current licenses) are not so great that preserving the option of license renewal for energy-planning decisionmakers would be unreasonable. This recommendation is based on: (1) information in the environmental report, as supplemented, and other documents submitted by Constellation Energy Generation, LLC; (2) the NRC staff's consultation with Federal, State, Tribal, and local governmental agencies; (3) the NRC staff's independent environmental review; and (4) the NRC staff's consideration of public comments received during the scoping process and on the draft of the 2020 final SEIS and the draft supplement.

Dated: August 21, 2025.

For the Nuclear Regulatory Commission.

Kimyata Savoy,

Acting Deputy Director, Division of Rulemaking, Environmental, and Financial Support, Office of Nuclear Material Safety, and Safeguards.

[FR Doc. 2025–16594 Filed 8–28–25; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2024–0073]

Information Collection: NRC Online Form, Request for Alternative

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of submission to the Office of Management and Budget; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has recently submitted a request for renewal of an

existing collection of information to the Office of Management and Budget (OMB) for review. The information collection is entitled, NRC Online Form, ''Request for Alternative.''

DATES: Submit comments by September 29, 2025. Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received on or before this date.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *https://www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: David Cullison, NRC Clearance Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–2084; email: *Infocollects.Resource@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2024–0073 when contacting the NRC about the availability of information for this action. You may obtain publicly available information related to this action by any of the following methods:

- *Federal Rulemaking Website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2024–0073.
- *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.* A copy of the collection of information and related instructions may be obtained without charge by accessing ADAMS Accession No. ML25150A408. The supporting statement is available in ADAMS under Accession No. ML25150A365.
- *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.
- *NRC's Clearance Officer:* A copy of the collection of information and related instructions may be obtained without charge by contacting the NRC's Acting Clearance Officer, David Cullison, Office of the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–2084; email: *Infocollects.Resource@nrc.gov.*

B. Submitting Comments

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *https://www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under Review—Open for Public Comments'' or by using the search function.

The NRC cautions you not to include identifying or contact information in comment submissions that you do not want to be publicly disclosed in your comment submission. All comment submissions are posted at *https://www.regulations.gov* and entered into ADAMS. Comment submissions are not routinely edited to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the OMB, 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 comment submissions are not routinely edited to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. Background

Under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the NRC recently submitted a request for renewal of an existing collection of information to OMB for review entitled, NRC Online Form, ''Request for Alternative Under 10 CFR part 50.55a(z)(1) and (2).'' The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The NRC published a **Federal Register** notice with a 60-day comment period on this information collection on May 20, 2025 (90 FR 21514).

1. *The title of the information collection:* NRC Online Form, ''Request for Alternative Under 10 CFR part 50.55a(z)(1) and (2).''

2. *OMB approval number:* 3150–0244.

3. *Type of submission:* Revision.

4. *The form number, if applicable:* NRC Form 50.55a.

5. *How often the collection is required or requested:* On occasion.

6. *Who will be required or asked to respond:* All holders of, and certain applicants for, nuclear power plant construction permits and operating licenses under the provisions of part 50 of title 10 of the *Code of Federal Regulations* (10 CFR), ''Domestic Licensing of Production and Utilization Facilities'' who use alternatives to the requirements of 10 CFR 50.55a paragraphs (b) through (h) when authorized by the NRC have the option of using the online form.

7. *The estimated number of annual responses:* 394.

8. *The estimated number of annual respondents:* 140.

9. *The estimated number of hours needed annually to comply with the information collection requirement or request:* 788.

10. *Abstract:* Section 50.55a of 10 CFR incorporates by reference Division 1 rules of Section III, ''Rules for Construction of Nuclear Power Plant Components,'' and Section XI, ''Rules for Inservice Inspection of Nuclear Power Plant Components,'' of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code (B&PV Code); and the rules of the ASME ''Code for Operation and Maintenance of Nuclear Power Plants'' (OM Code). These rules of the ASME B&PV and OM Codes set forth the requirements to which nuclear power plant components are designed, constructed, tested, repaired, and inspected. Section 50.55a(z) of 10 CFR allows applicants to use alternatives to the requirements of 10 CFR 50.55a paragraphs (b) through (h) when authorized by the NRC. To facilitate licensees' requests for alternatives to the requirements in the above regulations, the NRC is providing an optional online form to submit the required information for a specific alternative request under 10 CFR 50.55a(z).

Dated: August 27, 2025.

For the Nuclear Regulatory Commission.

David Cullison,

NRC Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 2025–16593 Filed 8–28–25; 8:45 am]

BILLING CODE 7590–01–P

OFFICE OF PERSONNEL MANAGEMENT

Senior Executive Service—Performance Review Board

AGENCY: Office of Personnel Management.

ACTION: Notice.

SUMMARY: Notice is hereby given of the appointment of members of the OPM Performance Review Board.

FOR FURTHER INFORMATION CONTACT: Kimberly Sylke, OPM Human Resources, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415, (202) 936–3339.

SUPPLEMENTARY INFORMATION: Section 4314(c)(1) through (5) of Title 5, U.S.C., requires each agency to establish, in accordance with regulations prescribed by the Office of Personnel Management, one or more SES performance review boards. The board reviews and evaluates the initial appraisal of a senior executive's performance by the supervisor and considers recommendations to the appointing authority regarding the performance of the senior executive.

Office of Personnel Management.

Jerson Matias,

Federal Register Liaison.

The following have been designated as members of the Fiscal Year 2025 Performance Review Board of the U.S. Office of Personnel Management:

James Sullivan, Chief of Staff (Chair)
Christina Bonarrigo, Deputy Chief of Staff
Carmen Garcia, Chief Human Capital Officer
Marina Golovkina, White House Liaison
Colleen Heller-Stein, Executive Director CHCO Council
Andrew Kloster, General Counsel
Joseph Knouff, Suitability Director
Margaret Pearson, Associate Director, Retirement Services
Dianna Saxman, Associate Director, Human Resources Solutions

[FR Doc. 2025–16586 Filed 8–28–25; 8:45 am]

BILLING CODE 6325–45–P

POSTAL REGULATORY COMMISSION

[Docket Nos. CP2024–498; MC2025–1639 and K2025–1630; MC2025–1640 and K2025–1631; MC2025–1641 and K2025–1632; MC2025–1643 and K2025–1634]

New Postal Products

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing for the Commission's consideration concerning a negotiated service agreement. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* September 3, 2025.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at *https://www.prc.gov.* Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION:

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I. Introduction
II. Public Proceeding(s)
III. Summary Proceeding(s)

I. Introduction

Pursuant to 39 CFR 3041.405, the Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to Competitive negotiated service agreement(s). The request(s) may propose the addition of a negotiated service agreement from the Competitive product list or the modification of an existing product currently appearing on the Competitive product list.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (*http://www.prc.gov*). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3011.301.[1]

Section II identifies the docket number(s) associated with each Postal Service request, if any, that will be reviewed in a public proceeding as defined by 39 CFR 3010.101(p), the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each such request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 and 39 CFR 3000.114 (Public Representative). The Public Representative does not represent any individual person, entity or particular point of view, and, when Commission attorneys are appointed, no attorney-client relationship is established. Section II also establishes comment deadline(s) pertaining to each such request.

The Commission invites comments on whether the Postal Service's request(s) identified in Section II, if any, are consistent with the policies of title 39. Applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3035, and 39 CFR part 3041. Comment deadline(s) for each such request, if any, appear in Section II.

Section III identifies the docket number(s) associated with each Postal Service request, if any, to add a standardized distinct product to the Competitive product list or to amend a standardized distinct product, the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. Standardized distinct products are negotiated service agreements that are variations of one or more Competitive products, and for which financial models, minimum rates, and classification criteria have undergone advance Commission review. *See* 39 CFR 3041.110(n); 39 CFR 3041.205(a). Such requests are reviewed in summary proceedings pursuant to 39 CFR 3041.325(c)(2) and 39 CFR 3041.505(f)(1). Pursuant to 39 CFR 3041.405(c)–(d), the Commission does not appoint a Public Representative or request public comment in proceedings to review such requests.

II. Public Proceeding(s)

1. *Docket No(s).:* CP2024–498; *Filing Title:* USPS Request Concerning Amendment One to Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 207, with Materials Filed Under Seal; *Filing Acceptance Date:* August 25, 2025; *Filing Authority:* 39 CFR 3035.105 and 39 CFR 3041.505; *Public Representative:* Jennaca Upperman; *Comments Due:* September 3, 2025.

2. *Docket No(s).:* MC2025–1639 and K2025–1630; *Filing Title:* USPS Request to Add Priority Mail Contract 922 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* August 25, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Arif Hafiz; *Comments Due:* September 3, 2025.

3. *Docket No(s).:* MC2025–1640 and K2025–1631; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 827 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* August 25, 2025;

[1] *See* Docket No. RM2018–3, Order Adopting Final Rules Relating to Non-Public Information, June 27, 2018, Attachment A at 19–22 (Order No. 4679).

Filing Authority: 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Arif Hafiz; *Comments Due:* September 3, 2025.

4. *Docket No(s).:* MC2025–1641 and K2025–1632; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 828 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* August 25, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Christopher Mohr; *Comments Due:* September 3, 2025.

5. *Docket No(s).:* MC2025–1643 and K2025–1634; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 829 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* August 25, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Christopher Mohr; *Comments Due:* September 3, 2025.

III. Summary Proceeding(s)

None. See Section II for public proceedings.

This Notice will be published in the **Federal Register**.

Erica A. Barker,

Secretary.

[FR Doc. 2025–16568 Filed 8–28–25; 8:45 am]

BILLING CODE 7710–FW–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103778; File No. SR–CBOE–2025–060]

Self-Regulatory Organizations; Cboe Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Update Rules Regarding Requirements To Submit Annual Audits to the Exchange

August 26, 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 August 18, 2025, Cboe Exchange, Inc. (''Cboe Options'' 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 Exchange. The Exchange has filed the proposal as a ''non-controversial'' proposed rule change pursuant to Section 19(b)(3)(A) of the Act[3] 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

Cboe Exchange, Inc. (the ''Exchange'' or ''Cboe Options'') proposes to (1) simplify and clarify its rule regarding audited reports; and (2) require each Trading Permit Holder (''TPH'') to submit to the Exchange an annual audited report in accordance with the provisions of Rule 17a–5(d) under the Securities Exchange Act of 1934 (the ''Act'').[5] The text of the proposed rule change is provided in Exhibit 5.

The text of the proposed rule change is also available on the Exchange's website (*https://www.cboe.com/us/options/regulation/rule_filings/*) and at the Exchange's Office of the Secretary.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Rule 7.4 regarding TPH requirements to submit certain reports to the Exchange. Specifically, the Exchange proposes to amend Rule 7.4(a) to simplify and clarify the requirements for TPHs to submit to the Exchange certain audited reports, including audited financial statements, on an annual basis pursuant Rule 17a–5(d) under the Act.[6] The Exchange also proposes to amend Rule 7.4(a) to require all TPHs to submit annual reports to the Exchange, notwithstanding the exemption from submission provided for in Rule 17a–5(d)(1)(iv) under the Act.[7]

Current Rule 7.4(a) requires each TPH organization approved to do business with the public in accordance with Chapter 9 of the Rules and each registered Market-Maker to submit annual reports of its financial condition as of a date within each calendar year to the Exchange in accordance with the requirements of Rule 17a–5[8] and Form X–17A–5 under the Act. It further requires the reports for TPHs approved to do business with the public to be certified by an independent public accountant. The Rule also requires each such TPH to notify the Exchange of the name of the independent public accountant appointed for the year by January 10 of each year. Reports of financial condition are due to the Exchange under the Rule not later than 60 days after the date as of which the financial condition of the TPH is reported, or such other period as the Exchange may individually require. The Rule also permits a TPH to file in lieu of the required report a copy of any financial statement which they are required to file with any other national securities exchange or national securities association of which they are a member or with any agency of any State as a condition of doing business therein, and which is acceptable to the Exchange as containing substantially the same information as Form X–17A–5.

First, the Exchange proposes to amend Rule 7.4(a) to simplify and clarify its requirements regarding the submission of annual audited reports (''Annual Audits''). Specifically, the Exchange proposes to amend Rule 7.4(a) to align the requirements regarding timing and scope of information for the filing of certain audited reports (''Annual Audits'') with the Exchange with the requirements of Rule 17a–5 under the Act,[9] including as follows:

• Current Rule 7.4(a) requires TPHs to report on their ''financial condition'' and include answers to an Exchange financial questionnaire in accordance with the requirements of Rule 17a–5 and Form X–17A–5 under the Act and contain the information called for by that form. Rule 17a–5 and Form X–17A–5 set forth the specific information that must be included in an annual financial report (as broker-dealers, TPHs are subject to Rule 17a–5). The proposed rule change modifies Rule 7.4(a) to require submission of Annual Audits in

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

[4] 17 CFR 240.19b–4(f)(6).

[5] 17 CFR 240.17a–5(d).

[6] *Id.*

[7] 17 CFR 240.17a–5(d)(1)(iv).

[8] 17 CFR 240.17a–5(d).

[9] 17 CFR 240.17a–5(d). The Exchange also proposes to amend the heading of Rule 7.4(a) from ''Annual Audit'' to ''Annual Reports'' to match the title of SEC Rule 17a–5(d).

accordance with the requirements of Rule 17a–5 under the Act.[10] Rule 7.4(a) is intended to cover the report and information required under Rule 17a–5, which is what TPHs currently submit to satisfy the requirement under Rule 7.4(a). The proposed rule change clarifies that the scope of information TPHs must include in their Annual Audits pursuant to Rule 7.4(a) is the same as the scope of information TPHs must include in their reports pursuant to Rule 17a–5(d) and Form X–17A–5 under the Act.[11] This proposed rule change has no impact on the information the Exchange currently requires TPHs to submit in their Annual Audits pursuant to Rule 7.4(a) (which is the same information that is required to be submitted pursuant to Rule 17a–5(d) under the Act). The proposed rule change aligns the rule text in Rule 7.4(a) with Rule 17a–5(d) to eliminate any potential confusion regarding what information is required information to be filed pursuant to Rule 7.4(a).

• Current Rule 7.4(a) requires that the report of financial condition be filed not later than 60 days after the date within each calendar year as of which the financial condition of the TPH is reported (or such other period as the Exchange may individually require). Rule 17a–5 under the Act requires the annual reports to be filed not more than 60 calendar days after the end of the fiscal year of the broker or dealer. Fiscal year end is generally the date on which TPHs (who as broker-dealers are subject to Rule 17a–5 under the Act) determine their ''financial condition.'' The proposed rule change aligns the requirements regarding submission deadlines for submission of the Annual Audits in Rule 7.4(a) with the deadlines for submission of these reports in Rule 17a–5 under the Act. This proposed rule change has no impact on TPHs, which currently submit their Annual Audits in accordance with the required deadline set forth in Rule 17a–5. The proposed rule change aligns the filing deadline in Rule 7.4(a) with that in Rule 17a–5(d) to eliminate any potential confusion regarding when Annual Audits must be filed pursuant to Rule 7.4(a).

• Current Rule 7.4(a) requires TPHs approved to do business with the public to have its annual audit report certified by an independent public accountant and, on or before January 10 of each year, to notify the Exchange of the name of the independent public accountant appointed for that year and the date as of which the report will be made. Rule 17a–5(f)(2) under the Act, however, requires the broker or dealer to file with the Commission and its designated examining authority (''DEA'') no later than December 10 of each year (or 30 calendar days after the effective date of its registration as a broker or dealer, if earlier) a statement regarding independent public accountant, which includes among other things, the name of the independent public accountant. The proposed rule change aligns the requirement regarding the timing of when TPHs approved to do business with the public must notify the Exchange regarding the identity of their independent public accounts. This proposed rule change eliminates the discrepancy between Rule 7.4(a) and Rule 17a–5 under the Act regarding the timing of this notification. Since TPHs are broker-dealers and thus subject to Rule 17a–5, the TPHs currently required to submit these reports[12] are currently complying with the deadline in the Act, and thus the proposed rule change has no impact on those TPHs.

• The Exchange proposes to add language to Rule 7.4(a) to state that any TPH for which the Exchange is the DEA that is unable to meet the filing deadline for its Annual Audits as a result of exceptional circumstances may request from the Exchange an extension of time, in writing, prior to the filing due date. The Exchange will also recognize any extensions of time or other exemptions granted to the TPH by the Commission or the TPH's DEA (if not the Exchange). This is currently permitted by Rule 17a–5(m)(1) under the Act, which states that a broker's or dealer's DEA may extend the period for filing annual reports pursuant to Rule 17a–5. The proposed change further aligns the Rules regarding the submission deadline for TPHs' Annual Audits with Rule 17a–5(m)(1) under the Act.[13]

The Exchange believes aligning the requirements regarding timing and scope of information in Rule 7.4(a) with those requirements in Rule 17a–5 under the Act will clarify for TPHs what information they need to report to the Exchange and when and may ultimately reduce any potential confusion for TPHs regarding their audit reporting requirements.

