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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Parts 3, 21, 43, 60, 61, 63, 65, 67, 89, 107, 111, 120, 121, 139, 142, 145, 402, and 413

[Docket No.: FAA–2024–0021; Amendment Nos. 3–4, 21–110, 43–64, 60–9, 61–160, 63–48, 65–67, 67–23, 89–2, 107–14, 111–3, 120–4, 121–394, 139–29, 142–12, 145–33, 402–1, and 413–14]

RIN 2120–AL84

Falsification, Reproduction, Alteration, Omission, or Incorrect Statements

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

ACTION: Final rule.

SUMMARY: FAA is amending, restructuring, and consolidating the falsification regulations presently located throughout title 14 of the Code of Federal Regulations (CFR). Regarding 14 CFR chapter I, this rule eliminates inconsistencies among the various falsification regulations and associated sanctions; consolidates all existing falsification regulations into one part under 14 CFR chapter I to standardize the existing falsification regulations; and ensures that falsification-related conduct not addressed by pertinent current regulations is covered. This rule also creates a falsification prohibition applicable to the regulations governing commercial space transportation.

DATES: Effective November 3, 2025.

ADDRESSES: For information on where to obtain copies of rulemaking documents and other information related to this final rule, see ''How to Obtain Additional Information'' in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Jessica E. Kabaz-Gomez, Senior Attorney, Aviation Litigation Division, AGC–300, Federal Aviation Administration, Office of the Chief Counsel, 800 Independence Avenue SW, Washington, DC 20591; email *jessica.kabaz-gomez@faa.gov.*

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I. Executive Summary

A. Purpose of the Regulatory Action

FAA and other stakeholders rely on complete and accurate information in safety-related records. Indeed, FAA and other stakeholders make critical safety-related decisions based on the information, such as in FAA-required records, and rely necessarily on the veracity of that information. When a person provides falsified information or omits material information from records, that person creates a threat to aviation safety by inhibiting the ability of FAA and other stakeholders to make critical safety-related decisions. Falsification regulations promote the integrity of information necessary to ensure aviation safety. They also serve as a basis for appropriate action when a person engages in falsification-related conduct.

The final rule affects applicable parts in 14 CFR chapters I and III. Falsification prohibitions prior to this final rule were found in 14 CFR chapter I, parts 3, 21, 43, 60, 61, 63, 65, 67, 89, 107, 111, 120, 121, 139, 142, and 145. The final rule removes the existing falsification regulations from these parts, except part 3, and consolidates them in a new subpart in part 3.[1] The amendments to part 3 create standardized falsification proscriptions applicable to subchapter A (except parts 1 and 3), subchapter C (except part 39), subchapter D, subchapter E (except parts 71 and 73), subchapter F (except parts 95 and 97), subchapter G (except part 110), subchapter H, and subchapter K (except parts 185, 187, 189, and 193). Accordingly, the amendments to part 3 also apply to those parts of 14 CFR chapter I that do not currently have falsification regulations, but for which such regulations are warranted. Those parts are 5, 23, 25, 26, 27, 29, 31, 33, 34, 35, 36, 45, 47, 48, 49, 68, 77, 91, 93, 99, 101, 103, 105, 117, 119, 125, 129, 133, 135, 136, 137, 141, 147, and 183. The amendments to part 3 will also apply to any new parts FAA adds to the preceding list of subchapters.

The amendments in this final rule also remove the existing falsification regulations located in 14 CFR 413.17(c) and create a new part 402 containing a falsification prohibition applicable to 14 CFR chapter III, subchapter C. Subchapter C consists of parts 413, 414, 415, 417, 420, 431, 433, 435, 437, 440,

450, and 460. New part 402 will also apply to any subsequent new parts FAA adds to Subchapter C.

The amendments in part 3 and new part 402 proscribe: (1) intentionally false or fraudulent statements; (2) productions, reproductions, or alterations for fraudulent purpose; and (3) knowingly omitting or causing to be omitted a material fact. They provide a means to address incorrect statements. Also, the final rule standardizes sanctions for violations of the falsification regulations under 14 CFR, chapters I and III, cited in this final rule.

B. Changes Made in This Final Rule Since the NPRM

FAA has made relatively minimal changes to its proposal in this final rule. The changes have been made in response to comments received. First, FAA has revised the incorrect statement and omission prohibitions in proposed §§ 3.405 and 402.5 to align with the structure of the current incorrect statement prohibitions found in 14 CFR 60.33(c) and 67.403(c). As a result, the revision narrows the scope of sanctions for incorrect statements or omissions to allow for an FAA action against the issuance (*e.g.,* approval, acceptance, certificate) that is related to the incorrect statement. In addition, this rulemaking contains a definition of ''document in any format'' to clarify that the phrase includes documents (electronic or physical), and also other tangible items, such as data plates or marked parts.

C. Summary of the Costs and Benefits

Falsification regulations promote aviation and commercial space safety by incentivizing participants in the National Aerospace System to provide accurate and truthful information in safety-related records. The final rule benefits the safety of the public by ensuring that information made, kept, or used to show compliance with regulatory requirements or provided to FAA is accurate and complete. The final rule also benefits private industry by standardizing sanction provisions and providing consistent sanction determinations. Additional benefits to private industry include a more reliable aviation system.

FAA has evaluated the cost impacts to the stakeholders affected by this final rule and does not anticipate any new cost impact to aviation and space industries or FAA.

II. Authority for This Rulemaking

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

With respect to 14 CFR chapter I, this rulemaking is issued under 49 U.S.C. 44701(a)(5), which establishes the authority of the Administrator to prescribe regulations and minimum standards for other practices, methods, and procedures the Administrator finds necessary for safety in air commerce and national security. It is also issued under 49 U.S.C. 44702–44709, which prescribe the Administrator's authority to issue different types of certificates to various individuals and entities and to amend, modify, suspend, or revoke those certificates as appropriate. This final rule is within the scope of these sections because it establishes new falsification regulations that consolidate existing falsification regulations into one part under 14 CFR chapter I that standardizes the existing falsification regulations and covers falsification-related conduct that is not, but should be, addressed by current pertinent regulations. This final rule also falls within the scope of 49 U.S.C. 46301, which prescribes FAA's authority to assess civil penalties, because it authorizes the assessment of civil penalties for noncompliance with the general falsification provision.

With respect to 14 CFR chapter III, this rulemaking is issued under the authority described in the Commercial Space Launch Act of 1984, as amended and recodified at 51 U.S.C. 50901–50923 (the Act). The Act authorizes DOT to oversee, investigate, license, and regulate commercial launch and reentry activities and the operation of launch and reentry sites as carried out by U.S. citizens or within the United States. *See* 51 U.S.C. 50904, 50905. The Act directs DOT to exercise this responsibility consistent with public health and safety, safety of property, and the national security and foreign policy interests of the United States. *See* 51 U.S.C. 50901. This authority has been delegated to FAA's Associate Administrator for Commercial Space Transportation. *See* 14 CFR 401.3.

The regulations fall within the scope of 51 U.S.C. 50901–50923 because they establish comprehensive falsification proscriptions that currently do not exist in 14 CFR chapter III that promote the integrity of the information FAA relies on and serve as a basis for regulatory action as appropriate, which is essential to FAA's statutory responsibility under the Act. The rulemaking is within the scope of 51 U.S.C. 50908 because this section authorizes FAA, under delegated authority from the Secretary of Transportation, to modify, suspend, or revoke a license issued or transferred under 51 U.S.C. Subtitle V, chapter 509. It is within the scope of 51 U.S.C. 50917 because it authorizes FAA, under delegated authority from the Secretary of Transportation, to assess a civil penalty for a violation of chapter 509, a regulation prescribed under chapter 509, or any term of a license issued or transferred under chapter 509.

III. Background

A. Summary of the NPRM

On February 8, 2024, FAA published a notice of proposed rulemaking (NPRM) titled ''Falsification, Reproduction, Alteration, Omission, or Incorrect Statements.'' [2] The NPRM described the historical development of FAA's falsification regulations and the proposed changes. It provided background on the types of conduct proscribed under the prior falsification regulations and identified those regulations by section.[3] In addition, the NPRM identified the regulations that contained a sanction provision for falsification.[4]

FAA implemented the first of its falsification regulations in 1965.[5] Since then, the agency has implemented various falsification regulations, most recently in 2021.[6] The NPRM explained how the piecemeal publication of falsification regulations has been problematic and highlighted two issues that required remedies: (1) the types of conduct proscribed by the falsification regulations and prescribed sanctions referenced in the various falsification regulations were not consistent across the existing falsification regulations; and (2) many 14 CFR parts lacked a falsification prohibition, but warranted one.[7]

The NPRM proposed to amend and reorganize the current falsification regulations to create uniform and comprehensive falsification regulations for the applicable parts of 14 CFR chapter I and across 14 CFR chapter III, subchapter C.[8] The proposal described how the regulatory amendments would standardize the proscribed conduct and expand the proscription to the pertinent parts of 14 CFR chapters I and III as appropriate, and how those amendments would standardize sanction provisions.[9] The 60-day comment period for the NPRM closed on April 8, 2024.

B. General Overview of Comments

FAA received submissions in response to the NPRM from thirteen commenters: eight industry associations and five individuals. Two individual

commenters supported the proposal with no changes suggested; nine commenters, including the eight industry associations and one individual, supported the rule with suggested changes, one individual opposed the proposal as it related to 14 CFR part 68, and one individual's comment was out of scope. The industry associations that submitted comments were Airlines for America (A4A); Aerospace Industries Association of Brazil; Aircraft Owners and Pilot Association (AOPA); Air Line Pilots Association, International (ALPA); Aeronautical Repair Station Association (ARSA) (in conjunction with Aerospace Industries Association, Aircraft Electronics Association, Cargo Airline Association, and National Air Carrier Association); Aviation Repair Resources, Inc.; Modification and Replacement Parts Association (MARPA); and Aviation Suppliers Association (ASA).

C. Differences Between the NPRM and the Final Rule

As previously stated, FAA has made relatively minimal changes to its proposal in this final rule. One item that FAA revised is the incorrect statement and omission prohibitions that were proposed for §§ 3.405 and 402.5. This final rule aligns more closely with the language in 14 CFR 60.33(c) and 67.403(c) regarding incorrect statement prohibitions. This final rule narrows the scope of sanctions for incorrect statements or omissions to allow for an FAA action against the issuance (*e.g.,* approval, acceptance, certificate) that is related to the material incorrect statement. The second change FAA made in this final rule as a result of public comment is the inclusion of a definition of ''documents in any format.'' The changes are discussed in more detail under ''IV. Discussion of Comments and the Final Rule.''

IV. Discussion of Comments and the Final Rule

A. Revision of the Proposed ''*Incorrect Statement, or Omission*'' *Prohibitions in Sections 3.405 and 402.5*

In the NPRM, FAA proposed in §§ 3.405(a) and 402.5(a) to prohibit incorrect statements: ''No person may make or cause to be made a material incorrect statement or omit or cause to be omitted a material fact, in'' the documents described in §§ 3.405(a)(1)–(2) and 402.5(a)(1)–(2).[10] Under the proposal, an incorrect statement under § 3.405(a)(1)–(2) and 402.5(a)(1)–(2) may serve as a basis for an FAA action against any issuance or grant.[11]

A4A, AOPA, ALPA, ASA, MARPA, ARSA, and Aerospace Industries Association of Brazil recommended that FAA eliminate or limit the prohibition of unknowing or unintentional incorrect statements and omissions in proposed §§ 3.405 and 402.5. They commented that the proposed prohibitions would create a strict liability offense that would punish honest mistakes and create a chilling effect on the voluntary reporting of safety-related information. Likewise, one individual commented that sanctioning unintentional errors or omissions would make persons reluctant to report safety concerns. The organizational groups noted that the consequence of making an incorrect statement or causing such a statement to be made would be unduly harsh and overbroad because FAA could take action against certificates or other issuances that were not issued in reliance on the incorrect statement or omission. Similarly, ASA commented that §§ 3.405 and 402.5 made the proposed rule a ''significant regulatory action'' under E.O. 12866, because they ''create a novel enforcement approach to incorrect statements by creating a strict liability enforcement mechanism for honest mistakes.''

FAA agrees that the proposed regulatory text regarding the incorrect statement and omission prohibition should be modified. In this final rule, FAA revises proposed §§ 3.405 and 402.5 to align more closely with the structure of 14 CFR 60.33(c) and 67.403(c) regarding incorrect statements. Regarding § 3.405, rather than proscribing incorrect statements as proposed in the NPRM, this final rule provides that an incorrect statement or omission of fact may serve as a basis for suspending, modifying, revoking, rescinding, removing, or withdrawing an acceptance, approval, authorization, certificate, rating, declaration, designation, qualification, or similar, or denying an application or request for reconsideration, or similar, issued or granted by the Administrator. This change prevents a strict liability application of sanctions for incorrect statements and omissions and instead allows FAA to take appropriate remedial action tailored to the circumstances surrounding the incorrect statement or omission. The final regulatory language of § 402.5 mirrors the above-referenced revision.

The revisions addressed in the preceding paragraph render moot ASA's statement that §§ 3.405 and 402.5 constitutes a ''significant regulatory action'' under E.O. 12866.

B. Non-Applicability of New §§ 3.403 and 3.405 to 14 CFR Chapter 1, Subchapter I

In the NPRM, FAA proposed § 3.403 to prohibit fraud and intentional falsification and, as noted above, § 3.405 to prohibit incorrect statements or omissions. Section 3.401 applied §§ 3.403 and 3.405 to 14 CFR chapter 1 as follows: ''This subpart applies to any person subject to the requirements in subchapter A (except parts 1 and 3), subchapter C (except part 39), subchapter D, subchapter E (except parts 71 and 73), subchapter F (except parts 95 and 97), subchapter G (except part 110), subchapter H, and subchapter K (except parts 185, 187, 189 and 193), of this chapter.''

A4A stated that without adequate explanation, FAA excluded certain airport regulations from the applicability of § 3.401 in the proposed rule. The commenter explained that if the rulemaking were to standardize the existing falsification regulations, then it should apply to all aviation stakeholders, including those under 14 CFR chapter 1, subchapter I (''Airports''), which includes regulations that implicate aviation safety.

The FAA declines to expand the scope of the rule to all parts of 14 CFR chapter I or to subchapter I. The NPRM did not propose to include subchapter I, and stated that application of the falsification prohibition to subchapter I would constitute an unnecessary or unwarranted expansion of the falsification prohibition at this time.[12] Subchapter I contains regulatory parts that are subject to other Federal laws and requirements (*e.g.,* Part 150, ''Airport Noise Compatibility Planning''; Part 151, ''Grants of Funds: General Policies''; Part 152, ''Airport Aid Program''; Part 156, ''State Block Grant Pilot Program''; and Part 158, ''Passenger Facility Charges (PFC's)''). Therefore, FAA is not making changes in this final rule as a result of this comment, but will take these comments into consideration for potential future regulatory revisions.

C. Relationship Between the Revisions and FAA's Proposed Rulemaking, ''*Disclosure of Safety Critical Information*''

A4A commented that ''the FAA proposes to make unknowing material misstatements or unknowing omissions violations of the law'' and questioned whether the proposal conflicted with FAA's planned ''iterative application and reporting requirements'' in the proposed rulemaking regarding ''*Disclosure of Safety Critical*

Information'' (DOSCI), applicable to 14 CFR part 21.[13] The proposal in the DOSCI NPRM would impose, as required by the Aircraft Certification, Safety, and Accountability Act (ACSAA), § 105(a) (codified at 49 U.S.C. 44704(e)), certain submittal and ongoing disclosure requirements of ACSAA § 105(a) on applicants and holders of type certificates (TC) respectively, including amended TCs for transport category airplanes covered by 14 CFR part 25.[14]

Currently, each applicant for a TC must show, and certify, that it has complied with the applicable requirements in accordance with 14 CFR 21.20. These requirements are unaffected by this final rule. Also, after issuing the TC, FAA may conduct a reinspection at any time under 49 U.S.C. 44709(a). Such a reinspection could be appropriate if, for example, an incorrect statement or omission called into question the validity of an applicant showing or certification under 14 CFR 21.20, or an FAA finding of compliance, and therefore the validity of the TC. Under such circumstances, FAA could seek to amend, modify, suspend, or revoke the certificate under § 44709(b) if safety in air commerce or air transportation and the public interest required that action. Such authority is unaffected by this rule.

The changes in this final rule to §§ 3.405 and 402.5 do not expand the consequences of material incorrect statements or omissions of material fact beyond what is currently allowed under the Administrator's reinspection/reexamination authority in 49 U.S.C. 44709. However, FAA acknowledges the possibility that its review of safety-critical information submitted by an applicant under the Congressionally mandated DOSCI proposal before certification could reveal material, but unintentional, incorrect statements or omissions of material fact. In such instances, FAA anticipates that the applicant or certificate holder would make necessary updates or corrections to show and certify compliance before FAA, or its designee, makes any findings and issues the TC. In any event, if FAA issued a certification and later discovered that an unintentional, incorrect statement or omission was material to the issuance, validity, or granting of that certification, FAA could take remedial action against the issued certificate under § 3.405 in the interest of aviation safety. The holder of the certificate at issue would be able to apply for a new certificate supported by corrected information.

In this final rule, FAA has changed §§ 3.405 and 402.5 to resolve the potential conflict between this falsification prohibition rulemaking and the requirements proposed by the DOSCI NPRM. The changes in this final rule limit the consequence of incorrect statements or omissions to an action against the acceptance, application approval, authorization, certificate, rating, declaration, designation, qualification, request for reconsideration, or similar, when the incorrect statement or omission was material to its issuance, validity, or grant.

D. Delineation of Specific Regulations in Part 3

In the NPRM, FAA proposed a new § 3.401, which would identify the applicable regulatory subchapters of 14 CFR chapter I affected by this rule, and certain exceptions. AOPA recommended that FAA ''clearly delineate the specific regulations subject to the proposal rather than to cover the proposal with blanket applicability.'' Similarly, ALPA stated that the proposal lacks ''a comprehensive listing, or specific notice, of 14 CFR 'record requirements,' '' which is ''complicated by the expanded coverage and expanded sanctions'' associated with the proposed regulatory text in the part 3 rule.[15]

FAA notes that proposed § 3.401 did not apply ''blanket applicability,'' but rather identified the applicable subchapters and the excepted parts of those subchapters. Thus, § 3.401 notifies the public as to which parts of 14 CFR this final rule applies. This final rule applies to the entirety of each regulatory part identified in § 3.401, just as the current falsification prohibitions in particular parts apply to those entire parts.

Regarding ALPA's comment, the final rule does not contain a comprehensive listing of ''record requirements'' in 14 CFR because the record requirements or documents that persons may submit, or that are kept, made, or used to show compliance, vary widely depending on the part. The falsification regulations as stated in this final rule cover the documents referenced in those specific parts. Therefore, the final rule covers, for example, the records or reports described previously in § 43.12(a)(1) that are required to be made, kept, or used to show compliance with any requirement under part 43. Similarly, it covers the applications for a certificate, rating, or authorization described previously in § 61.59(a)(1). FAA did not make any changes to § 3.401 based on this comment, and the section is adopted as proposed.

E. Definition of ''Document in Any Format''

AOPA commented that proposed §§ 3.403 and 3.405 use ''document'' and ''statement'' as ''terms of art'' and as the sole descriptors of what may be falsified. ALPA also noted this language and concluded this will lead to confusion and unintentional noncompliance and asked FAA to revise the proposed language to include definitions for ''document'' and ''statement'' as those terms were not defined in the NPRM.

FAA agrees in part with the commenters. The proposal generally intended the ordinary definition of the terms ''document'' and ''statement.'' However, those terms are not the sole descriptors of what may be falsified. Rather, proposed §§ 3.403, 3.405, 402.3, and 402.5 contain a list of types of documents in which a person could make a false statement. In addition, the NPRM explained, and this final rule reiterates, that documents ''in any format'' include tangible formats such as a data plate or marked parts. Nonetheless, FAA has updated the final rule text in response to this comment by defining, in §§ 3.401 and 402.1, ''document in any format'' as including documents (electronic or physical), and other tangible items, such as data plates or marked parts.

F. Use of the Word ''Any''

AOPA and an individual recommended that FAA revise the proposal to limit the use of the word ''any.'' AOPA encouraged ''specificity in the regulatory text to foster an easily understandable regulatory scheme.'' Additionally, AOPA opined that the frequency of the proposed use of ''any'' ''creates confusion and fosters misunderstanding, leading to unintentional noncompliance and unintended consequences.''

FAA does not concur that limiting the use of ''any'' is necessary. The meaning and use of ''any'' is unambiguous and consistent with the use of that term in the falsification regulations that existed prior to this final rule. To illustrate, using 14 CFR 61.59 as a representative example, the language used in the prior falsification regulations included a prohibition of ''any fraudulent or intentionally false statement on any application for a certificate, rating, authorization, or duplicate thereof, issued under this part.'' [16] Likewise, the final rule, made applicable to part 61 through § 3.401 and read in conjunction with § 3.403, prohibits any fraudulent or intentionally false statement in any document consisting of any application

submitted under part 61. Thus, the final rule as applied to part 61 (and the other applicable parts), and its use of the term ''any'' has the same intent, scope, and effect as it does under the prior falsification prohibitions. FAA made no changes to the rule as a result of this comment.

G. Whether It Is Necessary To Clarify in § 3.403(a) That Fraudulent Conduct Is Intentional

In the NPRM, FAA proposed new § 3.403(a), which would prohibit ''any fraudulent or intentionally false statement . . . .'' A4A recommended that FAA clarify § 3.403(a) by adding the *mens rea* element of ''intentionally'' before the word ''fraudulent'' to ensure that individuals lacking scienter are not inadvertently subject to this section.

FAA notes that adding a *mens rea* element before ''fraudulent'' would be redundant and, therefore, unnecessary. The traditional definition of fraud is well-established and includes intentional falsification as an element. Intentional falsification consists of (1) a false representation, (2) in reference to a material fact, and (3) made with knowledge of its falsity.[17] The United States Supreme Court has identified that fraud consists of those three elements plus (4) the intent to deceive and (5) with action taken in reliance upon the representation.[18] Since fraud includes knowledge of the false statement and the intent to deceive, adding a *mens rea* element before ''fraudulent'' is unnecessary. FAA made no changes to the rule as a result of this comment.

H. Applicability of the Final Rule to 14 CFR Part 68

An individual stated that FAA lacks statutory authority to issue falsification regulations applicable to the BasicMed provisions under 14 CFR part 68 because BasicMed does not involve the issuance of a certificate. The commenter also stated that 18 U.S.C. 1001 and the affirmations required by BasicMed in the FAA Extension, Safety, and Security Act of 2016, Public Law 114–190 (FESSA) in connection with the Comprehensive Medical Examination Checklist (CMEC) and Medical Education Course are sufficient substitutes for falsification regulations that would apply to the BasicMed regulations of 14 CFR part 68.

FAA is authorized to issue falsification regulations applicable to 14 CFR part 68. The FAA's authority under 49 U.S.C. 44701 is not limited to the issuance of certificates. Rather, FAA has broad authority under § 44701(a)(5) to issue ''regulations and minimum standards for cybersecurity and other practices, methods, and procedures the Administrator finds necessary for safety in air commerce and national security.'' Such regulations include longstanding falsification prohibitions, and this final rule applies a falsification prohibition appropriately to part 68 through § 3.401 as read in conjunction with § 3.403.

FAA has determined that the affirmations of truthfulness and completion required in FESSA § 2307(b) regarding completion of the CMEC are insufficient substitutes for falsification regulations in 14 CFR part 68.[19] FAA's determination is based on its experience addressing persistent instances of falsification throughout the years, including falsification of a similar certification statement in an FAA application for an airman medical certificate affirming that the airman has provided accurate and complete information.

Similarly, criminal falsification prohibitions under 18 U.S.C § 1001 are an insufficient substitute for administrative falsification prohibitions. Indeed, FAA acknowledged as much by implementing the earliest falsification regulations in 1964 under the Federal Aviation Act of 1958.[20] At that time, criminal penalties for falsification had been in effect under the Civil Aeronautics Act of 1938, § 902(e) (Act of 1938). However, the Act of 1938 authorized no administrative sanction for falsification, and the Civil Aviation Regulations implemented under the Act of 1938 contained no falsification regulations. FAA issued the earliest falsification regulations, which allow FAA to take appropriate action in the civil or administrative context when a person lacks the care, judgment, and responsibility to hold a certificate to cure this gap. Application of this final rule to part 68 through § 3.401, and read in conjunction with § 3.403, prohibits directly the falsification of medical education course certifications, comprehensive medical exam checklist certifications, and additional information submitted under § 68.11. The sanction for such falsifications is certificate action against the part 61 and, if applicable, part 67 certificates. No changes were made to the rule as a result of this comment.

I. Applicability of the Final Rule to Statements Made on FAA Form 8130–3

In the NPRM, FAA proposed §§ 402.1, 402.3, and 402.5, which would apply a falsification prohibition to 14 CFR chapter 3, subchapter C, and provide a means for addressing incorrect statements. ASA indicated that a civil penalty against a person resulting from an alleged violation of §§ 402.3(c) or 402.5 based on a failure to include information in the ''Remarks'' section of an FAA Form 8130–3, Authorized Release Certificate, Airworthiness Approval Tag (an ''8130–3 tag''), may violate the Paperwork Reduction Act (PRA) when the omitted information is of the type recommended in FAA Order 8130.21H, ''Procedures for Completion and Use of the Authorized Release Certificate, FAA Form 8130–3, Airworthiness Approval Tag,'' which is not an information collection that has been subject to OMB controls, and thus is advisory only.[21]

There is no new requirement for information collection associated with this final rule. FAA made no change to the rule as a result of this comment.

J. Technical Amendment to 14 CFR 3.1

Although not related directly to the falsification regulations in the NPRM and this final rule, FAA amends § 3.1(a) by changing ''part'' to ''subpart.'' This technical amendment was necessary, but not accomplished, when FAA in 2019 added the security threat disqualification regulations at §§ 3.200 and 3.205.[22] Before FAA implemented those regulations, part 3 consisted solely of §§ 3.1 and 3.5. With the implementation of §§ 3.200 and 3.205, FAA divided part 3 into Subpart A, consisting of §§ 3.1 and 3.5, and Subpart B, consisting of §§ 3.200 and 3.205. After FAA divided part 3 into two subparts, it became necessary for § 3.1 (''Applicability'') to apply to subpart A rather than part 3 as a whole. Therefore, in this final rule FAA has changed ''part'' to ''subpart'' in § 3.1(a).

V. Regulatory Notices and Analyses

A. Regulatory Evaluation

E.O. 12866 (''Regulatory Planning and Review'') and E.O. 13563 (''Improving Regulation and Regulatory Review'') require agencies to regulate in the ''most cost-effective manner,'' to make ''a reasoned determination that the benefits of the intended regulation justify its costs,'' and to develop regulations that ''impose the least burden on society.'' The Office of Management and Budget has determined that this rule is not a ''significant regulatory action'' as defined in section (3)(f)(1) of E.O. 12866.

On February 8, 2024, FAA published an NPRM (89 FR 8560). FAA received comments from eight industry associations and five individuals in response to the NPRM. None of the comments expressed concerns with the economic impacts of the proposal. Therefore, the following regulatory evaluation has no changes from the

regulatory evaluation provided in the NPRM.

1. Need for the Regulation

Falsification regulations promote aviation and commercial space safety by incentivizing the provision of accurate and truthful information to FAA. The final rule enhances aviation safety by standardizing and extending the scope of conduct proscribed by falsification regulations that FAA intends to deter across all the applicable sections of 14 CFR. The final rule also standardizes sanction provisions for this conduct and allows for more consistent sanction determinations as appropriate.

2. Benefits

The final rule benefits the safety of the public by ensuring that information made, kept, or used to show compliance with regulatory requirements or provided to FAA is accurate and complete. The final rule also benefits private industry by standardizing sanction provisions and providing consistent sanction determinations. Additional benefits to private industry include a more reliable aviation system.

3. Costs

FAA has evaluated the cost impacts to the stakeholders involved in this final rule. FAA does not anticipate any new cost impact to industry and FAA anticipates minor administrative cost savings because the consolidation of the various prohibitions in one part creates efficiencies for both industry and FAA by eliminating the inconsistencies that exist in the current regulations and associated sanctions and centralizing the prohibition in one location.

4. Regulatory Alternatives

FAA considered no action as an alternative to this rulemaking. However, taking no action would not achieve the needed harmonization and consolidation of the falsification regulations and standardization of the scope of conduct proscribed by falsification regulations.

5. Conclusion

FAA has, therefore, determined that this final rule has no new costs, but positive benefits due to the consolidation of these regulations. This rule is not a ''significant regulatory action'' as defined in section 3(f) of E.O. 12866 and is not ''significant'' as defined in DOT's Regulatory Policies and Procedures. This rule is an E.O. 14192 deregulatory action because it has total costs less than zero.

B. Regulatory Flexibility Act

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612 (Pub. L. 96–354, 94 Stat. 1164, Sept. 19, 1980), as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121, 110 Stat. 857, Mar. 29, 1996) and the Small Business Jobs Act of 2010 (Pub. L. 111–240, 124 Stat. 2504 Sept. 27, 2010), requires Federal agencies to consider the effects of the regulatory action on small businesses and other small entities and to minimize any significant economic impact. The term ''small entities'' comprises small businesses and 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.

FAA has not identified any small entities that will be affected by the rule because this standardization of the scope of conduct proscribed by falsification regulations does not add any new costs to regulated entities. Therefore, FAA certifies that the final rule will not have a significant economic impact on small entities.

C. International Trade Impact Assessment

The Trade Agreements Act of 1979 (Pub. L. 96–39), as amended by the Uruguay Round Agreements Act (Pub. L. 103–465), prohibits Federal agencies from establishing standards or engaging in related activities that create unnecessary obstacles to the foreign commerce of the United States. Pursuant to these Acts, the establishment of standards is not considered an unnecessary obstacle to the foreign commerce of the United States, so long as the standard has a legitimate domestic objective, such as the protection of safety, and does not operate in a manner that excludes imports that meet this objective. The statute also requires consideration of international standards and, where appropriate, that they be the basis for U.S. standards. FAA has determined that this final rule is not considered an unnecessary obstacle to trade.

FAA has assessed the potential effect of this final rule and determined its objective is to ensure the safety of the American public and it does not exclude imports that meet this objective. As a result, FAA does not consider this final rule as creating an unnecessary obstacle to foreign commerce.

D. Unfunded Mandates Assessment

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) governs the issuance of Federal regulations that require unfunded mandates. An unfunded mandate is a regulation that requires a State, local, or Tribal government or the private sector to incur direct costs without the Federal Government having first provided the funds to pay those costs. FAA determined this final rule will not result in the expenditure of $183 million or more by State, local, or Tribal governments, in the aggregate, or the private sector, in any one year.

E. Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)) requires that FAA consider the impact of paperwork and other information collection burdens imposed on the public. FAA has determined there is no new requirement for information collection associated with this final rule.

F. International Compatibility

In keeping with U.S. obligations under the Convention on International Civil Aviation, it is FAA policy to conform to International Civil Aviation Organization (ICAO) Standards and Recommended Practices to the maximum extent practicable. FAA has determined there are no ICAO Standards and Recommended Practices that correspond to these regulations.

G. Environmental Analysis

The Department has analyzed the environmental impacts of this final rule pursuant to the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321 *et seq.*). FAA has determined that this rule is categorically excluded pursuant to FAA Order 1050.1G. Categorical exclusions are categories of actions that the agency has determined normally do not significantly affect the quality of the human environment and therefore do not require either an environmental assessment (EA) or environmental impact statement (EIS). See DOT Order 5610.1D § 9. In analyzing the applicability of a categorical exclusion, the agency must also consider whether extraordinary circumstances are present that would warrant the preparation of an EA or EIS. Id. § 9(b). This rulemaking, which amends, restructures, and consolidates the falsification regulations presently located throughout title 14 of the CFR, is categorically excluded pursuant to appendix B–2.6(f) of the FAA Order: ''Regulations, standards, and exemptions (excluding those that if implemented may cause a significant impact on the human environment).'' FAA does not anticipate any environmental impacts, and there are no

extraordinary circumstances present in connection with this rulemaking.

VI. E.O. Determinations

A. E.O. 13132, Federalism

FAA has analyzed this final rule under the principles and criteria of E.O. 13132, Federalism. FAA has determined this action will not have a substantial direct effect on the States, or the relationship between the Federal Government and the States, or on the distribution of power and responsibilities among the various levels of government, and, therefore, will not have federalism implications.

B. E.O. 13175, Consultation and Coordination With Indian Tribal Governments

Consistent with E.O. 13175, Consultation and Coordination with Indian Tribal Governments, and FAA Order 1210.20, American Indian and Alaska Native Tribal Consultation Policy and Procedures, FAA ensures that Federally Recognized Tribes (Tribes) are given the opportunity to provide meaningful and timely input regarding proposed Federal actions that have the potential to have substantial direct effects on one or more Tribes, on the relationship between the Federal Government and Tribes, or on the distribution of power and responsibilities between the Federal Government and Tribes; or to affect uniquely or significantly their respective Tribes. At this point, FAA has not identified any unique or significant effects, environmental or otherwise, on Tribes resulting from this final rule.

C. E.O. 13211, Regulations That Significantly Affect Energy Supply, Distribution, or Use

FAA analyzed this final rule under E.O. 13211, Actions Concerning Regulations that Significantly Affect Energy Supply, Distribution, or Use (May 18, 2001). FAA has determined that it is not a ''significant energy action'' under the E.O. and is not likely to have a significant adverse effect on the supply, distribution, or use of energy.

D. E.O. 13609, Promoting International Regulatory Cooperation

E.O. 13609, Promoting International Regulatory Cooperation, promotes international regulatory cooperation to meet shared challenges involving health, safety, labor, security, environmental, and other issues and to reduce, eliminate, or prevent unnecessary differences in regulatory requirements. FAA has analyzed this action under the policies and agency responsibilities of E.O. 13609 and has determined this action will have no effect on international regulatory cooperation.

VII. Additional Information

A. Electronic Access and Filing

A copy of the NPRM, all comments received, this final rule, and all background material may be viewed online at *www.regulations.gov* using the docket number listed above. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year. An electronic copy of this document may also be downloaded from the Office of the Federal Register's website at *www.federalregister.gov* and the Government Publishing Office's website at *www.govinfo.gov.* A copy may also be found at FAA's Regulations and Policies website at *www.faa.gov/regulations_policies.*

Copies may also be obtained by sending a request to the Federal Aviation Administration, Office of Rulemaking, ARM–1, 800 Independence Avenue SW, Washington, DC 20591, or by calling (202) 267–9677. Commenters must identify the docket or notice number of this rulemaking.

All documents FAA considered in developing this final rule, including economic analyses and technical reports, may be accessed in the electronic docket for this rulemaking.

B. Small Business Regulatory Enforcement Fairness Act

The Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121, 110 Stat. 857, Mar. 29, 1996) requires FAA to comply with small entity requests for information or advice about compliance with statutes and regulations within its jurisdiction. A small entity with questions regarding this document may contact its local FAA official, or the person listed under the **FOR FURTHER INFORMATION CONTACT** heading at the beginning of the preamble. To find out more about SBREFA on the internet, visit *www.faa.gov/regulations_policies/rulemaking/sbre_act/.*

Endnotes

[1] Subpart A of part 3 uniquely proscribes fraudulent and intentionally false statements and misleading statements when conveying information related to an advertisement or sales transaction. *See* 14 CFR 3.1 and 3.5. Subpart A is unaffected by this rulemaking.

[2] 89 FR 8560.

[3] 89 FR 8561.

[4] *Id.* at 8562.

[5] *Id.*

[6] 14 CFR 111.35.

[7] *Id.* at 8562.

[8] *Id.* at 8566.

[9] *Id.*

[10] The documents described in § 3.405(a)(1)–(2) are: ''(1) Any document in any format, submitted under any provision referenced in § 3.401, consisting of or related to any acceptance, application, approval, authorization, certificate, rating, declaration, designation, qualification, record, report, request for reconsideration, or similar; or (2) Any document in any format that is kept, made, or used to show compliance with any requirement under the provisions referenced in § 3.401.''

The documents described in § 402.5(a)(1) are: ''(1) Any document in any format, submitted under any provision referenced in § 402.1, consisting of or related to any acceptance, application, approval, authorization, permit, license, waiver, record, report, or similar; or (2) Any document in any format that is kept, made, or used to show compliance with any requirement under the provisions referenced in § 402.1.''

[11] Under § 3.405(b), a material incorrect statement, or omission of a material fact, in any document described in § 3.405(a)(1) and (2) may serve as a basis for denying, suspending, modifying, revoking, rescinding, removing, or withdrawing any acceptance, application, approval, authorization, certificate, rating, declaration, designation, qualification, request for reconsideration, or similar, issued or granted by the Administrator and held by that person.

Under § 402.5(b), a material incorrect statement, or omission of a material fact, in a document described in § 402.5(a)(1) and (2) may serve as a basis for denying, suspending, modifying, revoking, rescinding, removing, or withdrawing any acceptance, application, approval, authorization, permit, license, waiver, or similar, issued or granted by the Administrator and held by that person.

[12] 89 FR 8568.

[13] 89 FR 4841 (Jan. 25, 2024).

[14] *Id.* at 4846.

[15] ALPA cited ''record requirements'' as that term appeared in the NPRM at 89 FR 8567.

[16] 14 CFR 61.59(a)(1).

[17] *Hart* v. *McLucas,* 535 F.2d 516, 519 (9th Cir. 1976).

[18] *Pence* v. *United States,* 316 U.S. 332, 338 (1942).

[19] Under FESSA § 2307(b)(2)(A)(ii), the CMEC shall contain . . . ''a signature line for the individual to affirm that—(I) the answers provided by the individual on that checklist, including the individual's answers regarding medical history, are true and complete; (II) the individual understands that he or she is prohibited under Federal Aviation Administration regulations from acting as pilot in command, or any other capacity as a required flight crew member, if he or she knows or has reason to know of any medical deficiency or medically disqualifying condition that would make the individual unable to operate the aircraft in a safe manner; and (III) the individual is aware of the regulations pertaining to the prohibition on operations during medical deficiency and has no medically disqualifying conditions in accordance with applicable law.''

[20] 29 FR 4919 (Apr. 8, 1964).

[21] Under proposed § 402.3(c), ''No person may knowingly omit or cause to be omitted a material fact in: (1) Any document in any format, submitted under any provision referenced in § 402.1, consisting of or related to any acceptance, application, approval, authorization, permit, license, waiver, record, report, or similar; or (2) Any document in any format that is kept, made, or used to show compliance with any requirement under the provisions referenced in § 402.1.''

[22] 84 FR 42803 (Aug. 19, 2019).

[23] 65 FR 67249 (Nov. 6, 2000).

[24] FAA Order No. 1210.20 (Jan. 28, 2004), available at *www.faa.gov/documentLibrary/media/1210.pdf.*

List of Subjects

14 CFR Part 3

Aircraft, Aviation safety, Fraud.

14 CFR Part 21

Aircraft, Aviation safety, Exports, Imports, Reporting and recordkeeping requirements.

14 CFR Part 43

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

14 CFR Part 60

Airmen, Aviation safety, Reporting and recordkeeping requirements.

14 CFR Part 61

Airmen, Alcohol abuse, Aviation safety, Drug abuse, Recreation and recreation areas, Reporting and recordkeeping requirements, Security measures, Teachers.

14 CFR Part 63

Aircraft, Airmen, Alcohol abuse, Aviation safety, Drug abuse, Navigation (air), Reporting and recordkeeping requirements, Security measures.

14 CFR Part 65

Air traffic controllers, Aircraft, Airmen, Airports, Alcohol abuse, Aviation safety, Drug abuse, Reporting and recordkeeping requirements, Security measures.

14 CFR Part 67

Airmen, Authority delegations (Government agencies), Health, Reporting and recordkeeping requirements.

14 CFR Part 89

Air traffic control, Aircraft, Airmen, Aviation safety, Reporting and recordkeeping requirements, Security measures.

14 CFR Part 107

Aircraft, Airmen, Aviation safety, Reporting and recordkeeping requirements, Security measures.

14 CFR Part 111

Administrative practice and procedure, Air carriers, Air operators, Air taxis, Aircraft, Airmen, Alcohol abuse, Aviation safety, Charter flights, Drug abuse, Public aircraft, Reporting and recordkeeping requirements.

14 CFR Part 120

Air carriers, Air traffic controllers, Airmen, Alcohol abuse, Alcoholism, Aviation safety, Drug abuse, Drug testing, Reporting and recordkeeping requirements, Safety, Transportation.

14 CFR Part 121

Air carriers, Aircraft, Airmen, Alcohol abuse, Aviation safety, Charter flights, Drug abuse, Drug testing, Reporting and recordkeeping requirements, Safety, Transportation.

14 CFR Part 139

Air carriers, Aircraft, Airports, Aviation safety, Reporting and recordkeeping requirements.

14 CFR Part 142

Aircraft, Airmen, Aviation safety, Educational facilities, Reporting and recordkeeping requirements, Schools, Students, Teachers.

14 CFR Part 145

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

14 CFR Part 402

Fraud, Reporting and recordkeeping requirements, Rockets, Safety, Space transportation and exploration.

14 CFR Part 413

Confidential business information, Reporting and recordkeeping requirements, Rockets, Safety, Space transportation and exploration.

The Amendment

For the reasons discussed in the preamble, the Federal Aviation Administration amends 14 CFR parts 3, 21, 43, 60, 61, 63, 65, 67, 89, 107, 111, 120, 121, 139, 142, 145, 402, and 413 as follows:

PART 3—GENERAL REQUIREMENTS

■ 1. The authority citation for part 3 is revised to read as follows:

Authority: 49 U.S.C. 106(f), 40113, 44701–44709, 46111, 46103 and 46301.

■ 2. Revise § 3.1(a) introductory text to read as follows:

§ 3.1 Applicability.

(a) This subpart applies to any person who makes a record regarding:

* * * * *

■ 3. Add subpart D, consisting of §§ 3.401, 3.403, and 3.405, to read as follows:

Subpart D—Falsification, Reproduction, Alteration, Omission, or Incorrect Statements

Sec.
3.401 Applicability and definitions.
3.403 Falsification, reproduction, alteration, or omission.
3.405 Incorrect statement or omission.

§ 3.401 Applicability and definitions.

(a) This subpart applies to any person subject to the requirements in subchapter A (except parts 1 and 3), subchapter C (except part 39), subchapter D, subchapter E (except parts 71 and 73), subchapter F (except parts 95 and 97), subchapter G (except part 110), subchapter H, and subchapter K (except parts 185, 187, 189, and 193), of this chapter.

(b) For purposes of this part, ''document in any format'' includes documents (electronic or physical), and also other tangible items, such as data plates or marked parts.

§ 3.403 Falsification, reproduction, alteration, or omission.

(a) No person may make or cause to be made any fraudulent or intentionally false statement in:

(1) Any document in any format, submitted under any provision referenced in § 3.401, consisting of or related to any acceptance, application, approval, authorization, certificate, rating, declaration, designation, qualification, record, report, request for reconsideration, or similar; or

(2) Any document in any format that is kept, made, or used to show compliance with any requirement under the provisions referenced in § 3.401.

(b) No person may make or cause to be made any production, reproduction, or alteration, for fraudulent purpose, of:

(1) Any document in any format, submitted or granted under any provision referenced in § 3.401, consisting of or related to any acceptance, application, approval, authorization, certificate, rating, declaration, designation, qualification, record, report, request for reconsideration, or similar; or

(2) Any document in any format that is kept, made, or used to show compliance with any requirement under the provisions referenced in § 3.401.

(c) No person may knowingly omit, or cause to be omitted, a material fact in:

(1) Any document in any format, submitted under any provision referenced in § 3.401, consisting of or related to any acceptance, application,

approval, authorization, certificate, rating, declaration, designation, qualification, record, report, request for reconsideration, or similar; or

(2) Any document in any format that is kept, made, or used to show compliance with any requirement under the provisions referenced in § 3.401.

(d) The commission by any person of an act prohibited under paragraphs (a) through (c) of this section is a basis for:

(1) Denying, suspending, modifying, revoking, rescinding, removing, or withdrawing any acceptance, application, approval, authorization, certificate, rating, declaration, designation, qualification, request for reconsideration, or similar, issued or granted by the Administrator and held by that person; or

(2) A civil penalty.

§ 3.405 Incorrect statement or omission

(a) The following may serve as a basis for suspending, modifying, revoking, rescinding, removing, or withdrawing an acceptance, approval, authorization, certificate, rating, declaration, designation, qualification, or similar, or denying an application or request for reconsideration, or similar, issued or granted by the Administrator:

(1) An incorrect statement or omission of fact by any person, in or from any document in any format, submitted under any provision referenced in § 3.401, that was material to the issuance, validity, or granting of that acceptance, application, approval, authorization, certificate, rating, declaration, designation, qualification, request for reconsideration, or similar; or

(2) An incorrect statement or omission of fact by any person, in or from any document in any format that is kept, made, or used to show compliance with any requirement under the provisions referenced in § 3.401, that was material to the issuance, validity, or granting of that acceptance, approval, authorization, certificate, rating, declaration, designation, qualification, request for reconsideration, or similar.

(b) [RESERVED].

PART 21—CERTIFICATION PROCEDURES FOR PRODUCTS AND ARTICLES

■ 4. The authority citation for part 21 is revised to read as follows:

Authority: 42 U.S.C. 7572; 49 U.S.C. 106(f), 40105, 40113, 44701–44702, 44704, 44707, 44709, 44711, 44713, 44715, 45303.

§ 21.2 [Removed and reserved]

■ 5. Remove and reserve § 21.2.

PART 43—MAINTENANCE, PREVENTIVE MAINTENANCE, REBUILDING, AND ALTERATION

■ 6. The authority citation for part 43 is revised to read as follows:

Authority: 42 U.S.C. 7572; 49 U.S.C. 106(f), 40105, 40113, 44701–44702, 44704, 44707, 44709, 44711, 44713, 44715, 45303.

§ 43.12 [Removed and reserved]

■ 7. Remove and reserve § 43.12.

PART 60—FLIGHT SIMULATION TRAINING DEVICE INITIAL AND CONTINUING QUALIFICATION AND USE

■ 8. The authority citation for part 60 is revised to read as follows:

Authority: 49 U.S.C. 106(f), 40113, and 44701; Pub. L. 111–216, 124 Stat. 2348 (49 U.S.C. 44701 note).

§ 60.33 [Removed and Reserved]

■ 9. Remove and reserve § 60.33.

Appendix A to Part 60 [Amended]

■ 10. In Appendix A to part 60:

■ a. In the table of contents, remove and reserve entry 22., and

■ b. Remove and reserve section ‘‘22. Applications, Logbooks, Reports, and Records: Fraud, Falsification, or Incorrect Statements (§ 60.33)’’

■ Appendix B to Part 60 [Amended]

■ 11. In Appendix B to part 60:

■ a. In the table of contents, remove and reserve entry 22., and

■ b. Remove and reserve section ‘‘22. Applications, Logbooks, Reports, and Records: Fraud, Falsification, or Incorrect Statements (§ 60.33).’’

Appendix C to Part 60 [Amended]

■ 12. In Appendix C to part 60:

■ a. In the table of contents, remove and reserve entry 22., and

■ b. Remove and reserve section ‘‘22. Applications, Logbooks, Reports, and Records: Fraud, Falsification, or Incorrect Statements (§ 60.33).’’

Appendix D to Part 60 [Amended]

■ 13. In Appendix D to part 60:

■ a. In the table of contents, remove and reserve entry 22., and

■ b. Remove and reserve section ‘‘22. Applications, Logbooks, Reports, and Records: Fraud, Falsification, or Incorrect Statements (§ 60.33).’’

PART 61—CERTIFICATION: PILOTS, FLIGHT INSTRUCTORS, AND GROUND INSTRUCTORS

■ 14. The authority citation for part 61 is revised to read as follows:

Authority: 49 U.S.C. 106(f), 40113, 44701–44703, 44707, 44709–44711, 44729, 44903, 45102–45103, 45301–45302.

§ 61.59 [Removed and Reserved]

■ 15. Remove and reserve § 61.59.

PART 63—CERTIFICATION: FLIGHT CREWMEMBERS OTHER THAN PILOTS

■ 16. The authority citation for part 63 is revised to read as follows:

Authority: 49 U.S.C. 106(f), 40113, 44701–44703, 44707, 44709–44711, 45102–45103, 45301–45302.

§ 63.20 [Removed and Reserved]

■ 17. Remove and reserve § 63.20.

PART 65—CERTIFICATION: AIRMEN OTHER THAN FLIGHT CREWMEMBERS

■ 18. The authority citation for part 65 continues to read as follows:

Authority: 49 U.S.C. 106(f), 40113, 44701–44703, 44707, 44709–44711, 45102–45103, 45301–45302.

§ 65.20 [Removed and Reserved]

■ 19. Remove and reserve § 65.20.

PART 67—MEDICAL STANDARDS AND CERTIFICATION

■ 20. The authority citation for part 67 is revised to read as follows:

Authority: 49 U.S.C. 106(f), 40113, 44701–44703, 44707, 44709–44711, 45102–45103, 45301–45303.

■ 21. Revise § 67.401(f)(5) to read as follows:

§ 67.401 Special issuance of medical certificates.

* * * * *

(f) * * *

(5) The holder makes or causes to be made a statement that is the basis for withdrawal of an Authorization, including a SODA, under subpart D of part 3 of this chapter.

* * * * *

§ 67.403 [Removed and Reserved]

■ 22. Remove and reserve § 67.403.

PART 89—REMOTE IDENTIFICATION OF UNMANNED AIRCRAFT

■ 23. The authority citation for part 89 is revised to read as follows:

Authority: 49 U.S.C. 106(f), 40101(d), 40103(b), 44701, 44805, 44809(f); Section 2202 of Pub. L. 114–190, 130 Stat. 629.

§ 89.5 [Removed and Reserved]

■ 24. Remove and reserve § 89.5.

PART 107—SMALL UNMANNED AIRCRAFT SYSTEMS

■ 25. The authority citation for part 107 continues to read as follows:

Authority: 49 U.S.C. 106(f), 40101 note, 40103(b), 44701(a)(5), 46105(c), 46110, 44807.

§ 107.5 [Removed and Reserved]

■ 26. Remove and reserve § 107.5.

PART 111—PILOT RECORDS DATABASE

■ 27. The authority citation for part 111 is revised to read as follows:

Authority: 49 U.S.C. 106(f), 40101, 40113, 44701, 44703, 44711, 46105, 46301.

§ 111.35 [Removed and Reserved]

■ 28. Remove and reserve § 111.35.

PART 120—DRUG AND ALCOHOL TESTING PROGRAM

■ 29. The authority citation for part 120 is revised to read as follows:

Authority: 49 U.S.C. 106(f), 40101–40103, 40113, 40120, 41706, 41721, 44106, 44701, 44702, 44703, 44709, 44710, 44711, 45101–45105, 46105, 46306.

§ 120.103 [Removed and Reserved]

■ 30. Remove § 120.103.

§ 120.213 [Removed and Reserved]

■ 31. Remove and reserve § 120.213.

PART 121—OPERATING REQUIREMENTS: DOMESTIC, FLAG, AND SUPPLEMENTAL OPERATIONS

■ 32. The authority citation for part 121 is revised to read as follows:

Authority: 49 U.S.C. 106(f), 40103, 40113, 40119, 41706, 42301 preceding note added by Pub. L. 112–95, sec. 412, 126 Stat. 89, 44101, 44701–44702, 44705, 44709–44711, 44713, 44716–44717, 44722, 44729, 44732; 46105; Pub. L. 111–216, 124 Stat. 2348 (49 U.S.C. 44701 note); Pub. L. 112–95, 126 Stat. 62 (49 U.S.C. 44732 note); Pub. L. 115–254, 132 Stat. 3186 (49 U.S.C. 44701 note).

§ 121.9 [Removed and Reserved]

■ 33. Remove and reserve § 121.9.

PART 139—CERTIFICATION OF AIRPORTS

■ 34. The authority citation for part 139 is revised to read as follows:

Authority: 49 U.S.C. 106(f), 40113, 44701–44706, 44709, 44719, 47175.

§ 139.115 [Removed and Reserved]

■ 35. Remove and reserve § 139.115.

PART 142—TRAINING CENTERS

■ 36. The authority citation for part 142 is revised to read as follows:

Authority: 49 U.S.C. 106(f), 40113, 40119, 44101, 44701–44703, 44705, 44707, 44709–44711, 45102–45103, 45301–45302.

§ 142.11 [Removed and Reserved]

■ 37. Remove and reserve § 142.11.

PART 145—REPAIR STATIONS

■ 38. The authority citation for part 145 is revised to read as follows:

Authority: 49 U.S.C. 106(f), 40113, 44701–44702, 44707, 44709, 44717.

§ 145.12 [Removed and Reserved]

■ 39. Remove and reserve § 145.12.

■ 40. Add part 402 to subchapter A to read as follows:

PART 402—GENERAL REQUIREMENTS

Sec.
402.1 Applicability and definitions.
402.3 Falsification, reproduction, alteration, or omission.
402.5 Incorrect statement or omission.

Authority: 51 U.S.C. 50101–50923.

§ 402.1 Applicability and definitions.

(a) This part applies to any person subject to the requirements in subchapter C of this chapter.

(b) For purposes of this part, ''document in any format'' includes documents (electronic or physical), and also other tangible items, such as data plates or marked parts.

§ 402.3 Falsification, reproduction, alteration, or omission.

(a) No person may make or cause to be made any fraudulent or intentionally false statement in:

(1) Any document in any format, submitted under any provision referenced in § 402.1 of this part, consisting of or related to any acceptance, application, approval, authorization, permit, license, waiver, record, report, or similar; or

(2) Any document in any format that is kept, made, or used to show compliance with any requirement under the provisions referenced in § 402.1.

(b) No person may make or cause to be made any production, reproduction, or alteration, for fraudulent purpose, of:

(1) Any document in any format, submitted or granted under any provision referenced in § 402.1, consisting of or related to any acceptance, application, approval, authorization, permit, license, waiver, record, report, or similar; or

(2) Any document in any format that is kept, made, or used to show compliance with any requirement under the provisions referenced in § 402.1.

(c) No person may knowingly omit or cause to be omitted a material fact in:

(1) Any document in any format, submitted under any provision referenced in § 402.1, consisting of or related to any acceptance, application, approval, authorization, permit, license, waiver, record, report, or similar; or

(2) Any document in any format that is kept, made, or used to show compliance with any requirement under the provisions referenced in § 402.1.

(d) The commission by any person of an act prohibited under paragraphs (a) through (c) of this section is a basis for:

(1) Denying, suspending, modifying, revoking, rescinding, removing, or withdrawing any acceptance, application, approval, authorization, permit, license, waiver, or similar, issued or granted by the Administrator and held by that person; or

(2) A civil penalty.

§ 402.5 Incorrect statement or omission.

(a) The following may serve as a basis for suspending, modifying, revoking, rescinding, removing, withdrawing, or denying an acceptance, application, approval, authorization, permit, license, waiver, or similar, issued or granted by the Administrator:

(1) An incorrect statement or omission of fact, by any person, in or from any document in any format, submitted under any provision referenced in § 402.1, that was material to the issuance, validity, or granting of that acceptance, application, approval, authorization, permit, license, waiver, or similar; or

(2) An incorrect statement or omission of a material fact by any person, in or from any document in any format that is kept, made, or used to show compliance with any requirement under the provisions referenced in § 402.1, that was material to the issuance, validity, or granting of that acceptance, application, approval, authorization, permit, license, waiver, or similar.

(b) [RESERVED].

PART 413—LICENSE APPLICATION PROCEDURES

■ 41. The authority citation for part 413 continues to read as follows:

Authority: 51 U.S.C. 50901–50923.

§ 413.17 [Removed and Reserved]

■ 42. Remove and reserve § 413.17.

Issued under authority provided by 49 U.S.C. 106(f), 40113, 44701–44709, 46111, 46103, and 46301, in Washington, DC.

Bryan K. Bedford,

Administrator.

[FR Doc. 2025–16902 Filed 9–2–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2025–0174; Airspace Docket No. 25–ASW–1]

RIN 2120–AA66

Amendment of Jet Route J–96 in the Vicinity of Cimarron, NM

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Jet Route J–96 by removing the route segment between the Cimarron (CIM), NM, Very High Frequency Omnidirectional Range (VOR)/Tactical Air Navigation (VORTAC) and the Garden City (GCK), KS, VORTAC navigational aids (NAVAIDs). The FAA is taking this action due to the Cimarron VORTAC radials between 045° and 055°, stated in degrees magnetic (M) north, that make up the route segment east of Cimarron, NM, being unusable since 2020.

DATES: Effective date 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 each day, 365 days each year. An electronic copy of this document may also be downloaded from the Office of the Federal Register's website at *www.federalregister.gov.*

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

FOR FURTHER INFORMATION CONTACT: Brian Vidis, Rules and Regulations Group, Policy Directorate, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; telephone: (202) 267–8783.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

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

History

The FAA published an NPRM for Docket No. FAA–2025–0174 in the **Federal Register** (90 FR 9071; February 6, 2025), proposing to amend J–96 by removing the route segment between the Cimarron, NM, VORTAC and the Garden City, KS, VORTAC due to the Cimarron VORTAC radials between 045° (M) and 055° (M) being unusable. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. No comments were received.

Incorporation by Reference

Jet Routes are published in paragraph 2004 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document amends the current version of that order, FAA Order JO 7400.11J, dated July 31, 2024, and effective September 15, 2024. This amendment will be published in the next update to FAA Order JO 7400.11. FAA Order JO 7400.11J, which lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points, is publicly available as listed in the **ADDRESSES** section of this document.

The Rule

This action amends 14 CFR part 71 by amending Jet Route J–96 due to the Cimarron VORTAC radials between 045° (M) and 055° (M), that support the route segment between the Cimarron, NM, and Garden City, KS, VORTACs, being unusable since 2020. The jet route action is described below.

J–96: Prior to this final rule, J–96 extended between the Los Angeles, CA, VORTAC and the Joliet, IL, VOR/Distance Measuring Equipment (VOR/DME). The route segment between the Cimarron, NM, VORTAC and the Garden City, KS, VORTAC is removed. As amended, the airway is changed to now extend between the Los Angeles VORTAC and the Cimarron VORTAC, and between the Garden City VORTAC and the Joliet VOR/DME.

The NAVAID radials listed in the J–96 description in the regulatory text of this final rule are unchanged and stated in degrees True north.

Regulatory Notices and Analyses

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

Environmental Review

The FAA has determined that this action of amending Jet Route J–96 qualifies for categorical exclusion under the National Environmental Policy Act (42 U.S.C. 4321, *et seq.*) and in accordance with FAA Order 150.1G, *FAA National Environmental Policy Act Implementing Procedures,* paragraph B–2.5(a), which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (*see* 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points); and paragraph B–2.5(i), which categorically excludes from further environmental review the establishment of new or revised air traffic control procedures conducted at 3,000 feet or more above ground level (AGL); procedures conducted below 3,000 feet AGL that do not cause traffic to be routinely routed over noise

sensitive areas; modifications to currently approved procedures conducted below 3,000 feet AGL that do not significantly increase noise over noise sensitive areas; and increases in minimum altitudes and landing minima. As such, this action is not expected to result in any potentially significant environmental impacts. In accordance with the FAA's NEPA implementation policy and procedures regarding extraordinary circumstances, the FAA has reviewed this action for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis. The FAA has determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment or environmental impact statement.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

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

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

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

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11J, Airspace Designations and Reporting Points, dated July 31, 2024, and effective September 15, 2024, is amended as follows:

Paragraph 2004 Jet Routes.

* * * * *

J–96 [Amended]

From Los Angeles, CA; Paradise, CA; INT Paradise 093° and Parker, CA, 261° radials; Parker; Drake, AZ; Gallup, NM; to Cimarron, NM. From Garden City, KS; Salina, KS; Kirksville, MO; Peoria, IL; to Joliet, IL.

* * * * *

Issued in Washington, DC, on August 29, 2025.

Brian Eric Konie,

Acting Manager, Rules and Regulations Group.

[FR Doc. 2025–16890 Filed 9–2–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2023–2269; Airspace Docket No. 23–ASO–4]

RIN 2120–AA66

Amendment of Jet Routes and Domestic Very High Frequency Omnidirectional Range (VOR) Federal Airways and Revocation of VOR Federal Airway; Eastern United States

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Jet Routes J–6, J–14, J–66, J–101, J–131, and J–180; amends Very High Frequency Omnidirectional Range (VOR) Federal Airways V–54, V–74, V–124, V–305, V–532, and V–573; and revokes VOR Federal Airway V–534 in the eastern United States. These actions support the Little Rock, AR (LIT), VOR/Tactical Air Navigation (VORTAC) relocation project.

DATES: Effective date 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 each day, 365 days each year.

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

FOR FURTHER INFORMATION CONTACT: Brian Vidis, Rules and Regulations Group, Policy Directorate, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; telephone: (202) 267–8783.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it modifies the Air Traffic Service (ATS) route structure as necessary to preserve the safe and efficient flow of air traffic within the National Airspace System.

History

The FAA published a NPRM for Docket No. FAA 2023–2269 in the **Federal Register** (88 FR 85133; December 7, 2023), proposing to amend six Jet routes; amend six VOR Federal airways; and revoke one VOR Federal airway in the eastern United States. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Differences From the NPRM

The NPRM published for Docket No. FAA 2023–2269 in the **Federal Register** (88 FR 85113; December 7, 2023) contained a typographical error in the title and summary section. The title and summary section stated that the NPRM was proposing to revoke one Jet route. This should have stated that it was proposing to revoke one VOR Federal Airway. The Proposal section and regulatory text correctly described revocation of VOR Federal Airway V–534 as intended.

Subsequent publication of the NPRM, the FAA decided to remove Jet Route J–180 from this docket and incorporate it into Docket No. FAA 2024–2226. The final rule for Docket No. FAA 2024–2226 was published in the **Federal Register** (90 FR 14199; March 31, 2025) to streamline the publication of final rules addressing all ATS routes affected by the planned decommissioning of the VOR portion of the Sawmill, LA (SWB), VOR/DME.

Also, subsequent publication of the NPRM, the FAA identified that VOR Federal Airway V–573 was described as extending between the Will Rogers, OK (IRW), VORTAC and the Little Rock, AR (LIT), VORTAC in error. Prior to this final rule, V–573 extended between the Will Rogers, OK (IRW), VORTAC and the Bonham, TX (BYP), VORTAC; and

between the Texarkana, AR (TXK), VORTAC and the Little Rock, AR (LIT), VORTAC.

The FAA identified that VOR Federal Airway V–54 was described as extending between the Waco, TX (ACT), VORTAC and the Little Rock, AR (LIT), VORTAC; and between the Sandhills, NC (SDZ), VORTAC and the Kinston, NC (ISO), VORTAC in error. Prior to this final rule, V–54 extended between the Waco, TX (ACT), VORTAC and the Cedar Creek, TX (CQY), VORTAC; between the Texarkana, AR (TXK), VORTAC and the Little Rock, AR (LIT), VORTAC; and between the Sandhills, NC (SDZ), VORTAC and the Kinston, NC (ISO), VORTAC. Additionally, the FAA incorrectly identified that MUFRE, AR, Fix was added to VOR Federal Airway V–54. The MUFRE Fix is in the description of V–54 and this action amends the radial of the Little Rock VORTAC that defines it.

The FAA identified that VOR Federal Airway V–74 was described as extending between the Garden City, KS (GCK), VORTAC, and the Magnolia, MS (MHZ), VORTAC in error. Prior to this final rule, V–74 extended between the Garden City, KS (GCK), VORTAC and the Dodge City, KS (DDC), VORTAC; and between the Pioneer, OK (PER), VORTAC and the Magnolia, MS (MHZ), VORTAC.

The FAA identified that in the description of Jet Route J–131 the radials identifying the RUSLR, MO, Fix were listed in error, and in the description of VOR Federal Airway V–305 the radials identifying the UKORE, AR, Fix were listed in error. The radials listed defined the location of each Fix but did not identify the radials that define the path of each airway as required. In Jet Route J–131, the route segment between the Little Rock, AR (LIT), VORTAC and the Pocket City, IN (PXV), VORTAC should be described as the intersection of the Little Rock 049° and the Pocket City, IN, 229° radials. In VOR Federal Airway V–305, the route segment between the Little Rock VORTAC and the Walnut Ridge, AR (ARG), VORTAC should be described as the intersection of the Little Rock 039° and Walnut Ridge, AR, 215° radials. This final rule corrects these errors.

The FAA reviewed the airway descriptions contained in the in the proposed regulatory text of the NPRM and identified a pre-existing error in the V–532 description. The description is missing the Wichita, KS, VORTAC. When the airway was established in 1982 (47 FR 44717), it contained a segment that extended between the Pioneer, OK, VORTAC through the Wichita, KS, VORTAC and the intersection of the Wichita VORTAC 356° and Salina, KS, VORTAC 168° radials (STONS Fix).

In 1983, the FAA relocated the Wichita VORTAC six nautical miles west from its existing location and published a final rule (48 FR 31191) to adjust the Wichita VORTAC radial that made up the STONS Fix. In that rule, the FAA inadvertently removed the Wichita VORTAC from the V–532 description when it amended the airway by deleting the words "Wichita, KS; INT Wichita 356° and Salina, KS, 168° radials" and substituting the words "INT Wichita, KS, 004° and Salina, KS, VORTAC 168° radials". The FAA published a final rule correction (48 FR 35366) that same year which corrected the Wichita VORTAC radial that made up the STONS Fix from the Wichita, KS, 004° radial to the Wichita, KS, 014° radial, but retained the inadvertent removal of the V–532 Wichita VORTAC route point between the Pioneer VORTAC and the STONS Fix route points.

This action corrects the V–532 airway description error from 1983 by re-inserting the Wichita, KS, VORTAC route point in the V–532 description between the Pioneer, OK, VORTAC and the intersection of the Wichita VORTAC 014° and Salina, KS, VORTAC 168° radials (STONS Fix) route points. Additionally, this action corrects a typographic error in the V–532 airway description to reflect the "Fort Smith" route point as the "Fort Smith, AR" route point.

Additionally, subsequent to the NPRM, the FAA published a final rule for Docket No. FAA–2024–1048 in the **Federal Register** (89 FR 81339; October 8, 2024), amending Jet Route J–101 by removing the route segments between the Spinner, IL, VORTAC and the Northbrook, IL, VOR/DME. That airway amendment, effective December 26, 2024, is included in this rule.

Finally, minor editorial corrections to the airway descriptions are made to comply with ATS route formatting requirements.

Incorporation by Reference

Jet Routes are published in paragraph 2004 and Domestic VOR Federal Airways are published in paragraph 6010(a) of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document amends the current version of that order, FAA Order JO 7400.11J, dated July 31, 2024, and effective September 15, 2024. These amendments will be published in the next update to FAA Order JO 7400.11. FAA Order JO 7400.11J, which lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points, is publicly available as listed in the **ADDRESSES** section of this document.

The Rule

This action amends 14 CFR part 71 by amending Jet Routes J–6, J–14, J–66, J–101, and J–131; amending VOR Federal Airways V–54, V–7, V–124, V–305, V–532, and V–573; and revoking VOR Federal Airway V–534 in support of the Little Rock, AR (LIT), VORTAC relocation project. The ATS route changes are described below.

J–6: Prior to this final rule, J–6 extended between the Salinas, CA (SNS), VORTAC and the Little Rock, AR (LIT), VORTAC; and between the Charleston, WV (HVQ), VOR/Distance Measuring Equipment (VOR/DME) and the Albany, NY (ALB), VORTAC. The FAA removes the airway segment between the Will Rogers, OK (IRW), VORTAC and the Little Rock VORTAC as this segment is not needed due to redundant navigation capability provided by Jet Route J–14. As amended, the route extends between the Salinas VORTAC and the Will Rogers VORTAC; and between the Charleston VOR/DME and the Albany VORTAC.

J–14: Prior to this final rule, J–14 extended between the Panhandle, TX (PNH), VORTAC and the Vulcan, AL (VUZ), VORTAC. The FAA adds the KOMMA, OK, Fix and the new JMUCK, MS, Fix to the route description as each would be a turn of more than one degree. The KOMMA Fix is added between the Will Rogers, OK (IRW), VORTAC and the Little Rock, AR (LIT), VORTAC; and the JMUCK Fix is added between the Little Rock VORTAC and the Vulcan VORTAC. The new JMUCK Fix is defined by the intersection of the relocated Little Rock, AR (LIT), VORTAC 105° and the Vulcan VORTAC 284° radials. As amended, the route continues to extend between the Panhandle VORTAC and the Vulcan VORTAC.

J–66: Prior to this final rule, J–66 extended between the Newman, TX (EWM), VORTAC and the Rome, GA (RMG), VORTAC. The FAA adds the MEEOW, AR, Fix to the route description between the Bonham, TX (BYP), VORTAC and the Little Rock, AR (LIT), VORTAC as it would be a turn of more than one degree. As amended, the route continues to extend between the Newman VORTAC and the Rome VORTAC.

J–101: Prior to this final rule, J–101 extended between the Humble, TX (IAH), VORTAC and the Sault Ste Marie, MI (SSM), VOR/DME. The FAA

adds the CISAR, AR, Fix to the route description between the Lufkin, TX (LFK), VORTAC and the Little Rock, AR (LIT), VORTAC as it would be a turn of more than one degree. As amended, the route continues to extend between the Humble VORTAC and the Sault Ste Marie VOR/DME.

J–131: Prior to this final rule, J–131 extended between the San Antonio, TX (SAT), VORTAC and the Pocket City, IN (PXV), VORTAC. The FAA adds the RUSLR, MO, Fix to the route description between the Little Rock, AR (LIT), VORTAC and the Pocket City VORTAC as it would be a turn of more than one degree. As amended, the route would continue to extend between the San Antonio VORTAC and the Pocket City VORTAC.

V–54: Prior to this final rule, V–54 extended between the Waco, TX (ACT), VORTAC and the Cedar Creek, TX (CQY), VORTAC; between the Texarkana, AR (TXK), VORTAC and the Little Rock, AR (LIT), VORTAC; and between the Sandhills, NC (SDZ), VORTAC and the Kinston, NC (ISO), VORTAC. The FAA amends the MUFRE, AR, Fix which is defined as the intersection of the Texarkana, AR (TXK), VORTAC, 052° and the Little Rock VORTAC, 230° radials. Additionally, the FAA adds language to the route description that the airway excludes restricted area R–2403B when it is active. As amended, the route continues to extend between the Waco VORTAC and the Cedar Creek VORTAC; between the Texarkana VORTAC; and the Little Rock VORTAC; and between the Sandhills VORTAC and the Kinston VORTAC.

V–74: Prior to this final rule, V–74 extended between the Garden City, KS (GCK), VORTAC and the Dodge City, KS (DDC), VORTAC; and between the Pioneer, OK (PER), VORTAC and the Magnolia, MS (MHZ), VORTAC. The FAA adds the OLLAS, AR, Fix to the route description between the Fort Smith, AR (FSM), VORTAC and the Little Rock, AR (LIT), VORTAC as it would be a turn of more than one degree. As amended, the route continues to extend between the Garden City VORTAC and the Dodge City VORTAC; and between the Pioneer VORTAC and the Magnolia VORTAC.

V–124: Prior to this final rule, V–124 extended between the Bonham, TX (BYP), VORTAC and the Gilmore, AR (GQE), VOR/DME. In the description of V–124, the direct route segment between the Little Rock, AR (LIT), VORTAC and the Gilmore VOR/DME is further described as the Little Rock VORTAC 071° and the Gilmore VOR/DME 241° radials. The FAA removes a portion of this route segment between the intersection of the Little Rock, AR (LIT), VORTAC 071° and the Marvell, AR (UJM), VOR/DME 326° radials (HILLE Fix) and the Gilmore VOR/DME as it is not needed for ATC services. Additionally, the FAA adds to the route description that the airway excludes restricted area R–2403B when it is active. In order to navigate through and around the Memphis area, IFR traffic may continue to utilize VOR Federal Airways V–16 and V–159 or RNAV Route T–398. Visual Flight Rules (VFR) air traffic may also utilize all of the previously listed routes. RNAV equipped aircraft may also navigate via point-to-point navigation using the fixes that will remain in place, or request and receive ATC radar vectors through and around the area. As amended, the route extends between the Bonham VORTAC and the HILLE Fix.

V–305: Prior to this final rule, V–305 extended between the El Dorado, AR (ELD), VOR/DME and the Walnut Ridge, AR (ARG), VORTAC; and between the Cunningham, KY (CNG), VOR/DME and the Brickyard, IN (VHP), VORTAC. The FAA adds the UKORE, AR, Fix to the route description between the Little Rock, AR (LIT), VORTAC and the Walnut Ridge, AR (ARG), VORTAC as it would be a turn of more than one degree, and adds language that the airway excludes restricted area R–2403B when it is active. As amended, the route continues to extend between the El Dorado VOR/DME and the Walnut Ridge VORTAC; and between the Cunningham VOR/DME and the Brickyard VORTAC.

V–532: Prior to this final rule, V–532 extended between the Little Rock, AR (LIT), VORTAC and the Lincoln, NE (LNK), VORTAC. The FAA removes the route segments between the Little Rock VORTAC and the Fort Smith, AR (FSM), VORTAC due to lack of use as V–74 offers a more direct path for aircraft to navigate between the Little Rock VORTAC and the Fort Smith VORTAC. Additionally, V–303 continues to provide navigation capability between the BLURB, AR, Fix and the Fort Smith VORTAC. As amended, the route extends between the Fort Smith VORTAC and the Lincoln VORTAC.

V–534: Prior to this final rule, V–534 extended between the Little Rock, AR (LIT), VORTAC and the Fort Smith, AR (FSM), VORTAC. The FAA removes the entire route due to lack of use as V–74 offers a more direct path for aircraft to navigate between Little Rock VORTAC and Fort Smith VORTAC.

V–573: Prior to this final rule, V–573 extended between the Will Rogers, OK (IRW), VORTAC and the Bonham, TX (BYP), VORTAC; and between the Texarkana, AR (TXK), VORTAC and the Little Rock, AR (LIT), VORTAC. The FAA removes the route segment between the Hot Springs, AR (HOT), VOR/DME and Little Rock VORTAC due to V–124 providing redundant navigation capability. As amended, the route extends between the Will Rogers VORTAC and the Bonham, VORTAC; and between the Texarkana VORTAC and the Hot Springs VOR/DME.

The navigational aid (NAVAID) radials listed in the ATS route description regulatory text of this final rule are stated in degrees True north.

Regulatory Notices and Analyses

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

Environmental Review

The FAA has determined that this action of amending ATS Routes J–6, J–14, J–66, J–101, J–131, V–54, V–74, V–124, V–305, V–532, and V–573; and revoking V–534 in support of the Little Rock, AR (LIT), VORTAC relocation project, qualifies for categorical exclusion under the National Environmental Policy Act (42 U.S.C. 4321, *et seq.*) and in accordance with FAA Order 1050.1G, *FAA National Environmental Policy Act Implementing Procedures,* paragraph B–2.5(a), which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points); and paragraph B–2.5(i,) which categorically excludes from further environmental review the establishment of new or revised air traffic control procedures conducted at 3,000 feet or more above ground level (AGL); procedures conducted below

3,000 feet AGL that do not cause traffic to be routinely routed over noise sensitive areas; modifications to currently approved procedures conducted below 3,000 feet AGL that do not significantly increase noise over noise sensitive areas; and increases in minimum altitudes and landing minima. As such, this action is not expected to result in any potentially significant environmental impacts. In accordance with the FAA's NEPA implementation policy and procedures regarding extraordinary circumstances, the FAA has reviewed this action for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis. The FAA has determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment or environmental impact statement.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

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

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

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

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11J, Airspace Designations and Reporting Points, dated July 31, 2024, and effective September 15, 2024, is amended as follows:

Paragraph 2004 Jet Routes.

* * * * *

J–6 [Amended]

From Salinas, CA; INT Salinas 145° and Avenal, CA, 292° radials; Avenal; INT Avenal 119° and Palmdale, CA, 310° radials; Palmdale; Hector, CA; Needles, CA; Drake, AZ; Zuni, AZ; Albuquerque, NM; Tucumcari, NM; Panhandle, TX; to Will Rogers, OK. From Charleston, WV; INT Charleston 076° and Martinsburg, WV, 243° radials; Martinsburg; Lancaster, PA; Broadway, NJ; Sparta, NJ; to Albany, NY.

* * * * *

J–14 [Amended]

From Panhandle, TX; Will Rogers, OK; INT Will Rogers 097° and Little Rock, AR, 276° radials; Little Rock; INT Little Rock 105° and Vulcan, AL, 284° radials; to Vulcan.

* * * * *

J–66 [Amended]

From Newman, TX; Big Spring, TX; Abilene, TX; Ranger, TX; Bonham, TX; INT Bonham 070° and Little Rock, AR, 247° radials; Little Rock; Memphis, TN; INT Memphis 100° and Rome, GA, 284° radials; to Rome.

* * * * *

J–101 [Amended]

From Humble, TX, Lufkin, TX; INT Lufkin 031° and Little Rock, AR, 210° radials; Little Rock; St. Louis, MO; to Spinner, IL. From Northbrook, IL; Badger, WI; Green Bay, WI; to Sault Ste Marie, MI.

* * * * *

J–131 [Amended]

From San Antonio, TX, INT San Antonio 007° and Ranger, TX, 214° radials; Ranger; Texarkana, AR; Little Rock, AR; INT Little Rock 049° and Pocket City, IN, 229° radials; to Pocket City.

* * * * *

Paragraph 6010(a) Domestic VOR Federal Airways.

* * * * *

V–54 [Amended]

From Waco, TX; to Cedar Creek, TX. From Texarkana, AR; INT Texarkana 052° and Little Rock, AR, 230° radials; to Little Rock. From Sandhills, NC; INT Sandhills 146° and Fayetteville, NC, 267° radials; Fayetteville; to Kinston, NC. Excluding R–2403B when active.

* * * * *

V–74 [Amended]

From Garden City, KS; to Dodge City, KS. From Pioneer, OK; Tulsa, OK; Fort Smith, AR; 6 miles, 7 miles wide (4 miles north and 3 miles south of centerline) INT Fort Smith 112° and Little Rock, AR, 284° radials; Little Rock; Pine Bluff, AR; Greenville, MS; to Magnolia, MS. Excluding R–2403A and R–2403B when active.

* * * * *

V–124 [Amended]

From Bonham, T; Paris, TX; Hot Springs, AR; Little Rock, AR; to INT Little Rock 071° and Marvell, AR, 326° radials. Excluding R–2403B when active.

* * * * *

V–305 [Amended]

From El Dorado, AR; Little Rock, AR; INT Little Rock 039° and Walnut Ridge, AR, 215° radials; to Walnut Ridge. From Cunningham, KY; Pocket City, IN; INT Pocket City 046° and Hoosier, IN, 205° radials; Hoosier; INT Hoosier 025° and Brickyard, IN, l85° radials; to Brickyard. Excluding R–2403B when active.

* * * * *

V–532 [Amended]

From Fort Smith, AR; Okmulgee, OK; Pioneer, OK; Wichita, KS; INT Wichita 014° and Salina, KS, 168° radials; Salina; to Lincoln, NE.

* * * * *

V–534 [Removed]

* * * * *

V–573 [Amended]

From Will Rogers, OK; INT Will Rogers 195° and Ardmore, OK, 327° radials; Ardmore; to Bonham, TX. From Texarkana, AR; INT Texarkana 037° and Hot Springs, AR, 225° radials; to Hot Springs.

* * * * *

Issued in Washington, DC, on August 29, 2025.

Brian Eric Konie,

Acting Manager, Rules and Regulations Group.

[FR Doc. 2025–16861 Filed 9–2–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2025–0141; Airspace Docket No. 24–AGL–23]

RIN 2120–AA66

Amendment of VOR Federal Airways V–55, V–100, and V–277 in the Vicinity of Keeler, MI

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Very High Frequency Omnidirectional Range (VOR) Federal Airways V–55, V–100, and V–277. The FAA is taking this action due to the planned decommissioning of the VOR portion of the Keeler (ELX), MI, VOR/Distance Measuring Equipment (VOR/DME) navigational aid (NAVAID). The Keeler VOR is being decommissioned in support of the FAA's VOR Minimum Operational Network (MON) program.

DATES: Effective date 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 each day, 365 days each year. An electronic copy of this document may also be downloaded from the Office of the Federal Register's website at *www.federalregister.gov.*

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

FOR FURTHER INFORMATION CONTACT: Brian Vidis, Rules and Regulations Group, Policy Directorate, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; telephone: (202) 267–8783.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

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

History

The FAA published an NPRM for Docket No. FAA–2025–0141 in the **Federal Register** (90 FR 11592; March 10, 2025), proposing to amend VOR Federal Airways V–55, V–100, and V–277 due to the planned decommissioning of the VOR portion of the Keeler, MI, VOR/DME NAVAID. 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

VOR Federal Airways are published in paragraph 6010(a) of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document amends the current version of that order, FAA Order JO 7400.11J, dated July 31, 2024, and effective September 15, 2024. These amendments will be published in the next update to FAA Order JO 7400.11. FAA Order JO 7400.11J, which lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points, is publicly available as listed in the **ADDRESSES** section of this document.

The Rule

This action amends 14 CFR part 71 by amending VOR Federal Airways V–55, V–100, and V–277 due to the planned decommissioning of the VOR portion of the Keeler, MI, VOR/DME NAVAID. The airway actions are described below.

V–55: Prior to this final rule, V–55 extended between the Dayton, OH, VOR/DME and the Pullman, MI, VOR/DME; and between the Grand Forks, ND, VOR/DME and the Bismarck, ND, VOR/DME. The airway segment between the Gipper, MI, VOR/Tactical Air Navigation (VORTAC) and the Pullman VOR/DME is removed. As amended, the airway is changed to now extend between the Dayton VOR/DME and the Gipper VORTAC, and between the Grand Forks VOR/DME and the Bismarck VOR/DME.

V–100: Prior to this final rule, V–100 extended between the Medicine Bow, WY, VOR/DME and the O'Neill, NE, VORTAC; between the Waterloo, IA, VOR/DME and the Dubuque, IA, VORTAC; and between the Northbrook, IL, VOR/DME and the Keeler, MI, VOR/DME. The airway segment between the Northbrook VOR/DME and the Keeler VOR/DME is removed. As amended, the airway is changed to now extend between the Medicine Bow VOR/DME and the O'Neill VORTAC, and between the Waterloo VOR/DME and the Dubuque VORTAC.

V–277: Prior to this final rule, V–277 extended between the Rosewood, OH, VORTAC and the Keeler, MI, VOR/DME. The airway segment between the Fort Wayne, IN, VORTAC and the Keeler VOR/DME is removed. As amended, the airway is changed to now extend between the Rosewood VORTAC and the Fort Wayne VORTAC.

The NAVAID radials listed in the V–55 description in the regulatory text of this final rule are unchanged and stated in degrees True north.

Regulatory Notices and Analyses

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

Environmental Review

The FAA has determined that this action amending VOR Federal Airways V–55, V–100, and V–277 due to the planned decommissioning of the VOR portion of the Keeler, MI, VOR/DME NAVAID qualifies for categorical exclusion under the National Environmental Policy Act (42 U.S.C. 4321, *et seq.*) and in accordance with FAA Order 1050.1G, *FAA National Environmental Policy Act Implementing Procedures,* paragraph B–2.5(a), which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (*see* 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points); and paragraph B–2.5(i), which categorically excludes from further environmental review the establishment of new or revised air traffic control procedures conducted at 3,000 feet or more above ground level (AGL); procedures conducted below 3,000 feet AGL that do not cause traffic to be routinely routed over noise sensitive areas; modifications to currently approved procedures conducted below 3,000 feet AGL that do not significantly increase noise over noise sensitive areas; and increases in minimum altitudes and landing minima. As such, this action is not expected to result in any potentially significant environmental impacts. In accordance with the FAA's NEPA implementation policy and procedures regarding extraordinary circumstances, the FAA has reviewed this action for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis. The FAA has determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment or environmental impact statement.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

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

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

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

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11J, Airspace Designations and Reporting Points, dated July 31, 2024, and effective September 15, 2024, is amended as follows:

Paragraph 6010(a) Domestic VOR Federal Airways.

* * * * *

V–55 [Amended]

From Dayton, OH; Fort Wayne, IN; Goshen, IN; to Gipper, MI. From Grand Forks, ND; INT Grand Forks 239° and Bismarck, ND, 067° radials; to Bismarck.

* * * * *

V–100 [Amended]

From Medicine Bow, WY; Scottsbluff, NE; Alliance, NE; Ainsworth, NE; to O'Neill, NE. From Waterloo, IA; to Dubuque, IA.

* * * * *

V–277 [Amended]

From Rosewood, OH; to Fort Wayne, IN.

* * * * *

Issued in Washington, DC, on August 29, 2025.

Brian Eric Konie,

Acting Manager, Rules and Regulations Group.

[FR Doc. 2025–16888 Filed 9–2–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF COMMERCE

Bureau of Economic Analysis

15 CFR Part 801

[Docket No. 250826–0146]

RIN 0691–AA94

Direct Investment Surveys: BE–13, Survey of New Foreign Direct Investment in the United States

AGENCY: Bureau of Economic Analysis, Commerce.

ACTION: Final rule.

SUMMARY: This final rule amends regulations of the Department of Commerce's Bureau of Economic Analysis (BEA) to set forth the reporting requirements for the BE–13, Survey of New Foreign Direct Investment in the United States (''BE–13 survey''). The BE–13 survey collects information on the acquisition or establishment of U.S. business enterprises by foreign investors, and information on expansions by existing U.S. affiliates of foreign companies. The data collected through the survey are used to measure the amount of new foreign direct investment in the United States and ensure complete coverage of BEA's other foreign direct investment statistics. BEA will change the reporting requirements of the survey to reduce respondent burden, simplify reporting, and increase the efficiency of the data collection. This mandatory BE–13 survey is required from persons subject to the reporting requirements, whether or not they are contacted by BEA.

DATES: This final rule will be effective October 3, 2025.

FOR FURTHER INFORMATION CONTACT: Amanda Budny, Chief, Direct Transactions and Positions Branch (BE–49), Bureau of Economic Analysis, U.S. Department of Commerce; email *Amanda.Budny@bea.gov* or 301–278–9154.

SUPPLEMENTARY INFORMATION: The BE–13, Survey of New Foreign Direct Investment in the United States, is a mandatory survey conducted by BEA under the authority of the International Investment and Trade in Services Survey Act (22 U.S.C. 3101–3108).

The purpose of the BE–13 survey is to collect data on the acquisition or establishment of U.S. business enterprises by foreign investors and the expansion of existing U.S. affiliates of foreign companies to establish a new facility where business is conducted. The data collected by the survey are used to measure the amount and economic significance of new foreign direct investment in the United States and assess its impact on the U.S. economy. Foreign direct investment in the United States is defined as the ownership or control, directly or indirectly, by one foreign person (foreign parent) of 10 percent or more of the voting securities of an incorporated U.S. business enterprise, or an equivalent interest of an unincorporated U.S. business enterprise, including a branch.