Second, the proposed rule change aligns the scope of firms to which the reporting obligation applies with that of the obligation in Rule 17a–5 of the Act. Current Rule 7.4(a), states that each TPH organization approved to do business with the public in accordance with Chapter 9 of the Rules and each registered Market-Maker must file a report of its financial condition annually in accordance with the requirements in Rule 17a–5(d) under the Act.[14] Rule 17a–5 under the Act,[15] however, requires every broker or dealer (and thus every TPH)[16] registered under Section 15 of the Act[17] to file annual reports unless an exemption applies. Therefore, the applicability of the Exchange's current Rule is slightly narrower than the reporting requirement in the Act. The proposed rule change will require each TPH to submit the Annual Audit, even those that may qualify for an exemption under Rule 17a–5(d)(1)(iv) of the Act.[18] Rule 17a–5(d)(1)(iv) under the Act exempts from filing annual reports pursuant to 17a–5(d)(2) ''a broker or dealer that is a member of a national securities exchange, has transacted a business in securities solely with or for other members of a national securities exchange, and has not carried any margin account, credit balance, or security for any person who is defined as a *customer* in paragraph (c)(4) of this section.''[19] This exemption was intended to apply to, and has been limited to, specialists, market makers, and floor brokers that have no contact with the public and are subject to close daily supervision by an exchange.[20] Only a small number of TPHs currently rely on this exemption.[21] The Exchange believes the proposed rule change will eliminate confusion regarding which TPHs may qualify for an exemption under Rule 17a–5 and impose the same reporting requirement on all TPHs. The Exchange further believes requiring

[10] 17 CFR 240.17a–5(d).

[11] The proposed rule change also deletes the exception that permits TPHs to submit reports required by other national securities exchanges or associations that contain substantially the same information as Form X–17A–5. The Exchange believes this exception is unnecessary, as TPHs comply with the Act's requirement to submit the Form X–17A–5 to satisfy this requirement.

[12] As discussed below, 5 of 94 TPHs currently rely on the exemption in SEC Rule 17a–5(d)(1)(iv) and do not submit audited reports to the Exchange but will be required to do so going forward pursuant to the proposed rule change.

[13] 17 CFR 240.17a–5(m)(1).

[14] 17 CFR 240.17a–5(d).

[15] 17 CFR 240.17a–5(d)(2).

[16] Because the Exchange requires every TPH to be registered as a broker or dealer pursuant to Section 15 of the Act, Rule 17a–5 under the Act requires all TPHs to submit audited reports unless an applicable exemption applies. *See* Rule 3.3 (Qualifications of TPH Organizations).

[17] 15 U.S.C. 78o.

[18] 17 CFR 240.17a–5(d)(1)(iv).

[19] *Id.*

[20] *See, e.g., Cboe Regulatory Circular RG95–068, Annual Audited Financial Statements* (August 16, 1995).

[21] As of March 31, 2025, 5 of 94 TPHs relied on the exemption in SEC Rule 17a–5(d)(1)(iv) and did not submit audited reports to the Exchange. Pursuant to the proposed rule change, these five TPHs would be required to submit Annual Audits to the Exchange in the same manner as all other TPHs.

every TPH to submit Annual Audits will enhance regulatory oversight and subject all TPHs to the same standards regardless of their business model. The Exchange believes that its TPHs, including those that previously have not submitted Annual Audits due to the current exemption, are sufficiently sophisticated to require that they complete Annual Audits pursuant to the proposed rule change.[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 the Section 6(b)(5)[24] 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)[25] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

In particular, the Exchange believes the proposed rule changes to align the requirements regarding timing and scope of information in Rule 7.4(a) with those requirements in Rule 17a–5 under the Act will benefit investors by clarifying for TPHs what information they need to report to the Exchange and when and may ultimately reduce any potential confusion for TPHs regarding their audit reporting requirements. The proposed rule change aligns the requirements in Rule 7.4(a) with those in Rule 17a–5(d) under the Act given both rules are intended to apply to the same report and thus impose the same requirements on TPHs. The Exchange believes the proposed rule change will benefit investors by eliminating uncertainty regarding potential perceived differences between the Exchange's requirements and those of the Commission. The Exchange does not intend there to be any differences between the requirements (aside from the exemption provided in 17a–5(d)(1)(iv) described below) in its Rule and the requirements in Rule 17a–5 under the Act and are, therefore, aligning the requirements in its Rule with those in the Commission's rule.

The Exchange also believes the proposed rule change is consistent with Section 6(b)(1) of the Act,[26] which provides that the Exchange be organized and have the capacity to be able to carry out the purposes of the Act and to enforce compliance by the Exchange's TPHs and persons associated with its TPHs with the Act, the rules and regulations thereunder, and the rules of the Exchange, and furthers the objectives of Section 6(c)(3) of the Act,[27] which authorizes the Exchange to, among other things, prescribe standards of financial responsibility. The proposed rule change will require all TPHs to file Annual Audits pursuant to the requirements in Rule 17a–5(d) under the Act, regardless of the exemption in 17a–5(d)(1)(iv), which the Exchange believes will enhance its regulatory oversight and subject all TPHs to the same standards, regardless of their business model. The Exchange believes that its TPHs, including those that previously have not submitted Annual Audits due to the current exemption, are sufficiently sophisticated to require that they complete Annual Audits pursuant to the proposed rule change.[28] Having audited financial information from all of its TPHs will further strengthen the Exchange's ability to protect investors through a more informed understanding of its TPHs' financial status.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange does not believe that the proposed rule change will impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act, as it will apply in the same manner to all TPHs, as all TPHs will be subject to the same Annual Audit requirements. 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, as it is consistent with a Commission rule applicable to broker-dealers (and thus all members of all national securities exchange). Additionally, the proposed rule change relates to certain regulatory obligations of TPHs and is not intended for competitive purposes.

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

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) of the Act[29] and Rule 19b–4(f)(6)[30] thereunder.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

[22] The Exchange is in the process of informing the five TPHs that currently rely on this exemption that they will be required to submit Annual Audit reports going forward.

[23] 15 U.S.C. 78f(b).

[24] 15 U.S.C. 78f(b)(5).

[25] *Id.*

[26] 15 U.S.C. 78f(b)(1).

[27] 15 U.S.C. 78f(c)(3).

[28] The Exchange is in the process of informing the five TPHs that currently rely on this exemption that they will be required to submit Annual Audit reports going forward.

[29] 15 U.S.C. 78s(b)(3)(A).

[30] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires the Exchange to give 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. The Exchange has satisfied this requirement.

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–CBOE–2025–060 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–CBOE–2025–060. 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–CBOE–2025–060 and should be submitted on or before September 19, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[31]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–16575 Filed 8–28–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103780; File No. SR–FICC–2025–018]

Self-Regulatory Organizations; Fixed Income Clearing Corporation; Notice of Filing of Proposed Rule Change To Add Basis Risk Haircut Charge to Certain Models

August 26, 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 August 15, 2025, Fixed Income Clearing Corporation (''FICC'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II and III below, which Items have been prepared by the clearing agency. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Clearing Agency's Statement of the Terms of Substance of the Proposed Rule Change

The proposed rule change of FICC as provided in Exhibit 5[3] consists of amendments to the GSD Methodology Document—GSD Initial Market Risk Margin Model (''QRM Methodology Document'')[4] in order to incorporate the mortgage-backed securities (''MBS'') pool/to-be-announced (''TBA'') basis risk haircut charge into the MBS haircut model, Minimum Margin Amount (''MMA'') model,[5] and Margin Proxy model.[6] In addition, FICC is proposing clarification and technical changes to the QRM Methodology Document.

FICC is requesting confidential treatment of the QRM Methodology Document and has filed it separately with the Secretary of the Commission.[7]

II. Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the clearing agency included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The clearing agency has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

(A) Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of this rule filing is to amend the QRM Methodology Document in order to incorporate the MBS pool/TBA basis risk haircut charge into the MBS haircut model, MMA model, and Margin Proxy model. FICC is also proposing to make certain clarification and technical changes to the QRM Methodology Document.

Background

FICC, through GSD, serves as a central counterparty and provider of clearance and settlement services for transactions in U.S. government securities, as well as repurchase and reverse repurchase transactions involving U.S. government securities. GSD also clears and settles certain transactions on securities issued or guaranteed by U.S. government agencies and government sponsored enterprises. For example, through its GCF Repo Service,[8] GSD clears and settles GCF Repo Transactions[9] that can be collateralized with mortgage-backed securities issued or guaranteed by Government National Mortgage Association (''Ginnie Mae''), Federal National Mortgage Association (''Fannie Mae'') and Federal Home Loan Mortgage Corporation (''Freddie Mac''). As part of its market risk management strategy, FICC manages its credit exposure to Members by determining the appropriate Required Fund Deposit to the Clearing Fund and monitoring its sufficiency, as provided for in the GSD Rules.[10] The Required Fund Deposit serves as each Member's margin.

The objective of a Member's Required Fund Deposit is to mitigate potential losses to FICC associated with

[31] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Capitalized terms used herein and not defined shall have the meaning assigned to such terms in the FICC's Government Securities Division (''GSD'') Rulebook (''Rules''), *available at www.dtcc.com/legal/rules-and-procedures.*

[4] The QRM Methodology Document was filed as a confidential exhibit in the rule filing and advance notice for GSD sensitivity VaR. *See* Securities Exchange Act Release Nos. 83362 (June 1, 2018), 83 FR 26514 (June 7, 2018) (SR–FICC–2018–001) and 83223 (May 11, 2018), 83 FR 23020 (May 17, 2018) (SR–FICC–2018–801). The QRM Methodology has been subsequently amended. *See* Securities Exchange Act Release Nos. 85944 (May 24, 2019), 84 FR 25315 (May 31, 2019) (SR–FICC–2019–001); 90182 (Oct. 14, 2020), 85 FR 66630 (Oct. 20, 2020) (SR–FICC–2020–009); 93234 (Oct. 1, 2021), 86 FR 55891 (Oct. 7, 2021) (SR–FICC–2021–007); 95605 (Aug. 25, 2022), 87 FR 53522 (Aug. 31, 2022) (SR–FICC–2022–005); 97342 (Apr. 21, 2023), 88 FR 25721 (Apr. 27, 2023) (SR–FICC–2023–003); 99447 (Jan. 30, 2024), 89 FR 8260 (Feb. 6, 2024) (SR–FICC–2024–001); and 101569 (Nov. 8, 2024), 89 FR 90109 (Nov. 14, 2024) (SR–FICC–2024–003).

[5] The MMA model calculates MMA, which is designed to supplement the value-at-risk (''VaR'') model and improve its responsiveness and resilience to extreme market volatility. *See* GSD Margin Component Schedule (definition of ''Minimum Margin Amount''), *supra* note 3.

[6] The Margin Proxy model calculates Margin Proxy, which is designed as an alternative volatility calculation in the event that the requisite vendor data used for the VaR model is unavailable for an extended period of time. *See* GSD Margin Component Schedule (definition of ''Margin Proxy''), *supra* note 3.

[7] 17 CFR 240.24b–2.

[8] The GCF Repo Service enables dealers to trade general collateral repos based on rate, term and underlying products, throughout the day with Inter-Dealer Broker Netting Members on a blind basis. *See* GSD Rule 1 (definition of ''GCF Repo Service''), *supra* note 3.

[9] *See* GSD Rule 1 (definition of ''GCF Repo Transactions'') and GSD Rule 20 (Special Provisions for GCF Repo Transactions), *supra* note 3.

[10] *See* GSD Rule 4 (Clearing Fund and Loss Allocation), *supra* note 3. FICC's market risk management strategy is designed to comply with Rule 17ad–22(e)(4) under the Act, where these risks are referred to as ''credit risks.'' 17 CFR 240.17ad–22(e)(4).

liquidating a Member's portfolio in the event FICC ceases to act for that Member (hereinafter referred to as a ''default'').[11] The aggregate amount of all Members' Required Fund Deposits constitutes the Clearing Fund. FICC would access the Clearing Fund should a defaulting Member's own Required Fund Deposit be insufficient to satisfy losses to FICC caused by the liquidation of that Member's portfolio.

At GSD, each Member is also responsible for the margin obligations arising from the activity of the Member's indirect participant customers submitted to FICC via the Sponsored Service and/or the Agent Clearing Service. FICC's Sponsored Service permits Members that are approved to be Sponsoring Members, to sponsor certain institutional firms, referred to as ''Sponsored Members,'' into GSD membership.[12] FICC establishes and maintains a ''Sponsoring Member Omnibus Account'' on its books in which it records the transactions of the Sponsoring Member's Sponsored Members (''Sponsored Member Trades'').[13] Similarly, FICC's Agent Clearing Service permits Members that are approved to be Agent Clearing Members to submit activities of certain institutional firms, referred to as ''Executing Firm Customers,'' into FICC for clearing and settlement. FICC establishes and maintains an ''Agent Clearing Member Omnibus Account'' on its books in which it records the transactions of the Agent Clearing Member's Executing Firm Customers (''Agent Clearing Transactions'').[14]

Both the Sponsoring Members and the Agent Clearing Members have the option of segregating Sponsored Member Trades of a Sponsored Member and Agent Clearing Transactions of an Executing Firm Customer, as applicable, in separate accounts (*i.e.,* Segregated Indirect Participants Accounts), each such Sponsored Member and Executing Firm Customer being referred to as a ''Segregated Indirect Participant.'' FICC manages its credit exposure to Segregated Indirect Participants by determining the appropriate Segregated Customer Margin Requirement and monitoring its sufficiency, as provided for in the Rules.[15]

Pursuant to the Rules, each Member's Required Fund Deposit amount (and Segregated Customer Margin Requirement amount, to the extent applicable) consists of a number of components, each of which is calculated to address specific risks faced by FICC, as identified within the Rules.[16] At GSD, these components include the VaR Charge, Blackout Period Exposure Adjustment, Backtesting Charge, Excess Capital Premium, Holiday Charge, Intraday Supplemental Fund Deposit, Margin Liquidity Adjustment Charge, Portfolio Differential Charge, Volatility Event Charge, and special charge.[17] The VaR Charge generally comprises the largest portion of a Member's Required Fund Deposit and Segregated Customer Margin Requirement amounts.

The VaR Charge is based on the potential price volatility of unsettled positions using a sensitivity-based Value-at-Risk (''sensitivity VaR'') methodology and is designed to cover FICC's projected liquidation losses with respect to a defaulted Member's portfolio at a 99% confidence level. The sensitivity VaR methodology provides an estimate of the possible losses for a given portfolio based on: (1) confidence level, (2) a time horizon, and (3) historical market volatility. FICC uses historical simulation to estimate the impact of market volatilities on the Member's portfolio. A haircut method is applied to securities with insufficient requisite data used to employ the sensitivity VaR approach.

VaR Charges (*i.e.,* the sum of the sensitivity VaR and haircuts applied in lieu of the sensitivity VaR) are subject to MMA, which is designed to address the risk that the VaR model calculates a VaR Charge that is too low when current market conditions significantly deviate from historical observation. In addition, FICC can utilize Margin Proxy as a back-up VaR Charge calculation to the sensitivity VaR methodology in the event that FICC experiences a data disruption with its third-party vendor.

Incorporating MBS Pool/TBA Basis Risk Haircut Charge

The QRM Methodology Document provides the methodology by which FICC calculates the VaR Charge, MMA, and Margin Proxy. The QRM Methodology Document specifies model inputs, parameters and assumptions, among other information.

Under the sensitivity VaR methodology, each MBS pool position is mapped to a corresponding TBA, and FICC uses the risk exposure analytics for the TBA as an estimate for the MBS pool position's risk exposure analytics. To account for differences in the returns between an MBS pool position and the corresponding TBA, FICC applies a basis risk adjustment (*i.e.,* the MBS pool/TBA basis risk haircut charge).

The majority of fixed-rate mortgage (''FRM'') pools can be mapped to TBAs; however, all adjustable-rate mortgage (''ARM'') pools[18] and a small portion of the FRM pools[19] cannot be mapped to TBAs. For any MBS pool position that cannot be mapped to a TBA, FICC applies a haircut to the MBS pool position (*i.e.,* MBS haircut model). Currently, unlike the sensitivity VaR methodology, the MBS haircut model does not take into account the differences in returns between an MBS pool position and the TBA (*i.e.,* it does not reflect the MBS pool/TBA basis spread risk). In order to strengthen FICC's coverage of market risk exposure associated with MBS pool positions, FICC is proposing changes to incorporate the MBS pool/TBA basis risk haircut charge into the MBS haircut model.

Similarly, the haircut rates being applied to the MBS pool positions in the MMA and Margin Proxy models are calculated based on TBA prices and currently do not take into account the differences in returns between an MBS pool position and the TBA (*i.e.,* it does not reflect the MBS pool/TBA basis spread risk). Accordingly, in order to strengthen FICC's coverage of market risk exposure associated with MBS pool positions, FICC is also proposing changes to incorporate the MBS pool/TBA basis risk haircut charge into the MMA and Margin Proxy models.

FICC is proposing to add new language and make changes to a table as well as a formula in the QRM Methodology Document in order to reflect the addition of the MBS pool/TBA basis risk haircut charge to the MBS haircut model, MMA model, and Margin Proxy model. Specifically, in the subsection of the QRM Methodology Document that describes basis risk

[11] The GSD Rules identify when FICC may cease to act for a Member and the types of actions FICC may take. For example, FICC may suspend a firm's membership with FICC or prohibit or limit a Member's access to FICC's services in the event that Member defaults on a financial or other obligation to FICC. *See* GSD Rule 21 (Restrictions on Access to Services) of the GSD Rules, *supra* note 3.

[12] *See* GSD Rule 3A (Sponsoring Members and Sponsored Members), *supra* note 3.

[13] *See* GSD Rule 1 (definition of ''Sponsored Member Trades''), *supra* note 3.

[14] *See* GSD Rule 1 (definition of ''Agent Clearing Transactions''), *supra* note 3.

[15] *See* GSD Margin Component Schedule, *supra* note 3.

[16] *Supra* note 3.

[17] These margin components and the relevant defined terms are located in GSD Rule 1 (Definitions) and/or the GSD Margin Component Schedule, *supra* note 3. FICC recently proposed changes to the GSD Rules to adopt an Intraday Mark-to-Market Charge. *See* Securities Exchange Release No. 102705 (Mar. 21, 2025), 90 FR 13965 (Mar. 27, 2025) (SR–FICC–2025–005).

[18] The ARM pools cannot be mapped to TBAs due to the lack of liquidity of ARM TBAs.

[19] A small portion of FRM pools cannot be mapped to TBAs when there are no TBAs with matching coupon rates.

between MBS pools and TBA, FICC would add two paragraphs to reflect that basis risk charge would be included in haircut charges calculated for (1) MBS haircut model with respect to MBS pools that cannot be mapped to a TBA and (2) Margin Proxy model with respect to all MBS pools. In addition, in the subsection of the QRM Methodology Document that describes the program of money-ness of a pool, FICC is proposing to add a new paragraph regarding the applicable basis haircut rate, which is used to calculate basis risk charge, for ARM pools. Moreover, in the subsection of the QRM Methodology Document that describes basis risk calculation in Margin Proxy, FICC is proposing to enhance the description by adding a new paragraph to note certain similarities and potential differences between the basis risk charge calculation for Margin Proxy model as compared to the other models. FICC is also proposing to update a table in the MMA section of the QRM Methodology Document to reflect the addition of the MBS pool/TBA basis risk haircut charge in the MMA calculation with respect to MBS pool positions. Lastly, FICC is proposing to update a formula in the Margin Proxy section of the QRM Methodology Document to incorporate the MBS pool/TBA basis risk haircut charge.

Certain Clarification and Technical Changes to the QRM Methodology

FICC is proposing to make certain clarification and technical changes to the QRM Methodology Document.

Specifically, in the subsection of the QRM Methodology Document that describes market risks associated with products cleared by GSD, FICC would clarify that the application of the MBS pool/TBA basis risk haircut charge would not be limited to mapped MBS pool positions. Similarly, in the subsection of the QRM Methodology Document that describes the program and money-ness of a pool, FICC is proposing changes to make it clear that the applicability of the money-ness formula in that subsection would not be limited to mapped MBS pool positions.

FICC is proposing a technical change in the list of key parameters section in the QRM Methodology Document to replace an outdated section reference. FICC is also proposing a technical change in the haircut methodology section to correct a typographical error in the haircut formula for unmapped MBS pools.

Impact Study

FICC performed an impact study for the period beginning April 1, 2024 through March 31, 2025 (''Impact Study Period''). If the proposed rule change had been in place during the Impact Study Period compared to the existing GSD Rules, the aggregated average daily start-of-day (''SOD'') VaR Charges would have increased by approximately $56.31 million or 0.12%. The impact study indicated that if the proposed rule change had been in place, the VaR model backtesting coverage would have remained unchanged at approximately 99.72% during the Impact Study Period. Specifically, if the proposed rule change had been in place during the Impact Study Period, the number of VaR model backtesting deficiencies would have remained unchanged at 115.

Margin Proxy was not deployed during the Impact Study Period; however, if the proposed rule change had been in place and the Margin Proxy were deployed during the Impact Study period, the aggregated average daily SOD VaR Charges would have increased by approximately $2.13 billion or 4.94%. The impact study also indicated that if the proposed rule change had been in place and the Margin Proxy were deployed, the VaR model backtesting coverage would have increased from approximately 99.68% to 99.71% during the Impact Study Period. Specifically, if the proposed rule change had been in place and the Margin Proxy were deployed during the Impact Study Period, the number of the VaR model backtesting deficiencies would have been reduced by 11 (from 130 to119, or approximately 8.5%).

Impact to Members Over the Impact Study Period

If the proposed rule change had been in place during the Impact Study Period compared to the existing GSD Rules, on average, at the Member Margin Portfolio level, the proposed rule change would have increased the SOD VaR Charge by approximately $0.27 million, or 0.31%, over the Impact Study Period. The largest average percentage increase in SOD VaR Charge for any Member Margin Portfolio would have been approximately 35.15%, or $0.34 million. The largest average dollar increase in SOD VaR Charge for any Member Margin Portfolio would have been approximately $8.33 million, or 0.19%.

If the proposed rule change had been in place and the Margin Proxy were deployed during the Impact Study period, on average, at the Member Margin Portfolio level, the proposed rule change would have increased the SOD VaR Charge by approximately $10.32 million, or 4.04% over the Impact Study Period. The largest average percentage increase in SOD VaR Charge for any Member Margin Portfolio would have been approximately 110.5%, or $175.30 million. The largest average dollar increase in SOD VaR Charge for any Member Margin Portfolio would have been approximately $187.17 million, or 14.97%.

Implementation Timeframe

FICC would implement the proposed rule changes by no later than 60 Business Days after the approval of the proposed rule change by the Commission. FICC would announce the effective date of the proposed changes by an Important Notice posted to its website.

2. Statutory Basis

FICC believes this proposal is consistent with the requirements of the Act, and the rules and regulations thereunder applicable to a registered clearing agency. Specifically, FICC believes that the proposed change is consistent with Section 17A(b)(3)(F) of the Act[20] and Rules 17ad–22(e)(4)(i) and (e)(6)(i) promulgated thereunder[21] for the reasons described below.

Section 17A(b)(3)(F) of the Act requires that the rules of a clearing agency be designed to, among other things, assure the safeguarding of securities and funds which are in the custody or control of the clearing agency.[22] FICC believes the proposed change to incorporate the MBS pool/TBA basis risk haircut charge into the MBS haircut model, MMA model, and Margin Proxy model is designed to assure the safeguarding of securities and funds which are in its custody or control because it is designed to mitigate FICC's risk exposure from the MBS pool positions held in Members' portfolios. Specifically, the proposed enhancement would allow FICC to collect financial resources to mitigate MBS pool/TBA basis spread risk resulting from MBS pool positions held in Members' portfolios.

The Clearing Fund/Segregated Customer Margin is a key tool that FICC uses to mitigate potential losses to FICC associated with liquidating a Member's portfolio in the event of Member default. Therefore, the proposed change to incorporate the MBS pool/TBA basis risk haircut charge into the MBS haircut model, MMA model, and Margin Proxy model would enable FICC to better address MBS pool/TBA basis spread risk resulting from MBS pool positions held in Members' portfolios such that, in the event of Member default, FICC's

[20] 15 U.S.C. 78q–1(b)(3)(F).

[21] 17 CFR 240.17ad–22(e)(4)(i) and (e)(6)(i).

[22] 15 U.S.C. 78q–1(b)(3)(F).

operations would not be disrupted, and non-defaulting Members would not be exposed to losses they cannot anticipate or control. In this way, the proposed change to incorporate the MBS pool/TBA basis risk haircut charge into the MBS haircut model, MMA model, and Margin Proxy model would assure the safeguarding of securities and funds which are in the custody or control of FICC, consistent with Section 17A(b)(3)(F) of the Act.[23]

FICC believes the proposed change to make clarification and technical changes to the QRM Methodology Document would enhance the clarity and accuracy of the QRM Methodology Document for FICC. The QRM Methodology Document is used by FICC risk management personnel regarding the calculation of margin requirements. Having a clear and accurate QRM Methodology Document would help facilitate the accurate and smooth functioning of the margining process at FICC. The changes referenced in this paragraph would promote such clarity and accuracy. This would in turn allow FICC risk management to charge Members an appropriate level of margin. As such, FICC believes that the proposed clarification and technical changes to the QRM Methodology Document would assure the safeguarding of securities and funds which are in the custody or control of FICC, consistent with Section 17A(b)(3)(F) of the Act.[24]

The proposed change to incorporate the MBS pool/TBA basis risk haircut charge into the MBS haircut model, MMA model, and Margin Proxy model has also been designed to be consistent with Rules 17ad–22(e)(4)(i) and (e)(6)(i) under the Act.[25] Rule 17ad–22(e)(4)(i) under the Act requires a covered clearing agency to establish, implement, maintain, and enforce written policies and procedures reasonably designed to effectively identify, measure, monitor, and manage its credit exposures to participants and those exposures arising from its payment, clearing, and settlement processes by maintaining sufficient financial resources to cover its credit exposure to each participant fully with a high degree of confidence.[26] As described above, the proposed change to the MBS haircut, MMA, and Margin Proxy models would help address the identification, measurement, monitoring and management of credit exposures that may arise from MBS pool positions held in Members' portfolios. By incorporating the MBS pool/TBA basis risk haircut charge into the MBS haircut, MMA, and Margin Proxy models, the proposed change would enable FICC to have rule provisions that are reasonably designed to effectively identify, measure, monitor, and manage its credit exposures to Members and those exposures arising from its payment, clearing, and settlement processes, which FICC believes is consistent with Rule 17ad–22(e)(4)(i). Moreover, the proposed change would enable FICC to better identify, measure, monitor, and, through the collection of Members' Required Fund Deposits and Segregated Customer Margin Requirements, manage its credit exposures to Members by maintaining sufficient resources to cover those credit exposures fully with a high degree of confidence. Proposed change to the MBS haircut, MMA, and Margin Proxy models as described above would help to ensure that the risk exposure from MBS pool positions held in Members' portfolios is adequately identified, measured and monitored. It would help ensure that the margin that FICC collects from Members is sufficient to mitigate the credit exposure presented by the Members. As a result, FICC believes that the proposal would enhance FICC's ability to effectively identify, measure, and monitor its credit exposures and would enhance its ability to maintain sufficient financial resources to cover its credit exposure to each participant fully with a high degree of confidence, consistent with the requirements of Rule 17ad–22(e)(4)(i) under the Act.[27]

Rule 17ad–22(e)(6)(i) under the Act requires a covered clearing agency to establish, implement, maintain, and enforce written policies and procedures reasonably designed to cover its credit exposures to its participants by establishing a risk-based margin system that, at a minimum, considers, and produces margin levels commensurate with, the risks and particular attributes of each relevant product, portfolio, and market.[28] FICC believes that the proposed change to incorporate the MBS pool/TBA basis risk haircut charge into the MBS haircut model, MMA model, and Margin Proxy model is consistent with the requirements of Rule 17ad–22(e)(6)(i) cited above. The Required Fund Deposits and Segregated Customer Margin Requirements are comprised of risk-based components (as margin) that are calculated and assessed daily to limit FICC's credit exposures to Members. FICC is proposing a change that is designed to make the MBS haircut, MMA, and Margin Proxy models more effective in measuring and addressing MBS pool/TBA basis spread risk. The proposed change to the MBS haircut, MMA, and Margin Proxy models would help to ensure that margin levels are commensurate with the risk exposure arise from MBS pool positions held in each Member portfolio. It would help ensure that the margin that FICC collects from Members is sufficient to mitigate the credit exposure presented by the Members. Overall, this proposed change would allow FICC to more effectively address the risks presented by Members. In this way, the proposed change to incorporate the MBS pool/TBA basis risk haircut charge into the MBS haircut model, MMA model, and Margin Proxy model would enhance the ability of FICC to produce margin levels commensurate with the risks and particular attributes of each relevant product, portfolio, and market. As such, FICC believes that this proposed change is consistent with the requirements of Rule 17ad–22(e)(6)(i) under the Act.[29]

(B) Clearing Agency's Statement on Burden on Competition

FICC believes the proposed change to incorporate the MBS pool/TBA basis risk haircut charge into the MBS haircut model, MMA model, and Margin Proxy model could impose a burden on competition. As a result of this proposed change, participants may experience increases in their Required Fund Deposits and/or Segregated Customer Margin Requirements. Such increases could burden participants that have lower operating margins or higher costs of capital than other participants. It is not clear whether the burden on competition would necessarily be significant because it would depend on whether the affected participants were similarly situated in terms of business type and size; however, based on the impact study conducted by FICC (as described above), if Margin Proxy were deployed, the burden on competition could be significant. Regardless of whether the burden on competition is significant, FICC believes that any burden on competition would be necessary and appropriate in furtherance of the purposes of the Act.

Specifically, FICC believes that this proposed change would be necessary in furtherance of the Act, as described in this filing and further below. FICC believes that the above-described burden on competition that may be created by this proposed change is

[23] *Id.*

[24] *Id.*

[25] 17 CFR 240.17ad–22(e)(4)(i) and (e)(6)(i).

[26] 17 CFR 240.17ad–22(e)(4)(i).

[27] *Id.*

[28] 17 CFR 240.17ad–22(e)(6)(i).

[29] *Id.*

necessary. This is because the rules of a clearing agency must be designed to assure the safeguarding of securities and funds that are in FICC's custody or control, consistent with Section 17A(b)(3)(F).[30] As described above, FICC believes that the proposed change to the MBS haircut, MMA, and Margin Proxy models as described above would enable FICC to further improve margin resilience with respect to MBS pool positions held in Members' portfolios such that, in the event of Member default, FICC's operations would not be disrupted and non-defaulting Members would not be exposed to losses they cannot anticipate or control. As such, this proposed change is designed to assure the safeguarding of securities and funds which are in the custody or control of FICC, consistent with Section 17A(b)(3)(F) of the Act.

FICC also believes the proposed change to incorporate the MBS pool/TBA basis risk haircut charge into the MBS haircut model, MMA model, and Margin Proxy model is necessary to support FICC's compliance with Rules 17ad–22(e)(4)(i) and (e)(6)(i) under the Act,[31] which require FICC to establish, implement, maintain, and enforce written policies and procedures reasonably designed to (x) effectively identify, measure, monitor, and manage its credit exposures to participants and those arising from its payment, clearing, and settlement processes and (y) cover its credit exposures to its participants by establishing a risk-based margin system that, at a minimum, considers, and produces margin levels commensurate with, the risks and particular attributes of each relevant product, portfolio, and market.

As described above, FICC believes that the proposed change to the MBS haircut, MMA, and Margin Proxy models would allow FICC to better mitigate risk exposure resulting from MBS pool positions held in Members' portfolios by incorporating the MBS pool/TBA basis spread risk. Accordingly, FICC believes that this proposed change would allow FICC to effectively identify, measure, monitor, and manage its credit exposures to participants and better limit FICC's credit exposures to participants and cover its credit exposures to its participants by producing margin levels commensurate with the risks and particular attributes of each relevant product and portfolio, consistent with the requirements of Rules 17ad–22(e)(4)(i) and (e)(6)(i) under the Act.[32]

FICC also believes that the above-described burden on competition that could be created by the proposed change to the MBS haircut, MMA, and Margin Proxy models would be appropriate in furtherance of the Act because such change has been appropriately designed to assure the safeguarding of securities and funds which are in the custody or control of FICC, as described in detail above. The proposed change to the MBS haircut, MMA, and Margin Proxy models is specifically designed to cover risk exposures from MBS pool positions held in Members' portfolios. Any increase in Required Fund Deposit and/or Segregated Customer Margin Requirement as a result of such proposed change for a particular participant would be in direct relation to the specific risks presented by such participant's portfolio, and each participant's Required Fund Deposit and/or Segregated Customer Margin Requirement would continue to be calculated with the same parameters and at the same confidence level. Therefore, participants with portfolios that present similar risks, regardless of the type of participant, would have similar impacts on their Required Fund Deposit and/or Segregated Customer Margin Requirement amounts. In addition, the proposed change to the MBS haircut, MMA, and Margin Proxy models would improve the risk-based margining methodology that FICC employs to set margin requirements and better limit FICC's credit exposures to its participants. Therefore, because the proposed change is designed to provide FICC with a more appropriate and complete measure of the risks presented by participants' portfolios, FICC believes this proposed change is appropriately designed to meet its risk management goals and its regulatory obligations.

Accordingly, FICC does not believe that the proposed change to the MBS haircut, MMA, and Margin Proxy models would impose any burden on competition that is not necessary or appropriate in furtherance of the Act.[33]

FICC does not believe the proposed clarification and technical changes to the QRM Methodology Document would have any impact on competition. These proposed changes would enhance the QRM Methodology Document by providing additional clarity and accuracy. The proposed changes referenced above would not advantage or disadvantage any particular Member of FICC or unfairly inhibit access to FICC's services. FICC therefore does not believe these proposed changes would have any impact, or impose any burden, on competition.

(C) Clearing Agency's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

FICC has not received or solicited any written comments relating to this proposal. If any written comments are received, they will be publicly filed as an Exhibit 2 to this filing, as required by Form 19b–4 and the General Instructions thereto.

Persons submitting comments are cautioned that, according to Section IV (Solicitation of Comments) of the Exhibit 1A in the General Instructions to Form 19b–4, the Commission does not edit personal identifying information from comment submissions. Commenters should submit only information that they wish to make available publicly, including their name, email address, and any other identifying information.

All prospective commenters should follow the Commission's instructions on how to submit comments, *available at www.sec.gov/rules-regulations/how-submit-comments.* General questions regarding the rule filing process or logistical questions regarding this filing should be directed to the Main Office of the Commission's Division of Trading and Markets at *tradingandmarkets@sec.gov* or 202–551–5777.

FICC reserves the right not to respond to any comments received.

III. Date of Effectiveness of the Proposed Rule Change, and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) by order approve or disapprove such proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

[30] 15 U.S.C. 78q–1(b)(3)(F).

[31] 17 CFR 240.17ad–22(e)(4)(i) and (e)(6)(i).

[32] *Id.*

[33] 15 U.S.C. 78q–1(b)(3)(I).

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–FICC–2025–018 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549.