This final rule amends 15 CFR 801.7 to set forth the reporting requirements for the BE–13, Survey of New Foreign Direct Investment in the United States. Under this rule, persons subject to the reporting requirements of the BE–13, Survey of New Foreign Direct Investment in the United States, are required to respond, whether or not they are contacted by BEA.

Description of Changes

This final rule amends the regulations at 15 CFR part 801 by modifying § 801.7. Specifically, BEA changes the reporting requirements of, and adds one question to, form BE–13 Claim for Exemption. The form collects information on new foreign direct investment transactions—*i.e.*, the acquisition or establishment of U.S. business enterprises by foreign investors and the expansion of existing U.S. affiliates of foreign companies—if the transactions meet all requirements of engaging in an eligible investment activity, but the total cost of the acquisition, establishment, or expansion being reported is less than or equal to $3 million.

BEA will increase the threshold for filing the BE–13 Claim for Exemption form from $3 million to $40 million and add one question to the form requesting the total cost of the acquisition, establishment, or expansion. BEA has determined that this increased threshold on the BE–13 Claim for Exemption, in conjunction with directly collecting the transaction cost, would be sufficient to collect the information necessary to provide data users with insightful statistics measuring the economic impact of these investments. The added question requesting the total cost should not increase the estimated respondent burden for filing the BE–13 Claim for Exemption, as that information must be known to determine if the claim for exemption is applicable. This change would reduce respondent burden and the BEA resources needed to collect and process these investments.

Administrative Procedure Act and Regulatory Flexibility Act

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment are unnecessary. This rule removes a requirement, significantly reducing overall burden, especially on small businesses, and BEA will continue to capture all investments, regardless of investment size. As stated in the preceding section, BEA is increasing the threshold for filing the BE–13 claim for exemption from $3 million to $40 million, greatly increasing the number of investments that can be reported using the BE–13 claim for exemption form. This is a significant reduction in burden for these smaller investments as the BE–13 claim for exemption form has an estimated burden time of 36 minutes, compared to estimated burden of between 72 and 150 minutes for the full BE–13A, BE–13B, and BE–13D forms.

Because some members of the public rely on this data, the transactions with a value of $40 million or less will continue to be collected on the claim for exemption, which will have one question added to directly collect transaction cost and otherwise captures the most critical variables for inclusion in data tables and BEA will have no drop in data quality. Therefore, public comment would serve no purpose and is unnecessary. There is also good cause under 5 U.S.C. 553(d)(1) to waive the 30-day delay in effectiveness because this rule relieves a restriction as the new claim for exemption is a shorter form that significantly reduces the survey response burden by increasing the cut-off for the BE–13 claim for exemption from $3 million per investment transaction to $40 million.

Because prior notice and an opportunity for public comment are not required pursuant to 5 U.S.C. 553, or any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are inapplicable. Therefore, a regulatory flexibility analysis has not been prepared.

Executive Order 12866, 14192, 13132, and 14294

This final rule has been determined to be not significant for purposes of E.O. 12866. This is a E.O. 14192 deregulatory action. This final rule does not contain policies with Federalism implications sufficient to warrant preparation of a Federalism assessment under E.O. 13132. Consistent with E.O. 14294, notice is given that this final rule would be subject to a criminal liability for willful violations by individuals or knowing violations by any officer, director, employee, or agent of any corporation, as set forth in 22 U.S.C. 3105(c).

Paperwork Reduction Act

The collection-of-information in this final rule was submitted to the Office of Management and Budget (OMB) pursuant to the requirements of the Paperwork Reduction Act (PRA). OMB approved the revision of the currently approved information collection under BE–13, Survey of New Foreign Direct Investment in the United States, OMB control number 0608–0035.

Notwithstanding any other provisions of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the PRA unless that collection displays a currently valid OMB control number.

The BE–13 survey is expected to result in the filing of approximately 3,417 reports from U.S. affiliates each year. The respondent burden for this collection of information is expected to vary because of differences in company structure, size, and complexity, but is estimated to average 0.6 hours per response. The burden includes time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Thus, the total respondent burden for this survey is estimated at 2,032 hours, compared to 3,027 hours for the previous BE–13 survey estimate. The decrease in burden hours is due to the increase in the proportion of respondents expected to file on the BE–13 Claim for Exemption.

Written comments regarding the burden-hour estimates or other aspects of the collection-of-information requirements contained in this final rule should be sent to both BEA via email at *PRAcomments@bea.gov* and to OMB OIRA, Paperwork Reduction Project 0608–0035, Attention PRA Desk Officer for BEA, via email at *OIRA_Submission@omb.eop.gov.*

List of Subjects in 15 CFR Part 801

Economic statistics, Foreign investment in the United States, International transactions, Penalties, Reporting and record keeping requirements.

Paul W. Farello,

Associate Director of International Economics, Bureau of Economic Analysis.

For reasons set forth in the preamble, BEA amends 15 CFR part 801 as follows:

PART 801—SURVEY OF INTERNATIONAL TRADE IN SERVICES BETWEEN U.S. AND FOREIGN PERSONS AND SURVEYS OF DIRECT INVESTMENT

■ 1. The authority citation for 15 CFR part 801 continues to read as follows:

Authority: 5 U.S.C. 301; 15 U.S.C. 4908; 22 U.S.C. 3101–3108; E.O. 11961 (3 CFR, 1977 Comp., p. 86), as amended by E.O. 12318 (3 CFR, 1981 Comp. p. 173); and E.O. 12518 (3 CFR, 1985 Comp. p. 348).

■ 2. Amend § 801.7 to read as follows:

§ 801.7 Rules and regulations for the BE–13, Survey of New Foreign Direct Investment in the United States.

The BE–13, Survey of New Foreign Direct Investment in the United States, is conducted to collect data on the acquisition or establishment of U.S. business enterprises by foreign investors and the expansion of existing U.S. affiliates of foreign companies to establish new facilities where business is conducted. Foreign direct investment is defined as the ownership or control by one foreign investor of 10 percent or more of the voting securities of an incorporated U.S. business enterprise, or an equivalent interest of an unincorporated U.S. business enterprise, including a branch. BEA will describe the proposed information collection in a public notice and will solicit comments according to the requirements of the Paperwork Reduction Act (44 U.S.C. 3501–3520). All legal authorities, provisions, definitions, and requirements contained in §§ 801.1 through 801.2 and §§ 801.4 through 801.6 are applicable to this survey. Specific additional rules and regulations for the BE–13 survey are given in paragraphs (a) through (d) of this section. More detailed instructions are given on the report forms and instructions.

(a) *Response required.* A response is required from persons subject to the reporting requirements of the BE–13, Survey of New Foreign Direct Investment in the United States, contained herein, whether or not they are contacted by BEA. Also, a person, or their agent, who is contacted by BEA about reporting in this survey, either by sending them a report form or by

written inquiry, must respond in writing pursuant to this section. This may be accomplished by filing the properly completed BE–13 report (BE–13A, BE–13B, BE–13D, BE–13E, or BE–13 Claim for Exemption).

(b) *Who must report.* A BE–13 report is required of any U.S. business enterprise, except certain private funds, see exception in item (b.4.), in which:

(1) A foreign direct investment in the United States relationship is created;

(2) An existing U.S. affiliate of a foreign parent establishes a new U.S. business enterprise, expands its U.S. operations, or acquires a U.S. business enterprise, or;

(3) BEA requests a cost update (Form BE–13E) for a U.S. business enterprise that previously filed Form BE–13B or BE–13D.

(4) Certain private funds are exempt from reporting on the BE–13 survey. If a U.S. business enterprise is a private fund and does not own, directly or indirectly, 10 percent or more of another business enterprise that is not also a private fund or a holding company, it is not required to file any BE–13 report except to indicate exemption from the survey if contacted by BEA.

(c) *Forms to be filed.* Depending on the type of investment transaction, U.S. affiliates would report their information on one of five forms—BE–13A, BE–13B, BE–13D, BE–13E, or BE–13 Claim for Exemption.

(1) Form BE–13A—Report for a U.S. business enterprise when a foreign entity acquires a voting interest (directly, or indirectly through an existing U.S. affiliate) in that U.S. business enterprise including segments, operating units, or real estate; and

(i) The total cost of the acquisition is greater than $40 million; and

(ii) By this acquisition, the foreign entity now owns at least 10 percent of the voting interest (directly, or indirectly through an existing U.S. affiliate) in the acquired U.S. business enterprise.

(2) Form BE–13B—Report for a U.S. business enterprise when it is established by a foreign entity or by an existing U.S. affiliate of a foreign parent; and

(i) The expected total cost to establish the new U.S. business enterprise is greater than $40 million; and

(ii) The foreign entity owns at least 10 percent of the voting interest (directly, or indirectly through an existing U.S. affiliate) in the new U.S. business enterprise.

(3) Form BE–13D—Report for an existing U.S. affiliate of a foreign parent when it expands its operations to include a new facility where business is conducted, and the expected total cost of the expansion is greater than $40 million.

(4) Form BE–13E—Report for a U.S. business enterprise that previously filed Form BE–13B or BE–13D. Form BE–13E collects updated cost information and will be collected annually for three years after the year of the establishment or expansion of the U.S. business enterprise.

(5) Form BE–13 Claim for Exemption—Report for a U.S. business enterprise that:

(i) was contacted by BEA but does not meet the requirements for filing Forms BE–13A, BE–13B, or BE–13D; or

(ii) whether or not contacted by BEA, met all requirements for filing Forms BE–13A, BE–13B, or BE–13D except the $40 million reporting threshold.

(d) *Due date.* The BE–13 forms are due no later than 45 calendar days after the acquisition is completed, the new U.S. business enterprise is established, the expansion is begun, the cost update is requested, or a notification letter is received from BEA by a U.S. business enterprise that does not meet the filing requirements for the survey.

[FR Doc. 2025–16832 Filed 9–2–25; 8:45 am]

BILLING CODE 3510–06–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 173

[Docket No. FDA–2022–F–2725]

Secondary Direct Food Additives Permitted in Food for Human Consumption; Hydrogen Peroxide

AGENCY: Food and Drug Administration, HHS.

ACTION: Final amendment; order.

SUMMARY: The Food and Drug Administration (FDA or we) is amending the food additive regulation to provide for the safe use of hydrogen peroxide in food as an antimicrobial agent, oxidizing and reducing agent, and bleaching agent, and to remove sulfur dioxide. We are taking this action in response to a food additive petition filed by Cargill, Inc. (Cargill or petitioner).

DATES: This order is effective September 3, 2025. The incorporation by reference of certain material listed in the order is approved by the Director of the Federal Register as of September 3, 2025. Either electronic or written objections and requests for a hearing on the order must be submitted by 11:59 p.m. Eastern Time on October 3, 2025. See section VIII of this document for further information on the filing of objections.

ADDRESSES: You may submit objections and requests for a hearing as follows. Please note that late, untimely filed objections will not be considered. The *https://www.regulations.gov* electronic filing system will accept objections until 11:59 p.m. Eastern Time at the end of October 3, 2025. Objections received by mail/hand delivery/courier (for written/paper submissions) will be considered timely if they are received on or before that date.

Electronic Submissions

Submit electronic objections in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Objections submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your objection will be made public, you are solely responsible for ensuring that your objection does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your objection, that information will be posted on *https://www.regulations.gov.*
- If you want to submit an objection with confidential information that you do not wish to be made available to the public, submit the objection as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

- *Mail/Hand Delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.
- For written/paper objections submitted to the Dockets Management Staff, FDA will post your objection, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2022–F–2725 for ''Secondary Direct Food Additives Permitted in Food for Human Consumption; Hydrogen Peroxide.'' Received objections, those

filed in a timely manner (see **ADDRESSES**), will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240–402–7500.

- Confidential Submissions—To submit an objection with confidential information that you do not wish to be made publicly available, submit your objections only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' We will review this copy, including the claimed confidential information, in our consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov.* Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf.*

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240–402–7500.

FOR FURTHER INFORMATION CONTACT: Karen Hall, Office of Food Chemical Safety, Dietary Supplements, Human Foods Program, Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240–402–9195; or Keronica C. Richardson, Office of Policy, Regulations, and Information. Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240–402–2378.

SUPPLEMENTARY INFORMATION:

I. Background

In the **Federal Register** of November 21, 2022 (87 FR 70752), FDA announced that we filed a food additive petition (FAP 2A4833) submitted by ToxStrategies on behalf of Cargill, Inc., 15407 McGinty Rd., Wayzata, MN 55391. The petition proposed that FDA amend the food additive regulations in 21 CFR 173.356 to provide for the safe use of hydrogen peroxide (CAS Reg. No. 7722–84–1) as an antimicrobial agent, oxidizing and reducing agent, and bleaching agent, and to remove sulfur dioxide. FDA is also updating the reference for specifications for hydrogen peroxide established in § 173.356(a) by incorporating by reference the monograph for hydrogen peroxide in the 14th edition of the Food Chemicals Codex, effective June 1, 2024 (FCC 14 hydrogen peroxide monograph). The current food additive regulation for the use of hydrogen peroxide (§ 173.356) indicates that the additive must meet the specifications in the 7th edition of the FCC (FCC 7), and Cargill indicated in the petition that hydrogen peroxide will meet the specifications in the 12th edition of the FCC (FCC 12). Since we received the petition, the FCC has been updated to the 14th edition (FCC 14). The specifications for hydrogen peroxide in FCC 7 and FCC 12 are identical to those in FCC 14. Therefore, we are amending § 173.356(a) by adopting, and incorporating by reference, the FCC 14 hydrogen peroxide monograph.

Hydrogen peroxide is affirmed as generally recognized as safe (GRAS) under 21 CFR 184.1366 for use as an antimicrobial agent, oxidizing and reducing agent, and bleaching agent, and to remove sulfur dioxide in specific foods at specified maximum treatment levels (46 FR 44439, September 4, 1981, and 51 FR 27172, July 30, 1986). As a condition of use, § 184.1366(d) requires that residual hydrogen peroxide be removed during the processing of food by appropriate physical and chemical means. In addition, § 184.1366(c) incorporates the requirement under § 184.1(b)(2) that a substance affirmed as GRAS with specific limitations may be used in food only within such limitations, including the category of food, functional use, and level of use, and that any additional uses require a food additive regulation. Therefore, any additional uses of hydrogen peroxide in processing food beyond those limitations set out in § 184.1366 require a food additive regulation.

The food additive regulations were subsequently amended to add § 173.356 (76 FR 11328, March 20, 2011) to approve the use of hydrogen peroxide as an antimicrobial agent in the production of modified whey by ultrafiltration methods. As a condition of use, § 173.356(b) requires that residual hydrogen peroxide be removed from the whey during processing by appropriate chemical or physical means.

The petition proposed to amend § 173.356 to provide for the use of hydrogen peroxide in food, including meat and poultry, as an antimicrobial agent, oxidizing and reducing agent, and bleaching agent, and to remove sulfur dioxide, in accordance with good manufacturing practice, provided that residual hydrogen peroxide is removed from the food during processing by appropriate chemical or physical means. We note that the current use as an antimicrobial agent in the production of modified whey listed in § 173.356 is encompassed by the broader uses proposed in this petition.

II. Evaluation of Safety

FDA reviewed data in the petition and other relevant material to evaluate the safety of the petitioned uses. Cargill discussed that hydrogen peroxide is inherently unstable and will dissociate into water and oxygen and that any measurable amounts of hydrogen peroxide would be required to be removed from food during processing by appropriate chemical or physical means (*e.g.,* during washing stages or decomposition during drying stages). Given the unstable nature of hydrogen peroxide and the requirement that residual hydrogen peroxide be removed, we concur that the petitioned uses will not result in an increased dietary exposure to hydrogen peroxide (Ref. 1).

In support of the petitioned uses of hydrogen peroxide, Cargill summarized the available toxicological data and information on hydrogen peroxide. Most of the data and information have been previously submitted to and reviewed by FDA as part of other regulatory submissions. None of these data and information raise new safety concerns regarding the use of hydrogen peroxide under the intended conditions of use. As the proposed uses are not expected to increase dietary exposure to hydrogen peroxide, FDA has no safety concerns regarding the petitioned uses of hydrogen peroxide (Ref. 2).

III. Incorporation by Reference

FDA is incorporating by reference the monograph for hydrogen peroxide from the FCC, 14th ed., 2024, which was approved by the Office of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. You may purchase a copy of the material from the

U.S. Pharmacopeial Convention, 12601 Twinbrook Pkwy., Rockville, MD 20852, 1–800–227–8772, *https://www.usp.org/*. You may inspect a copy at Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240–402–7500, between 9 a.m. and 4 p.m., Monday through Friday.

The FCC 14 hydrogen peroxide monograph sets forth a standard for purity and identity for hydrogen peroxide. The FCC 14 hydrogen peroxide monograph provides specifications and analytical methodologies to identify the substance and establish acceptable purity criteria.

As background, the current food additive regulation for the use of hydrogen peroxide (§ 173.356) indicates that the additive must meet the specifications of the hydrogen peroxide monograph in FCC 7. The petitioner indicated that the hydrogen peroxide petitioned in FAP 2A4833 complies with the specifications in the monograph for hydrogen peroxide in FCC 12. During our review of this petition, we noted that the most recent edition of the FCC was FCC 14. The specifications for hydrogen peroxide in FCC 14 are identical to those in both FCC 7 and FCC 12. Therefore, we are amending § 173.356(a) by adopting, and incorporating by reference, the FCC 14 hydrogen peroxide monograph.

IV. Conclusion

Based on the relevant data available to FDA and information in the petition, we conclude that there is reasonable certainty that no harm will result from the use of hydrogen peroxide in food as an antimicrobial agent, oxidizing and reducing agent, and bleaching agent, and to remove sulfur dioxide, in accordance with good manufacturing practice, and that such use will achieve its intended technical effects. Additionally, we are amending § 173.356(a) by adopting, and incorporating by reference, the FCC 14 hydrogen peroxide monograph.

V. Public Disclosure

In accordance with 21 CFR 171.1(h), the petition and the documents that we considered and relied upon in reaching our decision to approve the petition will be made available for public disclosure (see FOR FURTHER INFORMATION CONTACT). As provided in § 171.1(h), FDA will delete from the documents any materials that are not available for public disclosure before making the documents available for inspection.

VI. Analysis of Environmental Impact

We have carefully considered the potential environmental effects of this action. FDA has concluded that the action will not have a significant impact on the human environment and that an environmental impact statement is not required. FDA's finding of no significant impact and the evidence supporting that finding, contained in an environmental assessment, may be seen in the Dockets Management Staff (see ADDRESSES) between 9 a.m. and 4 p.m., Monday through Friday.

VII. Paperwork Reduction Act of 1995

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

VIII. Objections

If you will be adversely affected by one or more provisions of this order, you may file with the Dockets Management Staff (see ADDRESSES) either electronic or written objections. You must separately number each objection, and within each numbered objection you must specify with particularity the provision(s) to which you object, and the grounds for your objection. Within each numbered objection, you must specifically state whether you are requesting a hearing on the particular provision that you specify in that numbered objection. If you do not request a hearing for any particular objection, you waive the right to a hearing on that objection. If you request a hearing, your objection must include a detailed description and analysis of the specific factual information you intend to present in support of the objection in the event that a hearing is held. If you do not include such a description and analysis for any particular objection, you waive the right to a hearing on the objection.

Any objections received in response to this order may be seen in the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, and will be posted to the docket at *https://www.regulations.gov*.

IX. Section 301(ll) of the Federal Food, Drug, and Cosmetic Act

Our review of this petition was limited to section 409 of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 348). This order is not a statement regarding compliance with other sections of the FD&C Act. For example, section 301(ll) of the FD&C Act (21 U.S.C. 331(ll)) prohibits the introduction or delivery for introduction into interstate commerce of any food that contains a drug approved under section 505 of the FD&C Act (21 U.S.C. 355), a biological product licensed under section 351 of the Public Health Service Act (42 U.S.C. 262), or a drug or biological product for which substantial clinical investigations have been instituted and their existence has been made public, unless one of the exemptions in section 301(ll)(1) through (4) of the FD&C Act applies. In our review of this petition, we did not consider whether section 301(ll) of the FD&C Act or any of its exemptions apply to food containing this additive. Accordingly, this order should not be construed to be a statement that a food containing this additive, if introduced or delivered for introduction into interstate commerce, would not violate section 301(ll) of the FD&C Act. Furthermore, this language is included in all food additive orders authorizing new uses and therefore should not be construed to be a statement of the likelihood that section 301(ll) of the FD&C Act applies.

X. References

The following references are on display in the Dockets Management Staff (see ADDRESSES) and are available for viewing by interested persons between 9 a.m. and 4 p.m., Monday through Friday; they are also available electronically at *https://www.regulations.gov*.

1. Memorandum from P. Wang, Chemistry Evaluation Branch, Division of Food Ingredients, to K. Hall, Regulatory Review Branch, Division of Food Ingredients, Human Foods Program (HFP), FDA, May 6, 2025.
2. Memorandum from J. Gingrich, Toxicology Review Branch, Division of Food Ingredients, to K. Hall, Regulatory Review Branch, Division of Food Ingredients, Human Foods Program (HFP), FDA, May 7, 2025.

List of Subjects in 21 CFR Part 173

Food additives, Incorporation by reference.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under the authority delegated to the Commissioner of Food and Drugs, 21 CFR part 173 is amended as follows:

PART 173—SECONDARY DIRECT FOOD ADDITIVES PERMITTED IN FOOD FOR HUMAN CONSUMPTION

■ 1. The authority citation for part 173 continues to read as follows:

Authority: 21 U.S.C. 321, 342, 348.

■ 2. Revise § 173.356 to read as follows:

§ 173.356 Hydrogen peroxide.

Hydrogen peroxide (H_2O_2, CAS Reg. No. 7722–84–1) may be safely used to treat food in accordance with the following conditions:

(a) Hydrogen peroxide meets the specifications of Hydrogen Peroxide, Food Chemicals Codex, 14th edition, effective June 1, 2024, which is incorporated by reference into this section. The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. This incorporation by reference (IBR) material is available for inspection at the Food and Drug Administration (FDA) and at the National Archives and Records Administration (NARA). Contact FDA at: the Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, between 9 a.m. and 4 p.m., Monday through Friday; phone: 240–402–7500; email: *IBR_Material_Inquiries@fda.hhs.gov.* 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.* The material may be obtained from the U.S. Pharmacopeial Convention, 12601 Twinbrook Pkwy., Rockville, MD 20852; phone: 800–822–8772; email: *fcc@usp.org;* website: *https://www.usp.org.*

(b) The additive is used as an antimicrobial agent as defined in § 170.3(o)(2) of this chapter, oxidizing and reducing agent defined in § 170.3(o)(22) of this chapter, and bleaching agent, and to remove sulfur dioxide in accordance with good manufacturing practice.

(c) Residual hydrogen peroxide is removed by appropriate chemical or physical means during the processing of food where it has been used.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–16898 Filed 9–2–25; 8:45 am]

BILLING CODE 4164–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 432

[EPA–HQ–OW–2021–0736; FRL–8885–03–OW]

RIN 2040–AG22

Clean Water Act Effluent Limitations Guidelines and Standards for the Meat and Poultry Products Point Source Category

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final action.

SUMMARY: The United States Environmental Protection Agency (the EPA or Agency) is withdrawing the proposed rule entitled ‘‘Clean Water Act Effluent Limitations Guidelines and Standards for the Meat and Poultry Products Point Source Category,’’ which published in the **Federal Register** on January 23, 2024. After considering public comments on the proposed rule, the EPA has decided not to finalize revised technology-based effluent limitations guidelines (ELGs) or pretreatment standards for the Meat and Poultry Products (MPP) industry, based on exercise of its statutory discretion and judgment that such revisions would not be appropriate.

DATES: As of September 3, 2025, the proposed rule published on January 23, 2024, at 89 FR 4474, is withdrawn. In accordance with 40 CFR part 23, this final action shall be considered issued for the purposes of judicial review at 1 p.m. Eastern Standard Time on September 3, 2025. Under section 509(b)(1) of the Clean Water Act (CWA), judicial review of the Administrator's final action regarding effluent limitations guidelines and pretreatment standards can only be done by filing a petition for review in the United States Court of Appeals within 120 days after the decision is considered issued for purposes of judicial review.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA–HQ–OW–2021–0736. All documents in the docket are listed on the *http://www.regulations.gov* website. Although listed in the index, some information is not publicly available, *e.g.,* confidential business information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available electronically through *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Steve Whitlock, Engineering and Analysis Division, Office of Water (4303T), Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460; telephone number: 202–566–1541; email address: *Whitlock.Steve@epa.gov.*

SUPPLEMENTARY INFORMATION:

What other information is available to support this final action?

The action is supported by several documents, including:

- Development Document for Final Action on the Meat & Poultry Products Point Source Category Effluent Limitations Guidelines and Standards (Development Document), Document No. 821–R–25–001. This report summarizes the technical, engineering, and economic analyses that EPA considered in taking the final action, including cost of regulatory options, adverse non-water quality environmental impacts, effluent reductions and associated benefits, and calculation of the effluent limitations considered.
- Docket Index for Final Action for the Effluent Limitations Guidelines and Standards for the Meat and Poultry Products Point Source Category. This document provides a list of the additional memoranda, references, and other information the EPA considered in taking final action on the MPP ELGs.

I. Executive Summary

On January 23, 2024, the EPA proposed to revise the existing technology-based effluent limitations guidelines and standards for the meat and poultry products point source category. The Agency solicited comment on possible revisions and additions to the ELGs for existing and new sources in this category. The EPA took comment on a range of options in the proposed rule. The options included more stringent effluent limitations on total nitrogen, new effluent limitations on total phosphorus, updated effluent limitations for other pollutants, new pretreatment standards for indirect dischargers, and revised production thresholds for some of the subcategories in the existing rule. Additionally, the EPA also considered effluent limitations on chlorides, establishing effluent limitations for *E. coli* for direct dischargers, and including conditional limits for indirect dischargers that discharge to POTWs operating nutrient treatment technologies to remove nutrients. Inherent in the Agency's

proposal was the additional option of withdrawing the proposed rule (the no-rule option). The Agency considered the same options in this final action, with updates informed by public input.

Informed by concerns expressed in public comments received on the proposed rule, the EPA has decided not to finalize revised ELGs or pretreatment standards for the MPP industry. Accordingly, the EPA is withdrawing the proposed rule based on its statutory discretion to determine whether such revision is ''appropriate,'' (CWA section 304(b)) and factors for establishing such requirements, including ''such other factors as the Administrator deems appropriate.'' (CWA section 304(b)(1)(B); 304(b)(2)(B), 304(b)(4)(B)). In the EPA's judgment, it is not appropriate to impose additional regulation on the MPP industry, given Administration priorities and policy concerns, including protecting food supply and mitigating inflationary prices for American consumers following a protracted period of high inflation from 2020 through 2024. The MPP industry is critical to the nation's food supply, and there is a shift in national policy toward ensuring reduction of the cost of living and reinvigorating American industry. In addition, past and ongoing external stressors on this industry require sustained attention, including COVID–19 food supply and supply chain issues, inflationary pressures, highly pathogenic avian flu (HPAI), and the New World Screwworm (NWS). For all of these reasons, the EPA is exercising its statutory discretion to choose how to marshal and prioritize its resources and is not proceeding with revisions to the MPP ELGs or establishing pretreatment standards for this industry, as explained in section VI of this document. In addition, the agency's analysis of regulatory options considered shows that they would negatively impact the environment and public health in the form of increased air pollution and solid waste. This final action avoids these negative impacts because the EPA has chosen the no-rule option.

II. Public Participation

During the 60-day public comment period on the proposed rule (89 FR 4474, January 23, 2024) (from January 23, 2024, to March 25, 2024), the EPA received more than 5,000 public comment submissions from private citizens, industry representatives, technology vendors, government entities, environmental groups, and trade associations. The EPA also hosted three public hearings during the public comment period—an online hearing January 24, 2024, an in-person hearing January 31, 2024, and another online hearing March 20, 2024. These hearings had a combined total of 362 attendees, 46 of whom registered to provide comment on the proposed rule. Available documents and recordings from each public hearing include transcripts of the presentations and a list of attendees (document control number (DCN) MP01489, DCN MP01489A1, MP01489A2, DCN MP02001, DCN MP02001A1, DCN MP02001A2, DCN MP02002, and DCN MP02002A1, DCN MP02002A1).

III. Background

Over more than 50 years, EPA, states, and local partners have worked collaboratively to implement the CWA and there have been significant reductions in pollution entering our nation's waterways. Under one component of CWA implementation, the EPA is to issue effluent limitations guidelines, pretreatment standards and new source performance standards for industrial dischargers. Before the passage of the Clean Water Act, the nation's surface waters were significantly polluted. The Cuyahoga River became the symbol of polluted waters when it caught fire at least a dozen times prior to the Clean Water Act's passage in 1972. Under the Act, pollution discharges have been significantly reduced and our nation's waterbodies have recovered. Waters that were once contaminated are clean and safe for wildlife and recreation. A key component of this recovery has been reductions in point-source discharges of nutrients, particularly nitrogen and phosphorus, under the Act. While additional reductions in nitrogen and phosphorous loads to certain waters may further improve water quality, the Agency and its partners have generally shifted focus to non-point sources of these pollutants. The most significant sources of nitrogen and phosphorus loads to our nations waters today are non-point sources.

In taking this final action, the EPA considered revisions of the ELGs and promulgation of pretreatment standards for the MPP industry based on Best Practicable Control Technology Currently Available (BPT), Best Conventional Pollutant Control Technology (BCT), Best Available Technology Economically Achievable (BAT), Best Available Demonstrated Control Technology (BADCT) for New Source Performance Standards (NSPS), Pretreatment Standards for Existing Sources (PSES), and Pretreatment Standards for New Sources (PSNS). These types of effluent guidelines and standards are summarized in the preamble for the proposed regulation (89 FR 4474, January 23, 2024).

As part of the EPA ELG review process, the EPA conducted a cross-industry review of publicly available discharge monitoring report (DMR) and toxics release inventory (TRI) data from 2015 on nutrient discharges from industrial point source categories. This review identified industries, based on their discharges of nutrients in wastewater and the potential to reduce their nutrient discharges, that may be candidates for ELG development or revision and prioritized them for further review. As a result of the cross-industry review of nutrients in industrial wastewater and the further review of the MPP category, the EPA began a detailed study of the MPP industry. The goals of the MPP detailed study were to gain a better understanding of the industry and evaluate whether the ELGs should be revised. In 2021, in the Preliminary Effluent Guidelines Program Plan 15 (Preliminary Plan 15), the EPA announced the agency's intent to develop a rulemaking to revise the existing discharge standards for the MPP industry (USEPA. 2021. EPA–821–R–21–003).

On December 23, 2022, Plaintiffs Cape Fear River Watch, Rural Empowerment Association for Community Help, Waterkeepers Chesapeake, Waterkeeper Alliance, Humane Society of the United States, Food & Water Watch, Environment America, Comite Civico del Valle, Center for Biological Diversity, and Animal Legal Defense Fund filed a complaint alleging that the EPA's failure to revise ELGs and to promulgate pretreatment standards for the MPP category constituted failures to act by statutory deadlines in violation of the CWA and Administrative Procedures Act (''APA'') (*Cape Fear River Watch et al.* v. *United States Environmental Protection Agency,* No. 1:22–cv–03809 (D.D.C)).

Although the EPA was in the process of conducting the MPP rulemaking, as announced in its Preliminary Effluent Guidelines Program Plan 15 (86 FR 51155, September 14, 2021), the EPA had not publicly announced any specific timeline for completion. The parties initiated settlement discussions, resulting in a proposed consent decree with deadlines for completion of the rulemaking, which the EPA entered into after public notice and comment (88 FR 12930, March 1, 2023). Under the consent decree, the EPA had obligations to sign a notice of proposed rulemaking by December 13, 2023, which was completed, and to sign a decision taking final action by August 31, 2025 (Consent

Decree, *Cape Fear River Watch et al.* v. *EPA,* Case No. 1:22–cv–03809–BAH (05/03/23)). Through this action withdrawing the proposed rule, the EPA is fulfilling its consent decree obligation to take final action with respect to this rulemaking.

IV. Meat and Poultry Products Industry Description

The MPP point source category includes facilities ''engaged in the slaughtering, dressing and packing of meat and poultry products for human consumption and/or animal food and feeds. Meat and poultry products for human consumption include meat and poultry from cattle, hogs, sheep, chickens, turkeys, ducks and other fowl as well as sausages, luncheon meats and cured, smoked or canned or other prepared meat and poultry products from purchased carcasses and other materials. Meat and poultry products for animal food and feeds include animal oils, meat meal and facilities that render grease and tallow from animal fat, bones and meat scraps'' (40 CFR 432.1). For more information on how facilities were classified, see the *Meat and Poultry Products (MPP) Facility Characterization Data Memorandum* (USEPA. 2025. DCN MP01447). For number of facilities by process and discharge type, see the *Development Document for Final Action on the Meat and Poultry Point Source Category* (DCN MP02006), Section 2.

The EPA evaluated technologies available to control and treat wastewater generated by the MPP industry. The EPA has not identified any practical difference in types of treatment technologies between meat products and poultry products facilities. Some MPP processes result in wastewater streams with higher concentrations of pollutants, but facilities across the industry generally contain the same pollutants, including nitrogen, phosphorus, oil & grease, biochemical oxygen demand (BOD), total suspended solids (TSS), and chlorides. See the Development Document (DCN MP02006) and the proposed rule, Clean Water Act Effluent Limitations Guidelines and Standards for the Meat and Poultry Products Point Source Category proposed rule (89 FR 4474, January 23, 2024) for more information on control and treatment technologies.

V. Data Collection After Proposal and Comment Responses

Following the publication of the MPP proposed rule, the EPA received additional data from industry and assessed comments from stakeholders on the proposal. This additional information resulted in updates to the methodologies the EPA used in the engineering, economic, and environmental assessments.

A. Survey Follow-up and New Analytical Data

- *Survey:* Following proposal, the EPA continued to conduct follow up with individual respondents to coordinate corrections to responses or obtain missing responses. The EPA also followed up with some facilities to clarify and further support financial information. The MPP Questionnaires were taken offline on April 1, 2024, and the EPA used this as the complete questionnaire dataset with 2,261 responses received from eligible facilities. The EPA also conducted additional and more complex analyses using the questionnaire data.
- *Site Visits:* The EPA visited two additional rendering facilities and discussed issues specific to renderers. To confirm and support their comments, industry provided the EPA with additional data for renderers, specifically regarding boiler condensate and high levels of BOD. Industry also discussed land availability for facilities in urban areas.
- *Meetings with Industry:* The EPA met with industry to discuss the status of the rulemaking and to get clarification on industry concerns expressed in their public comments on EPA estimated compliance costs, pretreatment standards for indirect discharging facilities, and chlorides removal technology. The EPA requested the industry representatives provide the EPA with specific costing information to support their concerns. The EPA also met with GELITA USA, a gelatin, collagen, and peptide manufacturer, and discussed the differences in rendering operations and gelatin operations as a follow-up to their comments on the proposal. The EPA also met with several representatives from industry to discuss their comments on chlorides treatment.

B. Comment Response

The EPA received 4,369 mass mail public comments and posted 810 comments to Federal Docket Management System, resulting in 611 unique comments on the proposed rulemaking. The EPA considered the comments, revised existing analysis and conducted updated analyses. For example, comments and data on rendering wastewater led the EPA to make adjustments to the engineering and economic analyses. Comments on land availability led to additional analysis on availability and costs. Full response to comments can be found in *Response to Public Comments on Proposed Effluent Limitations Guidelines and Standards for the Meat and Poultry Products Point Source Category* (DCN MP01459).

VI. Basis for Final Action

A. Rationale for Withdrawing the Proposed Rule

Informed by concerns expressed in public comments received on the proposed rule, the EPA has decided not to finalize revised ELGs or pretreatment standards for the MPP industry, based on exercise of its statutory discretion and judgment that such regulations would not be appropriate, for the reasons discussed below.

Under the Clean Water Act, the EPA has broad discretion to consider the factors described here in this section in determining whether to revise existing effluent guidelines. Unlike the mandatory requirement to promulgate ELGs reflecting Best Available Technology Economically Achievable by 1989, the EPA is required to revise such ELGs only ''if appropriate.'' *See* CWA section 304(b) (EPA ''shall . . . publish . . . regulations, providing guidelines for effluent limitations, and, at least annually thereafter, *revise, if appropriate,* such regulations.'') (emphasis added). The term ''if appropriate'' is not further defined in the statute, giving the EPA broad discretionary authority to assess whether revision is ''appropriate'' in light of Administration policies, priorities, and other factors. *See Michigan* v. *EPA,* 576 U.S. 743, 752 (2015) (''One does not need to open a dictionary in order to realize the capaciousness of this phrase. In particular, 'appropriate' is the classic broad and all-encompassing term that naturally and traditionally includes consideration of all the relevant factors.'') (internal citation omitted).

Here, although the Act requires consideration of certain specified factors when *establishing* new or revised ELGs, the requirement to assess whether revision of these ELGs is ''appropriate'' is not expressly tied to these factors. *See Our Children's Earth Foundation* v. *EPA,* 527 F.3d 842, 851 (9th Cir. 2008) (finding that the CWA does not mandate use of a technology-based approach in reviewing ELGs to determine whether revision is appropriate). As the Ninth Circuit found in *Waterkeeper Alliance* v. *EPA,* the EPA is ''not required . . . to revise an ELG simply because it was out of date or not comprehensive.'' 140 F.4th 1193, 1215 (9th Cir. 2025). The Court explained that ''the decision whether to initiate a rulemaking to

revise any given ELG is ''discretionary[,] as indicated by the 'if appropriate' language.'' *Id.* at 1216, citing *Our Children's Earth Foundation,* 527 F.3d at 850–51(9th Cir. 2025). Indeed, the Court specifically held that ''it was within the EPA's discretion to prioritize the revision of certain ELGs over others by . . . seek[ing] to identify where revision will do the most good'' (*Id.* at 1215) and that '' the EPA ''has broad discretion to choose how best to marshal its limited resources and personnel to carry out its delegated responsibilities'' *Id.* at 1216 (internal citation omitted). Based on this statutory discretion, the *Waterkeeper* court ''reject[ed] Petitioners' apparent assumption . . . that EPA acted in a manner that was arbitrary and capricious simply because EPA had evidence certain ELGs are out of date but declined to act.'' *Id.* at 1216–17. *Cf. American Iron and Steel Inst.* v. *OSHA,* 182 F.3d 1261, 1268–9 (11th Cir. 1999) (''Logic dictates that an agency must have some discretion in setting an agenda for rulemaking and excluding some matters categorically. Otherwise rulemaking would be very difficult because an agency would be unable to concentrate its scarce resource on a particular problem''); *Sierra Club* v. *EPA,* 828 F.2d 783, 797 (D.C. Cir. 1987) (''Because 'a court is in general ill-suited to review the order in which an agency conducts its business,' we are properly hesitant to upset an agency's priorities by ordering it to expedite one specific action, and thus to give it precedence over others'' (internal citation omitted); *American Horse Protection Assn.* v. *USDA,* 812 F.2d 1 (D.C. Cir. 1986) (''Review under the 'arbitrary and capricious' tag line . . . encompasses a range of levels of deference to the agency . . . . [A]n agency's refusal to initiate rulemaking proceedings is at the high end of that range . . . Such a refusal is to be overturned only in the rarest and most compelling of circumstances.'' (internal citation omitted).

Accordingly, the EPA has broad discretion to consider the Administration's priorities and policy concerns discussed here in this section in determining whether it is ''appropriate'' to revise an ELG—and is not specifically constrained by the statutory factors that any such revised ELG must meet.

Even if the EPA's decision as to whether it is ''appropriate'' to revise an ELG is constrained by the statutory factors for establishing ELGs, those statutory factors expressly include ''such other factors as the Administrator deems appropriate.'' *See* CWA section 304(b)(2)(B); 304(b)(1)(B); and 304(b)(4)(B) (authorizing consideration of ''such other factors as the Administrator deems appropriate'' in assessing Best Available Technology (BAT), Best Practicable Control Technology (BPT), and Best Conventional Pollutant Control Technology (BCT), respectively). That the term ''appropriate'' is used repeatedly, first in the statutory requirement to identify candidates for revision, and again, in the statutory provisions governing the establishment of new or revised standards, underscores the EPA's broad statutory discretion to prioritize ELGs for revision. Accordingly, the EPA considered the Administration's priorities and policy concerns discussed here in this section, in addition to the specified statutory factors, in deciding not to revise the ELGs and pretreatment standards for this industry. *See Weyerhaeuser* v. *Costle,* 590 F.2d 1011, 1045 (D.C. Cir. 1978) (Congress intended that the EPA have discretion ''to decide how to account for the consideration factors, and how much weight to give each factor'').

Based on these statutory authorities, the EPA has decided that it is not appropriate to finalize the proposed rule considering the Administration's priorities and policy concerns including protecting the food supply, mitigating inflationary pressures on food pricing for American consumers, and reinvigorating American industry.

At the core of the EPA's decision is the understanding that the MPP industry plays a critical role in the nation's food supply chain, and meat and poultry processors have faced an unprecedented disruption in operations and costs in recent years as a result of several factors, including COVID–19 food supply and supply chain issues, inflationary pressures, and the unprecedented outbreak of avian flu and New World Screwworm, as discussed below. Establishing more stringent ELGs and pretreatment standards for the MPP industry would result in further diversion of the industry's resources at a critical time, potentially reducing the number of MPP facilities due to the cumulative impacts of multiple economic stressors on the industry, thus further reducing the competitiveness of this industry. The closure or reduced capacity of MPP facilities, even if within the range of impacts typically considered to be economically achievable, could have significant impacts on the nation's food supply and pricing, as was evidenced during the COVID–19 national emergency. Additional regulation may also divert the industry's attention from focusing on measures to diversify, increase production and thus food availability and affordability, and combating avian flu and NWS, all of which are crucial to protecting the nation's food supply, mitigating higher prices and reducing the cost of living for the American public.

Recent Presidential memoranda, Executive Orders, and actions taken by the U.S. Department of Agriculture (USDA) reflect the Administration's priorities and policy concerns that have implications for the MPP industry. On January 20, 2025, President Trump issued a memorandum titled, ''Delivering Emergency Price Relief for American Families and Defeating the Cost-of-Living Crisis.'' This memorandum highlights inflationary pressures that have affected industrial production and food prices in recent years and calls for action to reduce cost-of-living through deregulatory actions. As context, from 2020 through 2024, American consumers weathered significant impacts from inflationary pressures. According to USDA, U.S. food prices rose by 23.6% from 2020 to 2024, outpacing the overall consumer price index increase of 21.2% (DCN MP02048). Additionally, data from the U.S. Bureau of Labor Statistics indicate that as of March 2025 the 12-month increase in national food prices (3%) continued to outpace the 12-month increase in aggregate Consumer Price Index (2.4%). This increase follows a period of significant food price inflation, with the rate peaking at 11.4% in 2022.

The importance of ensuring food availability and affordability is a longstanding and durable goal of American policy. For example, the Food Security Act of 1985 included provisions to ensure that consumers had access to an abundant and affordable food supply. The Act highlighted the role of agriculture price support programs and their impacts to consumer costs for food and fiber. The Act addressed (*i.e.,* moderated) crop price support levels to support the affordability and availability of feed grains for livestock and thereby ensure affordable meat prices. Underpinning the importance of safe abundant, affordable food supply, Congress takes up a new farm bill every five years. Further, during the COVID–19 national emergency President Trump signed Executive Order 13917, titled *Delegating Authority Under the Defense Production Act with Respect to Food Supply Chain Resources During the National Emergency Caused by the Outbreak of COVID–19,* April 28, 2020 (85 FR 26313;

May 1, 2020). This order utilized authority under the Defense Production Act to support ongoing operation of meat and poultry processing facilities at that time. This order cited that ''any unnecessary closures can quickly have a large effect on the food supply chain. For example, closure of a single large beef processing facility can result in the loss of over 10 million individual servings of beef in a single day. Similarly, under established supply chains, closure of a single meat or poultry processing facility can severely disrupt the supply of protein to an entire grocery store chain.'' The tenet of this executive order—that the operation of meat and poultry processing facilities is essential to the secure domestic food supply chain—remains true.

Accordingly, the EPA examined the potential food price and availability impacts of establishing more stringent ELGs for the MPP industry. The EPA found that the closure or reduced capacity of MPP facilities resulting from such regulation could have significant impacts on food prices and availability. As evidenced by the COVID–19 national emergency, closures and reduced capacity of MPP facilities disrupted the availability of food and created short- and long-term price impacts. *See* MPP Proposed Rule, 89 FR 4474, 4492 (January 23, 2024) (''our overreliance on just a handful of giant processors leaves us all vulnerable, with any disruptions at these bottlenecks rippling through our food system''). In addition, the Agency's analysis of regulatory options for this final action shows that the no-rule option will prevent between $1.1 to $7.8 billion in capital costs and prevent $315 million to $1.3 billion in annual operation and maintenance costs associated with compliance (*See* Table 7–12 of Development Document, DCNMP02006). Given that demand for MPP products is relatively inelastic to price changes (*i.e.,* demand for MPP products holds steady even when prices increase), it is reasonable to assume that a portion of these costs would be paid by American families in the form of increased food prices.

Public comments further support the EPA's findings regarding potential impacts of MPP facility closures and reduced capacity on food price and availability. Several public comments described how COVID–19 resulted in temporary backlogs of meat processing, which led to meat shortages at grocery stores, and higher prices for the meat that was available. Commenters stated that the COVID–19 national emergency revealed how consolidation in the industry can negatively impact food supply and pricing—and conversely, the importance of diversification in the industry to help protect against such impacts. As one commenter noted, ''[s]mall and midsize meat processors are essential to economic success of multiple sectors of our overall economy. When we risk losing any processor, we risk detrimental economical outcomes.'' (Kentucky Ass'n of Meat Processors, Comment EPA–HQ–OW–2021–0736–0846–A1). Facility closures that would result from the proposed regulations would reduce diversification in the industry, potentially resulting in the food price increases evidenced by the COVID–19 national emergency.

Additionally, on January 20, 2025, President Trump issued a memorandum titled, ''America First Trade Policy.'' This memorandum called for action to help and not hinder the competitiveness of American industry, which is relevant to the Meat and Poultry Industry that faces trade competition with foreign producers, including in Mexico, Australia, and Canada (DCN MP01465). Further, on January 31, 2025, President Trump issued Executive Order 14192, Unleashing Prosperity Through Deregulation (90 FR 9065; February 6, 2025). This order states, ''It is the policy of my Administration to significantly reduce the private expenditures required to comply with Federal regulations to secure America's economic prosperity and national security and the highest possible quality of life for each citizen.''

In light of these priorities and policy concerns, the EPA considered the potential impacts of revised ELGs and pretreatment standards on compliance costs and competitiveness of the MPP industry in a global marketplace. The EPA's analysis of regulatory options for this final action shows that the no-rule option avoids the closure of between 10 and 93 facilities in the MPP industry (see table 14–1 of the Development Document, DCNMP02006). These closures would be associated with the short-term loss of 3,199 to 26,657 American jobs (see table 16–2 of the Development Document, DCNMP02006).

Public comments echoed the EPA's concerns regarding impacts on the competitiveness of the MPP industry. *See* Kentucky Association of Meat Processors, Comment EPA–HQ–OW–2021–0736–0846–A1 (''Causing the closure of multiple MPP's would hurt competition and our economy.''); Michigan Farm Bureau, Comment EPA–HQ–OW–2021–0736–0697–A1(''Meat and poultry processors, especially small and medium sized processors, already struggle with high regulatory costs and steep price competition from foreign sources who may not face the same regulations and costs we incur to protect the environment, worker safety, and public health.''). One commenter also noted that 85% of the beef industry is controlled by four big meat packers, two of which are foreign-owned—and expressed concern that the closure of smaller, locally owned businesses as a result of increased regulatory compliance costs ''means more of our hard-earned money will leave our local economies and will be funneled into countries other than our own.'' Comment EPA–HQ–OW–2021–0736–1449. Several commenters indicated that inflation is elevated especially for the food industry and is likely to impact consumers. *See, e.g.,* Public Comment EPA–HQ–OW–2021–0736–0712–A1(Iowa Farm Bureau): (the proposed rule ''may limit the availability of meat to consumers during a time of significant inflationary pressures''); Public Comment EPA–HQ–OW–2021–0736–0846–A1(Kentucky Association of Meat Processors) (''In a time of record inflation, consumers cannot afford these costs. Meat prices already outpace other commodities in increasing inflation.''); Public Comment EPA–HQ–OW–2021–0736–0870–A1(Office of the Attorney General of Kansas et al.) (''Federal statistics show that inflation, especially for meat and poultry, remains elevated.''). The EPA agrees that additional regulation on the MPP industry would only exacerbate the inflationary pressures that are already causing high food prices for the American public.

Further, in March 2020, an outbreak of avian flu (HPAI) first occurred at a commercial turkey facility in the United States, and over the five years since then at least 1,400 outbreaks have occurred in more than 600 counties nationwide, leading to the death of some 135 million birds (DCN MP01465, DCN MP01477). Though largely affecting egg laying hens, the outbreak has also impacted broiler production and has had a pronounced effect on turkey production with 14.3 million turkeys affected since 2022 (DCN MP01490). While avian flu has been a threat in the past, this outbreak has affected more species than in past outbreaks (DCN MP01492). Thus, avian flu constitutes an ongoing economic stressor on the industry, as MPP facilities spend time, attention and resources on addressing the outbreak. Additional regulation would add to the cumulative economic impacts on this industry, potentially resulting in more closures and production slowdowns that would impact the nation's food supply and food costs while diverting

industry's attention from focusing on an ongoing threat that requires continued vigilance on the part of the industry.

The New World Screwworm (NWS) also presents a threat to the meat and poultry sector. Once a pervasive problem for the U.S. livestock sector, the NWS was eliminated from North and Central America through a multinational effort led by the USDA in the 1960s. The value of this eradication campaign to the U.S. cattle industry has been estimated as approximately $2.3 billion per year (DCN MP02205). However, in 2022 the NWS reappeared in Panama, has since spread northward to Mexico, and is now considered to pose a serious threat to U.S. livestock producers. The NWS is particularly dangerous for the meat and poultry sector where many animals are raised in close confinement where the parasite can spread quickly. In June of this year, in an attempt to combat the further spread of the NWS, the U.S. Secretary of Agriculture announced the opening of an $8.5 million sterile NWS fly dispersal facility in South Texas, and on July 9, 2025, ordered the closure of livestock trade through all southern ports of entry to prevent the spread of the parasite into the country (DCN MP02206). Like avian flu, the NWS creates economic stress and uncertainty that could potentially impact food supply, prices, and the competitiveness of the MPP industry.

Based on the cumulative consideration of Administration priorities, policy concerns, and these factors in exercise of the Agency's statutory authority, the EPA has determined that it is not appropriate to impose additional regulation on this industry. The MPP industry is critical to the nation's food supply, there is a shift in national policy toward reducing cost of living and reinvigorating American industry, and past and ongoing external stressors on this industry are requiring sustained attention—COVID–19 food supply and supply chain issues, inflationary pressures, avian flu, and NWS. In addition, the EPA found that such regulation would result in adverse non-water-quality environmental impacts, a required factor for consideration in the statute. *See* CWA 304(b)(1)(B); 304(b)(2)(B); 304(b)(4)(B). Specifically, EPA's analysis shows that the regulatory options considered would increase energy consumption thereby increasing ozone and fine particulate air pollution, causing between $24 million and $359 million in adverse human health impacts (see table 9–9 of the Development Document DCNMP02006). The regulatory options considered would also result in between 2.5 billion to more than 8.4 billion pounds of solid waste, which would be sent to landfills or land-applied. Studies have linked land-application of these solid wastes—including animal blood, bodily fluids, pathogens, and excrement—to negative environmental, human health, and economic impacts. Properties surrounding the land-application sites can be impacted due to contaminants percolating into groundwater and being transported via groundwater and runoff to other areas. Degraded surface water conditions resulting from these contaminants can negatively affect aquatic life, including by inducing fish kills. In humans, exposure in high enough concentrations has been linked to a range of negative impacts, from gastrointestinal issues to respiratory issues, cancers, and death. *See* Development Document, section 9 (DCNMP02006). Because the EPA has chosen the no-rule option, this final action avoids both the costs associated with regulatory compliance and the significant negative impacts from increased air pollution and solid waste.

Therefore, the EPA is exercising its statutory discretion to choose how to marshal its resources and is not proceeding with revisions to the MPP ELGs or establishing pretreatment standards for this industry. Exercising its statutory discretion to not finalize ELGs or pretreatment standards for this sector is consistent with the Administration priorities expressed by the Presidential memoranda and Executive Orders described above.

B. Options Considered

For this final action, the EPA evaluated three regulatory options that were included in the proposed rule. For a description of these options, *see* preamble to the proposed regulation. (89 FR 4474, January 23, 2024). In evaluating these options, the EPA considered the statutory factors for the specified levels of control technology for ELGs and pretreatment standards: BPT, BCT, BAT, NSPS, PSES, and PSNS. The analyses used to support evaluation of these factors were updated after the proposal to incorporate new data, as well as feedback received during the public comment period. Those updated analyses can be found in the Development Document (DCN MP02006), including the EPA's analysis on technological availability (section 7.2); cost/economic achievability (sections 13 through15); effluent reduction benefits (section 23); non-water-quality environmental impacts (section 9); and passthrough/interference (section 5.2).

The agency also evaluated a no-rule option that was represented by baseline conditions in the proposed rule and its analyses of the sector in that action. This option was inherent in the Agency's proposal, and apparent in the terminology used in the proposed rule. Specifically, the EPA's proposal indicated that the Agency was seeking comments on ''possible'' (defined as something that may or may not occur) revisions to the existing ELGs. *See* ''*Possible,*'' Merriam-Webster, *https://www.merriam-webster.com/dictionary/possible* (last visited June 16, 2025). The availability of this option to withdraw the proposed rule was further evidenced by public comments requesting that the Agency not issue revisions and instead retain the existing ELGs for the MPP source category. Additionally, the EPA solicited comment not only on the proposed options, but ''any other permutation of these options'' (89 FR 4489, January 23, 2024) and ''all aspects of this proposal.'' *Id.* at 4488.

After full consideration of the statutory factors, the EPA decided not to finalize revised ELGs or pretreatment standards for the MPP industry. The EPA found that it was not appropriate to finalize Option 1, the preferred option at proposal, because the increased regulatory compliance costs could impact food supply, food prices, and the competitiveness of the MPP industry and was thus incompatible with Administration priorities and policy concerns, as discussed above. The other two proposed options would have expanded on Option 1 by including more stringent requirements that would be applied to more MPP facilities, thus making these options more incompatible than Option 1 with Administration priorities and policy concerns. The EPA's decision to withdraw the proposed rule was further supported by the non-water-quality environmental impacts associated with all of the proposed options (*See* Development Document, section 9. DCN MP02006). Accordingly, after considering the statutory factors with respect to each of the proposed options, the EPA is exercising its statutory discretion to take final action withdrawing the proposed rule.

List of Subjects in 40 CFR Part 432

Environmental protection, Meat and meat products, Poultry and poultry products, Waste treatment and disposal, Water pollution control.

Lee Zeldin,

Administrator.

[FR Doc. 2025–16868 Filed 9–2–25; 8:45 am]

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Proposed Rules

Federal Register
Vol. 90, No. 168
Wednesday, September 3, 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 ENERGY

10 CFR Part 460

[EERE–2009–BT–BC–0021]

RIN 1904–AG10

Public Input on Energy Conservation Standards for Manufactured Housing

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Request for information.

SUMMARY: The U.S. Department of Energy (DOE or the Department) is issuing a request for information (''RFI'') to solicit public input regarding certain aspects of its energy conservation standards for manufactured housing. The public input received is anticipated to help guide DOE's further refinement of certain aspects of its standards for manufactured housing, as well as the supporting technical analysis, including anticipated costs and benefits. It may also serve as the basis for restructuring the approach and framework for standards that would apply to manufactured housing. DOE also seeks any additional information from the industry and public which may further inform the agency's views and regulatory program.

DATES: Written comments and information are requested and will be accepted on or before December 2, 2025.

ADDRESSES: Interested persons are encouraged to submit comments using the Federal eRulemaking Portal at *www.regulations.gov.* Follow the instructions for submitting comments. Alternatively, interested persons may submit comments, identified by docket number EERE–2009–BT–BC–0021, by any of the following methods:

1. *Federal eRulemaking Portal: www.regulations.gov.* Follow the instructions for submitting comments.
2. *Email: ManufacturedHousing2009BC0021@ ee.doe.gov.* Include EERE–2009–BT–BC–0021 in the subject line of the message.
3. *Postal Mail:* Appliance and Equipment Standards Program, U.S. Department of Energy, Building Technologies Office, Mailstop EE–5B, 1000 Independence Avenue SW, Washington, DC 20585–0121. If possible, please submit all items on a compact disc (CD), in which case it is not necessary to include printed copies.
4. *Hand Delivery/Courier:* Appliance and Equipment Standards Program, U.S. Department of Energy, Building Technologies Office, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (202) 287–1445. If possible, please submit all items on a CD, in which case it is not necessary to include printed copies.

No telefacsimiles (faxes) will be accepted. For detailed instructions on submitting comments and additional information on the rulemaking process, see section III of this document.

Docket: The docket for this activity, which includes **Federal Register** notices, comments, and other supporting documents/materials, is available for review at *www.regulations.gov.* All documents in the docket are listed in the *www.regulations.gov* index. However, some documents listed in the index, such as those containing information that is exempt from public disclosure, may not be publicly available.

The docket web page can be found at *www.regulations.gov/docket?D=EERE-2009-BT-BC-0021.* The docket web page contains simple instructions on how to access all documents, including public comments, in the docket. See section III for information on how to submit comments through *www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT:

Mr. Jeremy Williams, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Office, EE–5B, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (202) 287–1941. Email: *jeremy.williams@ ee.doe.gov.*

Ms. Ani Esenyan, U.S. Department of Energy, Office of the General Counsel, GC–33, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (202) 586–4798. Email: *ani.esenyan@hq.doe.gov.*

For further information on how to submit a comment or review other public comments and the docket, contact the Appliance and Equipment Standards Program staff at (202) 287–1445 or by email: *Manufactured_Housing@ee.doe.gov.*

SUPPLEMENTARY INFORMATION:

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I. Introduction

Manufactured housing comprises a housing category that consists of structures constructed in a factory, built on a permanent chassis, and transportable in one or more sections that are then erected on-site. *See* 24 CFR 3280.2. This type of housing has traditionally been regulated by the Department of Housing and Urban Development (''HUD''), with the purpose of reducing personal injuries, deaths, property damage, and insurance costs, and to improve the quality, durability, safety, and affordability of these homes. *See* 42 U.S.C. 5401(b). Consistent with its statutory authority, HUD administers a comprehensive regulatory framework to address a variety of aspects related to these structures, including certain elements related to their energy efficiency. *See, e.g.,* 24 CFR 3280.507(a) (specifying thermal insulation requirements) and 24 CFR 3280.508(d) (detailing requirements related to the installation of high-efficiency heating and cooling equipment in manufactured homes). HUD's standards are preemptive nationwide and differ from standards developed under the auspices of (and published by) the International Code Council (''ICC''). The ICC standards, known as the International Energy Conservation Code (''IECC''), have been adopted by many state and local governments in establishing minimum design and construction requirements for the energy efficiency of traditional site-built residential and commercial buildings. Consistent with Federal law, DOE published a final rule in May 2022 establishing energy conservation

standards for manufactured housing based on the IECC. *See* 87 FR 32728. DOE is publishing this RFI to seek input from the industry and general public on a variety of issues that the Department will review as it considers whether to amend its energy conservation standards for manufactured housing.

A. Authority and Background

Section 413 of the Energy Independence and Security Act of 2007, Public Law 110–140 (December 19, 2007) (''EISA'') requires DOE to establish by regulation standards for energy efficiency in manufactured housing. *See* 42 U.S.C. 17071(a)(1). Prior to establishing these regulations, DOE must—(1) provide manufacturers and other interested parties with notice and an opportunity for comment and (2) consult with the Secretary of HUD, who may seek further counsel from the Manufactured Housing Consensus Committee.[1] *See* 42 U.S.C. 17071(a)(2). These standards must generally be based on the most recent version of the IECC, except where DOE finds that the IECC is not cost effective, or a more stringent standard would be more cost effective. A finding that standards based on the IECC are not cost effective or that standards more stringent than the IECC are cost effective would be based on the impact of the adoption of the IECC standards on the purchase price of manufactured housing and on total life-cycle construction and operating costs. *See* 42 U.S.C. 17071(b)(1). In establishing its standards, DOE may consider:

- The design and factory construction techniques of manufactured homes;
- The climate zones established in the U.S. Department of Housing and Urban Development's Manufactured Home Construction and Safety Standards (''the HUD Code'') rather than the climate zones under the IECC; and
- Alternative practices that result in net estimated energy consumption equal to or less than the specific IECC standards. *See* 42 U.S.C. 17071(b)(2).

DOE is directed to update its standards not later than one year after any revision to the IECC.[2] (42 U.S.C. 17071(b)(3))

B. Rulemaking History

On May 31, 2022, DOE published a final rule to establish energy conservation standards for manufactured housing pursuant to the Energy Independence and Security Act of 2007 (''May 2022 Final Rule''). 87 FR 32728. These standards were based on the 2021 version of the International Energy Conservation Code (''IECC'') and comments received during interagency consultation with the U.S. Department of Housing and Urban Development, as well as from stakeholders through a variety of opportunities for public input. The adopted standards provide a set of ''tiered'' standards based on size that would apply the 2021 IECC-based standards to manufactured homes, which was adjusted to account for the fact that the IECC was not written for manufactured housing, with the provision that single-section manufactured homes would be subject to less stringent building thermal envelope requirements compared to multi-section manufactured homes. The tiered approach adopted by DOE was to address cost concerns by limiting the incremental cost for lower tier (*i.e.,* single-section) homes. Throughout the rulemaking process that culminated in the May 2022 Final Rule, various stakeholders, including HUD, expressed concern about impact of efficiency standards on affordability, especially for lower-income households. DOE did not adopt any enforcement procedures in the May 2022 Final Rule and noted that such would be established through later action.

In the May 2022 Final Rule, DOE codified the energy conservation standards in a new part of the Code of Federal Regulations (''CFR'') under 10 CFR part 460, subparts A, B, and C. Subpart A presents generally the scope of the rule and provides definitions of key terms. Subpart B would establish new requirements for manufactured homes that relate to climate zones, the building thermal envelope, air sealing, and installation of insulation, based on certain provisions of the 2021 IECC. Subpart C would establish new requirements based on the 2021 IECC related to duct sealing, heating, ventilation, and air conditioning (''HVAC''); service hot water systems; mechanical ventilation fan efficacy; and heating and cooling equipment sizing.

In the May 2022 Final Rule, DOE adopted a compliance date such that the standards would apply to manufactured homes that are manufactured on or after one year following the publication date of the final rule in the **Federal Register**, which was May 31, 2023. In doing so, DOE noted its belief that many manufacturers already have experience complying with efficiency requirements similar to what DOE required in the May 2022 Final Rule. 87 FR 32728, 32759. DOE did not specify its approach for enforcement of the standards in the May 2022 Final Rule, and noted that manufacturers would be able to comply with the standards as they were issued. DOE noted in the May 2022 Final Rule that it may address compliance and enforcement issues and procedures in a future agency action (*see* 87 FR 32728, 32757–32758).

On February 14, 2023, the Manufactured Housing Institute and the Texas Manufactured Housing Association filed a lawsuit against DOE in the U.S. District Court for the Western District of Texas alleging that DOE violated the Administrative Procedure Act (APA) and the EISA in promulgating the May 2022 Final Rule. Among the allegations made by plaintiffs are that DOE (1) failed to consider all relevant costs, (2) acted arbitrarily and capriciously in setting a one-year compliance deadline, and (3) failed to consult with HUD about the final rule's energy standards. DOE has denied the plaintiffs' allegations, and the lawsuit remains pending.

On March 24, 2023, DOE published in the **Federal Register** a NOPR proposing to amend the compliance date for the manufactured housing energy conservation standards (''March 2023 NOPR''). 88 FR 17745. In that NOPR, DOE described the need to amend the compliance date for the manufactured housing standards, noting that it had not yet issued procedures for investigating and enforcing against noncompliance with the standards, and that a delay is necessary to ensure that DOE can receive and incorporate meaningful stakeholder feedback into its enforcement procedures prior to part 460's compliance date. Accordingly, DOE proposed to require compliance with the Tier 1 standards beginning 60 days after publication of its final enforcement procedures, and compliance with the Tier 2 standards beginning 180 days after publication of its final enforcement procedures.

On May 30, 2023, DOE published a final rule amending the compliance date for its manufactured housing standards delaying compliance until July 1, 2025, for Tier 2 homes, and until 60 days after

[1] HUD describes its Manufactured Housing Consensus Committee as ''a statutory Federal Advisory Committee body charged with providing recommendations to the Secretary on the revision and interpretation of HUD's manufactured home construction and safety standards and related procedural and enforcement regulations. By regulation, HUD includes the MHCC in the process of revising the Manufactured Home Construction and Safety Standards, Procedural and Enforcement Regulations, Model Installation Standards, Installation Program Regulations, and Dispute Resolution Program regulations.'' *www.hud.gov/hud-partners/manufactured-home#3* (last accessed on August 4, 2025).

[2] The IECC is administered by the International Code Council (ICC) and typically published on a 3-year development and update cycle.

issuance of enforcement procedures for Tier 1 homes (''March 2023 Final Rule''). 88 FR 34411.

On December 26, 2023, DOE published a notice of proposed rulemaking (NOPR) to establish enforcement procedures for its energy conservation standards for manufactured housing (''December 2023 NOPR''). 88 FR 88844. DOE did not propose specific test procedures or requirements for manufacturers to certify that their homes meet the energy conservation standards, but rather proposed a system by which the Department would determine compliance through review of manufacturer-provided records. The NOPR outlined DOE and manufacturer responsibilities, prohibited acts and penalties, investigation procedures, and civil enforcement procedures, including related penalties. In addition, via the NOPR, DOE concluded that the additional costs to manufacturers imposed by the proposed enforcement procedures would be minimal, and would not alter DOE's assessment of the costs resulting from the standard published in the May 2022 Final Rule. DOE received comments on the December 2023 NOPR and proposed enforcement procedures but has not issued a final rule.

On April 24, 2025, DOE published a NOPR proposing to partially amend the compliance dates for manufactured housing standards (''April 2025 NOPR''). 90 FR 17230. Specifically, DOE proposed to require compliance with the Tier 2 standards in subparts B and C beginning 180 days after publication of its final enforcement procedures. DOE did not propose to amend the compliance date for Tier 1 homes as such homes will be subject to the standards in subparts B and C beginning 60 days after publication of DOE's final enforcement procedures. DOE noted that this proposal aligns with the proposal in the March 2023 NOPR.

On July 2, 2025, DOE published a final rule to amend the compliance date for its manufactured housing energy conservation standards (''July 2025 Final Rule''). 90 FR 28873. DOE's final rule adopted the NOPR proposal and as such the earlier Tier 2 compliance date was modified to set compliance 180 days after publication of final enforcement procedures. No change was made to the Tier 1 compliance date.

II. Request for Information

Since DOE published the May 2022 Final Rule, several changes have taken place that DOE now proposes to investigate, and through this RFI to ask for feedback from stakeholders. As noted previously, in 2023 DOE issued a NOPR to establish enforcement tools to accompany the May 2022 Final Rule's energy conservation standards. DOE is still reviewing comments on the enforcement NOPR, and manufacturers are not currently required to comply with the May 2022 Final Rule. Under EISA's requirement that DOE review IECC standards as they become available, DOE must now review the potential for standards that take into account the more recent 2024 IECC standards.[3] Also of significant interest, since the May 2022 Final Rule was published, the United States has undergone a period of elevated inflation as well as a period in which many industries experienced mild to severe supply chain disruptions which exacerbated affordability concerns for many Americans, particularly in the housing sector. As a consequence of such changing background conditions, DOE is requesting feedback on the regulatory framework it has relied upon in developing standards for manufactured housing, including supporting technical analysis.

In developing the May 2022 Final Rule, DOE gave careful consideration to a variety of factors, including the ''first costs'' related to the purchase of manufactured homes. In the May 2022 Final Rule, DOE established a set of tiered energy conservation standards that DOE believed was respectful of the industry imperative to maintain the affordability of manufactured homes while at the same time meeting DOE's obligation under EISA to establish energy conservation standards based on the most current version of the IECC standards. In the following sections, DOE presents a series of issues on which it seeks input to aid in reviewing the technical and economic analyses underlying DOE's May 2022 Final Rule in light of the changing background conditions.

Additionally, DOE seeks stakeholder input on commencing efficiency standards rulemaking for manufactured homes at this time and welcomes comments on other issues relevant to the conduct of this process that may not specifically be identified in this document. For example, DOE is interested in understanding the timing necessary for industry to comply with the 2022 Final Rule.

DOE is also revisiting the 2022 Final Rule in light of E.O. 14192 ''Unleashing Prosperity Through Deregulation,'' and as identified in the below sections, seeks stakeholder input on reducing regulatory burden of these regulations.

A. Recent Updates to the IECC

Under EISA, DOE is required to update energy conservation standards following any revision to the IECC. 45 U.S.C. 17071(b)(3). Since the IECC was updated in August 2024, DOE has a legislative requirement to review energy conservation standards for manufactured housing. Under EISA, DOE is required to consider the design and factory construction techniques, the IECC standards, and cost effectiveness given the impact on purchase price and on total life-cycle construction and operating costs. 45 U.S.C. 17071(b)(1); 45 U.S.C. 17071(b)(3)(2).

Because manufacturers are not yet required to comply with the 2022 Final Rule, the Department finds that the requirement to analyze the cost-effectiveness of the IECC 2024 standard presents a question as to the proper baseline for further technical analysis. At present, manufacturers are required to comply with existing HUD requirements related to the energy efficiency of manufactured homes. Typically, when DOE performs an energy conservation standard analysis, the existing standards provide the minimum efficiency level against which proposed efficiency requirements are analyzed.

Issue A–1: DOE seeks data and information regarding basing standards on the most recent version of the IECC; in particular, whether standards based on the 2024 IECC would or would not likely be cost effective or that standards more stringent than 2024 IECC would or would not be cost effective. In addition, comments should describe the basis for their perspective on compliance cost and other costs borne by consumers (*e.g.,* layout of housing less attractive or functional due to increase insultation), cost effectiveness, including a description of methodology or analytical assumptions.

Issue A–2: DOE seeks input on the appropriate baseline to use in conducting further technical analysis in support of an updated manufactured housing energy conservations standards rulemaking. We seek information on the best representation of the current state of energy efficiency in manufactured housing to characterize the baseline—*e.g.,* the HUD standards, the 2022 Final Rule efficiency levels, or another efficiency level.

Issue A–3: While DOE typically considers existing standards to be the minimum baseline, DOE also typically takes into account any information that demonstrates current manufacturing

[3] As of publication of this RFI, the 2024 IECC is the latest published standard and the 2027 IECC is under development.

practice results in a range of efficiencies available in the marketplace. For example, significant percentages of manufactured home shipments historically met the Energy Star criteria. Between 2020 and 2022, approximately 21 percent of buildings met the Energy Star criteria for manufactured homes, while in 2023 the fraction was 36 percent. DOE notes that in 2023 the Federal tax credits were increased from $1,000 to $2,500 for manufactured homes meeting Energy Star and certain researchers have postulated that the tax credit program influenced the 2023 results.[4] DOE seeks input to best assess appropriate baseline efficiency levels reflective of what is observed in shipments in the manufactured housing market. Specifically, DOE seeks input on fractions of manufactured homes with building envelopes constructed effectively at the current HUD requirements for their HUD region, fractions that would meet the lower Uo [5] envelope requirements under the EnergyStar 2.0 criteria, and fractions currently constructed at the 2022 final rule Uo levels to best assess appropriate baseline efficiency levels reflective of what is observed in shipments in the manufactured housing market. As part of this request, DOE requests input on the impact of the expected expiration of the Federal tax credit on the fraction of shipments that meet Energy Star criteria.

B. May 2022 Final Rule's Analytical Assumptions

The May 2022 Final Rule incorporated analytical assumptions to determine the minimum level of efficiency for which DOE seeks further stakeholder input through the current RFI, as described in the itemized paragraphs below. These assumptions spanned a variety of issues, such as: affordability; the use of HUD climate zones; the price elasticity value to use in DOE's calculation of potential shipment impacts; whether to include certification, compliance, and enforcement costs as part of DOE's analysis; the availability of windows that meet the U-value and Solar Heat Gain Coefficient (SHGC) and the availability of doors and insulation that meet U-values required by the 2022 Final Rule; and whether the tightening of a manufactured home's building envelope with regard to air leakage would impact indoor air quality by increasing the likelihood of trapping pollutants inside the building and other issues that are relevant.

Issue B–4: What analytical aspects related to DOE's May 2022 Final Rule should DOE consider re-examining as part of its ongoing consideration of energy efficiency standards for manufactured housing? This request for input encompasses whether DOE's analysis sufficiently addressed the cost-effectiveness of standards based on the then-current 2021 IECC when considering the code's impact on both the purchase price of manufactured housing and on total life-cycle construction and operating costs. *See* 42 U.S.C. 17071(b)(1). If changes are recommended, how should DOE reconsider how it addressed costs (even those that are hard to quantify) and the cost-effectiveness of the IECC criteria and what specific changes, if any, should DOE make to its assumptions or analyses to better address this in any future analysis for manufactured housing? As part of this request, DOE encourages commenters to provide specific supplemental supporting data regarding any changes that commenters may suggest.

EISA explicitly stated that DOE could establish efficiency standards based on the climate zones used by HUD rather than the climate zones embodied in the IECC standards. 42 U.S.C. 17071(b)(2)(B). The 2022 May Final Rule utilized the HUD climate zones to reduce the complexities and burden faced by manufacturers, and to reduce the potential confusion faced by consumers if the energy standards were based on different climate zones than other HUD requirements. 87 FR 32728, 32761.

Issue B–5: DOE seeks comments on the appropriateness of using the HUD climate zones, and whether the use of the HUD climate zones continues to be appropriate.

In further researching the manufactured housing market, DOE has examined additional information from a variety of sources. Of note is information from the Urban Institute which released a report in 2023 that analyzed mortgage data from the Home Mortgage Disclosure Act database covering 2022 mortgage data.[6] The 2023 Urban Institute report detailed the characteristics of manufactured housing consumers and the market for manufactured home financing from 2022. Key findings from the report include:

- Manufactured homeowners tend to have lower incomes than their counterparts who own site-built homes:
  - homeowners with chattel [7] loans had median incomes of $60,000;
  - homeowners with manufactured housing mortgage loans had median incomes of $65,000;
  - homeowners of site-built homes had median incomes of $101,000.
- Manufactured-housing purchasers used chattel loans in 42 percent of purchases requiring loans.
- Personal property (chattel) loans included a significant fraction (25.3 percent) of loans in which the consumers also owned (purchased) the land.
- Median loan amounts were:
  - Personal property (chattel) loans—$95,000;
  - Real property (*i.e.,* mortgage) manufactured housing loans—$175,000;
  - Site-built home loans—$305,000.
- Median interest rates reported were 8.0 percent for chattel loans, 5.5 percent for manufactured home real property loans, and 5.0 percent for site-built home mortgages.
- Denial rates among loan applications for chattel loans were 65.5 percent of applications, compared to 43 percent of manufactured home real property loan applications, and 10.4 percent of site-built home mortgage applications.

This data suggest that manufactured housing purchasers face substantial constraints in receiving financing compared to traditional site-built home purchasers. In turn, these constraints may make purchasers of manufactured homes more price-sensitive to potential changes that would impact the costs to construct (and purchase) a manufactured home.

U.S. Census Bureau American Housing Survey data analyzed and referenced by the National Association of Home Builders (NAHB) [8] found that

[4] Source: Vermeer, Kim. 2024. *I'm HOME Manufactured Housing Industry Benchmark Report 2024.* Prepared by Urban Habitat Initiatives Inc for the Lincoln Institute of Land Policy. *https://tinyurl.com/mvw57ham.*

[5] U_o refers to the overall thermal transmittance represented by the coefficient of heat transmission (air-to-air) through the building thermal envelope equal to the time rate of heat flow per unit area of envelope with a unit temperature difference between the warm side and cold side air films (Btu/h × ft² × °F).

[6] *See https://www.urban.org/research/publication/housing-finance-glance-monthly-chartbook-july-2023.*

[7] A ''chattel'' loan is a loan to buy movable personal property and can include manufactured homes, but also for example machinery or vehicles. Chattel loans hold the movable property in collateral as opposed to mortgages which typically hold fixed buildings and the occupied land as collateral. Chattel loans for manufactured homes are commonly of shorter duration than mortgages and commonly accompanied by higher interest rates.

[8] Koh, Catherine. 2025. ''Manufactured Homes: An Alternative Means of Housing Supply.'' Published in National Association of Home Builders' Eye On Housing. *https://eyeonhousing.org/2025/04/manufactured-homes-*

Continued

36.6 percent of single-section manufactured home owners spend more than 30 percent of their income on housing, or in other words, 36.6 percent are considered to be *cost burdened.*[9] The percentage of multi-section homeowners that are cost burdened, at 28.4 percent, is roughly similar to the single-family homeowner group (27.6%).

Manufactured homeowners who finance their homes tend to pay higher interest rates than their site-built home counterparts. Chattel financing is typically offered to purchasers at a significantly higher interest rate than the rates offered to their site-built home counterparts. However, approximately one-quarter of manufactured homeowners with chattel loans own or are purchasing the land on which the manufactured home is sited and could potentially be eligible for mortgage financing but used a chattel loan. Relevant factors in the decision making include the willingness of lenders to make smaller personal property loans than mortgage lenders, the possibility that personal property lenders may be willing to loan money to people with lower credit scores than mortgage lenders, and the possibility the homeowner doesn't want to encumber the land with a lien. The Urban Institute report also noted there is a tradeoff between lower origination costs with significantly higher interest rates (chattel loans) and higher origination costs with significantly lower interest rates and greater consumer protections (mortgage).

Issue B–6: DOE acknowledges that interest rates change over time and expects the interest rates used in the 2022 Final Rule will change as more data becomes available. DOE seeks comments regarding the previous financial findings regarding the economic impact of energy conservation standards on the ability of purchasers to buy manufactured homes. In stakeholders' experiences, are these findings reasonably accurate, and are there other data that DOE should examine, or other factors that DOE should consider? In addition, are the total costs of ownership accurately reflected in the analysis? Assuming that these findings are reasonably accurate, what role, if any, should they play in shaping potential amended standards that DOE may ultimately adopt for manufactured housing and why? If these findings do not appear accurate, what data supports the discrepancy, what specific shortcomings are indicated, and what assumptions/changes should DOE apply when determining the stringency and structure of energy conservation standards for manufactured housing? DOE also seeks input on the advisability of using current interest rates versus longer historical averages. DOE also seeks input on the advisability of continuing to use 30-year analytic time horizon in the analysis or whether the analytic time horizon should reflect average ownership of manufactured housing.

C. Affordability

DOE's analysis for its May 2022 Final Rule considered the economic impacts of the proposed standards on individual manufactured home purchasers. DOE's 2022 Final Rule established separate minimum efficiency standards for single- and multi-section homes, and within each of these two home classes with requirements varying across three geographic regions.

Under the statutory provision requiring the Department to develop standards for manufactured housing, the May 2022 final standards were generally based on the then-current version of the IECC (*i.e.,* the 2021 IECC). In the 2022 Final Rule, DOE found a set of standards based on the 2021 IECC to be cost effective. Because of the emphasis placed on affordability by stakeholders previously commenting on the rulemaking documents, the 2022 Final Rule placed an incremental cost ceiling of $750 on the changes made to the single section manufactured homes. This was roughly based on an amount that DOE's analysis of financing costs and energy benefits determined to result in a positive return on investment in the first year, across all HUD zones, for the average purchaser. While standards more stringent than those adopted by DOE for single-section homes may also have been life-cycle cost effective for the average purchaser, such stricter standards may not have met the $750 incremental cost ceiling used for Tier 1. While DOE's analysis focused on standards based on the 2021 IECC, it also considered the consequent impact on the purchase price of manufactured housing and on total life-cycle construction and operating costs. However, DOE recognizes the approach may not have explicitly considered all relevant factors regarding the potential impacts of the final standard. Consequently, in this RFI, DOE is seeking comments on a variety of issues related to these factors to help further inform the Department's views regarding the economic impacts related to its energy conservations standards for manufactured housing, including how they may impact the use of the IECC.

Issue C–7: In the 2022 Final Rule analyses DOE analyzed "packages" of efficiency changes that reflected the 2021 IECC requirements. For the Tier 1 standards, DOE analyzed individual energy efficiency options to identify a package of options that totaled less than $750 and that yielded a positive cash flow in year 1 taking into account the increases in first-year loan cost and the down payment and the reductions in first year energy costs. (See 2022 Final Rule Technical Support Document, p. 6–3.) Further, in this analysis, DOE assumed the purchaser would use a chattel loan. DOE seeks comments on the appropriateness of this methodology for assessing affordability. Are there metrics DOE could use to assess the impact of standards on consumers other than the life-cycle cost analysis and the cash flow analysis? Are there other consumer impacts that the life-cycle cost and cash flow analysis should reflect, such as availability of other housing options using cross-price elasticities?

For Tier 2, DOE considered a package of energy efficiency options that mirror the 2021 IECC, with adjustments made for the practicalities of manufacturing and transporting and setting homes up on-site. For example, because of the need to join sections in order to perform an envelope air-sealing test, DOE, working with the Manufactured Housing Working Group,[10] came up with an alternative requirement based on visual assessment. Minimum ceiling R-values from the IECC were reduced in consideration of factory construction techniques when compared to site-built homes. In the analysis of options, DOE found R–20+5 exterior wall insulation to not be cost effective and reduced that requirement to R–21. For Tier 2, DOE analyzed the life-cycle cost effectiveness of standards. DOE seeks input on the appropriateness of the methodologies used in the 2022 Final Rule, including both the use of life-cycle cost and the first-year positive cash flow analyses,

an-alternative-means-of-housing-supply/#comments.

[9] The 30% threshold dates back to dates back to 1981 when Congress set the cap in a change to the original value established in 1969 by the Brooke Amendment to National Housing Act. In essence it says any household paying more than 30% of total income on housing costs (rent, mortgage payments, property taxes and utilities) is cost burdened. While it is widely used it as a measure of whether a household lacks resources for other necessities of life after covering their monthly housing costs, it is more of a rule of thumb than a metric based on a strong, scientific analysis. The benchmark is used by the U.S. Department of Housing and Urban Development (HUD).

[10] See *https://www.federalregister.gov/documents/2014/08/15/2014-19299/appliance-standards-and-rulemaking-federal-advisory-committee-asrac-manufactured-housing-working.*

for analyzing possible updates to the 2022 Final Rule.

Issue C–8: Manufactured housing owners tend to be lower-income compared to other homeowners and are also likely to finance their manufactured housing purchase using higher-rate chattel loans. As a result, the Department is particularly interested in specific comments, analysis, and data regarding the affordability of manufactured housing and how the requirements adopted in the 2022 Final Rule for both Tier 1 and Tier 2 manufactured homes will likely affect affordability, and which manufactured home purchasers may be most impacted.

Issue C–9: In the 2022 Final Rule the Department took into account the impact of price sensitivity of manufactured home purchasers when estimating the shipments of products by applying an estimate of price elasticity to percentage changes in the up-front price of manufactured homes. Lenders and home purchasers often take into account costs and benefits beyond the simple up-front cost when making lending or purchasing decisions. including default risks and changes in the features of manufactured housing. The Department seeks input concerning whether there is a more comprehensive way to model lending behavior and purchasing behavior rather than simply first-cost, particularly when considering that DOE's assessment of the financing mechanisms typically relied upon and the energy benefits that accrue from energy efficiency standards.

Issue C–10: DOE has previously viewed ''affordability'' as a combination of up-front cost, which may price out some number of potential homeowners at time of purchase, as well as operating costs, which will affect all manufactured housing owners over a longer time horizon. HUD and prominent industry organizations generally define housing affordability in terms of a percentage of income.[11] The Department seeks comments that provide information on how to weigh these components in defining affordability, with consideration for economic factors such as income, and with a particular focus on affordability for lower-income consumers.

D. Other Analytical Issues

Issue D–11: The cost of efficiency improvements directly affects the affordability of any standard DOE might adopt. To avoid short-term cost fluctuations, DOE's engineering analyses supporting appliance efficiency rulemakings will commonly use 5-year averages in prices of materials such as structural steel that fluctuate with world markets. In doing so, the analyses smooth out some of the effects of transitory price shocks, without removing the shocks from the data. DOE seeks input on appropriate methods for establishing costs for major cost categories such as insulation, softwood lumber, window products, and other major components that may impact the cost effectiveness of energy conservation standards for manufactured housing. Certain stakeholders have also highlighted the impact of inflation and recent supply shortages on the construction and manufactured housing industry. Has cost inflation related to materials needed for manufactured housing eased? Are there residual supply chain shortages for materials needed to construct manufactured housing? Are changing tariff structures expected to impact costs or materials availability? How should DOE conduct sensitivity analysis incorporating different price scenarios systematically to offer better analysis?

Issue D–12: The Department also seeks comment on whether cost-effectiveness analyses should be performed over the expected life of manufactured homes, or over some other time period, for example that reflecting the average time period that the original owner of the home will live in the home and benefit from the efficiency improvements. Since any subsequent owners of the home will continue to receive the energy benefits for the entire life of the home, is it reasonable to model the economic benefits of the improvements to energy efficiency of the home over any lifetime less than the expected 30-year life of the home, and if so, what are the arguments for doing so? Or should DOE also analyze the consumer discounting of the future decrease in energy consumption seen in used energy efficient goods such as cars and appliances? Is this a life-cycle cost question or is this an affordability question?

E. Other Issues

Issue E–13: EISA requires DOE to consult with the Secretary of HUD, who may seek input from the Manufactured Housing Consensus Committee (MHCC). In the prior rulemaking process, which eventually led to the 2022 Final Rule, DOE met with HUD on multiple occasions and attended and presented at MHCC meetings. DOE consulted with HUD on pathways to compliance and enforcement of the energy conservation standards toward the objective of aligning with HUD's current inspection and enforcement processes and reducing regulatory burden and duplication of effort. In addition, as part of the rulemaking process, DOE empaneled and took input from a Manufactured Housing Working Group. The rulemaking process itself also provides an additional avenue for consultation through which industry stakeholders and the general public can review rulemaking documents, supporting analysis, and provide input. Consultation with HUD also occurs during interagency clearance required by Executive Order 12866. DOE intends to continue consultation with HUD as it considers whether to amend its energy conservation standards for manufactured housing. Given HUD's historic and ongoing role in the regulation of manufactured housing generally, DOE seeks input on how DOE can best identify synergies with existing HUD processes and standards, while still satisfying DOE's statutory mandate to establish standards for energy efficiency in manufactured housing. How can DOE operationalize or amend this rule in a manner that reduces compliance burden on manufacturers?