All submissions should refer to File Number SR–FICC–2025–018. 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-regulations/self-regulatory-organization-rulemaking*). Copies of the filing will be available for inspection and copying at the principal office of FICC and on DTCC's website (*www.dtcc.com/legal/sec-rule-filings*). Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to File Number SR–FICC–2025–018 and should be submitted on or before September 19, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[34]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–16577 Filed 8–28–25; 8:45 am]

BILLING CODE 8011–01–P

[34] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103779; File No. SR–OCC–2025–012]

Self-Regulatory Organizations; The Options Clearing Corporation; Notice of Filing and Immediate Effectiveness of Proposed Rule Change by The Options Clearing Corporation Concerning the Execution of the Clearing Member Agreement and the Non-U.S. Clearing Member Agreement

August 26, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Exchange Act'' or ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on August 21, 2025, The Options Clearing Corporation (''OCC'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared primarily by OCC. OCC filed the proposed rule change pursuant to Section 19(b)(3)(A)[3] of the Act and paragraph (f) of Rule 19b–4[4] thereunder, such that the proposed rule change was immediately effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Clearing Agency's Statement of the Terms of Substance of the Proposed Rule Change

This proposed rule change would remove the Officer's Certificate and signature block in their entirety from the Clearing Member Agreement and Non-U.S. Clearing Member Agreement, most recently filed with the Commission as part of the Exhibit 5 to File No. SR–OCC–2025–003,[5] so that OCC may update the form of such Officer's Certificate to reflect the availability of alternate means of providing the required certification. No substantive changes to the rights and obligations of the parties to the Clearing Member Agreement and Non-U.S. Clearing Member Agreement are intended.

OCC filed proposed changes to the text of the Clearing Member Agreement and Non-U.S. Clearing Member Agreement as Exhibits 5A and 5B, respectively to File No. SR–OCC–2025–012. Material proposed to be added is marked by underlining and material proposed to be deleted is marked with strikethrough text.

The proposed rule change does not require any changes to the text of OCC's By-Laws or Rules. All terms with initial capitalization that are not otherwise defined herein have the same meaning as set forth in the OCC By-Laws and Rules.[6]

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

[4] 17 CFR 240.19b–4(f).

[5] *See* Exchange Act Release No. 102522 (Mar. 5, 2025), 90 FR 11770 (Mar. 11, 2025) (SR–OCC–2025–003).

[6] OCC's By-Laws and Rules can be found on OCC's public website: *https://www.theocc.com/Company-Information/Documents-and-Archives/By-Laws-and-Rules.*

II. Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, OCC 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. OCC has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of these statements.

(A) Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

Background

OCC is the sole clearing agency for standardized equity options listed on national securities exchanges registered with the Commission. OCC also clears certain stock loan and futures transactions. OCC provides clearing services to its Clearing Members that, in turn, facilitate the clearing and settlement of their customer transactions or proprietary transactions through OCC. More specifically, in its role as a clearing agency, OCC guarantees the performance of its Clearing Members for all transactions cleared by OCC by becoming the buyer to every seller and the seller to every buyer (or the lender to every borrower and the borrower to every lender, in the case of stock loan transactions). OCC maintains various contracts, applications, forms, and letters that provide detailed information relevant to Clearing Members and are part of the legal foundation for OCC's relationship with each Clearing Member. Among these documents are the Clearing Member Agreement and Non-U.S. Clearing Member Agreement, which form part of the contractual agreement between OCC and a Clearing Member and provide OCC with authority to carry out critical tasks related to clearing membership.

In February 2025, OCC filed an immediately effective rule change with the Commission to, among other things, amend its Clearing Member Agreement and Non-U.S. Clearing Member Agreement to include eligible banks as a membership category to align the categories in these agreements with those set out in existing OCC Rule 201.[7]

[7] *See* Exchange Act Release No. 102522, *supra* note 5.

Proposed Changes

OCC now proposes to revise the Clearing Member Agreement and Non-U.S. Clearing Member Agreement, which are provided as Exhibits 5A and 5B, respectively, to SR–OCC–2025–012, to remove the Officer's Certificate and signature block in their entirety from the Clearing Member Agreement and Non-U.S. Clearing Member Agreement.

The Clearing Member Agreement and Non-U.S. Clearing Member Agreement each currently include an Officer's Certificate that must be executed by a Clearing Member applicant and includes an express certification that the applicant's board of directors has approved the Clearing Member Agreement (or Non-U.S. Clearing Member Agreement) and authorized the President or any Vice President of the applicant to execute and deliver, in the name and behalf of the applicant, attested by its Secretary or Assistant Secretary, the Clearing Member Agreement (or Non-U.S. Clearing Member Agreement). The Officer's Certificate is intended to assure OCC that an officer of a Clearing Member applicant is duly authorized by the applicant to execute the respective agreement and thereby bind the applicant by its terms as a Clearing Member of OCC.

As OCC continues to consider new applicants seeking to become Clearing Members, OCC now understands that certain applicants may have different corporate governance practices that render it unnecessarily duplicative for such applicants to complete the Officer's Certificate in its current form. For example, OCC understands that the boards of some corporate entities have already adopted resolutions that provide authorization to the company's senior officer(s) to execute and bind the company to agreements such as the Clearing Member Agreement. In these cases, completing the Officer's Certificate would require the applicant to convene its board of directors to adopt the resolution provided therein even though the board of directors had already adopted a resolution that authorizes an officer of the company to execute and bind the company to the Clearing Member Agreement.

To accommodate these circumstances and increase the efficiency of its membership application process, OCC intends to clarify that, to provide a certification to OCC that the applicant's board of directors has resolved to delegate sufficient authority to an officer of the applicant to execute and deliver the Clearing Member Agreement (or Non-U.S. Clearing Member Agreement), a Clearing Member applicant may provide either (i) the form of the Officer's Certificate that is expressly provided in the current Clearing Member Agreement (or Non-U.S. Clearing Member Agreement) or (ii) an alternative form of certification and documentation as OCC deems satisfactory to accomplish the same ends.

Notwithstanding its previous inclusion in rule text filed with the Commission, OCC does not consider the Officer's Certificate or signature block to be a rule of the clearing agency within the meaning of the Exchange Act[8] or regulations thereunder. The form Officer's Certificate and signature block themselves are not a material aspects of the operation of the facilities of OCC or stated policies, practices or interpretations that establishes or changes any standard, limit or guideline with respect to (A) the rights, obligations, or privileges of specified persons or persons associated with specified persons, or (B) the meaning, administration, or enforcement of an existing rule.[9] The Officer's Certificate and signature block are forms used to execute the Clearing Member Agreement or Non-U.S. Clearing Member Agreement, as applicable. OCC has filed the Officer's Certificate and signature block for the Clearing Member Agreement and Non-U.S. Clearing Member Agreement, revised to reflect the availability of alternate means of providing the required certification, as Exhibits 3A and 3B, respectively, to File No. SR–OCC–2025–012.

2. Statutory Basis

OCC believes the proposed rule change is consistent with Section 17A of the Exchange Act[10] thereunder and the rules and regulations thereunder applicable to a registered clearing agency. In particular, Section 17A(b)(3)(F) of the Act[11] requires, among other things, that the rules of a clearing agency be designed to foster cooperation and coordination with persons engaged in the clearance and settlement of securities transactions and to remove impediments to and perfect the mechanism of a national system for the prompt and accurate clearance and settlement of securities transactions. OCC's relationship with its Clearing Members is largely governed by OCC's By-Laws and Rules, which become applicable to applicants that execute the Clearing Member Agreement with OCC. The proposed rule change will provide greater flexibility to applicants for clearing membership and eliminating the potential for unnecessary duplicity in the manner in which certain applicants may authorize the execution of a Clearing Member Agreement. In doing so, the proposed rule change reduces unnecessary administrative burdens on Clearing Member applicants while maintaining consistency with OCC's current business and operational processes and preserving the transparency of OCC's application process. For these reasons, the proposed rule change is reasonably designed to foster cooperation and coordination between OCC and prospective participants and remove impediments to and perfect the mechanisms of the national system for the clearance and settlement of listed options, among other products that OCC clears, in accordance with Section 17A(b)(3)(F) of the Act.[12]

(B) Clearing Agency's Statement on Burden on Competition

Section 17A(b)(3)(I) of the Act[13] requires that the rules of a clearing agency not impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. OCC does not believe that the proposed rule change would impact or impose any burden on competition. The proposed changes are administrative in nature and do not materially change the content of the Clearing Member Agreement and Non-U.S. Clearing Member Agreement. These changes will apply to all applicants or existing Clearing Members equally and would not advantage or disadvantage an existing Clearing Member or applicant over another Clearing Member or applicant. Additionally, OCC believes that the proposed rule change will streamline the application process and make it easier for applicants, because unnecessary corporate governance processes will be eliminated and the proposed changes remain consistent with OCC's existing Rules and By-Laws. Accordingly, OCC does not believe that this proposed rule change will impose a burden on competition.[14]

[8] *See* 15 U.S.C. 78c(a)(27).

[9] *See* 17 CFR 240.19b–4(a)(6).

[10] 15 U.S.C. 78q–1.

[11] 15 U.S.C. 78q–1(b)(3)(F).

[12] *Id.*

[13] 15 U.S.C. 78q–1(b)(3)(I).

[14] Notwithstanding its immediate effectiveness, implementation of this rule change will be delayed until this change is deemed certified under CFTC [sic] Regulation 40.6.

(C) Clearing Agency's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

Written comments were not and are not intended to be solicited with respect to the proposed rule change and none have been 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 Act [15] and paragraph (f) of Rule 19b–4 [16] 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.

The proposal shall not take effect until all regulatory actions required with respect to the proposal are completed.[17]

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–OCC–2025–012 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–OCC–2025–012. 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-regulations/self-regulatory-organization-rulemaking*). Copies of such filing will be available for inspection and copying at the principal office of OCC and on OCC's website at *https://www.theocc.com/Company-Information/Documents-and-Archives/By-Laws-and-Rules.*

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–OCC–2025–012 and should be submitted on or before September 19, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[18]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–16576 Filed 8–28–25; 8:45 am]

BILLING CODE 8011–01–P

[15] 15 U.S.C. 78s(b)(3)(A).

[16] 17 CFR 240.19b–4(f).

[17] Notwithstanding its immediate effectiveness, implementation of this rule change will be delayed until this change is deemed certified under CFTC Regulation 40.6.

[18] 17 CFR 200.30–3(a)(12).

SMALL BUSINESS ADMINISTRATION

Reporting and Recordkeeping Requirements Under OMB Review

AGENCY: Small Business Administration.

ACTION: 30-Day notice.

SUMMARY: The Small Business Administration (SBA) is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act and OMB procedures, SBA is publishing this notice to allow all interested members of the public an additional 30 days to provide comments on the proposed collection of information.

DATES: Submit comments on or before September 29, 2025.

ADDRESSES: Written comments and recommendations for this information collection request should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/*PRAMain. Find this particular information collection request by selecting ''Small Business Administration''; ''Currently Under Review,'' then select the ''Only Show ICR for Public Comment'' checkbox. This information collection can be identified by title and/or OMB Control Number.

FOR FURTHER INFORMATION CONTACT: You may obtain a copy of the information collection and supporting documents from the Interim Agency Clearance Officer at *Shauniece.Carter@sba.gov;* (202) 921–2198, or from *www.reginfo.gov/public/do/PRAMain.*

SUPPLEMENTARY INFORMATION: Information collection is needed to ensure that Microloan Program activity meets the statutory goals of assisting mandated target market. The information is used by the reporting participants and the SBA to assist with portfolio management, risk management, loan servicing, oversight and compliance, data management and understanding of short- and long-term trends and development of outcome measures.

Solicitation of Public Comments

Comments may be submitted on (a) whether the collection of information is necessary for the agency to properly perform its functions; (b) whether the burden estimates are accurate; (c) whether there are ways to minimize the burden, including through the use of automated techniques or other forms of information technology; and (d) whether there are ways to enhance the quality, utility, and clarity of the information.

OMB Control 3245–0352.

Title: Microloan Program Electronic Reporting System (MPERS).

Description of Respondents: Microloan Intermediaries.

Form Number: N/A.

Total Estimated Annual Responses: 150.

Total Estimated Annual Hour Burden: 2478.

Shauniece Carter,

Interim Agency Clearance Officer.

[FR Doc. 2025–16666 Filed 8–28–25; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATION

Reporting and Recordkeeping Requirements Under OMB Review

AGENCY: U.S. Small Business Administration.

ACTION: 30-Day notice; request for comments.

SUMMARY: The Small Business Administration (SBA) will submit the information collection described below to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, as amended, on or after the date of publication of this notice. SBA is publishing this notice to allow all interested members of the public an additional 30 days to provide comments on the collection of information.

DATES: Submit comments on or before September 29, 2025.

ADDRESSES: Written comments and recommendations for this information collection request should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/*PRAMain. Find this particular information collection request by selecting ''Small Business Administration''; ''Currently Under Review,'' then select the ''Only Show ICR for Public Comment'' checkbox. This information collection can be identified by title and/or OMB Control Number, which are provided below.

FOR FURTHER INFORMATION CONTACT: You may obtain information including a copy of the forms and supporting documents from the Interim Agency Clearance Officer, Shauniece Carter, at (202) 205–6536, or *Shauniece.carter@sba.gov* or from *www.reginfo.gov/public/do/*PRAMain.

SUPPLEMENTARY INFORMATION:

Background

Section 1102 of the Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law 116–136, authorized SBA to guarantee loans made by banks or other financial institutions under a temporary program titled the ''Paycheck Protection Program'' (PPP). These loans were available to eligible small businesses, certain non-profit organizations, veterans' organizations, Tribal business concerns, independent contractors, and self-employed individuals adversely impacted by the COVID–19 Emergency. SBA's authority to guarantee PPP loans expired on August 8, 2020. On December 27, 2020, SBA received reauthorization under the Economic Aid Act, Public Law 116–260, to resume guaranteeing PPP loans through March 31, 2021. The Economic Aid Act also amended certain other PPP statutory provisions. On March 11, 2021, the American Rescue Plan Act, Public Law 117–2, was enacted, further amending various PPP statutory provisions. On March 30, 2021, the PPP Extension Act of 2021 was enacted, extending the SBA's PPP program authority through June 30, 2021.

This information collection is used for the PPP Loan Program. This approval is set to expire on August 31, 2025. Although SBA's PPP program authority has expired, this information collection is still needed for the following reasons: (1) PPP borrowers may apply for forgiveness of their loans up to five years after SBA issued a loan number, which may be as late as 2026; (2) SBA may review a PPP loan at any time; and (3) pending litigation may require the collection of information. Additionally, SBA recently published an Interim Final Rule on Paycheck Protection Program—Extension of Lender Records Retention Requirements (89 FR 68090, August 23, 2024), extending the PPP loan records retention requirements for PPP lenders to ten years from the date of disposition of each individual PPP loan. Because the PPP lender recordkeeping requirements have been extended, this information collection needs to be extended accordingly. Therefore, as required by the Paperwork Reduction Act, SBA is publishing this notice as a prerequisite to seeking OMB's approval to use this information collection beyond August 31, 2025. There are no proposed changes to any of the information to be submitted by lenders or borrowers, except that SBA has updated SBA Form 3508, SBA Form 3508EZ, and SBA Form 3508S to align with Executive Order 14168 issued on January 20, 2025.

Summary of Information Collection

Title: Paycheck Protection Loan Program Borrower Information Form and Lender's Application for Loan Guaranty.

OMB Control Number: 3245–0407.

(i) SBA Form 2483—Paycheck Protection Program Borrower Application Form

Estimated Number of Respondents: 0.

Estimated Annual Responses: 0.

Estimated Annual Hour Burden: 77,329.

(ii) SBA Form 2483–C—Paycheck Protection Program Borrower Application Form for Schedule C Filers Using Gross Income.

Estimated Number of Respondents: 0.

Estimated Annual Responses: 0.

Estimated Annual Hour Burden: 1,993.

(iii) SBA Form 2484—Lender's Application—Paycheck Protection Program Loan Guaranty.

Estimated Number of Respondents: 0.

Estimated Annual Responses: 0.

Estimated Annual Hour Burden: 76,822.

(iv) SBA Form 3506, CARES Act Section 1102 Lender Agreement.

Estimated Number of Respondents: 0.

Estimated Annual Responses: 0.

Estimated Annual Hour Burden: 6.

(v) SBA Form 3507, CARES Act Section 1102 Lender Agreement—Non-Bank and Non-Insured Depository Institution Lenders.

Estimated Number of Respondents: 0.

Estimated Annual Responses: 0.

Estimated Annual Hour Burden: 1.

(vi) SBA Form 3508, Paycheck Protection Program—Loan Forgiveness Application.

Estimated Number of Respondents: 57,812.

Estimated Annual Responses: 57,812.

Estimated Annual Hour Burden: 173,678.

(vii) SBA Form 3508EZ, Paycheck Protection Program—PPP Loan Forgiveness Application Form EZ.

Estimated Number of Respondents: 173,437.

Estimated Annual Responses: 173,437.

Estimated Annual Hour Burden: 58,535.

(viii) SBA Form 3508S, Paycheck Protection Program—PPP Forgiveness Application Form 3508S.

Estimated Number of Respondents: 924,999.

Estimated Annual Responses: 924,999.

Estimated Annual Hour Burden: 235,104.

(ix) SBA Form 3508D—Paycheck Protection Program Borrower's Disclosure of Certain Controlling Interests.

Estimated Number of Respondents: 0.

Estimated Annual Responses: 0.

Estimated Annual Hour Burden: 3.