Issue E–14: DOE published a NOPR in December 2023 to establish enforcement procedures for its energy conservation standards for manufactured housing. These procedures were not included in the May 2022 final rule, where the Department established its standards, and were published separately via the later NOPR. However, while DOE received comments on the NOPR and proposed enforcement procedures, it never finalized such procedures by issuing a final rule. In considering whether to further amend its energy conservation standards for manufactured housing, should DOE more comprehensively incorporate enforcement procedures into updated standards or continue in separately issuing enforcement procedures? How might such enforcement standards leverage the enforcement program administered by HUD?

DOE encourages stakeholders to review and submit comments on the issues listed previously and on other issues that they believe warrant DOE's consideration in any potential future rulemaking on energy conservation standards for manufactured housing.

III. Submission of Comments

DOE invites all interested parties to submit in writing by the date listed in **DATES** section of this document, comments and information on matters addressed in this notice and on other

[11] *See https://archives.huduser.gov/portal/pdredge/pdr-edge-featd-article-081417.html.*

matters relevant to DOE's consideration of energy conservation standards for manufactured housing.

Submitting comments via www.regulations.gov. The *www.regulations.gov* web page will require you to provide your name and contact information. Your contact information will not be publicly viewable except for your first and last names, organization name (if any), and submitter representative name (if any). If your comment is not processed properly because of technical difficulties, DOE will use this information to contact you. If DOE cannot read your comment due to technical difficulties and cannot contact you for clarification, DOE may not be able to consider your comment.

However, your contact information will be publicly viewable if you include it in the comment or in any documents attached to your comment. Any information that you do not want to be publicly viewable should not be included in your comment, nor in any document attached to your comment. If this instruction is followed, persons viewing comments will see only first and last names, organization names, correspondence containing comments, and any documents submitted with the comments.

Do not submit to *www.regulations.gov* information for which disclosure is restricted by statute, such as trade secrets and commercial or financial information (hereinafter referred to as Confidential Business Information (''CBI'')). Comments submitted through *www.regulations.gov* cannot be claimed as CBI. Comments received through the website will waive any CBI claims for the information submitted. For information on submitting CBI, see the Confidential Business Information section.

DOE processes submissions made through *www.regulations.gov* before posting. Normally, comments will be posted within a few days of being submitted. However, if large volumes of comments are being processed simultaneously, your comment may not be viewable for up to several weeks. Please keep the comment tracking number that *www.regulations.gov* provides after you have successfully uploaded your comment.

Submitting comments via email, hand delivery, or postal mail. Comments and documents submitted via email, hand delivery, or mail also will be posted to *www.regulations.gov.* If you do not want your personal contact information to be publicly viewable, do not include it in your comments or any accompanying documents. Instead, provide your contact information on a cover letter. Include your first and last names, email address, telephone number, and optional mailing address. The cover letter will not be publicly viewable as long as it does not include any comments.

Include contact information each time you submit comments, data, documents, and other information to DOE. If you submit via mail or hand delivery, please provide all items on a CD, if feasible. It is not necessary to submit printed copies. No facsimiles (faxes) will be accepted.

Comments, data, and other information submitted to DOE electronically should be provided in PDF (preferred), Microsoft Word or Excel, WordPerfect, or text (ASCII) file format. Provide documents that are not secured, written in English and free of any defects or viruses. Documents should not contain special characters or any form of encryption and, if possible, they should carry the electronic signature of the author.

*Campaign form letter*s. Please submit campaign form letters by the originating organization in batches of between 50 to 500 form letters per PDF or as one form letter with a list of supporters' names compiled into one or more PDFs. This reduces comment processing and posting time.

Confidential Business Information. Pursuant to 10 CFR 1004.11, any person submitting information that he or she believes to be confidential and exempt by law from public disclosure should submit via email, postal mail, or hand delivery two well-marked copies: One copy of the document marked confidential including all the information believed to be confidential, and one copy of the document marked ''non-confidential'' with the information believed to be confidential deleted. Submit these documents via email or on a CD, if feasible. DOE will make its own determination about the confidential status of the information and treat it according to its determination.

It is DOE's policy that all comments may be included in the public docket, without change and as received, including any personal information provided in the comments (except information deemed to be exempt from public disclosure).

DOE considers public participation to be a very important part of the process for developing energy conservation standards and related rulemaking activities. DOE actively encourages the participation and interaction of the public during the comment period in each stage of the rulemaking process. Interactions with and between members of the public provide a balanced discussion of the issues and assist DOE in the rulemaking process. Anyone who wishes to be added to the DOE mailing list to receive future notices and information about this process should contact the Appliance and Equipment Standards Program at *Manufactured_Housing@ee.doe.gov.*

IV. Approval of the Office of the Secretary

The Secretary of Energy has approved publication of this request for information.

Signing Authority

This document of the Department of Energy was signed on August 28, 2025, by Lou Hrkman, Principal Deputy Assistant Secretary for Energy Efficiency and Renewable Energy, pursuant to delegated authority from the Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on August 29, 2025.

Jennifer Hartzell,

Alternate Federal Register Liaison Officer, U.S. Department of Energy.

[FR Doc. 2025–16881 Filed 9–2–25; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 573

[Docket No. FDA–2025–F–3179]

Biomin GmbH; Filing of Food Additive Petition (Animal Use)

AGENCY: Food and Drug Administration, HHS.

ACTION: Notification of petition.

SUMMARY: The Food and Drug Administration (FDA or we) is announcing that we have filed a food additive petition, submitted by Biomin GmbH, proposing that we amend our food additive regulations to provide for the safe use of zearalenone hydrolase to

degrade zearalenone in swine food at no less than 10 U/kg complete feed (U = the five-fold enzymatic activity that hydrolyzes 1 µmol zearalenone per minute in a solution of 5 mg/L zearalenone).

DATES: The food additive petition was filed on August 6, 2025.

ADDRESSES: For access to the docket to read background documents or comments received, go to *https://www.regulations.gov* and insert the docket number found in brackets in the heading of this document into the ''Search'' box and follow the prompts, and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Lauren Howell, Center for Veterinary Medicine, Food and Drug Administration, 5001 Campus Drive, College Park, MD 20740, 240–402–8012, *Lauren.Howell@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: Under section 409(b)(5) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 348(b)(5)), we are giving notice that we have filed a food additive petition (FAP 2324), submitted by Biomin GmbH, Erber Campus 1, 3131 Getzersdorf, Austria. The petition proposes that we amend our food additive regulations in 21 CFR part 573—Food Additives Permitted in Feed and Drinking Water of Animals, to provide for the safe use of Zearalenone hydrolase to degrade zearalenone in swine food at no less than 10 U/kg complete feed (U = the five-fold enzymatic activity that hydrolyzes 1 µmol zearalenone per minute in a solution of 5 mg/L zearalenone).

The petitioner has claimed that this action is categorically excluded under 21 CFR 25.32(r) because it is of a type that does not individually or cumulatively have a significant effect on the human environment. In addition, the petitioner has stated that, to their knowledge, no extraordinary circumstances exist that may significantly affect the quality of the human environment. If FDA determines a categorical exclusion applies, neither an environmental assessment nor an environmental impact statement is required. If FDA determines a categorical exclusion does not apply, we will request an environmental assessment and make it available for public inspection.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–16859 Filed 9–2–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 301

[REG–129260–16]

RIN 1545–BN96

Disclosure of Returns and Return Information in Connection With Written Contracts or Agreements for the Acquisition of Property or Services for Tax Administration Purposes; Withdrawal

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Withdrawal of notice of proposed rulemaking.

SUMMARY: This document withdraws a notice of proposed rulemaking that has been determined to be unnecessary. The notice of proposed rulemaking proposed to authorize the Department of State (State Department) to disclose returns and return information to its contractors who assist the State Department in carrying out certain responsibilities related to revoking or denying a passport of any individual certified to have a seriously delinquent tax debt.

DATES: The notice of proposed rulemaking that was published in the **Federal Register** on March 13, 2018, is withdrawn as of September 3, 2025.

FOR FURTHER INFORMATION CONTACT: Alexander Wu of the Office of Associate Chief Counsel (Procedure and Administration), (202) 317–6845 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

Section 7345 of the Internal Revenue Code (Code), which was added to the Code by section 32101(a) of the Fixing America's Surface Transportation (FAST) Act, Public Law 114–94, 129 Stat. 1312 (2015), requires the IRS to notify the State Department about any tax debt of an individual that the IRS certifies as seriously delinquent. Section 32101(e) of the FAST Act requires the State Department to deny such individual a passport (or the renewal of a passport) if the IRS notifies the State Department that the individual has been certified as having a seriously delinquent tax debt. Section 32101(e) of the FAST Act also permits the State Department to revoke a passport previously issued to such person. The State Department procures services from outside contractors in connection with carrying out its responsibilities under the FAST Act.

Under section 6103(a) of the Code, returns and return information are confidential unless the Code otherwise authorizes disclosure. Section 6103(n) authorizes, pursuant to regulations prescribed by the Secretary of the Treasury or the Secretary's delegate (Secretary), the disclosure of returns and return information to any person for purposes of tax administration to the extent necessary in connection with, among other things, a written contract for services. Section 6103(b)(4) defines the term ''tax administration'' to include ''the administration, management, conduct, direction, and supervision of the execution and application of the internal revenue laws or related statutes.'' Because implementation of the FAST Act relates to the administration, management, conduct, direction, and supervision of the execution and application of the internal revenue laws and related statutes, disclosure of return information for the purpose of carrying out responsibilities under the FAST Act is a tax administration purpose.

On March 13, 2018, the Department of the Treasury (Treasury Department) and the IRS published a notice of proposed rulemaking in the **Federal Register** (83 FR 10811) containing proposed regulations that would add the State Department to the list of agencies in § 301.6103(n)–1(a)(1) whose officers and employees may disclose returns and return information to any person or to an officer or employee of such person for tax administration purposes to the extent necessary in connection with a written contract for the acquisition of property or services. The proposed regulations would authorize the State Department to disclose returns and return information to its contractors providing services in connection with the revocation or denial of passports pursuant to the requirements of the FAST Act and section 7345.

The proposed regulations are unnecessary because the State Department is already authorized under § 301.6103(n)–1(a)(2)(ii) to disclose returns and return information to its contractors providing services in connection with the revocation or denial of passports pursuant to the FAST Act and section 7345, so long as the IRS authorizes the disclosure in writing and the disclosure conforms to the other provisions of § 301.6103(n)–1. Under § 301.6103(n)–1(a)(2)(ii), if an officer or employee of the Treasury Department has disclosed returns or return information to the State Department for purposes of the provision of services in furtherance of tax administration, then the State

Department may further disclose the returns or return information, when authorized in writing by the IRS, to the extent necessary to carry out the tax administration purpose. Under § 301.6103(n)–1(a)(2)(ii), such further disclosures may include disclosures to an agent or subcontractor of the person, or officer or employee of the agent or subcontractor.

List of Subjects in 26 CFR Part 301

Employment taxes, Estate taxes, Excise taxes, Gift taxes, Income taxes, Penalties, Reporting and recordkeeping requirements.

Withdrawal of Notice of Proposed Rulemaking

Under the authority of 26 U.S.C. 7805, the notice of proposed rulemaking (REG–129260–16) published in the **Federal Register** on March 13, 2018 (83 FR 10811) is withdrawn.

Edward T. Killen,

Acting Chief Tax Compliance Officer.

[FR Doc. 2025–16866 Filed 9–2–25; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 21

[Docket No. VA–2021–VBA–0024]

RIN 2900–AQ89

State Approving Agency Jurisdiction Rule

AGENCY: Department of Veterans Affairs.

ACTION: Supplemental notice of proposed rulemaking.

SUMMARY: The Department of Veterans Affairs (VA) publishes a supplemental notice of proposed rulemaking (SNPRM) to amend its definitions of the terms ''independent study,'' ''distance learning,'' and ''resident learning,'' and to establish a new term, ''standard curriculum.'' These proposed amendments, which distinguish distance learning from resident learning and independent study from standard curriculum, address concerns from VA stakeholders who view independent study and distance learning as having distinct and separate meanings and clarify State Approving Agency (SAA) jurisdiction over courses taken solely by distance learning.

DATES: Comments must be received by VA on or before November 3, 2025.

ADDRESSES: You may submit comments through *www.regulations.gov* under RIN 2900–AQ89. That website includes a plain-language summary of this rulemaking. Instructions for accessing agency documents, submitting comments, and viewing the rulemaking docket, are available on *www.regulations.gov* under ''FAQ.''

FOR FURTHER INFORMATION CONTACT: Thomas Alphonso, Veterans Benefits Administration, (202) 461–9800.

SUPPLEMENTARY INFORMATION: On October 14, 2021, VA published a notice of proposed rulemaking to amend its regulations that govern State Approving Agencies' (SAA) jurisdiction for approval of courses, including online distance learning courses, to distinguish online distance learning courses from resident training and independent study-resident training courses, to clarify SAA authority and jurisdiction regarding the approval or disapproval of any course, and to clarify the adjudicatory outcomes available to an SAA when reviewing an approval application. 86 FR 57094. In response to the notice of proposed rulemaking, two commenters questioned the appropriateness of VA's categorization of online distance learning and recommended that VA ''modernize'' its definitions to improve oversight of distance education programs. One commenter stated that distance education is an alternative delivery mode to in-person instruction and must include regular and substantive interactions with qualified faculty. Another commenter also stated that distance learning must include regularly scheduled interaction between student and instructor, whether synchronously or asynchronously, and that the rules governing independent study are not applicable to distance learning.

Furthermore, in the past, our stakeholder partners, including SAAs and veterans' advocacy organizations, have expressed concern with the potential negative impacts of defining all distance learning as independent study. They have asserted that considering distance learning as a subset of independent study has effectively barred SAA approval of non-college degree (NCD) programs, which are not accredited, conducted via distance learning. Because VA is not authorized to approve enrollment in independent study programs unless they are accredited and lead to a standard college degree or certificate offered by an institution of higher learning, see 38 CFR 21.4267(f), under current regulations that define distance learning as independent study, VA cannot approve enrollment in NCD programs conducted via distance learning, even though such programs may be high quality and provide many vocational and economic opportunities to veterans. There is a comprehensive set of rules that govern SAA approval of non-accredited programs to ensure the integrity of the programs that are available to veterans. Specifically, 38 U.S.C. 3676(c)(1) requires that non-accredited ''courses, curriculum, and instruction [be] consistent in quality, content, and length with similar courses in public schools and other private schools in the State, with recognized accepted standards.'' Thus, considering distance learning as a subset of independent study limits the otherwise many worthwhile vocational and economic opportunities available to veterans.

Moreover, classifying all distance learning programs, which are often offered as programs with regularly scheduled classes, as ''independent study,'' when a student does not have independence over what he or she studies, is confusing for VA beneficiaries and educational institution partners, as the commenters expressed, because it contradicts the plain meaning of the term ''independent study'' and VA's interpretation of that term in 38 CFR 21.4267(b)(1) in implementing 38 U.S.C. 3680A(a)(4). Merriam-Webster defines ''independent study'' as ''a course of study done by a student without an instructor or with help from an instructor but not as part of an organized class.'' See *Merriam-Webster.com* Dictionary, *www.merriam-webster.com/dictionary/independent%20study,* accessed August 14, 2025. And VA currently considers a course to be offered by independent study if it includes interaction between student and faculty, whether the interaction is in person or through use of communications technology, and the course is offered without any regularly scheduled, conventional classroom or laboratory sessions. 38 CFR 21.4267(b)(1). Thus, considering distance learning as a subset of independent study is in conflict with our current interpretation of the term ''independent study'' in § 21.4267(b)(1).

VA agrees with the points raised by commenters and stakeholders and believes it is not appropriate to continue classifying all online training as independent study merely because the training is online (*i.e.,* not conducted within a traditional classroom setting). Finding no basis for continuing to define distance learning as independent study, VA proposes to amend the definitions of the terms ''independent study,'' ''distance learning,'' ''resident learning'' and add a new term, ''standard curriculum,'' to round out the

modalities of learning and to distinguish distance learning from resident learning and independent study from standard curriculum. The proposed changes would allow VA to approve enrollment in NCD programs conducted via distance learning if otherwise warranted and would improve veterans' opportunities without diminishing safeguards.

Proposed Definition of Standard Curriculum

VA proposes to include four modalities of training in our regulations to encompass all possible modalities, which would require adding a new term, ''standard curriculum,'' at 38 CFR 21.4200(mm). We would define standard curriculum as a class in which the instructor dictates a uniform structure for all students and which would accordingly not meet the definition of independent study. Current 38 CFR 21.4267, which governs approval of independent study courses, treats ''resident training'' and ''independent study'' as mutually exclusive by describing ''resident training'' courses as requiring ''regularly scheduled, standard class sessions'' and ''independent study'' courses as not having ''any regularly scheduled, conventional classroom or laboratory sessions.'' However, educational institutions do not view these modalities as mutually exclusive, and we understand there can be an independent study program that involves some resident training. VA believes the new differentiation of standard curriculum from independent study, which would more accurately describe the different modalities of learning for purposes of more accurately approving courses, would best serve our beneficiaries, as well as our educational partners, and would help us to better administer 38 U.S.C. 3680A(a)(4) with its limitation on enrollments in independent study programs.

Proposed Definition of Independent Study

VA proposes adding a new definition for ''independent study'' at 38 CFR 21.4200(nn) that bases the classification of ''independent study'' on the level of autonomy a student has regarding the subject matter and content of the course and allows for periodic and substantive interaction with an instructor. We propose to allow a student to pursue independent study through either resident or distance learning. We also propose to remove the distinction between a course offered entirely by independent study and in part by independent study as unnecessary. This approach better aligns with how our educational partners, including those who commented on the proposed rule, understand the term ''independent study,'' and is consistent with the commonly accepted definition of that term.

Accordingly, we would remove the paragraph (a) designation and heading and paragraphs (b) and (c) from current § 21.4267 and incorporate the content of those paragraphs, which provide the definition of independent study, in the new definition of ''independent study'' in § 21.4200(nn) with appropriate cross references. We further propose to remove paragraphs (d) and (e) from current § 21.4267 and incorporate the examples of undergraduate and graduate resident training from those paragraphs in § 21.4200(nn)(2) as examples of training that would not be independent study. Paragraphs (f) and (g) would be retained in § 21.4267 as new paragraphs (b) and (c) since they contain course approval rules not related to the proposed definition.

Proposed Definition of Distance Learning

We currently define the term ''distance learning'' in 38 CFR 21.9505 as any program that satisfies the Department of Education's (ED) definition of ''distance education'' in 20 U.S.C. 1003(7). ED's definition of distance learning, which involves use of technology to deliver instruction to students who are separated from the instructor to support regular and substantive interaction between the students and the instructor, synchronously or asynchronously, does not include information such as requirements related to classroom attendance, which VA needs to administer monthly housing payments under the Post-9/11 GI Bill. Pursuant to 38 U.S.C. 3313(c)(1)(B)(iii) and 38 CFR 21.9640(b)(1)(ii), monthly housing payments under the Post-9/11 GI Bill are different depending on whether a student attends any amount of any training in a classroom setting. Under section 3313(c)(1)(B)(iii) and § 21.9640(b)(1)(ii), a reduced housing allowance is paid to students who receive training solely through distance learning. We would continue to pay a reduced housing allowance to students who receive training solely through distance learning under VA's new definition for ''distance learning'' in § 21.4200(oo).

VA proposes to remove the current regulatory definition of ''distance learning'' from 38 CFR 21.9505 and add a new definition at 38 CFR 21.4200(oo), which would incorporate ED's definition of ''distance education'' from 20 U.S.C. 1003(7) (as referenced in § 21.9505), but add an exception stating that we will not consider training to be distance learning when the student is required to be in a physical classroom at a designated time to access the technology, instructional materials, or the like. See 38 CFR 21.4233(c)(2).

Proposed Definition of Resident Learning

VA stakeholders view resident learning as involving any ''classroom instruction'' with an instructor physically co-located in the same classroom with the students, or with the student required to be in a classroom to access technology to receive distance learning instruction regardless of where the instructor is located. Conversely, stakeholders would not view correspondence training (*e.g.,* instruction through letter or mail) as ''resident learning.'' These views are rational, and we agree to change our definition to reflect this understanding. Thus, VA proposes a simplified definition of resident learning at new 38 CFR 21.4200(pp) to distinguish resident learning from distance learning and correspondence training. We do not believe it is necessary to specify types of resident training, such as resident institutional and flight training, and are accordingly proposing to remove those examples from current § 21.4267(d)(1) and (4) without incorporating them in the new definition in § 21.4200(pp). In addition, we would make conforming amendments in 38 CFR 21.4200(o)(1)(i) and (ii).

Additionally, we propose conforming amendments to § 21.4250(a)(3). Current § 21.4250(a)(3) provides that, if an educational institution offers a course by independent study or by correspondence, only the SAA for the State where the main campus is located may approve the course for VA training. Under this provision, because all distance learning has until now been considered independent study, the SAA for the school's main campus has had jurisdiction over approval of distance learning programs. With the changes to the definitions of ''independent study'' and ''distance learning,'' it would no longer be the case that all distance learning would be independent study and ''distance learning'' is not separately mentioned in § 21.4250. Thus, our regulations would not address which SAA would hold jurisdiction over distance learning programs that are not independent study. To make clear that we would continue to require the SAA for the State in which a school's main campus is located to approve all

programs, including distance learning programs, we propose to add ''or solely through distance learning'' to § 21.4250(a)(3). In addition, we propose revisions to § 21.4250(a)(3) to clarify that independent study can be either resident or distance learning.

Finally, in the proposed rule, in § 21.4250(a)(2), we inadvertently stated that if a school with a main campus in a State offers a resident course not located in the ''same'' State, only the SAA for the State where the school's main campus is located may approve the course. The proposal to include the word ''same'' was unintentional. We are now proposing to correct the error in the proposed rule and instead make no changes to current § 21.4250(a)(2).

Safeguarding Veterans and Beneficiaries From Predatory Practices

The Department seeks feedback about how to provide flexibility to institutions that offer quality distance learning programs that are ineligible to qualify as GI Bill approved programs under the current rule but provide value to students (like remedial and vocational courses and FAA approved distance learning modules) while ensuring that we preserve program quality and integrity, protecting VA educational beneficiaries from fraudulent and predatory schools.

Coordination of SNPRM Comments and NPRM Comments

Before making a final decision on the proposed changes and the issuance of a final rulemaking, VA will consider all comments received during the comment period ending on December 13, 2021, in response to the October 2021 notice of proposed rulemaking, and all comments received in response to this SNPRM by the closing date. If you submitted a comment regarding the October 2021 notice of proposed rulemaking, you do not need to submit the same comment again. This SNPRM does not reopen the other proposals that were contained in the October 2021 notice of proposed rulemaking or request further comments on those proposals. VA plans to publish a final rulemaking based on this SNPRM and comments we receive in response to this notice, and on the original notice of proposed rulemaking and comments we received in response to that notice.

Executive Orders 12866, 13563, and 14192

VA examined the impact of this rulemaking as required by Executive Orders 12866 (Sept. 30, 1993) and 13563 (Jan. 18, 2011), which direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. The Office of Information and Regulatory Affairs has determined that this rulemaking is not a significant regulatory action under Executive Order 12866, as supplemented by Executive Order 13563. This proposed rule is expected to be a deregulatory action under Executive Order 14192. The regulatory impact analysis associated with this rulemaking can be found as a supporting document at *www.regulations.gov.*

Regulatory Flexibility Act

The Secretary hereby certifies that this SNPRM would not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act (5 U.S.C. 601–612). VA has determined there are no small entities involved with the approval of online distance learning courses or with the administration of VA's educational benefits. Neither SAAs nor VA, when acting in the role of a SAA, qualify as ''small'' per NCAIS size standards. Therefore, pursuant to 5 U.S.C. 605(b), the initial and final regulatory flexibility analysis requirements of 5 U.S.C. 603 and 604 do not apply.

Unfunded Mandates

This proposed rule would not result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of $100 million or more (adjusted annually for inflation) in any one year.

Paperwork Reduction Act

Although this action contains provisions (38 CFR 21.4250 and 21.4259) constituting a collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521), no new or revised collection of information is associated with this SNPRM. The collection of information for §§ 21.4250 and 21.4259 is currently approved by the Office of Management and Budget (OMB) and has been assigned OMB control number 2900–0051.

Assistance Listing

The Assistance Listing numbers and titles for the programs affected by this document are 64.027–64.028, Post-9/11 Veterans Educational Assistance; 64.032, Montgomery GI Bill Selected Reserve; 64.117, Survivors and Dependents Educational Assistance; 64.120, Post-Vietnam Era Veterans' Educational Assistance; 64.124, All-Volunteer Force Educational Assistance.

List of Subjects in 38 CFR Part 21

Administrative practice and procedure, Armed forces, Civil rights, Claims, Colleges and universities, Conflict of interests, Education, Employment, Grant programs—education, Grant programs—veterans, Health care, Loan programs—education, Loan programs—veterans, Manpower training programs, Reporting and recordkeeping requirements, Schools, Travel and transportation expenses, Veterans, Vocational education, Vocational rehabilitation.

Signing Authority

Douglas A. Collins, Secretary of Veterans Affairs, approved this document on July 24, 2025, and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs.

Jennifer D. Williams,
Alternate Federal Register Liaison Officer, Department of Veterans Affairs.

For the reasons stated in the preamble, the Department of Veterans Affairs proposes to amend 38 CFR part 21 as set forth below:

PART 21—VETERANS READINESS AND EMPLOYMENT AND EDUCATION

Subpart D—Administration of Educational Assistance Programs

■ 1. The authority citation for part 21, subpart D continues to read as follows:

Authority: 10 U.S.C. 2141 note, ch. 1606; 38 U.S.C. 501(a), chs. 30, 32, 33, 34, 35, 36, and as noted in specific sections.

■ 2. Amend § 21.4200 by:
■ a. In paragraph (o)(1)(i), removing ''Resident courses'' and adding in its place ''Resident or distance learning courses''.
■ b. In paragraph (o)(1)(ii), removing ''Independent study courses'' and adding in its place ''Standard curriculum or independent study courses''.
■ c. Adding paragraphs (mm), (nn), (oo), and (pp) after the authority citation for paragraph (ll).

The additions read as follows:

§ 21.4200 Definitions.

* * * * *

(mm) *Standard curriculum.* A *standard curriculum* class is a class (*i.e.,* unit subject) in which an instructor dictates a uniform structure for all students, determining tasks, such as required readings, research, and work products, setting standards for evaluation of students' work, and

establishing the timeframe for completion of the work, without consultation with the student or tailoring on a student-by-student basis.

(nn) *Independent study.* (1) An *independent study* class is a class (*i.e.,* unit subject) in which the student follows a course of study with predefined objectives and works with a faculty member to decide how the student is going to meet those objectives. The student and faculty member together agree on the student's tasks required for meeting the objectives (*e.g.,* required readings, research, and work products, any scheduled classes), the criteria for evaluating the student's work, and the relative timeframe for completion of the work. The student interacts with the faculty member on a periodic and substantive basis to assure progress towards the objectives. Completion of coursework and interaction between the student and faculty member may be in-person through resident learning, virtually through distance learning, or a combination of both.

(2) Notwithstanding any of the above requirements, the following courses are never considered independent study:

(i) A cooperative course (see 38 CFR 21.4233(a) and 21.4257);

(ii) A farm cooperative course (see 38 CFR 21.4233(d) and 21.4264);

(iii) A course approved as a correspondence course (see 38 CFR 21.4256);

(iv) A course of student teaching;

(v) A graduate-level class (*i.e.,* unit subject) consisting of research (either on campus or in absentia) necessary for the preparation of the student's—

(A) Master's thesis,

(B) Doctoral dissertation, or

(C) Similar treatise which is prerequisite to the degree being pursued.

(oo) *Distance learning.* (1) *Distance learning* means any modality of instruction for a class (*i.e.,* unit subject) that satisfies the following criteria:

(i) Instruction is delivered exclusively through the use of one or more of the technologies described in paragraph (2);

(ii) Students are physically separated from the instructor; and

(iii) There is regular and substantive interaction between the student and the instructor.

(2) For the purposes of paragraph (1), the technologies used may include—

(i) The internet;

(ii) One-way and two-way transmissions (such as through open broadcast/open-circuit, closed broadcast/closed-circuit, cable, microwave, broadband lines, fiber optics, satellite, or wireless communications devices), but not letter or mail;

(iii) Audio conferencing; or

(iv) Recorded media (such as video cassettes, CD–ROMs, DVDs).

(3) A modality of instruction for a class (*i.e.,* unit subject) will not be considered distance learning if it requires any classroom attendance when the instructional material and technologies described in paragraph (2) are only accessible at the educational institution during the regularly scheduled times synchronous with the times that other students enrolled in the same class must attend, even if there are multiple simultaneous training sessions at multiple classrooms of the same educational institution, and even if the classrooms are geographically dispersed; however, the classrooms must be located at the main campus, a branch campus, or an extension, as those terms are defined in 38 CFR 21.4266, of the same educational institution.

(pp) *Resident learning. Resident learning* is resident training (as used in 38 U.S.C. 3313(g)(3)(A)(ii)(I)(aa)) for a class (*i.e.,* unit subject) that does not meet the definition of distance learning in paragraph (oo) and does not qualify as a correspondence course.

■ 3. Amend § 21.4250 by:

■ a. Revising paragraph (a)(3);

■ b. Revising in paragraph (b) the introductory text following the paragraph heading;

■ c. Revising paragraph (b)(2); and

■ d. Removing paragraph (b)(3).

The revisions read as follows:

§ 21.4250 Course and licensing and certification test approval; jurisdiction and notices.

(a) * * *

* * * * *

(3) If an educational institution offers a course by independent study (either resident learning or distance learning), by correspondence, or solely through distance learning, only the State approving agency for the State where the educational institution's main campus is located may approve the course for VA training.

* * * * *

(b) *State approving agencies.* State approving agencies may make four types of decisions: Approval of an Application for Approval; Denial of an Application for Approval; Suspension of Approval; and Withdrawal of Approval.

* * * * *

(2) *Notice of denial, suspension, or withdrawal.* See § 21.4259(a)(3) and (b).

* * * * *

■ 4. Revise § 21.4259 to read as follows:

§ 21.4259 Denial of an Application for Approval, Suspension of Approval, Withdrawal of Approval.

(a)(1) A State approving agency will deny an application for approval of any course, or licensing or certification test, after reviewing the application and determining that either:

(i) The course, or licensing or certification test, fails to meet any of the requirements for approval; or

(ii) The State approving agency lacks jurisdiction under § 21.4250.

(2) With respect to any approved course, or licensing or certification test, it is incumbent upon the State approving agency to determine whether the course continues to comply with the requirements for approval and to take immediate appropriate action in each case in which the evidence of record establishes that the conduct of a course fails to comply with the requirements for approval. If so found, the State approving agency:

(i) Will suspend the approval of a course for new enrollments, or approval of a licensing or certification test, for a period not to exceed 60 days to allow the institution to correct any deficiencies; or

(ii) Will immediately withdraw the approval of the course, or licensing or certification test, if any of the requirements for approval that are not being met cannot be corrected within a period of 60 days.

(3) Upon denying an application for approval, or suspending or withdrawing an approval, the State approving agency will notify the educational institution by certified or registered letter with a return receipt secured (38 U.S.C. 3679). The notification will set forth the reasons for such denial, suspension, or withdrawal.

(b) Each State approving agency will immediately notify VA of each course, or licensing or certification test, for which it has denied an application for approval, or suspended or withdrawn the approval and set forth the reasons for such action.

(c) VA will deny an application for approval, or suspend or withdraw the approval, of courses, or licensing or certification tests, under conditions specified in paragraph (a) of this section where it functions for the State approving agency. See 38 CFR 21.4150(c).

(d) VA will immediately notify the respective State approving agency, if applicable, in each case VA suspends or withdraws approval of any school under 38 U.S.C. chapter 31.

(The Office of Management and Budget has approved the information collection provisions in this section under control number 2900–0051)

(Authority: 38 U.S.C. 3672, 3679, 3689)

■ 5. Amend § 21.4267 by:
■ a. Revising the section heading;
■ b. Removing the paragraph (a) heading;
■ c. Revising paragraph (a);
■ d. Removing paragraphs (b) through (e);
■ e. Redesignating current paragraphs (f) and (g) as paragraphs (b) and (c);
■ f. Removing the headings for redesignated paragraphs (b) and (c); and
■ g. Revising redesignated paragraph (b) introductory text.

The revisions read as follows:

§ 21.4267 Approval of nonaccredited independent study courses.

(a) Except as provided in §§ 21.4252(g), 21.7120(d), and 21.7622(f) of this part, VA may not pay educational assistance for a nonaccredited course which is offered in whole or in part by independent study (as defined in § 21.4200(nn)).

(Authority: 38 U.S.C. 3014, 3523, 3672, 3676(e), 3680A(a))

(b) A State approving agency may approve a course offered by independent study only if the course—

* * * * *

■ 6. Amend § 21.9505 by removing the entry for ''Distance learning''.

[FR Doc. 2025–16836 Filed 9–2–25; 8:45 am]

BILLING CODE 8320–01–P

Notices

Federal Register
Vol. 90, No. 168
Wednesday, September 3, 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

Animal and Plant Health Inspection Service

[Docket No. APHIS–2025–0026]

Revision to and Extension of Approval of an Information Collection; Approval of Laboratories for Conducting Aquatic Animal Tests for Export Health Certificates

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Revision to and extension of approval of an information collection; comment request.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Animal and Plant Health Inspection Service's intention to request a revision to and extension of approval of an information collection associated with its efforts to certify certain laboratories that conduct aquatic animal testing for export activities.

DATES: We will consider all comments that we receive on or before November 3, 2025.

ADDRESSES: You may submit comments by either of the following methods:

- *Federal eRulemaking Portal:* Federal eRulemaking Portal: Go to *www.regulations.gov.* Enter APHIS–2025–0026 in the Search field. Select the Documents tab, then select the Comment button in the list of documents.
- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS–2025–0026, Regulatory Analysis and Development, PPD, APHIS, 5601 Sunnyside Ave., #AP760, Beltsville, MD 20705.

Supporting documents and any comments we receive on this docket may be viewed at *http://www.regulations.gov* or in our reading room, which is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW, Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799–7039 before coming.

FOR FURTHER INFORMATION CONTACT: For information on conducting aquatic animal tests for export health certificates, contact Janet Warg, Microbiologist, Diagnostic Virology Laboratory, National Veterinary Services Laboratories, 1920 Dayton Avenue, P.O. Box 844, Ames, IA 50010; (515) 337–7879. For more information on the information collection process, contact Ms. Sheniqua Harris, APHIS' Information Collection Coordinator, at 301–851–2528 or email: *APHIS.PRA@usda.gov.*

SUPPLEMENTARY INFORMATION:

Title: Approval of Laboratories for Conducting Aquatic Animal Tests for Export Health Certificates.

OMB Control Number: 0579–0429.

Type of Request: Revision to and extension of approval of an information collection.

Abstract: The Animal Health Protection Act (AHPA, 7 U.S.C. 8301 *et seq.*) is the primary Federal law governing the protection of animal health. The AHPA gives the Secretary of Agriculture broad authority to detect, control, or eradicate pests or diseases of livestock or poultry. The Secretary may also prohibit or restrict import or export of any animal or related material if necessary to prevent the spread of any livestock or poultry pest or disease.

Disease prevention is the most effective method for maintaining a healthy animal population and enhancing the ability of U.S. producers to compete in the global market of animal and animal product trade. To facilitate the export of U.S. animals and animal products, the Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture maintains information regarding the import health requirements of other countries for animals and animal products, including aquaculture animals, exported from the United States.

While APHIS does not currently require the approval or certification of laboratories that conduct disease tests for the export of aquaculture animals, some countries that import these animals from the United States require them to be tested for certain diseases and the test results recorded on the export certificates. In addition, the test results must originate from a laboratory approved by the competent authority of the exporting country, which is APHIS in this case. State, university, and private laboratories can voluntarily seek APHIS approval of individual diagnostic methods. Though APHIS does not have regulations for the approval or certification of laboratories that conduct tests for the export of aquaculture animals, APHIS provides this approval as a service to U.S. exporters who export aquaculture animals to countries that require this certification.

APHIS evaluates diagnostic methods for detecting aquatic animal pathogens listed by the World Organization for Animal Health (WOAH) in the WOAH diagnostic manual and other supporting scientific literature. APHIS lists the laboratories approved to conduct diagnostic testing in support of export health certification of aquatic species at *https://www.aphis.usda.gov/sites/default/files/approved-labs-aquaculture.pdf.* Once approved, the laboratories are inspected by APHIS every 2 years to maintain their approval.

The approval of laboratories to conduct tests for the export of aquaculture animals requires the use of certain information collection activities including notification of intent to request approval, application for APHIS approval, protocol statement, submission and recordkeeping of sample copies of diagnostic reports, quality assurance/control plans and their recordkeeping, notification of proposed changes to assay protocols, recordkeeping of supporting assay documentation, and request for removal of approved status.

We are asking OMB to approve our use of these information collection activities, as described, for an additional 3 years.

The purpose of this notice is to solicit comments from the public (as well as affected agencies) concerning our information collection. These comments will help us:

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

(2) Evaluate the accuracy of our estimate of the burden of the 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, through use, as appropriate, of automated, electronic, mechanical, and other collection technologies; *e.g.,* permitting electronic submission of responses.

Estimate of burden: The public burden for this collection of information is estimated to average 4.3 hours per response.

Respondents: State, university, and private laboratory personnel.

Estimated annual number of respondents: 9.

Estimated annual number of responses per respondent: 47.

Estimated annual number of responses: 419.

Estimated total annual burden on respondents: 1,806 hours. (Due to averaging, the total annual burden hours may not equal the product of the annual number of responses multiplied by the reporting burden per response.)

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Done in Washington, DC, this 25th day of August 2025.

Michael Watson,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2025–16897 Filed 9–2–25; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

Agency Information Collection Activities: Comment Request—Supplemental Nutrition Assistance Program Education and Obesity Prevention Grant (SNAP-Ed) State Plan and Annual Report System

AGENCY: Food and Nutrition Service (FNS), USDA.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice invites the general public and other public agencies to comment on this proposed information collection. This collection is a revision of a currently approved collection for the electronic reporting forms, SNAP-Ed Annual Report (Form FNS–925A) and SNAP-Ed State Plan (Form FNS–925B), as required in the 2018 Farm Bill.

DATES: Written comments must be received on or before November 3, 2025.

ADDRESSES: Comments may be sent to: Aurora Calvillo Buffington, Food and Nutrition Service, U.S. Department of Agriculture, Supplemental Nutrition Assistance Program, 1320 Braddock Place, 5th Floor, Alexandria, VA 22314. Comments also may be submitted via email to *SNAP-Ed@usda.gov.* Comments also will be accepted through the Federal eRulemaking Portal. Go to *http://www.regulations.gov* and follow the online instructions for submitting comments electronically.

All responses to this notice will be summarized and included in the request for Office of Management and Budget (OMB) approval. All comments will be a matter of public record.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of this information collection should be directed to Aurora Calvillo-Buffington at (703) 305–2820 or *SNAP-Ed@usda.gov.*

SUPPLEMENTARY INFORMATION: Comments are invited 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, including the validity of the methodology and assumptions that were used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, including use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Title: Supplemental Nutrition Assistance Program Education and Obesity Prevention Grant (SNAP-Ed) State Plan and Annual Report System.

Form Number: SNAP-Ed Annual Report (Form FNS–925A) and SNAP-Ed State Plan (Form FNS–925B).

OMB Number: 0584–0683.

Expiration Date: April 30, 2026.

Type of Request: Renewal of a currently approved collection.

Abstract: The U.S. Department of Agriculture's (USDA) Food and Nutrition Service (FNS) administers the Supplemental Nutrition Assistance Program (SNAP). The SNAP Nutrition Education and Obesity Prevention Grant Program (referred to as SNAP-Ed), established by the Food and Nutrition Act of 2008, as amended (Pub. L. 115–334, ''The Act''), is the nutrition education and promotion component of SNAP. Per regulations at 7 CFR 272.2(d), State SNAP agencies have the option to provide nutrition education for persons who are eligible to receive SNAP benefits and other means-tested Federal assistance programs. The goal of SNAP-Ed is to improve the likelihood that persons eligible for SNAP will make healthy food choices within a limited budget and choose physically active lifestyles consistent with the current Dietary Guidelines for Americans and USDA food guidance. SNAP-Ed's target audience includes low-income individuals eligible to receive benefits under SNAP or other means-tested Federal assistance programs and individuals residing in communities with a significant low-income population. State SNAP agencies have the option of providing SNAP-Ed services to SNAP recipients as part of their SNAP operations. As of 2025, 52 of the 53 States and Territories implement some form of SNAP-Ed programming. Participating States annually receive federally allocated grants that are used to cover States' SNAP-Ed expenses at a rate of 100 percent. State SNAP agencies contract with sub-grantees, referred to as implementing agencies, to carry out SNAP-Ed programming. Implementing agencies include cooperative extension offices, universities, State departments of health or education, State-level nutrition networks, food banks, and other organizations. SNAP-Ed programming can comprise a wide range of evidence-based approaches, including direct education; policy, systems, and environmental changes; and social marketing campaigns. The annual SNAP-Ed Plan Guidance, available online (*https://snaped.fns.usda.gov/administration/snap-ed-guidance-and-policy*) describes SNAP-Ed programming options in detail.

As directed by the Agriculture Improvement Act of 2018 (''2018 Farm Bill'', Pub. L. 115–334), FNS improved the SNAP-Ed reporting process by providing States with an electronic, online reporting system. States submit their annual SNAP-Ed State Plans (FNS–925B) and SNAP-Ed Annual Reports (FNS–925A) in this system. The system provides FNS with data that are consistent across States, which facilitates data aggregation and nationwide evaluation of SNAP-Ed. This system also streamlines the submission and review process for States and FNS, for example, by using

autofill to avoid re-entering repeated information and automatically skipping sections not needed for a particular State agency's plan or report. Under this renewal, FNS updated the forms to promote clarity, information accuracy, and analysis. Specifically, FNS removed fields, for example removed fields that were previously optional, added fields, for example to document State agency engagement with Tribal consultations, and updated the order and phrasing of several fields, for example clarified how agencies report direct education outcome measures. This renewal does not change submission deadlines for SNAP-Ed State plans or annual reports.

In developing the burden estimates for this information collection, FNS categorized States into one of four burden levels (Groups A through D, where Group A represents the smallest burden level and Group D represents the largest burden level). This categorization takes into account both the State's SNAP-Ed funding allocation and the number of implementing agencies that a State must coordinate with for purposes of SNAP-Ed planning and reporting (as a proxy for the level of effort and coordination needed in a State). FNS held meetings with the consultation group on February 25 and 28, 2025. The consultation group included nine SNAP-Ed affiliated representatives responsible for submitting SNAP-Ed State plans and annual reports, representing the four State burden levels. The group provided feedback on the content, clarity, and burden estimate for this information collection. Based on this feedback, FNS has refined the burden hours for FNS forms 925A and 925B. In addition, through this notice, FNS seeks public comments on the burden estimate for this information collection.

Affected Public: State agencies that elect to request Federal SNAP-Ed grant funds to conduct nutrition education and obesity prevention services, and SNAP-Ed implementing agencies.

Estimated Number of Respondents: 53 State agencies (50 U.S. States, District of Columbia, Guam, and the U.S. Virgin Islands) and 144 implementing agencies (93 State government agencies, 1 local government agency, 10 Tribal government agencies, and 40 not-for-profit institutions).

Estimated Number of Responses per Respondent: 11 responses per respondent per year. This total number of responses includes: (1) submission of the SNAP-Ed State Plan form once a year by the State Agency (1 response); (2) submission of the SNAP-Ed Annual Report form once a year by the State Agency (1 response); (3) a quarterly review by the State or Implementing Agency of standards established in regulation, SNAP-Ed Plan Guidance, and other FNS policy ((4 responses); (4) State Agency activities to meet FNS fiscal recordkeeping requirements quarterly (4 responses); and (5) completion of training (1 response).

Estimated Total Annual Responses: 2,100.

Estimated Time per Response: 88.7881 hours.

Estimated Total Annual Burden on Respondents: 186,455 hours. See the table below for estimated total annual burden for each type of respondent.

SNAP-ED ANNUAL PLAN AND REPORTS BURDEN HOURS

Respondent type (A)	Burden activity (B)	Est. number of respondents (C)	Total burden hours	Previously approved burden hours	Change in burden hours due to an adjustment	Change in burden hours due to program change	Total difference in burden hours
Reporting							
State Agencies that Administer the Program.	Prepare and submit SNAP-Ed State Plan Form.	53	6,042	5,554	488	0	488
	Prepare and submit SNAP-Ed Annual Report Form.	53	1,272	1,160	112	0	112
Subtotal for State Agencies that Administer the Program		*53*	*7,314*	6,714	600	0	600
Implementing Agencies—	Prepare and submit SNAP-Ed State Plan Form.	93	48,825	55,836	−7,011	0	−7,011
State Government	Prepare and submit SNAP-Ed Annual Report Form.	93	23,064	26,456	−3,392	0	−3,392
Subtotal for Implementing Agencies—State Government		*93*	*71,889*	82,291	−10,402	0	−10,402
Implementing Agencies—	Prepare and submit SNAP-Ed State Plan Form.	1	15	92	−77	0	−77
Local Government	Prepare and submit SNAP-Ed Annual Report Form.	1	7	39	−32	0	−32
Subtotal for Implementing Agencies—Local Government		*1*	*22*	131	−109	0	−109
Implementing Agencies—	Prepare and submit SNAP-Ed State Plan Form.	10	280	266	14	0	14
Tribal Government	Prepare and submit SNAP-Ed Annual Report Form.	10	120	119	1	0	1
Subtotal for Implementing Agencies—Tribal Government		*10*	*400*	385	15	0	15
Total Estimated Reporting Burden for State/Local/Tribal Government Level		157	79,625	89,522	−9,897	0	−9,897
Implementing Agencies—	Prepare and submit SNAP-Ed State Plan Form.	40	11,840	29,765	−17,925	0	−17,925
Not-For-Profit Institution	Prepare and submit SNAP-Ed Annual Report Form.	40	5,480	13,707	−8,227	0	−8,227
Subtotal for Implementing Agencies—Not-For-Profit Institution		*40*	*17,320*	43,472	−26,152	0	−26,152
Total Estimated Reporting Burden for Business Level		40	17,320	43,472	−26,152	0	−26,152

SNAP-ED ANNUAL PLAN AND REPORTS BURDEN HOURS—Continued

Respondent type (A)	Burden activity (B)	Est. number of respondents (C)	Total burden hours	Previously approved burden hours	Change in burden hours due to an adjustment	Change in burden hours due to program change	Total difference in burden hours
TOTAL ESTIMATED REPORTING BURDEN		197	96,945	132,994	−36,049	0	−36,049
Recordkeeping							
State Agencies that Administer the Program.	Review standards, SNAP-Ed Plan Guidance, and other FNS policy.	53	8,268	14,963	−6,695	0	−6,695
	Complete training	21	63	67	−4	0	−4
	Recordkeeping requirements.	53	5,512	5,544	−32	0	−32
Subtotal		*53*	*13,843*	20,574	−6,731	0	−6,731
Implementing Agencies—	Review standards, SNAP-Ed Plan Guidance, and other FNS policy.	93	33,852	99,438	−65,586	0	−65,586
State Government	Complete training	67	201	219	−18	0	−18
	Recordkeeping requirements.	93	14,508	15,168	−660	0	−660
Subtotal		*93*	*48,561*	114,825	−66,264	0	−66,264
Implementing Agencies—	Review standards, SNAP-Ed Plan Guidance, and other FNS policy.	1	12	508	−496	0	−496
Local Government	Complete training	2	138	19	119	0	119
	Recordkeeping requirements.	1	276	1,476	−1,200	0	−1,200
Subtotal		*1*	*426*	2,003	−1,577	0	−1,577
Implementing Agencies—	Review standards, SNAP-Ed Plan Guidance, and other FNS policy.	10	840	760	80	0	80
Tribal Government	Complete training	9	27	25	2	0	2
	Recordkeeping requirements.	10	2,520	2,256	264	0	264
Subtotal		*10*	*3,387*	3,041	346	0	346
Total Estimated Recordkeeping Burden for State/Local/Tribal Government Level.		157	66,217	140,442	−74,225	0	−74,225
Implementing Agencies—	Review standards, SNAP-Ed Plan Guidance, and other FNS. policy.	40	14,880	106,872	−91,992	0	−91,992
Not-For-Profit Institution	Complete training	31	93	133	−40	0	−40
	Recordkeeping requirements.	40	8,320	12,768	−4,448	0	−4,448
Subtotal		*40*	*23,293*	119,773	−96,480	0	−96,480
Total Estimated Recordkeeping Burden for Business Level		40	23,293	119,773	−96,480	0	−96,480
TOTAL ESTIMATED RECORDKEEPING BURDEN		197	89,510	260,215	−170,705	0	−170,705
GRAND TOTAL FOR REPORTING AND RECORDKEEPING BURDEN		197	186,455	393,210	−206,755	0	−206,755

Note: The estimated average number of hours per response has been rounded to the nearest whole number in this table (column F).[2] The estimated total hours (column G) were calculated by multiplying the total annual responses (column E) by the estimated average number of hours per response prior to rounding (column F).

James C. Miller,

Administrator, Food and Nutrition Service.

[FR Doc. 2025–16895 Filed 9–2–25; 8:45 am]

BILLING CODE 3410–30–P

DEPARTMENT OF AGRICULTURE

National Agricultural Statistics Service

Discontinuance of Information Collections

AGENCY: National Agricultural Statistics Service, USDA.

ACTION: Notice.

SUMMARY: This notice announces the National Agricultural Statistics Service (NASS) has discontinued the information collection for both the Mink Survey (OMB Control Number 0535–0212) and the Agricultural Labor Survey (OMB Control Number 0535–0109), as these collections are deemed duplicative and/or no longer necessary. This action is taken under the provisions of the Paperwork Reduction Act (PRA) as part of the government's efforts to improve efficiency and eliminate unnecessary burdens.

DATES: The discontinuation date for both collections is August 2025.

FOR FURTHER INFORMATION CONTACT: Jody McDaniel, Acting Associate Administrator, National Agricultural Statistics Service, U.S. Department of Agriculture, (202) 720–2707. Copies of this information collection and related instructions can be obtained without charge from Margaret Noonan, NASS—OMB Clearance Officer, at (202) 720–2206 or at *ombofficer@nass.usda.gov.*

SUPPLEMENTARY INFORMATION:

I. Mink Survey

Title: Mink Survey. *OMB Control Number:* 0535–0212.

Abstract: Since 1970, NASS has annually collected data related to minks, including pelt production, females bred, and sales. This collection, previously important for understanding the U.S. mink industry, has been discontinued with approval from the Office of Management and Budget (OMB).

*Discontinuation Justification:*USDA found the discontinuation of the survey was justified for each of the following reasons:

No statutory requirement: The USDA is not required by statute to conduct or publish the Mink Survey, nor has it always done so annually.

Availability of other data sources: While some persons may have elected to use the survey data, it is not necessary for the USDA to carry out its statutory obligations. For those who may have found the data valuable, the Census of Agriculture—conducted every five years—includes questions on the number of live mink and pelts sold, ensuring this information is still collected regularly.

Industry Decline: The U.S. mink industry has significantly decreased in size since the survey's inception. In 1969, 5,455,000 pelts were produced, which dropped to just 771,200 in 2024. The geographic distribution of production has also narrowed, with state-level data now publishable for only five states, down from 15 in 1970.

USDA has determined it is not required or prudent to conduct the mink survey and has discontinued information collection for OMB Control Number 0535–0212.

II. Agricultural Labor Survey (FLS)

Title: Agricultural Labor Survey (FLS).

OMB Control Number: 0535–0109.

Abstract: For decades, NASS conducted the Agricultural Labor Survey (FLS) to measure farm wages nationally. The USDA has now discontinued this survey, with approval from the OMB, as recent improvements to the Department of Labor (DOL) Bureau of Labor Statistics Occupational Employment and Wage Statistics (OEWS) program make the OEWS the superior barometer for measuring farm wages.

Discontinuation Justification: USDA found the discontinuation of the survey is justified for each of the following reasons:

No statutory requirement: Although USDA has used FLS data for various actions in the past, those purposes can be fulfilled by relying on other available sources of data, such as the OEWS program. This would minimize duplication of Federal efforts and reduce cost and time burdens to the public.

Availability of other data sources: The OEWS will provide more useful data: The FLS is a dated survey, whose origins trace to the 19th century. The FLS was not designed for the current state of agriculture or labor.

The FLS only collects information directly from farmers and does not capture information from farm labor contractors. Given the shortage of domestic labor and the complex process to navigate visa programs for foreign workers, more and more farmers rely on farm labor contractors to supply their workforce. Data from farm labor contractors is collected by the OEWS. This is one of several reasons why the OEWS has surpassed the FLS as the best available tool for measuring farm wages on a nationwide basis.

The supporting statement included in the Paperwork Reduction Act (PRA) Information Collection Request package for the FLS, submitted to OMB on July 25, 2024, noted that the Agriculture Adjustment Act of 1938 requires USDA to compute parity prices of farm products. To compute these parity prices, USDA uses an index of prices paid by farmers which is composed of five indexes, one of which is an index of wage rates. Historically, USDA has used FLS data as the information source for the index of wage rates; however, USDA will use enhanced OEWS data as the source for this index.

The 2024 supporting statement at p. 1 also refers to the DOL's use of FLS data in calculating a government-mandated minimum wage rate when foreign temporary labor is employed pursuant to a visa program known as H–2A. DOL, however, has computed this rate, known as the Adverse Effect Wage Rate (AEWR), without the FLS in the past. To illustrate, DOL in rulemaking reported that the use of the FLS, coinciding with an increase in illegal immigration, had diminished its utility for AEWR purposes: ''The Department chose at that time to use USDA data to set AEWRs largely because it believed that USDA's aggregation of wage data at broad regional levels would immunize the survey from the effects of any localized wage depression that might exist. 54 FR 28043. As discussed above, however, undocumented workers are substantially more dispersed throughout the agricultural sector today than they were in 1989. Not only are undocumented workers no longer confined to particularized local labor markets, but recent studies have also called into question whether the concentration of undocumented workers in particular labor markets actually causes localized wage depression. In light of these developments, the one key advantage the Department believed in 1989 was afforded by the USDA survey's broadly aggregated data—its ability to avoid localized wage depression effects—has been substantially diminished. On the other hand, the fact that undocumented workers have come to dominate the agricultural labor force in the intervening years has rendered the imprecision of USDA wage data vis-à-vis local labor market conditions a substantial drawback that may sometimes actually encourage employers to hire undocumented workers. In fact, the Department expressed concern in the 1989 rulemaking that precisely this phenomenon might develop, stating that ''AEWRs, if set too high, might be a disincentive to the use of H–2A workers and U.S. workers, and could undermine efforts to eradicate the employment of illegal aliens. 54 FR 28044. Many commenters argued that the large numbers of undocumented workers in the agricultural sector adversely affects U.S. workers. *Temporary Agricultural Employment of H–2A Aliens in the United States; Modernizing the Labor Certification Process and Enforcement,* 73 FR 77172–77173 (Dec. 18, 2008).

For a brief period beginning in 2008, until a change in the administration, DOL then engaged in rulemaking to replace its use of the FLS data with the DOL's OEWS data:

(g) The Department's Decision To Use the Occupational Employment Statistics Survey

Having determined that the Department [of Labor] can best safeguard the wages and working conditions of U.S. workers from adverse effect by encouraging employers to replace undocumented workers with either U.S. workers or H–2A workers, and having further determined that tailoring AEWRs to local labor market conditions is the best way to foster this replacement process, the Department made two independent decisions. *First, the Department decided to use the BLS OES survey to set AEWRs, rather than the USDA Farm Labor Survey (FLS).* Second, the Department decided to attain further precision in setting AEWRs by breaking the OES wage rates down into four different skill levels, rather than using a single average OES wage rate for each agricultural occupation. 73 FR 77173 (emphasis added).

The 2024 supporting statement at p. 1 also notes that the FLS had been funded by DOL (reflecting USDA's determination that the FLS was not needed), but after 2021 DOL discontinued funding the FLS.

Further, in 2023 rulemaking, DOL reported that the FLS did not capture wages for all occupations and some states lacked FLS data. 88 FR 12760, (Feb. 28, 2023). DOL thus approved and

provided for the use of its OEWS data to calculate the AEWR if FLS data is not available. *Id.* DOL thus confirmed that it can employ its OEWS as a substitute for the FLS.

USDA is not required by statute to rely on the FLS to collect data measuring farm labor wages. USDA has determined it is not required or prudent to conduct the FLS and has discontinued information collection for OMB Control Number 0535–0109. USDA's scarce resources must be reallocated to activities that are required by statute and useful to the Department and its customers. Substitutes like DOL's OEWS are available to supplant the FLS to the extent other agencies use the data for purposes other than that for which it was originally conceived in the 19th century. To the extent any request is received for legacy data, USDA will work to make FLS legacy data available as much as possible.

Jody McDaniel,

Acting Associate Administrator, National Agricultural Statistics Service.

[FR Doc. 2025–16831 Filed 8–29–25; 11:15 am]

BILLING CODE 3410–20–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Tennessee Advisory Committee

AGENCY: U.S. Commission on Civil Rights.

ACTION: Announcement of virtual business meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act (FACA) that the Tennessee Advisory Committee (Committee) to the U.S. Commission on Civil Rights will hold a virtual business meeting via Zoom on Wednesday, October 1, 2025, from 3:00 p.m.–4:00 p.m. CT. For the purpose of beginning their term and to discuss their first project topics.

DATES: The meeting will take place on Wednesday, October 1st, from 3:00 p.m.–4:00 p.m. CT.

- *Registration Link (Audio/Visual): https://www.zoomgov.com/j/1613628346.*
- *Join by Phone (Audio Only):* 1–833–435–1820 USA Toll Free; Webinar ID: #161 362 8346.

FOR FURTHER INFORMATION CONTACT: Brooke Peery, Designated Federal Officer (DFO) at *bpeery@usccr.gov* or by phone at (202) 701–1376.

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

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

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

Agenda

I. Welcome & Roll Call

II. Introductions

III. Review of Concept Stage

IV. Committee Discussion

V. Public Comment

VI. Adjournment

Dated: August 28, 2025.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2025–16834 Filed 9–2–25; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–421–813]

Certain Hot-Rolled Steel Flat Products From the Netherlands: 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 finds that certain hot-rolled steel flat products (hot-rolled steel) from the Netherlands were sold in the United States at less than normal value during the period of review (POR) October 1, 2023, through September 30, 2024. Interested parties are invited to comment on these preliminary results of review.

DATES: Applicable September 3, 2025.

FOR FURTHER INFORMATION CONTACT: Thomas Schauer, 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) 482–0410.

SUPPLEMENTARY INFORMATION:

Background

On October 3, 2016, Commerce published in the **Federal Register** an antidumping duty order on hot-rolled steel from the Netherlands.[1] On October 1, 2024, Commerce published in the **Federal Register** a notice of opportunity to request an administrative review of the *Order* for the POR.[2] On November 14, 2024, based on a timely request for an administrative review, Commerce initiated this administrative review of the *Order* with respect to one company, Tata Steel Ijmuiden BV.[3] On December 9, 2024, Commerce tolled certain administrative deadlines in this administrative review by 90 days.[4] The deadline for the preliminary results is

[1] *See Certain Hot-Rolled Steel Flat Products from Australia, Brazil, Japan, the Republic of Korea, the Netherlands, the Republic of Turkey, and the United Kingdom: Amended Final Affirmative Antidumping Determinations for Australia, the Republic of Korea, and the Republic of Turkey and Antidumping Duty Orders,* 81 FR 67962 (October 3, 2016) (*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 79894, 79895 (October 1, 2024).

[3] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 89 FR 89955, 89959 (November 14, 2024).

[4] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated December 9, 2024.

now October 1, 2025. For a complete description of the events that occurred since the initiation of this review, *see* the Preliminary Decision Memorandum.[5]

Scope of the Order

The products covered by this *Order* are hot-rolled steel from the Netherlands. A full description of the scope of the *Order* is contained in the Preliminary Decision Memorandum.

Methodology

Commerce is conducting this review in accordance with sections 751(a)(1)(B) and (2) of the Tariff Act of 1930, as amended (the Act). We calculated export price and normal value in accordance with sections 772 and 773 of the Act, respectively. For a full description of the methodology underlying these preliminary results, *see* the Preliminary Decision Memorandum. A list of the topics discussed in the Preliminary Decision Memorandum is attached as the appendix to this notice. The Preliminary Decision Memorandum is a public document and is made available to the public via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Preliminary Results of Review

We preliminarily determine that the following estimated weighted-average dumping margin exists for the period October 1, 2023, through September 30, 2024:

Producer/exporter	Weighted-average dumping margin (percent)
Tata Steel Ijmuiden BV	5.67

Disclosure

Commerce intends to disclose its calculations performed to interested parties in the preliminary results of this administrative review within five days of any public announcement or, if there is no public announcement, within five days after the date of publication of this notice 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.[6] 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.[7] 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.[8] Interested parties who submit case briefs or rebuttal briefs in this administrative review must submit: (1) a table of contents listing each issue; and (2) a table of authorities.[9]

As provided under 19 CFR 351.309(c)(2) and (d)(2), in prior proceedings we have encouraged interested parties to provide an executive summary of their brief that should be limited to five pages total, including footnotes. In this administrative review, we instead request that interested parties provide at the beginning of their briefs a public executive summary for each issue raised in their briefs.[10] Further, we request that interested parties limit their public executive summary of each issue to no more than 450 words, not including citations. We intend to use the public executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final results of this administrative review. We request that interested parties include footnotes for relevant citations in the public executive summary of each issue.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, limited to issues raised in the case and rebuttal briefs, must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce via ACCESS by 5:00 p.m. Eastern Time within 30 days after the date of publication of this notice in the **Federal Register**. Hearing requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants and whether any participant is a foreign national; and (3) a list of issues to be discussed. Oral presentations at the hearing will be limited to issues raised in the case and rebuttal briefs. If a request for a hearing is made, parties will be notified of the date, time, and location of the hearing.[11] Parties should confirm the date, time, and location of the hearing two days before the scheduled hearing date.

All submissions, including case and rebuttal briefs, as well as hearing requests, should be filed via ACCESS.[12] An electronically filed document must be received successfully in its entirety in ACCESS by 5:00 p.m. Eastern Time on the established deadline. Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).[13]

Final Results of Review

Unless the deadline is extended, Commerce intends to issue the final results of this administrative review, including the results of its analysis of issues raised in written briefs, no later than 120 days after the date of publication of this notice in the **Federal Register**, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(1).

Assessment Rates

Upon completion of the final results of this administrative review, in accordance with section 751(a)(2)(A) of the Act, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise covered by this review.[14] If the respondent's weighted-average dumping margin is not zero or *de minimis* (*i.e.,* less than 0.50 percent) in the final results of this review, we intend to calculate an importer-specific assessment rate for antidumping duties based on the ratio of the total amount of dumping calculated for each importer's examined sales and the total entered value of those same sales in accordance with 19 CFR 351.212(b)(1).[15] If the respondent's weighted-average dumping margin or an importer-specific assessment rate is zero or *de minimis* in the final results of this review, we

[5] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of Antidumping Duty Administrative Review of Certain Hot-Rolled Steel Flat Products from the Netherlands; 2023–2024,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[6] *See* 19 CFR 351.309(c)(1)(ii); *see also* 19 CFR 351.303 (for general filing requirements).

[7] *See* 19 CFR 351.309.

[8] *See* 19 CFR 351.309(d)(1); *see also Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings,* 88 FR 67069, 67077 (September 29, 2023) (*APO and Service Final Rule*).

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

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

[11] *See* 19 CFR 351.310(d).

[12] *See* 19 CFR 351.303.

[13] *See APO and Service Final Rule,* 88 FR at 67069.

[14] *See* 19 CFR 351.212(b)(1).

[15] *See Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings; Final Modification,* 77 FR 8101, 8103 (February 14, 2012).

intend to instruct CBP to liquidate the appropriate entries without regard to antidumping duties.[16]

For entries of subject merchandise during the POR produced by the individually examined respondent for which it did not know that the merchandise was destined to the United States, we will instruct CBP to liquidate these entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.[17]

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.[18] Commerce intends to issue assessment instructions regarding the individually examined respondent to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication in the **Federal Register** of the notice of the final results of this administrative review for all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the individually examined respondent listed above will be 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 companies not covered in this review but covered in a prior segment of this proceeding, the cash deposit rate will continue to be the company-specific rate published in the completed segment for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the investigation but the producer is, then the cash deposit rate will be the rate established in the most recently completed segment for the producer of the merchandise; (4) the cash deposit rate for all other producers or exporters will continue to be 3.73 percent, the all-others rate established in the investigation.[19] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping 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 duties occurred and the subsequent assessment of double antidumping duties.

Notification to Interested Parties

We are issuing and publishing these preliminary results of this administrative review in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: August 27, 2025.

Abdelali Elouaradia,

Deputy Assistant Secretary or Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Discussion of the Methodology
V. Currency Conversion
VI. Recommendation

[FR Doc. 2025–16798 Filed 9–2–25; 8:45 am]

BILLING CODE 3510–DS–P

[16] *Id.,* 77 FR at 8102–03; *see also* 19 CFR 351.106(c)(2).

[17] For a full discussion of this practice, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

[18] *See* section 751(a)(2)(C) of the Act.

[19] *See Order,* 81 FR at 67965.

DEPARTMENT OF COMMERCE

International Trade Administration

[C–533–939]

Oleoresin Paprika From India: Postponement of Preliminary Determination in the Countervailing Duty Investigation

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

DATES: Applicable September 3, 2025.

FOR FURTHER INFORMATION CONTACT: Laura Delgado or Charles Doss, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–1468 or (202) 482–4474, respectively.

SUPPLEMENTARY INFORMATION:

Background

On July 15, 2025, the U.S. Department of Commerce (Commerce) initiated a countervailing duty (CVD) investigation of imports of oleoresin paprika from India.[1] Currently, the preliminary determination is due no later than September 18, 2025.

Postponement of Preliminary Determination

Section 703(b)(1) of the Tariff Act of 1930, as amended (the Act), requires Commerce to issue the preliminary determination in a countervailing duty investigation within 65 days after the date on which Commerce initiated the investigation. However, section 703(c)(1) of the Act permits Commerce to postpone the preliminary determination until no later than 130 days after the date on which Commerce initiated the investigation if: (A) the petitioner[2] makes a timely request for a postponement; or (B) Commerce concludes that the parties concerned are cooperating, that the investigation is extraordinarily complicated, and that additional time is necessary to make a preliminary determination. Under 19 CFR 351.205(e), the petitioner must submit a request for postponement 25 days or more before the scheduled date of the preliminary determination and must state the reasons for the request. Commerce will grant the request unless it finds compelling reasons to deny the request.

On August 21, 2025, the petitioner submitted a timely request that Commerce postpone the preliminary CVD determination.[3] The petitioner stated that it requests postponement "in light of the time required to identify mandatory respondents, the number of programs under investigation, and the expected complexity of the issues."[4] In accordance with 19 CFR 351.205(e), the petitioner has stated the reasons for requesting a postponement of the preliminary determination, and Commerce finds no compelling reason

[1] *See Oleoresin Paprika from India: Initiation of Countervailing Duty Investigation,* 90 FR 34433 (July 22, 2025) (*Initiation Notice*).

[2] The petitioner is Rezolex, Ltd. Co.

[3] *See* Petitioner's Letter, "Request for Extension of the Preliminary Determination," dated August 21, 2025.

[4] *Id.*

to deny the request. Therefore, in accordance with section 703(c)(1)(A) of the Act, Commerce is postponing the deadline for the preliminary determination to no later than 130 days after the date on which this investigation was initiated, *i.e.,* November, 24, 2025.[5] Pursuant to section 705(a)(1) of the Act and 19 CFR 351.210(b)(1), the deadline for the final determination of this investigation will continue to be 75 days after the date of the preliminary determination.

This notice is issued and published pursuant to section 703(c)(2) of the Act and 19 CFR 351.205(f)(1).

Dated: August 28, 2025.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2025–16883 Filed 9–2–25; 8:45 am]

BILLING CODE 3510–DS–P

[5] Postponing the preliminary determination to 130 days after initiation would place the deadline on Saturday, November 22, 2025. Commerce's practice dictates that where a deadline falls on a weekend or federal holiday, the appropriate deadline is the next business day. *See Notice of Clarification: Application of "Next Business Day" Rule for Administrative Determination Deadlines Pursuant to the Tariff Act of 1930, As Amended,* 70 FR 24533 (May 10, 2005).

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Visiting Committee on Advanced Technology

AGENCY: National Institute of Standards and Technology, Department of Commerce.

ACTION: Notice of open meeting.

SUMMARY: The National Institute of Standards and Technology (NIST) Visiting Committee on Advanced Technology (VCAT or Committee) will hold an open in-person meeting on Tuesday, October 28, 2025, from 9:00 a.m. to 5:00 p.m. Eastern Time, and Wednesday, October 29, 2025, from 9:00 a.m. to 1:00 p.m. Eastern Time with a virtual option for VCAT members only to ensure the ability to meet quorum.

DATES: The VCAT will meet on Tuesday, October 28, 2025, from 9:00 a.m. to 5:00 p.m. Eastern Time, and Wednesday, October 29, 2025, from 9:00 a.m. to 1:00 p.m. Eastern Time.

ADDRESSES: The meeting will be held at the National Cybersecurity Center of Excellence, 9700 Great Seneca Highway, Rockville, Maryland 20850 with an option to participate via Zoom for VCAT members only. Please note admittance instructions under the **SUPPLEMENTARY INFORMATION** section of this notice.

FOR FURTHER INFORMATION CONTACT: Stephanie Shaw, VCAT, NIST, 100 Bureau Drive, Mail Stop 1060, Gaithersburg, Maryland 20899–1060, telephone number 240–446–6000. Ms. Shaw's email address is *stephanie.shaw@nist.gov.*

SUPPLEMENTARY INFORMATION:

Authority: 15 U.S.C. 278 and the Federal Advisory Committee Act, 5 U.S.C. 1001 *et seq.*

Pursuant to the Federal Advisory Committee Act, 5 U.S.C. 1001 *et seq.,* notice is hereby given that the VCAT will meet on the dates and at the times given in the **DATES** section. The meeting will be open to the public. The VCAT is composed of not fewer than nine members appointed by the NIST Director and selected to provide representation of a cross-section of the traditional and emerging United States industries. The primary purpose of this meeting is for the VCAT to review and make recommendations regarding general policy for NIST, its organization, its budget, and its programs within the framework of applicable national policies as set forth by the President and the Congress. The agenda will include an update on major programs and initiatives at NIST, changes within the organization, and the budget. The agenda is subject to change if needed to accommodate Committee business. The final agenda will be posted on the NIST website at *https://www.nist.gov/director/vcat/agenda-minutes.*

Individuals and representatives of organizations who would like to offer comments and suggestions related to the Committee's business are invited to request a place on the agenda by no later than 5:00 p.m. Eastern Time, Tuesday, October 14, 2025, by contacting Stephanie Shaw at *stephanie.shaw@nist.gov.* Approximately one-half hour will be reserved for public comments, and speaking times will be assigned on a first-come, first-served basis. The amount of time per speaker will be determined by the number of requests received but is likely to be about 3 minutes each. The exact time and date for public comments will be included in the final agenda that will be posted on the NIST website at *https://www.nist.gov/director/vcat/agenda-minutes.* Questions from the public will not be considered during this period. Speakers who wish to expand upon their oral statements, those who had wished to speak but could not be accommodated on the agenda, and those who were unable to attend in person are invited to submit written statements to Stephanie Shaw at *stephanie.shaw@nist.gov.*

All visitors, including NIST staff, to attend the NIST site are required to pre-register to be admitted. Limited space is available on a first-come, first-served basis for anyone who wishes to attend in person. Please submit your name, time of arrival, email address, and phone number to Stephanie Shaw, *stephanie.shaw@nist.gov* by 5:00 p.m. Eastern Time, Tuesday, October 14, 2025. Non-U.S. citizens must submit additional information; please contact Ms. Shaw at *stephanie.shaw@nist.gov.* For participants attending in person, please note that federal agencies, including NIST, can only accept a state-issued driver's license or identification card for access to federal facilities if such license or identification card is issued by a state that is compliant with the REAL ID Act of 2005 (Pub. L. 109–13), or by a state that has an extension for REAL ID compliance. NIST currently accepts other forms of federal-issued identification in lieu of a state-issued driver's license. For detailed information please visit: *http://nist.gov/public_affairs/visitor/.*

Alicia Chambers,

NIST Executive Secretariat.

[FR Doc. 2025–16828 Filed 9–2–25; 8:45 am]

BILLING CODE 3510–13–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF173]

Pacific 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 Pacific Fishery Management Council (Pacific Council) will hold an online meeting of its Ad Hoc Highly Migratory Species (HMS) Fisheries Innovation Workgroup (FIW) to discuss procedures to facilitate the development of new HMS gears and achieve the goals of the HMS Roadmap. This meeting is open to the public.

DATES: The online meeting will be held Thursday, September 25, 2025, from 1 p.m. to 5 p.m. and Friday, September 26, 2025, 8:30 a.m. to 12:30 p.m. Pacific Daylight Time, or until business for the day has been completed.

ADDRESSES: The meeting will be held online. Specific meeting information,

including directions on how to join the meeting and system requirements will be provided in the meeting announcement on the Pacific Council's website (see *https://www.pcouncil.org*). You may send an email to Mr. Kris Kleinschmidt (*kris.kleinschmidt@pcouncil.org*) or contact him at 503–820–2412 for technical assistance.

Council address: Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 101, Portland, Oregon 97220–1384.

FOR FURTHER INFORMATION CONTACT: Kerry Griffin, Pacific Council; telephone: 503–820–2409.

SUPPLEMENTARY INFORMATION: The purpose of this meeting is to continue discussion of the HMS Roadmap, the HMS exempted fishing permit (EFP) process, and EFP performance goals and metrics, which go towards the development of a report for consideration at the November Pacific Council meeting.

Although non-emergency issues not contained in the meeting agenda may be discussed, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this document and any issues arising after publication of this document that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

Special Accommodations

Requests for sign language interpretation or other auxiliary aids should be directed to Mr. Kris Kleinschmidt (*kris.kleinschmidt@pcouncil.org;* 503–820–2412) at least 10 days prior to the meeting date.

Dated: August 29, 2025.

Becky J. Curtis,

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

[FR Doc. 2025–16887 Filed 9–2–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF167]

Magnuson-Stevens Act Provisions; Atlantic Coastal Fisheries Cooperative Management Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits

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

ACTION: Notice; request for comments.

SUMMARY: The Assistant Regional Administrator for Sustainable Fisheries, Greater Atlantic Region, NMFS, has made a preliminary determination that an Exempted Fishing Permit (EFP) application contains all of the required information and warrants further consideration. The EFP would allow federally permitted fishing vessels to fish outside fishery regulations in support of exempted fishing activities proposed by the Maine Department of Marine Resources. Regulations under the Magnuson-Stevens Fishery Conservation and Management Act and the Atlantic Coastal Fisheries Cooperative Management Act require publication of this notification to provide interested parties the opportunity to comment on applications for proposed EFPs.

DATES: Comments must be received on or before September 18, 2025.

ADDRESSES: You may submit written comments by the following method:

- *Email: nmfs.gar.efp@noaa.gov.* Include in the subject line ''ME DMR 2025 On-demand EFP''.

All comments received are a part of the public record and will generally be posted for public viewing without change. All personal identifying information (*e.g.,* name, address), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter ''anonymous'' as the signature if you wish to remain anonymous).

FOR FURTHER INFORMATION CONTACT: Caroline Potter, Fishery Resource Management Specialist, *Caroline.Potter@noaa.gov,* (978) 281–9325.

SUPPLEMENTARY INFORMATION: The Maine Department of Marine Resources (ME DMR) submitted a complete application for an EFP to conduct commercial fishing activities that the regulations would otherwise restrict to test alternative gear retrieval systems that only use one traditional surface buoy. This EFP would exempt the participating vessels from the following Federal regulations:

TABLE 1—REQUESTED EXEMPTIONS

CFR citation	Regulation	Need for exemption
50 CFR 697.21(b)(2)	Gear marking requirements	For trial of trap/pot gear with no more than one surface marking on trawls of more than three traps.
50 CFR 648.84(b)	Gear marking requirements	For trial of gillnet gear with no more than one surface marking.

TABLE 2—PROJECT SUMMARY

Project title	Testing various acoustic on-demand, timed and spring-release fishing technologies that help minimize the risk of large whale entanglements in trap/pot and gillnet fishing gear in the Gulf of Maine.
Project Start	11/1/2025.
Project End	12/31/2026.
Project objectives	Provide access, training, and support to fishers in the Gulf of Maine to test acoustic on-demand, spring-, and timed-release fishing systems and acoustic gear geolocation technology. Data collected would help provide feedback to manufacturers to adapt to the specific needs of Maine fishers involved in fixed gear fleets. This work is important to reduce the risk associated with vertical lines to the endangered North Atlantic right whale in the Gulf of Maine.
Project location	*Trap/pot:* Lobster Management Area 1 and all Maine *Lobster* Conservation Zones (A, B, C, D, E, F, G). *Gillnet:* Statistical Areas 513, 514, 515.
Number of vessels	65.

TABLE 2—PROJECT SUMMARY—Continued

Number of trips, trip duration (days), total number of days, number of tows or sets, and duration of tows or sets.	See project narrative.
Gear type(s)	Trap/pot and anchored gillnet.

Project Narrative

This EFP would allow federally permitted vessels to test alternative gears to reduce entanglement risk to protected species, mainly the North Atlantic right whale, in trap/pot and sink gillnet fisheries. There would be two components to this EFP, a gear library component, which is an assortment of devices and technologies to retrieve gear, and a gear geolocation component.

This EFP would allow for the continued research for a project that has been conducted under previously issued EFPs. Since the start of the project, ME DMR has conducted about 2,635 trap/pot hauls as part of the gear library component. Of these, about 2,117 hauls were conducted under the most recent EFP, which became effective May 1, 2024. No hauls have been conducted with gillnet gear and six hauls, which did not use active fishing traps, have been completed as part of the gear geolocation component.

The project objectives are to: (1) collect data on deployments and retrievals of various acoustic on-demand fishing gear within the trap/pot and gillnet fisheries in the Gulf of Maine; (2) provide support and training to fishers on various on-demand technologies; (3) assess fishing areas that may be best suited for adopting the tested retrieval systems; (4) increase familiarity of on-demand gear within the trap/pot and gillnet fisheries; (5) provide feedback to on-demand fishing gear manufacturers to increase performance under commercial fishery conditions; (6) trial gear geolocation and marking systems that promote interoperability for fishers and management; and (7) compare the relative precision of various gear geolocation technologies to improve understanding of how transitioning to acoustic technologies may impact fishing behavior.

For the gear library component, participating vessels would replace one traditional surface marking with their choice of alterative gear available in the Maine Innovative Gear Library. Currently, there are several options including, but not limited to: (1) buoy and stowed rope systems (*e.g.,* Sub Sea Sonics, Ashored, Edgetech); (2) lift-bag systems (*e.g.,* SMELTS, Ropeless Systems); (3) stowed rope/timed release (*e.g.,* Nova Robotics); and (4) stowed rope/spring release (*e.g.,* Nova Robotics). Vessels would be required to use one traditional surface marking on one end of trap trawls of more than three traps and on all gillnet gear. For trap trawls of fewer than three traps, vessels would still use one traditional surface marking, in addition to the on-demand retrieval system; therefore, there would be no fully ropeless trawls. Other than gear markings, all trap trawls and gillnet strings would be consistent with the regulations of the management area where the vessel is fishing and would be fished in accordance with the participating vessels' standard operations (*i.e.,* number and length of trips, soak times, trap limits, *etc.*). Because the on-demand systems would replace buoyed systems that the fishermen would otherwise be fishing, the gear library component would not increase fishing effort.

For the geolocation component, vessels would use acoustic positioning systems from Teledyne Benthos, Ropeless Systems, Ashored, Nova Robotics, or Advanced Navigation. Each of these systems uses a surface unit to communicate with a unit on the seafloor to determine the gear's geolocation. Vessels would set up to three trawls at different distances apart, within a 1 kilometer radius. Trawls would be allowed to soak no longer than 1 hour each. Up to 10 discrete, single-day gear geolocation trials would be conducted within the fishing year, resulting in a maximum of 150 gear retrievals for the geolocation component. In instances where traps are used, they would not have fresh bait. These trials would increase trap/pot effort via short soaks and high rate of retrieval. However, catch per unit effort would be reduced. The focus of the geolocation component would be to test the acoustic positioning systems to determine the extent of difference between acoustic geolocation and surface buoy or surface GPS geolocation, as well as testing the performance of the different acoustic positioning systems in an environment where multiple acoustic signals are being transmitted simultaneously.

ME DMR researchers anticipate, for the gear library component, up to 6,240 trap/pot trawl retrievals and up to 500 gillnet string retrievals, and up to an additional 150 retrievals of trap/pot trawls for the gear geolocation component. Trap trawls would be consistent with Atlantic Large Whale Take Reduction Plan (ALWTRP) regulations. Trawls would not exceed 50 traps per trawl and the gear library component trawls would soak for no shorter than 3 days and no longer than 30 days. Gillnets would be consistent with ALWTRP and Harbor Porpoise Take Reduction Plan regulations. Gillnets would use 15–30.5 cm mesh, would not exceed 3,200 m, and are estimated to soak for no more than 24 hours. Any legal catch would be sold to a dealer.

To maximize data collection and participation, ME DMR requests flexibility to modify the participant vessel list with the ability to list up to 65 fishermen and up to 7 gillnet fishermen on the EFP. ME DMR would submit modifications to the active participants list at least 1 month in advance of any changes.

ME DMR or partnering organizations and a representative from gear manufacturers would distribute gear and train all participants on its use. Scientific observers may accompany the participants on up to two trips per vessel, within budget and safety limitations. ME DMR would provide standardized data collection sheets to all participants. Individually identifiable data would only be made available via consent of the participants.

ME DMR has requested to exempt trap/pot participants from EFP trip reporting requirements. ME DMR states that this requirement is a barrier to recruiting fishermen for this project and is duplicative of the required electronic vessel trip reporting. This project would build on the research conducted under a previous EFP (DA23–076), which waived the EFP trip report requirement.

ME DMR has proposed the following best practices and risk management:

- Buoy lines associated with this project would contain unique white and blue markings above the required regional markings;
- Weekly mandatory gear loss reporting;
- After release, the on demand vertical line would be retrieved as quickly as possible to minimize time in the water column;
- Visual right whale sightings would be recorded on data sheets and

fishermen would notify NMFS via email (*ne.rw.survey@noaa.gov*) or via phone (866–755–6622), or the U.S. Coast Guard via radio (Channel 16);

- Typical soak time is anticipated to be less than 14 days and no longer than 30 days (weather permitting and without unforeseen circumstances);
- Project vessels would adhere to a 10-knot speed limit when transiting dynamic management areas, transiting areas closed to vertical lines, and/or whales are observed;
- All vessels would adhere to current approach regulations that create a 500-yard (457.2-meter) buffer zone in the presence of a surfacing right whale and would depart immediately at a safe and slow speed. Hauling any fishing gear would cease once the entire string or trawl is aboard the vessel, to accommodate the regulation, and be redeployed only after it is reasonable to assume the whale has left the area;
- Law enforcement agencies, including Maine Marine Patrol and NOAA Office of Law Enforcement, would be notified of project participants and activities in advance of the project start date. Materials related to the redeployment of alternative retrieval gear systems would be provided along with this notice. Law enforcement would be able to inspect gear at any time as usual, because at least one traditional endline would be present at all times. Law enforcement would be provided with the information necessary to continue relevant enforcement operations with participant gear;
- Trap Tracker or an equivalent application would be utilized for acoustic on-demand retrieval and set positioning details and would be available to Federal, State, and corresponding enforcement personnel;
- Gear locations would be available to those who have downloaded gear marking applications, but otherwise locations would be treated with sensitivity to mitigate the possibility of gear molestation from members of the public who oppose project activities;
- Project updates would be updated through the ME DMR website for public awareness of general activities related to this EFP; and
- Premature deployments of on-demand gear would be documented and would be retrieved as soon as circumstances (*e.g.,* weather) allow.

If approved, the applicant may request minor modifications and extensions to the EFP throughout the year. EFP modifications and extensions may be granted without further notice if they are deemed essential to facilitate completion of the proposed research and have minimal impacts that do not change the scope or impact of the initially approved EFP request. Any fishing activity conducted outside the scope of the exempted fishing activity would be prohibited.

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

Dated: August 28, 2025.

Kelly Denit,

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

[FR Doc. 2025–16829 Filed 9–2–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF076]

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to a Marine Geophysical Survey of the Cascadia Subduction Zone in the Northeast Pacific Ocean

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

ACTION: Notice; issuance of incidental harassment authorization.

SUMMARY: In accordance with the regulations implementing the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that NMFS has issued an incidental harassment authorization (IHA) to Scripps Institution of Oceanography (SIO) for authorization to take marine mammals incidental to a geophysical survey of the Cascadia Subduction Zone in the Northeast Pacific Ocean.

DATES: This authorization is effective September 2, 2025 through September 1, 2026.

ADDRESSES: Electronic copies of the application and supporting documents, as well as a list of the references cited in this document, may be obtained online at: *https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-research-and-other-activities.* In case of problems accessing these documents, please call the contact listed below.

FOR FURTHER INFORMATION CONTACT: Kate Fleming, Office of Protected Resources, NMFS, (301) 427–8401.

SUPPLEMENTARY INFORMATION:

MMPA Background and Determinations

The MMPA prohibits the ''take'' of marine mammals, with certain exceptions. Among the exceptions is section 101(a)(5)(D) of the MMPA (16 U.S.C. 1361 *et seq.*) which directs the Secretary of Commerce (as delegated to NMFS) to allow, upon request, the incidental, but not intentional, taking by harassment of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and the public has an opportunity to comment on the proposed IHA.

Specifically, NMFS will issue an IHA if it finds that the taking will have a negligible impact on the species or stock(s) and will not have an unmitigable adverse impact on the availability of the species or stock(s) for taking for subsistence uses (where relevant). Further, NMFS must prescribe the permissible methods of taking and other ''means of effecting the least practicable adverse impact'' on the affected species or stocks and their habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance, and on the availability of such species or stocks for taking for certain subsistence uses (referred to here as ''mitigation''). NMFS must also prescribe requirements pertaining to the monitoring and reporting of such takings. The definitions of key terms, such as ''take,'' ''harassment,'' and ''negligible impact,'' can be found in the MMPA and the NMFS' implementing regulations (see 16 U.S.C. 1362; 50 CFR 216.103).

On July 21, 2025, a notice of NMFS' proposal to issue an IHA to SIO for take of marine mammals incidental to a planned geophysical survey of the Cascadia Subduction Zone in the Northeast Pacific Ocean was published in the **Federal Register** (90 FR 34212). In that notice, NMFS indicated the estimated numbers, type, and methods of incidental take proposed for each species or stock, as well as the mitigation, monitoring, and reporting measures that would be required should the IHA be issued. The **Federal Register** notice also included an analysis to support NMFS' preliminary conclusions and determinations that the IHA, if issued, would satisfy the requirements of section 101(a)(5)(D) of the MMPA for issuance of the IHA. The **Federal Register** notice included web links to a draft IHA for review, as well as other supporting documents.

No substantive comments were received during the public comment period. There are no changes to the specified activity, the species taken, the proposed numbers, type, or methods of take, or the mitigation, monitoring, or reporting measures in the proposed IHA notice. No new information that would change any of the preliminary analyses, conclusions, or determinations in the proposed IHA notice has become available since that notice was published, and therefore, the preliminary analyses, conclusions, and determinations included in the proposed IHA are considered final.

National Environmental Policy Act

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

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

Endangered Species Act

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

The NMFS Office of Protected Resources (OPR) ESA Interagency Cooperation Division has issued a Biological Opinion under section 7 of the ESA, on the issuance of an IHA to SIO under section 101(a)(5)(D) of the MMPA by the NMFS OPR Permits and Conservation Division. The Biological Opinion concluded that the action is not likely to jeopardize the continued existence of ESA-listed humpback whale (Central America and Mexico Distinct Population Segments), sei whale, fin whale, blue whale, sperm whale, and Guadalupe fur seal.

Authorization

Accordingly, consistent with the requirements of section 101(a)(5)(D) of the MMPA, NMFS has issued an IHA to SIO for authorization to take marine mammals incidental to a geophysical survey in the Cascadia Subduction Zone of the Northeast Pacific Ocean.

Dated: August 28, 2025.

Shannon Bettridge,

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

[FR Doc. 2025–16892 Filed 9–2–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE895]

Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Geophysical Surveys in the Gulf of America

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

ACTION: Notice; receipt of request for reimplementation of incidental take regulations (ITRs); request for comments and information.

SUMMARY: NMFS' Office of Protected Resources has received a request from the NMFS' Office of Policy for the reimplementation of ITRs governing the incidental taking of marine mammals during geophysical survey activity conducted in the Gulf of America (GOA). Pursuant to regulations implementing the Marine Mammal Protection Act (MMPA), NMFS is announcing receipt of this request and invites the public to provide information, suggestions, and comments on the request.

DATES: Comments and information must be received no later than October 3, 2025.

ADDRESSES: You may submit comments on this document, identified by NOAA–NMFS–2025–0638, by any of the following methods:

- *Electronic Submission:* Submit all electronic public comments via the Federal e-Rulemaking Portal. Visit *https://www.regulations.gov* and type NOAA–NMFS–2025–0638 in the Search box. Click on the ''Comment'' icon, complete the required fields, and enter or attach your comments.
- *Mail:* Submit written comments to the Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910–3225.

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

A copy of the NMFS Office of Policy request may be obtained online at: *https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-oil-and-gas.* In case of problems accessing these documents, please call the contact listed below.

FOR FURTHER INFORMATION CONTACT: Jenna Harlacher, Office of Protected Resources, NMFS, (301) 427–8401.

SUPPLEMENTARY INFORMATION:

Background

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

An incidental take authorization shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s), will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses (where relevant), and if the permissible methods of taking and requirements pertaining to the mitigation, monitoring and reporting of such takings are set forth.

NMFS has defined ''negligible impact'' in 50 CFR 216.103 as an impact resulting from the specified activity that cannot be reasonably expected to, and is

not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival. The MMPA states that the term ''take'' means to harass, hunt, capture, kill or attempt to harass, hunt, capture, or kill any marine mammal.

Except with respect to certain activities not pertinent here, the MMPA defines ''harassment'' as: any act of pursuit, torment, or annoyance, which (i) has the potential to injure a marine mammal or marine mammal stock in the wild (Level A harassment); or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering (Level B harassment).

Summary of Request

On January 19, 2021, we issued a final rule with regulations to govern the unintentional taking of marine mammals incidental to geophysical survey activities conducted in U.S. waters of the GOA over the course of 5 years (86 FR 5322, January 19, 2021). NMFS subsequently discovered that the 2021 rule was based on erroneous take estimates. We conducted another rulemaking using correct take estimates and other newly available and pertinent information relevant to the analyses supporting some of the findings in the 2021 final rule and the taking allowable under the regulations. We issued a final rule in April 2024, effective May 24, 2024 through April 19, 2026 (89 FR 31488, April 24, 2024). The existing ITR provides a framework for authorization of incidental take through Letters of Authorization (LOAs) upon request from individual applicants planning specific geophysical survey activities.

On August 28, 2025, NMFS Office of Protected Resources received a request from the NMFS Office of Policy for reimplementation of the current ITR. The request notes that the pending April 2026 expiration of the current ITR would affect regulatory certainty with loss of an efficient permitting framework, and that reimplementation of the existing ITR on the basis of the same specified activity defined in the initial 2021 final rule and associated estimates of incidental take evaluated in the 2024 corrective rulemaking is consistent with the MMPA and appropriate pursuant to Executive Orders 14156 ''Declaring a National Energy Emergency'' and 14154 ''Unleashing American Energy.'' NMFS has received multiple requests from industry survey operators relating to specific survey activities that would extend beyond the current expiration date, establishing the need and ongoing basis for the ITR. The requested regulations would continue the established framework from the previous regulations for authorization of incidental take through LOAs until superseded by a new ITR promulgated on the basis of a separate request.

Specified Activities

The specified activity underlying the request for ITR reimplementation would remain unchanged from the generic program of geophysical survey activity in the central and western GOA described in the 2021 final rule. Geophysical survey activities typically involve a vessel or vessels towing an airgun or array of airguns, or other acoustic source that emits acoustic energy through the overlying water and into the seafloor. The 2021 final rule, as updated via the 2024 final rule, would be reimplemented without change, including all mitigation, monitoring, and reporting requirements.

Information Solicited

Interested persons may submit information, suggestions, and comments concerning the request (see **ADDRESSES**). NMFS will consider all information, suggestions, and comments related to the request during the development of proposed regulations governing the incidental taking of marine mammals, if appropriate.

Dated: August 28, 2025.

Shannon Bettridge,

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

[FR Doc. 2025–16864 Filed 9–2–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF169]

Pacific 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 Pacific Fishery Management Council (Pacific Council) will convene a joint meeting of the Scientific and Statistical Committee's Salmon Subcommittee (SSC–SC) and Salmon Technical Team (STT). The Sacramento River Fall Chinook Workgroup (SRWG), Oregon and Washington Departments of Fish and Wildlife (ODFW and WDFW), Oregon Production Index Technical Team (OPITT), and other entities may also contribute and participate in this meeting, as appropriate.

DATES: The meeting will be held Thursday, October 9, 2025 and Friday, October 10, 2025.

ADDRESSES: This meeting will be held either online or in person at the Pacific Council office in Portland, OR. Specific meeting information, including meeting format and time and directions on how to join the meeting and system requirements will be provided in the meeting announcement on the Pacific Council's website (see *https://www.pcouncil.org*). You may send an email to Mr. Kris Kleinschmidt (*kris.kleinschmidt@pcouncil.org*) or contact him at (503) 820–2412 for technical assistance.

Council address: Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 101, Portland, OR 97220–1384.

FOR FURTHER INFORMATION CONTACT: Angela Forristall, Staff Officer, Pacific Council; telephone: (503) 820–2419.

SUPPLEMENTARY INFORMATION: The purpose of the meeting is to conduct a salmon methodology review to discuss and review proposed changes to analytical methods used in salmon management. Topics were preliminarily identified at the April 2025 Pacific Council meeting and final topics will be selected at the September 2025 Pacific Council meeting. If time allows additional topics may be discussed, including but not limited to future Pacific Council agenda items and salmon-related topics of interest to the SSC–SC and STT. The SSC–SC and STT will report on the outcomes of the meeting to the Pacific Council at their November Council meeting.

Although non-emergency issues not contained in the meeting agenda may be discussed, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this document and any issues arising after publication of this document that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

Special Accommodations

Requests for sign language interpretation or other auxiliary aids should be directed to Mr. Kris Kleinschmidt (*kris.kleinschmidt@pcouncil.org;* (503) 820–2412) at least 10 days prior to the meeting date.

Dated: August 29, 2025.

Becky J. Curtis,

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

[FR Doc. 2025–16870 Filed 9–2–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF157]

National Saltwater Angler Registry Program

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

ACTION: Notice.

SUMMARY: NMFS has established an annual fee of 12 dollars ($12.00) for anglers, spear fishers, and for hire fishing vessels to register under the National Saltwater Angler Registry Program.

DATES: The registration fee will be required effective September 3, 2025.

ADDRESSES: NMFS OST–12453, 1215 East West Highway, Silver Spring, Maryland 20910.

FOR FURTHER INFORMATION CONTACT: Gordon C. Colvin; (240) 357–4524; email: *gordon.colvin@noaa.gov*.

SUMMARY: The final rule implementing the National Saltwater Angler Registry program, 50 CFR 600 Subpart P, was published in the **Federal Register** on December 30, 2008. The final rules states that persons registering with NMFS must pay an annual fee effective January 1, 2011 and that NMFS will publish the annual schedule for such fees in the **Federal Register**. The current annual fee for registration has been $15.00 since 2022. NMFS policy requires that fees be reviewed periodically, at least every 2 years, and be revised to reflect changes in estimated costs of administration of the program that administers the fees. NMFS has completed a review of the cost of the program and has determined that the fee for anglers, spear fishers, and for hire fishing vessels will be reduced to $12.00. All persons registering on or after September 3, 2025 will be required to pay that fee unless they are exempt as indigenous people per the provisions of 50 CFR 600.1410(f).

Dated: August 28, 2025.

Samuel D. Rauch III,

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

[FR Doc. 2025–16830 Filed 9–2–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF132]

NOAA Fisheries Virtual Peer Review Workshop for the Fishing Effort Survey Calibration Model

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

ACTION: Notice of Peer Review Workshop for the NOAA Fisheries' Fishing Effort Survey Calibration Model.

SUMMARY: NOAA Fisheries Office of Science and Technology will host a two-day virtual workshop with the opportunity for partner and public comment for the independent peer review of the proposed Fishing Effort Survey (FES) calibration model methodology. The model is proposed for use to update the historical recreational fishing estimates produced using the FES to the scale of the improved FES anticipated for implementation in January 2026. Pending peer review results and associated next steps, calibrated estimates using the peer-reviewed calibration model are anticipated to be available for use in subsequent stock assessments and fisheries management decisions in spring 2026. See **SUPPLEMENTARY INFORMATION**.

DATES: The calibration peer review workshop will be held virtually Sept. 23 and 24, 2025, from 9 a.m. to 3:30 p.m. EDT and from 9 a.m. to 3 p.m. EDT, respectively. The established times may be adjusted as necessary to accommodate the timely completion of discussion relevant to the peer review process. Such adjustments may result in the meeting being extended from or completed prior to the times established by this notice.

ADDRESSES: This is a virtual meeting. The meeting will be live streamed. Individuals may register to virtually attend the workshop by going to the following links:

- *Registration link, Day 1, Sept. 23: (https://noaanmfs-meets.webex.com/weblink/register/r4fe7a6bde76fd199c21f3cf0fa6e9d05*)
- *Registration link, Day 2, Sept. 24: (https://noaanmfs-meets.webex.com/weblink/register/r9e933f7718ec4d1776a9103c5e3c879a*)

Registration is required. The web connection details will be provided to the registrant upon registering. If you have issues with registering, please contact Dr. Katherine Papacostas (see **FOR FURTHER INFORMATION CONTACT**). The attendee cap for this meeting is 1,000 individuals.

FOR FURTHER INFORMATION CONTACT: Dr. Katherine Papacostas, MRIP program manager; 301–427–8210 or email: *katherine.papacostas@noaa.gov.*

SUPPLEMENTARY INFORMATION: NOAA Fisheries' Office of Science and Technology has commissioned an independent, expert peer review to assess the quality and credibility of the proposed calibration model to be used to update the historical recreational fishing estimates produced using the current FES to the scale of the improved FES anticipated for implementation in January 2026.

Fishing Effort Survey Background

As part of the Agency's continuous evaluation and improvement process, NOAA Fisheries has been researching improvements to the FES, which is a key survey component of the Marine Recreational Information Program (MRIP) that estimates recreational fishing effort—specifically, the number of fishing trips taken by shore and private boat anglers from Maine to Mississippi and in Hawaii. The current FES mail survey design was implemented in 2018 and replaced the legacy Coastal Household Telephone Survey (CHTS) to address declining response rates and coverage issues associated with landline telephone surveys.

Throughout 2024, NOAA Fisheries conducted a large-scale study (*https://www.fisheries.noaa.gov/recreational-fishing-data/fishing-effort-survey-research-and-improvements*) to test improvements to the FES based on results of prior pilot studies. The tested design increased the administration of the survey from every 2 months to monthly and changed the order of two fishing effort questions to improve respondent reporting. Based on the study findings and pending peer review results of the study report and proposed design (anticipated in late summer

2025), the Agency plans to implement an improved FES design.

Calibration Model Background

To assure continuity and comparability of recreational fishing effort estimates through survey design changes, NOAA Fisheries' team of statistical consultants developed a calibration model. This model updates historical estimates produced by the current FES to estimates that would have been produced had the improved design been in place prior to 2026. This updated calibration model incorporates and builds upon the peer-reviewed model developed to calibrate the historical estimate time series from the CHTS to the current FES.

Peer Review and Workshop Objectives

The objective of this peer review is to evaluate the effectiveness and suitability of the proposed calibration model for re-estimating historical estimates of private boat and shore fishing effort. It is a vital step in NOAA Fisheries' commitment to enhancing the quality and reliability of recreational fishing data. Insights gained from the peer review will inform the finalization of the calibration model and guide its application in updating historical effort estimates, ensuring fisheries stock assessment and management continue to be based on statistically robust and consistent catch and effort data. The final peer review report outlining findings and recommendations is anticipated to be completed and submitted to NOAA Fisheries in late fall 2025.

Day 1 of the workshop focuses on technical presentations and discussion regarding objectives of the peer review; the 2024 FES study; background on calibration purpose and needs; and a walkthrough of the updated calibration model methodology, assumptions, and model outputs. In addition, partners and the public will have the opportunity to raise questions and concerns regarding the presented information. Day 2 of the workshop includes a Q&A with the calibration model developer and panel-only sessions for initial model assessment discussions and report planning.

See attached agenda and peer review performance work statement for further information.

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

Dated: August 27, 2025.

Howard Townsend,

Acting Director, Office of Science and Technology, National Marine Fisheries Service.

[FR Doc. 2025–16825 Filed 9–2–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF130]

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 hybrid meeting of its Joint Skate and Monkfish Committees 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 Wednesday, September 17, 2025 at 9 a.m. Webinar registration URL information: *https://nefmc-org.zoom.us/meeting/register/qyN11DUFRp-IM8T0mmwwtA.*

ADDRESSES: This meeting will take place at Hampton Inn, 20 Hotel Drive, South Kingstown, RI 02879, Phone: (401) 788–3500.

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 Joint Skate and Monkfish Committees will meet to discuss Specifications Actions Based on outcomes of the 2025 monkfish and skate data updates and recommendations of the Scientific and Statistical Committee, receive a progress update on developing overfishing limits, acceptable biological catches, and associated specifications. They will review Joint Plan Development Team tasking on monkfish and skate fishery effort and overlaps. The Committees plan to recommend final preferred alternatives to the Councils on: Monkfish Framework 17: Fishing Year (FY) 2026–2028 specifications and defaults for FY 2029 and 2030. Skate Specifications: FY 2026–2027 and defaults for FY 2028–2030. They will receive an overview of the Joint New England and Mid-Atlantic Councils' Alternative Gear-Marking Framework. Discuss Council priorities for monkfish and skate-related work in 2026. They will also review input provided by the Advisory Panels. 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 29, 2025.

Becky J. Curtis,

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

[FR Doc. 2025–16872 Filed 9–2–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD–2025–OS–0474]

U.S. Court of Appeals for the Armed Forces Proposed Rules Changes; Correction

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

ACTION: Notice of proposed changes to the Rules of Practice and Procedure of the United States Court of Appeals for the Armed Forces; correction.

SUMMARY: On August 20, 2025, the DoD published a notice titled U.S. Court of Appeals for the Armed Forces Proposed Rules Changes. Subsequent to publication of the notice, the DoD discovered three typographical errors. This notice corrects these errors. All other information in the August 20, 2025 notice remains the same.

DATES: This correction is effective on September 3, 2025.

FOR FURTHER INFORMATION CONTACT: Malcolm H. Squires, Jr., Clerk of the Court, telephone (202) 761–1448.

SUPPLEMENTARY INFORMATION: On August 20, 2025 (90 FR 40592–40593), the DoD published a notice titled U.S. Court of Appeals for the Armed Forces Proposed Rules Changes.

On page 40593, in the first column, in the third line, ''Apellate'' is changed to read ''Appellate''.

On page 40593, in the first column, in the 14th and 15th lines, ''*The proposed change to Rule 19 would read:*'' is changed to ''*The proposed change to Rule 22 would read:*''.

On page 40593, in the first column, in the 33rd line, ''Apellate'' is changed to read ''Appellate''.

Dated: August 29, 2025.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025–16896 Filed 9–2–25; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD–2025–OS–0021]

Submission for OMB Review; Comment Request

AGENCY: Office of the Under Secretary of Defense for Personnel and Readiness (OUSD(P&R)), Department of Defense (DoD).

ACTION: 30-Day information collection notice.

SUMMARY: The DoD has submitted to 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 October 3, 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: Reserve Component Spouse Survey; OMB Control Number 0704–0653.

Type of Request: Revision.

Number of Respondents: 17,800.

Responses per Respondent: 1.

Annual Responses: 17,800.

Average Burden per Response: 30 minutes.

Annual Burden Hours: 8,900.

Needs and Uses: The Reserve Component Spouse Survey (RCSS) is the primary source for reliable and generalizable survey data on the effects of military life on military spouses and their families and the effectiveness of current programs and policies. The Office of People Analytics will administer the RCSS to Reserve/National Guard spouses of Army, Navy, Marine Corps, Air Force, and Space Force members who are below flag rank. This scientific survey is designed to enhance understanding of how spouse and family resilience impact force readiness and retention and inform the effectiveness of programs and policies under the purview of DoD's Military Community and Family Policy Department. Without this biennial survey, DoD would not have current data to guide limited resources to the appropriate programs, policies, and services related to reserve component spouses, their families and ultimately Service members.

Affected Public: Individuals or households.

Frequency: Biennially.

Respondent's Obligation: Voluntary.

DOD Clearance Officer: Mr. Reginald Lucas.

Dated: August 29, 2025.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025–16903 Filed 9–2–25; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP25–1095–000.
Applicants: DTM Birdsboro Pipeline, LLC.
Description: Compliance filing: Order No. 587–AA Compliance Filing (NAESB 4.0) to be effective 10/1/2025.
Filed Date: 8/27/25.
Accession Number: 20250827–5097.
Comment Date: 5 p.m. ET 9/8/25.

Docket Numbers: RP25–1096–000.
Applicants: Washington 10 Storage Corporation.
Description: Compliance filing: Order No. 587–AA Compliance Filing (NAESB 4.0) to be effective 10/1/2025.
Filed Date: 8/27/25.
Accession Number: 20250827–5100.
Comment Date: 5 p.m. ET 9/8/25.

Docket Numbers: RP25–1097–000.
Applicants: Natural Gas Pipeline Company of America LLC.
Description: 4(d) Rate Filing: Non-Conforming NRAs Filing-Sequent Energy Mgmt. LLC to be effective 10/1/2025.
Filed Date: 8/27/25.
Accession Number: 20250827–5104.
Comment Date: 5 p.m. ET 9/8/25.

Docket Numbers: RP25–1098–000.
Applicants: Northwest Pipeline LLC.
Description: 4(d) Rate Filing: 2025 Winter Fuel Filing to be effective 10/1/2025.
Filed Date: 8/27/25.
Accession Number: 20250827–5107.
Comment Date: 5 p.m. ET 9/8/25.

Docket Numbers: RP25–1099–000.
Applicants: El Paso Natural Gas Company, L.L.C.
Description: 4(d) Rate Filing: Negotiated Rate Agreement Update (Pioneer Sept 2025) to be effective 9/1/2025.
Filed Date: 8/27/25.
Accession Number: 20250827–5109.
Comment Date: 5 p.m. ET 9/8/25.

Docket Numbers: RP25–1100–000.
Applicants: El Paso Natural Gas Company, L.L.C.
Description: 4(d) Rate Filing: Negotiated Rate Agreement Update (Sempra Sept 2025) to be effective 9/1/2025.
Filed Date: 8/27/25.
Accession Number: 20250827–5164.
Comment Date: 5 p.m. ET 9/8/25.

Docket Numbers: RP25–1101–000.
Applicants: Transcontinental Gas Pipe Line Company, LLC.
Description: 4(d) Rate Filing: 2025 ACA Tracker Filing—GSS, LSS, SS–2, and S–2 to be effective 10/1/2025.
Filed Date: 8/28/25.
Accession Number: 20250828–5053.
Comment Date: 5 p.m. ET 9/9/25.

Docket Numbers: RP25–1102–000.
Applicants: Texas Eastern Transmission, LP.
Description: 4(d) Rate Filing: Negotiated Rates—NJR eff 9–1–25 to be effective 9/1/2025.
Filed Date: 8/28/25.
Accession Number: 20250828–5073.
Comment Date: 5 p.m. ET 9/9/25.

Docket Numbers: RP25–1103–000.

Applicants: Columbia Gulf Transmission, LLC.
Description: 4(d) Rate Filing: Capacity Release—Tenaska and Mieco, Eff. 9.1.25 to be effective 9/1/2025.
Filed Date: 8/28/25.
Accession Number: 20250828–5084.
Comment Date: 5 p.m. ET 9/9/25.

Docket Numbers: RP25–1104–000.
Applicants: Millennium Pipeline Company, LLC.
Description: 4(d) Rate Filing: Housekeeping to be effective 10/1/2025.
Filed Date: 8/28/25.
Accession Number: 20250828–5090.
Comment Date: 5 p.m. ET 9/9/25.

Docket Numbers: RP25–1105–000.
Applicants: ANR Pipeline Company.
Description: 4(d) Rate Filing: GEMS to TC eConnects Conversion to be effective 10/1/2025.
Filed Date: 8/28/25.
Accession Number: 20250828–5122.
Comment Date: 5 p.m. ET 9/9/25.

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

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

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

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community 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 28, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–16856 Filed 9–2–25; 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 exempt wholesale generator filings:

Docket Numbers: EG25–508–000.
Applicants: Bell 1 Solar, LLC.
Description: Bell 1 Solar, LLC submits Notice of Self–Certification of Exempt Wholesale Generator Status.
Filed Date: 8/27/25.
Accession Number: 20250827–5157.
Comment Date: 5 p.m. ET 9/17/25.

Docket Numbers: EG25–509–000.
Applicants: Bell 1 Storage LLC.
Description: Bell 1 Storage LLC submits Notice of Self–Certification of Exempt Wholesale Generator Status.
Filed Date: 8/27/25.
Accession Number: 20250827–5158.
Comment Date: 5 p.m. ET 9/17/25.

Docket Numbers: EG25–510–000.
Applicants: Mammoth Central LLC.
Description: Mammoth Central LLC submits Notice of Self–Certification of Exempt Wholesale Generator Status.
Filed Date: 8/27/25.
Accession Number: 20250827–5161.
Comment Date: 5 p.m. ET 9/17/25.

Docket Numbers: EG25–511–000.
Applicants: Mammoth South LLC.
Description: Mammoth South LLC submits Notice of Self–Certification of Exempt Wholesale Generator Status.
Filed Date: 8/27/25.
Accession Number: 20250827–5173.
Comment Date: 5 p.m. ET 9/17/25.

Docket Numbers: EG25–512–000.
Applicants: Mammoth Central II LLC.
Description: Mammoth Central II LLC submits Notice of Self–Certification of Exempt Wholesale Generator Status.
Filed Date: 8/27/25.
Accession Number: 20250827–5179.
Comment Date: 5 p.m. ET 9/17/25.

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

Docket Numbers: ER20–2186–005.
Applicants: Fern Solar LLC.
Description: Compliance filing: Compliance to 5 to be effective 7/30/2025.
Filed Date: 8/28/25.
Accession Number: 20250828–5095.
Comment Date: 5 p.m. ET 9/18/25.

Docket Numbers: ER24–3067–001.
Applicants: Midcontinent Independent System Operator, Inc., Entergy Services, LLC.
Description: Compliance filing: Entergy Arkansas, LLC submits tariff filing per 35: 2025–08–28_Entergy Order 864 ADIT Additional Compliance to be effective 1/27/2020.
Filed Date: 8/28/25.
Accession Number: 20250828–5101.
Comment Date: 5 p.m. ET 9/18/25.

Docket Numbers: ER25–2124–000.
Applicants: Entergy Louisiana, LLC.
Description: Refund Report: ELL–NEEM (Concordia) WDS Agreement Refund Report to be effective N/A.
Filed Date: 8/27/25.
Accession Number: 20250827–5151.
Comment Date: 5 p.m. ET 9/17/25.

Docket Numbers: ER25–2125–000.
Applicants: Entergy Louisiana, LLC.
Description: Refund Report: ELL–NEEM (Point Coupee) WDS Agreement Refund Report to be effective N/A.
Filed Date: 8/27/25.
Accession Number: 20250827–5155.
Comment Date: 5 p.m. ET 9/17/25.

Docket Numbers: ER25–2126–000.
Applicants: Entergy Louisiana, LLC.
Description: Refund Report: ELL–1803 WDS Agreement Refund Report to be effective N/A.
Filed Date: 8/27/25.
Accession Number: 20250827–5156.
Comment Date: 5 p.m. ET 9/17/25.

Docket Numbers: ER25–2682–000.
Applicants: FL Solar 8, LLC.
Description: Report Filing: FL Solar 8 MBR Supplemental Filing to be effective N/A.
Filed Date: 8/25/25.
Accession Number: 20250825–5039.
Comment Date: 5 p.m. ET 9/15/25.

Docket Numbers: ER25–3312–000.
Applicants: PJM Interconnection, L.L.C.
Description: 205(d) Rate Filing: Amendment to ISA and CSA, SA Nos. 7092 & 7093; Queue No. AF1–092 to be effective 10/27/2025.
Filed Date: 8/27/25.
Accession Number: 20250827–5152.
Comment Date: 5 p.m. ET 9/17/25.

Docket Numbers: ER25–3313–000.
Applicants: Westlands Transmission Project Owner, LLC.
Description: 205(d) Rate Filing: Amendment to Cherry TSA, Request for Waivers to be effective 10/1/2025.
Filed Date: 8/28/25.
Accession Number: 20250828–5001.
Comment Date: 5 p.m. ET 9/18/25.

Docket Numbers: ER25–3314–000.
Applicants: Westlands Transmission Project Owner, LLC.
Description: Initial rate filing: TSA Westlands VI Project, Request for Waivers to be effective 10/1/2025.
Filed Date: 8/28/25.
Accession Number: 20250828–5003.
Comment Date: 5 p.m. ET 9/18/25.

Docket Numbers: ER25–3315–000.
Applicants: PJM Interconnection, L.L.C.

Description: 205(d) Rate Filing: Amendment to ISA, Service Agreement No. 6169; Queue No. AC2–195 to be effective 10/28/2025.
Filed Date: 8/28/25.
Accession Number: 20250828–5039.
Comment Date: 5 p.m. ET 9/18/25.

Docket Numbers: ER25–3316–000.
Applicants: Tri-State Generation and Transmission Association, Inc.
Description: 205(d) Rate Filing: High Impact Load Tariff to be effective 10/28/2025.
Filed Date: 8/28/25.
Accession Number: 20250828–5046.
Comment Date: 5 p.m. ET 9/18/25.

Docket Numbers: ER25–3317–000.
Applicants: Midcontinent Independent System Operator, Inc., MidAmerican Energy Company.
Description: 205(d) Rate Filing: MidAmerican Energy Company submits tariff filing per 35.13(a)(2)(iii: 2025–08–28_SA 4545 MidAmerican-MidAmerican E&P (J3107) to be effective 8/26/2025.
Filed Date: 8/28/25.
Accession Number: 20250828–5049.
Comment Date: 5 p.m. ET 9/18/25.

Docket Numbers: ER25–3318–000.
Applicants: PJM Interconnection, L.L.C.
Description: 205(d) Rate Filing: Amendment to ISA, Service Agreement No. 6131; Queue No. AE2–042 to be effective 10/28/2025.
Filed Date: 8/28/25.
Accession Number: 20250828–5051.
Comment Date: 5 p.m. ET 9/18/25.

Docket Numbers: ER25–3319–000.
Applicants: Oregon Clean Energy, LLC.
Description: Tariff Amendment: Cancellation of Market Based Rate Tariff to be effective 12/31/9998.
Filed Date: 8/28/25.
Accession Number: 20250828–5058.
Comment Date: 5 p.m. ET 9/18/25.

Docket Numbers: ER25–3320–000.
Applicants: AEP Texas Inc.
Description: 205(d) Rate Filing: AEPTX–STEC (Cruce) Facilities Development Agreement to be effective 8/12/2025.
Filed Date: 8/28/25.
Accession Number: 20250828–5061.
Comment Date: 5 p.m. ET 9/18/25.

Docket Numbers: ER25–3321–000.
Applicants: Louisville Gas and Electric Company.
Description: 205(d) Rate Filing: LGE and KU Joint Engineering and Procurement Service Agreement FERC No. 29 to be effective 8/18/2025.
Filed Date: 8/28/25.
Accession Number: 20250828–5085.
Comment Date: 5 p.m. ET 9/18/25.

Docket Numbers: ER25–3322–000.
Applicants: Southwest Power Pool, Inc.
Description: 205(d) Rate Filing: Revisions to Allow Multiple Phase One Restudies within DISIS Process to be effective 10/28/2025.
Filed Date: 8/28/25.
Accession Number: 20250828–5087
Comment Date: 5 p.m. ET 9/18/25.

Docket Numbers: ER25–3323–000.
Applicants: Dominion Energy South Carolina, Inc.
Description: 205(d) Rate Filing: SCPSA IA Amendment to be effective 11/1/2025.
Filed Date: 8/28/25.
Accession Number: 20250828–5092.
Comment Date: 5 p.m. ET 9/18/25.

Docket Numbers: ER25–3324–000.
Applicants: PJM Interconnection, L.L.C.
Description: 205(d) Rate Filing: Revisions to Schedule 12-Appendix A, July 2025 RTEP, 30-Day Comment Period to be effective 11/26/2025.
Filed Date: 8/28/25.
Accession Number: 20250828–5104
Comment Date: 5 p.m. ET 9/29/25.

Docket Numbers: ER25–3325–000.
Applicants: Idaho Power Company.
Description: 205(d) Rate Filing: SA #334—NITSA Between IPC and BPA—Fifth Revised Service Agreement to be effective 11/1/2024.
Filed Date: 8/28/25.
Accession Number: 20250828–5107
Comment Date: 5 p.m. ET 9/18/25.

Docket Numbers: ER25–3326–000.
Applicants: Alabama Power Company, Georgia Power Company, Mississippi Power Company.
Description: 205(d) Rate Filing: Alabama Power Company submits tariff filing per 35.13(a)(2)(iii: AMEA NITSA Amendment Filing (Add Tuskegee No. 4 DP) to be effective 7/30/2025.
Filed Date: 8/28/25.
Accession Number: 20250828–5126.
Comment Date: 5 p.m. ET 9/18/25.

Docket Numbers: ER25–3327–000.
Applicants: JERA Americas Energy Services LLC.
Description: Initial Rate Filing: Application for MBR Authorization—JERA AES LLC to be effective 10/27/2025.
Filed Date: 8/28/25.
Accession Number: 20250828–5127.
Comment Date: 5 p.m. ET 9/18/25.

Docket Numbers: ER25–3328–000.
Applicants: Tampa Electric Company.
Description: 205(d) Rate Filing: Section 205 Revised Transmission Depreciation Rates to be effective 1/1/2025.
Filed Date: 8/28/25.
Accession Number: 20250828–5130.
Comment Date: 5 p.m. ET 9/18/25.

Docket Numbers: ER25–3329–000.
Applicants: AEP Texas Inc.
Description: 205(d) Rate Filing: AEPTX-Horse Hollow Wind II First Amended Generation Interconnection Agreement to be effective 8/7/2025.
Filed Date: 8/28/25.
Accession Number: 20250828–5136
Comment Date: 5 p.m. ET 9/18/25.

Docket Numbers: ER25–3330–000.
Applicants: New York Independent System Operator, Inc., New York Transco, LLC.
Description: Tariff Amendment: New York Independent System Operator, Inc. submits tariff filing per 35.15: NY Transco Ntc of Cnclltn: EPCA among NY Transco, ADM Milling Co, & NYISO SA2643 to be effective 10/28/2025.
Filed Date: 8/28/25.
Accession Number: 20250828–5159.
Comment Date: 5 p.m. ET 9/18/25.

Docket Numbers: ER25–3331–000.
Applicants: Southwest Power Pool, Inc.
Description: 205(d) Rate Filing: Revisions to Further Clarify Inappropriate Bidding Strategies Regarding EESLs to be effective 8/31/2025.
Filed Date: 8/28/25.
Accession Number: 20250828–5175.
Comment Date: 5 p.m. ET 9/18/25.

Docket Numbers: ER25–3332–000.
Applicants: Cheyenne Light, Fuel and Power Company.
Description: 205(d) Rate Filing: Filing of LGIAs with TGE Wyoming 225 LLC and TGE Wyoming 222 LLC to be effective 7/31/2025.
Filed Date: 8/28/25.
Accession Number: 20250828–5181.
Comment Date: 5 p.m. ET 9/18/25.

Docket Numbers: ER25–3333–000.
Applicants: New York Independent System Operator, Inc., New York Transco, LLC.
Description: Tariff Amendment: New York Independent System Operator, Inc. submits tariff filing per 35.15: NY Transco Ntc of Cnclltn: EPCA among NY Transco, Holcim, & NYISO SA2617 to be effective 10/28/2025.
Filed Date: 8/28/25.
Accession Number: 20250828–5187.
Comment Date: 5 p.m. ET 9/18/25.

Docket Numbers: ER25–3334–000.
Applicants: City of Anaheim, California.
Description: 205(d) Rate Filing: City of Anaheim TO Tariff and TRR Revisions to be effective 9/1/2025.
Filed Date: 8/28/25.
Accession Number: 20250828–5188.
Comment Date: 5 p.m. ET 9/18/25.

Docket Numbers: ER25–3335–000.

Applicants: Interstate Power and Light Company.

Description: Tariff Amendment: Cancellation of SMEC Wholesale Power Supply Agreement to be effective 7/31/2025.

Filed Date: 8/28/25.

Accession Number: 20250828–5189.

Comment Date: 5 p.m. ET 9/18/25.

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

Docket Numbers: ES25–56–000.

Applicants: AEP Texas Inc.

Description: Supplement to Application Under Section 204 of the Federal Power Act for Authorization to Issue Securities of AEP Texas Inc.

Filed Date: 8/21/25.

Accession Number: 20250821–5153.

Comment Date: 5 p.m. ET 9/2/25.

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 28, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–16857 Filed 9–2–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Western Area Power Administration

2028 Resource Pool—Parker-Davis Project, Proposed Power Allocations

AGENCY: Western Area Power Administration, DOE.

ACTION: Notice of Parker-Davis Project proposed 2028 resource pool power allocations and request for comment.

SUMMARY: Western Area Power Administration (WAPA), a Federal Power Marketing Administration of the Department of Energy (DOE), announces its Parker-Davis Project (P–DP) proposed 2028 resource pool power allocations. WAPA developed the proposed power allocations under its Final 2028 P–DP Power Marketing Plan and Call for 2028 Resource Pool Applications (Final 2028 Plan), published in the **Federal Register** on November 12, 2024. Applications received by the January 31, 2025, deadline were considered for a proposed resource pool power allocation. This notice provides a list of the allottees and seeks comments from the public on the proposed resource pool allocations.

DATES: The comment period on this notice of proposed power allocations begins today and ends October 20, 2025. WAPA will accept comments by email or delivered by common carrier such as U.S. mail. WAPA reserves the right not to consider comments received or postmarked after the close of the comment period.

A single public information and comment forum about the proposed 2028 resource pool power allocations will be held virtually on October 3, 2025, beginning at 1 p.m. MST and concluding when comments are complete, or no later than 4 p.m. MST. Information for the virtual meeting may be found on WAPA's Desert Southwest Region (DSW) website at least 14 days prior to the event at *www.wapa.gov/about-wapa/regions/dsw/pdpremarketing.*

Oral and written comments may be presented at the public comment forum. A transcript of oral comments made at this forum will be available from the court reporter and on DSW's website identified previously. WAPA will accept written comments at any time during the comment period.

After all public comments have been considered, WAPA will publish the P–DP Final 2028 Resource Pool Power Allocations in the **Federal Register**.

ADDRESSES: Submit written comments about the proposed 2028 resource pool power allocations to: Scott R. Lund, Regional Manager, Desert Southwest Region, Western Area Power Administration, P.O. Box 6457, Phoenix, AZ 85005–6457, or email: *pdp-remarketing@wapa.gov.* All documentation developed or retained by WAPA for the purpose of developing the proposed 2028 resource pool power allocations is available for inspection and copying at the DSW Regional Office, located at 615 South 43rd Avenue, Phoenix, Arizona 85009. Many of these documents and supporting information are also available on DSW's website at: *www.wapa.gov/about-wapa/regions/dsw/pdpremarketing.*

FOR FURTHER INFORMATION CONTACT: Jennifer Henn, Power Marketing Advisor, Desert Southwest Region, Western Area Power Administration, phone: (602) 812–2348, or email: *pdp-remarketing@wapa.gov.*

SUPPLEMENTARY INFORMATION:

Background

WAPA published the Final 2028 P–DP Power Marketing Plan (Final 2028 Plan) on November 12, 2024 (89 FR 88999) to define how WAPA will market hydropower from the P–DP beginning October 1, 2028, and ending September 30, 2048. The current marketing plan and contracts expire on September 30, 2028. As part of the Final 2028 Plan, WAPA adjusted each existing preference contractor's Contract Rate of Delivery (CROD) by applying a pro rata share of an anticipated 3,750-kilowatt (kW) capacity increase at Davis Dam Unit 3 and then reduced the adjusted CROD by two percent to create a resource pool. The resulting resource pool included 5,259 kW of summer season capacity, including 748 kW of summer season withdrawable capacity, and 4,041 kW of winter season capacity, including 146 kW of winter season withdrawable capacity, for allocation to new allottees. Allocations from the resource pool were offered to entities using the Eligibility Criteria and Allocation Criteria for Resource Pool Allocations described in the Final 2028 Plan. WAPA would return excess resource pool capacity to existing contractors by pro rata share if necessary. Per the Final 2028 Plan, resource pool applications were due by January 31, 2025.

Proposed 2028 Resource Pool Allocations

In response to the call for resource pool applications, WAPA received four applications for the 2028 resource pool. WAPA used a two-step process to determine proposed power allocations from the 2028 resource pool. First,

WAPA determined which applicants met the Eligibility Criteria as defined in the Final 2028 Plan. Next, WAPA used its discretion to determine the amount of the proposed allocations with consideration given to applicant historical load and consistency with the P–DP 2008 resource pool power allocations (71 FR 40503).

WAPA determined that two of the four applicants did not meet the Eligibility Criteria requirements and therefore were ineligible to receive an allocation. One application came from a preference entity that has an existing Federal hydropower contract with WAPA. Therefore, as addressed in responses to comments in the Final 2028 Plan, it does not qualify for the P–DP 2028 resource pool. The second application came from an entity that does not meet the utility status requirement. Electric utility status means the applicant has responsibility to meet load growth, has a distribution system, and is ready, willing, and able to purchase P–DP Federal power from WAPA on a wholesale basis for resale to retail customers. The applicant does not have a distribution system and, as a result, does not qualify for the P–DP 2028 resource pool.

WAPA is proposing allocations for the two entities that met all Eligibility Criteria requirements. The proposed 2028 resource pool allocations are preliminary and may change based on comments received. After reviewing and considering comments, WAPA will publish a notice of Final 2028 Resource Pool Allocations in the **Federal Register** and respond to comments.

The proposed 2028 resource pool allottees and proposed capacity allocations for firm electric service (FES) are listed in the following table:

Allottees	Proposed Parker-Davis Project post-2028 resource pool capacity allocations					
	Summer			Winter		
	Non-withdrawable FES allocation (kW)	Withdrawable FES allocation (kW)	Total FES allocation (kW)	Non-withdrawable FES allocation (kW)	Withdrawable FES allocation (kW)	Total FES allocation (kW)
Industry Public Utilities	703	304	1,007	936	73	1,009
San Pasqual Band of Indians	703	304	1,007	936	73	1,009
Total 2028 Resource Pool	1,406	608	2,014	1,872	146	2,018

WAPA's proposed resource pool allocations will not use the entire resource pool capacity. After adjusting each existing P–DP contractor's CROD by applying the anticipated 3,750 kW increase in marketable capacity, reducing the adjusted CROD by two percent, and then redistributing remaining resource pool capacity to existing contractors by pro rata share, the net effect to each existing contractor's current CROD would be an increase of approximately 0.67 percent in the summer and approximately 0.87 percent in the winter. The proposed CROD adjustments for existing contractors are posted on DSW's website at *www.wapa.gov/about-wapa/regions/dsw/pdpremarketing.* The existing CROD for Priority Use Power contractors will remain unchanged.

All allocations, including the new resource pool allocations, will be based on P–DP marketable capacity deemed to be available effective October 1, 2028.

Contracting Process

WAPA will apply the principles of the Power Marketing Initiative (PMI) (10 CFR 905.30 through 905.37) to P–DP for the forthcoming marketing period. Energy associated with the new resource pool will be based on a pro rata share of the allottee's seasonal CROD and published in the form of Quarterly Energy, as defined in the Final 2028 Plan.

WAPA solely determines the terms, conditions, rates, or charges of its power contracts. Each allottee is responsible for obtaining transmission arrangements beyond WAPA's system for delivery of Federal power to the allottee's load. WAPA must receive a letter of commitment from each allottee's serving utility or transmission provider by January 31, 2028, confirming the allottee will be able to receive the benefit of WAPA's 2028 resource pool, unless otherwise agreed to in writing by WAPA. Upon request, WAPA may assist an allottee in obtaining transmission arrangements for delivery of power.

Allottees will be required to execute an electric service contract no later than May 31, 2028, unless otherwise agreed to in writing by WAPA. Electric service contracts will be effective upon WAPA's signature, and service will begin on October 1, 2028, and continue through September 30, 2048.

Legal Authorities

The Final 2028 Plan was established under the Department of Energy Organization Act (42 U.S.C. 7101, *et seq.*); the Reclamation Act of June 17, 1902 (ch. 1093, 32 Stat. 388), as amended and supplemented by subsequent enactments, particularly section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)); and other acts specifically applicable to the projects involved. Allocating power from the resource pool falls within the Final 2028 Plan and is covered by this authority.

Regulatory Procedure Requirements

Environmental Compliance

WAPA has determined this proposed action fits within the following categorical exclusions listed in appendix B of 10 CFR part 1021: B4.1 (Contracts, policies, and marketing and allocation plans for electric power) and B4.4 (Power marketing services and activities). Categorically excluded projects and activities do not require preparation of either an environmental impact statement or an environmental assessment.[1] A copy of the categorical exclusion determination is available on WAPA's website under the categorical exclusion 2024 menu at *www.wapa.gov/about-wapa/regions/dsw/environment.*

Determination Under Executive Order 12866

WAPA has an exemption from centralized regulatory review under Executive Order 12866; accordingly, no clearance of this **Federal Register** notice by the Office of Management and Budget is required.

Signing Authority

This document of the Department of Energy was signed on August 28, 2025,

[1] The determination was done in compliance with the National Environmental Policy Act (NEPA) (42 U.S.C. 4321 *et seq.*) and DOE's NEPA Implementing Procedures (10 CFR part 1021).

by Tracey A. LeBeau, Administrator, Western Area Power Administration. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on August 29, 2025.

Jennifer Hartzell,

Alternate Federal Register Liaison Officer, U.S. Department of Energy.

[FR Doc. 2025–16885 Filed 9–2–25; 8:45 am]

BILLING CODE 6450–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0289; FR ID 310634]

Information Collection Being Reviewed by the Federal Communications Commission

AGENCY: Federal Communications Commission.

ACTION: Notice; request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection burden on small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written PRA comments should be submitted on or before November 3, 2025. If you anticipate that you will be submitting comments but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Cathy Williams, FCC, via email *PRA@fcc.gov* and to *Cathy.Williams@fcc.gov.*

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Cathy Williams at (202) 418–2918.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060–0289.

Title: Section 76.601, Performance Tests; § 76.1704, Proof of Performance Test Data;

§ 76.1717, Compliance with Technical Standards.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities, and state, local, or tribal government.

Number of Respondents and Responses: 4,085 respondents, 6,433 responses.

Estimated Time per Response: 0.5 to 70 hours.

Frequency of Response: Recordkeeping requirement, Semi-annual and Triennial reporting requirements; Third party disclosure requirement.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for this collection of information is contained in sections 4(i) and 624(e) of the Communications Act of 1934, as amended.

Total Annual Burden: 166,405 hours.

Total Annual Cost: No cost.

Nature and Extent of Confidentiality: There is no need for confidentiality with this collection of information.

Needs and Uses: 47 CFR 76.601(b) requires the operator of each cable television system that delivers analog signals to conduct performance tests of the analog channels on that system at least twice each calendar year (at intervals not to exceed seven months).

47 CFR 76.1704 requires that proof of performance test required by 47 CFR 76.601 shall be maintained on file at the operator's local business office for at least five years. The test data shall be made available for inspection by the Commission or the local franchiser, upon request. If a signal leakage log is being used to meet proof of performance test recordkeeping requirement in accordance with § 76.601, such a log must be retained for the period specified in 47 CFR 76.601(d). 47 CFR 76.1717 states that an operator shall be prepared to show, on request by an authorized representative of the Commission or the local franchising authority, that the system does, in fact, comply with the technical standards rules in part 76, subpart K.

Federal Communications Commission.

Aleta Bowers,

Information Management Specialist, Office of the Secretary.

[FR Doc. 2025–16807 Filed 9–2–25; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[WC Docket No. 17–97; DA 25–763; FR ID 310677]

Wireline Competition Bureau Seeks Comment on Two Periodic TRACED Act Obligations Regarding STIR/SHAKEN Caller ID Authentication

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: In this document, the Wireline Competition Bureau (Bureau) of the Federal Communications Commission (Commission) seeks comment concerning two recurring statutory obligations under the Telephone Robocall Abuse Criminal Enforcement and Deterrence Act (TRACED Act). First, the Bureau seeks comment on whether the extensions granted by the Commission for implementation of the STIR/SHAKEN caller ID authentication framework should be revised or extended. Second, the Bureau seeks comment to inform the Commission's second triennial assessment of the efficacy of the STIR/SHAKEN caller ID authentication framework as a tool to combat illegal robocalls.

DATES: Comments are due on or before October 3, 2025, and reply comments are due on or before October 20, 2025.

ADDRESSES: Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 CFR 1.415, 1.419, interested parties may file comments and reply comments on or before the dates indicated on the first page of this document. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS).

- *Electronic Filers:* Comments may be filed electronically using the internet by accessing the ECFS: *https://www.fcc.gov/ecfs.*

• *Paper Filers:* Parties who choose to file by paper must file an original and one copy of each filing.

○ Filings can be sent by hand or messenger delivery, by commercial courier, or by the U.S. Postal Service. All filings must be addressed to the Secretary, Federal Communications Commission.

○ Hand-delivered or messenger-delivered paper filings for the Commission's Secretary are accepted between 8:00 a.m. and 4:00 p.m. by the FCC's mailing contractor at 9050 Junction Drive, Annapolis Junction, MD 20701. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.

○ Commercial courier deliveries (any deliveries not by the U.S. Postal Service) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.

○ Filings sent by U.S. Postal Service First-Class Mail, Priority Mail, and Priority Mail Express must be sent to 45 L Street NE, Washington, DC 20554.

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

FOR FURTHER INFORMATION CONTACT: For further information about the *Public Notice,* please contact Janice Gorin, Attorney Advisor, Competition Policy Division, Wireline Competition Bureau, at *Janice.Gorin@fcc.gov.*

SUPPLEMENTARY INFORMATION: This is a summary of the Bureau's *Public Notice,* DA 25–763, in WC Docket No. 17–97, released on August 27, 2025. The complete text of this document is available for download at *https://www.fcc.gov/document/wcb-seeks-comment-two-traced-act-obligations-1.*

Ex Parte Rules. This proceeding shall be treated as a ''permit-but-disclose'' proceeding in accordance with the Commission's *ex parte* rules. Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.,* .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

Synopsis

I. Comments Sought on Stir/Shaken Implementation Extensions

In the TRACED Act, Congress instructed the Commission to ''assess any burdens or barriers'' to the implementation of STIR/SHAKEN that certain providers might face, and ''upon a public finding of undue hardship,'' authorized the Commission to delay STIR/SHAKEN implementation deadlines ''for a reasonable period of time.'' In its initial assessment conducted in 2020 [88 FR 43446–01], the Commission granted three categorical implementation extensions based on undue hardship, and it added a third undue hardship extension in 2023. Pursuant to the TRACED Act, providers also have a continuing extension for the portions of their networks that rely on technology that cannot initiate, maintain, or terminate session internet protocol (SIP) calls. Because this extension was not granted on the basis of undue hardship, we do not address it further in this Public Notice. Additionally, providers that lack control over the network infrastructure necessary to implement STIR/SHAKEN are exempt from implementing STIR/SHAKEN. As this is not an undue hardship extension, we also do not address it further in this Public Notice. Only two such extensions remain for (1) providers that cannot obtain the Service Provider Code (SPC) token necessary to participate in STIR/SHAKEN, and (2) small voice service providers that originate calls via satellite using North American Numbering Plan (NANP) numbers. The extension for services scheduled for section 214 discontinuance expired on June 30, 2022, and the extension for non-facilities-based and facilities-based small voice service providers ended on June 30, 2022, and June 30, 2023, respectively.

The TRACED Act further instructs the Commission to annually ''consider revising or extending'' any extension granted due to undue hardship, including whether an extension remains necessary. To comply, the Commission has directed the Bureau to annually ''reevaluate'' and ''revise or extend'' any such extension ''as necessary.'' As part of this evaluation, the Bureau may lengthen a granted extension and it can also decrease, but not expand, the scope of entities that are entitled to such an extension.

Pursuant to the TRACED Act and section 64.6304(f) of the Commission's rules, we seek comment to enable our annual reevaluation of the remaining STIR/SHAKEN undue hardship implementation extensions. When considering whether a hardship is ''undue'' under the TRACED Act, and whether an extension is for a ''reasonable amount of time,'' the Commission has found it appropriate to balance the hardship of compliance due to ''the burdens and barriers to implementation'' faced by a provider or class of providers with the benefit to the public of implementing STIR/SHAKEN expeditiously. With that in mind, we seek comment on whether the Bureau should revise or extend the two remaining extensions.

Extension for Providers That Cannot Obtain an SPC Token. We seek comment on the extension for providers that cannot obtain an SPC token. To participate in STIR/SHAKEN, a provider must obtain an SPC token through the STIR/SHAKEN governance system. Because access to a token is necessary for participation in STIR/SHAKEN, the Commission initially granted providers unable to obtain a token an indefinite extension until they were able to receive a token. In May 2021, the STIR/SHAKEN Governance Authority revised the Token Access Policy to enable more providers to obtain a token. In its November 2024 *Eighth Caller ID Authentication Report and Order* [90 FR 40241], the Commission required, *inter alia,* that all providers with a STIR/SHAKEN implementation obligation obtain an SPC token from the STIR/

SHAKEN Policy Administrator, but declined to repeal the indefinite SPC token extension.

In its most recent annual evaluation, the Bureau declined to terminate or modify the extension so staff could assess the number of providers still claiming the extension in their most recent Robocall Mitigation Database submissions and the merit of those claims. To supplement this assessment, we seek comment on the types and number of providers that remain unable to obtain a token and the barriers to token access for these providers, in light of the changes to the Token Access Policy. Is there anything that can be done to make tokens available to these providers? Does the extension remain necessary?

Extension for Small Voice Service Providers Originating Calls via Satellite Using NANP Numbers. We seek comment on the Commission's extension for small voice service providers that originate calls via satellite using NANP numbers. The Commission adopted this indefinite extension concluding that the balance of benefits and burdens counseled ''against requiring such providers to implement'' STIR/SHAKEN. We seek comment on the current benefits, burdens, and barriers to STIR/SHAKEN implementation by small voice service providers that originate calls via satellite using NANP numbers. Have these benefits, burdens, and barriers changed since the Commission adopted the extension and if so, how? Do the justifications for the extension still apply? Have any abuses occurred due to this extension, or are any abuses likely to result if the extension is continued? What impact does the extension have on the Commission's longstanding goal of achieving ubiquitous deployment of the STIR/SHAKEN framework? Is it necessary for the extension to remain indefinite, or would it be more appropriate to modify the extension to provide a known end date?

II. Comments Sought on Stir/Shaken Efficacy

Section 4(b)(4) of the TRACED Act directs the Commission to, every three years, ''assess the efficacy of the technologies used for [the] call authentication frameworks'' implemented pursuant to the TRACED Act and ''based on the assessment . . . revise or replace the call authentication frameworks . . . if the Commission determines it is in the public interest to do so.'' The Commission must submit to Congress ''a report on the findings of the assessment'' and any actions taken by the Commission ''to revise or replace the call authentication frameworks.'' Before conducting the assessment under the TRACED Act, the Commission is required to provide public notice and an opportunity to comment. The Commission submitted its first such triennial report to Congress on December 20, 2022, finding that STIR/SHAKEN is effective at authenticating caller ID information. Through this Public Notice, the Bureau seeks comment to inform the Commission's second triennial assessment on the efficacy of STIR/SHAKEN, which remains the only call authentication framework currently implemented pursuant to the TRACED Act.

In the *First Triennial Report,* the Bureau established a standard for conducting its assessment that is based on ''how well [STIR/SHAKEN] effectuates the authentication of caller ID information.'' Although the Bureau considered applying alternative standards, such as STIR/SHAKEN's ''impact on preventing illegally spoofed robocalls, or preventing all illegal robocalls,'' it agreed with the majority of commenters that assessing STIR/SHAKEN under such standards ''would fail to account for the fact that, while a critical tool in protecting consumers from illegal spoofing, the STIR/SHAKEN framework is only one facet of the larger campaign by the Commission and industry to combat illegal robocalls.'' The Bureau seeks comment on whether it should maintain, revise, or replace this standard for its second assessment of the efficacy of STIR/SHAKEN.

In the three years that have passed since the Commission conducted its first triennial assessment, providers have gained more experience implementing the STIR/SHAKEN framework. The Commission has also adopted rules expanding STIR/SHAKEN implementation obligations to cover gateway providers and non-gateway intermediate providers, in addition to voice service providers. Gateway providers were required to implement STIR/SHAKEN by June 30, 2023, and non-gateway intermediate providers that receive unauthenticated calls directly from domestic originating providers were required to authenticate those calls using STIR/SHAKEN as of December 31, 2023. Now, all providers with control over the network infrastructure necessary to authenticate calls are required to implement STIR/SHAKEN for SIP calls unless subject to an exemption or extension. With these developments in mind, we seek comment on how well STIR/SHAKEN effectuates the authentication of caller ID information today. Are there ways STIR/SHAKEN could be more effective at authenticating caller ID information? Do any specific factors limit STIR/SHAKEN's efficacy, and what solutions might resolve these issues? Have there been other developments, such as industry changes or evolution in technologies, that affect the efficacy of STIR/SHAKEN, and how should any such developments be factored into our assessment? Do any commenters believe the Commission should revise STIR/SHAKEN or replace it with a different framework? We also seek comment on the efficacy of STIR/SHAKEN under any alternative standard proposed by commenters.

Federal Communications Commission.

Joseph Calascione,

Chief, Wireline Competition Bureau.

[FR Doc. 2025–16804 Filed 9–2–25; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL MARITIME COMMISSION

[Docket No. 25–24]

Southern International Co., Ltd., Complainant v. Daynamez Group of Companies LLC, Respondent; Notice of Filing of Complaint and Assignment

Notice is given that a complaint has been filed with the Federal Maritime Commission (the ''Commission'') by Southern International Co., Ltd. (the ''Complainant'') against Daynamez Group of Companies LLC (the ''Respondent''). Complainant states that the Commission has subject-matter jurisdiction over the complaint pursuant to 46 U.S.C. 41301 and 46 CFR 502.61(c).

Complainant is a limited liability company and ocean transportation intermediary organized and operating under the laws of Vietnam with its principal place of business located in Ho Chi Minh City, Vietnam.

Complainant identifies Respondent as a limited liability company organized and operating under the laws of the state of Virginia with its principal place of business located in Fairfax, Virginia.

Complainant alleges that Respondent violated 46 U.S.C. 41102(c); 41104(a)(2) and (a)(3); and 41105(1). Complainant alleges these violations arose from Respondent's failure to remit payment to relevant carriers for the shipping of 558 containers contracted by Complainant, repeated misappropriation of funds, and other acts or omissions by Respondent.

An answer to the complaint must be filed with the Commission within 25 days after the date of service.

The full text of the complaint can be found in the Commission's electronic Reading Room at *https://www2.fmc.gov/readingroom/proceeding/25-24/.* This proceeding has been assigned to the Office of Administrative Law Judges. The initial decision of the presiding judge shall be issued by August 31, 2026, and the final decision of the Commission shall be issued by March 15, 2027.

(Authority: 46 U.S.C. 41301; 46 CFR 502.61(c))

Served: August 29, 2025.

David Eng,

Secretary.

[FR Doc. 2025–16862 Filed 9–2–25; 8:45 am]

BILLING CODE 6730–02–P

FEDERAL MARITIME COMMISSION

Notice of Agreements Filed

The Commission hereby gives notice of filing of the following agreements under the Shipping Act of 1984. Interested parties may submit comments, relevant information, or documents regarding the agreements to the Secretary by email at *Secretary@fmc.gov,* or by mail, Federal Maritime Commission, 800 North Capitol Street, Washington, DC 20573. Comments will be most helpful to the Commission if received within 12 days of the date this notice appears in the **Federal Register**, and the Commission requests that comments be submitted within 7 days on agreements that request expedited review. Copies of agreements are available through the Commission's website (*www.fmc.gov*) or by contacting the Office of General Counsel at (202) 523–5740 or *GeneralCounsel@fmc.gov.*

Agreement No.: 010979–069.

Agreement Name: Caribbean Shipowners Association.

Parties: Crowley Caribbean Services LLC; Hybur Ltd.; King Ocean Services Limited, Inc.; Seaboard Marine Ltd.; and Tropical Shipping & Construction Co., Ltd.

Filing Party: Wayne Rohde, Cozen O'Connor.

Synopsis: The Amendment revises Article 3 of the Agreement to delete Seacor Island Lines LLC as a party to the Agreement, updates the addresses of the two other members, and deletes unnecessary information.

Proposed Effective Date: 8/26/2025.

Location: https://www2.fmc.gov/FMC.Agreements.Web/Public/AgreementHistory/1194.

Agreement No.: 011953–015.

Agreement Name: Florida Shipowners Group Agreement.

Parties: Crowley Caribbean Services LLC; Hybur Ltd.; King Ocean Services Limited; Seaboard Marine, Ltd.; and Tropical Shipping & Construction Company Limited, LLC.

Filing Party: Wayne Rohde, Cozen O'Connor.

Synopsis: The Amendment revises Article 10 of the Agreement to change the basis upon which expenses are shared by the parties.

Proposed Effective Date: 10/10/2025.

Location: https://www2.fmc.gov/FMC.Agreements.Web/Public/AgreementHistory/521.

Dated: August 29, 2025.

Jennifer Everling,

Assistant Secretary.

[FR Doc. 2025–16904 Filed 9–2–25; 8:45 am]

BILLING CODE 6730–02–P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of a Savings and Loan Holding Company

The notificants listed below have applied under the Change in Bank Control Act (''Act'') (12 U.S.C. 1817(j)) and of the Board's Regulation LL (12 CFR 238.31) to acquire shares of a savings and loan holding company. The factors that are considered in acting on the notices 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 18, 2025.

A. *Federal Reserve Bank of Philadelphia* (William Spaniel, Senior Vice President) 100 North 6th Street, Philadelphia, Pennsylvania 19105–1521. Comments can also be sent electronically to *Comments.applications@phil.frb.org:*

1. *The Amended and Restated Quaint Oak Bancorp, Inc., Employee Stock Ownership Plan, Southampton, Pennsylvania, John J. Augustine, as co-trustee, Lansdale, Pennsylvania, and Aimee K. Ott, as co-trustee, Newtown, Pennsylvania;* to join the Strong Family Group, a group acting in concert, to retain voting shares of Quaint Oak Bancorp, Inc., and thereby indirectly retain voting shares of Quaint Oak Bank, both of Southampton, Pennsylvania. Aimee K. Ott and John J. Augustine were each previously permitted by the Federal Reserve System to acquire control of voting shares of Quaint Oak Bancorp, Inc.

Board of Governors of the Federal Reserve System.

Erin Cayce,

Assistant Secretary of the Board.

[FR Doc. 2025–16893 Filed 9–2–25; 8:45 am]

BILLING CODE

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 October 3, 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. *Southern Bancorp, Inc., Arkadelphia, Arkansas;* to acquire Ozarks Heritage Financial Group, Inc., Gainesville, Missouri, and thereby indirectly acquire Legacy Bank & Trust Company, Mountain Grove, Missouri.

Board of Governors of the Federal Reserve System.

Erin Cayce,

Assistant Secretary of the Board.

[FR Doc. 2025–16889 Filed 9–2–25; 8:45 am]

BILLING CODE; P

FEDERAL TRADE COMMISSION

[File No. P222100]

HISA Proposed 2026 Budget

AGENCY: Federal Trade Commission.

ACTION: Notice of publication of Horseracing Integrity and Safety Authority 2026 proposed budget; request for public comment.

SUMMARY: The Federal Trade Commission publishes the 2026 proposed budget of the Horseracing Integrity and Safety Authority and seeks public comment on whether the Commission should approve, disapprove, or modify the proposed budget.

DATES: Comments must be filed on or before September 17, 2025.

ADDRESSES: Interested parties may file a comment online or on paper by following the instructions in the Comment Submissions part of the **SUPPLEMENTARY INFORMATION** section. Write ''HISA 2026 Budget, Matter No. P222100'' on your comment and file it online at *https://www.regulations.gov* by following the instructions on the web-based form. If you prefer to file your comment on paper, mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW, Mail Stop H–144 (Annex H), Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT: Sarah Botha (202–326–2036), Special Counsel for HISA, Office of the General Counsel, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580.

SUPPLEMENTARY INFORMATION: The Horseracing Integrity and Safety Act, enacted on December 27, 2020, and amended on December 29, 2022, directs the Federal Trade Commission to oversee the activities of a private, self-regulatory organization called the Horseracing Integrity and Safety Authority (''HISA'' or the ''Authority''). In March 2023, the Commission issued rules setting forth the procedure whereby the Commission approves, disapproves, or modifies the Authority's proposed annual budget. Under these rules, the Authority must first publish a proposed budget on its own website and invite public comments. *See* 16 CFR 1.150(b). Thereafter, the Authority must forward the budget to the Commission, along with all public comments received and an assessment of those comments, and must identify any changes made to the proposed budget in response to the comments received. 16 CFR 1.150(c). The Authority's submission must also include (a) a statement of the vote by the Authority's Board of Directors approving the proposed budget; (b) information about revenues, including how fees are calculated and apportioned; (c) information about expenditures, broken down by program area, *e.g.,* the racetrack safety program, the anti-doping and medication control program, etc.; (d) sufficient information about individual line items for the Authority's Board of Directors to exercise their fiduciary duty of care; and (e) information comparing actual revenues and expenses against the approved budget and explaining variances of greater than 10 percent. *Id.*

After the Authority submits its proposed budget and supporting materials to the Commission, and if the Secretary determines the submission comports with the requirements of the 16 CFR 1.150(c), the Secretary publishes the Authority's proposed budget in the **Federal Register** and invites public comment for a period of 14 days. 16 CFR 1.150(d). After taking into consideration the comments submitted, the Commission either approves or disapproves the budget. 16 CFR 1.151(a). The Commission will approve the proposed budget if ''the Commission determines that, on balance, the proposed budget is consistent with and serves the goals of the Horseracing Integrity and Safety Act in a prudent and cost-effective manner and that its anticipated revenues are sufficient to meet its anticipated expenditures.'' 16 CFR 1.151(c). The Commission may also modify the amount of any line item. 16 CFR 1.151(d).

Request for Comments

On August 1, 2025, the Authority forwarded to the Commission a Notice of Filing of HISA Budget, together with appendices furnishing detailed information pertinent to its 2026 budget proposal (as required by 16 CFR 1.150(c)). The Notice of Filing of HISA Budget is reproduced below. The appendices to which it refers have been collected and reproduced as a supporting document on the docket for this publication at *https://www.regulations.gov.*

The Secretary concluded that the Authority's proposed 2026 budget submission complies with the requirements of 16 CFR 1.150(c), and therefore issues this document and invites comments from the public on the Authority's 2026 budget. Comments should address the decisional criteria set forth in 16 CFR 1.151(c) and whether any line items should be modified. *See* 16 CFR 1.150(d).

Comment Submissions

You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or before September 17, 2025. Write ''HISA 2026 Budget, Matter No. P222100'' on your comment. Your comment—including your name and your State—will be placed on the public record of this proceeding, including the *https://www.regulations.gov* website.

Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we strongly encourage you to submit your comments online. To make sure the Commission considers your online comment, you must file it at *https://www.regulations.gov,* by following the instructions on the web-based form.

If you file your comment on paper, write ''HISA 2026 Budget, Matter No.

P222100'' on your comment and on the envelope, and mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW, Mail Stop H–144 (Annex H), Washington, DC 20580. If possible, please submit your paper comment to the Commission by overnight service.

Because your comment will be placed on the publicly accessible website at *https://www.regulations.gov,* you are solely responsible for making sure your comment does not include any sensitive or confidential information. In particular, your comment should not include any sensitive personal information, such as your or anyone else's Social Security number; date of birth; driver's license number or other State identification number, or foreign country equivalent; passport number; financial account number; or credit or debit card number. You are also solely responsible for making sure your comment does not include any sensitive health information, such as medical records or other individually identifiable health information. In addition, your comment should not include any ''any trade secret or any commercial or financial information . . . which is privileged or confidential.'' 15 U.S.C. 46(f); *see* 16 CFR 4.10(a)(2). In particular, your comment should not include competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

Comments containing material for which confidential treatment is requested must be filed in paper form, must be clearly labeled ''Confidential,'' and must comply with 16 CFR 4.9(c). In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request and must identify the specific portions of the comment to be withheld from the public record. *See* 16 CFR 4.9(c). Your comment will be kept confidential only if the General Counsel grants your request in accordance with the law and the public interest. Once your comment has been posted publicly at *https://www.regulations.gov,* as legally required by 16 CFR 4.9(b), we cannot redact or remove your comment, unless you submit a confidentiality request that meets the requirements for such treatment under 16 CFR 4.9(c), and the General Counsel grants that request.

Visit the *https://www.regulations.gov* to read this document. The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments it receives on or before September 17, 2025. For information on the Commission's privacy policy, including routine uses permitted by the Privacy Act, see *https://www.ftc.gov/site-information/privacy-policy.*

The text that follows is the Notice of Filing of HISA Budget that the Authority submitted to the Commission. The appendices to which it refers have been collected and reproduced as a supporting document on the docket for this publication at *https://www.regulations.gov.*

Notice of Filing of HISA Budget

Pursuant to the Horseracing Integrity and Safety Act of 2020 (the ''Act'') and the Federal Trade Commission's (the ''Commission'') rule on Oversight of the Horseracing Integrity and Safety Authority, notice is hereby given that on August 1, 2025, the Horseracing Integrity and Safety Authority (''HISA'' or the ''Authority'') filed with the Commission the Authority's proposed 2026 budget. This Notice of Filing of the HISA Budget (the ''Notice'') provides the contents of the submission as set forth in 16 CFR part 1 Subpart U.

I. *Information Concerning Rule 1.150(b).* The Authority's proposed 2026 budget was posted on the HISA website (*hisaus.org*) on July 17, 2025 along with an invitation to the public to submit comments to the Authority on any aspect of the proposed budget no later than 12:00 p.m. ET on July 25, 2025. A draft version of the Authority's Notice of Filing of HISA's 2026 Budget was posted on the HISA website on July 22, 2025. The Authority received no comments regarding the proposed budget.

II. *Information Concerning Rule 1.150(c)(1).* The Authority's proposed 2026 budget was approved by its Board of Directors by a vote of 9 to 0 before the proposed budget was posted on the HISA website. After the proposed budget was posted on the HISA website, the Authority discovered some expenses (totaling $117,000) that were inadvertently omitted from the proposed budget. These expenses were added to the final budget circulated to the Board of Directors for approval. No other changes were made to the proposed budget. The final budget was approved by the Board of Directors by a vote of 9 to 0 after the public comment period expired on July 25, 2025. Therefore, the requirements of 15 U.S.C. 3052(f)(1)(C)(iii) and Rule 1.150(c)(1) have been satisfied.

III. *Information Concerning Rule 1.150(c)(2).* In accordance with 15 U.S.C. 3052(f) and using the Methodology for Determining Assessments approved by the Commission, the Authority calculated the following:

- 2026 Assessments by State (attached as Appendix 8).
- 2026 Assessments by Track (attached as Appendix 9).

Appendix 8 and Appendix 9 display the estimated amount required from each State Racing Commission as calculated under the Methodology for Determining Assessments.

The 2026 HISA Budget includes the following revenue line items:

- Racetrack Safety Fines Income—this consists of fines levied for violations of the Racetrack Safety Program.
- ADMC Fines Income—this consists of fines paid for violations of the Anti-Doping and Medication Control Program.
- Lab Test Income—this consists of the money paid to HISA to cover the cost of B Sample testing, claimed horse testing, and clearance testing.
- Interest Income—This consists of interest income from HISA's Money Market Savings account.
- Other Revenue—this consists of payments made by certain racetracks to reimburse HISA for paying for the cost of Racetrack Safety Program compliance (there is an offsetting expense).

Please note that no loans are contemplated to be procured by HISA in 2026.

IV. *Information Concerning Rule 1.150(c)(3).* The Authority's proposed 2026 budget includes the following expense line [7] items:

- *Rule 1.150(c)(3)(i): Racetrack Safety Program.* These expenditures consist primarily of salaries for staff to monitor and implement the Racetrack Safety Program, racetrack surface testing, and vendors and contract employees that support the Racetrack Safety Program.
- *Rule 1.150(c)(3)(ii): Anti-Doping and Medication Control.* Pursuant to 15 U.S.C. 3054(e), the Authority contracted with the Horseracing Integrity and Welfare Unit (''HIWU''), a division of Drug Free Sport (''DFS''), to serve as the independent anti-doping and medication control enforcement organization for Covered Horses, Covered Persons, and Covered Horseraces. HIWU implements the Anti-Doping and Medication Control Program on behalf of the Authority. Expenditures related to this Program include HIWU costs, lab testing, and professional services. Additionally, 15 U.S.C. 3055(e) provides that the Authority ''shall

convene an advisory committee . . . to conduct a study on the use of furosemide on horses during the 48-hour period before the start of a race, including the effect of furosemide on equine health and the integrity of competition and any other matter the Authority considers appropriate.'' The costs of this study are included in the Anti-Doping and Medication Control portion of the proposed 2026 budget.

- *Rule 1.150(c)(3)(iii): Other programmatic expenses.* These expenditures consist primarily of salaries, professional services, and technology to support the Authority's veterinary and technological needs. Additional programmatic expenditures relate to the business and operational components of the Authority and include expenses such as salaries, legal (lawsuits and general), and professional services.
- *Rule 1.150(c)(3)(iv): Repayment of any loans.* This expenditure consists of $0 in repayment of loans.
- *Rule 1.150(c)(3)(v):* No funding shortfall is expected.

V. *Information Concerning Rule 1.150(c)(4).* The Act recognizes that the establishment of a national set of uniform standards for racetrack safety and anti-doping and medication control will enhance the safety and integrity of horseracing. The 2026 budget allows the Authority to continue implementation of the horseracing Anti-Doping and Medication Control Program and the Racetrack Safety Program for Covered Horses, Covered Persons, and Covered Horseraces.

The proposed 2026 HISA Summary budget (Appendix 1) is a compilation of the following departmental budgets: Racetrack Safety (Appendix 2); Veterinary Services (Appendix 3); Anti-Doping and Medication Control (Appendix 4); HIWU (Appendix 5); Technology (Appendix 6); and Administration (Appendix 7). A summary of these departmental budgets is set forth below:

1. The 2026 Racetrack Safety budget (Appendix 2) funds the implementation of the Racetrack Safety Program as set forth in Rule Series 2000 and as originally approved by order of the Commission dated March 3, 2022.[8] The budget consists of the following items:

a. *Salaries/Payroll Taxes/Employee Benefits.* The salaries provide for staffing to support and monitor the Racetrack Safety Program, including those persons necessary to oversee the following components of the Program:

i. Administration
ii. Track Accreditation Services
iii. Stewards' & State Racing Commission Liaison
iv. Jockey Health & Welfare

Salary levels for each position are based on market rates, while Employee Benefits consist primarily of a HISA contribution to cover a portion of employee health insurance and a 401(k) match that is consistent with market practice. The salaries budget provides for six Racetrack Safety employees. As of July 31, 2025, the Racetrack Safety Program has six employees. For all employees of the Authority, the Director of Operations, Research, and Strategy, an individual who does not have a conflict of interest with regard to the hiring of other open positions, reviews and documents compensation based on industry norms for similar positions prior to setting and to offering other open positions. Where needed, the Director of Operations, Research, and Strategy relies upon an outside search agency to help determine compensation for other open positions.

b. *Meetings.* This includes the travel, meals, and materials to support the following annual meetings:

i. Track Superintendents
ii. Racetrack Safety Committee

These meetings are necessary to promote the health and safety of both Covered Horses and Riders.

c. *Travel.* This category covers the travel and meal expenses for all of the employees previously listed in Salaries (section a) of this department (excluding the travel and meal expenses for the Meetings described in section b. and the Track Accreditation Services travel set forth in section h.). Travel to Covered Racetracks by Authority employees is often necessary to ensure that Covered Horseraces are run in accordance with the standards established in HISA's Racetrack Safety Program.

d. *Staff Development.* This consists of the cost to get an employee accredited by the Racing Officials Accreditation Program (ROAP).

e. *Supplies.* This primarily consists of materials to be used in educational and Continuing Education programs provided and overseen by the Racetrack Safety Department. These programs ensure that trainers, jockeys, veterinarians, and stewards are educated in methods and procedures that promote the health and safety of Covered Horses and Riders.

f. *Postage.* This covers the periodic mailing of educational materials such as posters and handbooks.

g. *Professional Services.* Several independent contractors and external service provider companies will partner with HISA on a part-time basis to provide and/or augment services in the following areas:

i. Data Analysis
ii. Research/Testing
iii. Jockey Concussion Tracking
iv. National Medical Director

Pay rates are based on market rates for similar positions. All of these independent contractor relationships will increase the knowledge base and/or education level of participants in Covered Horseraces.

h. *Track Accreditation Services.* Pursuant to 15 U.S.C. 3056 and the Racetrack Safety rules, the Authority is responsible for implementing an evaluation and accreditation program that ensures that Covered Racetracks meet certain safety and performance standards. Both the Act and the Racetrack Safety Program require that tracks be accredited, and the rules mandate site visits to determine the extent of compliance with the rules. The accreditation visits afford HISA staff the ability to conduct an in-depth and in-person review of a racetrack's operations to determine its level of compliance with the Racetrack Safety Program and to provide training on how best to meet ongoing reporting requirements. This category includes the costs of compensating teams of employees and independent contractors to perform these site visits, and the costs of covering the travel and meal expenses for this team.[9] The accreditation site visits are conducted by teams of three to four individuals. The costs included in this category are based on the actual cost of accreditation site visits in 2023, 2024, and 2025.

i. *Racetrack Surface Testing.* This category includes the cost of pre-meet track surface testing of tracks that run Covered Horseraces. Testing is performed to ensure that track surfaces comply with the Racetrack Safety Program. This testing is performed by the Racing Surfaces Testing Laboratory.

2. The 2026 Veterinary Services budget (Appendix 3) ensures that the veterinary care component of the Racetrack Safety Program is effectively implemented and administered nationally.

a. *Salaries/Payroll Taxes/Employee Benefits.* This category contemplates three HISA full-time employees that cover the administration of veterinary rules, compliance with those rules, and veterinary medical records. Salary levels for each position are based on market rates, while Employee Benefits consist primarily of a HISA contribution to cover a portion of employee health insurance and a 401(k) match that is consistent with market practice. As of July 31, 2025, the Veterinary Services department has three employees.

b. *Meetings.* This includes the costs associated with in-person meetings necessary to promote the health and safety of both Covered Horses and Riders.

c. *Travel.* This includes the costs of travel by veterinary employees to racetracks to meet with regulatory veterinarians, attending veterinarians, and other practicing equine veterinarians and their staff. This also includes travel to training seminars and veterinary conferences. Participation by veterinary employees in these meetings and seminars will result in a more effective and efficient program that better meets the needs of HISA's constituents.

d. *Supplies.* This primarily consists of materials to be used in educational and Continuing Education programs provided and overseen by the Veterinary Services department. These programs ensure that trainers, jockeys, veterinarians, and stewards are educated in methods and procedures that promote the health and safety of Covered Horses and Riders.

e. *Professional Services.* Several independent contractors will partner with HISA on a part-time basis to provide and/or augment services in areas including veterinary consulting, data entry, and animal welfare. Pay rates are based on market rates for similar positions. All of these independent contractor relationships will increase the knowledge base and/or education level of veterinarians and other participants in Covered Horseraces.

3. The 2026 Anti-Doping and Medication Control budget (Appendix 4) supports the implementation of the ADMC Protocol. The budget consists of the following items:

a. *Professional Services.* Independent contractors have partnered with HISA on a part-time basis to provide and/or augment services in the following areas:

i. Arbitral Body—this covers the fees to be paid to arbitrators who preside over cases involving equine anti-doping violations.

ii. Independent Adjudication Panel (IAP)—this covers the fees paid to members of the IAP, who hear cases involving equine controlled medication violations.

iii. Furosemide Study—this covers the fees to be paid in 2026 for the Furosemide study that is required by the Act.

b. *HIWU.* As set forth above, the Act requires that HISA contract with an independent enforcement agency to oversee the components of the ADMC Program. HIWU, a division of DFS, was retained by the Authority as the independent enforcement agency. The HIWU line items in the ADMC budget (see Appendices 4 and 5) consist of the following:

i. *Salaries/Payroll Taxes/Employee Benefits.* All HIWU employees are employed by DFS. The salaries account for a staff (expected to total 46 full-time employees) that will carry out all of the responsibilities of the enforcement agency, including those persons necessary to oversee and complete the following components of the program:

1. Testing Operations
2. Testing Strategy
3. Compliance & Policy
4. Collection Personnel Recruitment, Training, & Certification
5. Support Line Management
6. Science
7. Laboratory Accreditation
8. Equine Medical Resources
9. Intelligence & Strategy
10. Investigative Operations
11. Education
12. Communications & Outreach
13. Legal
14. Litigation
15. Results Management
16. Information Technology
17. Human Resources
18. Finance

HIWU shares 7 staff with DFS in the areas of Information Technology, Finance, and Human Resources. This arrangement produces cost savings, obviating the need for HIWU to retain full-time employees to provide these services.

ii. *Rent.* HIWU has procured 3,000 sq. ft. of office space located in Kansas City, Missouri, for its employees. HIWU is paying $32/sq. ft., which is consistent with market rates in the Kansas City area. The cost of basic office equipment is also included in this category.

iii. *Office Expense.* This consists of common office expenses such as utilities and maintenance costs and is based on historical costs for similar businesses.

iv. *Telecommunications.* This consists of the cost of office phones, mobile phone service at $65/month/employee (a commercially reasonable rate), and portable hot-spot wi-fi services to be used in test barns.

v. *Travel.* This is the travel expense necessary for full-time employees to perform functions such as meetings with State Racing Commissions and track associations, training and continuing education sessions with sample collection personnel, conducting investigations, arbitration hearings, laboratory visits, meetings with HISA personnel, and participation in industry meetings and conventions. Travel expenses include airfare, hotel rooms, rental cars, fuel costs, mileage for personal vehicles used for business purposes, parking, and meals. The amounts for each expense component were based on estimated market average costs.

vi. *Supplies.* This consists of drug testing supplies needed for sample collections and sample collection personnel training.

vii. *Professional Services.* This consists largely of consulting fees paid to experts in the areas of:

1. Results Management
2. Investigations and State Racing Commission Relations
3. Laboratory Accreditation

The guidance provided by these subject matter experts will result in a safer sport run on a more level playing field.

viii. *Technology.* This consists of the cost of all software, hardware, licenses and continued technological development needed to perform HIWU's work.

ix. *Insurance.* This expense consists of the cost of all of HIWU's insurance policies, including liability insurance with an Umbrella policy, cyber-risk insurance, property insurance, and workers' compensation insurance.

x. *Resources and Education.* This includes Training and Continuing Education, registration fees for industry conferences, accounting fees for State tax filings, and dues and subscriptions to industry publications. All of these are necessary for HIWU to properly conduct its business.

xi. *Taxes—Other.* Estimated taxes based on historical experience. These taxes are minimal in amount and are commercially reasonable.

xii. *ADMC Collection Costs.* This includes wages paid to sample collection personnel in all States that conduct Covered Horseraces. The wage amounts were initially based on rates paid to sample collection personnel in each State prior to HIWU assuming these sample collection functions and have been adjusted where necessary to reflect rates currently being paid. Additionally, to cover travel expenses specifically related to sample collection, this includes airfare, hotel rooms, rental cars, fuel costs, mileage for personal vehicles used for business purposes, parking, and meals. The amounts for each expense component were based on estimated market average costs.

xiii. *Management Fees.* This is the profit amount to HIWU for administering the program. It is a negotiated amount of 8% of the total expenses incurred for services that HIWU provides directly and 4% for everything else.

c. *Lab Testing.* Once the samples to be tested have been collected by HIWU personnel, they are shipped to a HISA Equine Analytical Laboratory (''HEAL'') accredited laboratory located in the United States. HEAL accredited laboratories have many years of experience in the testing of blood, urine, and hair samples taken from thoroughbred racehorses. HISA and HIWU have conducted negotiations with each of these laboratories in order to ensure that competent testing is performed at the lowest price possible. The HEAL accreditation process and extensive contract negotiations has led to fewer laboratories being utilized for Sample analysis under the ADMC Program, allowing the approved laboratories to spread their fixed costs (salaried employees, testing equipment, etc.) over a larger number of samples, resulting in a lower charge per test.

It is important to note that the ADMC Collection Costs and Lab Testing line items represent 48.21% of the total budget of the Authority.

4. The 2026 Technology budget (Appendix 6) supports the building and development of all IT systems needed to properly and efficiently manage the Racetrack Safety and ADMC programs. The budget consists of the following items:

a. *Salaries/Payroll Taxes/Employee Benefits.* This contemplates ten HISA full-time employees in areas including programming, field support, internal support, external support, project administration, and third-party developer coordination. Salary levels for each position are based on market rates, while Employee Benefits consist primarily of a HISA contribution to cover a portion of employee health insurance and a 401(k) match that is consistent with market practice. As of July 31, 2025, the Technology department has eight employees.

b. *Travel.* This includes the costs of travel by IT employees to racetracks to meet with customers/users, to various locations for HISA meetings, and to training seminars. Participation by IT employees in these meetings and seminars will result in a more efficient program that better meets the needs of the constituents and will ensure alignment between the functionality of the system and the published regulations.

c. *Memberships and Subscriptions.* This consists of the expected costs of Domain Name System fees.

d. *Supplies.* This includes the purchase of laptops for HISA employees, the provision of workstations for those employees located in the Lexington office, and the hardware/software/3rd-party services needed for image processing. These items are necessary for HISA to efficiently perform its duties under the Act.

e. *Technology.* This item includes the costs of cloud computing and other specialized applications that together form the foundation of HISA's technology system. This includes the cost of Palantir, Amazon Web Services, and other vendors relating to the HISA website and technology systems. In order to be as cost-effective as possible, HISA has chosen not to invest in centralized computing assets. This keeps total cost of ownership low and infrastructure stability high, and it enables solution flexibility as HISA is engaged in meeting its mandate.

f. *Professional Services.* This item budgets for outsourced technology delivery provided by third-party system integrators and software factories. Given the need for cost-effective, round-the-clock services, the necessary software and technology systems were procured internationally from development resources in the U.S., Europe, and Asia; this allowed for the implementation of a 24-hour code and test development cycle. This is the most cost-effective method of building and maintaining technology systems/portals to facilitate program reporting to and monitoring by HISA.

5. The 2026 Administration budget (Appendix 7) consists of the general and administrative staff and expenditures that are needed to conduct HISA's business. This budget consists of:

a. *Salaries/Payroll Taxes/Employee Benefits.* This contemplates 13 employees including executive-level personnel (the CEO and CFO) and employees in Legal, Communications, Operations/Compliance, Public Affairs, and Administrative Services. Salary levels for each position are based on market rates, while Employee Benefits consist primarily of a HISA contribution to cover a portion of employee health insurance and a 401(k) match that is consistent with market practice. As of July 31, 2025, 11 employees make up the Administration Department.

b. *Board and Committee Travel.* This consists of travel, hotel, and meal expenses for the one annual board meeting that is held with in-person attendance by the board members.

c. *Rent.* This consists of rent for HISA's main office in Lexington, KY, as well as small office space in Pennsylvania and Virginia.

d. *Phones.* This is the cost of an office phone system in HISA's corporate office, necessary for HISA to conduct its business.

e. *Meetings.* This is the cost of miscellaneous meetings of HISA's corporate staff as are necessary for HISA to conduct its business.

f. *Travel.* This includes airfare, car rental, mileage, and meals for HISA's corporate staff in the course of traveling to Covered Racetracks, industry meetings, HISA meetings (strategic planning summits, board meetings, etc.), and meetings with industry stakeholders. Travel to these events allows HISA's corporate staff to conduct its business more efficiently and to perform its duties under the Act.

g. *Membership and Subscriptions.* This is the cost of professional membership dues and subscription fees. These memberships and subscriptions allow HISA staff to meet with industry stakeholders and carry out its duties under the Act.

h. *Interest Expense.* This is the accrual of interest expense on the outstanding loans and the line of credit.

i. *Bank and Credit Card Fees.* This includes the cost of bank fees and credit card fees. These fees are necessary to efficiently and effectively conduct business.

j. *Supplies.* This includes the cost of office supplies, including printer/copier paper, printer/copier ink and toner, postage, shipping, and other miscellaneous office supplies.

k. *Postage.* This includes the cost of postage and shipping for communications to Covered Persons. While HISA primarily conducts business via electronic communications, U.S. Mail is required where the recipient does not utilize an electronic means of communication.

l. *Licenses and Fees.* This is primarily the cost of a service contract for the copier/printer in HISA's Lexington, KY office.

m. *Accounting Services.* This consists of the cost of a contract bookkeeping service that books accounting entries, produces financial statements, manages and processes Accounts Receivable, manages and processes Accounts Payable, and drafts/files HISA's annual IRS Form 990. Contracting this work out to a company with expertise in these areas is much more cost-effective than if HISA were to hire staff to perform these functions in-house. Additionally, this includes the cost of an annual independent audit of HISA.

n. *Public Relations Services.* This is the cost of a contract public relations service to manage HISA's website, issue press releases, assist with the production and distribution of information to industry stakeholders, and provide continuing education information for industry stakeholders.