(x) [No Form Number] Lender Reporting Requirements for Loan Reviews.

Estimated Number of Respondents: 175,000.

Estimated Annual Responses: 175,000.

Estimated Annual Hour Burden: 88,980.

Solicitation of Public Comments

SBA invites the public to submit comments, including specific and detailed suggestions on ways to improve the collection and reduce the burden on respondents. Commenters should also address (i) whether the information collection is necessary for the proper performance of SBA's functions, including whether it has any practical utility; (ii) the accuracy of the estimated burdens; (iii) ways to enhance the quality, utility, and clarity of the information to be collected; and (iv) the use of automated collection techniques or other forms of information

technology to minimize the information collection burden on those who are required to respond.

Shauniece Carter,

Interim Agency Clearance Officer.

[FR Doc. 2025–16626 Filed 8–28–25; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21251 and #21252; GEORGIA Disaster Number GA–20020]

Administrative Declaration of a Disaster for the State of Georgia

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a notice of an Administrative declaration of a disaster for the State of GEORGIA dated August 26, 2025.

Incident: Severe Storms and Flooding.

DATES: Issued on August 26, 2025.

Incident Period: August 12, 2025.

Physical Loan Application Deadline Date: October 27, 2025.

Economic Injury (EIDL) Loan Application Deadline Date: May 26, 2026.

ADDRESSES: *Visit the MySBA Loan Portal at https://lending.sba.gov* to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Sharon Henderson, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be submitted online using the MySBA Loan Portal *https://lending.sba.gov* or other locally announced locations. Please contact the SBA disaster assistance customer service center by email at *disastercustomerservice@sba.gov* or by phone at 1–800–659–2955 for further assistance.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Catoosa.

Contiguous Counties:

Georgia: Walker, Whitfield.

Tennessee: Hamilton.

The Interest Rates are:

	Percent
For Physical Damage:	
Homeowners with Credit Available Elsewhere	6.000
Homeowners without Credit Available Elsewhere	3.000
Businesses with Credit Available Elsewhere	8.000
Businesses without Credit Available Elsewhere	4.000
Non-Profit Organizations with Credit Available Elsewhere	3.625
Non-Profit Organizations without Credit Available Elsewhere	3.625
For Economic Injury:	
Business and Small Agricultural Cooperatives without Credit Available Elsewhere	4.000
Non-Profit Organizations without Credit Available Elsewhere	3.625
The number assigned to this disaster for physical damage is 212516 and for economic injury is 212520.	
The States which received an EIDL Declaration are Georgia, Tennessee.	

(Catalog of Federal Domestic Assistance Number 59008)

(Authority: 13 CFR 1234.3(b).)

James Stallings,

Associate Administrator, Office of Disaster Recovery and Resilience.

[FR Doc. 2025–16676 Filed 8–28–25; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATION

Reporting and Recordkeeping Requirements Under OMB Review

AGENCY: Small Business Administration.

ACTION: 30-Day notice.

SUMMARY: The Small Business Administration (SBA) is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act and OMB procedures, SBA is publishing this notice to allow all interested members of the public an additional 30 days to provide comments on the proposed collection of information.

DATES: Submit comments on or before September 29, 2025.

ADDRESSES: Written comments and recommendations for this information collection request should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection request by selecting ''Small Business Administration''; ''Currently Under Review,'' then select the ''Only Show ICR for Public Comment'' checkbox. This information collection can be identified by title and/or OMB Control Number.

FOR FURTHER INFORMATION CONTACT: You may obtain a copy of the information collection and supporting documents from the Interim Agency Clearance Officer at *Shauniece.Carter@sba.gov;* (202) 921–2198, or from *www.reginfo.gov/public/do/PRAMain.*

SUPPLEMENTARY INFORMATION: The Disaster Assistance Customer Service Center (CSC) will conduct a brief survey of customers to determine their satisfaction with the services received from the CSC and the Field Operations Centers (FOC). The survey will be conducted via automated phone applications, email through a web-based application, or on occasion, live interviews with trained specialists. The survey results will help the SBA enhance its delivery of critical financial assistance to disaster survivors.

Solicitation of Public Comments

Comments may be submitted on (a) whether the collection of information is necessary for the agency to properly perform its functions; (b) whether the burden estimates are accurate; (c) whether there are ways to minimize the burden, including through the use of automated techniques or other forms of information technology; and (d) whether there are ways to enhance the quality, utility, and clarity of the information.

OMB Control 3245–0370.

Title: Disaster Assistance Customer Satisfaction Survey.

Description of Respondents: Disaster customers with inquiries concerning the disaster loan program.

Form Number: SBA Form 2313 CSC/FOC.

Total Estimated Annual Responses: 32,400.

Total Estimated Annual Hour Burden: 2,689.2.

Shauniece Carter,

Interim Agency Clearance Officer.

[FR Doc. 2025–16658 Filed 8–28–25; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATION

Reporting and Recordkeeping Requirements Under OMB Review

AGENCY: U.S. Small Business Administration.

ACTION: 30-Day notice; request for comments.

SUMMARY: The Small Business Administration (SBA) will submit the information collection described below

to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, as amended, on or after the date of publication of this notice. SBA is publishing this notice to allow all interested members of the public an additional 30 days to provide comments on the collection of information.

DATES: Submit comments on or before September 29, 2025.

ADDRESSES: Written comments and recommendations for this information collection request should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/*PRAMain. Find this particular information collection request by selecting ''Small Business Administration''; ''Currently Under Review,'' then select the ''Only Show ICR for Public Comment'' checkbox. This information collection can be identified by title and/or OMB Control Number, which are provided below.

FOR FURTHER INFORMATION CONTACT: You may obtain information including a copy of the forms and supporting documents from the Interim Agency Clearance Officer, Shauniece Carter, at (202) 205–6536, or *Shauniece.carter@sba.gov* or from *www.reginfo.gov/public/do/*PRAMain.

SUPPLEMENTARY INFORMATION:

Background

Section 1102 of the Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law 116–136, authorized SBA to guarantee loans made by banks or other financial institutions under a temporary program titled the ''Paycheck Protection Program'' (PPP). These loans were available to eligible small businesses, certain non-profit organizations, veterans' organizations, Tribal business concerns, independent contractors, and self-employed individuals adversely impacted by the COVID–19 Emergency. SBA's authority to guarantee PPP loans expired on August 8, 2020. On December 27, 2020, SBA received reauthorization under the Economic Aid Act, Public Law 116–260, to resume guaranteeing PPP loans through March 31, 2021. The Economic Aid Act also amended certain other PPP statutory provisions. On March 11, 2021, the American Rescue Plan Act, Public Law 117–2, was enacted, further amending various PPP statutory provisions. On March 30, 2021, the PPP Extension Act of 2021 was enacted, extending the SBA's PPP program authority through June 30, 2021.

This information collection is used for the PPP Loan Program. This approval is set to expire on August 31, 2025. Although SBA's PPP program authority has expired, this information collection is still needed for the following reasons: (1) PPP borrowers may apply for forgiveness of their loans up to five years after SBA issued a loan number, which may be as late as 2026; (2) SBA may review a PPP loan at any time; and (3) pending litigation may require the collection of information. Additionally, SBA recently published an Interim Final Rule on Paycheck Protection Program—Extension of Lender Records Retention Requirements (89 FR 68090, August 23, 2024), extending the PPP loan records retention requirements for PPP lenders to ten years from the date of disposition of each individual PPP loan. Because the PPP lender recordkeeping requirements have been extended, this information collection needs to be extended accordingly. Therefore, as required by the Paperwork Reduction Act, SBA is publishing this notice as a prerequisite to seeking OMB's approval to use this information collection beyond August 31, 2025. There are no proposed changes to the form.

Summary of Information Collection

Title: Paycheck Protection Program Affiliation Worksheet.

Form Number: SBA Form 3511.

OMB Control Number: 3245–0416.

Estimated Number of Respondents: 37,500.

Estimated Annual Responses: 37,500.

Estimated Annual Hour Burden: 63.

Solicitation of Public Comments

SBA invites the public to submit comments, including specific and detailed suggestions on ways to improve the collection and reduce the burden on respondents. Commenters should also address (i) whether the information collection is necessary for the proper performance of SBA's functions, including whether it has any practical utility; (ii) the accuracy of the estimated burdens; (iii) ways to enhance the quality, utility, and clarity of the information to be collected; and (iv) the use of automated collection techniques or other forms of information technology to minimize the information collection burden on those who are required to respond.

Shauniece Carter,

Interim Agency Clearance Officer.

[FR Doc. 2025–16628 Filed 8–28–25; 8:45 am]

BILLING CODE 8026–09–P

SOCIAL SECURITY ADMINISTRATION

[Docket No: SSA–2025–0157]

Agency Information Collection Activities: Proposed Request

The Social Security Administration (SSA) publishes a list of information collection packages requiring clearance by the Office of Management and Budget (OMB) in compliance with Public Law 104–13, the Paperwork Reduction Act of 1995, effective October 1, 1995. This notice includes revisions of OMB-approved information collections.

SSA is soliciting comments on the accuracy of the agency's burden estimate; the need for the information; its practical utility; ways to enhance its quality, utility, and clarity; and ways to minimize burden on respondents, including the use of automated collection techniques or other forms of information technology. Mail, email, or fax your comments and recommendations on the information collection(s) to the OMB Desk Officer and SSA Reports Clearance Officer at the following addresses or fax numbers.

(OMB) Office of Management and Budget, Attn: Desk Officer for SSA.

(SSA) Social Security Administration, OLCA, Attn: Reports Clearance Director, Mail Stop 3253 Altmeyer, 6401 Security Blvd., Baltimore, MD 21235, Fax: 833–410–1631, Email address: *OR.Reports.Clearance@ssa.gov*.

Or you may submit your comments online through *https://www.reginfo.gov/public/do/PRAmain* by clicking on Currently under Review—Open for Public Comments and choosing to click on one of SSA's published items. Please reference Docket ID Number [SSA–2025–0157] in your submitted response.

I. The information collections below are pending at SSA. SSA will submit them to OMB within 60 days from the date of this notice. To be sure we consider your comments, we must receive them no later than October 28, 2025. Individuals can obtain copies of the collection instrument by writing to the above email address.

1. *Statement Regarding Marriage—20 CFR 404.726—0960–0017.* Section 216(h)(1)(A) of the Social Security Act (Act) directs SSA to apply State law to determine an individual's marital relationship. Some state laws recognize marriages without a ceremony (*i.e.,* common-law marriages). In such cases, SSA provides the same spouse or widow(er) benefits to the common-law spouses as it does to ceremonially married spouses. To determine common-law spouses, SSA must elicit information from blood relatives or

other persons who are knowledgeable about the alleged common-law relationship. SSA uses Form SSA–753, Statement Regarding Marriage, to collect information from third parties to verify the applicant's statements about intent; cohabitation; and holding out to the public as married, which are the basic tenets of a common-law marriage. SSA uses the information to determine if a valid marital relationship exists, and if the common-law spouse is entitled to Social Security spouse, or widow(er) benefits. The respondents are blood relatives of the worker or claimant for spouse's or widow(er)'s benefits, or other third parties who can confirm or deny an alleged common-law marriage.

Note: SSA is making minor language changes to the SSA–753 for clarity and consistency with other agency forms and updating the Privacy Act and Paperwork Reduction Act Statements to comply with current legal requirements.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)	Average theoretical hourly cost amount (dollars) *	Total annual opportunity cost (dollars) **
SSA–753 Statement Regarding Marriage (Paper via mail)	179,804	1	19	56,938	* $32.66	*** $1,859,595
SSA–753 Statement Regarding Marriage (Upload Documents)	165	1	19	52	* 32.66	** 1,698
Totals	179,969	1	19	56,990	.....	** 1,861,293

* We based this figure on average U.S. citizen's hourly salary, as reported by Bureau of Labor Statistics data (Occupational Employment and Wage Statistics).
** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. *There is no actual charge to respondents to complete the application.*
** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. *There is no actual charge to respondents to complete the application.*

2. *Report to United States Social Security Administration by Person Receiving Benefits for a Child or for an Adult Unable to Handle Funds/Report to the United States Social Security Administration—0960–0049.* Section 203(c) of the Act requires the Commissioner of SSA to make benefit deductions and provides for the Commissioner to impose penalty deductions on benefits of individuals who fail to make timely reports of events, which are cause for deductions. SSA uses Forms SSA–7161–OCR–SM and SSA–7162–OCR–SM to: (1) determine continuing entitlement to Social Security benefits; (2) correct benefit amounts for beneficiaries outside the United States (U.S.); and (3) monitor the performance of representative payees outside the U.S. We collect this mandatory information via mail as an annual (or every other year, depending on the country of residence) review for fraud prevention. In addition, the results can affect benefits by increasing or decreasing payment amount or by causing SSA to suspend or terminate benefits. The respondents are individuals living outside the United States who are receiving benefits on their own (or on behalf of someone else) under Title II of the Act.

Note: SSA is making minor instructional changes to these forms in accordance with Public Law 115–165 which exempts certain representative payees from the annual accounting requirement. We are also updating the Privacy Act Statement on these forms to comply with current legal requirements.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)	Average theoretical hourly cost amount (dollars) *	Total annual opportunity cost (dollars) **
SSA–7161–OCR–SM	6,077	1	15	1,519	* $32.66	** $49,611
SSA–7162–OCR–SM	352,956	1	5	29,413	* 32.66	** 960,629
Totals	359,033	.....	.....	30,932	.....	** 1,010,240

* We based this figure on average U.S. worker's hourly wages as reported by Bureau of Labor Statistics data (Occupational Employment and Wage Statistics).
** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. *There is no actual charge to respondents to complete the application.*

3. *Certificate of Coverage Request—20 CFR 404.1913—0960–0554.* The U.S, has agreements with 30 foreign countries to eliminate double Social Security coverage and taxation where, except for the provisions of the agreement, a worker would be subject to coverage and taxes in both countries. Each Agreement contains rules: (1) for determining which country's laws cover the period of work, and to which system the worker pays taxes; and (2) that assign a worker's coverage to the country where the worker has the greater economic attachment. The agreements further dictate that, upon the request of the worker or employer, the country under whose system the period of work is covered will issue a certificate of coverage. The certificate serves as proof of exemption from coverage and taxation under the system of the other country. The information we collect assists us in determining a worker's coverage and in issuing a U.S. certificate of coverage as appropriate. Per our agreements, we ask a set number of questions to the workers and employers prior to issuing a certificate of coverage; however, our agreements with thirteen of the countries (Denmark, Iceland, Netherlands, Norway, Sweden, Germany, Italy, Spain, Uraguay, Belgium, Poland, France, and Japan) require us to ask a few more questions in those countries. Respondents are workers and employers wishing to establish exemption from foreign Social Security taxes.

Note: SSA is updating the Privacy Act and Paperwork Reduction Act Statements on these forms to comply with current legal requirements.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)	Average theoretical hourly cost amount (dollars) *	Total annual opportunity cost (dollars) **
Requests via Letter—Individuals (minus Denmark, Iceland, Netherlands, Norway, Sweden, Germany, Italy, Spain, Uruguay, France, Japan, Belgium, and Poland)	43	1	40	29	*$32.66	**$947
Requests via Internet—Individuals (minus Denmark, Iceland, Netherlands, Norway, Sweden, Germany, Italy, Spain, Uruguay, France, Japan, Belgium, and Poland)	995	1	40	663	*32.66	**21,654
Requests via Letter—Individuals in Denmark, Iceland, Netherlands, Norway, and Sweden	1+	1	1	0	*32.66	**0
Requests via Internet—Individuals in Denmark, Iceland, Netherlands, Norway, and Sweden	122	1	41	83	*32.66	**2,711
Requests via Letter—Individuals in Germany, Italy, Spain, Uruguay	12	1	44	9	*32.66	**294
Requests via Internet—Individuals in Germany, Italy, Spain, Uruguay	1,013	1	41	692	*32.66	**22,601
Requests via Letter—Individuals in France and Japan	10	1	44	7	*32.66	**229
Requests via Internet—Individuals in France and Japan	1,023	1	40	682	*32.66	**22,274
Requests via Letter—Individuals in Belgium	0	1	41	0	*32.66	**0
Requests via Internet—Individuals in Belgium	51	1	41	35	*32.66	**1,143
Requests via Letter—Individuals in Poland	2	1	41	1	*32.66	**33
Requests via Internet—Individuals in Poland	52	1	41	36	*32.66	**1,161
Requests via Letter—Employer (minus Denmark, Iceland, Netherlands, Norway, Sweden, Germany, Italy, Spain, Uruguay, France, Japan, Belgium, and Poland)	76	1	40	51	*32.66	**1,666
Requests via Internet—Employer (minus Denmark, Iceland, Netherlands, Norway, Sweden, Germany, Italy, Spain, Uruguay, France, Japan, Belgium, and Poland)	7,664	1	40	5109	*32.66	**166,860
Requests via Letter—Employer in Denmark, Iceland, Netherlands, Norway, and Sweden	4	1	44	3	*32.66	**98
Requests via Internet—Employer in Denmark, Iceland, Netherlands, Norway, and Sweden	1,347	1	44	988	*32.66	**32,268
Requests via Letter—Employer in Germany, Italy, Spain, Uruguay	22	1	41	15	*32.66	**490
Requests via Internet—Employer in Germany, Italy, Spain, Uruguay	3,601	1	41	2461	*32.66	**80,376
Requests via Letter—Employer in France and Japan	12	1	41	8	*32.66	**261
Requests via Internet—Employer in France and Japan	4,073	1	41	2783	*32.66	**90,893
Requests via Letter—Employer in Belgium	1	1	44	1	*32.66	**33
Requests via Internet—Employer in Belgium	434	1	41	297	*32.66	**9,700
Requests via Letter—Employer in Poland	1	1	41	1	*32.66	**33
Requests via Internet—Employer in Poland	210	1	41	144	*32.66	**4,703
Totals	20,123	.....	.....	13,656	.....	**460,425

+ We are including a one-hour placeholder burden for the information collection for which we currently have no responses (mostly the mailed/faxed letters, as we do not receive these often, since we collect almost all responses via our internet-based forms). While respondents may use this modality if the system goes down, in general, they prefer to use the internet submission process.

* We based this figure on average U.S. citizen's hourly salary, as reported by Bureau of Labor Statistics data (Occupational Employment and Wage Statistics).

** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. *There is no actual charge to respondents to complete the application.*

4. *Disability Report—Child—20 CFR 416.912—0960–0577*—Sections 223(d)(5)(A) and 1631(e)(1) of the Social Security Act require Supplemental Security Income (SSI) claimants to furnish medical and other evidence to prove they are disabled. SSA uses Form SSA–3820–BK to collect information regarding a child applying for SSI disability payments. The information we collect on the SSA–3820–BK then provides the State Disability Determination Services (DDS) adjudicators a detailed explanation of a child's medical history that is essential to the disability determination. SSA uses Form SSA–3820–BK to collect contact and biographic information about a child. It also includes details pertaining to the child's condition including medical treating sources, medications being taken, medical tests, educational background, and work history if relevant. The State (DDS) evaluators use the information from Form SSA–3820–BK, including its electronic versions, to request and develop medical and school evidence, and to assess the alleged disability. The information collected on the form, together with medical evidence and other sources of non-medical evidence, provides the evidentiary basis upon which SSA makes its initial disability evaluation. The respondents are the responsible adult(s) applying on behalf of the child, such as the parents, guardians, and other caretakers who petition SSI childhood disability for initial and reconsideration decisions.

Note: SSA is updating the Privacy Act and Paperwork Reduction Act Statements on these forms to comply with current legal requirements.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)	Average theoretical hourly cost amount (dollars) *	Average wait time in field office or teleservice center (minutes) **	Total annual opportunity cost (dollars) **
SSA–3820 Paper Version	771	1	90	1,157	$13.30	** 23	*** $19,325
EDCS Intranet Version	255,984	1	120	511,968	13.30	** 102	*** 12,596,975
i3820 Internet Version	96,481	1	120	192,962	13.30		*** 2,566,395
Totals	353,236			706,087			*** 15,182,695

* We based this figure on the average DI payments based on SSA's current FY 2025 data (*https://www.ssa.gov/legislation/2024FactSheet.pdf*).
** We based this figure on the average FY 2025 wait times for field offices (23 minutes) and for teleservice centers (180 minutes), based on SSA's current management information data. This figure reflects the data posted on our public facing website (800 number performance | SSA) on the date we drafted this notice. As the figures fluctuate daily, the wait times may be different on the publication date of this notice.
*** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. *There is no actual charge to respondents to complete the application.*

5. *Incorporation by Reference of Oral Findings of Fact and Rationale in Wholly Favorable Written Decisions (Bench Decision Regulation)—20 CFR 404.953 and 416.1453—0960–0694.* If an administrative law judge (ALJ) makes a wholly favorable oral decision, including all the findings and rationale for the decision for a claimant of Title II or Title XVI payments, at an administrative appeals hearing, the ALJ sends a Notice of Decision (Form HA–82), as the records from the oral hearing preclude the need for a written decision. We call this the incorporation-by-reference process. In addition, the regulations for this process state that if the involved parties want a record of the oral decision, they may submit a written request for these records. SSA collects identifying information under the aegis of Sections 20 CFR 404.953 and 416.1453 of the Code of Federal Regulations to determine how to send interested individuals written records of a favorable incorporation-by-reference oral decision made at an administrative review hearing. Since there is no prescribed form to request a written record of the decision, the involved parties send SSA their contact information and reference the hearing for which they would like a record. The respondents are applicants for Disability Insurance Benefits and SSI payments, or their representatives, to whom SSA gave a wholly favorable oral decision under the regulations cited above.

Note: SSA is updating the burden information for the HA–82 (specifically to show a significant decrease in the number of respondents), which decreases the overall time burden for this information collection.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)	Average theoretical hourly cost amount (dollars) *	Total annual opportunity cost (dollars) **
HA–82	622	1	5	52	* $13.30	** $692

* We based this figure on the average DI payments based on SSA's current FY 2025 data (*https://www.ssa.gov/legislation/2024FactSheet.pdf*).
** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. *There is no actual charge to respondents to complete the application.*

6. *Advance Designation of Representative Payee—0960–0814.* On April 13, 2018, the President signed into law The Strengthening Protections for Social Security Beneficiaries Act of 2018, also known as Public Law (Pub. L.) 115–165. Section 201 of the law allows SSA beneficiaries and applicants under Title II, Title VIII and Title XVI, of the Social Security Act to designate individuals to serve as a representative payee should the need arise in the future. Section 201(j)(2) of Public Law 115–165 provides the requirements for selecting a qualified representative payee. SSA only offers the option to advance designate to capable adults and emancipated minors. Beneficiaries who have an assigned representative payee, or have a representative application in process, cannot advance designate. SSA uses Form SSA–4547, Advance Designation of Representative Payee, or the electronic modalities for this form [the internet i4547 (available through both iClaim and an individual's mySocial Security account), and Intranet SSI Claim System, Modernized Claim System (MCS), and iMain System screens] to allow beneficiaries or applicants the option to designate individuals in order of priority, to serve as a representative. Beneficiaries or applicants can update or change the advance designee order of priority at any time. SSA uses the information on Form SSA–4547 or its equivalent modalities to select a qualified representative payee in order of priority. If the selected representative payee is unable or unwilling to serve, or does not meet SSA requirements, SSA selects another representative payee to serve in the beneficiaries and applicant's best interest. SSA notifies beneficiaries annually of the individuals they chose in advance to be their representative payee. The respondents are SSA beneficiaries and claimants who want to designate individuals to serve as a representative payee should the need arise in the future.

Note: SSA is removing the Advance Designation of Representative Payee receipts which means we will no longer send receipts to all customers. This change will decrease the overall cost of this information collection. Respondents will still be able to access their Advance Designation information from their mySocial Security accounts.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)	Average theoretical hourly cost amount (dollars) *	Average wait time for a field office or teleservice center (minutes) **	Total annual opportunity cost (dollars) ***
Submission of Advance Designation							
Intranet version (Paper Form SSA–4547, SSI Claims System, MCS, iMain)	+ 693,339	1	6	69,334	* $22.98	** 102	*** $28,679,270
Internet version (mySocial Security)	304,471	1	6	30,447	* 22.98		*** 699,672
Internet version (iClaim)	898,233	1	6	89,823	* 22.98		*** 2,064,133
Totals	1,896,043			189,604			*** 31,443,075
Waiver of Advance Designation							
Intranet version (Paper Form SSA–4547, SSI Claims System, MCS, iMain)	1,507,403	1	2	50,247	* 22.98	** 102	**** 8,082,709
Internet version (mySSA)	1,442	1	2	48	* 22.98		**** 1,103
Internet version (iClaim)	1,498,363	1	2	49,945	* 22.98		**** 1,147,736
Totals	3,007,208			100,240			**** 9,231,548
Grand Totals							
Totals	4,903,251			289,844			*** 40,674,623

+ SSA enters advance designation information we receive on the paper Form SSA–4547 in the advanced designation representative payee system using one of the Intranet applications. Accordingly, we have included the paper form responses in this figure for Intranet responses.

** We based this figure by averaging both the average DI payments based on SSA's current FY 2025 data (*https://www.ssa.gov/legislation/2024FactSheet.pdf*), and the average U.S. worker's hourly wages, as reported by Bureau of Labor Statistics data (Occupational Employment and Wage Statistics).

*** We based this figure on the average FY 2025 wait times for field offices (23 minutes) and for teleservice centers (180 minutes), based on SSA's current management information data. This figure reflects the data posted on our public facing website (800 number performance | SSA) on the date we drafted this notice. As the figures fluctuate daily, the wait times may be different on the publication date of this notice.

**** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. *There is no actual charge to respondents to complete the application.*

7. *Electronic Consent Based Social Security Number Verification—20 CFR 400.100—0960–0817.* The electronic Consent Based Social Security Number Verification (eCBSV) is a fee-based Social Security Number (SSN) verification service that allows permitted entities (a financial institution as defined by Section 509 of the Gramm-Leach-Bliley Act. 42 U.S.C. 405b(b)(4), Public Law 115–174, Title II, 215(b)(4), or service provider, subsidiary, affiliate, agent, subcontractor, or assignee of a financial institution), to verify that an individual's name, date of birth (DOB), and SSN match our records based on the SSN holder's signed—including electronic—consent in connection with a credit transaction or any circumstance described in section 604 of the Fair Credit Reporting Act (15 U.S.C. 1681b).

Background

We created this service due to section 215 of the Economic Growth, Regulatory Relief, and Consumer Protection Act of 2018 (Banking Bill), Public Law 115–174. Permitted entities are able to submit an SSN, name, and DOB of the number holder in connection with a credit transaction or any circumstances described in Section 604 of the Fair Credit Reporting Act to SSA for verification via an application programming interface. The purpose of the information collection is for SSA to verify for the permitted entity (PE) that the submitted SSN, name and DOB matches, or does not match, the data contained in our records. After obtaining number holders' consents, a PE submits the names, DOBs, and SSNs of number holders to the eCBSV service. SSA matches the information against our Master File, using SSN, name, and DOB. The eCBSV service responds in real time with an indication as to whether there is a match with a ''yes'' or ''no'' response, along with details specifying which data element(s) do not align with SSA records. Additionally, if applicable, the SSN verification result indicates the status of the individual's death based on data in SSA's records. The verification does not authenticate the identity of the number holders or conclusively prove the number holders we verify are who they claim to be. Respondents can find up-to-date information on the service, eligibility, fees, enrollment, technical specifications, and guides to written consent on the eCBSV website.

Consent Requirements

Under the eCBSV process, the PE does not submit the number holder's consent forms to SSA. SSA requires each PE to retain a valid consent for each SSN verification request submitted for a period of 5 years. The agency permits the PE to retain the consent in an electronic format.

SSA requires a wet or electronic signature on the consent. A PE may request verification of a number holder's SSN on behalf of a financial institution pursuant to the terms of the Banking Bill, the user agreement between SSA and the PE, and the SSN Holder's consent. In this case, the PE ensures that the financial institution agrees to the terms in the user agreement, which require the PE use the SSN verification only for the purpose stated in the consent, and to mark their own records as ''verified'' or ''unverified,'' and prohibits entities from further using or disclosing the SSN verification. This relationship is subject to the terms in the user agreement between SSA and the PE.

Compliance Review

SSA requires each PE to undergo compliance reviews. An SSA approved certified public accountant (CPA) conducts the compliance reviews. SSA designed the compliance reviews to ensure that the permitted entities meet all terms and conditions of the user agreement, including that the permitted entities obtain valid consent from number holders. The PE pays all compliance review costs through the eCBSV fees. In general, every permitted entity is subject to an initial audit then

once within five (5) years based on compliance. The CPA follows review standards established by the American Institute of Certified Public Accountants and contained in the Generally Accepted Government Auditing Standards (GAGAS).

eCBSV is available to all interested permitted entities, as defined in section 215 of the Banking Bill with an estimated annual 58,000,000 requests. The respondents to the eCBSV information collection are the permitted entities; members of the public who consent to SSN verifications; and CPAs who provide compliance review services.

Note: Per OMB's Terms of Clearance, SSA is allowing for public comment on several minor changes to the User Agreement which OMB approved via Change Request. These minor changes enhance the match/no match data we provide to include which elements do not align with our records; minor language changes to update language which discusses the match/no match data process; revisions to the agreement period and tier levels to allow for greater flexibility in costs and utilization; and to update language for clarity purposes.

Type of Request: Revision of an OMB-approved information collection.

TIME BURDEN

Requirement	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)	Average theoretical hourly cost amount (dollars) *	Total annual opportunity cost (dollars) **
(a) People whose SSNs SSA will verify—Reading and Signing	58,000,000	1	3	2,900,000	*$13.30	**$38,570,000
(a) Sending in the verification request, calling our system, getting a response	58,000,000	1	1	966,667	*45.04	**43,538,682
(c) CPA Compliance Review and Report***	21	1	4,800	1,680	*44.96	**75,533
Totals	116,000,021			3,868,347		**82,184,215

* We based these figures on average Business and Financial operations occupations, and Accountants and Auditors hourly salaries, as reported by Bureau of Labor Statistics data ((Occupational Employment and Wage Statistics) and average DI payments, as reported in SSA's disability insurance payment data (*https://mwww.ba.ssa.gov/legislation/2024FactSheet.pdf*).

** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. *There is no actual charge to respondents to complete the application.*

*** The enrollment process occurs automatically through the eCBSV Customer Connection, and entails providing consent for SSA to verify the EIN; electronically signing the eCBSV User Agreement, and the permitted entities certification; selecting their annual tier level; and linking to pay.gov to make payment for services.

**** SSA uses one CPA firm (an SSA-approved contractor) to conduct compliance reviews and prepare written reports of findings on the permitted entities.

Cost Burden

The public cost burden depends on the number of PEs using the service and the annual transaction volume. We based the current tier fee schedule below on 21 participating PEs in fiscal year (FY) 2024 submitting an anticipated annual volume of 58 million transactions. For FY 2025, we are maintaining the current tier structure, based our analysis, which estimated 21 participating PEs with an anticipated annual volume of 68 million. The total cost for developing and operating the service is $66.3 million through FY 2024. Of this amount, $25.5 million remains unrecovered/unreimbursed. The current subscription tier structure and associated fees are intended to recover these costs over a three-year period, assuming projected enrollments and transaction volumes meet these projections. SSA uses the fee to allocate for forecasted systems and operational expenses; agency oversight; and overhead necessary to sustain the service.

eCBSV TIER FEE SCHEDULE

Tier	Annual transaction threshold	Annual fee
1	Up to 10,000 (1–10,000).	$5,100
2	Up to 75,000 (10,001–75,000).	37,125
3	Up to 200,000 (75,001–200,000).	98,000
4	Up to 500,000 (200,001–500,000).	240,000
5	Up to 1 million (500,001–1 million).	470,000
6	Up to 2.5 million (1,000,001–2.5 million).	907,500
7	Up to 5 million (2,500,001–5 million).	1,765,500
8	Up to 10 million (5,000,001–10 million).	3,206,250
9	Up to 15 million (10,000,001–15 million).	3,562,500
10 ..	Up to 20 million (15,000,001–20 million).	4,453,125
11 ..	Up to 25 million (20,000,001–25 million).	5,165,625
12 ..	Up to 200 million (25,000,001–200 million).	5,878,125

SSA calculates fees based on forecasted systems and operational expenses, agency oversight, overhead, and Certified Public Accountant audit contract costs.

Section 215(h)(1)(B) of the Banking Bill requires that the Commissioner shall ''periodically adjust'' the price paid by users to ensure that amounts collected are sufficient to fully offset the costs of administering the eCBSV system. On at least an annual basis, SSA monitors costs incurred to provide eCBSV services and revises the tier fee schedule accordingly. SSA notifies permitted entities of the tier fee schedule in effect at the renewal of eCBSV user agreements, when a permitted entity begins a new 365-day agreement period, and via notice in the **Federal Register**. Permitted entity renewals are governed by the tier in effect at the time of renewal.

Dated: August 21, 2025.

Mark Steffensen,

General Counsel, Deputy Commissioner for Law and Policy, Social Security Administration.

[FR Doc. 2025–16598 Filed 8–28–25; 8:45 am]

BILLING CODE 4191–02–P

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

Agency Information Collection Activities: Information Collection Renewal; Submission for OMB Review; Community and Economic Development Entities, Community Development Projects, and Other Public Welfare Investments

AGENCY: Office of the Comptroller of the Currency (OCC), Treasury.

ACTION: Notice and request for comment.

SUMMARY: The OCC, as part of its continuing effort to reduce paperwork and respondent burden, invites comment on a continuing information collection, as required by the Paperwork Reduction Act of 1995 (PRA). In accordance with the requirements of the PRA, the OCC may not conduct or sponsor, and the respondent is not required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number. The OCC is soliciting comment concerning the renewal of its information collection titled, ''Community and Economic Development Entities, Community Development Projects, and Other Public Welfare Investments.'' The OCC also is giving notice that it has sent the collection to OMB for review.

DATES: Comments must be received by September 29, 2025.

ADDRESSES: Commenters are encouraged to submit comments by email, if possible.

You may submit comments by any of the following methods:

- *Email: prainfo@occ.treas.gov.*
- *Mail:* Chief Counsel's Office, Attention: Comment Processing, Office of the Comptroller of the Currency, Attention: 1557–0194, 400 7th Street SW, Suite 3E–218, Washington, DC 20219.
- *Hand Delivery/Courier:* 400 7th Street SW, Suite 3E–218, Washington, DC 20219.
- *Fax:* (571) 293–4835.

Instructions: You must include ''OCC'' as the agency name and ''1557–0194'' in your comment. In general, the OCC will publish comments on *www.reginfo.gov* without change, including any business or personal information provided, such as name and address information, email addresses, or phone numbers. Comments received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. Do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

Written comments and recommendations for the proposed information collection should also be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* You can find this information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

You may review comments and other related materials that pertain to this information collection following the close of the 30-day comment period for this notice by the method set forth in the next bullet.