The public relations firm that HISA is working with has many years of expertise in P/R for thoroughbred racing enterprises. The firm can perform the aforementioned tasks more efficiently and effectively than if HISA were to hire staff to perform these tasks in-house.

o. *Legal—General and Lawsuits.* This includes the cost of outside legal counsel for the creation, management, and updating of Racetrack Safety and ADMC rules as well as the cost of outside counsel that is working on the various lawsuits in which HISA is a party. Additionally, this includes the cost of outside legal counsel that handles enforcement actions brought under the Racetrack Safety Program. Doing all these tasks requires a decentralized group of lawyers with varied skill sets. At present, it is much more efficient and effective to utilize outside counsel than for HISA to hire a large in-house legal team to handle these issues.

p. *Insurance.* This includes the following insurance policies for HISA:

i. Directors & Officers Policy with Employment Practices Liability Coverage.

ii. Cyber insurance.

iii. General Liability insurance with Terrorism Coverage.

All of these policies were competitively shopped by a broker to get the lowest rate possible.

q. *Payroll Services.* This includes all costs of HISA's relationship with Resource Management, Inc. (RMI), a Professional Employer Organization (PEO). RMI provides Human Resources administration (handbook and policy management resources, new employee onboarding, labor law assistance, etc.), benefits management, compliance services (workers' compensation claims management and annual reporting, unemployment claims management, etc.), and payroll administration (payroll processing, W2 management, vacation tracking, etc.). The relationship with RMI allows these functions to be performed in a more cost-effective manner than if HISA hired employees to perform those functions.

r. *Printing and Publication.* This includes the cost of printing and publishing various educational and communication materials.

s. *Professional Services.* This account consists of:

i. Consulting fees to independent contractors assisting HISA with consulting projects and board and executive functions.

ii. $75,000 contingency fund set aside for unexpected expenses.

These items will ensure that HISA has high-quality employees who are well-trained to properly serve its constituents.

Please note that the 2026 HISA budget contemplates the repayment of $0 of loans; it does not assume that any funding shortfall will be incurred. VI. *Information Concerning Rule 1.150(c)(5).* Attached as Appendix 10 is a comparison of the approved HISA 2025 Budget through June 30, 2025 to actual revenues and expenditures during that same period. A variance has been calculated for each line item, and a narrative explanation has been provided for all variances >10% and at least $100,000.

VII. *Information Concerning Rule 1.150(c)(6).* The Authority received no public comments after posting the proposed budget on its website. Therefore, the Authority did not make any changes to the proposed budget in response to comments received.

HISA's Conclusion

The proposed budget is consistent with and serves the goals of the Act in a prudent and cost-effective manner. The proposed budget allocates the funding necessary for the successful implementation by HISA of the requirements of the Act. The budget has been carefully analyzed and is narrowly tailored to the various regulatory activities of HISA as contemplated by the Act. As demonstrated herein, the anticipated revenues are sufficient to meet its anticipated expenditures.

End Notes

[1] Codified at 15 U.S.C. 3051 through 3060.

[2] Public Law 116–260, 134 Stat. 1182, 3252 (Dec. 27, 2020).

[3] Public Law 117–328, 136 Stat. 4459, 5231 (Dec. 29, 2022).

[4] 88 FR 18034 (Mar. 27, 2023). These rules were amended in February 2024. 89 FR 8530 (Feb. 8, 2024); *see* 16 CFR 1.150—1.152.

[5] 15 U.S.C. 3051 through 3060.

[6] 16 CFR part 1 Subpart U.

[7] The Authority notes that it has adopted and implemented a Conflicts of Interest and Business Ethics Policy (the ''Policy'') which acknowledges that Authority ''[r]epresentatives involved in procurement have a special responsibility to adhere to principles of fair competition in the purchase of products and services by selecting vendors based exclusively on standard commercial considerations, such as quality, cost, availability, service and reputation, and not on the receipt of special favors.'' The Policy requires, among other things, transactions to be supported by appropriate documentation; no entry be made in our books and records that intentionally hides or disguises the nature of any transaction or of any of our liabilities, or misclassifies any transactions as to accounts or accounting periods; HISA Representatives comply with our system of internal controls; no cash or other assets be maintained for any purpose in any unrecorded or ''off-the-books'' fund; no HISA Representative may take or authorize any action that would cause our financial records or financial disclosures to fail to comply with generally accepted accounting principles or other applicable laws, rules, and regulations; and all HISA Representatives must cooperate fully with our finance staff, as well as our independent public accountants and legal counsel, and respond to their questions with candor and provide them with complete and accurate information to help ensure that our records are accurate and complete. Any HISA Representative who becomes aware of any departure from these standards has a responsibility to report his or her knowledge promptly to the CEO or Chair of the Board. A copy of the Policy is available to the public on the Authority's website.

[8] A modification of the Racetrack Safety Rule was approved by the Commission by Order dated June 7, 2024.

[9] In 2023, the HISA Accreditation Team completed accreditation visits at 21 racetracks. In 2024, they completed 22 accreditation site visits. Thus far in 2025, the HISA Accreditation Team has completed accreditation visits at 16 racetracks.

By direction of the Commission.

Joel Christie,

Acting Secretary.

[FR Doc. 2025–16858 Filed 9–2–25; 8:45 am]

BILLING CODE 6750–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS–10666]

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 November 3, 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–10666 Non-Exchange Entities

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:* Reinstatement with change of a previously approved collection; *Title of Information Collection:* Non-Exchange Entities*; Use:* The original information collection request (ICR) that provided the authority for HHS to collect the information necessary for these requests to deviate was titled Non-Exchange Entities (0938–1329) and was approved on 5/23/2017. The original ICR was discontinued on 3/4/2020 due to the concurrent discontinuation of standardized options in the HHS Notice of Benefit and Payment Parameters for 2019; Final Rule (2019 Payment Notice).

The ICR that provided HHS the authority to collect the necessary information to enable web-brokers and issuers using the Classic DE and EDE pathways to submit a request to deviate from the manner in which standardized plan options are differentially displayed on *HealthCare.gov* was reinstated concurrently with the reintroduction of standardized plan option requirements in the HHS Notice of Benefit and Payment Parameters for 2023 Final Rule (2023 Payment Notice). The standardized plan options that were differentially displayed on *HealthCare.gov* and that web-brokers or issuers utilizing the Classic DE and EDE pathways were required to differentially display were updated in the HHS Notice of Benefit and Payment Parameters for 2024 Final Rule (2024 Payment Notice) and HHS Notice of Benefit and Payment Parameters for 2025 Final Rule (2025 Payment Notice). This ICR serves as a formal request to reinstate the data collection with change. *Form Number:* CMS–10666 (OMB control number: 0938–1329)*; Frequency:* Annually; *Affected Public:* Private Sector—Business or other for-profits; *Number of Respondents:* 115*; Number of Responses:* 115*; Total Annual Hours:* 215. (For questions regarding this collection, contact Nikolas Berkobien at (667) 290–9903).

William N. Parham, III,

Director, Division of Information Collections and Regulatory Impacts, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2025–16803 Filed 9–2–25; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2025–N–0008]

General Hospital and Personal Use Devices Panel of the Medical Devices Advisory Committee; Notice of Meeting; Establishment of a Public Docket; Request for Comments

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice; establishment of a public docket; request for comments.

SUMMARY: The Food and Drug Administration (FDA) announces a forthcoming public advisory committee meeting of the General Hospital and Personal Use Devices Panel of the Medical Devices Advisory Committee (the Committee). The general function of the Committee is to provide advice and recommendations to FDA. In addition, the Committee will meet to discuss and provide advice to FDA on devices used in pandemic preparedness and response to satisfy, in part, a requirement under the Food and Drug Omnibus Reform Act of 2022 (FDORA). The meeting will be open to the public. FDA is establishing a docket for public comment.

DATES: The meeting will be held virtually on October 8, 2025, from 9 a.m. to 3:30 p.m. Eastern Time.

ADDRESSES: This meeting will be held, and all meeting participants will be heard, viewed, captioned, and recorded for this advisory committee meeting via an online teleconferencing and/or video conferencing platform. Answers to commonly asked questions about FDA advisory committee meetings may be accessed at: *https://www.fda.gov/AdvisoryCommittees/AboutAdvisoryCommittees/ucm408555.htm.*

FDA is establishing a docket for public comment on this meeting. The docket number is FDA–2025–N–0008. The docket will close on November 10, 2025. Please note that late, untimely filed comments will not be considered. The *https://www.regulations.gov* electronic filing system will accept comments until 11:59 p.m. Eastern Time

at the end of November 10, 2025. Comments received by mail/hand delivery/courier (for written/paper submissions) will be considered timely if they are received on or before that date.

Comments received on or before September 24, 2025, will be provided to the Committee. Comments received after this date will be taken into consideration by FDA. In the event that the meeting is cancelled, FDA will continue to evaluate any relevant applications or information, and consider any comments submitted to the docket, as appropriate.

You may submit comments as follows:

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*
- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

- *Mail/Hand Delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.
- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2025–N–0008 for ''General Hospital and Personal Use Devices Panel of the Medical Devices Advisory Committee; Notice of Meeting; Establishment of a Public Docket; Request for Comments.'' Received comments, those filed in a timely manner (see **ADDRESSES**), will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240–402–7500.

- Confidential Submissions—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' FDA will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov.* Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify the information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf.*

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240–402–7500.

FOR FURTHER INFORMATION CONTACT: Evella Washington, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 2404, Silver Spring, MD 20993–0002, *Evella.Washington@fda.hhs.gov,* 240–447–9160, or FDA Advisory Committee Information Line, 1–800–741–8138 (or 301–443–0572 in the Washington, DC area). A notice in the **Federal Register** about last-minute modifications that impact a previously announced advisory committee meeting cannot always be published quickly enough to provide timely notice. Therefore, you should always check the FDA's website at *https://www.fda.gov/AdvisoryCommittees/default.htm* and scroll down to the appropriate advisory committee meeting link, or call the advisory committee information line to learn about possible modifications before coming to the meeting.

SUPPLEMENTARY INFORMATION: The meeting presentations will be heard, viewed, captioned, and recorded through an online teleconferencing and/or video conferencing platform.

Agenda: On October 8, 2025, the Committee will deliberate and make recommendations on issues related to an emerging technology in the context of medical devices and germicidal ultraviolet (UV) light as a mode of disinfection. FDA is seeking to obtain feedback to improve the total product lifecycle (TPLC) evaluation of UV disinfection devices. This includes (but is not limited to) discussions around manufacturer or end user perspective, performance testing, study design considerations, and antimicrobial stewardship. In addition, the Committee will meet to discuss and provide advice to FDA on devices used in pandemic preparedness and response to satisfy, in part, a requirement under the Food and Drug Omnibus Reform Act of 2022 (FDORA).

FDA intends to make background material available to the public no later than 2 business days before the meeting. If FDA is unable to post the background material on its website prior to the meeting, the background material will be made publicly available on FDA's website at the time of the advisory committee meeting. Background material and the link to the online teleconference and/or video conference meeting will be available at *https://www.fda.gov/AdvisoryCommittees/Calendar/default.htm.* Scroll down to the appropriate advisory committee meeting link.

The meeting will include slide presentations with audio and video components to allow the presentation of materials in a manner that most closely resembles an in-person advisory committee meeting.

Procedure: Interested persons may present data, information, or views, orally or in writing, on issues pending before the Committee. All electronic and written submissions made to the Docket

(see **ADDRESSES**) on or before September 24, 2025, will be provided to the Committee. Oral presentations from the public will be scheduled between approximately 11:30 a.m. and 12:30 p.m. Eastern Time. Those individuals interested in making formal oral presentations should notify the contact person and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, and an indication of the approximate time requested to make their presentation on or before September 18, 2025. Time allotted for each presentation may be limited. If the number of registrants requesting to speak is greater than can be reasonably accommodated during the scheduled open public hearing session, FDA may conduct a lottery to determine the speakers for the scheduled open public hearing session. The contact person will notify interested persons regarding their request to speak by September 22, 2025.

For press inquiries, please contact the HHS Press Room at *www.hhs.gov/press-room/index.html* or 202–690–6343.

FDA welcomes the attendance of the public at its advisory committee meetings and will make every effort to accommodate persons with disabilities. If you require accommodations due to a disability, please contact CDR Daniel Bailey at *daniel.bailey@fda.hhs.gov* at least 7 days in advance of the meeting.

FDA is committed to the orderly conduct of its advisory committee meetings. Please visit our website at *https://www.fda.gov/AdvisoryCommittees/AboutAdvisoryCommittees/ucm111462.htm* for procedures on public conduct during advisory committee meetings.

Notice of this meeting is given under the Federal Advisory Committee Act (5 U.S.C. 1001 *et seq.*). This meeting notice also serves as notice that, pursuant to 21 CFR 10.19, the requirements in 21 CFR 14.22(b), (f), and (g) relating to the location of advisory committee meetings are hereby waived to allow for this meeting to take place using an online meeting platform. This waiver is in the interest of allowing greater transparency and opportunities for public participation, in addition to convenience for advisory committee members, speakers, and guest speakers. The conditions for issuance of a waiver under 21 CFR 10.19 are met.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–16852 Filed 9–2–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2025–P–0441]

Determination That NUTRACORT (Hydrocortisone) Topical Gel, 1%, Was Not Withdrawn From Sale for Reasons of Safety or Effectiveness

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) has determined that NUTRACORT (hydrocortisone) topical gel, 1%, was not withdrawn from sale for reasons of safety or effectiveness. This determination will allow FDA to approve abbreviated new drug applications (ANDAs) for NUTRACORT (hydrocortisone) topical gel, 1%, if all other legal and regulatory requirements are met.

FOR FURTHER INFORMATION CONTACT: Beth Holck, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6280, Silver Spring, MD 20993–0002, 240–402–7133, *Beth.Holck@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: Section 505(j) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 355(j)) allows the submission of an ANDA to market a generic version of a previously approved drug product. To obtain approval, the ANDA applicant must show, among other things, that the generic drug product: (1) has the same active ingredient(s), dosage form, route of administration, strength, conditions of use, and (with certain exceptions) labeling as the listed drug, which is a version of the drug that was previously approved, and (2) is bioequivalent to the listed drug. ANDA applicants do not have to repeat the extensive clinical testing otherwise necessary to gain approval of a new drug application (NDA).

Section 505(j)(7) of the FD&C Act requires FDA to publish a list of all approved drugs. FDA publishes this list as part of the ''Approved Drug Products With Therapeutic Equivalence Evaluations,'' which is known generally as the ''Orange Book.'' Under FDA regulations, drugs are removed from the list if the Agency withdraws or suspends approval of the drug's NDA or ANDA for reasons of safety or effectiveness or if FDA determines that the listed drug was withdrawn from sale for reasons of safety or effectiveness (21 CFR 314.162).

A person may petition the Agency to determine, or the Agency may determine on its own initiative, whether a listed drug was withdrawn from sale for reasons of safety or effectiveness. This determination may be made at any time after the drug has been withdrawn from sale, but must be made prior to approving an ANDA that refers to the listed drug (21 CFR 314.161). FDA may not approve an ANDA that does not refer to a listed drug.

NUTRACORT (hydrocortisone) topical gel, 1%, is the subject of ANDA 084698, held by Healthpoint Ltd., and initially approved on January 6, 1976. NUTRACORT is indicated for relief of the inflammatory and pruritic manifestations of corticosteroid-responsive dermatoses.

In a letter dated August 26, 1993, Galderma Laboratories, Inc., notified FDA that NUTRACORT (hydrocortisone) topical gel, 1%, was being discontinued, and FDA moved the drug product to the ''Discontinued Drug Product List'' section of the Orange Book.

Epstein, Becker & Green, P.C., submitted a citizen petition dated February 17, 2025 (Docket No. FDA–2025–P–0441), under 21 CFR 10.30, requesting that the Agency determine whether NUTRACORT (hydrocortisone) topical gel, 1%, was withdrawn from sale for reasons of safety or effectiveness.

After considering the citizen petition and reviewing Agency records and based on the information we have at this time, FDA has determined under § 314.161 that NUTRACORT (hydrocortisone) topical gel, 1%, was not withdrawn for reasons of safety or effectiveness. The petitioner has identified no data or other information suggesting that NUTRACORT (hydrocortisone) topical gel, 1%, was withdrawn for reasons of safety or effectiveness. We have carefully reviewed our files for records concerning the withdrawal of NUTRACORT (hydrocortisone) topical gel, 1%, from sale. We have also independently evaluated relevant literature and data for possible postmarketing adverse events. We have reviewed the available evidence and determined that this drug product was not withdrawn from sale for reasons of safety or effectiveness.

Accordingly, the Agency will continue to list NUTRACORT (hydrocortisone) topical gel, 1%, in the ''Discontinued Drug Product List'' section of the Orange Book. The ''Discontinued Drug Product List'' delineates, among other items, drug products that have been discontinued

from marketing for reasons other than safety or effectiveness. ANDAs that refer to this drug product may be approved by the Agency as long as they meet all other legal and regulatory requirements for the approval of ANDAs. If FDA determines that labeling for this drug product should be revised to meet current standards, the Agency will advise ANDA applicants to submit such labeling.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–16863 Filed 9–2–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2025–N–0953]

Agency Information Collection Activities; Submission for Office of Management and Budget Review; Comment Request; Export of Medical Devices; Foreign Letters of Approval

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 October 3, 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 0910–0264. 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.

Export of Medical Devices; Foreign Letters Of Approval

OMB Control Number 0910–0264—Extension

Section 801(e)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381(e)(2)) provides for the exportation of an unapproved device under certain circumstances if the exportation is not contrary to the public health and safety and it has the approval of the foreign country to which it is intended for export. Requesters must communicate (either directly or through a business associate in the foreign country) with a representative of the foreign government to which they seek exportation, and written authorization must be obtained from the appropriate office within the foreign government approving the importation of the medical device. An alternative to obtaining written authorization from the foreign government is to accept a notarized certification from a responsible company official in the United States stating that the product is not in conflict with the foreign country's laws. This certification must include a statement acknowledging that the responsible company official making the certification is subject to the provisions of 18 U.S.C. 1001. This statutory provision makes it a criminal offense to make a false or fraudulent statement knowingly and willingly, or make or use a false document, in any manner within the jurisdiction of a department or agency of the United States. The respondents to this collection of information are companies that seek to export medical devices. FDA's estimate of the reporting burden is based on the experience of FDA's medical device program personnel.

In the **Federal Register** of June 16, 2025 (90 FR 25339), 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 [1]

Activity	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours	Total operating and maintenance costs
Foreign letter of approval— 801(e)(2)	36	1	36	2	72	$10,080

[1] There are no capital costs associated with this collection of information.

Based on a review of the information collection since our last request for OMB approval, we have made no adjustments to our burden estimate.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–16850 Filed 9–2–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2025–P–0100]

Agency Information Collection Activities; Submission for Office of Management and Budget Review; Comment Request; Medical Device Accessories

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 October 3, 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 0910–0823. 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, 10 a.m.–12 p.m., 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.

Medical Device Accessories

OMB Control Number 0910–0823—Extension

FDA's guidance document entitled ''Medical Device Accessories—Describing Accessories and Classification Pathways'' (December 2017) (available at *https://www.fda.gov/regulatory-information/search-fda-guidance-documents/medical-device-accessories-describing-accessories-and-classification-pathways*) is intended to provide guidance to industry and FDA staff about the regulation of accessories to medical devices, to describe FDA's policy concerning the classification of accessories, and to discuss the application of this policy to devices that are commonly used as accessories to other medical devices. In addition, the guidance explains what devices FDA generally considers an ''accessory'' and describes the processes under section 513(f)(6) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360c(f)(6)) (FD&C Act) to allow requests for risk- and regulatory control-based classification of accessories.

The FDA Reauthorization Act of 2017 (FDARA) changed how FDA regulates medical device accessories. Specifically, section 707 of FDARA added section 513(f)(6) of the FD&C Act to the statute and requires that FDA, upon request, classify existing and new accessories notwithstanding the classification of any other device with which such accessory is intended to be used. This means that the classification of an accessory may not be the same as its parent device, depending on the risks of the accessory when used as intended and the level of regulatory controls necessary for reasonable assurance of safety and effectiveness of the accessory. Until an accessory is distinctly classified, its existing classification will continue to apply. This provision does not preclude a manufacturer from submitting a De Novo request for an accessory under section 513(f)(2) of the FD&C Act.

Depending on an accessory's regulatory history, there are different submission types, tracking mechanisms, and deadlines:

(1) Existing accessory types are those that have been identified in a classification regulation or granted marketing authorization as part of a 510(k) (section 510(k) of the FD&C Act (21 U.S.C. 360(k), premarket application (PMA) (section 515 of the FD&C Act (21 U.S.C. 360e), or De Novo (section 513(f)(2) of the FD&C Act) request (approved under OMB control numbers 0910–0120, 0910–0231, and 0910–0844, respectively). Manufacturers with marketing authorization for an existing accessory may request appropriate classification through a new stand-alone premarket submission (Existing Accessory Request). Upon request, FDA is required to meet with a manufacturer or importer to discuss the appropriate classification of an existing accessory prior to submitting a written request. Existing Accessory Requests will be initially tracked as ''Q-submissions'' (approved under OMB control number 0910–0756). FDA has a statutory deadline of 85 calendar days to respond to an Existing Accessory Request.

(2) New accessory types are those that have not been granted marketing authorization as part of a 510(k), PMA, or De Novo request. Manufacturers may include new accessories in a 510(k) or PMA with the parent device (New Accessory Request). New Accessory Requests will have the same deadline as the 510(k) or PMA. Therefore, new accessory types should follow the applicable Medical Device User Fee Amendments of 2017 deadline for the parent submission. The decision for New Accessory Requests will be separate from the decision for the marketing application.

For both Existing and New Accessory Requests, manufacturers must request proper classification of their accessory in the submission and include draft special controls, if requesting classification into class II. The processes that we use to classify an accessory will be like those used for De Novo requests. If FDA grants the Accessory Request, FDA must issue an order establishing a new classification regulation for the accessory type. If FDA denies the Accessory Request, FDA must issue a letter with a detailed description and justification for our determination.

In the **Federal Register** of June 16, 2025 (90 FR 25326), 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 [1]

Activity	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours
Existing Accessory Request	10	1	10	40	400
New Accessory Request	5	1	5	40	200
Total					600

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

Based on a review of the information collection since our last request for OMB approval, we have made no adjustments to our burden estimate.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–16853 Filed 9–2–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2025–N–3215]

Agency Information Collection Activities; Submission for Office of Management and Budget Review; Comment Request; FDA Food Safety and Nutrition Survey

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA, the Agency, or we) 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 October 3, 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 0910–0345. 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.

Food Safety and Nutrition Survey

OMB Control Number 0910–0345—Reinstatement

Under section 1003(b)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 393(b)(2)), we are authorized to conduct research relating to foods and to conduct educational and public information programs relating to the safety of the nation's food supply. In the past, FDA has conducted two separate surveys, a Food Safety Survey and a Health and Diet Survey, to measure consumers' knowledge, attitudes, and beliefs about food safety and nutrition issues. These surveys have been conducted every 3 to 5 years since the 1980s. In the **Federal Register** of August 14, 2018 (83 FR 40293), we announced the combination of these two surveys, which will now be the FDA Food Safety and Nutrition Survey (FSANS). Data from FDA's food safety and nutrition surveys have been used to support rulemaking and educational campaigns and to measure progress toward Healthy People 2010, 2020, and 2030 food safety goals. The proposed 2025 FSANS will contain many of the same questions and topics as the previous surveys to facilitate measuring trends in food safety and diet knowledge, attitudes, and behaviors over time. The proposed survey will also be updated to explore emerging consumer food safety and nutrition topics and to expand understanding of previously asked topics.

The 2025 FSANS will be both a paper-and-pencil and web-based survey. Respondents will be contacted by postal mail, using an addressed-based sampling frame. Once contacted, respondents will be encouraged to take the survey online. A paper-and-pencil version of the survey will be mailed to those who do not initially take the web-based version of the survey. One randomly selected adult from each sampled household will be invited to participate in the survey using the Hagen-Collier method.[1] A total of 5,000 respondents will be surveyed. We will sample approximately 25,000 households to offset nonresponding households and ineligible addresses and achieve 5,000 adult respondents. Participation in the survey will be voluntary. Cognitive interviews and a pre-test will be conducted prior to fielding the survey.

Description of Respondents: Respondents to this collection of information are individuals who are adults aged years 18 or older drawn from the 50 states and the District of Columbia.

In the **Federal Register** of July 31, 2024 (89 FR 61457), FDA published a 60-day notice requesting public comment on the proposed collection of information. Although one comment was received, it did not respond to any of the information collection topics solicited under the PRA.

FDA estimates the burden of this collection of information as follows:

TABLE 1—ESTIMATED ANNUAL REPORTING BURDEN [1]

Activity	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours
Cognitive interview screener	75	1	75	0.083 (5 minutes)	6
Cognitive interview	18	1	18	1	18
Pretest	100	1	100	0.33 (20 minutes)	33
Mail survey	5,000	1	5,000	0.33 (20 minutes)	1,650
Total			5,193		1,707

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

FDA's burden estimate is based on the Agency's prior experience with food safety and nutrition surveys. We will use a cognitive interview screener with 75 individuals to recruit prospective interview participants for a total of 18 individuals. We estimate that it will take each screener respondent approximately 5 minutes (0.083 hours) to complete the cognitive interview screener, for a total of 6 hours. We will conduct cognitive interviews with 18

[1] In this method, we randomly select a category based on sex and age (based on the sex-age composition of the household), and then take the adult in that selected category.

participants. We estimate that it will take each participant approximately 1 hour to complete the interview, for a total of 18 hours. Prior to the administration of the surveys, the Agency plans to conduct a pretest to identify and resolve potential survey administration problems. The pretest will be conducted with 100 participants; we estimate that it will take each participant 20 minutes (0.33 hours) for the pretest for a total of 33 hours. We estimate that 5,000 eligible adults will participate in the survey with each taking 20 minutes (0.33 hours), for a total of 1,650 hours. Thus, the total estimated burden is 1,707 hours.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–16849 Filed 9–2–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center For Scientific Review; Notice of Closed Meetings

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

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

Name of Committee: Biological Chemistry and Macromolecular Biophysics Integrated Review Group; Macromolecular Structure and Function A Study Section.

Date: October 7–8, 2025.

Time: 9:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Ian Frederick Thorpe, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 903K, Bethesda, MD 20892, 301–480–8662, *ian.thorpe@nih.gov.*

Name of Committee: Endocrinology, Metabolism, Nutrition and Reproductive Sciences Integrated Review Group; Cellular, Molecular and Integrative Reproduction Study Section.

Date: October 7–8, 2025.

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

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Leslie Mccue Turner, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, 301–480–4962, *leslie.turner@nih.gov.*

Name of Committee: Endocrinology, Metabolism, Nutrition and Reproductive Sciences Integrated Review Group; Human Studies of Diabetes and Obesity Study Section.

Date: October 15–16, 2025.

Time: 9:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Baskaran Thyagarajan, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 800B, Bethesda, MD 20892, 301–594–0331, *baski.thyagarajan@nih.gov.*

Name of Committee: Endocrinology, Metabolism, Nutrition and Reproductive Sciences Integrated Review Group; Integrative and Clinical Endocrinology and Reproduction Study Section.

Date: October 16–17, 2025.

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

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Tori Stone, Ph.D., Scientific Review Officer, Endocrine and Metabolic Systems Review Branch, Center for Scientific Review, National Institutes of Health, Bethesda, MD 20892, 301–594–7549, *tori.stone@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflicts: AD/ADRD- and Aging-Related Outcomes.

Date: October 22, 2025.

Time: 9:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Sue Andersen, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, 301–480–5404, *sue.andersen-navalta@nih.gov.*

Name of Committee: Endocrinology, Metabolism, Nutrition and Reproductive Sciences Integrated Review Group; Nutrition and Metabolism in Health and Disease Study Section.

Date: October 27–28, 2025.

Time: 9:30 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Jonathan Michael Peterson, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, 301–867–5309, *jonathan.peterson@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: August 29, 2025.

Sterlyn H Gibson,

Program Specialist, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–16891 Filed 9–2–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2021–0306]

Policy Letter for Night Watch Monitoring Devices on Small Passenger Vessels, Interim Rule Clarification

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Notice of availability.

SUMMARY: The Coast Guard announces the availability of Office of Engineering and Design Standards (CG–ENG) Policy Letter 02–25, titled ''Watch Monitoring Devices on Small Passenger Vessels, Interim Rule Clarification.'' The policy letter describes how the U.S. Coast Guard will enforce the night watch monitoring device requirements added by the Fire Safety of Small Passenger Vessels interim rule.

DATES: The policy letter announced in this notice was issued on July 29, 2025.

ADDRESSES: Items mentioned as being available in the docket, including CG–ENG Policy Letter 02–25 and the interim rule, can be found on *https://www.regulations.gov.* Search for docket number ''USCG–2021–0306''.

FOR FURTHER INFORMATION CONTACT: For information about this document call or email Lieutenant Commander Shannon Andrew, Office of Engineering and Design Standards (CG–ENG), 202–372–1384, *Shannon.L.Andrew@uscg.mil.*

SUPPLEMENTARY INFORMATION:

Discussion

The Coast Guard announces the availability of CG–ENG Policy Letter 02–25. The new policy clarifies the Coast Guard's interpretation of regulatory changes for night watch monitoring devices promulgated in the interim rule titled, Fire Safety of Small Passenger Vessels, published December 27, 2021 (86 FR 73160).

The interim rule implemented requirements mandated by the Elijah E. Cummings Coast Guard Authorization Act of 2020, which amended title 46 U.S. Code section 3306(n). Section 3306(n) directs the Secretary of Homeland Security to prescribe fire safety regulations for ''covered small passenger vessels,'' defined as small passenger vessels with overnight accommodations for passengers or operating on an oceans or coastwise route, excluding fishing vessels and ferries.

In particular, the interim rule required covered small passenger vessels to meet the requirements in 46 CFR 122.410 and 185.410 for night watch monitoring devices. CG–ENG developed Policy Letter 02–25 to provide clarity and uniformity to the enforcement of those sections.

A copy of CG–ENG Policy Letter 02–25 issued on July 29, 2025 is available in the docket where indicated in the **ADDRESSES** section of this document and on CG–ENG's website, at *https://www.dco.uscg.mil/ENG/Policy.*

This notice is issued under authority of 5 U.S.C. 552(a) and 46 U.S.C. 3306(n).

J.R. Doherty,

Captain, U.S. Coast Guard, Chief, Office of Engineering and Design Standards.

[FR Doc. 2025–16844 Filed 9–2–25; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2025–0656]

Certificate of Alternative Compliance for the M/V FLOR DE MAGA

AGENCY: Coast Guard, DHS.

ACTION: Notification of issuance of a certificate of alternative compliance.

SUMMARY: The Coast Guard announces that the Chief of Prevention Division, Southeast District has issued a certificate of alternative compliance from the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), for the M/V FLOR DE MAGA (O.N. 1345508). We are issuing this notice because its publication is required by statute. Due to the construction and placement of the forward and aft masthead lights, M/V FLOR DE MAGA cannot fully comply with the light provisions of the 72 COLREGS without interfering with the vessel's design and construction. This notification of the issuance of these certificates of alternative compliance promotes the Coast Guard's marine safety mission.

DATES: The Certificate of Alternative Compliance for the M/V FLOR DE MAGA was issued on August 20, 2025.

FOR FURTHER INFORMATION CONTACT: For information or questions about this notice call or email Lieutenant Katherine Yoho, Southeast District Inspections and Investigations Division, U.S. Coast Guard; telephone 305–415–7149, email *Katherine.B.Yoho@uscg.mil.*

SUPPLEMENTARY INFORMATION: The United States is signatory to the International Maritime Organization's International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), as amended. The special construction or purpose of some vessels makes them unable to comply with the light, shape, or sound signal provisions of the 72 COLREGS. Under statutory law, however, specified 72 COLREGS provisions are not applicable to a vessel of special construction or purpose if the Coast Guard determines that the vessel cannot comply fully with those requirements without interfering with the special function of the vessel.[1]

The owner, builder, operator, or agent of a special construction or purpose vessel may apply to the Coast Guard District Office in which the vessel is being built or operated for a determination that compliance with alternative requirements is justified,[2] and the Chief of the Prevention Division would then issue the applicant a certificate of alternative compliance (COAC) if he or she determines that the vessel cannot comply fully with 72 COLREGS light, shape, and sound signal provisions without interference with the vessel's special function.[3] If the Coast Guard issues a COAC, it must publish notice of this action in the **Federal Register**.[4]

The Chief of Prevention Division, Southeast District, U.S. Coast Guard, certifies that the M/V FLOR DE MAGA (O.N. 1345508) is a vessel of special construction or purpose, and that, with respect to the positions of the forward and aft masthead lights, it is not possible to comply fully with the requirements of the provisions enumerated in the 72 COLREGS, without interfering with the normal operation, construction, or design of the vessel's car deck. The Chief of Prevention Division, Southeast District, U.S. Coast Guard, further finds and certifies that the lights are configured in closest possible compliance with the applicable provisions of the 72 COLREGS.[5]

This notice is issued under authority of 33 U.S.C. 1605(c) and 33 CFR 81.18.

Dated: August 20, 2025.

Sarah J. Geoffrion,

Captain, U.S. Coast Guard, Chief, Prevention Division, Southeast Coast Guard District.

[FR Doc. 2025–16843 Filed 9–2–25; 8:45 am]

BILLING CODE 9110–04–P

[1] 33 U.S.C. 1605.

[2] 33 CFR 81.5.

[3] 33 CFR 81.9.

[4] 33 U.S.C. 1605(c) and 33 CFR 81.18.

[5] 33 U.S.C. 1605(a); 33 CFR 81.9.

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket Number USCG–2025–0249]

Imposition of Conditions of Entry for Vessels Arriving to the United States From the Republic of Suriname

AGENCY: Coast Guard, DHS.

ACTION: Notice.

SUMMARY: The Coast Guard announces that it will impose conditions of entry on vessels arriving from the Republic of Suriname. Conditions of entry are intended to protect the United States from vessels arriving from foreign ports or places that have been found to have ineffective antiterrorism measures.

DATES: The policy announced in this notice is effective on September 17, 2025.

FOR FURTHER INFORMATION CONTACT: For information about this document please contact Mr. Edward Munoz, Division Chief of International Port Security Program, USCG, at email *HQS-DG-IPSProgramHQs@uscg.mil* or call 202–372–2122.

SUPPLEMENTARY INFORMATION:

Background and Purpose

The authority for this notice is 5 U.S.C. 552(a), 46 U.S.C. 70110 (''Maritime Transportation Security Act''), and Department of Homeland Security Delegation No. 00170.1(II)(97.f), Revision No. 01.4. As delegated, 46 U.S.C. 70110(a) authorizes the Coast Guard to impose conditions of entry on vessels arriving in U.S. waters

from foreign ports that the Coast Guard has not found to maintain effective antiterrorism measures. The Coast Guard has determined that Suriname does not have effective antiterrorism measures in its ports.

With this notice, the current list of countries assessed and not maintaining effective antiterrorism measures is as follows: Cambodia, Cameroon, Comoros, Cuba, Democratic People's Republic of Korea (North Korea), Equatorial Guinea, Gambia (The), Guinea-Bissau, Iran, Iraq, Libya, Madagascar, Micronesia (Federated States of), Nauru, Nigeria, Sao Tome and Principe, Seychelles, Sudan, Suriname, Syria, Timor-Leste, Venezuela, and Yemen. The current Port Security Advisory is available at: *https://www.dco.uscg.mil/Our-Organization/Assistant-Commandant-for-Prevention-Policy-CG-5P/Inspections-Compliance-CG-5PC-/Domestic-International-Port-Security-Assessments-CG-PSA/International-Port-Security-Program/International-Port-Security-Program-Port-Security-Advisory/.*

Shannon N. Gilreath,

Rear Admiral, Acting Deputy Commandant for Operations, U.S. Coast Guard.

[FR Doc. 2025–16845 Filed 9–2–25; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2025–0656]

Certificate of Alternative Compliance for the M/V LA PRECIOSA

AGENCY: Coast Guard, DHS.

ACTION: Notification of issuance of a certificate of alternative compliance.

SUMMARY: The Coast Guard announces that the Chief of Prevention Division, Southeast District has issued a certificate of alternative compliance from the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), for the M/V LA PRECIOSA (O.N. 1345509). We are issuing this notice because its publication is required by statute. Due to the construction and placement of the forward and aft masthead lights, M/V LA PRECIOSA cannot fully comply with the light provisions of the 72 COLREGS without interfering with the vessel's design and construction. This notification of the issuance of these certificates of alternative compliance promotes the Coast Guard's marine safety mission.

DATES: The Certificate of Alternative Compliance for the M/V LA PRECIOSA was issued on August 20, 2025.

FOR FURTHER INFORMATION CONTACT: For information or questions about this notice call or email Lieutenant Katherine Yoho, Southeast District Inspections and Investigations Division, U.S. Coast Guard; telephone 305–415–7149, email *Katherine.B.Yoho@uscg.mil.*

SUPPLEMENTARY INFORMATION: The United States is signatory to the International Maritime Organization's International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), as amended. The special construction or purpose of some vessels makes them unable to comply with the light, shape, or sound signal provisions of the 72 COLREGS. Under statutory law, however, specified 72 COLREGS provisions are not applicable to a vessel of special construction or purpose if the Coast Guard determines that the vessel cannot comply fully with those requirements without interfering with the special function of the vessel.[1]

The owner, builder, operator, or agent of a special construction or purpose vessel may apply to the Coast Guard District Office in which the vessel is being built or operated for a determination that compliance with alternative requirements is justified,[2] and the Chief of the Prevention Division would then issue the applicant a certificate of alternative compliance (COAC) if he or she determines that the vessel cannot comply fully with 72 COLREGS light, shape, and sound signal provisions without interference with the vessel's special function.[3] If the Coast Guard issues a COAC, it must publish notice of this action in the **Federal Register**.[4]

The Chief of Prevention Division, Southeast District, U.S. Coast Guard, certifies that the M/V LA PRECIOSA (O.N. 1345509) is a vessel of special construction or purpose, and that, with respect to the positions of the forward and aft masthead lights, it is not possible to comply fully with the requirements of the provisions enumerated in the 72 COLREGS, without interfering with the normal operation, construction, or design of the vessel's car deck. The Chief of Prevention Division, Southeast District, U.S. Coast Guard, further finds and certifies that the lights are configured in closest possible compliance with the applicable provisions of the 72 COLREGS.[5]

This notice is issued under authority of 33 U.S.C. 1605(c) and 33 CFR 81.18.

Dated: August 20, 2025.

Sarah J. Geoffrion,

Captain, U.S. Coast Guard, Chief, Prevention Division, Southeast Coast Guard District.

[FR Doc. 2025–16841 Filed 9–2–25; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2025–0656]

Certificate of Alternative Compliance for the M/V ISLA DEL ENCANTO

AGENCY: Coast Guard, DHS.

ACTION: Notification of issuance of a certificate of alternative compliance.

SUMMARY: The Coast Guard announces that the Chief of Prevention Division, Southeast District has issued a certificate of alternative compliance from the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), for the M/V ISLA DEL ENCANTO (O.N. 1345510). We are issuing this notice because its publication is required by statute. Due to the construction and placement of the forward and aft masthead lights, M/V ISLA DEL ENCANTO cannot fully comply with the light provisions of the 72 COLREGS without interfering with the vessel's design and construction. This notification of the issuance of these certificates of alternative compliance promotes the Coast Guard's marine safety mission.

DATES: The Certificate of Alternative Compliance for the M/V ISLA DEL ENCANTO was issued on August 20, 2025.

FOR FURTHER INFORMATION CONTACT: For information or questions about this notice call or email Lieutenant Katherine Yoho, Southeast District Inspections and Investigations Division, U.S. Coast Guard; telephone 305–415–7149, email *Katherine.B.Yoho@uscg.mil.*

SUPPLEMENTARY INFORMATION: The United States is signatory to the International Maritime Organization's International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), as amended. The special construction or purpose of some vessels makes them unable to comply with the light, shape, or sound signal provisions of the 72 COLREGS. Under statutory law,

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[1] 33 U.S.C. 1605.

[2] 33 CFR 81.5.

[3] 33 CFR 81.9.

[4] 33 U.S.C. 1605(c) and 33 CFR 81.18.

[5] 33 U.S.C. 1605(a); 33 CFR 81.9.

however, specified 72 COLREGS provisions are not applicable to a vessel of special construction or purpose if the Coast Guard determines that the vessel cannot comply fully with those requirements without interfering with the special function of the vessel.[1]

The owner, builder, operator, or agent of a special construction or purpose vessel may apply to the Coast Guard District Office in which the vessel is being built or operated for a determination that compliance with alternative requirements is justified,[2] and the Chief of the Prevention Division would then issue the applicant a certificate of alternative compliance (COAC) if he or she determines that the vessel cannot comply fully with 72 COLREGS light, shape, and sound signal provisions without interference with the vessel's special function.[3] If the Coast Guard issues a COAC, it must publish notice of this action in the **Federal Register**.[4]

[1] 33 U.S.C. 1605.

[2] 33 CFR 81.5.

[3] 33 CFR 81.9.

[4] 33 U.S.C. 1605(c) and 33 CFR 81.18.

The Chief of Prevention Division, Southeast District, U.S. Coast Guard, certifies that the M/V ISLA DEL ENCANTO (O.N. 1345510) is a vessel of special construction or purpose, and that, with respect to the positions of the forward and aft masthead lights, it is not possible to comply fully with the requirements of the provisions enumerated in the 72 COLREGS, without interfering with the normal operation, construction, or design of the vessel's car deck. The Chief of Prevention Division, Southeast District, U.S. Coast Guard, further finds and certifies that the lights are configured in closest possible compliance with the applicable provisions of the 72 COLREGS.[5]

This notice is issued under authority of 33 U.S.C. 1605(c) and 33 CFR 81.18.

Dated: August 20, 2025.

Sarah J. Geoffrion,

Captain, U.S. Coast Guard, Chief, Prevention Division, Southeast Coast Guard District.

[FR Doc. 2025–16842 Filed 9–2–25; 8:45 am]

BILLING CODE 9110–04–P

[5] 33 U.S.C. 1605(a); 33 CFR 81.9.

DEPARTMENT OF HOMELAND SECURITY

Agreement Between the Government of the United States of America and the Government of the Republic of Uganda for Cooperation in the Examination of Protection Requests

AGENCY: Department of Homeland Security.

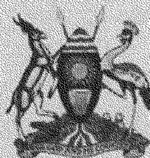
ACTION: Notice of Agreement.

SUMMARY: The Department of Homeland Security is publishing the Agreement Between the Government of the United States of America and the Government of the Republic of Uganda for Cooperation in the Examination of Protection Requests, signed at Kampala on July 29, 2025 (the ''Agreement''). The text of the Agreement is set out below.

Joseph N. Mazzara,

Acting General Counsel, U.S. Department of Homeland Security.

BILLING CODE 9110–9M–P



THE REPUBLIC OF UGANDA

AGREEMENT

BETWEEN

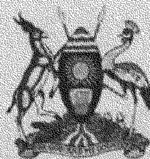
THE GOVERNMENT OF THE UNITED STATES OF AMERICA

AND

THE GOVERNMENT OF THE REPUBLIC OF UGANDA

FOR

COOPERATION IN THE EXAMINATION OF PROTECTION REQUESTS



THE REPUBLIC OF UGANDA

The Government of the United States of America and the Government of the Republic of Uganda, hereinafter referred to individually as a Party or collectively as the Parties,

DESIRING TO ensure the dignified, safe, and timely transfer from the United States of America to the Republic of Uganda of third country nationals present in the United States of America who may seek protection against return to their home country or country of former habitual residence.

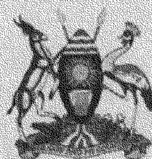
AGREE as follows:

ARTICLE 1

1. The Government of the United States of America shall in its complete discretion propose to the Government of the Republic of Uganda the transfer of third-country nationals present in the United States of America who may seek protection against return to their home country or country of former habitual residence.
2. The Government of the Republic of Uganda shall in its complete discretion consider accepting in whole or in part a proposal made by the Government of the United States of America in accordance with paragraph 1.

ARTICLE 2

Both Parties' actions under this Agreement shall be in accordance with their obligations under the Convention Relating to the Status of Refugees, done at Geneva on July 28, 1951; the Protocol Relating to the Status of Refugees, done at New York on January 31, 1967; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted in New York on December 10, 1984; and any other respective international obligations, national constitutions, laws, regulations, and immigration and visa policies of the Parties, including consideration by the Government of the Republic of Uganda of requests by these third country nationals for asylum, refugee protection, or equivalent temporary protection.



THE REPUBLIC OF UGANDA

ARTICLE 3

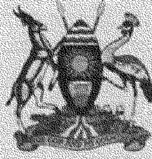
1. The Government of the Republic of Uganda agrees not to return any person transferred to the Republic of Uganda by the Government of the United States of America to their home country or country of former habitual residence until a final decision has been made regarding any pending protection claims.
2. The Government of the Republic of Uganda shall determine a procedure, consistent with its relevant obligations, to resolve the status of those who may abandon pending claims or fail to seek protection.
3. The Government of the United States of America shall not transfer unaccompanied minors pursuant to this Agreement.

ARTICLE 4

1. The Parties shall develop operating procedures to assist with the implementation of this Agreement.
2. In the event of a conflict of interpretation or implementation, the Parties commit to resolve such matters through dialogue or diplomatic channels.

ARTICLE 5

1. This Agreement shall enter into force upon signature.
2. Either Party may terminate or suspend this Agreement at any time by notifying the other Party in writing.
3. The Parties may agree in writing to any amendments to this Agreement, and such amendments shall constitute an integral part of this Agreement, consistent with any applicable legal requirements.
4. Nothing set forth in this Agreement shall be interpreted in such a way that commits the disbursement or allocation of funds by the Parties. The implementation of this Agreement shall be subject to the availability of funds and technical capacity of each Party.



THE REPUBLIC OF UGANDA

IN WITNESS WHEREOF, the undersigned, duly authorized by their respective governments, have signed this Agreement in duplicate in the English language.

DONE at KAMPALA on this.......29th...... day of July, 2025.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA	FOR THE GOVERNMENT OF THE REPUBLIC OF UGANDA
....	....

[FR Doc. 2025–16808 Filed 9–2–25; 8:45 am]

BILLING CODE 9110–9M–C

DEPARTMENT OF HOMELAND SECURITY

U.S. Immigration and Customs Enforcement

[OMB Control Number 1653–0038]

Agency Information Collection Activities: Student and Exchange Visitor Information System (SEVIS); Revision of a Currently Approved Collection

AGENCY: U.S. Immigration and Customs Enforcement, Department of Homeland Security.

ACTION: 60-Day notice.

SUMMARY: The Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE) will be submitting 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. The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies.

DATES: Comments are encouraged and will be accepted until November 3, 2025.

ADDRESSES: All submissions received must include the OMB Control Number 1653–0038 in the body of the correspondence, the agency name and Docket ID ICEB–2021–0001. All comments received will be posted without change to *http://www.regulations.gov,* including any personal information provided.

(1) *Online.* Submit comments via the Federal eRulemaking Portal website at *http://www.regulations.gov* under eDocket ID number ICEB–2021–0001.

FOR FURTHER INFORMATION CONTACT: If you have questions related to this collection, call or email Sharon Synder, Student and Exchange Visitor Program, 703–603–3400 or 1–800–892–4829, email: *sevp@ice.dhs.gov.*

SUPPLEMENTARY INFORMATION:

Comments

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information 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:* Student and Exchange Visitor Information System (SEVIS).

(3) *Agency form number, if any, and the applicable component of the Department of Homeland Security sponsoring the collection:* Form I–17 and Form I–20; U.S. Immigration and Customs Enforcement.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary:* Nonprofit institutions and individuals or households. SEVIS is an internet-based data entry, collection, and reporting system. It collects information on SEVP-certified schools via the Form I–17, ''Petition for Approval of School for Attendance by Nonimmigrant Student,'' and collects information on the F and M nonimmigrant students that the SEVP-certified schools admit into their programs of study via the Form I–20, ''Certificate of Eligibility for Nonimmigrant (F–1) Student Status—For Academic and Language Students'' and ''Certificate of Eligibility for Nonimmigrant (M–1) Student Status—For Vocational Students.''

The Form I–17 will be revised to collect previous school codes associated with the school and/or owner, school website links, emergency contact information for the school, and additional information on school ownership, as well as to remove the fax number field, which is now obsolete. SEVP will be redesigning the ''Program of Study'' page on the Form I–17 to better capture the educational level, degree, program of study, time necessary to complete the program, assigned Classification of Instructional Programs (CIP) code, and mode of instruction. In addition, SEVP will require schools to indicate whether a program of study is conducted predominantly online, in a hybrid or low residency format and whether Curricular Practical Training is a component of a program of study. Other updates to the Form I–17 will allow DSOs to select ''weeks'' as an academic term length, require DSOs to provide separate numbers for domestic and international students when listing the ''Average Annual Number of Students,'' allow DSOs to list annual costs by program of study or degree level, allow DSOs to provide additional contact information, require DSOs to indicate whether they work full-time or part-time, and change a DSO's ''Title'' to ''Job Title,'' to better collect information on their position at the school.

The Form I–20 will be revised to collect contact and other information on legal Guardians of minor F and M students, the date of graduation/degree awarded, clarifying details on the source and type of the financial support for the F and M student, as well information to indicate whether a student is engaging in online education, on-campus employment, and whether any employment or training is being conducted on-site or remotely.

(5) *An estimate of the total number of respondents:* The estimated total number of respondents for the information requests Form I–17 and Form I–20 is 20,890.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total estimated annual hour burden associated with this collection of information in hours is 815,505 hours. There is an additional one-time burden in the first year of this collection of 6,778 hours.

Dated: August 29, 2025.

Scott Elmore,

PRA Clearance Officer, U.S. Immigrations and Customs Enforcement, Department of Homeland Security.

[FR Doc. 2025–16875 Filed 9–2–25; 8:45 am]

BILLING CODE P

DEPARTMENT OF HOMELAND SECURITY

U.S. Immigration and Customs Enforcement

[OMB Control Number 1653–0037]

Agency Information Collection Activities; Extension, Without Change, of a Currently Approved Collection: Form No. I–515A; Notice to Student or Exchange Visitor

AGENCY: U.S. Immigration and Customs Enforcement, Department of Homeland Security.

ACTION: 60-Day notice.

SUMMARY: In accordance with the Paperwork Reduction Act (PRA) of 1995, the Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE) will submit the following Information Collection Request (ICR) to the Office of Management and Budget (OMB) for review and clearance.

DATES: Comments are encouraged and will be accepted until November 3, 2025.

ADDRESSES: All submissions received must include the OMB Control Number 1653–0037 in the body of the correspondence, the agency name and Docket ID ICEB–2009–0004. All comments received will be posted without change to *http://www.regulations.gov,* including any personal information provided.

(1) *Online.* Submit comments via the Federal eRulemaking Portal website at *http://www.regulations.gov* under e-Docket ID number ICEB–2009–0004.

FOR FURTHER INFORMATION CONTACT: If you have questions related to this collection, call or email Sharon Snyder, Student and Exchange Visitor Program (SEVP), 703–603–3400 or 1–800–892–4829, email: *sevp@ice.dhs.gov.*

SUPPLEMENTARY INFORMATION:

Comments

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information 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:* Extension of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Notice to Student or Exchange Visitor.

(3) *Agency form number, if any, and the applicable component of the Department of Homeland Security sponsoring the collection:* Form I–515A; U.S. Immigration and Customs Enforcement.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract Primary:* Individuals or Households. When an academic student (F–1), vocational student (M–1), exchange visitor (J–1), or dependent (F–2, M–2 or J–2) is admitted to the United States as a nonimmigrant alien under section 101(a)(15) of the Immigration and Nationality Act, he or she is required to have certain documentation. If the student or exchange visitor or dependent is missing documentation, he or she is provided with the Form I–515A, ''Notice to Student or Exchange Visitor.'' The Form I–515A provides a list of the documentation the student or exchange visitor or dependent will need to provide to the Department of Homeland Security (DHS), Student and Exchange Visitor Program (SEVP) office within 30 days of admission.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 1,200 respondents at 25 minutes (.416 hours) per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 500 annual burden hours.

Dated: August 29, 2025.

Scott Elmore,

PRA Clearance Officer.

[FR Doc. 2025–16867 Filed 9–2–25; 8:45 am]

BILLING CODE 9111–28–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Immigration and Customs Enforcement

[OMB Control Number 1653–0022]

Agency Information Collection Activities; Extension of a Currently Approved Collection: Immigration Bond

AGENCY: U.S. Immigration and Customs Enforcement, Department of Homeland Security.

ACTION: 60-Day notice.

SUMMARY: In accordance with the Paperwork Reduction Act (PRA) of 1995, the Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE) will submit the following Information Collection Request (ICR) to the Office of Management and Budget (OMB) for review and clearance.

DATES: Comments are encouraged and will be accepted until November 3, 2025.

ADDRESSES: All submissions received must include the OMB Control Number 1653–0022 in the body of the correspondence, the agency name and Docket ID ICEB–2019–0008. All comments received will be posted without change to *http://www.regulations.gov,* including any personal information provided. Submit comments via the Federal eRulemaking Portal website at *http://www.regulations.gov* under e-Docket ID number ICEB–2019–0008.

FOR FURTHER INFORMATION CONTACT: If you have questions related to this revision, please contact: Carl Albritton, ERO Bond Management Unit, (202) 732–5918, *carl.a.albritton@ice.dhs.gov.* (This is not a toll-free number. Comments are not accepted via telephone message).

SUPPLEMENTARY INFORMATION:

Comment

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information 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:* Extension of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Immigration Bond.

(3) *Agency form number, if any, and the applicable component of the Department of Homeland Security*

sponsoring the collection: I–352; U.S. Immigration and Customs Enforcement.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary:* Individual or Households; Business or other for-profit. The data collected on this collection instrument is used by ICE to ensure that the person or company posting the bond is aware of the duties and responsibilities associated with the bond. The collection instrument serves the purpose of instruction in the completion of the form, together with an explanation of the terms and conditions of the bond. Sureties have the capability of accessing, completing, and submitting delivery, voluntary departure, and order of supervision bonds electronically through ICE's eBonds system which encompasses the I–352, while individuals are still required to complete the bond form manually and sureties will be required to submit maintenance of status and departure bonds manually.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 16,505 responses at 30 minutes (.50 hours) per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total estimated annual hour burden is 8,253 hours.

Dated: August 29, 2025.

Scott Elmore,

PRA Clearance Officer, U.S. Immigrations and Customs Enforcement, Department of Homeland Security.

[FR Doc. 2025–16854 Filed 9–2–25; 8:45 am]

BILLING CODE 9111–28–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[OMB Control Number 1615–NEW]

Agency Information Collection Activities; New Collection: Generic Clearance for the Collection of Certain Information on Immigration Forms

AGENCY: U.S. Citizenship and Immigration Services, Department of Homeland Security.

ACTION: 30-Day notice.

SUMMARY: The Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS) will be submitting 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. The purpose of this notice is to allow an additional 30 days for public comments.

DATES: Comments are encouraged and will be accepted until October 3, 2025.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, must be submitted via the Federal eRulemaking Portal website at *http://www.regulations.gov* under e-Docket ID number USCIS–2025–0002. All submissions received must include the OMB Control Number 1615–NEW in the body of the letter, the agency name and Docket ID USCIS–2025–0002.

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 *http://www.uscis.gov,* or call the USCIS Contact Center at 800–375–5283 (TTY 800–767–1833).

SUPPLEMENTARY INFORMATION:

Comments

The information collection notice was previously published in the **Federal Register** on March 3, 2025, at 90 FR 11054, allowing for a 60-day public comment period. USCIS received 135 comments in connection with the 60-day notice.

You may access the information collection instrument with instructions, or additional information by visiting the Federal eRulemaking Portal site at: *http://www.regulations.gov* and enter USCIS–2025–0002 in the search box. Comments must be submitted in English, or an English translation must be provided. The comments submitted to USCIS via this method are visible to the Office of Management and Budget and comply with the requirements of 5 CFR 1320.12(c). All submissions will be posted, without change, to the Federal eRulemaking Portal at *http://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 *http://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.

Background

E.O. 14161, ''Protecting the United States from Foreign Terrorists and Other National Security and Public Safety Threats,'' directs implementation of uniform vetting standards and necessitates the collection of all information necessary for a rigorous vetting and screening of all grounds of inadmissibility or bases for the denial of immigration-related benefits. *See* 90 FR 8451 (Jan. 20, 2025). Execution of the E.O. requires U.S. Citizenship and Immigration Services (USCIS) to collect standard data on immigration forms and/or information collection systems. This data will be collected from certain populations of individuals on applications for immigration-related benefits and is necessary for the enhanced identity verification, vetting, and national security screening and inspection conducted by USCIS and required under the E.O.

This collection of information is necessary to comply with section 2 of the E.O. to establish screening and vetting standards and procedures to enable USCIS to assess an alien's eligibility to receive an immigration-related benefit from USCIS. This data collection is also used to validate an

applicant's identity and to help determine whether such grant of a benefit poses a security or public-safety threat to the United States.

USCIS will collect biographic information on immigration information collection instruments and systems. USCIS will update its forms and systems to collect additional information from individuals who seek admissibility or other benefits when that information is not already collected.

New Information To Be Collected

U.S. Government departments and agencies involved in screening and vetting, to include USCIS, identified 24 data elements that would constitute a new baseline threshold of data to be collected for identity verification and national security vetting. For USCIS, these data elements will be added to certain immigration benefit request forms where the information is not already collected. The 24 core data elements are as follows:

The following seven (7) data elements are biographic identifiers used to help USCIS confirm both an individual's identity as it relates to the submitted application and to other records. These biographic identifiers are also used by USCIS and screening partners to help confirm or disprove an association between an applicant and information of interest and the strength of that association in the context of the underlying information.

1. Name
2. Alias(es)
3. Sex
4. Date of Birth
5. City/State/Province and Country of Birth
6. Country/Countries of Citizenship
7. Country of Residence

The following data elements are a unique numeric identifier issued to a single individual that USCIS uses to help confirm both a person's identity and for DHS records. They are also used by USCIS and screening partners to help find, confirm, or disprove an association between an applicant, the strength of that association, or to provide other information about the individual that may be important in the adjudication. Applicants will be asked to provide current passport/travel/national identity document information, country of issuance, issue date, and expiration date, as applicable. Other USCIS forms request more information on passports or travel documents to include expired documents and passports containing a U.S. visa. The questions related to passport information are requested depending on benefit eligibility and national security needs. If additional information is needed for this data element, USCIS will revise the applicable OMB approved information collection under the form's control number and not add the additional questions using this generic approval.

8. Passport/Travel Document or National ID
   1. Country of issuance
   2. Issue date
   3. Expiration date

The following 16 data elements are used by USCIS (1) to provide official correspondence to an applicant, and/or (2) as secondary data elements to help confirm a subject's identity as it relates to the submitted application and to other records, and/or (3) to, internally and with screening partners, help confirm or disprove an association between an applicant and information of interest, and the strength of that association in the context of the underlying information.

9. Telephone Number(s) used in the last five (5) years, including dates used
10. Email address(es) used in the last ten (10) years
11. U.S. Address: Residence or Destination, city, street
12. U.S. Address: Residence or Destination, state/province
13. Foreign Address city, street
14. Foreign Address state/province
15. Point of Contact Name (U.S. or other)
16. Point of Contact Telephone Number
17. Point of Contact Email Address
18. Family Member Names (parent, spouse, siblings, and children)
19. Family Member Telephone Numbers (parent, spouse, siblings, and children) used in the last five (5) years
20. Family Member Date(s) of Birth
21. Family Member Place(s) of Birth
22. Family Member Residence(s)
23. Business Telephone Number(s) used in the last five (5) years
24. Business Email Address(es) used in the last ten (10) years

Programs Affected, OMB Control Numbers

- OMB No. 1615–0052—Form N–400, Application for Naturalization
- OMB No. 1615–0013—Form I–131, Application for Travel Document
- OMB No. 1615–0017—Form I–192, Application for Advance Permission to Enter as a Nonimmigrant
- OMB No. 1615–0023—Form I–485, Application to Register Permanent Residence or Adjust Status
- OMB No. 1615–0067—Form I–589, Application for Asylum and for Withholding of Removal
- OMB No. 1615–0068—Form I–590, Registration for Classification as Refugee
- OMB No. 1615–0037—Form I–730, Refugee/Asylee Relative Petition
- OMB No. 1615–0038 –Form I–751, Petition to Remove Conditions on Residence
- OMB No. 1615–0045—Form I–829, Petition by Entrepreneur to Remove Conditions on Permanent Resident Status

Applicant information is collected to maintain a record of persons applying for specific immigration benefits, and to help determine whether these applicants are eligible to receive the benefits for which they are applying. The information provided through USCIS forms is also analyzed—along with other information that the Secretary of Homeland Security determines is necessary, including information about other persons included on the USCIS forms—against various security and law enforcement databases to identify those applicants who may pose a security or public-safety risk to the United States.

Overview of This Information Collection

(1) *Type of Information Collection Request:* New Collection; Revision of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Generic Clearance for the Collection of Certain Information on Immigration Forms.

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* GC–2025–0002; USCIS.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary:* Individuals or households. E.O. 14161, ''Protecting the United States from Foreign Terrorists and Other National Security and Public Safety Threats,'' directs implementation of uniform vetting standards and necessitates collection of all information necessary for a rigorous vetting and screening of all grounds of inadmissibility or bases for the denial of immigration-related benefits. Execution of the E.O. requires U.S. Citizenship and Immigration Services (USCIS) to collect standard data on immigration forms and/or information collection systems. This data will be collected from certain populations of individuals on applications for immigration-related benefits and is necessary for the enhanced identity verification, vetting and national security screening, and inspection conducted by USCIS and required under the E.O.

(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 annual respondents for the information collection N–400 is 909,700 and the estimated hour burden per response is 3.77 hours.
- The estimated total number of annual respondents for the information collection I–131 is 1,006,844 and the estimated hour burden per response is 3.77 hours.
- The estimated total number of annual respondents for the information collection I–192 is 68,050 and the estimated hour burden per response is 3.78 hours.
- The estimated total number of annual respondents for the information collection I–485 is 1,060,585 and the estimated hour burden per response is 3.73 hours.
- The estimated total number of annual respondents for the information collection I–589 is 203,379 and the estimated hour burden per response is 3.93 hours.
- The estimated total number of annual respondents for the information collection I–590 is 53,100 and the estimated hour burden per response is 3.77 hours.
- The estimated total number of annual respondents for the information collection I–730 is 13,000 and the estimated hour burden per response is 4.27 hours.
- The estimated total number of annual respondents for the information collection I–751 is 153,000 and the estimated hour burden per response is 3.77 hours.
- The estimated total number of annual respondents for the information collection I–829 is 1,010 and the estimated hour burden per response is 3.80 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 13,074,206 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 $0. No additional costs to the public are anticipated due to this action. Any costs to the respondents associated with the specific form filed are captured in those approved collections.

Dated: August 8, 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. 2025–16824 Filed 9–2–25; 8:45 am]

BILLING CODE 9111–97–P

INTER-AMERICAN FOUNDATION

Guidance on Referrals for Potential Criminal Enforcement

AGENCY: Inter-American Foundation.

ACTION: Notice.

SUMMARY: On May 9, 2025, the President signed Executive Order (E.O.) 14294, Fighting Overcriminalization in Federal Regulations. Section 7 of the Executive Order requires each agency to publish guidance in the **Federal Register** that describes the agency's plan to address criminally liable regulatory offenses. None of the statutes or regulations that the Inter-American Foundation (IAF) administers carry criminal penalties for violations. The IAF supports locally led development across Latin American and the Caribbean making America and the region more prosperous, peaceful, and democratic.

FOR FURTHER INFORMATION CONTACT: Nicole Stinson, Associate General Counsel, Inter-American Foundation, 1331 Pennsylvania Ave. NW, Suite 300 South, Washington, DC 20004, at (202) 683–7117.

Nichole Skoyles,

General Counsel, Inter-American Foundation.

[FR Doc. 2025–16874 Filed 9–2–25; 8:45 am]

BILLING CODE 7025–01–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[A2407–014–004–065516; #O2412–014–004–047181.1]

Proposed Filing of Plats of Survey; North Dakota

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of official filing.

SUMMARY: The plats of surveys for the lands described in this notice are scheduled to be officially filed 30-calendar days after the date of this publication in the BLM Montana/Dakotas State Office, Billings, Montana. The surveys, which were executed at the request of the BLM Montana/Dakotas State Office, Division of Energy, Minerals, & Realty, Branch of Fluid Minerals, Billings, Montana and Bureau of Indian Affairs, Great Plains Region, Aberdeen, South Dakota are necessary for the management of these lands.

DATES: A person or party who wishes to protest this decision must file a notice of protest in time for it to be received in the BLM Montana/Dakotas State Office no later than close of regular business on October 3, 2025.

ADDRESSES: A copy of the plats may be obtained from the Public Room at the BLM Montana/Dakotas State Office, 5001 Southgate Drive, Billings, Montana 59101, upon required payment. The plats may be viewed at this location at no cost.

FOR FURTHER INFORMATION CONTACT: Thomas L. Laakso, BLM Chief Cadastral Surveyor for North Dakota; telephone: (406) 896–5125; email: *tlaakso@blm.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 for contacting Mr. Laakso. 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: The lands surveyed are:

Fifth Principal Meridian, North Dakota

T. 150 N., R. 91 W.
Secs. 10, 11, 14, and 15.
T. 149 N., R. 96 W.
Secs. 31 and 32.

A person or party who wishes to protest an official filing of a plat of survey identified earlier must file a written notice of protest with the BLM Chief Cadastral Surveyor for North Dakota at the address listed in the **ADDRESSES** section of this notice. The notice of protest must identify the specific plat(s) of survey that the person or party wishes to protest. Plat(s) not listed within the notice of protest will not have the filing stayed and will be filed as described below. The notice of protest must be received in the BLM Montana/Dakotas State Office no later than the date described in the **DATES** section of this notice. If received after regular business hours, a notice of protest will be considered filed the next business day. A written statement of reasons in support of the protest, if not filed with the notice of protest, must be filed with the BLM chief cadastral surveyor for North Dakota within 30-calendar days after the notice of protest is received.

If a notice of protest of the plat(s) of survey is received prior to the scheduled date of official filing or during the 10-calendar-day grace period provided in 43 CFR 4.401(a) and the delay in filing is waived, the official filing of the plat(s) of survey identified in the notice of protest will be stayed pending consideration of the protest. Upon receipt of a timely protest, and after a review of the protest, the authorized officer will issue a decision either dismissing or otherwise resolving the protest. A plat of survey will then be officially filed 30 days after the protest decision has been issued in accordance with 43 CFR part 4.

If a notice of protest is received after the date described in the **DATES** section of this notice and the 10-calendar-day grace period provided in 43 CFR 4.401(a), the notice of protest will be untimely, may not be considered, and may be dismissed.

Before including your address, phone number, email address, or other personally identifiable information in your protest, you should be aware that your entire protest—including your personally identifiable information—may be made publicly available at any time. While you can ask us to withhold your personally identifiable information from public review, we cannot guarantee that we will be able to do so.

(Authority: 43 U.S.C. chapter 3)

Thomas L. Laakso,

Chief Cadastral Surveyor for North Dakota.

[FR Doc. 2025–16876 Filed 9–2–25; 8:45 am]

BILLING CODE 4331–20–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[A2407–014–004–065516; O2412–014–004–047181.1; LLHQ230000]

Opportunity To Comment on Changes to the Proposed Resource Management Plan Amendment for the Greater Sage-Grouse Rangewide Planning

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of significant change.

SUMMARY: The Bureau of Land Management (BLM) is soliciting comments on significant changes to the Proposed Resource Management Plan Amendment (RMPA) for Greater Sage-grouse Rangewide Planning released in November 2024. The environmental consequences of the proposed changes have been analyzed as part of the RMPA/environmental impact statement (EIS) process. Following consideration of any comments on these changes, the BLM will issue Records of Decision (ROD) for the Approved RMPAs for Idaho, Montana/Dakotas, Nevada/California, Utah, and Wyoming.

DATES: Written comments on the changes to the proposed plan amendment will be accepted until October 3, 2025.

ADDRESSES: The document identifying significant changes, the Proposed RMPA/Final EIS, and all associated documents are available on the BLM ePlanning project website at: *https://eplanning.blm.gov/eplanning-ui/project/2016719/510.*

You may submit comments by any of the following methods:

- *e-planning: https://eplanning.blm.gov/eplanning-ui/project/2016719/510.* The BLM strongly encourages members of the public to submit comments electronically if possible.
- *Mail:* BLM Anchorage District Office, Attn: Stephanie Rice, 4700 BLM Rd, Anchorage, AK 99507.

FOR FURTHER INFORMATION CONTACT: Stephanie Rice, telephone: (907) 308–9464; email: *srice@blm.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 for contacting Ms. Rice. 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: The Environmental Protection Agency (EPA) published the Notice of Availability (NOA) for the Draft RMPA and Draft EIS on March 15, 2024, which initiated a 90-day public comment period. Following issuance of the Proposed RMPA and Final EIS on November 15, 2024, the BLM completed a 30-day protest period for the Proposed RMPA and published a protest resolution report on January 10, 2025. The BLM completed a 60-day Governor's consistency review for BLM managed lands in the planning area for the states of California, Colorado, Idaho, Montana, Nevada, North Dakota, Oregon, South Dakota, and Wyoming, and issued Records of Decision and Approved RMPAs in January 2025 for Greater Sage-grouse Rangewide Planning in Oregon and Colorado. The governor's consistency review period is ongoing for Utah. In response to information received during the protest periods and Governors' consistency reviews, and based on additional policy discussions, the BLM has determined that it will make changes to the Proposed RMPAs for Idaho, Montana/Dakotas, Nevada/California, Utah, and Wyoming.

The BLM has determined that it will clarify and make changes to the adaptive management language in the Proposed RMPAs for Idaho, Montana/Dakotas, Nevada/California, Utah, and Wyoming to better align with state policies and programs to manage sage-grouse populations. The BLM has removed the designation for priority habitat management areas (PHMA) with limited exceptions as a distinct subset of PHMAs to improve consistency with state and local plans. All habitat management areas that were designated as PHMA with limited exceptions will primarily be designated as PHMA and will be subject to the management actions and direction for PHMA in the Proposed RMPAs for Idaho, Montana/Dakotas, Nevada/California, and Wyoming. The Nevada/California and Idaho Proposed RMPAs changed the seasonal habitat benchmark for perennial grass height during nesting/early brood rearing from a quantitative standard to a qualitative standard based on recent research and to account for habitat variability across the states. The habitat management area boundaries for the Utah Proposed RMPA will be updated to more closely align with the State of Utah Greater Sage-grouse Conservation Plan and minimize sage-grouse habitat management areas outside of the State of Utah's Sage-grouse Management Areas. The Nevada Proposed RMPA will change the allocation for major rights of way in general habitat management areas (GHMA) from avoidance to open to align more closely with how GHMA is managed in BLM California. This notice initiates a 30-day public comment period on these changes (43 CFR 1610.2(e)).

Before including your address, telephone number, email address, or other personal identifying information in your comment, be advised that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. Further information regarding the changes can be found at *https://eplanning.blm.gov/eplanning-ui/project/2016719/510.*

(Authority: 43 CFR 1610.2; 43 CFR 1610.5–1(b).)

William Groffy,

Acting Director, Bureau of Land Management.

[FR Doc. 2025–16886 Filed 9–2–25; 8:45 am]

BILLING CODE 4331–27–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[A2407–014–004–065516; #O2412–014–004–047181.1; LLES934000]

Leases for Sale, ALES–055797 Lease-by-Application and ALES–056519 Lease-by-Application, Tuscaloosa County, Alabama

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of coal lease sale.

SUMMARY: Notice is hereby given that Federal coal resources in lands in Tuscaloosa County, Alabama, will be offered for competitive lease by sealed bid in accordance with the provisions of the Mineral Leasing Act of 1920, as amended. The lease sale will cover tracts described in two Lease-by-Applications, and separate bids must be submitted for Lease-by-Application (LBA) ALES–055797 and/or ALES–056519 coal resources.

DATES: Sealed bids must be received by the Bureau of Land Management (BLM) Eastern States State Office Public Room on or before 9:30 a.m. Eastern Time (ET) on September 30, 2025. The lease sale will be held at 10:00 a.m. ET on September 30, 2025.

ADDRESSES: The lease sale will be held at the BLM Eastern States State Office, 5275 Leesburg Pike, Falls Church, VA 22041. Sealed bids must be submitted to the BLM Eastern States State Office, at this same address.

FOR FURTHER INFORMATION CONTACT: Stewart Boyd, Solids Mineral Lead, Eastern States State Office, by telephone at 859–880–2844, or by email at *sboyd@blm.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: This sale is being held in response to two coal LBAs filed by Warrior Met Coal, for coal leases covering tracts in ALES–055797 and ALES–056519. Bidders may submit a bid for either one of the leases or both leases. A separate bid is required for each lease. A single bid covering both leases will not be accepted. The Federal coal lease parcels to be offered, underlying privately-owned surface lands in Tuscaloosa County, Alabama, are contained in the tracts located on the following described lands:

ALES–055797 Lease Tract

Huntsville Meridian, Alabama

T. 18 S., R. 8 W.,
Sec. 17, NE¼, SE¼, SW¼, E½NW¼, and SW¼NW¼;
Sec. 18, SE¼, E½SW¼, and SW¼SW¼;
Sec. 28, W½SW¼ and SE¼NW¼;
Sec. 33, SW¼NW¼.
T. 19 S., R. 8 W.,
Sec. 4, SE¼NW¼;
Sec. 11, E½NW¼;
Sec. 18, SW¼ and W½NW¼.
T. 18 S., R. 9 W.,
Sec. 21, NE¼SE¼;
Sec. 22, SW¼NE¼, S½SE¼, NW¼SE¼, SW¼, and SE¼NW¼;
Sec. 24, NE¼, El/2SE¼, NW¼SE¼, SW¼, El/2NW¼, and SW¼NW¼;
Sec. 26, NE¼, SE¼, SW¼, and E½NW¼;
Sec. 27, W½NE¼, SE¼, SW¼, and NW¼;
Sec. 28, N½SE¼;
Sec. 33, E½NE¼ and NE¼SE¼;
Sec. 34, NE¼, SE¼, N½SW¼, and NW¼;
Sec. 35, N½NE¼, SE¼NE¼, E½SE¼, SW¼SE¼, W½SW¼, N½NW¼ and SW¼NW¼.
T. 19 S., R. 9 W.,
Sec. 1, NE¼ and E½NW¼;
Sec. 12, NE¼, SE¼, E½SW¼, and E½NW¼;
Sec. 14, SE¼ and NW¼

The areas described for the ALES–055797 tract aggregate 5,704.52 acres, according to the official plats of the surveys of the said lands, on file with the BLM.

ALES–056519 Lease Tract

Huntsville Meridian, Alabama

T. 17 S., R. 8 W.,
Sec. 5, N½SW¼;
Sec. 6, S½NE¼, N½SE¼, and SE¼SE¼;
Sec. 7, NE¼NE¼, and W½NW¼;
Sec. 8, NE¼NE¼, and SW¼NE¼.
T. 17 S., R. 9 W.,
Sec. 2, W½NW¼, and NW¼SW¼;
Sec. 3, W½SW¼, and SW¼SE¼;
Sec. 4, E½NE¼, SW¼NE¼, and S½SW¼;
Sec. 5, SW¼SW¼, and E½SE¼;
Sec. 6, SE¼NE¼, and E½SE¼;
Sec. 7, NE¼NE¼, E½SW¼, and SE¼SE¼;
Sec. 8, SE¼NE¼, S½SW¼, E½SE¼, and SW¼SE¼;
Sec. 9, NE¼, SW¼, and SE¼;
Sec. 10, NE¼, W½NW¼, SE¼NW¼, SW¼, and NW¼SE¼;
Sec. 11, W½NW¼, and SE¼SE¼;
Sec. 13, N½NE¼, SW¼NE¼, and N½SW¼;
Sec. 14, E½NE¼, E½NW¼, E½SE¼, and NW¼SE¼;
Sec. 15, W½NE¼, NW¼, NW¼SW¼, and NW¼SE¼;
Sec. 17, NE¼, NW¼, NE¼SW¼, and SE¼;
Sec. 18, E½NE¼, NW¼NE¼, E½NW¼, and W½SW¼;
Sec. 20, NW¼NE¼, and SW¼NW¼;
Sec. 22, NE¼NW¼, and E½SE¼;
Sec. 23, S½NE¼, and NE¼SE¼;
Sec. 24, SW¼NW¼, and E½SE¼;
Sec. 25, NE¼NE¼, E½SW¼, and NE¼SE¼;
Sec. 26, NW¼NW¼;
Sec. 27, NE¼NE¼, and NW¼SW¼;
Sec. 30, E½SE¼;
Sec. 31, E½NE¼, SW¼NE¼, and SE¼/NW¼;
Sec. 32, NW¼NW¼, and W½SW¼;
Sec. 35, NE¼;
Sec. 36, NE¼, NW¼, E½SW¼, and SE¼.
T. 17 S., R. 10 W.,
Sec. 1, NW¼SE¼;
Sec. 12, SE¼SE¼;
Sec. 13, NE¼NE¼;
Sec. 35, E½SW¼;
Sec. 36, SE¼NE¼, and N½SW¼.
T. 18 S., R. 8 W.,
Sec. 5, N½NE¼, N½NW¼, and NW¼SW¼;
Sec. 6, W½NE¼, NW¼, SW¼, and W½SE¼;
Sec. 7, NE¼NE¼.
T. 18 S., R. 9 W.,
Sec. 1, E½NE¼, and NW¼NE¼;
Sec. 6, SW¼NE¼, E½NW¼, SW¼NW¼, and W½SW¼;
Sec. 7, S½NE¼, and N½NW¼;
Sec. 17, W½SW¼;
Sec. 18, SE¼NW¼, and N½SE¼.
T. 18 S., R. 10 W.,
Sec. 1, NE¼NW¼, SE¼SW¼, N½SE¼, and SW¼SE¼;
Sec. 11, E½NE¼;
Sec. 12, NW¼NE¼, and SE¼SW¼;
Sec. 13, NE¼SW¼, W½SE¼, and SE¼SE¼.

The areas described for the ALES–056519 tract aggregate 8,346.015 acres, according to the official plats of the surveys of the said lands, on file with the BLM.

Per both the ALES–055797 and ALES–056519 LBAs, the coal proposed to be mined by underground mining methods is in the Black Warrior Coal Basin, Mary Lee Group, and the coal seams proposed to be mined are the Mary Lee and Blue Creek. Both coal seams are considered a metallurgical-grade coal product.

Per the ALES–055797 LBA, the total coal, including the Mary Lee and Blue Creek coal seams, varies between 29 and 79 inches. The average depth of the coal seam in the Federal lease area is approximately 1,600 feet. The ALES–056519 LBA tract contains approximately 16.9 million tons of Federal recoverable coal.

Per the ALES–056519 LBA, the total coal, including the Mary Lee and Blue Creek coal seams, varies between 24 and 78 inches. The average depth of the coal seam in the Federal lease area is approximately 1,220 feet. The ALES–056519 LBA tract contains

approximately 36.3 million tons of Federal recoverable coal.

The tracts will each be leased, separate leases for each LBA, to the qualified bidder of the highest cash amount, provided that the high bid for each tract meets or exceeds the BLM's estimate of the fair market value (FMV) of that tract. The minimum bid for each tract is $100 per acre or fraction thereof per 43 CFR 3422.1(c)(2). This regulatory minimum bid is not intended to represent FMV. The authorized officer will determine if the bids meet FMV.

The sealed bids should be sent by certified mail, return receipt requested, or be hand delivered to the Public Room, Eastern States State Office (see **ADDRESSES**), and clearly marked ''Sealed Bid for ALES–055797 Coal Sale—Not to be opened before 10:00 a.m. ET on September 30, 2025'' or ''Sealed Bid for ALES–056519 Coal Sale—Not to be opened before 10:00 a.m. ET on September 30, 2025.'' The Public Room representative will issue a receipt for each hand-delivered bid. Bids received after 9:30 a.m. ET will not be considered. If identical high bids are received for either tract, the tying high bidders will be requested to submit follow-up sealed bids until a high bid is received. All tie-breaking sealed bids must be submitted within 15 minutes following the sale official's announcement at the sale that identical high bids have been received.

Prior to lease issuance, the high bidder, if other than the applicant, must pay the BLM the cost recovery fee, in addition to all processing costs incurred by the BLM after the date of this sale notice (43 CFR 3473.2(f)). As of August 4, 2025, the cost-recovery fee for each LBA is approximately $120,000 and will increase up until issuance of the lease.

Leases issued because of this offering will require payment of an annual rental of $3 per acre, or fraction thereof, and a royalty payable to the United States pursuant to Section 7(a) of the Mineral Leasing Act (30 U.S.C. 207(a)) as amended.

Bidding instructions for the tracts offered and the terms and conditions of the two proposed coal leases are included in the ''Detailed Statement of Coal Lease Sale,'' with copies available at the Eastern States State Office (see **ADDRESSES**). Documents in the case files for the ALES–055797 and ALES–056519 LBAs are available for public inspection at the Eastern States State Office Public Room.

(Authority: 43 CFR 3422.3–2)

Christopher Hite,

Branch Chief, Solid Minerals. BLM Eastern States.

[FR Doc. 2025–16806 Filed 9–2–25; 8:45 am]

BILLING CODE 4331–18–P

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

[RR02015200, 25XR0680A1, RX.02148941.332WT00]

Notice of Intent To Prepare a Draft Environmental Impact Statement/ Environmental Impact Report and Hold Public Scoping Meetings for North-to-South Water Transfers

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of intent; request for comments.

SUMMARY: Pursuant to the National Environmental Policy Act (NEPA), the Department of the Interior, Bureau of Reclamation (Reclamation) will prepare a Draft Environmental Impact Statement (EIS) to evaluate a range of alternatives for potential one-year water transfer activities subject to proposal, review, and approval on an annual basis (the ''Proposed Action''). Pursuant to the California Environmental Quality Act (CEQA), San Luis & Delta-Mendota Water Authority (SLDMWA) will prepare a Draft Environmental Impact Report (EIR) on the same range of potential north-to-south water transfer activities (the ''Project'') concurrent with the EIS preparation. A joint EIS/ EIR will be prepared to examine the effects of water transfers between willing buyers and sellers when circumstances allow. To afford an informational opportunity for comprehensive environmental review otherwise unavailable to the public, Reclamation's responsibilities are defined under Federal law and it is serving as the Lead Agency for the ''Proposed Action'' under NEPA and SLDMWA is the Lead Agency under CEQA for the ''Project.'' Reclamation is requesting comments on alternatives and effects, as well as on relevant information, studies, or analyses with respect to the proposed action.

DATES: Submit written comments on the scope of the EIS/EIR on or before October 3, 2025.

Three public scoping meetings will be held by Reclamation and SLDMWA to inform interested parties about the proposed project alternatives and to solicit comments on the scope and content of the EIS/EIR. The meetings will be held both virtually and in-person. The dates and locations of the meetings will be announced at least 15 days in advance through the local media, newspapers, and the project website listed in the **ADDRESSES** section of this notice.

ADDRESSES: Send written comments on the proposed content and scope of the EIS/EIR to Nicole Johnson, Bureau of Reclamation, California-Great Basin Office, 2800 Cottage Way, Sacramento, CA 95825; by email at *njohnson@usbr.gov;* or at the public scoping meetings using the link from the website listed below in this section. Oral comments received during the scoping meetings will be recorded. If you do not wish to be recorded, you may submit written comments by mail or email to the addresses listed above. All comments received during the public comment period will be considered and addressed in the EIS/EIR, as appropriate.

The dates and locations of the three public scoping meetings, along with links to attend virtually, will be posted to the project website at (*https://www.usbr.gov/mp/north-to-south-water-transfers-program.html*).

FOR FURTHER INFORMATION CONTACT: Nicole Johnson, Bureau of Reclamation, California-Great Basin Office, 2800 Cottage Way, Sacramento, CA 95825; email *njohnson@usbr.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:

Project Background

Hydrologic conditions, climatic variability, and regulatory requirements that govern the operation of water projects commonly affect water supply availability in California. This variability can strain water availability in areas that are dependent on the delivery of Central Valley Project (CVP) supplies to meet most, if not all, of the water demand. Historically, water entities have implemented one-year water transfers to supplement decreased water supplies and meet existing demand. These transfers have become a common tool in water resource planning. Reclamation and SLDMWA jointly conduct a comprehensive environmental analysis of a range of

alternatives for potential one-year transfer activities over a period of years, to facilitate responsible transfers when circumstances allow.

A water transfer involves an agreement between a willing seller and a willing buyer, and available infrastructure capacity to convey water between the two parties. To make water available for transfer, the willing seller must take an action to reduce the consumptive use of water (such as idling cropland or pumping groundwater in lieu of using surface water) or releasing additional water from reservoir storage. This water would be conveyed to the buyers' service area for beneficial use. The EIS/EIR will evaluate potential environmental impacts of a large number of transfers and will conservatively assume that the entire range of transfer methods included in each alternative would occur each year over a defined timeframe. Actual water transfers occur far less frequently and in much smaller volumes. Water transfers would only be used to help meet existing demands and would not serve any new demands in the buyers' service areas. The range of alternatives for potential one-year water transfer activities to be evaluated in the EIS/EIR would not directly or indirectly affect growth beyond what is already planned.

Each potential transfer must be proposed, reviewed, and approved on an annual basis. In all instances, the potential transfer activities to be studied in the EIS/EIR, if and when they are proposed, are subject to individual review and approval on an annual basis based on real-time assessment of hydrologic conditions, regulatory requirements, and other operation limitations.