- *Viewing Comments Electronically:* Go to *www.reginfo.gov.* Hover over the ''Information Collection Review'' tab and click on ''Information Collection Review'' from the drop-down menu. From the ''Currently under Review'' drop-down menu, select ''Department of Treasury'' and then click ''submit.'' This information collection can be located by searching OMB control number ''1557–0194'' or ''Community and Economic Development Entities, Community Development Projects, and Other Public Welfare Investments.'' Upon finding the appropriate information collection, click on the related ''ICR Reference Number.'' On the next screen, select ''View Supporting Statement and Other Documents'' and then click on the link to any comment listed at the bottom of the screen.
- For assistance in navigating *www.reginfo.gov,* please contact the Regulatory Information Service Center at (202) 482–7340.

FOR FURTHER INFORMATION CONTACT: Shaquita Merritt, Clearance Officer, (202) 649–5490, Chief Counsel's Office, Office of the Comptroller of the Currency, 400 7th Street SW, Washington, DC 20219. If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501 *et seq.*), Federal agencies must obtain approval from the OMB for each collection of information that they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) to include agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. The OCC asks the OMB to extend its approval of the collection in this notice.

Title: Community and Economic Development Entities, Community Development Projects, and Other Public Welfare Investments.

OMB Control No.: 1557–0194.

Type of Review: Regular.

Affected Public: Individuals; Businesses or other for-profit.

Description: This submission covers an existing regulation (12 CFR part 24), including the CD–1, National Bank Community Development Investments form, pursuant to which a national bank may notify the OCC, or request OCC approval, of certain community development investments.

Section 24.5(a) provides that an eligible national bank may make a public welfare investment without prior notification to, or approval by, the OCC if the bank submits an after-the-fact notification of an investment within 10 days of making the investment.

Section 24.4(a) provides that a national bank may submit a written request to the OCC to exceed five percent of its capital and surplus for its aggregate, outstanding public welfare investments. The OCC may grant permission to the bank to make subsequent public welfare investments up to the approved investment limit without prior notification to, or approval by the OCC, using the after-the-fact notification process consistent with § 24.5(a).

Section 24.5(a)(5) provides that a national bank that is not an eligible bank, consistent with § 24.2(e), but that is at least adequately capitalized and has a composite rating of at least 3 with improving trends under the Uniform Financial Institutions Rating System, may submit a letter to the OCC requesting authority to submit after-the-fact notices of its public welfare investments.

Section 24.5(b)(1) provides that if a national bank does not meet the requirements for after-the-fact notification, including if the bank's aggregate outstanding investments exceed the five percent limit, unless previously approved by the OCC for subsequent public welfare investments, the bank must submit an investment proposal to the OCC seeking permission to make the public welfare investment.

Estimated Frequency of Response: On occasion.

Estimated Number of Respondents: 1,350.

Estimated Total Annual Burden: 2,172 hours.

Comments: On June 23, 2025, the OCC published a 60-day notice for this information collection, (90 FR 26676). No comments were received.

Comments continue to be invited on:

(a) Whether the collection of information is necessary for the proper performance of the functions of the OCC, including whether the information has practical utility;

(b) The accuracy of the OCC's estimate of the burden of the collection of information;

(c) Ways to enhance the quality, utility, and clarity of the information to be collected;

(d) Ways to minimize the burden of the collection on respondents, including through the use of automated collection techniques or other forms of information technology; and

(e) Estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Eden Gray,

Assistant Director, Office of the Comptroller of the Currency.

[FR Doc. 2025–16633 Filed 8–28–25; 8:45 am]

BILLING CODE 4810–33–P

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

Agency Information Collection Activities: Information Collection Renewal; Submission for OMB Review; Interagency Guidance on Asset Securitization Activities

AGENCY: Office of the Comptroller of the Currency (OCC), Treasury.

ACTION: Notice and request for comment.

SUMMARY: The OCC, as part of its continuing effort to reduce paperwork and respondent burden, invites comment on a continuing information collection, as required by the Paperwork Reduction Act of 1995 (PRA). In accordance with the requirements of the PRA, the OCC may not conduct or sponsor, and the respondent is not required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number. The OCC is soliciting comment concerning the renewal of its information collection titled, ''Interagency Guidance on Asset Securitization.'' The OCC also is giving notice that it has sent the collection to OMB for review.

DATES: Comments must be received by September 29, 2025.

ADDRESSES: Commenters are encouraged to submit comments by email, if possible. You may submit comments by any of the following methods:

- *Email: prainfo@occ.treas.gov.*
- *Mail:* Chief Counsel's Office, Attention: Comment Processing, Office of the Comptroller of the Currency, Attention: 1557–0217, 400 7th Street SW, Suite 3E–218, Washington, DC 20219.
- *Hand Delivery/Courier:* 400 7th Street SW, Suite 3E–218, Washington, DC 20219.
- *Fax:* (571) 293–4835.

Instructions: You must include ''OCC'' as the agency name and ''1557–0217'' in your comment. In general, the OCC will publish comments on *www.reginfo.gov* without change, including any business or personal information provided, such as name and address information, email addresses, or phone numbers. Comments received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. Do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

Written comments and recommendations for the proposed information collection should also be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* You can find this information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

You may review comments and other related materials that pertain to this information collection following the close of the 30-day comment period for this notice by the method set forth in the next bullet.

- *Viewing Comments Electronically:* Go to *www.reginfo.gov.* Hover over the ''Information Collection Review'' tab and click on ''Information Collection Review'' from the drop-down menu. From the ''Currently under Review'' drop-down menu, select ''Department of Treasury'' and then click ''submit.'' This information collection can be located by searching OMB control number ''1557–0217'' or ''Interagency Guidance on Asset Securitization Activities.'' Upon finding the appropriate information collection, click on the related ''ICR Reference Number.'' On the next screen, select ''View Supporting Statement and Other Documents'' and then click on the link to any comment listed at the bottom of the screen.
- For assistance in navigating *www.reginfo.gov,* please contact the Regulatory Information Service Center at (202) 482–7340.

FOR FURTHER INFORMATION CONTACT: Shaquita Merritt, Clearance Officer, (202) 649–5490, Chief Counsel's Office, Office of the Comptroller of the Currency, 400 7th Street SW, Washington, DC 20219. If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501 *et seq.*), Federal agencies must obtain approval from the OMB for each collection of information that they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) to include agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. The OCC asks the OMB to extend its approval of the collection in this notice.

Title: Interagency Guidance on Asset Securitization Activities.

OMB Control No.: 1557–0217.

Type of Review: Regular.

Affected Public: Businesses or other for-profit.

Description: In 1999, the OCC issued the Interagency Guidance on Asset Securitization Activities (guidance) in response to a determination that some institutions involved in asset securitization activities had significant weaknesses in their asset securitization practices. The information collection contained in the guidance applies to financial institutions engaged in asset securitization activities and provides that any institution engaged in these activities should maintain a written asset securitization policy, document the fair value of retained interests, and maintain a management information system to monitor asset securitization activities. Financial institution management uses the information collected to ensure the safe and sound operation of the institution's asset securitization activities. The OCC uses the information to evaluate the quality of an institution's risk management practices.

Estimated Burden

Estimated Frequency of Response: On occasion.

Estimated Number of Respondents: 35.

Estimated Total Annual Burden: 1,828 hours.

Comments: On June 23, 2025, the OCC published a 60-day notice for this information collection, (90 FR 26677). No comments were received.

Comments continue to be invited on:

(a) Whether the collection of information is necessary for the proper performance of the functions of the OCC, including whether the information has practical utility;

(b) The accuracy of the OCC's estimate of the burden of the collection of information;

(c) Ways to enhance the quality, utility, and clarity of the information to be collected;

(d) Ways to minimize the burden of the collection on respondents, including through the use of automated collection techniques or other forms of information technology; and

(e) Estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Sarah E. Turney,

Assistant Director, Office of the Comptroller of the Currency.

[FR Doc. 2025–16651 Filed 8–28–25; 8:45 am]

BILLING CODE 4810–33–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Agency Information Collection Activities; Comment Request on U.S. Employment Tax Returns and Related Forms, Schedules, Attachments, and Published Guidance

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of Information Collection; request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the IRS is inviting comments on the information collection request outlined in this notice.

DATES: Written comments should be received on or before October 28, 2025 to be assured of consideration.

ADDRESSES: Direct all written comments to Andres Garcia, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or by email to *pra.comments@irs.gov.* Include ''OMB Control No. 1545–0029'' in the subject line of the message.

FOR FURTHER INFORMATION CONTACT: View the latest drafts of the tax forms related to the information collection listed in this notice at *https://www.irs.gov/draft-tax-forms.* Requests for additional information or copies of this collection should be directed to Kerry Dennis, (202) 317–5751.

SUPPLEMENTARY INFORMATION: The IRS, 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 IRS assess the impact and minimize the burden of its information collection requirements. Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Tax Compliance Burden

Tax compliance burden is defined as the time and money taxpayers spend to comply with their tax filing responsibilities. Time-related activities include recordkeeping, tax planning, gathering tax materials, learning about the law, and completing and submitting the return. Out-of-pocket costs include expenses such as purchasing tax software, paying a third-party preparer, and printing and postage. Tax compliance burden does not include a taxpayer's tax liability, economic inefficiencies caused by sub-optimal choices related to tax deductions or credits, or psychological costs.

Title: U.S. Employment Tax Returns and Related Forms, Schedules, Attachments, and Published Guidance.

OMB Control Number: 1545–0029.

Form Numbers and Published Guidance: CT–1, CT–1X, CT–2, SS–8, W–2, W–2 AS, W–2 C, W–2 GU, W–2 VI, W–3, W–3 (PR), W–3 C, W–3 C (PR), W–3 SS, 940, 940 SCH A, 940 SCH R, 941, 941 SCH B, 941 SCH D, 941 SCH R, 941 X, 943, 943 A, 943 SCH R, 943 X, 944, 944 X, 945, 945 A, 945 X, 2032, 2678, 8027, 8027 T, 8453 EMP, 8850, 8879 EMP, 8922, 8952, 8974 and all related forms, schedules, and attachments.

Abstract: These forms, schedules and attachments are used by employers to report their employment tax-related activity. This information collection covers the burden associated with preparing and submitting employment tax returns and related forms, schedules, and attachments, and complying with published guidance.

Current Actions: There have been changes in regulatory guidance related to various forms approved under this approval package during the past year. There have been additions and removals of forms included in this approval package. It is anticipated that these changes will have an impact on the overall burden and cost estimates requested for this approval package, however these estimates were not finalized at the time of release of this notice. These estimated figures are expected to be available by the release of the 30-day comment notice from Treasury. This approval package is being submitted for renewal purposes.

Type of Review: Revision of currently approved collection.

Affected Public: Employers.

Estimated Number of Respondents: 7,250,000.

Estimated Total Time (Hours): 460,400,000.

Estimated Time per Respondent (Hours): 63 hours 30 minutes.

Estimated Monetized Time ($): 15,708,000,000.

Estimated Out-of-Pocket Costs ($): 20,077,000,000.

Estimated Total Monetized Burden ($): 35,785,000,000.

Note: Total Monetized Burden = Out-of-Pocket Costs + Monetized Time

Dated: August 26, 2025.

Kerry Dennis,

Tax Analyst.

Appendix-A: Forms and Schedules

Form No.	Title
CT–1	Employer's Annual Railroad Retirement Tax Return.
CT–1X	Adjusted Employer's Annual Railroad Retirement Tax Return or Claim for Refund.
CT–2	Employee Representative's Quarterly Railroad Tax Return.
SS–8	Determination of Worker Status for Purposes of Federal Employment Taxes and Income Tax Withholding.
W–2	Wage and Tax Statement.
W–2 AS	American Samoa Wage and Tax Statement.
W–2 C	Corrected Wage and Tax Statement.

Form No.	Title
W–2 GU	Guam Wage and Tax Statement.
W–2 VI	U.S. Virgin Islands Wage and Tax Statement.
W–3	Transmittal of Wage and Tax Statements.
W–3 (PR)	Transmittal of Withholding Statements (Puerto Rican Version).
W–3 C	Transmittal of Corrected Wage and Tax Statements.
W–3 C (PR)	Transmittal of Corrected Wage and Tax Statements (Puerto Rican Version).
W–3 SS	Transmittal of Wage and Tax Statements.
940	Employer's Annual Federal Unemployment (FUTA) Tax Return.
940 (sp)	Employer's Annual Federal Unemployment (FUTA) Tax Return (Spanish Version).
940 SCH A	Multi-State Employer and Credit Reduction Information.
940 SCH A (sp)	Multi-State Employer and Credit Reduction Information (Spanish Version).
940 SCH R	Allocation Schedule for Aggregate Form 940 Filers.
941	Employer's Quarterly Federal Tax Return.
941 (sp)	Employer's Quarterly Federal Tax Return (Spanish Version).
941 SCH B	Report of Tax Liability for Semiweekly Schedule Depositors.
941 SCH B (sp)	Supplemental Record of Federal Tax Liability (Spanish Version).
941 SCH D	Report of Discrepancies Caused by Acquisitions, Statutory Mergers, or Consolidations.
941 SCH R	Reconciliation for Aggregate Form 941 Filers.
941 X	Adjusted Employer's QUARTERLY Federal Tax Return or Claim for Refund.
941 X (sp)	Adjusted Employer's QUARTERLY Federal Tax Return or Claim for Refund (Spanish Version).
943	Employer's Annual Tax Return for Agricultural Employees.
943 (sp)	Employer's Annual Tax Return for Agricultural Employees (Spanish Version).
943 A	Agricultural Employer's Record of Federal Tax Liability.
943 A (sp)	Agricultural Employer's Record of Federal Tax Liability (Spanish Version).
943 R	Allocation Schedule for Aggregate Form 943 Filers.
943 X	Adjusted Employer's Annual Federal Tax Return for Agricultural Employees or Claim for Refund.
943 X (sp)	Adjusted Employer's Annual Federal Tax Return for Agricultural Employees or Claim for Refund (Spanish Version).
944	Employer's ANNUAL Federal Tax Return.
944 (sp)	Employer's ANNUAL Federal Tax Return (Spanish Version).
944 X	Adjusted Employer's ANNUAL Federal Tax Return or Claim for Refund.
944 X (sp)	Adjusted Employer's ANNUAL Federal Tax Return or Claim for Refund (Spanish Version).
945	Annual Return of Withheld Federal Income Tax.
945 A	Annual Record of Federal Tax Liability.
945 X	Adjusted ANNUAL Return of Withheld Federal Income Tax or Claim for Refund.
2032	Contract Coverage Under Title II of the Social Security Act.
2678	Employer/Payer Appointment of Agent.
8027	Employer's Annual Information Return of Tip Income and Allocated Tips.
8027 T	Transmittal of Employer's Annual Information Return of Tip Income and Allocated Tips.
8453 EMP	Employment Tax Declaration for an IRS e-file Return.
8850	Pre-Screening Notice and Certification Request for the Work Opportunity Credit.
8879 EMP	IRS e-file Signature Authorization for Forms 940, 940–PR, 941, 941–PR, 941–SS, 943, 943–PR, 944, and 945.
8922	Third-Party Sick Pay Recap.
8952	Application for Voluntary Classification Settlement Program (VCSP).
8974	Qualified Small Business Payroll Tax Credit for Increasing Research Activities.

Appendix-B: Guidance Documents

Guidance	Title/document
Announcement 2000–19	Tip Reporting Alternative Commitment (TRAC) agreement for use in industries other than the food and beverage industry and the cosmetology and barber industry in which tipped employees receive both cash and charged tips.
Announcement 2000–20	Tip Reporting Alternative Commitment (TRDA) for use in industries other than the food and beverage industry and the gaming industry.
Announcement 2000–21	Tip Reporting Alternative Commitment (TRAC) Agreement for Use in the Cosmetology and Barber Industry to Employment Tax.
Announcement 2000–22	Tip Reporting Alternative Commitment (TRAC) agreement for use in the food and beverage industry.
Announcement 2000–23	Tip Rate Determination Agreement (TRDA) for use in the food and beverage industry.
Notice 2000–21	Employer-designed Tip Reporting Program (EmTRAC) for the Food and Beverage Industry.
TD 6516	Employment Taxes, Applicable on and after January 1, 1955 (26 CFR 31.6001–1; 26 CFR 31.6001–2; 26 CFR 31.6001–3; 26 CFR 31.6001–5;).
TD 9405	Employment Tax Adjustments (Reg-111583–07).
TD 9645	Rules Relating to Additional Medicare Tax (REG–130074–11).
TD 9860	Certified Professional Employer Organizations.

[FR Doc. 2025–16672 Filed 8–28–25; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Certification of Material Events Form

AGENCY: Departmental Offices, U.S. Department of the Treasury.

ACTION: Notice of information collection; request for comment.

SUMMARY: The Department of the Treasury will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. The public is invited to submit comments on this request.

DATES: Comments should be received on or before September 29, 2025 to be assured of consideration.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Copies of the submissions may be obtained from Spencer W. Clark by emailing *PRA@treasury.gov,* calling (202) 927–5331, or viewing the entire information collection request at *www.reginfo.gov.*

SUPPLEMENTARY INFORMATION:

Community Development Financial Institutions Fund (CDFI Fund)

1. Title: Certification of Material Events Form.

OMB Control Number: 1559–0037.

Type of Request: Revision of a currently approved collection.