Purpose and Need for the Proposed Action

Reclamation's primary purpose in reviewing a range of alternatives for potential one-year water transfer activities is to facilitate and approve the voluntary one-year transfers of water from willing sellers, located primarily upstream of the Sacramento-San Joaquin Delta (Delta), to willing buyers, located primarily south of the Delta, and in the San Francisco Bay Area, in accordance with law, policy, rules, regulations, and contracts then in effect. The transferred water is needed by water users that are at risk of experiencing water shortages and who require these supplemental water supplies to meet anticipated demands.

Project Area (Area of Analysis)

The project area includes the potential Seller Service Area, primarily upstream of the Delta and the east side of the San Joaquin River, and the Buyer Service Area, primarily south of the Delta and in the San Francisco Bay Area. Sellers include water rights holders on the Sacramento and San Joaquin rivers or their tributaries, including the Feather, Yuba, American, Stanislaus, and Merced rivers. Most transfers would need to move through the Delta to be delivered to buyers. Potential buyers are located south and west of the Delta, and include the Contra Costa Water District, the East Bay Municipal Utility District, and eight member agencies of SLDMWA.

Alternative Development

NEPA and CEQA require an EIS and EIR, respectively, to identify a reasonable range of alternatives and provide guidance on the identification and screening of such alternatives. Reclamation, in collaboration with SLDMWA, reviewed the purpose and need/project objectives statement and previous studies in their initial effort to develop conceptual alternatives. This process identified an initial list of more than twenty-two measures that could, in part, contribute to the purpose and need/project objectives. Reclamation and SLDMWA then developed and applied a set of screening considerations to determine which measures should move forward for further analysis and be considered as action alternatives. These preliminary alternatives will be reevaluated after the public scoping period to consider any additional measures or alternatives recommended through the public scoping process.

Preliminary Alternatives To Be Considered

The EIS/EIR will consider a range of reasonable alternatives, consistent with 43 CFR 46.415(b) and 43 CFR 46.420(b) and (c), including a No Action Alternative. The preliminary range of potential project alternatives identified by Reclamation, in collaboration with SLDMWA, for analysis in the EIS/EIR are described below.

Full Range of Transfers Alternative

This alternative combines all potential transfer methods that met the purpose and need and were carried forward through the screening process. Transfer methods included in the Full Range of Transfers Alternative are:

- *Conservation:* Conservation transfers include actions to reduce the diversion of surface water by the transferring entity by reducing irrecoverable water losses. The amount of reduction in irrecoverable losses determines the amount of transferrable water.
- *Cropland idling:* Cropland idling makes water available for transfer that would have been consumptively used by the crop. Water would be made available on the same pattern throughout the growing season as it would have otherwise been consumed had a crop been planted. The irrigation season generally lasts from April or May through September for most crops in the Sacramento Valley.
- *Groundwater substitution:* Transfer of water made available through groundwater substitution actions occur when sellers choose to pump groundwater in lieu of diverting surface water supplies, thereby making the surface water available for transfer. Water could be made available for transfer by the agricultural users during the irrigation season of April through September.
- *Crop shifting:* For crop shifting transfers, water is made available when farmers shift from growing a higher water use crop to a lower water use crop. The difference in the accepted evapotranspiration of applied water values between the two crops would be the amount of water that can be transferred.
- *Reservoir release:* Buyers could acquire water by purchasing surface water stored in reservoirs owned by non-Project entities (not part of the CVP or State Water Project [SWP]). To ensure that purchasing this water would not affect downstream users, transferred water would be limited to that which would not have otherwise been released downstream absent the transfer.

Transfers would only be implemented through agreements between willing sellers and buyers. The upper limit for transfers in any one year would be consistent with the transfer volumes in the current Biological Opinion for the Coordinated Long-term Operation of the Central Valley Project and State Water Project. Through-Delta transfers would be limited to the transfer window provided by Reclamation and DWR, typically July 1 through November 30, unless pumping capacity is restricted by Reclamation and DWR. This alternative proposes a variety of methods that buyers and sellers can select from to implement in a given transfer year. Some methods in this alternative may not be implemented if there are no willing sellers or buyers interested in that particular method. Reclamation's role would be to approve and facilitate transfers that comply with Federal and State law and would not include

negotiating among buyers and sellers. SLDMWA, on behalf of its member agencies, and other interested buyers would negotiate one-year transfer agreements with willing sellers, including agreeing upon methods of making water available for transfer and quantities to be made available.

No Cropland Idling/Shifting Transfers Alternative

This alternative would consider a subset of the methods that met the purpose and need and were carried forward through the screening process. Methods in the No Cropland Idling/Shifting Transfers Alternative include conservation, groundwater substitution, and reservoir release transfers.

No Groundwater Substitution Transfers Alternative

This alternative would consider a subset of the methods that met the purpose and need and were carried forward through the screening process. Methods in the No Groundwater Substitution Transfers Alternative include conservation, cropland idling, crop shifting, and reservoir release transfers.

Other Alternatives

Public and agency input during the scoping process for the EIS/EIR may identify other alternatives for consideration. These will be evaluated in comparison to the preliminary range of alternatives identified above. In addition, in accordance with the requirements of both NEPA and CEQA, the EIS/EIR will evaluate a No Action/No Project Alternative. A No Action/No Project Alternative will be defined to characterize current and reasonably foreseeable future environmental conditions, given the continued operation of water resource projects or facilities, such as the SWP and CVP, in combination with planned water resource projects or facilities that are approved or are authorized but not yet implemented.

Summary of Potential Impacts

The EIS/EIR will describe the reasonably foreseeable environmental effects of the proposed action and the alternatives, and the significance of those effects. The EIS/EIR will also evaluate the cumulative impacts of the project when considered in conjunction with other past, present, and reasonably foreseeable future projects.

The EIS/EIR will include a detailed analysis and will focus on potential environmental impacts, including:

- *Surface Water Supply:* Transfers could change flows in surface water bodies and the annual supply of water available to buyers.
- *Water Quality:* Transfers could impact the level of sediment, organic carbon, and contaminants in water bodies. Changes in Delta inflow and outflow, reservoir storage, and river flows from transfers could impact water quality.
- *Groundwater:* Transfers could impact groundwater levels, land subsidence, and groundwater quality from groundwater substitution pumping.
- *Geology and Soils:* Transfers could increase soil loss and erosion from land idling. Changes in streamflow from transfers could also increase erosion.
- *Air Quality:* Transfers could impact fugitive dust emission from agricultural land use changes and impact emissions of air pollutants from groundwater substitution pumping.
- *Greenhouse Gas Emissions:* Transfers could impact greenhouse gas emissions from agricultural land use changes and groundwater substitution pumping.
- *Fisheries:* Transfers could alter flows, hydrologic conditions, and water levels in rivers and creeks, the Delta, and reservoirs supporting fisheries resources.
- *Terrestrial Resources:* Transfers could alter habitat availability and suitability, including seasonally flooded agriculture fields and associated irrigation waterways. Such habitat alterations could affect terrestrial wildlife resources such as the Federally threatened Giant Garter Snake (*Thamnophis gigas*).
- *Agricultural Land Use:* Transfers could impact the amount of land categorized as Prime Farmland, Farmland of Statewide or Local Importance, or Unique Farmland under the Federal Farmland Protection Policy Act or the Farmland Mapping and Monitoring Program or convert agricultural lands under the Williamson Act and other land resource programs to an irreversible or incompatible use.
- *Cultural and Tribal Resources:* Transfers could impact cultural or tribal resources by impacting fisheries, river flows or reservoir levels.
- *Visual Resources:* Transfers could degrade the existing landscape character or scenic attractiveness of visual resources in the project area.
- *Recreation:* Transfers could alter river flows and reservoir water levels impacting water-based recreation opportunities.
- *Utilities and Power:* Transfers could change the power generated by reservoir and facilities.
- *Flood Control:* Transfers could change storage levels in reservoirs and river flows, potentially affecting flood control capacity.

These issue areas will be discussed in the EIS/EIR, and reasonable mitigation measures will be recommended to avoid, minimize, or compensate for adverse effects caused by the proposed action or alternatives.

Statutory Authority and Anticipated Permits

NEPA [42 U.S.C. 4321 *et seq.*] requires that Federal agencies conduct an environmental analysis of their proposed actions to determine if the actions may significantly affect the human environment. The EIS/EIR will analyze the environmental effects that may result from the implementation of the proposed action and alternatives. In addition to NEPA and CEQA, various other Federal, State, and local authorizations may be required for the Proposed Action. Applicable Federal laws include, but are not limited to, Endangered Species Act, Magnuson-Stevens Fishery Conservation and Management Act, National Historic Preservation Act, and Clean Water Act.

Schedule for the Decision-Making Process

Reclamation and SLDMWA will review and consider comments received during scoping and will prepare a scoping report. After the Draft EIS/EIR is completed, anticipated in 2025, Reclamation will publish a notice of availability (NOA) and request public comments on the Draft EIS/EIR. After the public comment period ends, Reclamation will then develop the Final EIS and anticipates making the Final EIS/EIR available to the public in 2026. Reclamation may issue a Record of Decision (ROD) no sooner than 30 days after the Final EIS/EIR is released.

Public Disclosure

Before including your name, address, telephone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

How to Request Reasonable Accommodation

If special assistance or interpretation is required to participate in the public

scoping meeting, please contact Nicole Johnson (contact information provided above) as far in advance as possible, and no less than 72 hours in advance, to enable Reclamation to secure the needed services. If a request cannot be honored, the requestor will be notified. Information regarding this proposed action is available in alternative formats upon request.

Adam Nickels,

Acting Regional Director, California Great Basin Region.

[FR Doc. 2025–16833 Filed 9–2–25; 8:45 am]

BILLING CODE 4332–90–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1226 (Remand)]

Certain Artificial Eyelash Extension Systems, Products, and Components Thereof; Notice of Commission Determination To Grant a Joint Motion To Terminate the Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to grant a joint motion to terminate the remand investigation in its entirety based on settlement. The remand investigation is terminated.

FOR FURTHER INFORMATION CONTACT: Lynde Herzbach, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–3228. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.* For help accessing EDIS, please email *EDIS3Help@usitc.gov.* General information concerning the Commission may also be obtained by accessing its internet server at *https://www.usitc.gov.* Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: On October 28, 2020, the Commission instituted this investigation under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (''section 337''), based on a complaint filed by Lashify, Inc. of Glendale, California (''Lashify''). *See* 85 FR 68366–67 (Oct. 28, 2020). The complaint, as supplemented, alleges a violation of section 337 based upon the importation into the United States, sale for importation, or sale after importation into the United States of certain artificial eyelash extension systems, products, and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 10,660,388 (''the '388 patent'') and 10,721,984 (''the '984 patent''), and the sole claims of U.S. Design Patent Nos. D877,416 (''the D'416 patent'') and D867,664 (''the D'664 patent''), respectively (collectively, the ''Asserted Patents''). The complaint also alleges the existence of a domestic industry. The notice of investigation (''NOI'') names nine respondents, including: KISS Nail Products, Inc. of Port Washington, New York (''KISS''); Ulta Beauty, Inc. of Bolingbrook, Illinois (''Ulta''); CVS Health Corporation of Woonsocket, Rhode Island (''CVS''); Walmart, Inc. of Bentonville, Arkansas (''Walmart''); Qingdao Hollyren Cosmetics Co., Ltd. d/b/a Hollyren of Shandong Province, China; Qingdao Xizi International Trading Co., Ltd. d/b/a Xizi Lashes of Shandong Province, China; Qingdao LashBeauty Cosmetic Co., Ltd. d/b/a Worldbeauty of Qingdao, China; Alicia Zeng d/b/a Lilac St. and Artemis Family Beginnings, Inc. of San Francisco, California; and Rachael Gleason d/b/a Avant Garde Beauty Co. of Dallas, Texas (collectively, ''Respondents''). *Id.* The Office of Unfair Import Investigations (''OUII'') is also a party to the investigation. *Id.*

The Commission later amended the complaint and NOI to substitute CVS Pharmacy, Inc. of Woonsocket, Rhode Island in place of named respondent CVS Health Corporation and Ulta Salon, Cosmetics & Fragrance, Inc. of Bolingbrook, Illinois in place of named respondent Ulta Beauty, Inc. *See* Order No. 10, *unreviewed by* Comm'n Notice (Feb. 10, 2021); *see also* 86 FR 9535 (Feb. 16, 2021).

The Commission later terminated the investigation as to claims 2–4 and 7 of the '388 patent and claims 6–8, 12, 18–19, 25–26, and 29 of the '984 patent based on Complainant's partial withdrawal of the complaint. *See* Order No. 24 (Apr. 23, 2021), *unreviewed by* Comm'n Notice (May 11, 2021). The Commission also previously terminated claims 2–5, 10–11, 14, 17, 21–22, and 24 of the '984 patent from the investigation. *See* Order No. 38 (June 22, 2021), *unreviewed by* Comm'n Notice (July 6, 2021).

The Commission later terminated Rachael Gleason d/b/a Avant Garde Beauty Company from the investigation based on a Consent Order. *See* Order No. 28, *unreviewed by* Comm'n Notice (May 20, 2021).

The Commission later determined that Lashify failed to satisfy the technical prong of the domestic industry requirement for the '388 patent, thus terminating that patent from the investigation. *See* Order No. 35, *unreviewed by* Comm'n Notice (July 9, 2021).

On October 6, 2022, the Commission issued a final determination finding no violation of section 337 as to any Asserted Patent and terminated the investigation. 87 FR 62455–56 (Oct. 14, 2022). Specifically, with respect to the '984 patent, the Commission determined to: (1) find that Lashify has failed to satisfy the technical prong of the domestic industry requirement; and (2) take no position regarding whether claims 1, 9, 23, and 27 of the '984 patent are invalid for obviousness under 35 U.S.C. 103. The Commission further found that Lashify failed to satisfy the economic prong of the domestic industry requirement for any of the Asserted Patents.[1]

Lashify timely appealed the Commission's final determination to the Federal Circuit. *Lashify* v. *Int'l Trade Comm'n,* Appeal No. 2023–1245. Respondents intervened in the appeal.

On March 5, 2025, the Federal Circuit vacated the Commission's determination as to the economic prong of the domestic industry requirement for all three Asserted Patents and affirmed the Commission's determination that Lashify failed to satisfy the technical prong of the domestic industry requirement for the '984 patent. *Lashify* v. *Int'l Trade Comm'n,* 130 F.4th 948 (Fed. Cir. 2025). The Court remanded for the Commission to determine whether there is ''significant employment of labor or capital'' with respect to the two design patents, the D'416 and D'664 patents.

The Commission filed a combined petition for panel rehearing and rehearing en banc, which the Court denied on June 25, 2025. *Lashify* v. *Int'l Trade Comm'n,* Appeal No. 2023–1245, ECF No. 128 (June 25, 2025).

On July 2, 2025, the Court issued its formal mandate returning jurisdiction to the Commission for further proceedings.

On July 30, 2025, the Commission issued a notice seeking written submissions regarding what further proceedings must be conducted on remand. Comm'n Notice (July 30, 2025).

On August 7, 2024, the two remaining respondents, Qingdao Hollyren

[1] Chair Karpel and Commissioner Schmidtlein dissented from the majority's decision as to the economic prong of the domestic industry requirement.

Cosmetics Co., Ltd. d/b/a Hollyren and Qingdao Xizi International Trading Co., Ltd. d/b/a Xizi Lashes (collectively, ''Hollyren'') and Lashify filed a ''Joint Motion to Terminate the Investigation as to Respondents [Hollyren] Based on the Moving Parties' Settlement Agreement and Consent Arbitration Award Under 19 CFR 210.21(b).'' Exhibits to the motion included confidential and public versions of the settlement agreement. The motion further included a statement that ''there are no other agreements, written or oral, express or implied between Lashify and Hollyren concerning the subject matter of this Investigation.'' The motion also served as the parties' response to the Commission's July 30, 2025 Notice. That same day, OUII filed a response to the July 30 Notice, stating that the motion, if granted, would obviate the need for further proceedings. OUII also filed a separate response in support of the motion.

The Commission has determined that the motion complies with the requirements of Commission Rule 210.21(b)(1) (19 CFR 210.21(b)(1)), and that there are no extraordinary circumstances that would prevent the requested termination. The Commission also finds that granting the motion would not be contrary to the public interest pursuant to Commission Rule 210.50(b)(2) (19 CFR 210.50(b)(2)). Accordingly, the Commission hereby grants the motion.

The remand investigation is terminated.

The Commission vote for this determination took place on August 28, 2025.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in Part 210 of the Commission's Rules of Practice and Procedure, 19 CFR part 210.

By order of the Commission.

Issued: August 28, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025–16799 Filed 9–2–25; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Formative Data Collections for DOL Research

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Chief Evaluation Office (CEO)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that the agency receives on or before October 3, 2025.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

FOR FURTHER INFORMATION CONTACT: Nicole Bouchet by telephone at 202–693–0213, or by email at *DOL_PRA_PUBLIC@dol.gov.*

SUPPLEMENTARY INFORMATION: The Chief Evaluation Office of DOL seeks approval of this generic clearance to allow DOL to conduct a variety of formative data collections. Under this generic clearance, DOL would engage in a variety of formative data collections with researchers, practitioners, technical assistance providers, service providers and potential participants throughout the field to fulfill the following goals: (1) inform the development of DOL research, (2) maintain a research agenda that is rigorous and relevant, (3) ensure that research products are as current as possible and (4) inform the provision of technical assistance. DOL envisions using a variety of techniques including semi-structured discussions, focus groups, surveys, and telephone or in-person interviews in order to reach these goals. The findings from this data collection can inform and support future and current research but that are not highly systematic or intended to be statistically representative or otherwise generalizable. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on June 24, 2025 (90 FR 26829).

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. *See* 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Agency: DOL–CEO.

Title of Collection: Formative Data Collections for DOL Research.

OMB Control Number: 1290–0043.

Affected Public: Individuals or Households.

Total Estimated Number of Respondents: 5,500.

Total Estimated Number of Responses: 5,500.

Total Estimated Annual Time Burden: 5,500 hours.

Total Estimated Annual Other Costs Burden: $0.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Nicole Bouchet,

Senior Paperwork Reduction Act Analyst.

[FR Doc. 2025–16900 Filed 9–2–25; 8:45 am]

BILLING CODE 4510–HX–P

OFFICE OF MANAGEMENT AND BUDGET

Rescissions Proposals Pursuant to the Congressional Budget and Impoundment Control Act of 1974

AGENCY: Executive Office of the President, Office of Management and Budget.

ACTION: Notice of rescissions proposed pursuant to the Congressional Budget and Impoundment Control Act of 1974.

SUMMARY: Pursuant to section 1014(d) of the Congressional Budget and Impoundment Control Act of 1974, enclosed for publication in the **Federal**

Register is a special message from the President reflecting the proposals for rescission under section 1012 of that Act that were transmitted to the Congress for consideration on August 28, 2025. In total, these proposals would rescind $4.9 billion in budget authority. These proposed rescissions affect programs of the Department of State as well as the U.S. Agency for International Development and International Assistance Programs. If enacted, these rescissions would decrease Federal outlays in the affected accounts by the same amount. This would have a commensurate effect on the Federal budget deficit and the national economy, and would result in less borrowing from the Federal Treasury.

DATES: *Release Date:* August 28, 2025.

ADDRESSES: The rescissions proposal package is available on-line on the OMB home page at: *https://www.whitehouse.gov/omb/information-resources/legislative/supplementals-amendments-and-releases/*.

FOR FURTHER INFORMATION CONTACT: Jason Hoffman, 252 Eisenhower Executive Office Building, Washington, DC 20503, Email address: *Jason.M.Hoffman@omb.eop.gov,* telephone number: (202) 456–1414. Because of delays in the receipt of regular mail related to security screening, respondents are encouraged to use electronic communications.

Russell T. Vought,

Director.

TO THE CONGRESS OF THE UNITED STATES:

In accordance with section 1012(a) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 683(a)), I herewith report 15 rescissions of budget authority, totaling $4.9 billion.

The proposed rescissions affect programs of the Department of State as well as the U.S. Agency for International Development and International Assistance Programs.

The details of these rescissions are set forth in the attached enclosure.

THE WHITE HOUSE,

August 28, 2025.

Rescission proposal no. R25–23

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 683)

Agency: Department of State
Bureau: International Organizations and Conferences
Account: Contributions to International Organizations (019–1126 2025/2025)
Amount proposed for rescission: $520,500,000
Justification:

This proposal would rescind $521 million of the $1.5 billion appropriated in FY 2025 for the Contributions to International Organizations (CIO) account. The CIO account provides funding for the assessed contributions to the United Nations (UN), UN-Affiliated organizations, and various other international organizations that do not support major U.S. policies or priorities or have been operating contrary to American interests for many years. For example, the Pan American Health Organization, which receives CIO funding, is the regional arm of the World Health Organization, and was accused of forced labor and human trafficking of Cuban doctors. Further, the Organization for Economic Cooperation and Development (OECD), also a recipient of CIO funding, facilitated a global tax deal, committing America to extraterritorial jurisdiction of American-made income.

This proposal is consistent with Executive Order 14199, ‘‘Withdrawing the United States from and Ending Funding to Certain United Nations Organizations and Reviewing United States Support to All International Organizations.’’ The rescission would eliminate funding for the UN regular budget, and other organizations such the United Nations Educational, Scientific, and Cultural Organization.

Other examples of activities funded by this account include:

- $2.3 million for desert locust risk reduction in the Central Region and Horn of Africa.
- $1.5 million for marketing paintings of Ukrainian women artists and a museum dedicated to recognizing the historical role of Ukrainian female artists.

Rescission proposal no. R25–24

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 683)

Agency: Department of State
Bureau: International Organizations and Conferences
Account: Contributions for International Peacekeeping Activities (019–1124 2025/2025)
Amount proposed for rescission: $392,534,000
Justification:

This proposal would rescind $393 million of the $1.2 billion appropriated in FY 2025 for the Contributions for International Peacekeeping Activities (CIPA) account, which was defunded in the President's FY 2026 Budget. The CIPA account provides payments for the U.S. share of United Nations (UN) peacekeeping assessments. UN peacekeeping has been fraught with waste and abuse, as evidenced by the ongoing sexual exploitation and abuse (SEA) in the Democratic Republic of the Congo and the Central African Republic. There have been thousands of credible allegations of sexual abuse and other crimes against UN peacekeepers from across the world, including when UN personnel who solicited underage girls in Kosovo that resulted in them being kidnapped, tortured, and prostituted. The UN has failed to address this issue by punishing the perpetrators of these heinous crimes. UN Peacekeepers were also the source of the cholera outbreak in Haiti after the 2010 earthquake, costing billions and causing lasting harm. Reports have also estimated that billions in peacekeeping contracts (over 40 percent) were implicated in significant corruption schemes. The rescission would be a first step to engaging in strong reforms across the UN.

Other examples of activities funded by this account include:

- In 2023, 43 people were killed during demonstrations against the Democratic Republic of the Congo Mission (MONUSCO) and DRC presidential candidates have threatened to remove the UN peacekeeping mission from the DRC.
- The Mali mission (MINUSMA's) failure to retain host country consent and protect civilians is another stain on the UN's tattered history of peacekeeping.

Rescission proposal no. R25–25

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 683)

Agency: Department of State
Bureau: Other
Account: Democracy Fund (019–1121 2020/2025)
Amount proposed for rescission: $1,800,498
Justification:

This proposal would rescind $2 million of the $274 million appropriated in FY 2020 for the Democracy Fund (DF). The DF account is intended to fund democracy promotion activities of the Department of State and U.S. Agency for International Development. In practice, DF activities undermine American values, weaken the perception of America abroad, interfere with the sovereignty of other countries—including U.S. allies, and bankroll corrupt leaders. For example, this account funded gender responsive governance and activities geared toward strengthening information integrity, equality, and democracy for LGBTQI+ populations. The rescission would return funding from wasteful foreign assistance programs to taxpayers in alignment with America First foreign policy.

Other examples of activities funded by this account include:

- $2.7 million to advance ‘‘inclusive democracy’’ in South Africa through the Democracy Works Foundation, which has published articles such as ‘‘The Problem with Whiteness,’’ and ‘‘The Problem with White People.’’ One article claims that White South Africans are ‘‘not even aware’’ of the ‘‘hostility they unleash’’ against black people; another lauds terrorism and communism as an effective means of deconstructing White Afrikaner identity.
- $4 million for the ‘‘New Alliance for Global Equality'' to advance ‘‘global LGBTQI+ awareness.’’
- $500,000 to support women in elections in the Maldives.

Rescission proposal no. R25–26

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 683)

Agency: Department of State
Bureau: Other
Account: Democracy Fund (072–019–1121 2020/2025)
Amount proposed for rescission: $56,107
Justification:

This proposal would rescind $56,107 of the $274 million appropriated in FY 2020 for the Democracy Fund (DF). The DF account is intended to fund democracy promotion activities of the Department of State and U.S. Agency for International Development. In practice, DF-funded activities weaponized programs that undermine American values, weaken perception of America abroad, interfere with the sovereignty of other countries, including U.S. allies, and bankroll the evasion by corrupt leaders of their responsibilities to their citizens. For example, this account funded gender responsive governance and activities geared toward strengthening information integrity, equality, and democracy for LGBTQI+ populations. The rescission would return funding from wasteful foreign assistance programs to taxpayers in alignment with America First foreign policy.

Other examples of activities funded by this account include:

- $2.7 million to advance ''inclusive democracy'' in South Africa through the Democracy Works Foundation, which has published articles such as ''The Problem with Whiteness,'' and ''The Problem with White People.'' One article claims that White South Africans are ''not even aware'' of the ''hostility they unleash'' against black people; another lauds terrorism and communism as an effective means of deconstructing White Afrikaner identity.
- $4 million for the ''New Alliance for Global Equality'' to advance ''global LGBTQI+ awareness.''
- $500,000 to support women in elections in the Maldives.

Rescission proposal no. R25–27

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 683)

Agency: Department of State
Bureau: Other
Account: Democracy Fund (019–1121 2024/2025)
Amount proposed for rescission: $188,314,470
Justification:

This proposal would rescind $188 million of the $340 million appropriated in FY 2024 for the Democracy Fund (DF). The DF account is intended to fund democracy promotion activities of the Department of State and U.S. Agency for International Development. In practice, DF-funded activities weaponized programs that undermine American values, weaken perception of America abroad, interfere with the sovereignty of other countries, including U.S. allies, and bankroll the evasion by corrupt leaders of their responsibilities to their citizens. For example, this account funded gender responsive governance and activities geared toward strengthening information integrity, equality, and democracy for LGBTQI+ populations. The rescission would return funding from wasteful foreign assistance programs to taxpayers in alignment with America First foreign policy.

Other examples of activities funded by this account include:

- $2.7 million to advance ''inclusive democracy'' in South Africa through the Democracy Works Foundation, which has published articles such as ''The Problem with Whiteness,'' and ''The Problem with White People.'' One article claims that White South Africans are ''not even aware'' of the ''hostility they unleash'' against black people; another lauds terrorism and communism as an effective means of deconstructing White Afrikaner identity.
- $4 million for the ''New Alliance for Global Equality'' to advance ''global LGBTQI+ awareness.''
- $500,000 to support women in elections in the Maldives.

Rescission proposal no. R25–28

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 683)

Agency: Department of State
Bureau: Other
Account: Democracy Fund (072–019–1121 2024/2025)
Amount proposed for rescission: $132,117,226
Justification:

This proposal would rescind $132 million of the $340 million appropriated in FY 2024 for the Democracy Fund (DF). The DF account is intended to fund democracy promotion activities of the Department of State and U.S. Agency for International Development. In practice, DF-funded activities weaponized programs that undermine American values, weaken perception of America abroad, interfere with the sovereignty of other countries, including U.S. allies, and bankroll the evasion by corrupt leaders of their responsibilities to their citizens. For example, this account funded gender responsive governance and activities geared toward strengthening information integrity, equality, and democracy for LGBTQI+ populations. The rescission would return funding from wasteful foreign assistance programs to taxpayers in alignment with America First foreign policy.

Other examples of activities funded by this account include:

- $2.7 million to advance ''inclusive democracy'' in South Africa through the Democracy Works Foundation, which has published articles such as ''The Problem with Whiteness,'' and ''The Problem with White People.'' One article claims that White South Africans are ''not even aware'' of the ''hostility they unleash'' against black people; another lauds terrorism and communism as an effective means of deconstructing White Afrikaner identity.
- $4 million for the ''New Alliance for Global Equality'' to advance ''global LGBTQI+ awareness.''
- $500,000 to support women in elections in the Maldives.

Rescission proposal no. R25–29

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 683)

Agency: International Assistance Programs
Bureau: International Security Assistance
Account: Peacekeeping Operations (019–011–1032 2024/2025)
Amount proposed for rescission: $110,384,428
Justification:

This proposal would rescind $110 million of the $410 million appropriated in FY 2024 for the Peacekeeping Operations (PKO) account, which was largely defunded in the President's FY 2026 Budget. The PKO account is intended to support peacekeeping and stabilization operations and to counter extremist threats, including for the United Nations (UN) Support Office in Somalia peacekeeping mission. In practice, this account is a slush fund used to support projects well beyond a core security focus, including hybrid energy power generation pilot projects in Nepal and South Sudan, at the expense of American taxpayers.

Annually, $71 million of PKO's funds have been allocated to the Global Peace Operations Initiative (GPOI) to ready other country's militaries to support UN peacekeeping. Not only are we overpaying in U.S. assessed contributions, we are paying twice to pick up global slack. Programs undergoing termination include:

- Nearly $11 million for armored personnel carriers for Uruguay's quick reaction force.
- Nearly $4 million for infrastructure and facilities at the Zambia Training Center.
- Nearly $3 million for barracks for Kazakhstan peacekeepers.
- Over $500,000 for a women's body armor pilot program.

The rescission would eliminate programs but will not impact the United States' commitment to the Egyptian-Israeli Treaty of Peace through U.S. contributions to the Multinational Force and Observers.

Rescission proposal no. R25–30

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 683)

Agency: International Assistance Programs
Bureau: International Security Assistance
Account: Peacekeeping Operations (019–011–1032 2025/2025)
Amount proposed for rescission: $326,214,947

Justification:

This proposal would rescind $326 million of the $410 million appropriated in FY 2025 for the Peacekeeping Operations (PKO) account, which was largely defunded in the President's FY 2026 Budget. The PKO account is intended to support peacekeeping and stabilization operations and to counter extremist threats, including for the United Nations (UN) Support Office in Somalia peacekeeping mission. In practice, this account is a slush fund used to support projects well beyond a core security focus, including hybrid energy power generation pilot projects in Nepal and South Sudan, at the expense of American taxpayers.

Annually, $71 million of PKO's funds have been allocated to the Global Peace Operations Initiative (GPOI) to ready other country's militaries to support UN peacekeeping. Not only are we overpaying in U.S. assessed contributions, we are paying twice to pick up global slack. Programs undergoing termination include:

• Nearly $11 million for armored personnel carriers for Uruguay's quick reaction force.

• Nearly $4 million for infrastructure and facilities at the Zambia Training Center.

• Nearly $3 million for barracks for Kazakhstan peacekeepers.

• Over $500,000 for a women's body armor pilot program.

The rescission would eliminate programs but will not impact the United States' commitment to the Egyptian-Israeli Treaty of Peace through U.S. contributions to the Multinational Force and Observers.

Rescission proposal no. R25–31

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 683)

Agency: International Assistance Programs
Bureau: International Security Assistance
Account: Peacekeeping Operations (011–1032 2024/2025)
Amount proposed for rescission: $2,500,000
Justification:

This proposal would rescind $3 million of the $410 million appropriated in FY 2024 for the Peacekeeping Operations (PKO) account, which was largely defunded in the President's FY 2026 Budget. The PKO account is intended to support peacekeeping and stabilization operations and to counter extremist threats, including for the United Nations (UN) Support Office in Somalia peacekeeping mission. In practice, this account is a slush fund used to support projects well beyond a core security focus, including hybrid energy power generation pilot projects in Nepal and South Sudan, at the expense of American taxpayers.

Annually, $71 million of PKO's funds have been allocated to the Global Peace Operations Initiative (GPOI) to ready other country's militaries to support UN peacekeeping. Not only are we overpaying in U.S. assessed contributions, we are paying twice to pick up global slack. Programs undergoing termination include:

• Nearly $11 million for armored personnel carriers for Uruguay's quick reaction force.

• Nearly $4 million for infrastructure and facilities at the Zambia Training Center.

• Nearly $3 million for barracks for Kazakhstan peacekeepers.

• Over $500,000 for a women's body armor pilot program.

The rescission would eliminate programs but will not impact the United States' commitment to the Egyptian-Israeli Treaty of Peace through U.S. contributions to the Multinational Force and Observers.

Rescission proposal no. R25–32

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 683)

Agency: International Assistance Programs
Bureau: International Security Assistance
Account: Peacekeeping Operations (019–011–1032 2020/2025)
Amount proposed for rescission: $5,850,726
Justification:

This proposal would rescind $6 million of the $410 million appropriated in FY 2024 for the Peacekeeping Operations (PKO) account, which was largely defunded in the President's FY 2026 Budget. The PKO account is intended to support peacekeeping and stabilization operations and to counter extremist threats, including for the United Nations (UN) Support Office in Somalia peacekeeping mission. In practice, this account is a slush fund used to support projects well beyond a core security focus, including hybrid energy power generation pilot projects in Nepal and South Sudan, at the expense of American taxpayers.

Annually, $71 million of PKO's funds have been allocated to the Global Peace Operations Initiative (GPOI) to ready other country's militaries to support UN peacekeeping. Not only are we overpaying in U.S. assessed contributions, we are paying twice to pick up global slack. Programs undergoing termination include:

• Nearly $11 million for armored personnel carriers for Uruguay's quick reaction force.

• Nearly $4 million for infrastructure and facilities at the Zambia Training Center.

• Nearly $3 million for barracks for Kazakhstan peacekeepers.

• Over $500,000 for a women's body armor pilot program.

The rescission would eliminate programs but will not impact the United States' commitment to the Egyptian-Israeli Treaty of Peace through U.S. contributions to the Multinational Force and Observers.

Rescission proposal no. R25–33

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 683)

Agency: International Assistance Programs
Bureau: Agency for International Development
Account: Development Assistance (072–1021 2017/2025)
Amount proposed for rescission: $3,360
Justification:

This proposal would rescind $3,360 of the $3 billion appropriated in FY 2017 for Development Assistance (DA). The DA account is intended to fund programs that work to promote resilient societies, but in practice has done the opposite. Many DA programs conflicted with American values, interfered with the sovereignty of other countries, and bankrolled corrupt leaders' evasion of their responsibilities to their citizens, all while providing no clear benefit to Americans. Projects like electric busses in Rwanda, are of negative value to American taxpayers and American foreign policy interests. The rescission would align with the Administration's efforts to return funding from wasteful U.S. Agency for International Development programs to the American taxpayers. The remaining balance proposed for rescission are for activities that have completed their goals and are no longer needed for their intended purpose.

Other examples of activities funded by this account include:

• $24.6 million to build climate resilience in Honduras.

• $38.6 million for biodiversity and low-emissions development in West Africa.

• $13.4 million for civic engagement in Zimbabwe.

Rescission proposal no. R25–34

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 683)

Agency: International Assistance Programs
Bureau: Agency for International Development
Account: Development Assistance (072–1021 2020/2025)
Amount proposed for rescission: $7,088,936
Justification:

This proposal would rescind $7 million of the $3.4 billion appropriated in FY 2020 for Development Assistance (DA). The DA account is intended to fund programs that work to promote resilient societies, but in practice has done the opposite. Many DA programs conflicted with American values, interfered with the sovereignty of other countries, and bankrolled corrupt leaders' evasion of their responsibilities to their citizens, all while providing no clear benefit to Americans. Projects like electric busses in Rwanda are of negative value to American taxpayers and American foreign policy interests. The rescission would align with the Administration's efforts to return funding from wasteful U.S. Agency for International Development programs to the American taxpayers.

Other examples of activities funded by this account include:

• $2 million for ''green economic opportunities'' in Honduras.

• $5 million for localization, inclusion, and sustainability in Kenya.

Rescission proposal no. R25–35

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 683)

Agency: International Assistance Programs
Bureau: Agency for International Development
Account: Development Assistance (072–1021 2021/2025)
Amount proposed for rescission: $31,649,095
Justification:

This proposal would rescind $32 million of the $3.5 billion appropriated in FY 2021 for Development Assistance (DA). The DA account is intended to fund programs that work to promote resilient societies, but in practice has done the opposite. Many DA programs conflicted with American values, interfered with the sovereignty of other countries, and bankrolled corrupt leaders' evasion of their responsibilities to their citizens, all while providing no clear benefit to Americans. Projects like baking and beauty therapy in Zimbabwe and land administration in Malawi, are of negative value to American taxpayers and American foreign policy interests. The rescission would align with the Administration's efforts to return funding from wasteful U.S. Agency for International Development programs to the American taxpayers.

Other examples of activities funded by this account include:

- $550,000 for holistic monitoring, evaluation, and learning in North Macedonia.
- $60,000 for listening tours on local development in Timor-Leste.
- $12,000 for Telling the USAID story in Bosnia and Herzegovina.

Rescission proposal no. R25–36

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 683)

Agency: International Assistance Programs
Bureau: Agency for International Development
Account: Development Assistance (072–1021 2023/2025)
Amount proposed for rescission: $6,587,000
Justification:

This proposal would rescind $7 million of the $4.4 billion appropriated in FY 2023 for Development Assistance (DA). The DA account is intended to fund programs that work to promote resilient societies, but in practice has done the opposite. Many DA programs conflicted with American values, interfered with the sovereignty of other countries, and bankrolled corrupt leaders' evasion of their responsibilities to their citizens, all while providing no clear benefit to Americans. Projects like, electric busses in Rwanda, are of negative value to American taxpayers and American foreign policy interests. The rescission would align with the Administration's efforts to return funding from wasteful U.S. Agency for International Development programs to the American taxpayers. The remaining balance for rescission is part of a ''Flexible Fund'' to support private sector partnerships overseas created under the Biden Administration.

Other examples of activities funded by this account include:

- A partnership with the Green Climate Fund, for the Barbados Blue-Green Bank for climate change mitigation.
- Supporting ecotourism in Peru.
- $650,000 for micro-insurance for smallholder farmers and microbusinesses in Colombia for climate disaster response.

Rescission proposal no. R25–37

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 683)

Agency: International Assistance Programs
Bureau: Agency for International Development
Account: Development Assistance (072–1021 2024/2025)
Amount proposed for rescission: $3,180,239,598
Justification:

This proposal would rescind $3.2 billion of the $3.9 billion appropriated in FY 2024 for Development Assistance (DA). The DA account is intended to fund programs that work to promote resilient societies, but in practice has done the opposite. Many DA programs conflicted with American values, interfered with the sovereignty of other countries, and bankrolled corrupt leaders' evasion of their responsibilities to their citizens, all while providing no clear benefit to Americans. The rescission would align with the Administration's efforts to return funding from wasteful U.S. Agency for International Development programs to the American taxpayers.

Other examples include:

- $24.6 million to build climate resilience in Honduras.
- $38.6 million for biodiversity and low-emissions development in West Africa.
- $13.4 million for civic engagement in Zimbabwe.

[FR Doc. 2025–16851 Filed 9–2–25; 8:45 am]

BILLING CODE 3110–01–P

MILLENNIUM CHALLENGE CORPORATION

[MCC FR 25–04]

Millennium Challenge Corporation Candidate Country Report for Fiscal Year 2026

AGENCY: Millennium Challenge Corporation.

ACTION: Notice.

SUMMARY: The Millennium Challenge Act of 2003, as amended, requires the Millennium Challenge Corporation to publish a report that identifies countries that are ''candidate countries'' for Millennium Challenge Account assistance during Fiscal Year 2026. The report is set forth in full below.

(Authority: 22 U.S.C. 7707(a))

Dated: August 22, 2025.

Brian Finkelstein,

Acting Vice President, General Counsel, and Corporate Secretary.

Millennium Challenge Corporation Candidate Country Report for Fiscal Year 2026 Summary

This report to Congress is provided in accordance with section 608(a) of the Millennium Challenge Act of 2003, as amended, 22 U.S.C. 7701, 7707(a) (the Act).

The Act authorizes the provision of assistance through the Millennium Challenge Corporation (MCC) for countries that enter into a Millennium Challenge Compact with the United States to support policies and programs that advance the progress of such countries to achieve lasting economic growth. The Act requires MCC to take a number of steps in selecting countries with which MCC will seek to enter into a compact, including determining the countries that will be eligible countries for fiscal year (FY) 2026 based on (a) a country's demonstrated commitment to (i) just and democratic governance, (ii) economic freedom, and (iii) investments in its people; (b) the opportunity to reduce poverty and generate economic growth in the country; and (c) the availability of funds to MCC. These steps include the submission to the congressional committees specified in the Act and publication in the **Federal Register** of reports on the following:

- The countries that are ''candidate countries'' for FY 2026 based on their per capita income levels and their eligibility to receive assistance under U.S. law and countries that would be candidate countries but for specified legal prohibitions on assistance (section 608(a) of the Act);
- The criteria and methodology that the MCC Board of Directors (the Board) will use to measure and evaluate the relative policy performance of the ''candidate countries'' consistent with the requirements of subsections (a) and (b) of section 607 of the Act in order to determine ''eligible countries'' from among the ''candidate countries'' (section 608(b) of the Act); and
- The list of countries determined by the Board to be ''eligible countries'' for FY 2026, identification of such countries with which the Board will seek to enter into compacts, and a justification for such eligibility determination and selection for compact negotiation (section 608(d) of the Act).

This report is the first of three required reports listed above.

Candidate Countries for FY 2026

The Act requires the identification of all countries that are candidate countries for purposes of eligibility for MCC compact assistance for FY 2026 and the identification of all countries that would be candidate countries for purposes of eligibility for MCC compact assistance but for specified legal prohibitions on assistance. Under sections 606(a) of the Act, a country is considered a candidate country for FY 2026 if it:

- has a per capita income that is not greater than the World Bank's threshold for initiating the International Bank for Reconstruction and Development graduation process for such fiscal year ($7,855 gross national income per capita for FY 2026);
- is not ineligible to receive United States economic assistance under part I of the Foreign Assistance Act of 1961, as amended (the Foreign Assistance Act), by reason of the application of the Foreign Assistance Act or any other provision of law.

Pursuant to section 606(b) of the Act, the Board identified the following countries as candidate countries under the Act for FY 2026. In so doing, the Board referred to the prohibitions on assistance to countries for FY 2025 under the Full-Year Continuing Appropriations and Extensions Act, 2025, contained in Division F of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2024 (Pub. L. 118–47) (FY 2025 SFOAA).

Candidate Countries

1. Afghanistan
2. Algeria
3. Angola
4. Armenia
5. Bangladesh
6. Belize
7. Benin
8. Bhutan
9. Bolivia
10. Botswana
11. Burundi
12. Cabo Verde
13. Cambodia
14. Cameroon
15. Central African Republic
16. Chad
17. Colombia
18. Comoros
19. Congo, Democratic Republic of the
20. Congo, Republic of the
21. Côte d'Ivoire
22. Djibouti
23. Ecuador
24. Egypt
25. El Salvador
26. Equatorial Guinea
27. Eswatini
28. Ethiopia
29. Fiji
30. Gabon
31. Gambia, The
32. Guatemala
33. Guinea-Bissau
34. Honduras
35. India
36. Indonesia
37. Iraq
38. Jamaica
39. Jordan
40. Kenya
41. Kiribati
42. Kosovo
43. Kyrgyz Republic
44. Lao PDR
45. Lebanon
46. Lesotho
47. Liberia
48. Libya
49. Madagascar
50. Malawi
51. Mauritania
52. Micronesia, Federated States of
53. Moldova
54. Mongolia
55. Morocco
56. Mozambique
57. Namibia
58. Nepal
59. Nigeria
60. Pakistan
61. Papua New Guinea
62. Paraguay
63. Peru
64. Philippines
65. Rwanda
66. Samoa
67. Sao Tome and Principe
68. Senegal
69. Sierra Leone
70. Solomon Islands
71. Somalia
72. South Africa
73. Suriname
74. Tajikistan
75. Tanzania
76. Thailand
77. Timor-Leste
78. Togo
79. Tonga
80. Tunisia
81. Uganda
82. Ukraine
83. Uzbekistan
84. Vanuatu
85. Vietnam
86. Yemen
87. Zambia

Countries That Would Be Candidate Countries But for Legal Provisions That Prohibit Assistance

Countries that would be considered candidate countries for purposes of eligibility for MCC compact assistance for FY 2026 but are ineligible to receive United States economic assistance under part I of the Foreign Assistance Act by reason of the application of any provision of the Foreign Assistance Act or any other provision of law are listed below. This list is based on legal prohibitions against economic assistance that apply as of August 6, 2025.

Prohibited Countries

- *Azerbaijan* is ineligible to receive foreign assistance pursuant to section 907 of the FREEDOM Support Act (22 U.S.C. 5801).
- *Burkina Faso* is ineligible to receive foreign assistance pursuant to the military coup restriction in section 7008 of the FY 2025 SFOAA.
- *Burma* is ineligible to receive foreign assistance as it is subject to numerous restrictions including for concerns regarding its record on human rights and pursuant to the military coup restriction in section 7008 of the FY 2025 SFOAA.
- *Eritrea* is ineligible to receive foreign assistance as it is subject to numerous restrictions including for concerns relative to its record on human rights and its status as a Tier 3 country under the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 *et seq.*).
- *Ghana* is ineligible to receive foreign assistance pursuant to the debt default restriction in section 7012 of the FY 2025 SFOAA pending a debt restructuring agreement.
- *Guinea* is ineligible to receive foreign assistance pursuant to the military coup restriction in section 7008 of the FY 2025 SFOAA.
- *Haiti* is ineligible to receive foreign assistance unless the Secretary of State provides a certification pursuant to section 7045(g)(2) of the FY 2025 SFOAA.
- *Iran* is ineligible to receive foreign assistance as it is subject to numerous restrictions including section 7007 of the FY 2025 SFOAA and its status as a Tier 3 country under the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 *et seq.*).
- *Mali* is ineligible to receive foreign assistance pursuant to the military coup restriction in section 7008 of the FY 2025 SFOAA.
- *Nicaragua* is ineligible to receive foreign assistance as it is subject to numerous restrictions including under section 7047(c) of the FY 2025 SFOAA related to its recognition posture with respect to the Russian Federation occupied Georgian territories of Abkhazia and Tskhinvali Region/South Ossetia and its status as a Tier 3 country

under the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 *et seq.*).

- *Niger* is ineligible to receive foreign assistance pursuant to the military coup restriction in section 7008 of the FY 2025 SFOAA.
- *North Korea* is ineligible to receive foreign assistance as it is subject to numerous restrictions including section 7007 of the FY 2025 SFOAA and its status as a Tier 3 country under the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 *et seq.*).
- *South Sudan* is ineligible to receive foreign assistance as it is subject to numerous restrictions including for concerns relative to its record on human rights, and its status as a Tier 3 country under the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 *et seq.*).
- *Sri Lanka* is ineligible to receive foreign assistance pursuant to section 7044(c)(2) of the FY 2025 SFOAA, which restricts (with limited exceptions) assistance for the central government unless the Secretary makes certain certifications regarding actions taken by the Government of Sri Lanka and reports to the Committees on Appropriations.
- *Sudan* is ineligible to receive foreign assistance as it is subject to numerous restrictions including the military coup restriction in section 7008 of the FY 2025 SFOAA.
- *Syria* is ineligible to receive foreign assistance as it is subject to numerous restrictions including section 7007 of the FY 2025 SFOAA and its status as a Tier 3 country under the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 *et seq.*).
- *Venezuela*[1] is ineligible to receive foreign assistance pursuant to section 7047(c) of the FY 2025 SFOAA related to its recognition posture with respect to the Russian Federation occupied Georgian territories of Abkhazia and Tskinvali Region/South Ossetia.
- *Zimbabwe* is ineligible to receive foreign assistance, including pursuant to section 7042(j)(2) of the FY 2025 SFOAA, which prohibits (with limited exceptions) assistance for the central government of Zimbabwe unless the Secretary of State certifies and reports to Congress that the rule of law has been restored, including respect for ownership and title to property and freedoms of expression, association, and assembly.

Countries identified above as candidate countries, as well as countries that would be considered candidate countries but for the applicability of legal provisions that prohibit U.S. economic assistance, may be the subject of future statutory restrictions or determinations, or changed country circumstances, that affect their legal eligibility for assistance under part I of the Foreign Assistance Act by reason of application of the Foreign Assistance Act or any other provision of law for FY 2026.

[1] Although the World Bank cannot provide any specific GNI number for Venezuela, they have indicated that, based on information available, Venezuelan GNI would likely be in the $2,155–$4,495 bracket, placing it in MCC's income pool.

[FR Doc. 2025–16827 Filed 9–2–25; 8:45 am]

BILLING CODE 9211–03–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–18; NRC–2024–0092]

NorthStar Vallecitos, LLC; Vallecitos Boiling Water Reactor; License Termination; Exemption

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is noticing the termination of the Vallecitos Boiling Water Reactor (VBWR) Facility Operating License, No. DPR–1, located near Sunol, California. The VBWR is co-located at the site with the Empire State Atomic Development Associates (ESADA) Vallecitos Experimental Superheat Reactor (EVESR), license No. DR–10. Due to the shared siting of the facilities, the termination of the VBWR license includes an exemption from the requirement to meet certain dose criteria at the site as all remaining residual radioactivity has been transferred to the co-located EVESR license, and will be evaluated when that license is terminated.

DATES: The license termination for DPR–1 and the associated exemption were issued on August 27, 2025.

ADDRESSES: Please refer to Docket ID NRC–2024–0092 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–2024–0092. Address questions about Docket IDs in *Regulations.gov* to Bridget Curran; telephone: 301–415–1003; email: *Bridget.Curran@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *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 Public ADAMS Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, at 301–415–4737, or by email to *PDR.Resource@nrc.gov.* For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the ''Availability of Documents'' section.
- *NRC's PDR:* The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to *PDR.Resource@nrc.gov* or call 1–800–397–4209 or 301–415–4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Chris Allen, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–6877; email: *William.Allen@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

The VBWR is a boiling water reactor located at the Vallecitos Nuclear Center (VNC), in Sunol, California and is licensed as a power reactor under part 50 of title 10 of the *Code of Federal Regulations* (10 CFR), ''Domestic Licensing of Production and Utilization Facilities.'' The VBWR is co-located with the Empire State Atomic Development Associates Vallecitos Experimental Superheat Reactor (EVESR), license No. DR–10, in the ''300 Area.'' The ''300 Area'' is an approximate 3.2-acre area within the larger VNC site.

The General Electric Company (GE) was issued a license by the Atomic Energy Commission (AEC) to construct and operate the VBWR on May 14, 1956. Developmental Power Reactor (DPR) license number 1 (DPR–1) was issued to GE on August 31, 1957, and full power was attained on October 19, 1957. The VBWR ceased operations on December 9, 1963, and was defueled on December 24 that same year. GE was issued a license to possess but not operate the VBWR reactor on September 9, 1965. The AEC issued GE an order to dismantle the VBWR on July 25, 1966, however, major dismantlement activities at the VBWR did not occur until the years 2007–2008 with the removal of most of the contaminated

equipment and components. The reactor vessel, the last remaining component of the VBWR reactor, was removed from the VBWR reactor building and shipped offsite for disposal as described in the letter from GE Hitachi Nuclear Energy Americas, LLC (GEH) to NRC dated March 25, 2024.

On September 7, 2023, as supplemented by letters dated September 15, 2023, October 31, 2023, and March 25, 2024, GEH submitted a license amendment request (LAR) to the NRC to approve a License Termination Plan (LTP) to support termination of NRC license DPR–1. The LTP detailed efforts to identify and characterize the residual radioactivity associated with the VBWR reactor building. The LTP also explained that final decontamination of the VBWR facility would be accomplished after control of the remaining VBWR structures and components had been transferred to the control of the EVESR license. The NRC requested public comments on VBWR's LTP and held a public meeting to discuss the LTP. There were no public comments received on the LTP. The NRC also published an Environmental Assessment and Finding of No Significant Impact on the LTP. On November 27, 2024, the NRC approved the VBWR LTP.

By order dated April 25, 2024, the NRC approved the direct transfer of ownership of the VNC, including all NRC licensed facilities, from GEH to NorthStar Vallecitos, LLC (NSV). On March 12, 2025, the NRC was notified that the sale of the VNC facilities from GEH to NorthStar Vallecitos would be completed on March 14, 2025. Subsequently, on March 14, 2025, the NRC issued License No. DPR–1 to NSV.

II. Request/Action

By letter dated February 3, 2025, NSV applied to the NRC to terminate the NRC license for the VBWR. In accordance with 10 CFR 50.12, NSV also requested an exemption from the 10 CFR 50.82(a)(11)(ii) requirements that the VBWR final radiation survey and associated documentation demonstrate that the facility meets the criteria for license termination in 10 CFR part 20, subpart E. NSV requested the exemption because the remaining VBWR facility and residual radioactivity have been transferred to the EVESR license, which is a co-located facility, and thus, the part 20, subpart E criteria will have to be met when the EVESR facility decommissions. The VBWR license termination is being sought to ensure compliance with the requirement in 10 CFR 50.82(a)(3) for power reactors to terminate their licenses within 60 years of the permanent cessation of operations.

III. Discussion

Pursuant to 10 CFR 50.12(a)(1), the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of 10 CFR part 50 when the exemptions are authorized by law, will not present an undue risk to public health or safety, and are consistent with the common defense and security. However, the Commission will not consider granting an exemption unless special circumstances are present. Special circumstances are described in 10 CFR 50.12(a)(2).

A. Authorized by Law

As stated earlier in this notice, 10 CFR 50.12 allows the NRC to grant exemptions from 10 CFR part 50 requirements if it makes certain findings. As further discussed later in this notice, the NRC staff has determined that special circumstances exist to grant the exemption. In addition, granting the licensee's proposed exemption will not result in a violation of the Atomic Energy Act of 1954, as amended; other laws, or the Commission's regulations. Therefore, the granting of the exemption request is authorized by law.

B. No Undue Risk to Public Health and Safety

NSV identified three factors that demonstrate the requested exemption does not result in an undue risk to public health and safety: (1) the exemption does not create a new accident precursor or result in an increase in the probability of any postulated accident, an increase in the consequences of postulated accidents, (2) result in any change to the types or amounts of effluents that may be released offsite or be allowed to remain on site, or (3) result in an increase of cumulative occupational or public doses for the site. Because the VBWR structures and residual radioactivity have been transferred under the EVESR license held by NSV, full decommissioning of the VBWR will occur with the final decommissioning of the co-located EVESR which is planned for April 2030 in accordance with the requirements of 10 CFR 50.82(a)(11)(ii). Because there is no facility, radioactive components, or residual radioactivity remaining on the VBWR license, the NRC staff concludes that the requested exemption does not (1) create a new accident precursor or increase the probability or consequence of postulated accidents, (2) change the type or amount of effluents released or allowed to remain on site, or (3) result in an increase of cumulative occupational or public dose. As a result, NRC determined that granting the exemption poses no undue risk to public health and safety.

C. Consistent With the Common Defense and Security

NSV stated that the common defense and security is not impacted by the requested exemption because it does not alter the scope or implementation of the NorthStar Vallecitos Physical Security Plan and does not affect any other requirements related to the security of the facility. The exemption requested relief from providing final radiation surveys and associated documentation demonstrating that the VBWR facility meets the criteria for license termination in 10 CFR part 20, subpart E as required by 10 CFR 50.82(a)(11)(ii). Since 10 CFR part 20, subpart E identifies criteria for public safety, granting the exemption request does not impact the common defense and security.

D. Special Circumstances

Paragraph 50.12(a)(2) of 10 CFR states, in part:

The Commission will not consider granting an exemption unless special circumstances are present. Special circumstances are present whenever– . . . (ii) Application of the regulation in the particular circumstances would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule;

The purpose of the final radiation survey and associated documentation, including an assessment of dose contributions associated with parts released for use before approval of the license termination plan, submitted pursuant to 10 CFR 50.82(a)(11)(ii), is to protect the public health and safety by demonstrating that the facility and site have met the criteria for decommissioning in 10 CFR part 20, subpart E. With approval of the EVESR amendment, the remaining VBWR reactor building, and any associated residual radioactivity, have been transferred to the authority of the EVESR license. Because of this, NSV must submit a final status survey and associated documentation as part of the EVESR license termination that demonstrates compliance with the 10 CFR 50.82(a)(11) requirements for release of the 300 Area which includes both the EVESR and the remaining transferred VBWR facilities. As such, compliance with 10 CFR 50.82(a)(11)(ii) is not necessary to satisfy the underlying purpose of the rule because

there are no remaining facilities or components on the VBWR license. Accordingly, the NRC finds that special circumstances are present and grants the exemption request pursuant to 10 CFR 50.12(a)(2)(iii).

E. Environmental Considerations

Pursuant to 10 CFR 51.22(c)(25), the granting of an exemption from the requirements of any regulation in Chapter I of 10 CFR meets the eligibility criteria for categorical exclusion provided that (1) there is no significant hazards consideration, (2) there is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite, (3) there is no significant increase in individual or cumulative public or occupational radiation exposure, (4) there is no significant construction impact, (5) there is no significant increase in the potential for or consequences from radiological accidents, and (6) the requirements from which an exemption is sought are among those identified in 10 CFR 51.22(c)(25)(vi). NSV asserted that the exemption sought relief from scheduling requirements which is category G under 10 CFR 51.22(c)(25)(vi). As discussed in section 5.1 of the SER, the NRC concluded that the exemption request satisfies the categorical exclusion criteria in 10 CFR 51.22(c)(25).

IV. Availability of Documents

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

Document Description	ADAMS Accession No./ **Federal Register** citation
GEH/NorthStar Response to NRC Request for Additional Information Regarding the License Termination Plan for VBWR, dated March 25, 2024.	ML24085A792.
GE-Hitachi Nuclear Energy Americas, LLC, License Termination Plan for the Vallecitos Boiling Water Reactor License DPR–1, dated September 7, 2023.	ML23250A266 (Package).
GE-Hitachi Nuclear Energy Americas, LLC, License Termination Plan for the Vallecitos Boiling Water Reactor License DPR–1, dated September 15, 2023.	ML23261A591 (Package).
GEH Vallecitos Nuclear Center, Email: Response to acceptance Review of the VBWR License Termination Plan, dated October 31, 2023.	ML23304A300.
GE Hitachi Nuclear Energy/NorthStar Vallecitos, LLC.; Vallecitos Boiling Water Reactor; License Termination Plan, date published May 15, 2024.	89 FR 42510.
General Electric Hitachi VBWR License Termination Plan Environmental Assessment FONSI, dated October 10, 2024.	ML24263A192.
Vallecitos Boiling Water Reactor License Termination Plan Amendment, dated November 27, 2024	ML24348A094 (Package).
Order Approving Transfer of the Vallecitos Nuclear Center Licenses and Conforming License Amendments, dated April 25, 2024.	ML24039A011 (Package).
Notification of Planned Closing, Trust Fund Balance at Transfer and Proof of Insurance, dated March 12, 2025.	ML25071A080.
Application to Terminate License for the Vallecitos Boiling Water Reactor, dated February 3, 2025	ML25034A275.
Issuance of Amendment to EVESR License to Accept VBWR In-Situ Radioactive Material, dated August 19, 2025.	ML25199A084 (Package).

Dated: August 29, 2025.

For the Nuclear Regulatory Commission.

Jane Marshall,

Division Director, Division of Decommissioning, Uranium Recovery and Waste Programs, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2025–16873 Filed 9–2–25; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2024–0193]

Information Collection: Disposal of High-Level Radioactive Waste in Geologic Repositories

AGENCY: Nuclear Regulatory Commission.

ACTION: Renewal of existing information collection; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) invites public comment on the renewal of Office of Management and Budget (OMB) approval for an existing collection of information. The information collection is titled, ''Disposal of High-Level Radioactive Waste in Geologic Repositories.''

DATES: Submit comments by November 3, 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: 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–2024–0193. 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.

• *Mail comments to:* David Cullison, Office of the Chief Information Officer, Mail Stop: T–6 A10M, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

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 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.*

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2024–0193 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–2024–0193.

• *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 supporting statement is available in ADAMS under Accession No. ML25203A322.

- *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

The NRC encourages electronic comment submission through the Federal rulemaking website (*https://www.regulations.gov*). Please include Docket ID NRC–2024–0193, in your comment submission.

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 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 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

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the NRC is requesting public comment on its intention to request the OMB's approval for the information collection summarized as follows.

1. *The title of the information collection:* Disposal of High-Level Radioactive Waste in Geologic Repositories.
2. *OMB approval number:* 3150–0127.
3. *Type of submission:* Extension.
4. *The form number, if applicable:* Not Applicable.
5. *How often the collection is required or requested:* Once.
6. *Who will be required or asked to respond:* State or Indian Tribes, or their representatives, requesting consultation with the NRC staff regarding review of a potential high-level radioactive waste geologic repository site, or wishing to participate in a license application review for a potential geologic repository (other than a potential geologic repository site at Yucca Mountain, Nevada, which is regulated under part 63 of title 10 of the *Code of Federal Regulations* (10 CFR), ''Disposal of High-Level Radioactive Wastes In a Geologic Repository at Yucca Mountain, Nevada.''
7. *The estimated number of annual responses:* 3.
8. *The estimated number of annual respondents:* 1.
9. *The estimated number of hours needed annually to comply with the information collection requirement or request:* 121.
10. *Abstract:* 10 CFR part 60 requires States and Indian Tribes to submit certain information to the NRC if they request consultation with the NRC staff concerning the review of a potential repository site or wish to participate in a license application review for a potential repository (other than the Yucca Mountain, Nevada site, which is regulated under 10 CFR part 63). States and Indian Tribes are required to submit information regarding requests for consultation with the NRC and participation in the review of a site characterization plan and/or license application, but only if they wish to obtain NRC consultation services and/or participate in the reviews. The information submitted by the States and Indian Tribes is used by the Director of the Office of Nuclear Material Safety and Safeguards as a basis for decisions about the commitment of NRC staff resources to the consultation and participation efforts. All of the information collection requirements pertaining to Yucca Mountain are included in 10 CFR part 63 and approved by OMB under control number 3150–0199.

III. Specific Requests for Comments

The NRC is seeking comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility? Please explain your answer.
2. Is the estimate of the burden of the information collection accurate? Please explain your answer.
3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?
4. How can the burden of the information collection on respondents be minimized, including the use of automated collection techniques or other forms of information technology?

Dated: August 28, 2025.

For the Nuclear Regulatory Commission.

David Cullison,

NRC Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 2025–16805 Filed 9–2–25; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2025–0808]

Draft Regulatory Issue Summary: Combined License Review Performance and Reporting

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is seeking public comment on a draft regulatory issue summary (RIS) that discusses the review performance and reporting requirements for a combined license application review in accordance with the requirements in Section 207 of the ADVANCE Act (Accelerating Deployment of Versatile, Advanced Nuclear for Clean Energy Act of 2024). NRC regulations provide requirements for the issuance of combined licenses.

DATES: Submit comments by September 18, 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: 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–2025–0808. 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.

- *Mail comments to:* Office of Administration, Mail Stop: TWFN–7–A60M, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, ATTN: Program Management, Announcements and Editing Staff.

For additional direction on obtaining information and submitting comments, see ''Obtaining Information and Submitting Comments'' in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Carolyn Lauron, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–2736; email: *Carolyn.Lauron@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2025–0808 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–2025–0808.
- *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.* Draft RIS 2025–XX, ''Combined License Review Procedure,'' is available in ADAMS under Accession No. ML25121A010.
- *NRC's PDR:* The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to *PDR.Resource@nrc.gov* or call 1–800–397–4209 or 301–415–4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

B. Submitting Comments

The NRC encourages electronic comment submission through the Federal rulemaking website (*https://www.regulations.gov*). Please include Docket ID NRC–2025–0808 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

The NRC's mission is to protect public health and safety and advance the Nation's common defense and security by enabling the safe and secure use and deployment of civilian nuclear energy technologies and radioactive materials through efficient and reliable licensing, oversight, and regulation for the benefit of society and the environment. The NRC is committed to reviewing all license applications in an effective and efficient manner and employing risk informed approaches to inform the scope of the NRC staff review.

Executive Order (E.O.) 14300, ''Ordering the Reform of the Nuclear Regulatory Commission,'' issued May 23, 2025, requires the NRC to reform and modernize its regulations to include a ''deadline of no more than 18 months for final decision on an application to construct and operate a new reactor of any type, commencing with the first required step in the regulatory process.'' The NRC will comply with the review timeline in the E.O.

The NRC staff conducted public meetings on December 12, 2024, and January 28, 2025, to receive comments, feedback, and ideas on how the NRC should implement the requirement in ADVANCE Act Section 207. In addition, the NRC staff conducted a meeting on March 4, 2025, to solicit feedback on its approach for developing the draft RIS, ''Combined License Review Performance and Reporting.'' A summary of the public comments, feedback, and ideas received and considered in the development of the draft RIS may be found in ADAMS under Accession Nos. ML25033A001 (package), ML25041A145, and ML25066A073 (package), respectively.

III. Proposed Action

The NRC is requesting public comments on the draft RIS. All comments that are to receive consideration in the final RIS must be submitted electronically or in writing as indicated in the **ADDRESSES** section of this document. The NRC staff will make a final determination regarding issuance of the RIS after it considers any public comments received in response to this request.

IV. Executive Order 12866

The Office of Information and Regulatory Affairs determined that this draft RIS is not a significant regulatory action under E.O. 12866.

(Authority: 42 U.S.C. 2011 *et seq.*)

Dated: August 28, 2025.

For the Nuclear Regulatory Commission.

Michele Sampson,

Director, Division of New and Renewed Licenses, Office of Nuclear Reactor Regulation.

[FR Doc. 2025–16835 Filed 9–2–25; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2025–0013]

Information Collection: Operators' Licenses

AGENCY: Nuclear Regulatory Commission.

ACTION: Renewal of existing information collection; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) invites public comment on the renewal of Office of Management and Budget (OMB) approval for an existing collection of information. The information collection is entitled, ''Operators' Licenses.''

DATES: Submit comments by November 3, 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: 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–2025–0013. 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.
- *Mail comments to:* David Cullison, Office of the Chief Information Officer, Mail Stop: T–6 A10M, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

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 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.*

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2025–0013 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–2025–0013. A copy of the collection of information and related instructions may be obtained without charge by accessing Docket ID NRC–2025–0013 on this website.
- *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 supporting statement and burden spreadsheet are available in ADAMS under Accession No. ML25014A174 and ML25132A201, respectively.
- *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 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

The NRC encourages electronic comment submission through the Federal rulemaking website (*https://www.regulations.gov*). Please include Docket ID NRC–2025–0013, in your comment submission.

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 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 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

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the NRC is requesting public comment on its intention to request the OMB's approval for the information collection summarized as follows.

1. *The title of the information collection:* 10 CFR part 55, Operators' Licenses.
2. *OMB approval number:* 3150–0018.
3. *Type of submission:* Revision.
4. *The form number, if applicable:* Not applicable.
5. *How often the collection is required or requested:* On occasion.
6. *Who will be required or asked to respond:* Holders of, and applicants for, facility (*i.e.,* nuclear power and nonpower research and test reactor) operating licenses and individual operator licensees.
7. *The estimated number of annual responses:* 444 (350 reporting responses + 94 recordkeepers).
8. *The estimated number of annual respondents:* 94.
9. *The estimated number of hours needed annually to comply with the information collection requirement or request:* 171,299 (149,618 reporting + 21,681 recordkeeping).
10. *Abstract:* Part 55 of title 10 of the *Code of Federal Regulations* (10 CFR), ''Operators' Licenses,'' specifies information and data to be provided by applicants and facility licensees so that the NRC may make determinations concerning the licensing and requalification of operators for nuclear reactors, as necessary to promote public health and safety. The reporting and recordkeeping requirements contained in 10 CFR part 55 are mandatory for the affected facility licensees and applicants.

III. Specific Requests for Comments

The NRC is seeking comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility? Please explain your answer.
2. Is the estimate of the burden of the information collection accurate? Please explain your answer.
3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?
4. How can the burden of the information collection on respondents be minimized, including the use of automated collection techniques or other forms of information technology?

Dated: August 29, 2025.

For the Nuclear Regulatory Commission.

David Cullison,

NRC Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 2025–16882 Filed 9–2–25; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2025–0038]

Information Collection: NRC Form 646, Formal Discrimination Complaint and NRC Form 655, EEO Counselor's Report

AGENCY: Nuclear Regulatory Commission.

ACTION: Renewal of existing information collection; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) invites public comment on the renewal of Office of Management and Budget (OMB) approval for an existing collection of information. The information collection is entitled, NRC Form 646, ''Formal Discrimination Complaint'' and NRC Form 655, ''EEO Counselor's Report.''

DATES: Submit comments by November 3, 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: 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–2025–0038. 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.

• *Mail comments to:* David Cullison, Office of the Chief Information Officer, Mail Stop: T–6 A10M, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

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 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.*

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2025–0038 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–2025–0038. A copy of the collection of information and related instructions may be obtained without charge by accessing Docket ID NRC–2025–0038 on this website.

• *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. ML25182A355 and ML25182A376. The supporting statements, NRC Form 646, ''Formal Discrimination Complaint'' and NRC 655, ''EEO Counselor's Report,'' are available in ADAMS under Accession Nos. ML25181A458 and ML25181A456, respectively.

• *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 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

The NRC encourages electronic comment submission through the Federal rulemaking website (*https://www.regulations.gov*). Please include Docket ID NRC–2025–0038, in your comment submission.

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 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 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

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the NRC is requesting public comment on its intention to request the OMB's approval for the information collection summarized as follows.

1. *The title of the information collection:* NRC Form 646, ''Formal Discrimination Complaint'' and NRC Form 655, ''EEO Counselor's Report.''

2. *OMB approval number:* 3150–0255 and 3150–0256.

3. *Type of submission:* Extension.

4. *The form number, if applicable:* NRC Forms 646 and 655.

5. *How often is the collection required or requested:* On occasion.

6. *Who will be required or asked to respond:* NRC Form 646: Employees, former employees, or applicants for employment with the NRC, who believe that they have been subjected to discrimination based on race, color, national origin, religion, sex, age, disability, or reprisal. NRC Form 655: Aggrieved persons who believe they have been discriminated against in employment on the basis of race, color, religion, sex, national origin, age, disability, or genetic information.

7. *The estimated number of annual responses:* NRC Form 646: 30; NRC Form 655: 30.

8. *The estimated number of annual respondents:* NRC Form 646: 30; NRC Form 655: 30.

9. *The estimated number of hours needed annually to comply with the information collection requirement or request:* NRC Form 646: 30; NRC Form 655: 30.

10. *Abstract:* As set forth under 29 CFR 1614, the Equal Employment Opportunity (EEO) complaint process prescribes that when an aggrieved individual believes that they have been discriminated against on the basis of their race, color, religion, sex (including pregnancy), national origin, age, disability, genetic information (including family medical history), marital status, parental status, political affiliation, military service, and reprisal and seeks EEO counseling, the assigned EEO Counselor will conduct the pre-complaint (Informal) with the intentions of resolving the complaint within the Agency. At the conclusion of pre-

complaint (Informal) process and if resolution was unsuccessful, the EEO Counselor during the final interview with the aggrieved person must discuss what occurred during the counseling process and provide the aggrieved with information to move the matter forward. Pursuant to 29 CFR 1614.105(c), if the aggrieved individual decides to file a Formal complaint (*i.e.,* NRC Form 646), the EEO Counselor must submit a written report (*i.e.,* NRC Form 655, ''EEO Counselor's Report'') within fifteen (15) calendar days to the Office of Small Business and Civil Right Director or designated official that will contain relevant information about the aggrieved individual, jurisdiction, claims, bases, Responding Management Officials, witnesses, requested remedies, and the EEO Counselor's checklist. The NRC Form 655, ''EEO Counselor's Report'' is completed by an EEO counselor during this consultation, which must be conducted within 45 days of the date of the matter alleged to be discriminatory or, in the case of personnel action, within 45 days of the effective date of the action. Once the form is completed, an authorized NRC representative will place the completed NRC Form 646 in a secure folder created specifically for the aggrieved individual within an automated tracking system.

III. Specific Requests for Comments

The NRC is seeking comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility? Please explain your answer.

2. Is the estimate of the burden of the information collection accurate? Please explain your answer.

3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?

4. How can the burden of the information collection on respondents be minimized, including the use of automated collection techniques or other forms of information technology?

Dated: August 29, 2025.

For the Nuclear Regulatory Commission.

David Cullison,

NRC Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 2025–16879 Filed 9–2–25; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2025–0011]

Information Collection: NRC Form 396, Certification of Medical Examination by Facility Licensee

AGENCY: Nuclear Regulatory Commission.

ACTION: Renewal of existing information collection; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) invites public comment on the renewal of Office of Management and Budget (OMB) approval for an existing collection of information. The information collection is entitled, NRC Form 396, ''Certification of Medical Examination by Facility Licensee.''

DATES: Submit comments by November 3, 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: 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–2025–0011. 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.

• *Mail comments to:* David Cullison, Office of the Chief Information Officer, Mail Stop: T–6 A10M, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

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 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.*

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2025–0011 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–2025–0011. A copy of the collection of information and related instructions may be obtained without charge by accessing Docket ID NRC–2025–0011 on this website.

• *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 may be obtained without charge by accessing ADAMS Accession Nos. ML25013A316 and ML25217A445. The supporting statement is available in ADAMS under Accession No. ML25013A315.

• *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 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

The NRC encourages electronic comment submission through the Federal rulemaking website (*https://www.regulations.gov*). Please include Docket ID NRC–2025–0011, in your comment submission.

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 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 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

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the NRC is requesting public comment on its intention to request the OMB's approval for the information collection summarized as follows.

1. *The title of the information collection:* NRC Form 396, Certification of Medical Examination by Facility Licensee.
2. *OMB approval number:* 3150–0024.
3. *Type of submission:* Extension.
4. *The form number, if applicable:* NRC Form 396.
5. *How often the collection is required or requested:* Upon application for an initial or upgrade license; every 6 years for the renewal of an operator or senior operator license, and notices of disability that occur during licensed tenure.
6. *Who will be required or asked to respond:* Facility licensees who are tasked with certifying the medical fitness or operator licensee.
7. *The estimated number of annual responses:* 1,862.
8. *The estimated number of annual respondents:* 133.
9. *The estimated number of hours needed annually to comply with the information collection requirement or request:* 2,161 hours (1,729 reporting hours + 432 recordkeeping hours).
10. *Abstract:* NRC Form 396 is used to transmit information to the NRC regarding the medical condition of applicants for initial operator licenses or renewal of operator licenses and for the maintenance of medical records for all licensed operators. The information is used to determine whether the physical condition and general health of applicants for operator licensees is such that the applicant would not be expected to cause operational errors and endanger public health and safety.

III. Specific Requests for Comments

The NRC is seeking comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility? Please explain your answer.
2. Is the estimate of the burden of the information collection accurate? Please explain your answer.
3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?
4. How can the burden of the information collection on respondents be minimized, including the use of automated collection techniques or other forms of information technology?

Dated: August 29, 2025.

For the Nuclear Regulatory Commission.

David Cullison,

NRC Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 2025–16877 Filed 9–2–25; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2024–0203]

Regulatory Guide: Acceptability of ASME Code, Section III, Division 5, "High Temperature Reactors"

AGENCY: Nuclear Regulatory Commission.

ACTION: Final guide; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing Revision 3 to Regulatory Guide (RG), 1.87, ''Acceptability of ASME Code, Section III, Division 5, ''High Temperature Reactors.'''' This regulatory guide (RG) describes an approach that is acceptable to the staff of the NRC to assure the mechanical/structural integrity of components that operate in elevated temperature environments and that are subject to time-dependent material properties and failure modes. It endorses, with exceptions and limitations, the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel (BPV) Code (ASME Code) Section III, ''Rules for Construction of Nuclear Facility Components,'' Division 5, ''High Temperature Reactors,'' and several related Code Cases.

DATES: Revision 3 to RG 1.87 is available on September 3, 2025.

ADDRESSES: Please refer to Docket ID NRC–2024–0203 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–2024–0203. 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.* 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.

Revision 3 to RG 1.87 and the regulatory analysis may be found in ADAMS under Accession Nos. ML25176A084 and ML24275A267, respectively.

Regulatory guides are not copyrighted, and NRC approval is not required to reproduce them.

FOR FURTHER INFORMATION CONTACT: Ramón L Gascot Lozada, Office of Nuclear Regulatory Research, telephone: 301–415–2004; email: *Ramon.Gascot@nrc.gov;* Joseph Bass, Office of Nuclear Regulatory Research, telephone: 301–287–9278; email: *Joseph.Bass@nrc.gov* or Margaret Audrain, Office of Nuclear Reactor Regulation, telephone: 301–415–2133; email: *Margaret.Audrain@nrc.gov.* All are staff of the U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

SUPPLEMENTARY INFORMATION:

I. Discussion

The NRC is issuing a revision in the NRC's ''Regulatory Guide'' series. This series was developed to describe methods that are acceptable to the NRC staff for implementing specific parts of the agency's regulations, to explain techniques that the staff uses in evaluating specific issues or postulated events, and to describe information that

the staff needs in its review of applications for permits and licenses.

The proposed Revision 3 to RG 1.87 was issued with a temporary identification of Draft Regulatory Guide, DG–1436 (ADAMS Accession No. ML24275A266). This revision (Revision 3) updates the guidance to endorse, with exceptions and limitations, the 2023 Edition of ASME Code Section III, Division 5, as a method acceptable to the staff for the materials, mechanical/structural design, construction, testing, and quality assurance of mechanical systems and components and their supports in high-temperature reactors. This revision removes conditions from Revision 2 of the RG that have been addressed in the 2023 version of the Code. This revision also endorses, with exceptions and limitations, the Code Cases N–812–1, N–861–2, N–862–2, N–872, N–898–1, N–924 and N–940.

II. Additional Information

The NRC published a notice of the availability of DG–1436 in the **Federal Register** on December 13, 2024 (89 FR 100921) for public comment. The NRC extended the public comment period on February 3, 2025 (90 FR 8782). The public comment period closed on February 26, 2025. Public comments on DG–1436 and the staff responses to the public comments are available in ADAMS under Accession No. ML25188A048.

III. Congressional Review Act

This RG is a rule as defined in the Congressional Review Act (5 U.S.C. 801–808). However, the Office of Management and Budget has not found it to be a major rule as defined in the Congressional Review Act.

IV. Backfitting, Forward Fitting, and Issue Finality

The NRC staff may use this RG as a reference in its regulatory processes, such as licensing, inspection, or enforcement. However, the NRC staff does not intend to use the guidance in this RG to support NRC staff actions in a manner that would constitute backfitting as that term is defined in section 50.109 of title 10 of the *Code of Federal Regulations* (10 CFR), ''Backfitting,'' and as described in NRC Management Directive (MD) 8.4, ''Management of Backfitting, Forward Fitting, Issue Finality, and Information Requests,'' (Ref. 11); nor does the NRC staff intend to use the guidance to affect the issue finality of an approval under 10 CFR part 52, ''Licenses, Certifications, and Approvals for Nuclear Power Plants.'' The staff also does not intend to use the guidance to support NRC staff actions in a manner that constitutes forward fitting as that term is defined and described in MD 8.4. If a licensee believes that the NRC is using this RG in a manner inconsistent with the discussion in the Implementation section of this RG, then the licensee may file a backfitting or forward fitting appeal with the NRC in accordance with the process in MD 8.4.

V. Submitting Suggestions for Improvement of Regulatory Guides

A member of the public may, at any time, submit suggestions to the NRC for improvement of existing RGs or for the development of new RGs. Suggestions can be submitted on the NRC's public website at *https://www.nrc.gov/reading-rm/doc-collections/reg-guides/contactus.html.* Suggestions will be considered in future updates and enhancements to the ''Regulatory Guide'' series.

VI. Executive Order (E.O.) 12866

The Office of Information and Regulatory Affairs determined that this RG is not a significant regulatory action under E.O. 12866.

(Authority: 42 U.S.C. 2011 *et seq.*)

Dated: August 29, 2025.

For the Nuclear Regulatory Commission.

Meraj Rahimi,

Chief, Regulatory Guide and Programs Management Branch, Division of Engineering, Office of Nuclear Regulatory Research.

[FR Doc. 2025–16899 Filed 9–2–25; 8:45 am]

BILLING CODE 7590–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103801; File No. SR–NYSETEX–2025–25]

Self-Regulatory Organizations; NYSE Texas, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Connectivity Fee Schedule

August 28, 2025.

Pursuant to Section 19(b)(1) [1] of the Securities Exchange Act of 1934 (''Act'') [2] and Rule 19b–4 thereunder,[3] notice is hereby given that, on August 20, 2025, the NYSE Texas, Inc. (''NYSE Texas'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the Connectivity Fee Schedule (''Fee Schedule'') regarding colocation services and fees to update the list of included data products. The proposed rule change is available on the Exchange's website at *www.nyse.com* and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend the Fee Schedule regarding colocation services and fees to update the list of included data products (''Included Data Products'').

Currently, the table of Included Data Products in Colocation Note 4 sets forth the market data feeds that Users [4] can connect to at no additional cost when they purchase a service that includes access to the LCN or IP network.[5]

The Exchange filed to establish an ''NYSE Texas Order Imbalances''

[4] For purposes of the Exchange's colocation services, a ''User'' means any market participant that requests to receive colocation services directly from the Exchange. *See* Securities Exchange Act Release No. 87408 (October 28, 2019), 84 FR 58778 at n.6 (November 1, 2019) (SR–NYSECHX–2019–12). As specified in the Fee Schedule, a User that incurs colocation fees for a particular colocation service pursuant thereto would not be subject to colocation fees for the same colocation service charged by the New York Stock Exchange LLC, NYSE American LLC, NYSE Arca, Inc., and NYSE National, Inc. (together, the ''Affiliate SROs''). Each Affiliate SRO has submitted substantially the same proposed rule change to propose the change described herein. *See* SR–NYSE–2025–32, SR–NYSEAMER–2025–53, SR–NYSEARCA–2025–61, and SR–NYSENAT–2025–18.

[5] *See* 84 FR 58778, *supra* note 4.

proprietary market data product (the ''NYSE Texas Feed'').[6] Accordingly, the Exchange proposes to update the table of Included Data Products to include the NYSE Texas Feed. To implement the change, the Exchange proposes to update the table of Included Data Products as follows (proposed addition italicized):

NYSE Texas
- NYSE Texas Aggregated Lite
- NYSE Texas BBO
- NYSE Texas Integrated Feed
- *NYSE Texas Order Imbalances*
- NYSE Texas Trades

The Exchange does not charge for connectivity to the Included Data Feeds. Accordingly, it would not charge for connectivity to the NYSE Texas Feed.

General

The proposed changes would not apply differently to distinct types or sizes of market participants. Rather, they would apply to all Users equally. As is currently the case, the purchase of any colocation service, including connectivity to the NYSE Texas Feed, would be completely voluntary and the Fee Schedule would be applied uniformly to all Users.

FIDS does not expect that the proposed rule change will result in new Users.

The proposed changes are not otherwise intended to address any other issues relating to co-location services and/or related fees, and the Exchange is not aware of any problems that customers would have in complying with the proposed change.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,[7] in general, and furthers the objectives of Section 6(b)(5) of the Act,[8] in particular, because it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in 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 and because it is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers. The Exchange further believes that the proposed rule change is consistent with Section 6(b)(4) of the Act,[9] because it provides for the equitable allocation of reasonable dues, fees, and other charges among its members and issuers and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers, or dealers.

The Proposed Change Is Reasonable

The Exchange believes that the proposed rule change is reasonable and would perfect the mechanisms of a free and open market and a national market system and, in general, protect investors and the public interest, because adding the NYSE Texas Feed would increase the number of Included Data Products available to Users for no additional charge. All Users that voluntarily select to access the LCN or IP network would not be subject to a charge above and beyond the fee paid for the relevant LCN or IP network access. Accordingly, the Exchange believes that the proposed change is reasonable because the change would mean that a User would have the option of adding connectivity to additional market data feeds without paying additional charges.

Adding the NYSE Texas Feed to the list of Included Data Products would allow a User to connect to the NYSE Texas Feed if it wished but would not require it to do so. As now, a User would be able to determine which Included Data Products, if any, to which it connects, based on what would best serve its needs, tailoring the service to the requirements of its business operations.

By adding the NYSE Texas Feed, the proposed change would ensure that the list of Included Data Products was up to date. Accordingly, the Exchange believes that the proposed rule change is reasonable and would perfect the mechanisms of a free and open market and a national market system and, in general, protect investors and the public interest, as it would ensure that the description of Included Data Products was complete, ensuring that it is accessible and transparent, and providing market participants with clarity as to what connectivity is included in the purchase of access to the LCN and IP networks.

The Proposed Change Is Equitable and Not Unfairly Discriminatory

The Exchange believes that the proposed change provides for the equitable allocation of reasonable dues, fees, and other charges among its members and issuers and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers, or dealers because adding the NYSE Texas Feed would increase the number of Included Data Products available to Users for no additional charge. All Users that voluntarily select to access the LCN or IP network would not be subject to a charge above and beyond the fee paid for the relevant LCN or IP network access. Accordingly, the Exchange believes that the proposed change is equitable and not unfairly discriminatory because the change would mean that a User would have the option of adding connectivity to an additional market data feed without paying additional charges.

Further, the Exchange believes that the proposed change is equitable and not unfairly discriminatory since, as is true now, the proposed change would not apply differently to distinct types or sizes of Users but would apply to all Users equally. Moreover, adding the proposed additional Included Data Product would allow a User to connect to the NYSE Texas Feed if it wished, but would not require it to do so. As now, a User would be able to determine which Included Data Products, if any, to which it connects, based on what would best serve its needs, tailoring the service to the requirements of its business operations.

By adding the NYSE Texas Feed, the proposed change would ensure that the list of Included Data Products was up to date. Accordingly, the Exchange believes that the proposed rule change is equitable and not unfairly discriminatory, as it would ensure that the description of Included Data Products was complete, ensuring that it is accessible and transparent, and providing market participants with clarity as to what connectivity is included in the purchase of access to the LCN and IP networks.

For the reasons above, the proposed changes do not unfairly discriminate between or among market participants that are otherwise capable of satisfying any applicable co-location fees, requirements, terms, and conditions established from time to time by the Exchange.

For these reasons, the Exchange believes that the proposal is consistent with the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange believes that the proposal will not impose any burden on competition that is not necessary or

[6] *See* Securities Exchange Act Release No. 103053 (May 16, 2025), 90 FR 21970 (May 22, 2025) (SR–NYSETex–2025–10).

[7] 15 U.S.C. 78f(b).

[8] 15 U.S.C. 78f(b)(5).

[9] 15 U.S.C. 78f(b)(4).

appropriate in furtherance of the purposes of Section 6(b)(8) of the Act.[10]

The Exchange believes that the proposed rule change does not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act because adding the NYSE Texas Feed would increase the number of Included Data Products available to Users for no additional charge. All Users that voluntarily select to access the LCN or IP network would not be subject to a charge above and beyond the fee paid for the relevant LCN or IP network access. Accordingly, the change would mean that a User would have the option of adding connectivity to an additional market data feed without paying additional charges.

Adding the proposed additional Included Data Product would allow a User to connect to the NYSE Texas Feed if it wished, but would not require it to do so. In this way, the proposed changes would enhance competition by, as now, enabling a User to determine to which Included Data Products, if any, it connects, based on what would best serve its needs, tailoring the service to the requirements of its business operations.

The Exchange believes that the proposed rule change does not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act because, as with the other Included Data Products, it believes it is not the exclusive method to connect to the NYSE Texas Feed. As alternatives to connecting to the NYSE Texas Feed as an Included Data Product, a User may connect to the market data feed through another User or through a connection to an Exchange access center outside the data center, third party access center, or third party vendor.

By adding the NYSE Texas Feed, the proposed change would ensure that the list of Included Data Products was up to date. Accordingly, the Exchange believes that the proposed addition to the description of Included Data Products would make the description more accessible and transparent. In this manner, the proposed change would provide market participants with clarity as to what connectivity is included in the purchase of access to the LCN and IP networks, thereby enhancing competition by ensuring that all Users have access to the same information regarding the Included Data Products.

[10] 15 U.S.C. 78f(b)(8).

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

D. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act [11] and Rule 19b–4(f)(6) thereunder.[12] Because the proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative prior to 30 days from the date on which it was filed, or such shorter time as the Commission may designate, if consistent with the protection of investors and the public interest, the proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act and Rule 19b–4(f)(6)(iii) thereunder.[13]

A proposed rule change filed under Rule 19b–4(f)(6) [14] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[15] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has requested that the Commission waive the 30-day operative delay so that the proposal may become operative immediately upon filing. The Exchange states that waiver of the 30-day operative delay would be consistent with the protection of investors and the public interest because it would allow all Users that wish to connect to the NYSE Texas Feed the ability to do so without delay and with no additional cost. For these reasons, the Commission finds that waiver of the operative delay is consistent with the protection of investors and the public interest. Accordingly, the Commission hereby waives the 30-day operative delay and designates the proposal operative upon filing.[16]

[11] 15 U.S.C. 78s(b)(3)(A)(iii).

[12] 17 CFR 240.19b–4(f)(6).

[13] *See id.* In addition, Rule 19b–4(f)(6)(iii) requires a self-regulatory organization 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.

[14] 17 CFR 240.19b–4(f)(6).

[15] 17 CFR 240.19b–4(f)(6)(iii).

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B) [17] of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–NYSETEX–2025–25 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–NYSETEX–2025–25. 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

[16] For purposes only of accelerating the operative date of this proposal, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

[17] 15 U.S.C. 78s(b)(2)(B).

publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–NYSETEX–2025–25 and should be submitted on or before September 24, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[18]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–16817 Filed 9–2–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103797; File No. SR–NYSEARCA–2025–13]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Designation of a Longer Period for Commission Action on Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change To Amend the Grayscale Ethereum Trust ETF and Grayscale Ethereum Mini Trust ETF To Permit Staking of the Ether Held by the Trusts

August 28, 2025.

On February 14, 2025, NYSE Arca, Inc. (''NYSE Arca'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to amend the rules governing the listing and trading of shares of the Grayscale Ethereum Trust ETF and the Grayscale Ethereum Mini Trust ETF under NYSE Arca Rule 8.201–E. The proposed rule change was published for comment in the **Federal Register** on March 3, 2025.[3]

On April 14, 2025, pursuant to Section 19(b)(2) of the Exchange Act,[4] the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to disapprove the proposed rule change.[5] On May 28, 2025, the Commission initiated proceedings under Section 19(b)(2)(B) of the Act[6] to determine whether to approve or disapprove the proposed rule change.[7]

Section 19(b)(2) of the Act[8] provides that, after initiating proceedings, the Commission shall issue an order approving or disapproving the proposed rule change not later than 180 days after the date of publication of notice of filing of the proposed rule change. The Commission may extend the period for issuing an order approving or disapproving the proposed rule change, however, by not more than 60 days if the Commission determines that a longer period is appropriate and publishes the reasons for such determination. The proposed rule change was published for comment in the **Federal Register** on March 3, 2025.[9] The 180th day after publication of the proposed rule change is August 30, 2025. The Commission is extending the time period for approving or disapproving the proposed rule change for an additional 60 days. The Commission finds it appropriate to designate a longer period within which to issue an order approving or disapproving the proposed rule change so that it has sufficient time to consider the proposed rule change and the issues raised therein. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[10] designates October 29, 2025, as the date by which the Commission shall either approve or disapprove the proposed rule change (File No. SR–NYSEARCA–2025–13).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[11]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–16813 Filed 9–2–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235–0721]

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Extension: Form 1–SA

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') has submitted to the Office of Management and Budget this request for extension of the previously approved collection of information discussed below.

Form 1–SA (17 CFR 239.92) is used to file semiannual reports by Tier 2 issuers under Regulation A, an exemption from registration under the Securities Act of 1933 (15 U.S.C. 77a *et seq.*). Tier 2 issuers under Regulation A conducting offerings of up to $75 million within a 12-month period are required to file Form 1–SA. Form 1–SA provides semiannual, interim financial statements and information about the issuer's liquidity, capital resources and operations after the issuer's second fiscal quarter. The purpose of the Form 1–SA is to better inform the public about companies that have conducted Tier 2 offerings under Regulation A. The information required by Form 1–SA is mandatory, and Form 1–SA is publicly available on the Commission's Electronic Data Gathering, Analysis, and Retrieval (''EDGAR'') system. We estimate that approximately 464 issuers file Form 1–SA annually. We estimate that Form 1–SA takes approximately 188.04 hours to prepare. We estimate that 85% of the 188.04 hours per response (159.834 hours) is carried internally by the issuer for a total annual burden of 74,163 hours (159.834 hours per response × 464 responses). We estimate that 15% of the approximately 188.04 hours per response (28.206 hours) is carried by outside professionals retained by the issuer to assist in the preparation of the form, at an estimated cost of $600 per hour, for a total annual cost burden of $7,852,550 (28.206 hours per response × $600 per hour × 464 responses annually).

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

The public may view and comment on this information collection request at: *https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202504-3235-018* or send an email comment to *MBX.OMB.OIRA.SEC_desk_officer@omb.eop.gov* within 30 days of the day after publication of this notice by October 6, 2025.

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[18] 17 CFR 200.30–3(a)(12), (59).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102485 (Feb. 25, 2025), 90 FR 11081. Comments received on the proposed rule change are available at: *https://www.sec.gov/comments/sr-nysearca-2025-13/srnysearca202513.htm.*

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 102855, 90 FR 16582 (Apr. 18, 2025) (designating June 1, 2025, as the date by which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove the proposed rule change).

[6] 15 U.S.C. 78s(b)(2)(B).

[7] *See* Securities Exchange Act Release No. 103137, 90 FR 23590 (June 3, 2025).

[8] 15 U.S.C. 78s(b)(2).

[9] *See supra* note 3 and accompanying text.

[10] 15 U.S.C. 78s(b)(2).

[11] 17 CFR 200.30–3(a)(57).

Dated: August 29, 2025.

Sherry Haywood,

Assistant Secretary.

[FR Doc. 2025–16894 Filed 9–2–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 35729; File No. 812–15785]

Aksia LLC, et al

August 28, 2025.

AGENCY: Securities and Exchange Commission (''Commission'' or ''SEC'').

ACTION: Notice.

Notice of application for an order under sections 17(d) and 57(i) of the Investment Company Act of 1940 (the ''Act'') and rule 17d–1 under the Act to permit certain joint transactions otherwise prohibited by sections 17(d) and 57(a)(4) of the Act and rule 17d–1 under the Act.

SUMMARY OF APPLICATION: Applicants request an order to permit certain business development companies (''BDCs'') and closed-end management investment companies to co-invest in portfolio companies with each other and with certain affiliated investment entities.

APPLICANTS: Calamos Aksia Alternative Credit and Income Fund, Calamos Aksia Private Equity and Alternatives Fund, Calamos Aksia Hedged Strategies Fund, Aksia LLC, Aksia CA LLC, 599 Fund LLC, and certain of their wholly-owned subsidiaries as described in Schedule A to the application, and certain of their affiliated entities as described in Schedule B to the application.

FILING DATES: The application was filed on May 8, 2025, and amended on August 19, 2025.

HEARING OR NOTIFICATION OF HEARING: An order granting the requested relief will be issued unless the Commission orders a hearing. Interested persons may request a hearing on any application by emailing the SEC's Secretary at *Secretarys-Office@sec.gov* and serving the Applicants with a copy of the request by email, if an email address is listed for the relevant Applicant below, or personally or by mail, if a physical address is listed for the relevant Applicant below. Hearing requests should be received by the Commission by 5:30 p.m. on September 22, 2025, and should be accompanied by proof of service on the Applicants, in the form of an affidavit or, for lawyers, a certificate of service. Pursuant to rule 0–5 under the Act, hearing requests should state the nature of the writer's interest, any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by emailing the Commission's Secretary at *Secretarys-Office@sec.gov.*

ADDRESSES: The Commission: *Secretarys-Office@sec.gov.* Applicants: Maya Fishman, Esq., *maya.fishman@aksia.com,* Aksia, LLC, 599 Lexington Avenue, 37th Floor, New York, NY 10022; Joshua B. Deringer, Esq., *joshua.deringer@faegredrinker.com,* Faegre Drinker Biddle & Reath LLP, One Logan Square, Ste. 2000, Philadelphia, PA 19103; Joshua M. Lindauer, Esq., *joshua.lindauer@faegredrinker.com,* Faegre Drinker Biddle & Reath LLP, 1177 Avenue of the Americas, 41st Floor, New York, NY 10036.

FOR FURTHER INFORMATION CONTACT: Adam Large, Senior Special Counsel, Toyin Momoh, Senior Counsel, or Daniele Marchesani, Assistant Chief Counsel, at (202) 551–6825 (Division of Investment Management, Chief Counsel's Office).

SUPPLEMENTARY INFORMATION: For Applicants' representations, legal analysis, and conditions, please refer to Applicants' first amended application, dated August 19, 2025, which may be obtained via the Commission's website by searching for the file number at the top of this document, or for an Applicant using the Company name search field, on the SEC's EDGAR system.

The SEC's EDGAR system may be searched at *https://www.sec.gov/edgar/searchedgar/companysearch.html.* You may also call the SEC's Office of Investor Education and Advocacy at (202) 551–8090.

For the Commission, by the Division of Investment Management, under delegated authority.

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–16823 Filed 9–2–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103798; File No. SR–NYSEAMER–2025–52]

Self-Regulatory Organizations; NYSE American LLC; Notice of Filing and Immediate Effectiveness of Proposed Change To Amend Rule 7.35E

August 28, 2025.

Pursuant to Section 19(b)(1) [1] of the Securities Exchange Act of 1934 (''Act'') [2] and Rule 19b–4 thereunder,[3] notice is hereby given that, on August 26, 2025, NYSE American LLC (''NYSE American'' or the ''Exchange'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Rule 7.35E (Auctions) regarding Auction Imbalance Information and make related conforming changes. The proposed rule change is available on the Exchange's website at *www.nyse.com* and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Rule 7.35E (Auctions) regarding the calculation of auction imbalance information disseminated by the Exchange. Specifically, the Exchange

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

proposes to amend certain provisions of Rule 7.35E to provide that, for purposes of the Auction Imbalance Information, imbalance information will be calculated based on the Auction Reference Price rather than the Indicative Match Price. As defined in Rule 7.35E(a)(4), Auction Imbalance Information is information disseminated by the Exchange for an auction. Auction Imbalance Information is updated at least every second, unless there is no change to the information and is disseminated via proprietary data feed. Auction Imbalance Information includes, if applicable, the Total Imbalance, Market Imbalance, Indicative Match Price, Matched Volume, Auction Reference Price, Auction Collar, Book Clearing Price, Far Clearing Price, Imbalance Freeze Indicator, and Auction Indicator.[4] The Indicative Match Price, as defined in Rule 7.35E(a)(8), is the best price at which the maximum volume of shares, including the non-displayed quantity of Reserve Orders, is tradable in the applicable auction (subject to the Auction Collars). Auction Reference Price is currently defined in Rule 7.35E(a)(8)(A) as follows:[5]

Auction	Auction reference price
Early Open Auction	Prior trading day's Official Closing Price.
Core Open Auction	The midpoint of the Auction NBBO or, if the Auction NBBO is locked, the locked price. If there is no Auction NBBO, the prior trading day's Official Closing Price.
Closing Auction	Last consolidated round-lot price of that trading day and, if none, the prior trading day's Official Closing Price.
Trading Halt Auction	Last consolidated round-lot price of that trading day and, if none, the prior trading day's Official Closing Price (except as provided for in Rule 7.35E(e)(7)(A)).
IPO Auction	Zero, unless the Exchange is provided with a price for the security.

The Exchange does not propose any change to its use of the Indicative Match Price as the price at which auctions would take place but believes that disseminating Auction Imbalance Information based on the Auction Reference Price instead of the Indicative Match Price would provide market participants with enhanced Auction Imbalance Information. Specifically, whereas the Indicative Match Price is representative of the price at which an auction would take place at a given time, the Auction Reference Price may offer market participants more information on the imbalance in the market for a security because it would reflect, for example, the midpoint of the Auction NBBO[6] going into the Core Open Auction and thus may provide a better indication of the prevailing market price for a security. Accordingly, the Exchange believes that the proposed change would enhance the price information available to market participants through the Auction Imbalance Information and could allow market participants to more accurately respond to imbalances in the market for a security, potentially attracting additional orders to the Exchange to participate in the auction. The Exchange also believes that the proposed change could promote auction quality, to the extent the enhanced Auction Imbalance Information encourages auctions to take place at prices closer to where securities are trading in the market.

The Exchange notes that this proposed change would align its calculation of Auction Imbalance Information with the process of its affiliate, New York Stock Exchange, LLC (''NYSE'').[7] Specifically, NYSE's Auction Imbalance Information is calculated based on ''Imbalance Reference Price,'' which is defined in NYSE Rule 7.35(a)(11) as the reference price that is used for the applicable Auction to determine the Auction Imbalance Information. For example, NYSE Rule 7.35(a)(4)(A) provides that the auction imbalance information it disseminates for an auction includes the ''Imbalance,'' which is defined as the volume of better-priced buy (sell) shares that cannot be paired with both at-priced and better-priced sell (buy) shares at the ''Imbalance Reference Price.'' The ''Total Imbalance'' is defined in NYSE Rule 7.35(a)(4)(A)(i) as, for the Core Open and Trading Halt Auctions, the Imbalance of all orders eligible to participate in an Auction, and for the Closing Auction, the Imbalance of MOC, LOC, and Closing IO Orders, and, beginning ten minutes before the scheduled end of Core Trading Hours, Closing D Orders. The NYSE Imbalance Reference Price is analogous to Auction Reference Price as used in Exchange rules, in that they are distinct from the price at which an auction would take place based on existing auction-eligible interest in a security (*e.g.,* on the Exchange, the Indicative Match Price) and instead represent a reference price intended to more closely reflect the price at which a security is trading in the market.[8] The NYSE Total Imbalance likewise corresponds to the Exchange's ''Total Imbalance'' (as further discussed below). NYSE disseminates Auction Imbalance Information based on the Imbalance Reference Price for the same reasons as discussed in this filing in connection with the proposed change to calculate the Exchange's Auction Imbalance Information based on the Auction Reference Price.

[4] *See* Rule 7.35E(a)(4).

[5] The Exchange notes that it has separately filed a proposed rule change to amend the definition of Auction Reference Price to, among other things, consider the price of the last consolidated trade of at least one round lot. *See* Securities Exchange Act Release No. 103741 (August 19, 2025), 90 FR 41153 (August 22, 2025) (SR–NYSEAMER–2025–47). For the reasons noted in SR–NYSEAMER–2025–47, the Exchange believes the proposed changes to the Auction Reference Price described therein would enhance the calculation of the Auction Reference Price to better reflect more recent trading activity. The Exchange believes that calculating Auction Imbalance Information based on the Auction Reference Price, whether under the current definition or the definition proposed in SR–NYSEAMER–2025–47, would provide market participants with improved imbalance information that is based on the price at which a security is currently trading.

[6] The Auction NBBO is the national best bid or offer used for purposes of pricing an auction. *See* NYSE American Rule 7.35E(a)(5).

[7] *See, e.g.,* NYSE Rules 7.35(a)(4)(A) (defining ''Imbalance'' as the volume of better-priced buy (sell) shares that cannot be paired with both at-priced and better-priced sell (buy) shares at the Imbalance Reference Price); 7.35(a)(4)(B) (defining ''Paired Quantity'' as the volume of better-priced and at-priced buy shares that can be paired with better-priced and at-priced sell shares at the Imbalance Reference Price and ''Unpaired Quantity'' as the volume of better-priced and at-priced buy shares that cannot be paired with both at-priced and better-priced sell shares at the Imbalance Reference Price).

[8] The Exchange notes that the NYSE Imbalance Reference Price and the Exchange's Auction Reference Price are defined differently (*e.g.,* NYSE Rule 7.35A(e)(3) currently provides that, for a DMM-facilitated Core Open Auction on NYSE, the Imbalance Reference Price for the Auction Imbalance Information will be the Consolidated Last Sale Price unless a pre-opening indication has been published) but serve the same purpose in terms of providing market participants with a benchmark of the prevailing market price for a security.

Proposed Rule Change

The Exchange proposes the following changes to NYSE American Rule 7.35E to effect the changes described above.

Rule 7.35E(a) sets forth definitions of terms used in Rule 7.35E. Rule 7.35E(a)(7) defines ''Imbalance'' as the number of buy (sell) shares that cannot be matched with sell (buy) shares at the Indicative Match Price at any given time and, unless otherwise specified, includes the non-displayed quantity of Reserve Orders eligible to participate in the applicable auction.

Rule 7.35E(a)(7)(A) currently defines ''Total Imbalance'' as the net Imbalance of all buy (sell) shares at the Indicative Match Price for all orders that are eligible to trade in the applicable auction. The Exchange proposes to amend Rule 7.35E(a)(7)(A) to replace Indicative Match Price with Auction Reference Price, such that the Total Imbalance (which is disseminated as part of the Auction Imbalance Information) would reflect the net Imbalance calculated at the Auction Reference Price, for the reasons noted above. As also noted above, this proposed change to the definition of Total Imbalance to be calculated based on the Auction Reference Price would promote consistency with the NYSE Total Imbalance, which is calculated based on the analogous Imbalance Reference Price. The Exchange further notes that this proposed change would distinguish the Total Imbalance from the Imbalance. Whereas these two terms currently have essentially the same meaning, this proposed change would define Total Imbalance as the Imbalance calculated at the Auction Reference Price, and Imbalance would continue to be calculated at the Indicative Match Price.

Rule 7.35E(a)(7)(B) currently defines ''Market Imbalance'' as the imbalance of any remaining buy (sell) Market Orders that are not matched for trading in the applicable auction. The Market Imbalance is published as part of the Auction Imbalance Information and is also used for other purposes, such as to determine whether to extend the Re-Opening Time for a Trading Halt Auction.[9] The Exchange proposes to amend Rule 7.35E(a)(7)(B) to provide that, for purposes of disseminating Auction Imbalance Information, Market Imbalance will mean the imbalance of any remaining buy (sell) Market Orders that are not matched for trading in the applicable auction at the Auction Reference Price. This proposed change is consistent with the Exchange's proposal to disseminate Auction Imbalance Information based on the Auction Reference Price instead of the Indicative Match Price, as described above. The proposed change also serves to distinguish between the Market Imbalance for purposes such as auction extension logic, which will continue to be based on the Indicative Match Price, and the Market Imbalance for purposes of the Auction Imbalance Information, which will be based on the Auction Reference Price. As noted above, the Exchange is not proposing any changes to the process by which it will determine the price at which auctions will take place or whether the Re-Opening Time for a Trading Halt Auction should be extended. Accordingly, the Exchange proposes that the Market Imbalance that is published as part of the Auction Imbalance Information to market participants would be based on the Auction Reference Price for the reasons outlined above, but will continue to use the Indicative Match Price in calculating Market Imbalance for purposes such as auction extension logic.

Rule 7.35E(a)(8) defines ''Indicative Match Price'' as the best price at which the maximum volume of shares, including the non-displayed quantity of Reserve Orders, is tradable in the applicable auction, subject to the Auction Collars. Rule 7.35E(a)(8)(D) currently provides that, if there is a BBO but no Matched Volume, the Indicative Match Price and Total Imbalance for the Auction Imbalance Information will be either the side of the BBO that has the higher volume or, if the volume of the BB equals the volume of the BO, the BB. The Exchange publishes the Indicative Match Price in this manner to continue to attract interest to participate in the auction. The Exchange now proposes to amend Rule 7.35E(a)(8)(D) to provide that, if there is no Matched Volume, the Indicative Match Price for the Auction Imbalance Information will be set to zero. The Exchange believes that this proposed change would improve the transparency of the Auction Imbalance Information with respect to the Indicative Match Price and is logical because, if there is no Matched Volume, an auction would not take place.[10] In addition, because the Total Imbalance, Market Imbalance, and Matched Volume (as discussed below) would, as proposed, be calculated based on the Auction Reference Price instead of the Indicative Match Price for purposes of the Auction Imbalance Information, the Exchange would continue to disseminate price information that could encourage participation in the auction.

Rule 7.35E(a)(9) currently defines ''Matched Volume'' as the number of buy and sell shares that can be matched at the Indicative Match Price at any given time. The Exchange proposes to amend Rule 7.35E(a)(9) to define Matched Volume as the number of buy and sell shares that can be matched at the Indicative Match Price at any given time except for purposes of Auction Imbalance Information. For Auction Imbalance Information, the Exchange proposes that Matched Volume will mean the number of buy and sell shares that can be matched at the Auction Reference Price at any given time. This proposed change is consistent with the change described above to the definition of Market Imbalance. Like Market Imbalance, Matched Volume is published as part of the Auction Imbalance Information but is also considered for other purposes in connection with auction processing.[11] This proposed change is similarly consistent with the Exchange's proposal to disseminate Auction Imbalance Information based on the Auction Reference Price, as noted above, and distinguishes between Matched Volume in connection with auction processing, which will continue to be based on the Indicative Match Price, and Matched Volume for purposes of the Auction Imbalance Information, which will be based on the Auction Reference Price. Consistent with the proposed change to the Market Imbalance described above, the Exchange here proposes to continue to define Matched Volume based on the Indicative Match Price for purposes of

[9] *See* Rule 7.35E(e)(6)(B) (providing that, if there is an Impermissible Price at the end of the First Extension, the pause or halt will be extended an additional five minutes and a new Re-Opening Time will be disseminated (''Subsequent Extension'') and that the Exchange will conduct a Trading Halt Auction before the Re-Opening Time for a Subsequent Extension if the Indicative Match Price, before being adjusted based on Auction Collars, is within the applicable Auction Collars and there is no Market Imbalance.)

[10] This proposed change would also align Rule 7.35E(a)(8)(D) with Rule 7.35E(a)(8)(E), which provides that, if there is no Matched Volume and Market Orders on only one side of the market, the Indicative Match Price for the Auction Imbalance Information will be zero.

[11] *See, e.g.,* Rule 7.35E(b) (''The Early Open Auction will be conducted at the beginning of the Early Trading Session. Only Limit Orders in Auction-Eligible Securities designated for the Early Trading Session will be eligible to participate in the Early Open Auction. If there is no Matched Volume for the Early Open Auction, the Exchange will open the Early Trading Session with a quote.''); Rule 7.35E(h) (''After auction processing concludes, including if there is no Matched Volume and an auction is not conducted or when transitioning from one trading session to another, the Exchange will transition to continuous trading following an auction or when transitioning from one trading session to another as follows . . .'').

auction processing, given that there are no changes proposed to the process by which the Exchange will determine the price at which auctions will take place, but would disseminate Matched Volume based on the Auction Reference Price to provide market participants with enhanced Auction Imbalance Information.

Rule 7.35E(d) describes the Closing Auction, which is conducted at the end of the Core Trading Session. Rule 7.35E(d)(2) provides that the Closing Auction Imbalance Freeze will begin ten minutes before the scheduled time for the Closing Auction. Rule 7.35E(d)(2)(A) currently provides that LOC Orders and MOC Orders that are on the same side of the Imbalance, would flip the Imbalance, or would create a new Imbalance will be rejected.[12] The Exchange proposes to amend Rule 7.35E(d)(2)(A) to replace references to the Imbalance with the Total Imbalance. This proposed change would both ensure that LOC and MOC Orders continue to be validated based on information that is disseminated as part of Auction Imbalance Information and change the reference in the Rule to reflect the data element included in the Auction Imbalance Information, *i.e.,* the Total Imbalance. This proposed Rule would reflect that, for purposes of validating LOC and MOC Orders, the Exchange would refer to the Total Imbalance, consistent with the proposed change to the definition of Total Imbalance described above to reflect its calculation at the Auction Reference Price rather than the Indicative Match Price. This proposed change would not change the Exchange's current process for validating LOC and MOC Orders for the Closing Auction because it will continue to be based on publicly disseminated information included in Auction Imbalance Information. Rule 7.35E(e) describes Trading Halt Auctions, which are conducted to re-open trading in an Auction-Eligible Security following a halt or pause of trading in that security in either the Early Trading Session, Core Trading Session, or Late Trading Session, as applicable. Rule 7.35E(e)(8) provides that the Trading Halt Auction Imbalance Freeze will begin five seconds before the Re-Opening Time, including Re-Opening Times for each Extension. If a pause or halt is extended, the Trading Halt Auction Imbalance Freeze for the prior period will end, new orders and order instructions received during the prior period's Trading Halt Auction Imbalance Freeze will be processed, and the Exchange will accept order entry and cancellation as provided for in Rule 7.18E(c) until the next Trading Halt Auction Imbalance Freeze. Rule 7.35E(e)(8)(A) currently provides that MOO Orders and LOO Orders that are on the same side of the Imbalance, would flip the Imbalance, or would create a new Imbalance will be rejected.[13] Similar to the proposed change to Rule 7.35E(d)(2)(A), the Exchange proposes to amend Rule 7.35E(e)(8)(A) to provide that MOO Orders and LOO Orders that are on the same side of the Total Imbalance, would flip the Total Imbalance, or would create a new Total Imbalance will be rejected. This proposed change, like the proposed change relating to LOC and MOC Orders, would both ensure that LOO and MOO Orders continue to be validated based on information that is disseminated as part of Auction Imbalance Information and change the reference in the Rule to reflect the data element included in the Auction Imbalance Information, *i.e.,* the Total Imbalance. This proposed Rule would reflect that, for purposes of validating LOO and MOO Orders, the Exchange would refer to the Total Imbalance, consistent with the proposed change to the definition of Total Imbalance described above to reflect its calculation at the Auction Reference Price rather than the Indicative Match Price. This proposed change similarly would not change the Exchange's current process for validating LOO and MOO Orders for the Trading Halt Auction because it will continue to be based on publicly disseminated information included in Auction Imbalance Information.

Subject to effectiveness of this proposed rule change, the Exchange will implement this change no later than in the fourth quarter of 2025 and announce the implementation date by Trader Update.

2. Statutory Basis

The proposed rule change is consistent with Section 6(b) of the Act,[14] in general, and furthers the objectives of Section 6(b)(5),[15] in particular, because it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, to remove impediments to, and perfect the mechanism of, a free and open market and a national market system and, in general, to protect investors and the public interest.

The Exchange believes the proposed change would promote just and equitable principles of trade, remove impediments to, and perfect the mechanism of, a free and open market and a national market system, and protect investors and the public interest because it would amend Rule 7.35E to reflect the dissemination of Auction Imbalance Information based on the Auction Reference Price rather than the Indicative Match Price. As noted above, the Exchange believes that the proposed change would provide market participants with enhanced Auction Imbalance Information and allow market participants to better respond to imbalances in the market for a security, thereby promoting auction quality on the Exchange to the extent such information results in auctions taking place at prices closer to where securities are trading in the market. The Exchange believes that the proposed change would thus remove impediments to, and perfect the mechanism of, a free and open market and a national market system because it is intended to provide market participants with information on the imbalance in the market for a security that could encourage additional liquidity in auctions conducted on the Exchange.

The Exchange also believes that the proposed changes to Rules 7.35E relating to LOC, MOC, LOO, and MOO Orders based on the Auction Reference Price would similarly remove impediments to, and perfect the mechanism of, a free and open market because they would, consistent with the proposed changes to the Auction Imbalance Information, provide for the validation of such orders based on the Total Imbalance (which is in turn based on the Auction Reference Price). These proposed changes would ensure that LOC, MOC, LOO, and MOO Orders continue to be validated based on publicly disseminated imbalance information, and would not change the current process by which the Exchange validates these orders. The Exchange also believes the proposed change to Rule 7.35E(a)(8)(D) relating to the Indicative Match Price when there is a BBO but no Matched Volume would remove impediments to, and perfect the mechanism of, a free and open market and a national market system because it would promote transparency with respect to the Indicative Match Price while continuing to provide market participants with price information

[12] As noted above, the terms Imbalance and Total Imbalance currently have the same meaning. As used in this rule, the term Imbalance is intended to refer to the imbalance that is published as part of the Auction Imbalance Information, *i.e.,* the Total Imbalance.

[13] *Id.*

[14] 15 U.S.C. 78f(b).

[15] 15 U.S.C. 78f(b)(5).

intended to attract interest to auctions conducted on the Exchange.

The Exchange further notes that this proposed change would align its calculation of publicly disseminated auction imbalance information with the current process on NYSE, thereby promoting consistency across the operation of affiliated exchanges to the benefit of market participants.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. As noted above, the Exchange believes that the proposed change could instead encourage competition by improving the quality of auction imbalance information disseminated by the Exchange.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act [16] and Rule 19b–4(f)(6) thereunder.[17] Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act [18] and subparagraph (f)(6) of Rule 19b–4 thereunder.[19]

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B) [20] of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov*. Please include file number SR–NYSEAMER–2025–52 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–NYSEAMER–2025–52. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection.

All submissions should refer to file number SR–NYSEAMER–2025–52 and should be submitted on or before September 24, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[21]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–16814 Filed 9–2–25; 8:45 am]

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[16] 15 U.S.C. 78s(b)(3)(A)(iii).

[17] 17 CFR 240.19b–4(f)(6).

[18] 15 U.S.C. 78s(b)(3)(A)(iii).

[19] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires a self-regulatory organization 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.

[20] 15 U.S.C. 78s(b)(2)(B).

[21] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103793; File No. 4–533]

Joint Industry Plan; Notice of Filing and Immediate Effectiveness of Amendment to the National Market System Plan for the Selection and Reservation of Securities Symbols To Add 24X National Exchange LLC as a Party Thereto

August 28, 2025.

Pursuant to Section 11A(a)(3) of the Securities Exchange Act of 1934 ("Act") [1] and Rule 608 thereunder,[2] notice is hereby given that on August 12, 2025, 24X National Exchange LLC ("24X" or the "Exchange") filed with the Securities and Exchange Commission ("Commission") an amendment to the National Market System Plan for the Selection and Reservation of Securities Symbols ("Symbology Plan" or "Plan").[3] The amendment proposes to add 24X as a party to the Symbology Plan. The Commission is publishing this notice to solicit comments on the proposed amendment from interested persons.

I. Description and Purpose of the Amendment

The current parties to the Symbology Plan are BOX Exchange, LLC, Nasdaq BX, Inc., Cboe BZX Exchange, Inc., Cboe EDGA Exchange, Inc., Cboe EDGX Exchange, Inc., Cboe Exchange, Inc., NYSE Texas, Inc, Financial Industry Regulatory Authority, Inc., Investors Exchange, LLC, Long-Term Stock Exchange, Inc., MEMX LLC, Miami International Securities Exchange, LLC, MIAX PEARL, LLC, Nasdaq ISE, LLC, The Nasdaq Stock Market LLC, New York Stock Exchange LLC, NYSE American LLC, NYSE National, Inc., NYSE Arca, Inc., and Nasdaq PHLX LLC. The proposed amendment to the Symbology Plan would add 24X as a party to the Symbology Plan. A self-regulatory organization ("SRO") may become a party to the Symbology Plan if it satisfies the requirements of Section I(c) of the Plan. Specifically, an SRO may become a party to the Symbology Plan if: (i) it maintains a market for the listing or trading of Plan Securities [4] in

[1] 15 U.S.C. 78k–1(a)(3).

[2] 17 CFR 242.608.

[3] The Commission approved the Symbology Plan on November 6, 2008. *See* Securities Exchange Act Release No. 58904, 73 FR 67218 (November 13, 2008) (File No. 4–533).

[4] "Plan Securities" are defined in the Symbology Plan as securities that: (i) are NMS securities as currently defined in Rule 600(a)(46) under the Act; and (ii) any other equity securities quoted, traded and/or trade reported through an SRO facility.

accordance with rules approved by the Commission; (ii) it signs a current copy of the Plan; and (iii) becomes a party to any contract required pursuant to Section III of the Plan with the Processor (as such term is defined in the Plan).[5]

The Exchange has submitted a signed copy of the Symbology Plan to the Commission in accordance with the requirement set forth in the Symbology Plan regarding new parties to the plan. Additionally, 24X has represented that it maintains a market for the listing or trading of Plan Securities. Finally, 24X has represented that it has become a party to any contract with the Processor.

II. Effectiveness of the Proposed Symbology Plan Amendment

The foregoing proposed Symbology Plan amendment has become effective pursuant to Rule 608(b)(3)(iii) [6] because it involves solely technical or ministerial matters. At any time within sixty days of the filing of the amendment, the Commission may summarily abrogate the amendment and require that it be refiled pursuant to paragraph (a)(1) of Rule 608,[7] if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors or the maintenance of fair and orderly markets, to remove impediments to, and perfect the mechanisms of, a national market system or otherwise in furtherance of the purposes of the Act.

III. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the Amendment 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/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number 4–533 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 4–533. 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 also will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to File Number 4–533, and should be submitted on or before September 24, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[8]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–16810 Filed 9–2–25; 8:45 am]

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[5] Sections I(c) and V(a) of the Plan.

[6] 17 CFR 242.608(b)(3)(iii).

[7] 17 CFR 242.608(a)(1).

[8] 17 CFR 200.30–3(a)(85).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103806; File No. SR–NASDAQ–2025–016]

Self-Regulatory Organizations; Nasdaq Stock Market LLC; Notice of Designation of a Longer Period for Commission Action on Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change, as Modified by Amendment No. 2, To Amend Nasdaq Rule 5711(i) (Trust Units) and To List and Trade Shares of the Hashdex Nasdaq Crypto Index US ETF Under Nasdaq Rule 5711(i)

August 28, 2025.

On February 18, 2025, The Nasdaq Stock Market LLC (''Nasdaq'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] a proposed rule change to adopt new Nasdaq Rule 5712 to provide for the listing and trading of Commodity- and Digital Asset-Based Investment Interests, and to list and trade shares of the Hashdex Nasdaq Crypto Index US ETF under proposed Nasdaq Rule 5712. On February 27, 2025, the Exchange filed Amendment No. 1 to the proposed rule change, which replaced and superseded the original filing in its entirety. The proposed rule change, as modified by Amendment No. 1, was published for comment in the **Federal Register** on March 7, 2025.[3]

On April 17, 2025, pursuant to Section 19(b)(2) of the Act,[4] the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to disapprove the proposed rule change, as modified by Amendment No. 1.[5] On June 4, 2025, the Commission initiated proceedings under Section 19(b)(2)(B) of the Act [6] to determine whether to approve or disapprove the proposed rule change, as modified by Amendment No. 1.[7] On July 3, 2025, the Exchange filed Amendment No. 2 to the proposed rule change, which replaced and superseded the proposed rule change, as modified by Amendment No. 1, in its entirety.[8]

Section 19(b)(2) of the Act [9] provides that, after initiating proceedings, the Commission shall issue an order approving or disapproving the proposed rule change not later than 180 days after the date of publication of notice of filing of the proposed rule change. The Commission may extend the period for issuing an order approving or disapproving the proposed rule change, however, by not more than 60 days if the Commission determines that a longer period is appropriate and publishes the reasons for such determination. The proposed rule change was published for comment in the **Federal Register** on March 7, 2025.[10] The 180th day after publication of the proposed rule change is September 3, 2025. The Commission is extending the time period for approving

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102513 (Mar. 3, 2025), 90 FR 11563. Comments received on the proposed rule change are available at: *https://www.sec.gov/comments/sr-nasdaq-2025-016/srnasdaq2025016.htm.*

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 102885, 90 FR 17092 (Apr. 23, 2025). The Commission designated June 5, 2025, as the date by which the Commission shall approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change, as modified by Amendment No. 1.

[6] 15 U.S.C. 78s(b)(2)(B).

[7] *See* Securities Exchange Act Release No. 103194, 90 FR 24441 (June 10, 2025).

[8] In Amendment No. 2, the Exchange withdrew its proposal to adopt new Nasdaq Rule 5712 and instead proposed to amend Nasdaq Rule 5711(i) (Trust Units) and to list and trade shares of the Hashdex Nasdaq Crypto Index US ETF under amended Nasdaq Rule 5711(i). Amendment No. 2 is available at: *https://www.sec.gov/comments/sr-nasdaq-2025-016/srnasdaq2025016-625947-1849074.pdf.*

[9] 15 U.S.C. 78s(b)(2).

[10] *See supra* note 3 and accompanying text.

or disapproving the proposed rule change for an additional 60 days.

The Commission finds that it is appropriate to designate a longer period within which to issue an order approving or disapproving the proposed rule change, as modified by Amendment No. 2, so that it has sufficient time to consider the proposed rule change, and the issues raised therein. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[11] designates November 2, 2025, as the date by which the Commission shall either approve or disapprove the proposed rule change, as modified by Amendment No. 2 (File No. SR–NASDAQ–2025–016).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[12]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–16821 Filed 9–2–25; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103805; File No. SR–NYSEAMER–2025–54]

Self-Regulatory Organizations; NYSE American LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Adopt a Provision That the Exchange Will Not Review a Compliance Plan Submitted by a Listed Company That Is Below Compliance With a Continued Listing Standard if the Company Owes Any Unpaid Fees to the Exchange and Will Commence Suspension and Delisting Procedures if Such Fees Are Not Paid in Full

August 28, 2025.

Pursuant to Section 19(b)(1) [1] of the Securities Exchange Act of 1934 (''Act'') [2] and Rule 19b–4 thereunder,[3] notice is hereby given that on August 21, 2025, NYSE American LLC (''NYSE American'' or the ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been substantially prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

[11] 15 U.S.C. 78s(b)(2).

[12] 17 CFR 200.30–3(a)(57).

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to adopt a provision that the Exchange will not review a compliance plan (a ''Plan'') submitted by a listed company that is below compliance with a continued listing standard if the company owes any unpaid fees to the Exchange as of the date of the letter in which the Exchange informs the company of its non-compliance (the ''Deficiency Letter'') and as disclosed by the Exchange in the Deficiency Letter. If a company fails to pay in full all outstanding listing or annual fees disclosed in the Deficiency Letter by the company's compliance plan submission deadline date, suspension and delisting procedures will commence promptly in accordance with Sections 1010 and 1202 of the Company Guide. Similarly, at the beginning of each calendar year fiscal quarter during the Plan Period (as defined below), the Exchange will disclose to the company in writing the amount of all unpaid listing and annual fees owed by the company to the Exchange as of the end of the just-completed quarter. If the company does not pay in full all of the outstanding fees disclosed in such report within 45 days of the date of receipt of such report, suspension and delisting procedures will commence promptly in accordance with Sections 1010 and 1202. A company will also not be deemed back into compliance prior to the completion of its Plan Period unless it has paid in full all of the outstanding fees disclosed in the most recent such report and suspension and delisting procedures will commence promptly in accordance with Sections 1010 and 1202 if such company has not paid in full all of the outstanding fees disclosed in the most recent such report as of the plan end date. The text of the proposed rule change is available on the Exchange's website at *https://www.nyse.com/* and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

Section 1009 (''Continued Listing Evaluation and Follow-Up'') of the NYSE American Company Guide (''Company Guide'') provides that when the Exchange identifies a listed company as being below certain continued listing criteria set forth in Sections 1001 through 1006 of the Company Guide (and not able to otherwise qualify under an initial listing standard), the Exchange will notify the company of such non-compliance by letter and provide the company with an opportunity to provide the Exchange with a Plan advising the Exchange of action the company has taken, or will take, that would bring it into conformity with continued listing standards within 18 months of receipt of the letter.[4] If a company submits a Plan, it must include specific milestones, quarterly financial projections, and details related to any strategic initiatives the company plans to complete. The company generally has 30 days from the receipt of a letter from the Exchange identifying an event of non-compliance (the ''Plan Deadline'') to submit its Plan to the Exchange for review; otherwise, the Exchange will promptly initiate suspension and delisting procedures. The Plan must demonstrate how the company will return to compliance with the applicable continued listing standard by the end of the Plan Period authorized by the Exchange (the ''Plan Period''). Exchange staff will evaluate the Plan, including any additional documentation that supports the Plan, and make a determination as to whether the company has made a reasonable demonstration in the Plan of an ability to come into conformity with the relevant standard(s) within the Plan Period. The Exchange will make such determination within 45 days of receipt of the proposed Plan, and will promptly notify the company of its determination in writing.

If the Exchange accepts the Plan, the Exchange will review the company for compliance with the Plan on a quarterly basis. If the company does not show progress consistent with the Plan, the

[4] The Exchange staff may establish a time period of less than 18 months for a company to regain compliance with some or all of the continued listing standards if it determines that the nature and circumstances of the company's particular continued listing status warrant such shorter period of time.

Exchange staff will review the circumstances and variance, and determine whether such variance warrants the commencement of delisting procedures. Should the Exchange staff determine to proceed with delisting proceedings, it may do so regardless of the company's continued listing status at that time.

The Exchange staff has to undertake a significant amount of work in reviewing and analyzing each Plan submitted by a noncompliant company. In addition, the review of quarterly updates with respect to each Plan requires significant additional work by Exchange staff. In connection with an initial Plan review and each subsequent update, the staff engages in a detailed review and analysis of the company's filed financial and other disclosures, as well as supplemental documentation submitted by the company in support of the Plan or to evidence progress in successful implementation of the Plan. The staff is required to become deeply informed about the business and financial condition and the prospects of the company, including any material risks faced by the company. In order to achieve this level of understanding, the staff typically engages in multiple detailed conversations with management in addition to the extensive documentary review that is undertaken. This process requires significant expenditure of staff resources, including the significant involvement of senior staff members.

Given the significant work required to review and analyze Plans, as well as to undertake the required quarterly review with respect to a Plan, the Exchange believes it is especially important to ensure that companies that wish to have a Plan accepted or continued by the Exchange have paid all outstanding annual and listing fees (as set forth in Section 140 *et seq.* of the Company Guide) by the Plan Deadline or any required quarterly review of such Plan. In particular, the Exchange notes that the large majority of companies that submit Plans are doing so because they have fallen below compliance with the requirement of Section 1003(a) of the Company Guide that provide that a company is noncompliant if it has a specified number of multiple years of losses in addition to stockholders' equity below specified levels. In many cases, companies that are below compliance with this requirement have limited liquidity and are often delayed in paying their annual and listing fees. It has been the Exchange's experience that when these companies fail to regain compliance under a Plan and are subject to delisting they have often not paid all outstanding fees at the time of delisting and, in certain cases, never pay their outstanding fees.

For the foregoing reasons, the Exchange proposes to amend Section 1009 to provide that the Exchange will not review a Plan submitted by a listed company that is below compliance with a continued listing standard if the company owes any unpaid fees to the Exchange as of the date of the Deficiency Letter and as disclosed by the Exchange in the Deficiency Letter. This proposal is modeled on substantially similar amendments recently adopted to Sections 802.02 and 802.03 of the NYSE Listed Company Manual.[5] If a company fails to pay in full all outstanding listing or annual fees disclosed in the Deficiency Letter by the company's Plan Deadline date, the Exchange will promptly initiate suspension and delisting procedures in accordance with Sections 1010 and 1202. Similarly, at the beginning of each quarter during the Plan Period, the Exchange will disclose to the company in writing the amount of all unpaid listing and annual fees owed by the company to the Exchange as of the end of the just-completed quarter. If the company does not pay in full all of the outstanding fees disclosed in such report within 45 days of the date of such report, the Exchange will promptly initiate suspension and delisting procedures with respect to such company in accordance with Sections 1010 and 1202. A company will also not be deemed back into compliance prior to the completion of its Plan Period unless it has paid in full all of the outstanding fees disclosed in the most recent such report and the Exchange will promptly initiate suspension and delisting procedures in accordance with Sections 1010 and 1202 if such company has not paid in full all of the outstanding fees disclosed in the most recent such report as of the end of the Plan Period.

The Exchange notes that companies that are delayed in submitting their periodic reports to the SEC may be granted a compliance period of up to 12 months from the extended due date of the delayed filing under Section 1007 of the Company Guide. However, the Exchange does not propose to require the payment of outstanding fees before granting or extending compliance periods under Section 1007. The Exchange does not expend a similar amount of effort in reviewing and approving compliance periods for late filers to that required in reviewing Plans for quantitative non-compliance, as the issues involved are generally narrower and more technical in nature and do not require a review of a compliance plan that encompasses all of a company's business and financial condition. The Exchange also notes that companies that are delayed in filing their periodic reports are often in good financial health and do not present significant risks of quantitative non-compliance or of being delisted without paying their outstanding fees.

Section 1003(h) of the Company Guide applies to a listed issuer that is not compliant with the provisions of Section 811 of the Company Guide (''Erroneously Awarded Compensation'') (referred to as a ''clawback requirement delinquency'') and provides a process for an issuer subject to a clawback requirement delinquency to come back into compliance with Exchange rules that is similar to the process set forth in Section 1007 of the Company Guide described above. However, the Exchange does not propose to apply the proposed provision with respect to the payment of outstanding fees before granting or extending compliance periods under Section 1003(h). While the Exchange does not yet have very much experience in applying Section 1003(h), the Exchange does not anticipate that it will generally expend a similar amount of effort in reviewing and approving compliance periods for clawback delinquencies to that required in reviewing Plans for quantitative non-compliance, as the Exchange expects the issues involved in clawback delinquencies to generally be narrower and more technical in nature and to not require a review of a compliance plan that encompasses all of a company's business and financial condition.

In addition to the detail provided immediately above, the Exchange notes that Sections 1003(h) and 1007 already contain specified timelines to cure noncompliance arising thereunder. Accordingly, the Exchange does not believe that the procedures for plan submission detailed in Section 1009 are applicable to companies that are noncompliant with the requirements of Sections 1003(h) or 1007. Therefore, the Exchange proposes to add language to Section 1009 stating that such section is not applicable to events of noncompliance with Sections 1003(h) or 1007.

In addition to the aforementioned changes, the Exchange proposes to amend Section 1009 of the Company Guide to conform language related to its suspension and delisting procedures. Therefore, throughout Section 1009, the Exchange proposes to clarify the

[5] *See* note 12 *infra* [sic].

circumstances that will lead it to commence suspension and delisting proceedings promptly in accordance with Sections 1010 and 1202.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,[6] in general, and furthers the objectives of Section 6(b)(5) of the Act[7] in particular, in that it is designed to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to 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 and is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange believes the proposed rule change furthers the protection of investors in that it will help the Exchange to ensure that it has sufficient resources to fund its regulatory activities relating to the review and approval and the ongoing monitoring of Plans submitted by companies that are below continued listing standards.

The Exchange does not believe that the proposed requirement is unfairly discriminatory. The Exchange notes that the proposal would only require listed companies to pay fees that were already due and payable and ensure payment of those fees in connection with a process that is resource-intensive and costly for the Exchange.

The Exchange also notes that companies that are delayed in submitting their periodic reports to the SEC may be granted a compliance period of up to 12 months from the extended due date of the delayed filing under Section 1007 of the Company Guide. However, the Exchange does not propose to adopt a similar provision with respect to the payment of outstanding fees before granting or extending compliance periods under Section 1007. The Exchange does not expend a similar amount of effort in reviewing and approving compliance periods for late filers to that required in reviewing Plans for quantitative non-compliance, as the issues involved are generally narrower and more technical in nature and do not require a review of a compliance plan that encompasses all of a company's business and financial condition. The Exchange also notes that companies that are delayed in filing their periodic reports are often in good financial health and do not present significant risks of quantitative non-compliance. For the foregoing reasons, the Exchange does not believe that the proposal is unfairly discriminatory on the grounds that it is not applied to companies that are non-compliant with Section 1007.

Section 1003(h) of the Company Guide applies to a listed issuer that is not compliant with the provisions of Section 811 of the Company Guide (''Erroneously Awarded Compensation'') (referred to as a ''clawback requirement delinquency'') and provides a process for an issuer subject to a clawback requirement delinquency to come back into compliance with Exchange rules that is similar to the process set forth in Section 1007 of the Company Guide described above. However, the Exchange does not propose to apply the proposed provision with respect to the payment of outstanding fees before granting or extending compliance periods under Section 1003(h). While the Exchange does not yet have very much experience in applying Section 1003(h), the Exchange does not anticipate that it will generally expend a similar amount of effort in reviewing and approving compliance periods for clawback delinquencies to that required in reviewing Plans for quantitative non-compliance, as the Exchange expects the issues involved in clawback delinquencies to generally be narrower and more technical in nature and to not require a review of a compliance plan that encompasses all of a company's business and financial condition. For the foregoing reasons, the Exchange does not believe that the proposal is unfairly discriminatory on the grounds that it is not applied to companies that are non-compliant with Section 1003(h).

The Exchange believes that the proposal is consistent with Section 6(b)(7) of the Act,[8] in that it provides a fair procedure for the prohibition or limitation by the Exchange of the continued listing of listed companies. Specifically, the Exchange believes it is fair to require listed companies to pay outstanding listing and annual fees before the Exchange approves a Plan or required periodic review of a Plan, as listed companies are already required by Exchange rules (as set forth in Section 140 *et seq.*) to pay these fees when due. Furthermore, the proposal provides significant notice and clarity as to which fees must be paid in order to remain in the Plan process, by limiting the required payments to fees that are due and disclosed to the company as of the date of the Deficiency Letter or as disclosed in a written report to the company dated as of the end of each fiscal quarter during the Plan Period. In addition, the Exchange notes that the Plan acceptance and periodic review process requires significant incremental work on the part of Exchange staff.

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 notes that the proposed amendments would simply require listed companies to pay fees to the Exchange that were already due and payable under applicable Exchange rules. Specifically, the Exchange believes it is fair to require listed companies to pay all outstanding listing and annual fees before the Exchange approves a Plan or required periodic review of a Plan, as listed companies are already required by Exchange rules (as set forth in Section 140 *et seq.*) to pay such fees when due. In addition, the Exchange notes that the Plan acceptance and periodic review process requires significant incremental work on the part of Exchange staff.

As the proposal would not result in any change in the cost of a listing on the Exchange, the Exchange does not believe that it imposes any additional burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act[9] and Rule 19b–4(f)(6) thereunder.[10] Because the proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative 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

[6] 15 U.S.C. 78f(b).

[7] 15 U.S.C. 78f(b)(5).

[8] 15 U.S.C. 78f(b)(7).

[9] 15 U.S.C. 78s(b)(3)(A)(iii).

[10] 17 CFR 240.19b–4(f)(6).

19(b)(3)(A) of the Act and Rule 19b–4(f)(6)[11] 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.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

• Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or

• Send an email to *rule-comments@sec.gov.* Please include file number SR–NYSEAMER–2025–54 on the subject line.

Paper Comments

• Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–NYSEAMER–2025–54. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–NYSEAMER–2025–54 and should be submitted on or before September 24, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[12]

Vanessa A. Countryman,

Secretary.

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BILLING CODE 8011–01–P

[11] 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.

[12] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103807; File No. SR–IEX–2025–21]

Self-Regulatory Organizations; Investors Exchange LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend its Fee Schedule To Establish a Fee for Real-time Access to DEEP+

August 28, 2025.

Pursuant to Section 19(b)(1)[1] of the Securities Exchange Act of 1934 (the "Act")[2] and Rule 19b–4 thereunder,[3] notice is hereby given that, on August 26, 2025, the Investors Exchange LLC ("IEX" or the "Exchange") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I, II and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Pursuant to the provisions of Section 19(b)(1) under the Act,[4] and Rule 19b–4 thereunder,[5] the Exchange is filing with the Commission a proposed rule change to amend the IEX Fee Schedule ("Fee Schedule"), pursuant to IEX Rules 15.110(a) and (c), to establish a fee for real-time access to the DEEP+ market data product.[6] DEEP+ is an uncompressed data feed that provides order-by-order depth of book quotations for all displayed orders resting on the Exchange's Order Book[7] at each price level, and execution information (*i.e.,* last sale information) for executions on the Exchange. Since launching DEEP+ on December 9, 2024, the Exchange has offered the DEEP+ market data product free of charge for an initial incentive period. Changes to the Fee Schedule pursuant to this proposal are effective upon filing,[8] and will be operative beginning on October 1, 2025.

The text of the proposed rule change is available at the Exchange's website at *https://www.iexexchange.io/resources/regulation/rule-filings* and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend the Market Data Fees section of the Fee Schedule to adopt a fee for real-time access to DEEP+, which is currently offered free of charge.[9] DEEP+ is an uncompressed data feed, available on a Real-Time and Delayed basis,[10] that disseminates, order-by-order depth of book quotations for all displayed orders resting on the Order Book at each price level, and execution information (*i.e.,* last sale information) for executions on the Exchange.[11] DEEP+ provides details

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

[4] 15 U.S.C. 78s(b)(1).

[5] 17 CFR 240.19b–4.

[6] *See* IEX Rule 11.330(a)(3). The proposed rule change establishing DEEP+ was immediately effective on September 19, 2024. *See* Securities Exchange Act Release No. 101231 (Oct. 2, 2024), 89 FR 81608 (Oct. 8, 2024) (SR–IEX–2024–20) ("DEEP+ Product Filing").

[7] *See* IEX Rule 1.160(p).

[8] 15 U.S.C. 78s(b)(3)(A)(ii).

[9] *See* DEEP+ Product Filing, *supra* note 6.

[10] "Real-Time IEX Market Data" is IEX Market Data that is accessed, used or distributed less than fifteen (15) minutes after it was made available by the Exchange. "Delayed IEX Market Data" is IEX Market Data that is accessed, used or distributed at least fifteen (15) minutes after it was made available by the Exchange. *See* IEX Fee Schedule—Market Data Fees, available at *https://www.iexexchange.io/resources/trading/fee-schedule#market-data-fees.* IEX only provides Real-Time IEX Market Data and will not itself delay the dissemination of IEX Market Data to Data Subscribers.

[11] *See* IEX Rule 11.330(a)(3). The Exchange also offers two additional Real-Time market data products, TOPS and DEEP. TOPS is an uncompressed data feed that provides aggregated top of book quotations for all displayed orders resting on the Order Book and execution information (*i.e.,* last sale information) for executions on the Exchange. *See* IEX Rule 11.330(a)(1). DEEP is an uncompressed data feed that provides aggregated depth of book quotations for all displayed orders resting on the Order Book

Continued

on each displayed order resting on the Order Book including OrderID, symbol, side, timestamp associated with the message, price, and size, and updates each order's data when there are amendments, cancels, and executions. DEEP+ also disseminates a Retail Liquidity Identifier (''RLP'') for each security for which the Exchange has the requisite RLP Interest.[12]

In September 2024 the Exchange filed an immediately effective rule filing with the Commission to amend IEX Rule 11.330 to add DEEP+ and provide that for an initial incentive period DEEP+ would be provided free of charge for all purposes. IEX also modified the Fee Schedule to add DEEP+ to the table of Market Data Fees and to indicate that DEEP+ would be offered free of charge for an initial incentive period.[13] DEEP+ became available on December 9, 2024.[14] During this initial incentive period, IEX has not charged fees to access DEEP+, irrespective of whether Data Subscribers [15] are Exchange Members,[16] the manner in which the data is received or used, or whether it is received on a Real-Time or Delayed basis, free of charge. In the DEEP+ Product Filing, the Exchange stated ''[s]hould IEX in the future decide to charge for DEEP+, it will make a fee filing pursuant to the SEC rule filing process.'' [17]

The Exchange now proposes to amend the Market Data section of the Fee Schedule to adopt a new fee for the DEEP+ real-time market data feed, referred to therein as DEEP+ Feed (Real-Time). As proposed, the Exchange proposes to adopt a monthly fee of $3,500 per month for real-time access to DEEP+ that would cover all uses of the feed, as discussed below. The Exchange is not proposing to adopt any fee for delayed access to DEEP+.[18]

A single fee covering all uses of the market data feed is consistent with the Exchange's current fee structure for its other real-time market data products, which also have single, unitary fees.[19] The amount of the monthly fee charged for access to the real-time access to DEEP+ data feed would be the same regardless of whether the Data Subscriber is using the feed internally or distributing it externally. The Exchange does not propose to adopt additional fees, such as non-display usage fees, re-distribution fees, or per user fees for real-time access to DEEP+.

In general, the Exchange believes that exchanges, in setting fees of all types, should meet very high standards of transparency to demonstrate why each new fee or fee increase meets the Exchange Act requirements. The Exchange believes this high standard is especially important when an exchange imposes fees for its own depth of book market data because each exchange is the exclusive source of its own depth of book market data.

The Exchange believes the proposed fee is reasonable when compared with the aggregate fees charged by other exchanges for comparable market data products, notwithstanding that the other exchanges may have different market data product fee structures. More specifically, as described in the Statutory Basis section, the proposed fee is lower than the aggregate fees charged by other exchanges with similar market share as IEX for comparable market data products and materially lower than the fees charged by exchanges with higher market share than IEX for comparable market data products.[20]

The Exchange plans to implement the proposed fee change on October 1, 2025, subject to effectiveness of this proposed rule change, in order to provide an opportunity to Data Subscribers to update their subscriptions to suit their particular market data needs. On July 1, 2025, the Exchange announced the planned implementation of the proposed fee for real-time access to DEEP+ on October 1, 2025, subject to the filing and effectiveness of an SEC rule filing.[21]

2. Statutory Basis

IEX believes that the proposed rule change is consistent with the provisions of Section 6 of the Act [22] in general and furthers the objectives of Section 6(b)(4) of the Act,[23] in particular, in that it is designed to provide for the equitable allocation of reasonable dues, fees, and other charges among its Members and other persons using its facilities. In addition, the Exchange believes that the proposed fee is consistent with the purposes of Section 6(b)(5) [24] of the Act in that it is designed to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to a free and open market and national market system, and, in general, to protect investors and the public interest, and particularly, is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers. The Exchange notes that real-time access to DEEP+ is optional. The Exchange is not required to make real-time access to DEEP+ available to Members or market data customers, nor is any customer or Member of the Exchange required, either by any Exchange rule or the federal securities laws, to purchase real-time access to the DEEP+ data feed. Moreover, the Exchange offers other depth of book data feeds for a lower fee or free, specifically delayed access to DEEP+ free of charge, as well as DEEP [25] on a real-time basis for $2,500 per month and on a delayed basis free of charge.

The Exchange believes that the proposed fee of $3,500 per month for real-time access to DEEP+ is reasonable because it is less than the fees charged by many other exchanges for comparable market data products and, more specifically, less than the fees charged by other exchanges with similar or lower market share [26] for comparable market data products. Based on publicly available information as of August 1, 2025, the Exchange compared the proposed fee to the fees charged by

at each price level, and execution information (*i.e.*, last sale information) for executions on the Exchange. *See* IEX Rule 11.330(a)(2).

[12] *See* IEX Rule 11.232(f).

[13] *See* DEEP+ Product Filing, *supra* note 6.

[14] *See* IEX Trading Alert #2024–037.

[15] ''Data Subscriber'' means any natural person or entity that receives Real-Time IEX market data either directly from the Exchange or from another non-affiliated Data Subscriber via uncontrolled distribution where such non-affiliated Data Subscriber does not control both the entitlement to and display of the Real-Time IEX Market Data by the Data Subscriber. A Data Subscriber must enter into a Data Subscriber Agreement with IEX in order to receive Real-Time IEX market data. A natural person or entity that receives Real-Time IEX market data from an affiliated Data Subscriber is subject to the Data Subscriber Agreement of such affiliated Data Subscriber. *See* IEX Fee Schedule—Market Data Fees, *supra* note 10.

[16] *See* IEX Rule 1.160(s).

[17] DEEP+ Product Filing, *supra* note 6, footnote 23.

[18] The Exchange does not provide direct access to, or charge fees for, its ''Delayed'' market data products. *See* IEX Fee Schedule—Market Data Fees, *supra* note 10.

[19] *See id.*

[20] For example, the New York Stock Exchange, with market share of 7.53%, charges a monthly access fee of $8,400 plus additional monthly non-display fees that can total over $20,000 for real-time access to NYSE Integrated which is a comparable market data product to DEEP+. Information about NYSE Integrated is available at: *https://www.nyse.com/market-data/real-time/integrated-feed.*

[21] *See* IEX Trading Alert #2025–015.

[22] 15 U.S.C. 78f(b).

[23] 15 U.S.C. 78f(b)(4).

[24] 15 U.S.C. 78f(b)(5).

[25] *See* IEX Rule 11.330(a)(2), *supra* note 11.

[26] Exchange market share data noted in this rule filing represents the percent of executed share volume by the relevant exchange compared to market-wide executed share volume in NMS securities (*see* Rule 600(64) of Regulation NMS) as of August 1, 2025 based on NYSE TAQ (Trade and Quote) data.

other equities exchanges with comparable or lower market share than IEX for comparable data products. IEX's market share as of August 1, 2025 was approximately 2.8%. A more detailed discussion of the comparison follows.

As described in the Purpose section, the proposed fee for real-time access to DEEP+ would be an all-inclusive access fee with no additional usage fees. Other exchanges charge fees in addition to an access fee or internal distribution fee depending on how the subscriber is using the data, such as for internal trading purposes, external distribution and/or per user fees. As described more fully below, IEX believes that its proposed all-inclusive fee is lower than the aggregate fees charged by other exchanges with similar or lower market share for similar data products notwithstanding the different fee structures used by such other exchanges.

Internal Non-Display Use

Currently the most prevalent use of DEEP+ is for non-display purposes, such as internal algorithmic trading or operating a trading venue. The Exchange requires Data Subscribers to regularly report their usage of IEX Market Data.[27] The reporting data for the DEEP+ real-time market data feed since IEX launched it on December 9, 2024 reflects that approximately 88% of current DEEP+ subscribers use the data for non-display purposes, with the remaining 12% distributing the data feed to other market participants. As noted above, other exchanges charge separate fees, in addition to an access or internal distribution fee,[28] for use of their comparable market data products for internal non-display purposes.[29] IEX understands that a non-display trading fee charged by other exchanges would apply where a data recipient uses the market data to operate an exchange, an ATS, or a single dealer platform; and a non-display fee would apply where the data recipient uses the market data for internal trading purposes, such as algorithmic trading.

As summarized in the table below, the proposed fee of $3,500 per month would be lower than fees charged by exchanges with similar or lower market share as IEX for non-display usage of their comparable market data feeds. A more detailed discussion of the comparison follows.

Exchange	Market share (as of 8/1/2025) (%)	Market data product	Total cost—non-display	Total cost—non-display trading platform	Fee components		
					Access/internal distribution fee	Non-display	Non-display trading
IEX	2.8	DEEP+	$3,500	$3,500	$3,500	$0	$0
MIAX Pearl Equities	1.08	Depth of Market	4,500	4,500	2,000	2,500	2,500
MEMX Equities	2.26	MEMOIR Depth	4,000	4,000	1,500	2,500	2,500
NYSE National Inc	0.32	Integrated Feed	7,500	7,500	2,500	5,000	5,000
NYSE American LLC (Equities)	0.23	Integrated Feed	7,500	7,500	2,500	5,000	5,000

MIAX Pearl Equities. The proposed fee would be lower than the fees currently charged by MIAX Pearl Equities (''MIAX Pearl'') for real-time access to its Depth of Market (''DoM'') data feed, a comparable market data product to DEEP+, for non-display and non-display trading platform purposes.[30] MIAX Pearl charges $4,500 per month for such purposes, comprised of a $2,000 per month internal distributor fee and a $2,500 non-display usage not by trading platform fee or a $2,500 non-display usage by trading platform fee. MIAX Pearl's market share was approximately 1.08% as of August 1, 2025, or less than half of the Exchange's market share for the same time period.

MEMX Equities. The proposed fee would be lower than the fees currently charged by MEMX Equities (''MEMX'') for real-time access to its MEMOIR Depth data feed, a comparable market data product to DEEP+, for non-display and non-display trading platform purposes.[31] MEMX charges $4,000 per month for such purposes, comprised of a $1,500 per month internal distributor fee and a $2,500 non-display usage not by trading platform fee or a $2,500 for non-display usage by trading platform fee. MEMX's market share was approximately 2.26% as of August 1, 2025, approximately 20% less than the Exchange's market share for the same time period.

NYSE National Inc. and NYSE American LLC. The proposed fee would be lower than the fees charged by NYSE National Inc. (''NYSE National'') and NYSE American LLC (equities) (''NYSE American'') for real-time access to their respective Integrated Feed data feed products, which are comparable market data products to DEEP+.[32] NYSE National and NYSE American each charge $7,500 for non-display and non-

[27] *See* IEX Data Subscriber Agreement, Section 7, available at *https://www.iexexchange.io/documents/iex-data-subscriber-agreement-february-2025;* IEX Market Data Policies, Section 8, *https://www.iexexchange.io/documents/iex-market-data-policies-feb-2025.*

[28] The ''access fee'' charged by NYSE National and NYSE American is charged to any data recipient that receives either the NYSE National and/or NYSE America Integrated Feeds. The ''internal distribution fee'' is the equivalent fee charged by MIAX and MEMX for any data recipient that receives the data feed for internal distribution to one or more users within the data recipient's own entity. There is no substantive difference between the ''access fee'' charged by the NYSE exchanges and the ''internal distribution fee'' charged by MIAX and MEMX.

[29] For example, MIAX Pearl, MEMX, NYSE National, and NYSE American charge non-display and per user fees for trading and non-trading uses.

[30] DoM is a data feed containing the displayed price and displayed size of each order in an equity security entered into the automated trading system used by MIAX Pearl for the trading of securities. DoM also includes order execution information, order cancellations, order modifications, order identification numbers, and administrative messages. *See* MIAX Pearl Rule 2625(a)(1)(i). For more information on DoM, *see https://www.miaxglobal.com/markets/us-equities/pearl-equities/market-data.*

[31] MEMOIR (MEMber's Order Information Record) Depth is a data feed that contains all displayed orders for listed securities trading on MEMX, including order executions, order cancellations, order modifications, order identification numbers, and administrative messages. *See* MEMX Rule 13.8(a). For more information on MEMOIR Depth, *see https://databento.com/blog/memx-memoir-depth-now-available.*

[32] NYSE National Integrated Feed is a NYSE National-only market data feed that includes real-time depth of book order data, last sale data, and security status updates (*e.g.,* trade corrections and trading halts) and stock summary messages, including NYSE National's opening price, high price, low price, closing price, and cumulative volume for a security. *See* Securities Exchange Act Release No. 83350 (May 31, 2018), 83 FR 26332 (June 6, 2018) (SR–NYSENAT–2018–09). *See also* Securities Exchange Act Release No. 74127 (January 23, 2015), 80 FR 4956 (January 29, 2015) (SR–NYSEMKT–2015–06). The NYSE American Integrated Feed includes real-time depth of book order data, last sale data, opening and closing imbalance data, security status updates (*e.g.,* trade corrections and trading halts) and stock summary messages, including NYSE American's opening price, high price, low price, closing price, and cumulative volume for a security. For more information on NYSE National Integrated Feed and NYSE American Integrated Feed, *see https://www.nyse.com/market-data/real-time/integrated-feed.*

display trading purposes: a $2,500 access fee and a $5,000 non-display use fee or a $5,000 non-display trading platform use fee. As of August 1, 2025, NYSE National's market share was approximately 0.32% and NYSE American's market share (for equities) was approximately 0.23%, approximately 89% and 92% less than the Exchange's market share for the same time period, respectively.

External Distribution Use

The remaining DEEP+ subscribers that do not use the data feed for internal non-display or non-display trading platform purposes are external distributors of the DEEP+ data feed that distribute the data feed in real-time to unaffiliated third-parties, without controlling the entitlement to and display of the data feed.[33]

As summarized in the table below, the proposed fee of $3,500 per month would be within the range of fees charged by exchanges with lower market share than IEX for external distribution of their comparable market data feeds. A more detailed discussion of the comparison follows.

Exchange	Market share (as of 8/1/2025) (%)	Market data product	Total cost—external distribution	Fee components	
				Access fee	External distribution fee
IEX	2.8	DEEP+	$3,500	$3,500	$0
MEMX Equities	2.26	MEMOIR Depth	2,500	0	2,500
MIAX Pearl Equities	1.08	Depth of Market	2,500	0	2,500
IEX	3.1	DEEP+	3,500	3,500	0
NYSE National	0.32	Integrated Feed	4,000	2,500	1,500
NYSE American (Equities)	0.23	Integrated Feed	4,000	2,500	1,500

The proposed fee would be lower than the fees charged by NYSE National and NYSE American, which each charge $4,000, comprised of a $2,500 access fee and a $1,500 redistribution fee for such purpose. The proposed fee would be higher than the fees charged for external distribution for comparable market data products by MEMX and MIAX Pearl, both of which have lower market share than IEX. MEMX and MIAX Pearl each charge a single external distribution fee of $2,500 and do not charge an access fee for external distribution.

Display-Only Use

Based on reporting from the Exchange's current Data Subscribers, as described above, none of the Exchange's Data Subscribers use the real-time DEEP+ data feed solely for display[34] use. With respect to internal display use, no current IEX Data Subscribers have reported using the real-time DEEP+ data feed solely for internal display purposes. Every current Data Subscriber that reported internal display use also reported either a non-display internal use or external distribution of the real-time DEEP+ data feed. As discussed above, non-display internal use of either the NYSE National or NYSE American comparable data feed would be subject to an access fee, a non-display fee (either for trading or non-trading), plus per user fees for display use.[35] The aggregate of such fees for such use of the NYSE National or NYSE American comparable data feed would thus total at least $7,500 per month (comprised of a $2,500 access fee plus a $5,000 non-display internal use fee, and per user fees for any display use), or at least $4,000 per month (comprised of a $2,500 access fee plus a $1,500 external distribution fee, and per user fees for any display use) in each case more than IEX's proposed monthly fee of $3,500.

With respect to external display use, none of the Exchange's current Data Subscribers report that they redistribute real-time DEEP+ to nonaffiliates for display use by such recipients. Any such future redistribution of either the NYSE National or NYSE American comparable data feed would be subject to an access fee, a redistribution fee, plus per user fees for any display use totaling at least $4,000 per month, more than IEX's proposed monthly fee of $3,500.

Moreover, the Exchange believes that display use of an order-by-order market data product such as real-time DEEP+ would typically be accessed from a product of a commercial data vendor, such as Bloomberg or Refinitiv, rather than directly from a national securities exchange for economic reasons, given that display-only usage does not necessarily require direct access to a low-latency data feed.

The Proposed Fee Is Equitably Allocated and Not Unfairly Discriminatory

The Exchange believes that its proposed fee for real-time access to the DEEP+ data feed is reasonable, fair, equitable, and not unfairly discriminatory. The Exchange believes the proposed fee for the market data feed is fair and equitable because it is optional and applies uniformly to all Data Subscribers, irrespective of their relationship with the Exchange (*i.e.,* Member, non-Member, etc.) or what type of business they operate.

Moreover, the $3,500 monthly fee would apply equally to all Data Subscribers. The decision to subscribe to real-time access to DEEP+ or any other market data feed offered by IEX is within the control of any particular market participant, and each market participant has the ability to choose the market data product (or combination of products) best suited to its business objectives. Each Data Subscriber would be subject to the same comparatively low fee and can also receive the same data on a 15-minute delayed basis for no fee or a similar data feed (*i.e.,* real-time DEEP) for a lower fee of $2,500 or on a delayed basis for no fee. As a result, the proposed fee also does not favor certain

[33] This is ''Uncontrolled Distribution,'' pursuant to Section 2 of the IEX Market Data Policies, *see supra,* note 27. Such recipients are required to become Data Subscribers, sign the IEX Data Subscriber Agreement, and (as proposed) pay the monthly $3,500 fee. A Data Subscriber redistributing DEEP+ in real-time through controlled distribution (*i.e.,* where the Data Subscriber controls both the entitlement to and display of the data feed) would be subject to the proposed fee of $3,500. No current Data Subscribers of DEEP+ have reported controlled external redistribution of DEEP+ and for the reasons set forth below, the Exchange believes that DEEP+ would not likely be used for display purposes. Note that any redistribution for external non-display purposes would necessarily mean that the data is within the recipient's systems, which is not consistent with the definition of Controlled Distribution pursuant to the IEX Market Data Policies. Moreover, such use would also subject the data subscriber on other exchanges to additional fees for redistribution and/or use for trading purposes.

[34] The term ''display'' in this context refers to presenting or disseminating IEX Market Data via graphical user interfaces, such as tickers, websites, or mobile apps, pursuant to the IEX Market Data Policies, *see supra* note 27.

[35] MISSING FOOTNOTE.

categories of market participants in a manner that would impose a burden on competition because each market participant can select the market data product best suited to its needs. Thus, the Exchange believes that the $3,500 per month fee for real-time access to DEEP+ is not unfairly discriminatory.

Accordingly, based on the foregoing analysis, IEX believes that the proposed fee for real-time access to DEEP+ is consistent with the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

IEX does not believe that the proposed rule change will result in 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 result in any burden on intra-market competition that is not necessary or appropriate in furtherance of the purposes of the Act. Use of real-time DEEP+ is optional. As discussed in the Statutory Basis section, each Data Subscriber would be subject to the same comparatively low fee and can also receive the same data on a 15-minute delayed basis for no fee or a similar data feed (*i.e.,* real-time DEEP) for a lower fee of $2,500 or on a delayed basis for no fee. As a result, the proposed fee also does not favor certain categories of market participants in a manner that would impose a burden on competition because each market participant can select the market data product best suited to its needs. Moreover, the Exchange will continue to make real-time access to DEEP+ available to market participants on a fair and impartial basis, and on terms that are not unfairly discriminatory, as discussed in the Statutory Basis section.

Further, as discussed in the Statutory Basis section, the proposed fee is within the range of fees charged by other exchanges for comparable market data products and less than the fees charged for such products by exchanges with similar or lower market share than IEX. Thus, IEX does not believe that the proposed relatively low fee would operate as a barrier to entry, or impose a significant cost burden, on smaller Members or Data Subscribers.

The Exchange also does not believe that the proposed rule change will impose any burden on inter-market competition that is not necessary or appropriate in furtherance of the purposes of the Act. As discussed in the Statutory Basis section, other exchanges charge higher fees for comparable market data products. Market participants are not required to subscribe to any market data feed. The proposed fee is designed to enhance IEX's competitiveness by offering real-time access to DEEP+ at a reasonable price and lower than the fees charged by competing exchanges with similar or lower market share for comparable market data products. Moreover, competing exchanges are free to adopt comparable fee structures subject to the Commission rule filing process.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) [36] of the Act.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B) [37] of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–IEX–2025–21 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–IEX–2025–21. 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–IEX–2025–21 and should be submitted on or before September 24, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[38]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–16822 Filed 9–2–25; 8:45 am]

BILLING CODE 8011–01–P

[36] 15 U.S.C. 78s(b)(3)(A)(ii).

[37] 15 U.S.C. 78s(b)(2)(B).

[38] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103804; File No. SR–CBOE–2025–004]

Self-Regulatory Organizations; Cboe Exchange, Inc.; Notice of Designation of a Longer Period for Commission Action on Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change, as Modified by Amendment No. 2, To Add P.M.-Settled Options on the Cboe Bitcoin U.S. ETF Index and the Mini-Cboe Bitcoin U.S. ETF Index With Third Friday Expirations, Nonstandard Expirations, and Quarterly Index Expirations

August 28, 2025.

On February 14, 2025, Cboe Exchange, Inc. (''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] a proposed rule change to list P.M.-settled options on the Cboe Bitcoin U.S. ETF Index and the Mini-Cboe Bitcoin U.S. ETF Index with third Friday expirations, nonstandard expirations, and quarterly index expirations. The proposed rule change was published for comment in the **Federal Register** on March 5, 2025.[3] On

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102502 (Feb. 27, 2025), 90 FR 11343 (''Notice'').

April 16, 2025, the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to disapprove the proposed rule change.[4] On April 22, 2025, the Exchange filed Amendment No. 1 to the proposed rule change.[5] Amendment No. 1 superseded the original proposed rule change in its entirety. On June 2, 2025, the Commission published for comment the proposed rule change, as modified by Amendment No. 1, and instituted proceedings under Section 19(b)(2)(B) of the Act[6] to determine whether to approve or disapprove the proposed rule change, as modified by Amendment No. 1.[7] On July 23, 2025, the Exchange filed Amendment No. 2 to the proposed rule change, which superseded the proposed rule change, as modified by Amendment No. 1, in its entirety.[8] The Commission has not received any comments on the proposed rule change.

Section 19(b)(2) of the Act[9] provides that, after initiating proceedings, the Commission shall issue an order approving or disapproving the proposed rule change not later than 180 days after the date of publication of the notice of filing of the proposed rule change. The Commission may extend the period for issuing an order approving or disapproving the proposed rule change, however, by not more than 60 days if the Commission determines that a longer period is appropriate and publishes the reasons for such determination. The proposed rule change was published for notice and comment in the **Federal Register** on March 5, 2025.[10] The 180th day after publication of the Notice is September 1, 2025. The Commission is extending the time period for approving or disapproving the proposed rule change, as modified by Amendment No. 2, for an additional 60 days.

The Commission finds it appropriate to designate a longer period within which to issue an order approving or disapproving the proposed rule change so that it has sufficient time to consider the proposed rule change, as modified by Amendment No. 2. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[11] designates October 31, 2025, as the date by which the Commission shall either approve or disapprove the proposed rule change, as modified by Amendment No. 2 (File No. SR–CBOE–2025–004).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[12]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–16819 Filed 9–2–25; 8:45 am]

BILLING CODE 8011–01–P

[4] *See* Securities Exchange Act Release No. 102870, 90 FR 16894 (Apr. 22, 2025).

[5] The full text of Amendment No. 1 is available on the Commission's website at *https://www.sec.gov/comments/sr-cboe-2025-004/srcboe2025004-593235-1720602.pdf.*

[6] 15 U.S.C. 78s(b)(2)(B).

[7] *See* Securities Exchange Act Release No. 103168, 90 FR 24180 (June 6, 2025).

[8] Amendment No. 2 is available on the Commission's website at: *https://www.sec.gov/comments/sr-cboe-2025-004/srcboe2025004-631167-1867334.pdf.*

[9] 15 U.S.C. 78s(b)(2).

[10] *See* Notice, *supra* note 3.

[11] 15 U.S.C. 78s(b)(2).

[12] 17 CFR 200.30–3(a)(57).

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 35732]

Deregistration Under Section 8(f) of the Investment Company Act of 1940

August 29, 2025.

AGENCY: Securities and Exchange Commission (''Commission'' or ''SEC'')

ACTION: Notice of applications for deregistration under Section 8(f) of the Investment Company Act of 1940.

The following is a notice of applications for deregistration under section 8(f) of the Investment Company Act of 1940 for the month of August 2025. A copy of each application may be obtained via the Commission's website by searching for the applicable file number listed below, or for an applicant using the Company name search field, on the SEC's EDGAR system. The SEC's EDGAR system may be searched at *https://www.sec.gov/edgar/searchedgar/companysearch.html.* You may also call the SEC's Office of Investor Education and Advocacy at (202) 551–8090. An order granting each application will be issued unless the SEC orders a hearing. Interested persons may request a hearing on any application by emailing the SEC's Secretary at *Secretarys-Office@sec.gov* and serving the relevant applicant with a copy of the request by email, if an email address is listed for the relevant applicant below, or personally or by mail, if a physical address is listed for the relevant applicant below. Hearing requests should be received by the SEC by 5:30 p.m. on September 23, 2025, and should be accompanied by proof of service on applicants, in the form of an affidavit or, for lawyers, a certificate of service. Pursuant to Rule 0–5 under the Act, hearing requests should state the nature of the writer's interest, any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission's Secretary at *Secretarys-Office@sec.gov.*

ADDRESSES: The Commission: *Secretarys-Office@sec.gov.*

FOR FURTHER INFORMATION CONTACT: Shawn Davis, Assistant Director, at (202) 551–6413 or Chief Counsel's Office at (202) 551–6821; SEC, Division of Investment Management, Chief Counsel's Office, 100 F Street NE, Washington, DC 20549–8010.

First Trust Specialty Finance & Financial Opportunities Fund. [File No. 811–22039]

Summary: Applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. The applicant has transferred its assets to First Trust Exchange-Traded Fund VIII, and on June 30, 2025 made a final distribution to its shareholders based on net asset value. Expenses of $451,616.94 incurred in connection with the reorganization were paid by the applicant and the applicant's investment adviser.

Filing Date: The application was filed on August 4, 2025.

Applicant's Address: 120 East Liberty Drive, Suite 400, Wheaton, Illinois 60187.

Mammoth Institutional Credit Access Fund [File No. 811–23844]

Summary: Applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. Applicant has never made a public offering of its securities and does not propose to make a public offering or engage in business of any kind.

Filing Dates: The application was filed on July 11, 2023, and amended on May 24, 2024, and August 6, 2025.

Applicant's Address: 3201 Stellhorn Road, Suite A–124, Fort Wayne, Indiana 46815.

Mammoth Institutional Equity Access Fund [File No. 811–23845]

Summary: Applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. Applicant has never made a public offering of its securities and does not propose to make a public offering or engage in business of any kind.

Filing Dates: The application was filed on July 11, 2023, and amended on May 24, 2024, and August 6, 2025.

Applicant's Address: 3201 Stellhorn Road, Suite A–124, Fort Wayne, Indiana 46815.

Prospector Funds, Inc. [File No. 811–22077]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. The applicant has transferred its assets to Managed Portfolio Series, and on September 9, 2024 made a final distribution to its shareholders based on net asset value. Expenses of $205,000 incurred in connection with the reorganization were paid by the applicant's investment adviser and the acquiring fund.

Filing Dates: The application was filed on December 17, 2024 and amended on July 29, 2025.

Applicant's Address: 370 Church Street, Guilford, Connecticut 06347.

Seventh Automatic Common Exchange Security Trust [File No. 811–08829]

Summary: Applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. Applicant has never made a public offering of its securities and does not propose to make a public offering or engage in business of any kind.

Filing Dates: The application was filed on June 28, 2024 and amended on June 3, 2025, and July 23, 2025.

Applicant's Address: 200 West Street, New York, New York 10282–2198.

Twelfth Automatic Common Exchange Security Trust [File No. 811–09429]

Summary: Applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. Applicant has never made a public offering of its securities and does not propose to make a public offering or engage in business of any kind.

Filing Dates: The application was filed on June 28, 2024 and amended on June 3, 2025, and July 23, 2025.

Applicant's Address: 200 West Street, New York, New York 10282–2198.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–16901 Filed 9–2–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103799; File No. SR–NYSEARCA–2025–61]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Connectivity Fee Schedule

August 28, 2025.

Pursuant to Section 19(b)(1) [1] of the Securities Exchange Act of 1934 (''Act'') [2] and Rule 19b–4 thereunder,[3] notice is hereby given that, on August 20, 2025, NYSE Arca, Inc. (''NYSE Arca'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the Connectivity Fee Schedule (''Fee Schedule'') regarding colocation services and fees to update the list of included data products. The proposed rule change is available on the Exchange's website at *www.nyse.com* and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend the Fee Schedule regarding colocation services and fees to update the list of included data products (''Included Data Products'').

Currently, the table of Included Data Products in Colocation Note 4 sets forth the market data feeds that Users [4] can connect to at no additional cost when they purchase a service that includes access to the LCN or IP network.[5]

NYSE Texas, Inc. filed to establish an ''NYSE Texas Order Imbalances'' proprietary market data product (the ''NYSE Texas Feed'').[6] Accordingly, the Exchange proposes to update the table of Included Data Products to include the NYSE Texas Feed. To implement the change, the Exchange proposes to update the table of Included Data Products as follows (proposed addition italicized):

NYSE Texas
- NYSE Texas Aggregated Lite
- NYSE Texas BBO
- NYSE Texas Integrated Feed
- *NYSE Texas Order Imbalances*
- NYSE Texas Trades

The Exchange does not charge for connectivity to the Included Data Feeds. Accordingly, it would not charge for connectivity to the NYSE Texas Feed.

General

The proposed changes would not apply differently to distinct types or sizes of market participants. Rather, they would apply to all Users equally. As is currently the case, the purchase of any colocation service, including connectivity to the NYSE Texas Feed, would be completely voluntary and the Fee Schedule would be applied uniformly to all Users.

FIDS does not expect that the proposed rule change will result in new Users.

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

[4] For purposes of the Exchange's colocation services, a ''User'' means any market participant that requests to receive colocation services directly from the Exchange. *See* Securities Exchange Act Release No. 76010 (September 29, 2015), 80 FR 60197 (October 5, 2015) (SR–NYSEArca-2015–82). As specified in the Fee Schedule, a User that incurs colocation fees for a particular colocation service pursuant thereto would not be subject to colocation fees for the same colocation service charged by the New York Stock Exchange LLC, NYSE American LLC, NYSE National, Inc. and NYSE Texas, Inc. (together, the ''Affiliate SROs''). Each Affiliate SRO has submitted substantially the same proposed rule change to propose the change described herein. *See* SR–NYSE–2025–32, SR–NYSEAMER–2025–53, SR–NYSENAT–2025–18 and SR–NYSETEX–2025–25.

[5] *See* Securities Exchange Act Release No. 79729 (January 4, 2017), 82 FR 3061 (January 10, 2017) (SR–NYSEArca–2016–172) (Notice of Filing and Immediate Effectiveness of Proposed Rule Change Amending the NYSE Arca Options Fee Schedule and the NYSE Arca Equities Schedule of Fees and Charges Related to Co-Location Services To Increase LCN and IP Network Fees and Add a Description of Access to Trading and Execution Services and Connectivity to Included Data Products).

[6] *See* Securities Exchange Act Release No. 103053 (May 16, 2025), 90 FR 21970 (May 22, 2025) (SR–NYSETex–2025–10).

The proposed changes are not otherwise intended to address any other issues relating to co-location services and/or related fees, and the Exchange is not aware of any problems that customers would have in complying with the proposed change.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,[7] in general, and furthers the objectives of Section 6(b)(5) of the Act,[8] in particular, because it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in 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 and because it is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers. The Exchange further believes that the proposed rule change is consistent with Section 6(b)(4) of the Act,[9] because it provides for the equitable allocation of reasonable dues, fees, and other charges among its members and issuers and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers, or dealers.