Description: This information collection captures information related to specified Material Events that Certified CDFIs, Recipients and/or Allocatees are required to report per applicable Certification, Assistance, Award, Allocation, or Bond Loan Agreement for Bank Enterprise Award Program, Capital Magnet Fund Program, CDFI Bond Guarantee Program, CDFI Equitable Recovery Program, CDFI Rapid Response Program, New Markets Tax Credit Program, Small Dollar Loan Program, and/or CDFI Program/Native American CDFI Assistance Program, including Technical Assistance, Financial Assistance, Healthy Food Financing Initiative Financial Assistance Disability Funds Financial Assistance, Persistent Poverty Counties Financial Assistance and Housing Production Financial Assistance. The revised form requires entities to indicate their Material Event, explain the event, and describe their organization's response.

Form: CDFI Form 0036.

Affected Public: CDFIs and CDEs; including business or other for-profit institutions, non-profit entities, and State, local and Tribal entities participating in CDFI Fund programs.

Estimated Number of Respondents: 325.

Frequency of Response: On occasion.

Estimated Total Number of Annual Responses: 650.

Estimated Time per Response: 15 minutes.

Estimated Total Annual Burden Hours: 163.

Authority: 44 U.S.C. 3501 *et seq.*

Spencer W. Clark,

Treasury PRA Clearance Officer.

[FR Doc. 2025–16665 Filed 8–28–25; 8:45 am]

BILLING CODE 4810–70–P

DEPARTMENT OF THE TREASURY

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Report of Transportation of Currency or Monetary Instruments (CMIR)—FinCEN Form 105

AGENCY: Departmental Offices, U.S. Department of the Treasury.

ACTION: Notice of information collection; request for comment.

SUMMARY: The Department of the Treasury will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. The public is invited to submit comments on this request.

DATES: Comments should be received on or before September 29, 2025 to be assured of consideration.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Copies of the submissions may be obtained from Spencer W. Clark by emailing *PRA@treasury.gov,* calling (202) 927–5331, or viewing the entire information collection request at *www.reginfo.gov.*

SUPPLEMENTARY INFORMATION:

Financial Crimes Enforcement Network (FinCEN)

1. Title: Report of Transportation of Currency or Monetary Instruments (CMIR)—FinCEN Form 105.

OMB Control Number: 1506–0014.

Type of Request: Extension without change of a currently approved collection.

Description: 31 U.S.C. 5316 requires, with limited exceptions, that a person, or an agent or bailee of the person, file a report when the person, agent, or bailee knowingly: (i) transports, is about to transport, or has transported monetary instruments of more than $10,000 at one time from a place in the United States to or through a place outside the United States, or to a place in the United States from or through a place outside the United States; or (ii) receives monetary instruments of more than $10,000 at one time transported into the United States from or through a place outside the United States. The regulations implementing this statutory requirement are found at 31 CFR 1010.340 and 31 CFR 1010.306.

Form: FinCEN Form 105.

Affected Public: Individuals and households, Businesses or other for-profits.

Estimated Number of Respondents: 108,400.

Frequency of Response: On Occasion.

Estimated Total Number of Annual Responses: 140,687.

Estimated Time per Response: 17.95 minutes, on average.

Estimated Total Annual Burden Hours: 42,089.

Authority: 44 U.S.C. 3501 *et seq.*

Spencer W. Clark,

Treasury PRA Clearance Officer.

[FR Doc. 2025–16624 Filed 8–28–25; 8:45 am]

BILLING CODE 4810–02–P

DEPARTMENT OF THE TREASURY

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Multiple Bureau of the Fiscal Service Information Collection Requests

AGENCY: Departmental Offices, U.S. Department of the Treasury.

ACTION: Notice of information collection; request for comment.

SUMMARY: The Department of the Treasury will submit the following information collection requests to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. The public is invited to submit comments on these requests.

DATES: Comments should be received on or before September 29, 2025 to be assured of consideration.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Copies of the submissions may be obtained from Spencer W. Clark by emailing *PRA@treasury.gov,* calling (202) 927–5331, or viewing the entire information collection request at *www.reginfo.gov.*

SUPPLEMENTARY INFORMATION:

Bureau of the Fiscal Service (BFS)

1. Title: Collateral Security Resolution and Collateral Pledge and Security Agreement.

OMB Control Number: 1530–0017.

Type of Request: Extension without change of a currently approved collection.

Description: These forms are used to give authority to financial institutions to become a depositary of the Federal Government. They also execute an agreement from the financial institutions they are authorized to pledge collateral to secure public funds with Federal Reserve Banks or their designees.

Form: FS Form 5902, FS Form 5903.

Affected Public: Business or other for-profit.

Estimated Number of Respondents: 15.

Frequency of Response: On occasion.

Estimated Total Number of Annual Responses: 30.

Estimated Time per Response: 15 minutes.

Estimated Total Annual Burden Hours: 8.

2. Title: Application by Voluntary Guardian of Incapacitated Owner of United States Savings Bonds/Notes.

OMB Control Number: 1530–0031.

Type of Request: Extension without change of a currently approved collection.

Description: The information is requested to establish the right of a voluntary guardian to conduct transactions on behalf of a mentally incapacitated bond or note owner.

Form: FS Form 2513.

Affected Public: Individuals and households.

Estimated Number of Respondents: 500.

Frequency of Response: Once.

Estimated Total Number of Annual Responses: 500.

Estimated Time per Response: 20 minutes.

Estimated Total Annual Burden Hours: 167.

3. Title: Application for Issue of United States Mortgage Guaranty Insurance Company Tax and Loss Bonds.

OMB Control Number: 1530–0052.

Type of Request: Extension without change of a currently approved collection.

Description: The information collected is necessary to establish and maintain Tax and Loss Bond accounts.

Form: FS Form 3871.

Affected Public: Business or other for-profit.

Estimated Number of Respondents: 48.

Frequency of Response: Once.

Estimated Total Number of Annual Responses: 48.

Estimated Time per Response: 15 minutes.

Estimated Total Annual Burden Hours: 12.

4. Title: ACH Vendor/Miscellaneous Payment Enrollment Form.

OMB Control Number: 1530–0069.

Type of Request: Extension without change of a currently approved collection.

Description: The form is used by multiple agencies to collect payment data from vendors doing business with the Federal Government. The Treasury Department, Bureau of the Fiscal Service, will use the information to electronically transmit payment to vendors' financial institutions.

Form: SF 3881.

Affected Public: Business or other for-profit.

Estimated Number of Respondents: 50,000.

Frequency of Response: Once, On Occasion.

Estimated Total Number of Annual Responses: 50,000.

Estimated Time per Response: 15 minutes.

Estimated Total Annual Burden Hours: 12,500.

Authority: 44 U.S.C. 3501 et seq.

Spencer W. Clark,

Treasury PRA Clearance Officer.

[FR Doc. 2025–16664 Filed 8–28–25; 8:45 am]

BILLING CODE 4810–AS–P

DEPARTMENT OF THE TREASURY

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Multiple Alcohol and Tobacco Tax and Trade Bureau Information Collection Requests

AGENCY: Departmental Offices, U.S. Department of the Treasury.

ACTION: Notice of information collection; request for comment.

SUMMARY: The Department of the Treasury will submit the following information collection requests to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. The public is invited to submit comments on these requests.

DATES: Comments should be received on or before September 29, 2025 to be assured of consideration.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Copies of the submissions may be obtained from Spencer W. Clark by emailing *PRA@treasury.gov,* calling (202) 927–5331, or viewing the entire information collection request at *www.reginfo.gov.*

SUPPLEMENTARY INFORMATION:

Alcohol and Tobacco Tax and Trade Bureau (TTB)

1. Title: Authorization To Furnish Financial Information and Certificate of Compliance.

OMB Control Number: 1513–0004.

Type of Request: Extension without change of a currently approved collection.

Description: The Alcohol and Tobacco Tax and Trade Bureau (TTB), under its statutory and regulatory authorities, may require such applicants to show they have the financial standing necessary to conduct their operations in

compliance with Federal law during an alcohol or tobacco permit application investigation. However, the Right to Financial Privacy Act of 1978 (the Act; 12 U.S.C. 3401 *et seq.*) limits the Federal Government's access to the records of individuals held by financial institutions. The Act provides that a person may authorize a financial institution to disclose their individual records to a Federal agency, but it also requires the agency to certify to the institution that the agency has complied with the Act. To meet those requirements, a permit applicant uses TTB F 5030.6, Authorization to Furnish Financial Information and Certificate of Compliance, to authorize a financial institution to disclose their individual records to TTB, and TTB uses the form to certify to the institution that the agency has complied with the Act.

Form: TTB F 5030.6.

Affected Public: Businesses or other for-profits.

Estimated Number of Respondents: 10.

Frequency of Response: On Occasion.

Estimated Total Number of Annual Responses: 10.

Estimated Time per Response: 15 minutes.

Estimated Total Annual Burden Hours: 3 hours.

2. Title: Labeling and Advertising Requirements Under the Federal Alcohol Administration Act.

OMB Control Number: 1513–0087.

Type of Request: Extension without change of a currently approved collection.

Description: As required by the Federal Alcohol Administration Act (FAA Act) at 27 U.S.C. 205(e) and (f), the Secretary has issued regulations, administered by the Alcohol and Tobacco Tax and Trade Bureau (TTB), regarding the labeling and advertising of wine, distilled spirits, and malt beverages, which are contained in 27 CFR parts 4, 5, and 7, respectively. The FAA Act provides that these regulations should, among other things, prohibit consumer deception and the use of misleading statements on labels and ensure that labels provide the consumer with adequate information as to the identity and quality of the product. Under those regulations, bottlers and importers of alcohol beverages must provide certain mandatory information, conform to regulatory requirements regarding certain voluntary disclosures, and adhere to certain presentation standards for statements made on labels and in advertisements of alcohol beverages. Those regulations ensure that consumers are provided with adequate, legible, and non-deceptive or misleading information as to the identity and quality of such products.

Form: None.

Affected Public: Businesses or other for-profits.

Estimated Number of Respondents: 15,000.

Frequency of Response: On Occasion.

Estimated Total Number of Annual Responses: 15,000.

Estimated Time per Response: 1 hour.

Estimated Total Annual Burden Hours: 15,000.

3. Title: Records Supporting Drawback Claims on Eligible Articles Brought Into the United States From Puerto Rico or the Virgin Islands (TTB REC 5530/3).

OMB Control Number: 1513–0089.

Type of Request: Extension without change of a currently approved collection.

Description: Under the Internal Revenue Code (IRC) at 26 U.S.C. 7652(g), the provisions of 26 U.S.C. 5111–5114 providing for drawback (refund) of Federal excise taxes paid on distilled spirits used in certain nonbeverage products—medicines, medicinal preparations, food products, flavors, flavoring extracts, and perfumes—also apply to such articles brought into the United States from Puerto Rico or the U.S. Virgin Islands. In particular, 26 U.S.C. 5112 requires nonbeverage product drawback claimants to keep the records necessary to document the information provided in such claims, subject to regulations prescribed by the Secretary. Based on those IRC authorities, the Alcohol and Tobacco Tax and Trade Bureau (TTB) regulations at 27 CFR 26.174 and 26.310 require persons making nonbeverage product drawback claims on eligible articles brought into the United States from Puerto Rico or the U.S. Virgin Islands to keep certain business, formula, and tax payment records documenting the data regarding the distilled spirits and articles in question provided in such claims. Those persons must maintain the required records at their business premises for at least 3 years, during which time TTB may inspect the records to verify the data provided in their claims. TTB's verification of such nonbeverage product drawback claims is necessary to protect the revenue and ensure compliance with relevant statutory and regulatory requirements.

Form: None.

Affected Public: Businesses or other for-profits.

Estimated Number of Respondents: 10.

Frequency of Response: On Occasion.

Estimated Total Number of Annual Responses: 10.

Estimated Time per Response: 1 hour.

Estimated Total Annual Burden Hours: 10.

4. Title: Beer for Exportation.

OMB Control Number: 1513–0114.

Type of Request: Extension without change of a currently approved collection.

Description: Under the Internal Revenue Code (IRC) at 26 U.S.C. 5051, Federal excise tax is imposed on beer removed from domestic breweries for consumption or sale, but under 26 U.S.C. 5053, brewers may remove beer without payment of tax for export purposes, subject to regulations prescribed by the Secretary of the Treasury. As such, the Alcohol and Tobacco Tax and Trade Bureau (TTB) regulations in 27 CFR part 28 allow brewers to remove beer without payment of tax for export to a foreign county, use as supplies on certain vessels or aircraft, transfer to a foreign trade zone for export, or shipment to U.S. armed forces stationed overseas. Those regulations also require brewers to give notice of each such removal on form TTB F 5130.12, or brewers may apply to TTB to use an alternative procedure to report beer removed for export purposes via a monthly summary report, provided that the brewer completes the notification section of TTB F 5130.12 for each removal and maintains the form and the related supporting export verification records at their premises. TTB uses the required information to account for beer removed without payment of tax for export purposes and ensure that such beer is not diverted into the taxable domestic market.

Form: TTB F 5130.12.

Affected Public: Businesses or other for-profits.

Estimated Number of Respondents: 280.

Frequency of Response: On Occasion.

Estimated Total Number of Annual Responses: 4,200.

Estimated Time per Response: 1.65 hours for TTB Form 5130.12, 3 hours for monthly summary report and recordkeeping alternate procedure.

Estimated Total Annual Burden Hours: 10,170.

Authority: 44 U.S.C. 3501 *et seq.*

Spencer W. Clark,

Treasury PRA Clearance Officer.

[FR Doc. 2025–16625 Filed 8–28–25; 8:45 am]

BILLING CODE 4810–31–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0009]

Agency Information Collection Activity Under OMB Review: Application for Veteran Readiness and Employment Benefits for Claimants With Service-Connected Disabilities (Chapter 31, Title 38, U.S.C.)

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995, this notice announces that the Veterans Benefits Administration, Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden, and it includes the actual data collection instrument.

DATES: Comments and recommendations for the proposed information collection should be sent by September 29, 2025.

ADDRESSES: To submit comments and recommendations for the proposed information collection, please type the following link into your browser: *www.reginfo.gov/public/do/PRAMain,* select ''Currently under Review—Open for Public Comments'', then search the list for the information collection by Title or ''OMB Control No. 2900–0009.''

FOR FURTHER INFORMATION CONTACT: VA PRA information: Dorothy Glasgow, 202–461–1084, *VAPRA@va.gov*.

SUPPLEMENTARY INFORMATION:

Title: VA Form 28–1900, Application for Veteran Readiness and Employment Benefits for Claimants with Service-Connected disabilities (Chapter 31, Title 38, U.S.C.).

OMB Control Number: 2900–0009 *https://www.reginfo.gov/public/do/PRASearch*.

Type of Review: Revision of a currently approved collection.

Abstract: VA Form 28–1900 is used by Veterans and Service members with service-connected disabilities to apply for benefits and services under the Chapter 31 program. Without the information, eligibility and entitlement to Chapter 31 could not be determined under 38 U.S.C. 501(a), 38 U.S.C. 3102, and 38 CFR 21.40.

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 **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published at insert citation date: 90 FR 27758, June 27, 2025.

Affected Public: Individuals or Households.

Estimated Annual Burden: 33,350 hours.

Estimated Average Burden per Respondent: 10 minutes.

Frequency of Response: One time.

Estimated Number of Respondents: 133,399.

(Authority: 44 U.S.C. 3501 *et seq.*)

Dorothy Glasgow,

VA PRA Clearance Officer, Office of Enterprise and Integration, Data Governance Analytics, Department of Veterans Affairs.

[FR Doc. 2025–16590 Filed 8–28–25; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0016]

Agency Information Collection Activity Under OMB Review: Claim for Disability Insurance Benefits, Government Life Insurance

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995, this notice announces that the Veterans Benefits Administration, Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden, and it includes the actual data collection instrument.

DATES: Comments and recommendations for the proposed information collection should be sent by September 29, 2025.

ADDRESSES: To submit comments and recommendations for the proposed information collection, please type the following link into your browser: *www.reginfo.gov/public/do/PRAMain,* select ''Currently under Review—Open for Public Comments'', then search the list for the information collection by Title or ''OMB Control No. 2900–0016.''

FOR FURTHER INFORMATION CONTACT: VA PRA information: Dorothy Glasgow, (202) 461–1084, *VAPRA@va.gov.*

SUPPLEMENTARY INFORMATION:

Title: Claim for Disability Insurance Benefits (VA Form 29–357).

OMB Control Number: 2900–0016 *https://www.reginfo.gov/public/do/PRASearch*.

Type of Review: Extension without change of a currently approved collection.

Abstract: This form is used by the policyholder to claim disability insurance benefits on S–DVI, NSLI and USGLI policies. The information requested is authorized by law, 38 U.S.C. 1912, 1915, 1922, 1942 and 1948.

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 **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published at 90 FR 27759, June 27, 2025.

Affected Public: Individuals or Households.

Estimated Annual Burden: 14,175.

Estimated Average Burden per Respondent: 1 Hour and 45 minutes.

Frequency of Response: One time.

Estimated Number of Respondents: 8,100.

(Authority: 44 U.S.C. 3501 *et seq.*)

Dorothy Glasgow,

Acting, VA PRA Clearance Officer, Office of Enterprise and Integration, Data Governance Analytics, Department of Veterans Affairs.

[FR Doc. 2025–16592 Filed 8–28–25; 8:45 am]

BILLING CODE 8320–01–P

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Federal Register

Vol. 90, No. 166

Friday, August 29, 2025

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