The Proposed Change Is Reasonable

The Exchange believes that the proposed rule change is reasonable and would perfect the mechanisms of a free and open market and a national market system and, in general, protect investors and the public interest, because adding the NYSE Texas Feed would increase the number of Included Data Products available to Users for no additional charge. All Users that voluntarily select to access the LCN or IP network would not be subject to a charge above and beyond the fee paid for the relevant LCN or IP network access. Accordingly, the Exchange believes that the proposed change is reasonable because the change would mean that a User would have the option of adding connectivity to additional market data feeds without paying additional charges.

Adding the NYSE Texas Feed to the list of Included Data Products would allow a User to connect to the NYSE Texas Feed if it wished but would not require it to do so. As now, a User would be able to determine which Included Data Products, if any, to which it connects, based on what would best serve its needs, tailoring the service to the requirements of its business operations.

By adding the NYSE Texas Feed, the proposed change would ensure that the list of Included Data Products was up to date. Accordingly, the Exchange believes that the proposed rule change is reasonable and would perfect the mechanisms of a free and open market and a national market system and, in general, protect investors and the public interest, as it would ensure that the description of Included Data Products was complete, ensuring that it is accessible and transparent, and providing market participants with clarity as to what connectivity is included in the purchase of access to the LCN and IP networks.

The Proposed Change Is Equitable and Not Unfairly Discriminatory

The Exchange believes that the proposed change provides for the equitable allocation of reasonable dues, fees, and other charges among its members and issuers and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers, or dealers because adding the NYSE Texas Feed would increase the number of Included Data Products available to Users for no additional charge. All Users that voluntarily select to access the LCN or IP network would not be subject to a charge above and beyond the fee paid for the relevant LCN or IP network access. Accordingly, the Exchange believes that the proposed change is equitable and not unfairly discriminatory because the change would mean that a User would have the option of adding connectivity to an additional market data feed without paying additional charges.

Further, the Exchange believes that the proposed change is equitable and not unfairly discriminatory since, as is true now, the proposed change would not apply differently to distinct types or sizes of Users but would apply to all Users equally. Moreover, adding the proposed additional Included Data Product would allow a User to connect to the NYSE Texas Feed if it wished, but would not require it to do so. As now, a User would be able to determine which Included Data Products, if any, to which it connects, based on what would best serve its needs, tailoring the service to the requirements of its business operations.

By adding the NYSE Texas Feed, the proposed change would ensure that the list of Included Data Products was up to date. Accordingly, the Exchange believes that the proposed rule change is equitable and not unfairly discriminatory, as it would ensure that the description of Included Data Products was complete, ensuring that it is accessible and transparent, and providing market participants with clarity as to what connectivity is included in the purchase of access to the LCN and IP networks.

For the reasons above, the proposed changes do not unfairly discriminate between or among market participants that are otherwise capable of satisfying any applicable co-location fees, requirements, terms, and conditions established from time to time by the Exchange.

For these reasons, the Exchange believes that the proposal is consistent with the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange believes that the proposal will not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of Section 6(b)(8) of the Act.[10]

The Exchange believes that the proposed rule change does not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act because adding the NYSE Texas Feed would increase the number of Included Data Products available to Users for no additional charge. All Users that voluntarily select to access the LCN or IP network would not be subject to a charge above and beyond the fee paid for the relevant LCN or IP network access. Accordingly, the change would mean that a User would have the option of adding connectivity to an additional market data feed without paying additional charges.

Adding the proposed additional Included Data Product would allow a User to connect to the NYSE Texas Feed if it wished, but would not require it to do so. In this way, the proposed changes would enhance competition by, as now, enabling a User to determine to which Included Data Products, if any, it connects, based on what would best serve its needs, tailoring the service to the requirements of its business operations.

The Exchange believes that the proposed rule change does not impose any burden on competition that is not necessary or appropriate in furtherance

[7] 15 U.S.C. 78f(b).

[8] 15 U.S.C. 78f(b)(5).

[9] 15 U.S.C. 78f(b)(4).

[10] 15 U.S.C. 78f(b)(8).

of the purposes of the Act because, as with the other Included Data Products, it believes it is not the exclusive method to connect to the NYSE Texas Feed. As alternatives to connecting to the NYSE Texas Feed as an Included Data Product, a User may connect to the market data feed through another User or through a connection to an Exchange access center outside the data center, third party access center, or third party vendor.

By adding the NYSE Texas Feed, the proposed change would ensure that the list of Included Data Products was up to date. Accordingly, the Exchange believes that the proposed addition to the description of Included Data Products would make the description more accessible and transparent. In this manner, the proposed change would provide market participants with clarity as to what connectivity is included in the purchase of access to the LCN and IP networks, thereby enhancing competition by ensuring that all Users have access to the same information regarding the Included Data Products.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act [11] and Rule 19b–4(f)(6) thereunder.[12] Because the proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative prior to 30 days from the date on which it was filed, or such shorter time as the Commission may designate, if consistent with the protection of investors and the public interest, the proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act and Rule 19b–4(f)(6)(iii) thereunder.[13]

[11] 15 U.S.C. 78s(b)(3)(A)(iii).

[12] 17 CFR 240.19b–4(f)(6).

[13] *See id.* In addition, Rule 19b–4(f)(6)(iii) requires a self-regulatory organization 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.

A proposed rule change filed under Rule 19b–4(f)(6) [14] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[15] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has requested that the Commission waive the 30-day operative delay so that the proposal may become operative immediately upon filing. The Exchange states that waiver of the 30-day operative delay would be consistent with the protection of investors and the public interest because it would allow all Users that wish to connect to the NYSE Texas Feed the ability to do so without delay and with no additional cost. For these reasons, the Commission finds that waiver of the operative delay is consistent with the protection of investors and the public interest. Accordingly, the Commission hereby waives the 30-day operative delay and designates the proposal operative upon filing.[16]

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B) [17] of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–NYSEARCA–2025–61 on the subject line.

[14] 17 CFR 240.19b–4(f)(6).

[15] 17 CFR 240.19b–4(f)(6)(iii).

[16] For purposes only of accelerating the operative date of this proposal, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

[17] 15 U.S.C. 78s(b)(2)(B).

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–NYSEARCA–2025–61. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–NYSEARCA–2025–61 and should be submitted on or before September 24, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[18]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–16815 Filed 9–2–25; 8:45 am]

BILLING CODE 8011–01–P

[18] 17 CFR 200.30–3(a)(12), (59).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103803; File No. PCAOB–2025–01]

Public Company Accounting Oversight Board; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Postponing the Effective Date of Amendments to Board Standards, Rules, and Forms Adopted on May 13, 2024

August 28, 2025.

Pursuant to Section 107(b) of the Sarbanes-Oxley Act of 2002 (the ''Act''), notice is hereby given that on [Date of Form 19b–4 Submission], the Public Company Accounting Oversight Board (''Board'' or ''PCAOB'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change described in Items I, II, and III below, which items have been prepared by the Board. The PCAOB has designated such proposed rule change as ''constituting a stated policy, practice, or interpretation with respect to the meaning, administration, or

enforcement of an existing rule'' of the PCAOB under Section 19(b)(3)(A)(i) of the Securities Exchange Act of 1934 (as incorporated by reference into Section 107(b)(4) of the Act) and Rule 19b–4(f)(1) thereunder. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Board's Statement of the Terms of Substance of the Proposed Rules

The Board is filing with the Commission a proposed rule change to delay the effective date of QC 1000, *A Firm's System of Quality Control,* and other new and amended PCAOB standards, rules, and forms adopted on May 13, 2024, and identified in the PCAOB's May 24, 2024 Form 19b–4 from December 15, 2025, to December 15, 2026. The PCAOB is not proposing any changes to the text of QC 1000 or such other standards, rules, and forms.

The new effective date would apply to the following standards, rules, and forms:

- New quality control standard QC 1000, *A Firm's System of Quality Control;*
- New PCAOB Rule 3400, *Quality Control Standards;*
- New PCAOB Rule 2203A, *Report on the Evaluation of the Firm's System of Quality Control,* and new PCAOB Form QC;
- Amended and retitled AS 2901, *Responding to Engagement Deficiencies After Issuance of the Auditor's Report* (formerly *Consideration of Omitted Procedures After the Report Date*);
- New ethics standard EI 1000, *Integrity and Objectivity;*
- New AS 1310, *Notification of Termination of the Auditor-Issuer Relationship* (recodifying SEC Practice Section (''SECPS'') § 1000.08(m) and applying the requirements to all registered public accounting firms and all issuer engagements); and
- Amendments to AS 1215, *Audit Documentation;* AS 1220, *Engagement Quality Review;* AS 2101, *Audit Planning;* AS 2110, *Identifying and Assessing Risks of Material Misstatement;* AS 2201, *An Audit of Internal Control Over Financial Reporting That Is Integrated with An Audit of Financial Statements;* AS 2315, *Audit Sampling;* AS 4105, *Reviews of Interim Financial Information;* Attestation Standard No. 1, *Examination Engagements Regarding Compliance Reports of Brokers and Dealers;* Attestation Standard No. 2, *Review Engagements Regarding Exemption Reports of Brokers and Dealers;* AT Section 101, *Attest Engagements;* ET Section 101, *Independence;* ET Section 191, *Ethics Rulings on Independence, Integrity, and Objectivity;* Rule 2204, *Signatures;* Rule 2205, *Amendments;* Rule 2206, *Date of Filing;* Rule 3500T, *Interim Ethics and Independence Standards;* Form 1, *Application for Registration;* Form 2, *Annual Report Form;* and Instructions to Form AP, *Auditor Reporting of Certain Audit Participants.*

The proposed rule change would also delay the effective date of the rescission of (i) Rule 3400T, *Interim Quality Control Standards;* (ii) ET Section 102, *Integrity and Objectivity;* and (iii) AS 1110, *Relationship of Auditing Standards to Quality Control Standards,* to December 15, 2026.

Until Rule 3400T is rescinded on December 15, 2026, the following interim quality control standards will remain in effect: QC Section 20, *System of Quality Control for a CPA Firm's Accounting and Auditing Practice;* QC Section 30, *Monitoring a CPA Firm's Accounting and Auditing Practice;* QC Section 40, *The Personnel Management Element of a Firm's System of Quality Control-Competencies Required by a Practitioner-in-Charge of an Attest Engagement;* SECPS § 1000.08(d), *Continuing Professional Education of Audit Firm Personnel;* SECPS § 1000.08(l), *Communication by Written Statement to all Professional Personnel of Firm Policies and Procedures on the Recommendation and Approval of Accounting Principles, Present and Potential Client Relationships, and the Types of Services Provided;* SECPS § 1000.08(m), *Notification of the Commission of Resignations and Dismissals from Audit Engagements for Commission Registrants;* SECPS § 1000.08(n), *Audit Firm Obligations with Respect to the Policies and Procedures of Correspondent Firms and of Other Members of International Firms or International Associations of Firms;* SECPS § 1000.08(o), *Policies and Procedures to Comply with Independence Requirements;* SECPS § 1000.38, Appendix D—*Revised Definition of an SEC Client;* SECPS § 1000.42, Appendix H—*Illustrative Statement of Firm Philosophy;* SECPS § 1000.43, Appendix I—*Standard Form of Letter Confirming the Cessation of the Client-Auditor Relationship;* SECPS § 1000.45, Appendix K—*SECPS Member Firms With Foreign Associated Firms That Audit SEC Registrants;* and SECPS § 1000.46, Appendix L—*Independence Quality Controls.*

II. Board's Statement of the Purpose of, and Statutory Basis for, the Proposed Rules

In the Board's filing with the Commission, the Board described the purpose of, and basis for, the proposed rule change. The text of these statements may be examined as specified in Item IV below. The Board has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Board's Statement of the Purpose of, and Statutory Basis for, the Proposed Rules

(a) Purpose

In the Board's May 24, 2024 Form 19b–4 filing seeking Commission approval of the new and amended standards, rules, and forms identified in Item I above, the Board stated that, if approved by the SEC, those standards, rules, and forms would take effect on December 15, 2025 (with initial evaluations of quality control systems to be performed as of September 30, 2026, and initial reporting to the PCAOB on PCAOB Form QC by November 30, 2026). Firms would have been permitted at any point following SEC approval to elect to comply with the requirements of QC 1000 before the December 15, 2025 effective date (except as to reporting to the PCAOB on the evaluation of the quality control system). The Commission approved the new and amended standards, rules, and forms on September 9, 2024. *See Public Company Accounting Oversight Board; Order Granting Approval of QC 1000, A Firm's System of Quality Control, and Related Amendments to PCAOB Standards, Rules, and Forms,* SEC Rel. No. 34–100968 (Sept. 9, 2024).

During the rulemaking process, the Board sought and received comments on the appropriate effective date. When the Board adopted the new and amended standards, rules, and forms identified in Item I above, the Board stated its belief, taking into account those comments, that a December 15, 2025 effective date would strike an appropriate balance between the benefits to investors of having QC 1000 take effect as promptly as practicable, while allowing sufficient time for registered public accounting firms to design and implement robust, QC 1000-compliant quality control systems.

As the effective date approaches, however, the Board has needed to consider information, from various sources, to the effect that some firms have encountered implementation challenges that may, as a practical

matter, be insurmountable within the established time frame.

Having considered that information, the Board delayed the effective date of the new and amended standards, rules, and forms described in PCAOB Release No. 2024–005 for one year, to December 15, 2026 (with initial evaluations of quality control systems to be performed as of September 30, 2027, and initial reporting to the PCAOB on PCAOB Form QC by November 30, 2027). The Board stated that it believes that an additional year is sufficient time for firms that have encountered implementation challenges to overcome those challenges. In adopting the proposed rule change, the Board considered the potential costs associated with a one-year delay of the effective date—which would postpone the benefits to investors and other stakeholders from having the new and amended standards, rules, and forms in effect—and the significant costs that could result from incomplete or faulty implementation of the new requirements if firms were not allowed sufficient time to comply.

The Commission previously determined that the new and amended standards should apply to audits of emerging growth companies (''EGCs''), as that term is defined in Section 3(a)(80) of the Securities Exchange Act of 1934. The Board does not believe that an additional determination is necessary in order for the proposed rule change, which merely postpones the effective date for the new and amended standards, rules, and forms, to apply to the audits of EGCs.

(b) Statutory Basis

The statutory basis for the proposed rule change is Title I of the Act.

B. Board's Statement on Burden on Competition

The Board does not believe that the proposed rules would result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of Title I of the Act.

C. Board's Statement on Comments on the Proposed Rules Received From Members, Participants or Others

The Board did not solicit or receive written comments on this proposed rule change.

III. Date of Effectiveness of the Proposed Rules and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A) of the Securities Exchange Act of 1934 and paragraph (f) of Rule 19b–4 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 Title I of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rules are consistent with the requirements of Title I of the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/pcaob*); or
- Send an email to *rule-comments@sec.gov.* Please include PCAOB–2025–01 in the subject line.

Paper Comments

- Send paper comments in triplicate to Vanessa A. Countryman, Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to PCAOB–2025–01. 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 of submission. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/pcaob*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rules that are filed with the Commission, and all written communications relating to the proposed rules between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing on the Commission's internet website (*https://www.sec.gov/rules/pcaob*). Copies of such filing will also be available for inspection and copying at the principal office of the PCAOB. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. The Commission may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should be submitted on or before September 24, 2025.

For the Commission, by the Office of the Chief Accountant, pursuant to delegated authority.

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–16826 Filed 9–2–25; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103795; File No. SR–SAPPHIRE–2025–32]

Self-Regulatory Organizations; MIAX Sapphire, LLC; Notice of Filing of a Proposed Rule Change To Amend Exchange Rule 527

August 28, 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 15, 2025, MIAX Sapphire, LLC (''MIAX Sapphire'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') a proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Exchange Rule 527, Exchange Liability, to provide a one-time accommodation payment to Members [3] for claims arising from the system difficulties that the Exchange experienced on June 3, 2025 as a result of an operational error (referred to herein as the ''Operational Error''). Upon approval of this proposal by the U.S. Securities and Exchange Commission (the ''Commission''), the Exchange will implement the accommodation payment process described in proposed subparagraph (e) to Exchange Rule 527 and expects to fully compensate all Members that incurred a loss validated by the Exchange as a result of the Operational Error (described in more detail below).

The text of the proposed rule change is available on the Exchange's website at

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[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] The term ''Member'' means an individual or organization that is registered with the Exchange pursuant to Chapter II of the Exchange's Rules for purposes of trading on the Exchange as an ''Electronic Exchange Member'' or ''Market Maker.'' Members are deemed ''members'' under the Exchange Act. *See* Exchange Rule 100.

https://www.miaxglobal.com/markets/us-options/miax-sapphire/rule-filings and at the Exchange's principal office.

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

On June 3, 2025, the Exchange experienced system difficulties as a result of the Operational Error, which caused the Exchange's simulation/testing environment to connect to the MIAX Sapphire production ports and inject data into the MIAX Sapphire matching engines in the live trading environment. Upon discovery of this issue, trading in all symbols on the Exchange was halted at 11:49 a.m.[4] and the Exchange published a Trading Alert at 11:53 a.m. to announce the trading halt. In the interest of ensuring fair and orderly markets and for the protection of investors, the Exchange determined that it would cancel all trades that occurred between approximately 11:18 a.m. and 11:33 a.m.[5] Members were notified at 1:07 p.m. that all trades during that time period would be canceled. By 1:54 p.m., the Exchange provided all impacted Members with specific trade details relating to their canceled trades. The Exchange fully remediated the issue and all trading systems began operating normally that same day. The Exchange issued several alerts throughout this period, including alerts to announce the halt, that the Exchange would cancel all trades, the time when the Exchange would resume trading, the time for Members to submit claims for losses, and a post mortem of the Operational Error.[6]

Since the June 3, 2025 Operational Error, Members compiled their trade data showing losses as a result of the Operational Error and the Exchange canceling all trades during the specific timeframe described above. The Exchange reviewed the events of June 3, 2025 with the goal of proposing a fair and equitable accommodation policy that is consistent with the Exchange Act and MIAX Sapphire's self-regulatory obligations. The Exchange believes this proposal reflects MIAX Sapphire's effort to: (i) identify the categories of investors and Members that the Operational Error caused objective, discernible harm, and the type and scope of such harm; and (ii) propose an objectively reasonable and balanced regulatory plan for accommodating Members and their investor customers for such harm by providing a payment in excess of the Exchange's current rules regarding limitation of liability. MIAX Sapphire has undertaken this effort notwithstanding the liability protections afforded by its contractual limitations of liability and Exchange Rule 527—the rule that MIAX Sapphire proposes to modify.

The Exchange's current limitation of liability rules, described in detail below, limit the maximum amount of compensation Members are able to receive from the Exchange arising out of a system issue that impacts the use or enjoyment of the facilities or services afforded by the Exchange, such as the Operational Error. In the interest of protecting Members and their investor customers,[7] the Exchange proposes to amend Exchange Rule 527 to provide a one-time voluntary accommodation for claims arising from the June 3, 2025 Operational Error.

This type of accommodation plan is not without precedent. In 2012, the Nasdaq Stock Market LLC (''Nasdaq'') experienced system difficulties in the Nasdaq halt and imbalance cross process in connection with the initial public offering (''IPO'') of Facebook, Inc. (''Facebook''). In response, Nasdaq filed with the Commission a proposal to establish an accommodation policy providing compensation for impacted investors in excess of Nasdaq's then-applicable limitation of liability rules, which proposal was approved by the Commission.[8]

Current Limitation of Liability Provisions

Exchange Rule 527(a) describes the general limitations on liability of the Exchange, its directors, officers, committee members, limited liability company members, employees or agents. Exchange Rule 527(a) provides, in relevant part, that except as provided in paragraph (b) of Exchange Rule 527 or otherwise expressly provided in the Exchange's rules, neither the Exchange nor its directors, officers, committee members, limited liability company members, employees or agents shall be liable to Members or persons associated therewith for any loss, expense, damages, or other claims arising out of the use or enjoyment of the facilities or services afforded by the Exchange, including the interruption in or failure or unavailability of such facilities or services, or any action taken or omitted in respect to the business of the Exchange. Exchange Rule 527(a) provides limited exceptions to these limitations in connection with Exchange employee acts where the extent of such loss, expense, damages or claims are attributable to the willful misconduct, gross negligence, bad faith or fraudulent or criminal acts of the Exchange or its officers, employees or agents acting within the scope of their authority.

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[4] All times referenced in this filing are in Eastern Standard Time.

[5] The Exchange canceled these trades under the authority provided by Exchange Rule 523, Authority to Take Action Under Emergency Conditions. *See* Exchange Rule 523(a) (providing that the ''Chairman of the Board . . . shall have the power to halt or suspend trading . . . for the maintenance of a fair and orderly market or the protection of investors . . . due to emergency conditions . . . such as (1) . . . loss or interruption of facilities utilized by the Exchange . . .'').

[6] *See* Regulatory, Technical and Trading Alerts issued by the Exchange on June 3, 2025 and June 4, 2025, *available at https://miaxglobal.com/alert/2025/06/03/miax-sapphire-options-exchange-halted-all-symbols-114929-am; https://www.miaxglobal.com/alert/2025/06/03/miax-sapphire-options-exchange-busting-all-trades-between-111828506201536; https://www.miaxglobal.com/alert/2025/06/03/miax-sapphire-options-exchange-will-resume-trading-230-pm; https://www.miaxglobal.com/alert/2025/06/03/miax-sapphire-options-exchange-all-trades-busted-between-111828506201536; https://www.miaxglobal.com/alert/2025/06/03/miax-sapphire-options-claims-related-issue-today-sapphire-options; and https://www.miaxglobal.com/alert/2025/06/04/miax-sapphire-options-exchange-post-mortem.*

[7] The majority of claims are from customers of Member firms who utilize a Member firm as their introducing broker to access and submit orders to the Exchange for execution.

[8] *See* Securities Exchange Act Release No. 69216 (March 22, 2013), 78 FR 19040 (March 28, 2013) (SR–NASDAQ–2012–090); *see also* Nasdaq Rules, Equity 2, Section 17. The Exchange's proposal differs from the Nasdaq accommodation filing in several minor respects but ultimately provides a substantively similar accommodation for Members impacted by the Operational Error to be compensated in excess of the Exchange's current limitation of liability limits. Nasdaq also undertook a two-step process to compensate its members and customers by first proposing the accommodation policy and then filing a separate rule proposal with the Commission to implement the accommodation policy. *See* Securities Exchange Act Release No. 71098 (December 17, 2023), 78 FR 77540 (December 23, 2013) (SR–NASDAQ–2013–152). The Exchange proposes a single-step process since the Exchange has already received and validated all claims from Members that were impacted by the Operational Error; brought the proposed accommodation plan and total value of eligible claims to its Board of Directors for approval; and is ready to promptly compensate Members for their validated claims upon approval of this proposal by the Commission.

Exchange Rule 527(b) further describes exceptions to the Exchange's general limitation of liability rule that allows for the payment of compensation to Members for Exchange System [9] issues, subject to certain conditions, which limit the maximum amount of Exchange liability. The exceptions under Exchange Rule 527(b) apply whenever custody of an unexecuted order [10] or quote [11] is transmitted by a Member to or through the Exchange's System or to any other automated facility of the Exchange whereby the Exchange assumes responsibility for the transmission or execution of the order or quote, provided that the Exchange has acknowledged receipt of such order or quote.

Subparagraphs (b)(1) through (b)(3) of Exchange Rule 527 set forth the limits for claims made by Members, individually and in the aggregate, related to Exchange System issues that impact the use or enjoyment of the facilities of the Exchange. The liability limits provided for in Exchange Rules 527(b)(1)–(3) are as follows: (1) as to any one or more claims made by a single Member growing out of the use or enjoyment of the facilities afforded by the Exchange on a single trading day, the Exchange shall not be liable in excess of the larger of $100,000 or the amount of any recovery obtained by the Exchange under any applicable insurance maintained by the Exchange; (2) as to the aggregate of all claims made by all Members growing out of the use or enjoyment of the facilities afforded by the Exchange on a single trading day, the Exchange shall not be liable in excess of the larger of $250,000 or the amount of the recovery obtained by the Exchange under any applicable insurance maintained by the Exchange; and (3) as to the aggregate of all claims made by all Members growing out of the use or enjoyment of the facilities afforded by the Exchange during a single calendar month, the Exchange shall not be liable in excess of the larger of $500,000 or the amount of the recovery obtained by the Exchange under any applicable insurance maintained by the Exchange.

Exchange Rule 527(c) provides that if all of the claims arising out of the use or enjoyment of the facilities afforded by the Exchange cannot be fully satisfied because, in the aggregate, they exceed the applicable maximum amount of liability provided for in subparagraph (b) of Exchange Rule 527, then such maximum amount shall be allocated among all such claims arising on a single trading day or during a single calendar month, as applicable, based upon the proportion that each claim bears to the sum of all claims. Subparagraph (c) further provides that in order for claims to be included in this allocation, Members must submit written notice of their claim to the Exchange no later than the opening of trading on the next business day following the day on which the use or enjoyment of Exchange facilities giving rise to the claim occurred.

Background of the Operational Error and Calculation of Losses

As described above, due to the Operational Error on June 3, 2025, the Exchange determined to cancel all trades executed on MIAX Sapphire between 11:18 a.m. and 11:33 a.m. Upon learning of the Operational Error, members of the Exchange's Regulatory Operations Department contacted all Members to discuss the Operational Error, the Exchange's proposed method of remedying trades based on erroneous simulation/testing environment data, and the manner in which Members should submit claims for compensation. Members were advised to immediately contact their customers and to compile execution reports for trades made during the timeframe of the Operational Error as well as execution reports for ''replacement trades'' [12] made following the timeframe of the Operational Error to fulfill the original terms of the trades that the Exchange canceled. In some instances, Members executed new valid trades at away-exchanges. Some Members executed the new valid trade several days following the Operational Error as some of their customers did not learn of the cancelations until they logged back into their brokerage accounts.[13] Members summed the difference between the net execution price of the canceled trade on MIAX Sapphire and the net execution price for the replacement trade made on MIAX Sapphire or at an away-exchange and then provided such information to the Exchange.

After receipt of all Members' claims over the course of several weeks, Exchange officials reviewed each claimed loss by validating the canceled trade execution prices reported during the timeframe of the Operational Error and the execution prices of the subsequent replacement trades. For trading losses that resulted from a Member executing the replacement trade on MIAX Sapphire, the Exchange: (A) first validated that the canceled trade took place on MIAX Sapphire during the timeframe of the Operational Error based on the Member's MPID; [14] (B) validated the claimed execution price of the canceled trade; (C) validated that the replacement trade took place on MIAX Sapphire; and (D) validated the execution price of the replacement trade. The measure of loss was calculated based on the difference between the net execution price of the canceled trade and the execution price of the replacement trade.

For trading losses that resulted from a Member executing the replacement trade on an away-exchange, the Exchange: (A) first validated that the canceled trade took place on MIAX Sapphire during the timeframe of the Operational Error based on the Member's MPID; (B) validated the claimed execution price of the canceled trade; and (C) validated the execution price of the replacement trade by comparing such price against the closing or opening price of the option, depending on the time of execution, as well as the size of the replacement trade in comparison to the original trade that was canceled. The measure of loss was calculated based on the difference between the net execution price of the canceled trade and the execution price of the replacement trade.

The Exchange determined to use the closing or opening price of the series of options for replacement trades executed on away-exchanges as an initial check to determine whether the claimed replacement trade execution price was within a reasonable range for that particular series of options. As described above, the Exchange issued an alert to inform all Members that it would cancel all trades during the

[9] The term ''System'' means the automated trading system used by the Exchange for the trading of securities. *See* Exchange Rule 100.

[10] The term ''order'' means a firm commitment to buy or sell option contracts. *See* Exchange Rule 100.

[11] The term ''quote'' or ''quotation'' means a bid or offer entered by a Market Maker as a firm order that updates the Market Maker's previous bid or offer, if any. When the term order is used in these Rules and a bid or offer is entered by the Market Maker in the option series to which such Market Maker is registered, such order shall, as applicable, constitute a quote or quotation for purposes of these Rules. *See* Exchange Rule 100.

[12] For the purposes of this filing and the proposed new rule text, unless stated otherwise, the term ''replacement trade'' shall be construed to mean the new trade executed by a Member on MIAX Sapphire or at an away-exchange that was executed to replace the original trade that was canceled by MIAX Sapphire during the timeframe of the Operational Error. *See* proposed Exchange Rule 527(e)(1)(iii).

[13] For example, the Exchange was made aware that certain retail customers that send orders to an Exchange Member for execution do not routinely check their brokerage accounts and only learned of the canceled trade due to the Operational Error days after originally placing the trade.

[14] The term ''MPID'' means unique market participant identifier. *See* Exchange Rule 100.

timeframe of the Operational Error on June 3, 2025 at 1:07 p.m. At 1:54 p.m., the Exchange notified Members of the specific trade details for their canceled trades. As a result, the Exchange believes that customers of Members may not have been aware of the Operational Error until a day or two (or longer) following the Operational Error, thereby not executing the replacement trade until that time.[15] Exchange officials utilized closing and opening options trade prices between June 3, 2025 and June 6, 2025,[16] depending on the date when Members executed the replacement trades, as a reasonable baseline to compare against replacement values supplied by the Members to validate the claimed losses. In particular, if the replacement trade took place a day or more after the Operational Error, Exchange officials were able to utilize the Cboe Exchange, Inc. LiveVol® analytics platform to filter options executions by price and day to determine if the claimed replacement trade execution price and size aligned with trade executions in the same option series and size at the later date and, if so, the new execution price. The Exchange's Regulatory Operations Department followed up with all Members and received all claims from Members, including the total value of such claims, all of which were validated by Exchange officials using the methodology described above. In total, the Exchange's Regulatory Operations Department reviewed and validated over 2,200 claims that occurred during the Operational Error, all of which are eligible to be compensated.

Proposal

The Exchange now proposes to amend Exchange Rule 527 to provide a one-time accommodation payment for Members with claims arising from the Operational Error that the Exchange experienced on June 3, 2025 that exceed the limitations provided for in Exchange Rule 527(b)(1)–(3), including the amount of compensation on a per-Member basis. The modifications proposed in this rule change are not intended to and do not affect the limitations of liability set forth in the Exchange's agreements or Commission-sanctioned rules, or those limitations or immunities that bar claims for damages against MIAX Sapphire as a matter of law. Rather, as noted above, they reflect the Exchange's determination to adopt a fair and equitable accommodation policy that takes into account the impacts of the Exchange's Operational Error on Members and their investor customers.

The Exchange proposes to establish new paragraph (e), which will state that notwithstanding paragraphs (b)(1)–(3) and paragraph (c)[17] of Rule 527 for the single trading of June 3, 2025 and the full calendar month of June 2025, for the aggregate of all claims alleged by all market participants related to the system difficulties as a result of the Operational Error on June 3, 2025, where the Exchange's simulation/testing environment connected to the production ports (the ''Operational Error''), the total amount of the Exchange's liability shall not exceed $525,000. Further, eligibility of all claims for payment shall be determined in accordance with proposed Exchange Rule 527(e) and only applies to claims previously filed with and validated by the Exchange. As noted above, the Exchange received all claims related to the Operational Error and expects that, subject to Commission approval of this proposal, all Members will be fully compensated for their claims as a result of the Operational Error.

Proposed subparagraph (e)(1) of Exchange Rule 527 will provide that all claims for compensation under this paragraph (e) shall arise solely from realized trading losses from executions that occurred on the Exchange on June 3, 2025 between 11:18 a.m. and 11:33 a.m. Eastern Time that the Exchange subsequently canceled pursuant to Exchange Rule 523, causing Members to execute a new trade on the Exchange or at an away-exchange to replace the canceled trade. The measure of loss was determined by the Exchange pursuant to proposed subparagraphs (e)(1)(i)–(ii), described below.

Proposed subparagraph (e)(1)(i) of Exchange Rule 527 will provide that for trading losses that resulted from a Member executing the replacement trade on MIAX Sapphire, the Exchange: (A) first validated that the canceled trade took place on MIAX Sapphire during the timeframe of the Operational Error based on the Member's MPID; (B) validated the claimed execution price of the canceled trade; (C) validated that the replacement trade took place on MIAX Sapphire; and (D) validated the execution price of the replacement trade. The measure of loss was calculated based on the difference between the net execution price of the canceled trade and the replacement trade.

Proposed subparagraph (e)(1)(ii) of Exchange Rule 527 will provide that for trading losses that resulted from a Member executing the replacement trade on an away-exchange, the Exchange: (A) first validated that the canceled trade took place on MIAX Sapphire during the timeframe of the Operational Error based on the Member's MPID; (B) validated the claimed execution price of the canceled trade; and (C) validated the execution price of the replacement trade by comparing such price against the closing or opening price of the option, depending on the time of execution, as well as the size of the replacement trade in comparison to the original trade that was canceled. The measure of loss was calculated based on the difference between the net execution price of the canceled trade and the replacement trade.

Proposed subparagraph (e)(1)(iii) of Exchange Rule 527 will provide that for purposes of this proposed Exchange Rule 527(e), unless stated otherwise, the term ''replacement trade'' shall be construed to mean the new trade executed by a Member on MIAX Sapphire or at an away-exchange that was executed to replace the original trade that was canceled by MIAX Sapphire during the timeframe of the Operational Error.

Proposed subparagraph (e)(2) of Exchange Rule 527 will state that in no event shall the Exchange make any payments on claims pursuant to proposed paragraph (e) until the rule proposal filed with the Commission setting forth the amount of eligible claims becomes effective and final. The Exchange proposes to make all payments for approved claims in cash.

Proposed subparagraph (e)(3) will provide that payments to Members under proposed paragraph (e) are contingent upon the submission to the Exchange of an attestation within 14 calendar days after the effective date of the rule proposal described in proposed paragraph (e)(2), detailing the information described in proposed

[15] *See supra* note 14.

[16] Based on records provided by Members with claimed losses, June 6, 2025 was the latest date that a Member executed a valid replacement trade.

[17] As mentioned above, subparagraph (c) of Exchange Rule 527 provides that if all of the claims arising out of the use or enjoyment of the facilities afforded by the Exchange cannot be fully satisfied because in the aggregate they exceed the applicable maximum amount of liability provided for in paragraph (b) . . . then such maximum amount shall be allocated among all such claims arising on a single trading day or during a single calendar month, as applicable, ''*written notice of which has been given to the Exchange no later than the opening of trading on the next business day following the day on which the use or enjoyment of Exchange facilities giving rise to the claim occurred,* based upon the proportion that each such claim bears to the sum of all such claims'' (emphasis added). *See* Exchange Rule 527(c). Accordingly, the Exchange proposes that the notice requirement of Exchange Rule 527(c) will not apply to claims submitted under proposed paragraph (e) to Exchange Rule 527.

subparagraphs (e)(1)(i)–(ii). Proposed subparagraph (e)(3) of Exchange Rule 527 will also state that failure to provide the required attestation will void the Member's eligibility to receive an accommodation payment pursuant to proposed paragraph (e) of Exchange Rule 527. The Exchange will also require each Member to maintain books and records that detail the nature and amount of these losses.[18]

Proposed subparagraph (e)(4) of Exchange Rule 527 will provide that all payments to Members under proposed paragraph (e) will be contingent upon the execution and delivery to the Exchange of a release by the Member of all claims by it or its affiliates [19] against the Exchange or its affiliates for losses that arise out of, are associated with, or relate in any way to the Operational Error or to any actions or omissions related in any way to the Operational Error. Failure to provide the required release within 14 calendar days after the effective date of the rule proposal described in proposed subparagraph (e)(2) will void the Member's eligibility to receive an accommodation payment pursuant to this proposed paragraph (e). The purpose of imposing the release requirement notwithstanding the limitations of liability and immunities, which apply in any event pursuant to the Exchange's rules and agreements and/or otherwise as a matter of law, are to avoid the disruption and expense of unnecessary litigation in connection with the June 3, 2025 Operational Error and to ensure equal treatment of all claimants.[20]

The accommodation payment policy proposed herein is a voluntary step taken by the Exchange to provide a substantial and rare accommodation to its Members and their customers, and participation in the program is likewise voluntary on the part of Members. The Exchange believes this type of occurrence warrants the establishment of an accommodation plan because, prior to the Operational Error, neither the Exchange nor any of its affiliates experienced a systems issue similar to that of the Operational Error. The Exchange believes that it would be inequitable to approve the Exchange's voluntary program without also allowing it to establish conditions that promote certainty and finality.[21]

The Exchange notes that it has received all claims that apply to the Operational Error and that no new additional claims will be accepted, subject to any final adjustments due to late discovery up to the time of payment of such claims. As described above, immediately following the June 3, 2025 Operational Error, the Exchange's Regulatory Operations Department spoke to each Member to discuss the Operational Error, the Exchange's proposed method of remedying trades based on erroneous simulation/testing environment data and the manner in which Members should submit claims for compensation. The Exchange independently verified each Member's claim and confirmed the loss amount with each Member prior to submitting this rule filing. The Exchange believes its proposal is designed to implement a fair and equitable accommodation policy that takes into account the impacts of the Operational Error on the investing public and Exchange Members.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,[22] in general, and furthers the objectives of Section 6(b)(5) of the Act,[23] in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, promote just and equitable principles of trade, foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, protect investors and the public interest. The Exchange also believes the proposed rule change is consistent with the Section 6(b)(5) [24] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange believes that the proposal to expand its accommodation policy in this unique set of circumstances will balance several important goals in keeping with the foregoing statutory objectives. First, the Exchange acknowledges that the June 3, 2025 Operational Error had an impact on certain of its Members and their customers. As a result, the Exchange believes that the public interest would be served by an accommodation policy that quantifies and provides compensation for customer losses that were directly attributable to those system issues in an objectively discernible manner. Specifically, the Exchange believes that the public interest would be served by the Exchange making accommodation payments in excess of its limitation of liability rules to fully compensate Members that provided details regarding their claimed losses as a result of the Operational Error in an objectively discernible manner. The Exchange further believes that the public interest would be served by the Exchange providing as an accommodation the loss differential for the trade execution canceled by MIAX Sapphire and the replacement trade—that is the difference between the price that was expected upon execution on MIAX Sapphire during the timeframe of the Operational Error and the subsequent execution price for the replacement trade that was actually obtained on the Exchange or at an away-exchange.

Second, the Exchange believes that it is important to recognize the regulatory policy objectives underlying Exchange Rule 527 and ensure that they are not compromised. Hundreds of billions of dollars (or more) of securities transactions are matched through the systems of the Exchange and other exchanges every day. Through the operation of those systems, exchanges provide invaluable services in support of capital formation, price discovery, and investor protection. If exchanges could be called upon to bear all costs associated with system malfunctions and the varying reactions of market participants taken in their wake, the potential would exist for a single catastrophic event to bankrupt one or multiple exchanges, with attendant consequences for investor confidence and macroeconomic stability. Alternatively, the cost of providing exchange services would have to rise dramatically for all investors to cover this material and new risk.[25] In

[18] Nasdaq included similar requirements in its accommodation policy and rule text related to the Facebook IPO system issues. *See* Nasdaq Rules, Equity 2, Section 17(b)(3)(I)(i).

[19] The term "affiliate" of or person "affiliated with" another person means a person who, directly, or indirectly, controls, is controlled by, or is under common control with, such other person. *See* Exchange Rule 100.

[20] Nasdaq also included a similar release requirement in its accommodation policy and rule text related to the Facebook IPO system issues. *See* Nasdaq Rules, Equity 2, Section 17(b)(3)(H).

[21] *See* Securities Exchange Act Release No. 69216 (March 22, 2013), 78 FR 19040 (March 28, 2013) (SR–NASDAQ–2012–090). In the approval order for the accommodation plan that Nasdaq proposed for its systems issues related to the Facebook IPO, the Commission approved similar conditions as proposed herein in order for Nasdaq members to be compensated for their claims.

[22] 15 U.S.C. 78f(b).

[23] 15 U.S.C. 78f(b)(5).

[24] *Id.*

[25] *See* Securities Exchange Act Release No. 67507 (July 26, 2012), 77 FR 45706 (August 1, 2012) (SR–NASDAQ–2012–090) (Notice of Filing of Proposed Rule Change to Amend Rule 4626—Limitation of Liability). Nasdaq stated in their accommodation filing that trading costs in the United States are among the lowest in the world, and thus a

Continued

addition, exchanges would be less inclined to implement innovative systems[26] consistent with the goals of Section 6(b)(5) of the Act.[27] Accordingly, the Commission has recognized that it is consistent with the purposes of the Act for a self-regulatory organization to limit its liability with respect to the use of such facilities by its members through rules such as Exchange Rule 527.[28]

Moreover, if the potential for such catastrophic losses existed, as noted above, it would need to be reflected in the fees charged by exchanges to market participants in a manner that is not currently the case, making trading more expensive for all investors all the time. Rather, as the Commission has recognized, provisions such as Exchange Rule 527 reflect the view that risks associated with system malfunctions should be allocated among all exchange members, rather than being borne solely by the exchange. Indeed, this view is consistently reflected in the limitation of liability rules common among United States exchanges.[29] This view is also reflected in the Exchange's proposal to condition any accommodation payment on the execution of a release of claims against MIAX Sapphire for the Operational Error experienced on June 3, 2025, because this condition is aimed at avoiding unnecessary litigation and ensuring equal treatment of all claimants.

The Exchange further believes that, consistent with Section 6(b)(5) of the Act,[30] its proposal will promote just and equitable principles of trade and protect investors and the public interest by establishing a fair process through which affected Members may be compensated for the claims they submitted, which losses will be fully covered by the proposed accommodation policy. The Exchange believes that this filing will enhance the transparency of the process to compensate Members for their losses. The Exchange further believes that its proposed process for distributing accommodation payments will benefit investors and promote the public interest by providing incentives for Members to use accommodation funds for the benefit of investors. Specifically, the Exchange believes that its proposal will benefit investors and promote the public interest by requiring a claimant to submit to the Exchange an attestation detailing the compensation the Member has provided or will provide to its customers, and detailing the extent to which the Member incurred the losses covered by the proposed accommodation payment when trading for its own account.

As described above, this type of proposal is not without precedent and is based on the accommodation plan implemented by Nasdaq in 2012 for system difficulties in the Nasdaq halt and imbalance cross process in connection with the IPO of Facebook.[31]

B. Self-Regulatory Organization's Statement on Burden on Competition

The proposed rule change would not impose any burden on competition. The proposed rule change is designed to promote fairness in the marketplace by providing compensation to Members and their customers that experienced a loss as a result of the June 3, 2025 Operational Error. The Exchange believes that the proposed rule change will not burden intra-market competition because all Members would be subject to the same standards and requirements to receive accommodation payments as set forth in proposed Exchange Rule 527(e). The Exchange believes that the proposed rule change will not burden inter-market competition because the proposed rule change is not designed to address any competitive issues.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor 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 of such date (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the Exchange consents, the Commission shall: (a) by order approve or disapprove such proposed rule change, or (b) institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–SAPPHIRE–2025–32 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–SAPPHIRE–2025–32. 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.

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contributor to economic growth. *Id.* The Nasdaq filing cites the following sources as examples for this assertion: Michael S. Pagano, *Which Factors Influence Trading Costs in Global Equity Markets?,* THE J. OF TRADING, Winter 2009, at 7; Ian Domowitz et al., *Liquidity, Volatility, and Equity Trading Costs Across Countries and Over Time,* 4 INT'L FIN. 221 (Summer 2001); Asli Demirgüç-Kunt & Ross Levine, *Bank-based and Market-based Financial Systems: Cross-country Comparisons* 51 (The World Bank Working Paper No. 2143, July 1999). *Id.*

[26] *See* Securities Exchange Act Release No. 14777 (May 17, 1978) (SR–CBOE–78–14) (in proposing a limitation on liability, the Cboe Exchange, Inc. explained that an exchange ''cannot proceed with innovative systems and procedures for the execution, clearance, and settlement of Exchange transactions . . . unless it is protected against losses which might be incurred by members as a result of their use of such systems,'' and further that ''[t]o the extent [a limitation of liability rule] enables the Exchange to proceed with innovative systems, competition should be enhanced''); *see also* Securities Exchange Act Release No. 58137 (July 10, 2008), 73 FR 41145 (July 17, 2008) (SR–NYSE–2008–55) (explaining that exchange's limitation of liability rule encourages vendors to provide services to the exchange, which results in faster and more innovative products for order entry, execution, and dissemination of market information).

[27] 15 U.S.C. 78f(b)(5) (requiring that an exchange's rules 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; and not [be] designed to permit unfair discrimination between customers, issuers, brokers, or dealers, or to regulate by virtue of any authority conferred by this chapter matters not related to the purposes of this chapter or the administration of the exchange'').

[28] *See, e.g.,* Cboe Rule 1.10; Cboe EDGX Rule 11.14; Cboe BZX Rule 11.16; BOX Rule 7230; Nasdaq Rules, Equity 2, Section 17.

[29] *Id.*

[30] 15 U.S.C. 78f(b)(5).

[31] *See supra* note 9.

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–SAPPHIRE–2025–32 and should be submitted on or before September 24, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[32]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–16811 Filed 9–2–25; 8:45 am]

BILLING CODE 8011–01–P

[32] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 35730; File No. 812–15821]

TCW Direct Lending LLC, et al

August 29, 2025.

AGENCY: Securities and Exchange Commission (''Commission'' or ''SEC'').

ACTION: Notice.

Notice of application for an order under sections 17(d) and 57(i) of the Investment Company Act of 1940 (the ''Act'') and rule 17d–1 under the Act to permit certain joint transactions otherwise prohibited by sections 17(d) and 57(a)(4) of the Act and rule 17d–1 under the Act.

SUMMARY OF APPLICATION: Applicants request an order to permit certain business development companies (''BDCs'') and closed-end management investment companies to co-invest in portfolio companies with each other and with certain affiliated investment entities.

APPLICANTS: TCW Direct Lending LLC, TCW Direct Lending VII LLC, TCW Direct Lending VIII LLC, TCW Star Direct Lending LLC, TCW Spirit Direct Lending LLC, TCW Private Asset Income Fund, TCW Asset Backed Finance Management Company LLC, TCW Direct Lending Private Fund VIII LP, TCW Direct Lending Strategic Ventures LLC, TCW Brazos Fund LLC, NJ/TCW Direct Lending LLC, West Virginia Direct Lending LLC, TCW Skyline Lending, L.P., TCW Direct Lending Structured Solutions 2019 LLC, TCW Direct Lending Structured Solutions 2022 LLC, TCW Asset Management Company LLC, TCW Steel City Perpetual Levered Fund LP, TCW Steel City Unlevered Private Fund LP and TCW PT Management Company LLC.

FILING DATES: The application was filed on May 29, 2025, and amended on August 27, 2025.

HEARING OR NOTIFICATION OF HEARING: An order granting the requested relief will be issued unless the Commission orders a hearing. Interested persons may request a hearing on any application by emailing the SEC's Secretary at *Secretarys-Office@sec.gov* and serving the Applicants with a copy of the request by email, if an email address is listed for the relevant Applicant below, or personally or by mail, if a physical address is listed for the relevant Applicant below. Hearing requests should be received by the Commission by 5:30 p.m. on September 23, 2025, and should be accompanied by proof of service on the Applicants, in the form of an affidavit or, for lawyers, a certificate of service. Pursuant to rule 0–5 under the Act, hearing requests should state the nature of the writer's interest, any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by emailing the Commission's Secretary at *Secretarys-Office@sec.gov.*

ADDRESSES: The Commission: *Secretarys-Office@sec.gov.* Applicants: Kevin Finch, The TCW Group, Inc., 515 South Flower Street, Los Angeles, California 90071; Vadim Avdeychik and Sheena Paul, Debevoise & Plimpton LLP, 66 Hudson Boulevard, New York, NY 10001.

FOR FURTHER INFORMATION CONTACT: Thomas Ahmadifar, Branch Chief, Deepak T. Pai, Senior Counsel, or Daniele Marchesani, Assistant Chief Counsel, at (202) 551–6825 (Division of Investment Management, Chief Counsel's Office).

SUPPLEMENTARY INFORMATION: For Applicants' representations, legal analysis, and conditions, please refer to Applicants' first amended application, dated August 27, 2025, which may be obtained via the Commission's website by searching for the file number at the top of this document, or for an Applicant using the Company name search field, on the SEC's EDGAR system.

The SEC's EDGAR system may be searched at *https://www.sec.gov/edgar/searchedgar/companysearch.html.* You may also call the SEC's Office of Investor Education and Advocacy at (202) 551–8090.

For the Commission, by the Division of Investment Management, under delegated authority.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–16869 Filed 9–2–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103800; File No. SR–NYSENAT–2025–18]

Self-Regulatory Organizations; NYSE National, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Connectivity Fee Schedule

August 28, 2025.

Pursuant to Section 19(b)(1)[1] of the Securities Exchange Act of 1934 (''Act'')[2] and Rule 19b–4 thereunder,[3] notice is hereby given that on August 20, 2025, NYSE National, Inc. (''NYSE National'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the Connectivity Fee Schedule (''Fee Schedule'') regarding colocation services and fees to update the list of included data products. The proposed rule change is available on the Exchange's website at *www.nyse.com* and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend the Fee Schedule regarding colocation services and fees to update the list of included data products (''Included Data Products'').

Currently, the table of Included Data Products in Colocation Note 4 sets forth the market data feeds that Users[4] can connect to at no additional cost when they purchase a service that includes access to the LCN or IP network.[5]

NYSE Texas, Inc. filed to establish an ''NYSE Texas Order Imbalances'' proprietary market data product (the ''NYSE Texas Feed'').[6] Accordingly, the Exchange proposes to update the table of Included Data Products to include the NYSE Texas Feed. To implement the change, the Exchange proposes to update the table of Included Data Products as follows (proposed addition italicized):

NYSE Texas
- NYSE Texas Aggregated Lite
- NYSE Texas BBO
- NYSE Texas Integrated Feed
- *NYSE Texas Order Imbalances*
- NYSE Texas Trades

The Exchange does not charge for connectivity to the Included Data Feeds. Accordingly, it would not charge for connectivity to the NYSE Texas Feed.

General

The proposed changes would not apply differently to distinct types or sizes of market participants. Rather, they would apply to all Users equally. As is currently the case, the purchase of any colocation service, including connectivity to the NYSE Texas Feed, would be completely voluntary and the Fee Schedule would be applied uniformly to all Users.

FIDS does not expect that the proposed rule change will result in new Users.

The proposed changes are not otherwise intended to address any other issues relating to co-location services and/or related fees, and the Exchange is not aware of any problems that customers would have in complying with the proposed change.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,[7] in general, and furthers the objectives of Section 6(b)(5) of the Act,[8] in particular, because it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in 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 and because it is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers. The Exchange further believes that the proposed rule change is consistent with Section 6(b)(4) of the Act,[9] because it provides for the equitable allocation of reasonable dues, fees, and other charges among its members and issuers and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers, or dealers.

The Proposed Change Is Reasonable

The Exchange believes that the proposed rule change is reasonable and would perfect the mechanisms of a free and open market and a national market system and, in general, protect investors and the public interest, because adding the NYSE Texas Feed would increase the number of Included Data Products available to Users for no additional charge. All Users that voluntarily select to access the LCN or IP network would not be subject to a charge above and beyond the fee paid for the relevant LCN or IP network access. Accordingly, the Exchange believes that the proposed change is reasonable because the change would mean that a User would have the option of adding connectivity to additional market data feeds without paying additional charges.

Adding the NYSE Texas Feed to the list of Included Data Products would allow a User to connect to the NYSE Texas Feed if it wished but would not require it to do so. As now, a User would be able to determine which Included Data Products, if any, to which it connects, based on what would best serve its needs, tailoring the service to the requirements of its business operations.

By adding the NYSE Texas Feed, the proposed change would ensure that the list of Included Data Products was up to date. Accordingly, the Exchange believes that the proposed rule change is reasonable and would perfect the mechanisms of a free and open market and a national market system and, in general, protect investors and the public interest, as it would ensure that the description of Included Data Products was complete, ensuring that it is accessible and transparent, and providing market participants with clarity as to what connectivity is included in the purchase of access to the LCN and IP networks.

The Proposed Change Is Equitable and Not Unfairly Discriminatory

The Exchange believes that the proposed change provides for the equitable allocation of reasonable dues, fees, and other charges among its members and issuers and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers, or dealers because adding the NYSE Texas Feed would increase the number of Included Data Products available to Users for no additional charge. All Users that voluntarily select to access the LCN or IP network would not be subject to a charge above and beyond the fee paid for the relevant LCN or IP network access. Accordingly, the Exchange believes that the proposed change is equitable and not unfairly discriminatory because the change would mean that a User would have the option of adding connectivity to an additional market data feed without paying additional charges.

Further, the Exchange believes that the proposed change is equitable and not unfairly discriminatory since, as is true now, the proposed change would not apply differently to distinct types or sizes of Users but would apply to all Users equally. Moreover, adding the proposed additional Included Data Product would allow a User to connect to the NYSE Texas Feed if it wished, but would not require it to do so. As now, a User would be able to determine which Included Data Products, if any, to which it connects, based on what would

[4] For purposes of the Exchange's colocation services, a ''User'' means any market participant that requests to receive colocation services directly from the Exchange. *See* Securities Exchange Act Release No. 83351 (May 31, 2018), 83 FR 26314 at n.9 (June 6, 2018) (SR–NYSENAT–2018–07). As specified in the Fee Schedule, a User that incurs colocation fees for a particular colocation service pursuant thereto would not be subject to colocation fees for the same colocation service charged by the New York Stock Exchange LLC, NYSE American LLC, NYSE Arca, Inc., and NYSE Texas, Inc. (together, the ''Affiliate SROs''). Each Affiliate SRO has submitted substantially the same proposed rule change to propose the change described herein. *See* SR–NYSE–2025–32, SR–NYSEAMER–2025–53, SR–NYSEARCA–2025–61, and SR–NYSETX–2025–25.

[5] *See* 83 FR 26314, *supra* note 4.

[6] *See* Securities Exchange Act Release No. 103053 (May 16, 2025), 90 FR 21970 (May 22, 2025) (SR–NYSETex–2025–10).

[7] 15 U.S.C. 78f(b).

[8] 15 U.S.C. 78f(b)(5).

[9] 15 U.S.C. 78f(b)(4).

best serve its needs, tailoring the service to the requirements of its business operations.

By adding the NYSE Texas Feed, the proposed change would ensure that the list of Included Data Products was up to date. Accordingly, the Exchange believes that the proposed rule change is equitable and not unfairly discriminatory, as it would ensure that the description of Included Data Products was complete, ensuring that it is accessible and transparent, and providing market participants with clarity as to what connectivity is included in the purchase of access to the LCN and IP networks.

For the reasons above, the proposed changes do not unfairly discriminate between or among market participants that are otherwise capable of satisfying any applicable co-location fees, requirements, terms, and conditions established from time to time by the Exchange.

For these reasons, the Exchange believes that the proposal is consistent with the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange believes that the proposal will not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of Section 6(b)(8) of the Act.[10]

The Exchange believes that the proposed rule change does not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act because adding the NYSE Texas Feed would increase the number of Included Data Products available to Users for no additional charge. All Users that voluntarily select to access the LCN or IP network would not be subject to a charge above and beyond the fee paid for the relevant LCN or IP network access. Accordingly, the change would mean that a User would have the option of adding connectivity to an additional market data feed without paying additional charges.

Adding the proposed additional Included Data Product would allow a User to connect to the NYSE Texas Feed if it wished, but would not require it to do so. In this way, the proposed changes would enhance competition by, as now, enabling a User to determine to which Included Data Products, if any, it connects, based on what would best serve its needs, tailoring the service to the requirements of its business operations.

The Exchange believes that the proposed rule change does not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act because, as with the other Included Data Products, it believes it is not the exclusive method to connect to the NYSE Texas Feed. As alternatives to connecting to the NYSE Texas Feed as an Included Data Product, a User may connect to the market data feed through another User or through a connection to an Exchange access center outside the data center, third party access center, or third party vendor.

By adding the NYSE Texas Feed, the proposed change would ensure that the list of Included Data Products was up to date. Accordingly, the Exchange believes that the proposed addition to the description of Included Data Products would make the description more accessible and transparent. In this manner, the proposed change would provide market participants with clarity as to what connectivity is included in the purchase of access to the LCN and IP networks, thereby enhancing competition by ensuring that all Users have access to the same information regarding the Included Data Products.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act[11] and Rule 19b–4(f)(6) thereunder.[12] Because the proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative prior to 30 days from the date on which it was filed, or such shorter time as the Commission may designate, if consistent with the protection of investors and the public interest, the proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act and Rule 19b–4(f)(6)(iii) thereunder.[13]

A proposed rule change filed under Rule 19b–4(f)(6)[14] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[15] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has requested that the Commission waive the 30-day operative delay so that the proposal may become operative immediately upon filing. The Exchange states that waiver of the 30-day operative delay would be consistent with the protection of investors and the public interest because it would allow all Users that wish to connect to the NYSE Texas Feed the ability to do so without delay and with no additional cost. For these reasons, the Commission finds that waiver of the operative delay is consistent with the protection of investors and the public interest. Accordingly, the Commission hereby waives the 30-day operative delay and designates the proposal operative upon filing.[16]

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B)[17] of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or

[10] 15 U.S.C. 78f(b)(8).

[11] 15 U.S.C. 78s(b)(3)(A)(iii).

[12] 17 CFR 240.19b–4(f)(6).

[13] *See id.* In addition, Rule 19b–4(f)(6)(iii) requires a self-regulatory organization 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.

[14] 17 CFR 240.19b–4(f)(6).

[15] 17 CFR 240.19b–4(f)(6)(iii).

[16] For purposes only of accelerating the operative date of this proposal, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

[17] 15 U.S.C. 78s(b)(2)(B).

- Send an email to *rule-comments@sec.gov.* Please include file number SR–NYSENAT–2025–18 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–NYSENAT–2025–18. 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–NYSENAT–2025–18 and should be submitted on or before September 24, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[18]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–16816 Filed 9–2–25; 8:45 am]

BILLING CODE 8011–01–P

[18] 17 CFR 200.30–3(a)(12), (59).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103796; File No. SR–NYSE–2025–32]

Self-Regulatory Organizations; New York Stock Exchange LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Connectivity Fee Schedule

August 28, 2025.

Pursuant to Section 19(b)(1)[1] of the Securities Exchange Act of 1934 (''Act'')[2] and Rule 19b–4 thereunder,[3] notice is hereby given that on August 20, 2025, New York Stock Exchange LLC (''NYSE'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the Connectivity Fee Schedule (''Fee Schedule'') regarding colocation services and fees to update the list of included data products. The proposed rule change is available on the Exchange's website at *www.nyse.com* and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend the Fee Schedule regarding colocation services and fees to update the list of included data products (''Included Data Products'').

Currently, the table of Included Data Products in Colocation Note 4 sets forth the market data feeds that Users[4] can connect to at no additional cost when they purchase a service that includes access to the LCN or IP network.[5] NYSE Texas, Inc. filed to establish an ''NYSE Texas Order Imbalances'' proprietary market data product (the ''NYSE Texas Feed'').[6] Accordingly, the Exchange proposes to update the table of Included Data Products to include the NYSE Texas Feed. To implement the change, the Exchange proposes to update the table of Included Data Products as follows (proposed addition italicized):

NYSE Texas
NYSE Texas Aggregated Lite
NYSE Texas BBO
NYSE Texas Integrated Feed
NYSE Texas Order Imbalances
NYSE Texas Trades

The Exchange does not charge for connectivity to the Included Data Feeds. Accordingly, it would not charge for connectivity to the NYSE Texas Feed.

General

The proposed changes would not apply differently to distinct types or sizes of market participants. Rather, they would apply to all Users equally. As is currently the case, the purchase of any colocation service, including connectivity to the NYSE Texas Feed, would be completely voluntary and the Fee Schedule would be applied uniformly to all Users.

FIDS does not expect that the proposed rule change will result in new Users.

The proposed changes are not otherwise intended to address any other issues relating to co-location services and/or related fees, and the Exchange is not aware of any problems that customers would have in complying with the proposed change.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,[7] in general, and furthers the objectives of Section 6(b)(5) of the Act,[8] in particular, because it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

[4] For purposes of the Exchange's colocation services, a ''User'' means any market participant that requests to receive colocation services directly from the Exchange. *See* Securities Exchange Act Release No. 76008 (September 29, 2015), 80 FR 60190 (October 5, 2015) (SR–NYSE–2015–40). As specified in the Fee Schedule, a User that incurs colocation fees for a particular colocation service pursuant thereto would not be subject to colocation fees for the same colocation service charged by NYSE American LLC, NYSE Arca, Inc., NYSE National, Inc. and NYSE Texas, Inc. (together, the ''Affiliate SROs''). Each Affiliate SRO has submitted substantially the same proposed rule change to propose the change described herein. *See* SR–NYSEAMER–2025–53, SR–NYSEARCA–2025–61, SR–NYSENAT–2025–18 and SR–NYSETX–2025–25.

[5] *See* Securities Exchange Act Release No. 79730 (January 4, 2017), 82 FR 3045 (January 10, 2017) (SR–NYSE–2016–92) (Notice of Filing and Immediate Effectiveness of Proposed Rule Change Amending the Exchange's Price List Related to Colocation Services To Increase LCN and IP Network Fees and Add a Description of Access To Trading and Execution Services and Connectivity to Included Data Products).

[6] *See* Securities Exchange Act Release No. 103053 (May 16, 2025), 90 FR 21970 (May 22, 2025) (SR–NYSETex–2025–10).

[7] 15 U.S.C. 78f(b).

[8] 15 U.S.C. 78f(b)(5).

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 and because it is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers. The Exchange further believes that the proposed rule change is consistent with Section 6(b)(4) of the Act,[9] because it provides for the equitable allocation of reasonable dues, fees, and other charges among its members and issuers and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers, or dealers.

The Proposed Change Is Reasonable

The Exchange believes that the proposed rule change is reasonable and would perfect the mechanisms of a free and open market and a national market system and, in general, protect investors and the public interest, because adding the NYSE Texas Feed would increase the number of Included Data Products available to Users for no additional charge. All Users that voluntarily select to access the LCN or IP network would not be subject to a charge above and beyond the fee paid for the relevant LCN or IP network access. Accordingly, the Exchange believes that the proposed change is reasonable because the change would mean that a User would have the option of adding connectivity to additional market data feeds without paying additional charges.

Adding the NYSE Texas Feed to the list of Included Data Products would allow a User to connect to the NYSE Texas Feed if it wished but would not require it to do so. As now, a User would be able to determine which Included Data Products, if any, to which it connects, based on what would best serve its needs, tailoring the service to the requirements of its business operations.

By adding the NYSE Texas Feed, the proposed change would ensure that the list of Included Data Products was up to date. Accordingly, the Exchange believes that the proposed rule change is reasonable and would perfect the mechanisms of a free and open market and a national market system and, in general, protect investors and the public interest, as it would ensure that the description of Included Data Products was complete, ensuring that it is accessible and transparent, and providing market participants with clarity as to what connectivity is included in the purchase of access to the LCN and IP networks.

The Proposed Change Is Equitable and Not Unfairly Discriminatory

The Exchange believes that the proposed change provides for the equitable allocation of reasonable dues, fees, and other charges among its members and issuers and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers, or dealers because adding the NYSE Texas Feed would increase the number of Included Data Products available to Users for no additional charge. All Users that voluntarily select to access the LCN or IP network would not be subject to a charge above and beyond the fee paid for the relevant LCN or IP network access. Accordingly, the Exchange believes that the proposed change is equitable and not unfairly discriminatory because the change would mean that a User would have the option of adding connectivity to an additional market data feed without paying additional charges.

Further, the Exchange believes that the proposed change is equitable and not unfairly discriminatory since, as is true now, the proposed change would not apply differently to distinct types or sizes of Users but would apply to all Users equally. Moreover, adding the proposed additional Included Data Product would allow a User to connect to the NYSE Texas Feed if it wished, but would not require it to do so. As now, a User would be able to determine which Included Data Products, if any, to which it connects, based on what would best serve its needs, tailoring the service to the requirements of its business operations.

By adding the NYSE Texas Feed, the proposed change would ensure that the list of Included Data Products was up to date. Accordingly, the Exchange believes that the proposed rule change is equitable and not unfairly discriminatory, as it would ensure that the description of Included Data Products was complete, ensuring that it is accessible and transparent, and providing market participants with clarity as to what connectivity is included in the purchase of access to the LCN and IP networks.

For the reasons above, the proposed changes do not unfairly discriminate between or among market participants that are otherwise capable of satisfying any applicable co-location fees, requirements, terms, and conditions established from time to time by the Exchange.

For these reasons, the Exchange believes that the proposal is consistent with the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange believes that the proposal will not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of Section 6(b)(8) of the Act.[10]

The Exchange believes that the proposed rule change does not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act because adding the NYSE Texas Feed would increase the number of Included Data Products available to Users for no additional charge. All Users that voluntarily select to access the LCN or IP network would not be subject to a charge above and beyond the fee paid for the relevant LCN or IP network access. Accordingly, the change would mean that a User would have the option of adding connectivity to an additional market data feed without paying additional charges.

Adding the proposed additional Included Data Product would allow a User to connect to the NYSE Texas Feed if it wished, but would not require it to do so. In this way, the proposed changes would enhance competition by, as now, enabling a User to determine to which Included Data Products, if any, it connects, based on what would best serve its needs, tailoring the service to the requirements of its business operations.

The Exchange believes that the proposed rule change does not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act because, as with the other Included Data Products, it believes it is not the exclusive method to connect to the NYSE Texas Feed. As alternatives to connecting to the NYSE Texas Feed as an Included Data Product, a User may connect to the market data feed through another User or through a connection to an Exchange access center outside the data center, third party access center, or third party vendor.

By adding the NYSE Texas Feed, the proposed change would ensure that the list of Included Data Products was up to date. Accordingly, the Exchange believes that the proposed addition to the description of Included Data Products would make the description more accessible and transparent. In this manner, the proposed change would provide market participants with clarity as to what connectivity is included in

[9] 15 U.S.C. 78f(b)(4).

[10] 15 U.S.C. 78f(b)(8).

the purchase of access to the LCN and IP networks, thereby enhancing competition by ensuring that all Users have access to the same information regarding the Included Data Products.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act [11] and Rule 19b–4(f)(6) thereunder.[12] Because the proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative prior to 30 days from the date on which it was filed, or such shorter time as the Commission may designate, if consistent with the protection of investors and the public interest, the proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act and Rule 19b–4(f)(6)(iii) thereunder.[13]

A proposed rule change filed under Rule 19b–4(f)(6) [14] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[15] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has requested that the Commission waive the 30-day operative delay so that the proposal may become operative immediately upon filing. The Exchange states that waiver of the 30-day operative delay would be consistent with the protection of investors and the public interest because it would allow all Users that wish to connect to the NYSE Texas Feed the ability to do so without delay and with no additional cost. For these reasons, the Commission finds that waiver of the operative delay is consistent with the protection of investors and the public interest. Accordingly, the Commission hereby waives the 30-day operative delay and designates the proposal operative upon filing.[16]

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B) [17] of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–NYSE–2025–32 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–NYSE–2025–32. 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–NYSE–2025–32 and should be submitted on or before September 24, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[18]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–16812 Filed 9–2–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 35731; File No. 812–15799]

Fidelity Private Credit Fund, et al

August 29, 2025.

AGENCY: Securities and Exchange Commission (''Commission'' or ''SEC'').

ACTION: Notice.

Notice of application for an order under sections 17(d) and 57(i) of the Investment Company Act of 1940 (the ''Act'') and rule 17d–1 under the Act to permit certain joint transactions otherwise prohibited by sections 17(d) and 57(a)(4) of the Act and rule 17d–1 under the Act.

SUMMARY OF APPLICATION: Applicants request an order to permit certain business development companies (''BDCs'') and closed-end management investment companies to co-invest in portfolio companies with each other and with certain affiliated investment entities.

APPLICANTS: Fidelity Private Credit Fund; Fidelity Private Credit Company LLC; Fidelity Multi-Strategy Credit Fund; Fidelity Diversifying Solutions LLC; Fidelity Evergreen Private Credit Fund LP; Fidelity Private Credit SC LLC; Fidelity Unlevered Private Credit Fund LP; Fidelity Real Estate Debt Opportunities Fund II, LP; Fidelity Real Estate Opportunistic Income Fund, L.P.; Fidelity Convertible Arbitrage Fund LP; Fidelity Credit Opportunities Fund II, LP; FIAM LLC; Fidelity Direct Lending Institutional Fund, L.P.; Fidelity Real Estate Debt Opportunities Fund I; and certain of their wholly-owned subsidiaries as described in Schedule A to the application.

FILING DATES: The application was filed on May 15, 2025, and amended on August 20, 2025, and August 28, 2025.

HEARING OR NOTIFICATION OF HEARING: An order granting the requested relief will be issued unless the Commission orders a hearing. Interested persons may

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[11] 15 U.S.C. 78s(b)(3)(A)(iii).

[12] 17 CFR 240.19b–4(f)(6).

[13] *See id.* In addition, Rule 19b–4(f)(6)(iii) requires a self-regulatory organization 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.

[14] 17 CFR 240.19b–4(f)(6).

[15] 17 CFR 240.19b–4(f)(6)(iii).

[16] For purposes only of accelerating the operative date of this proposal, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

[17] 15 U.S.C. 78s(b)(2)(B).

[18] 17 CFR 200.30–3(a)(12), (59).

request a hearing on any application by emailing the SEC's Secretary at *Secretarys-Office@sec.gov* and serving the Applicants with a copy of the request by email, if an email address is listed for the relevant Applicant below, or personally or by mail, if a physical address is listed for the relevant Applicant below. Hearing requests should be received by the Commission by 5:30 p.m. on September 23, 2025, and should be accompanied by proof of service on the Applicants, in the form of an affidavit or, for lawyers, a certificate of service. Pursuant to rule 0–5 under the Act, hearing requests should state the nature of the writer's interest, any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by emailing the Commission's Secretary at *Secretarys-Office@sec.gov.*

ADDRESSES: The Commission: *Secretarys-Office@sec.gov.* Applicants: c/o William Bielefeld, Esq. and Paul Stevens, Esq., Dechert LLP, *William.Bielefeld@dechert.com* and *Paul.Stevens@dechert.com.*

FOR FURTHER INFORMATION CONTACT: Adam Large, Senior Special Counsel, Kris Easter Guidroz, Senior Counsel, or Daniele Marchesani, Assistant Chief Counsel, at (202) 551–6825 (Division of Investment Management, Chief Counsel's Office).

SUPPLEMENTARY INFORMATION: For Applicants' representations, legal analysis, and conditions, please refer to Applicants' second amended application, dated August 28, 2025, which may be obtained via the Commission's website by searching for the file number at the top of this document, or for an Applicant using the Company name search field, on the SEC's EDGAR system.

The SEC's EDGAR system may be searched at *https://www.sec.gov/edgar/searchedgar/companysearch.html.* You may also call the SEC's Office of Investor Education and Advocacy at (202) 551–8090.

For the Commission, by the Division of Investment Management, under delegated authority.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–16871 Filed 9–2–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103802; File No. SR–NYSEAMER–2025–53]

Self-Regulatory Organizations; NYSE American LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Connectivity Fee Schedule

August 28, 2025.

Pursuant to Section 19(b)(1)[1] of the Securities Exchange Act of 1934 (''Act'')[2] and Rule 19b–4 thereunder,[3] notice is hereby given that, on August 20, 2025, NYSE American LLC (''NYSE American'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the Connectivity Fee Schedule (''Fee Schedule'') regarding colocation services and fees to update the list of included data products. The proposed rule change is available on the Exchange's website at *www.nyse.com* and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend the Fee Schedule regarding colocation services and fees to update the list of included data products (''Included Data Products'').

Currently, the table of Included Data Products in Colocation Note 4 sets forth the market data feeds that Users[4] can connect to at no additional cost when they purchase a service that includes access to the LCN or IP network.[5]

NYSE Texas, Inc. filed to establish an ''NYSE Texas Order Imbalances'' proprietary market data product (the ''NYSE Texas Feed'').[6] Accordingly, the Exchange proposes to update the table of Included Data Products to include the NYSE Texas Feed. To implement the change, the Exchange proposes to update the table of Included Data Products as follows (proposed addition italicized):

NYSE Texas
- NYSE Texas Aggregated Lite
- NYSE Texas BBO
- NYSE Texas Integrated Feed
- *NYSE Texas Order Imbalances*
- NYSE Texas Trades

The Exchange does not charge for connectivity to the Included Data Feeds. Accordingly, it would not charge for connectivity to the NYSE Texas Feed.

General

The proposed changes would not apply differently to distinct types or sizes of market participants. Rather, they would apply to all Users equally. As is currently the case, the purchase of any colocation service, including connectivity to the NYSE Texas Feed, would be completely voluntary and the Fee Schedule would be applied uniformly to all Users.

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

[4] For purposes of the Exchange's colocation services, a ''User'' means any market participant that requests to receive colocation services directly from the Exchange. *See* Securities Exchange Act Release No. 76009 (September 29, 2015), 80 FR 60213 (October 5, 2015) (SR–NYSEMKT–2015–67). As specified in the Fee Schedule, a User that incurs colocation fees for a particular colocation service pursuant thereto would not be subject to colocation fees for the same colocation service charged by the New York Stock Exchange LLC, NYSE Arca, Inc., NYSE National, Inc. and NYSE Texas, Inc. (together, the ''Affiliate SROs''). Each Affiliate SRO has submitted substantially the same proposed rule change to propose the change described herein. *See* SR–NYSE–2025–32, SR–NYSEARCA–2025–61, SR–NYSENAT–2025–18 and SR–NYSETX–2025–25.

[5] *See* Securities Exchange Act Release No. 79728 (January 4, 2017), 82 FR 3035 (January 10, 2017) (SR–NYSEMKT–2016–126) (Notice of Filing and Immediate Effectiveness of Proposed Rule Change Amending the NYSE MKT Equities Price List and the NYSE Amex Options Fee Schedule Related to Colocation Services To Increase LCN and IP Network Fees and Add a Description of Access To Trading and Execution Services and Connectivity to Included Data Products).

[6] *See* Securities Exchange Act Release No. 103053 (May 16, 2025), 90 FR 21970 (May 22, 2025) (SR–NYSETex–2025–10).

FIDS does not expect that the proposed rule change will result in new Users.

The proposed changes are not otherwise intended to address any other issues relating to co-location services and/or related fees, and the Exchange is not aware of any problems that customers would have in complying with the proposed change.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,[7] in general, and furthers the objectives of Section 6(b)(5) of the Act,[8] in particular, because it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in 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 and because it is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers. The Exchange further believes that the proposed rule change is consistent with Section 6(b)(4) of the Act,[9] because it provides for the equitable allocation of reasonable dues, fees, and other charges among its members and issuers and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers, or dealers.

The Proposed Change Is Reasonable

The Exchange believes that the proposed rule change is reasonable and would perfect the mechanisms of a free and open market and a national market system and, in general, protect investors and the public interest, because adding the NYSE Texas Feed would increase the number of Included Data Products available to Users for no additional charge. All Users that voluntarily select to access the LCN or IP network would not be subject to a charge above and beyond the fee paid for the relevant LCN or IP network access. Accordingly, the Exchange believes that the proposed change is reasonable because the change would mean that a User would have the option of adding connectivity to additional market data feeds without paying additional charges.

Adding the NYSE Texas Feed to the list of Included Data Products would allow a User to connect to the NYSE Texas Feed if it wished but would not require it to do so. As now, a User would be able to determine which Included Data Products, if any, to which it connects, based on what would best serve its needs, tailoring the service to the requirements of its business operations.

By adding the NYSE Texas Feed, the proposed change would ensure that the list of Included Data Products was up to date. Accordingly, the Exchange believes that the proposed rule change is reasonable and would perfect the mechanisms of a free and open market and a national market system and, in general, protect investors and the public interest, as it would ensure that the description of Included Data Products was complete, ensuring that it is accessible and transparent, and providing market participants with clarity as to what connectivity is included in the purchase of access to the LCN and IP networks.

The Proposed Change Is Equitable and Not Unfairly Discriminatory

The Exchange believes that the proposed change provides for the equitable allocation of reasonable dues, fees, and other charges among its members and issuers and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers, or dealers because adding the NYSE Texas Feed would increase the number of Included Data Products available to Users for no additional charge. All Users that voluntarily select to access the LCN or IP network would not be subject to a charge above and beyond the fee paid for the relevant LCN or IP network access. Accordingly, the Exchange believes that the proposed change is equitable and not unfairly discriminatory because the change would mean that a User would have the option of adding connectivity to an additional market data feed without paying additional charges.

Further, the Exchange believes that the proposed change is equitable and not unfairly discriminatory since, as is true now, the proposed change would not apply differently to distinct types or sizes of Users but would apply to all Users equally. Moreover, adding the proposed additional Included Data Product would allow a User to connect to the NYSE Texas Feed if it wished, but would not require it to do so. As now, a User would be able to determine which Included Data Products, if any, to which it connects, based on what would best serve its needs, tailoring the service to the requirements of its business operations.

By adding the NYSE Texas Feed, the proposed change would ensure that the list of Included Data Products was up to date. Accordingly, the Exchange believes that the proposed rule change is equitable and not unfairly discriminatory, as it would ensure that the description of Included Data Products was complete, ensuring that it is accessible and transparent, and providing market participants with clarity as to what connectivity is included in the purchase of access to the LCN and IP networks.

For the reasons above, the proposed changes do not unfairly discriminate between or among market participants that are otherwise capable of satisfying any applicable co-location fees, requirements, terms, and conditions established from time to time by the Exchange.

For these reasons, the Exchange believes that the proposal is consistent with the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange believes that the proposal will not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of Section 6(b)(8) of the Act.[10]

The Exchange believes that the proposed rule change does not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act because adding the NYSE Texas Feed would increase the number of Included Data Products available to Users for no additional charge. All Users that voluntarily select to access the LCN or IP network would not be subject to a charge above and beyond the fee paid for the relevant LCN or IP network access. Accordingly, the change would mean that a User would have the option of adding connectivity to an additional market data feed without paying additional charges.

Adding the proposed additional Included Data Product would allow a User to connect to the NYSE Texas Feed if it wished, but would not require it to do so. In this way, the proposed changes would enhance competition by, as now, enabling a User to determine to which Included Data Products, if any, it connects, based on what would best serve its needs, tailoring the service to the requirements of its business operations.

[7] 15 U.S.C. 78f(b).

[8] 15 U.S.C. 78f(b)(5).

[9] 15 U.S.C. 78f(b)(4).

[10] 15 U.S.C. 78f(b)(8).

The Exchange believes that the proposed rule change does not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act because, as with the other Included Data Products, it believes it is not the exclusive method to connect to the NYSE Texas Feed. As alternatives to connecting to the NYSE Texas Feed as an Included Data Product, a User may connect to the market data feed through another User or through a connection to an Exchange access center outside the data center, third party access center, or third party vendor.

By adding the NYSE Texas Feed, the proposed change would ensure that the list of Included Data Products was up to date. Accordingly, the Exchange believes that the proposed addition to the description of Included Data Products would make the description more accessible and transparent. In this manner, the proposed change would provide market participants with clarity as to what connectivity is included in the purchase of access to the LCN and IP networks, thereby enhancing competition by ensuring that all Users have access to the same information regarding the Included Data Products.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act [11] and Rule 19b–4(f)(6) thereunder.[12] Because the proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative prior to 30 days from the date on which it was filed, or such shorter time as the Commission may designate, if consistent with the protection of investors and the public interest, the proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act and Rule 19b–4(f)(6)(iii) thereunder.[13]

A proposed rule change filed under Rule 19b–4(f)(6) [14] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[15] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has requested that the Commission waive the 30-day operative delay so that the proposal may become operative immediately upon filing. The Exchange states that waiver of the 30-day operative delay would be consistent with the protection of investors and the public interest because it would allow all Users that wish to connect to the NYSE Texas Feed the ability to do so without delay and with no additional cost. For these reasons, the Commission finds that waiver of the operative delay is consistent with the protection of investors and the public interest. Accordingly, the Commission hereby waives the 30-day operative delay and designates the proposal operative upon filing.[16]

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B) [17] of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–NYSEAMER–2025–53 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–NYSEAMER–2025–53. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–NYSEAMER–2025–53 and should be submitted on or before September 24, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[18]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–16818 Filed 9–2–25; 8:45 am]

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[11] 15 U.S.C. 78s(b)(3)(A)(iii).

[12] 17 CFR 240.19b–4(f)(6).

[13] *See id.* In addition, Rule 19b–4(f)(6)(iii) requires a self-regulatory organization 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.

[14] 17 CFR 240.19b–4(f)(6).

[15] 17 CFR 240.19b–4(f)(6)(iii).

[16] For purposes only of accelerating the operative date of this proposal, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

[17] 15 U.S.C. 78s(b)(2)(B).

[18] 17 CFR 200.30–3(a)(12), (59).

SMALL BUSINESS ADMINISTRATION

Data Collection Available for Public Comments

ACTION: 60-Day notice and request for comments

SUMMARY: The Small Business Administration (SBA) intends to request approval, from the Office of Management and Budget (OMB) for the collection of information described below. The Paperwork Reduction Act (PRA) requires federal agencies to publish a notice in the **Federal Register** concerning each proposed collection of information before submission to OMB, and to allow 60 days for public comment in response to the notice. This notice complies with that requirement.

DATES: Submit comments on or before November 3, 2025.

ADDRESSES: Send all comments to Alison Evans, Office of Investment and Innovation, 409 3rd Street SW, Suite

6300, Washington, DC 20416 with the subject line: ''Regional Innovation Cluster Quarterly and Annual Reporting''

FOR FURTHER INFORMATION CONTACT: Alison Evans, Innovation Ecosystem Strategist, (202) 856–7386, *alison.evans@sba.gov,* or Shauniece Carter, Interim Agency Clearance Officer, (202) 921–2198, *Shauniece.Carter@sba.gov.*

SUPPLEMENTARY INFORMATION: This is a new collection for the U.S. Small Business Administration's (SBA) Regional Innovation Cluster (RIC) Program. This data collection is an online form to be completed by the administrators of SBA-funded RICs. The form enables SBA to track cluster membership, small businesses served, types of small business assistance, and small business outcomes.

Through the RIC Program, the SBA invests regional clusters—geographic concentrations of interconnected companies, specialized suppliers, academic institutions, service providers, and associated organizations with a specific industry focus—throughout the United States that span a variety of industries, ranging from energy and manufacturing to advanced defense technologies. The standardized metrics collection enables SBA to rigorously track amount and type of small business support across individual RICs and review programmatic outcomes.

Solicitation of Public Comments

SBA is requesting comments 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.

Summary of Information Collection

PRA Number: New Data collection.

(1) *Title:* Regional Innovation Cluster Quarterly and Annual Reporting.

Description of Respondents: Regional Innovation Cluster administrators (contractors).

Total Estimated Annual Responses: 80.

Total Estimated Annual Hour Burden: 400.

Shauniece Carter,

Interim Agency Clearance Officer.

[FR Doc. 2025–16884 Filed 9–2–25; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21262 and #21263; INDIANA Disaster Number IN–20014]

Administrative Disaster Declaration of a Rural Area for the State of Indiana

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a notice of an Administrative disaster declaration of a rural area for the State of Indiana dated August 28, 2025.

Incident: Severe Storms, Tornadoes, Straight-line Winds, and Flooding.

DATES: Issued on August 28, 2025.

Incident Period: March 30, 2025 through April 9, 2025.

Physical Loan Application Deadline Date: October 27, 2025.

Economic Injury (EIDL) Loan Application Deadline Date: May 28, 2026.

ADDRESSES: *Visit the MySBA Loan Portal at https://lending.sba.gov* to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Jennifer Talarico, 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 of a rural area, 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: Owen

The Interest Rates are:

	Percent
For Physical Damage:	
Homeowners with Credit Available Elsewhere	5.500
Homeowners without Credit Available Elsewhere	2.750
Businesses with Credit Available Elsewhere	8.000
Businesses without Credit Available Elsewhere	4.000
Non-Profit Organizations with Credit Available Elsewhere	3.625
Non-Profit Organizations without Credit Available Elsewhere	3.625
For Economic Injury:	
Business and Small Agricultural Cooperatives without Credit Available Elsewhere	4.000
Non-Profit Organizations without Credit Available Elsewhere	3.625

The number assigned to this disaster for physical damage is 21262C and for economic injury is 212630.

The State which received an EIDL Declaration is Indiana.

(Catalog of Federal Domestic Assistance Number 59008)

James Stallings,

Associate Administrator, Office of Disaster Recovery and Resilience.

[FR Doc. 2025–16865 Filed 9–2–25; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATION

Data Collection Available for Public Comments

ACTION: 60-Day notice and request for comments.

SUMMARY: The Small Business Administration (SBA) intends to request approval, from the Office of Management and Budget (OMB) for the collection of information described below. The Paperwork Reduction Act (PRA) requires federal agencies to publish a notice in the **Federal Register** concerning each proposed collection of information before submission to OMB, and to allow 60 days for public comment in response to the notice. This notice complies with that requirement.

DATES: Submit comments on or before November 3, 2025.

ADDRESSES: Send all comments to Alison Evans, Office of Investment and Innovation, 409 3rd Street SW, Suite 6300, Washington, DC 20416 with the subject line: ''Regional Innovation Cluster Onboarding.''

FOR FURTHER INFORMATION CONTACT: Alison Evans, Innovation Ecosystem Strategist, (202) 856–7386, *alison.evans@sba.gov,* or Shauniece Carter, Interim Agency Clearance Officer, (202) 921–2198, *Shauniece.Carter@sba.gov.*

SUPPLEMENTARY INFORMATION: This is a new collection for the U.S. Small Business Administration's (SBA) Regional Innovation Cluster (RIC) Program. This data collection is an online form to be completed by small business and partner organization members of RICs funded through SBA.

The form enables SBA to track membership of RICs.

Through the RIC Program, the SBA invests regional clusters—geographic concentrations of interconnected companies, specialized suppliers, academic institutions, service providers, and associated organizations with a specific industry focus—throughout the United States that span a variety of industries, ranging from energy and manufacturing to advanced defense technologies. The standardized membership information will enable SBA to more rigorously track small business support across individual RICs and the overall program.

Solicitation of Public Comments

SBA is requesting comments 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.

Summary of Information Collection

PRA Number: New data collection.

(1) *Title:* Regional Innovation Cluster Membership Onboarding Form.

Description of Respondents: Small business concerns and partner organizations who are members of Regional Innovation Clusters.

Total Estimated Annual Responses: 3,250.

Total Estimated Annual Hour Burden: 344.5.

Shauniece Carter,

Interim Agency Clearance Officer.

[FR Doc. 2025–16878 Filed 9–2–25; 8:45 am]

BILLING CODE 8026–09–P

SOCIAL SECURITY ADMINISTRATION

[Docket No: SSA–2025–0322]

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 one new information collection, and 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–2025–0322] 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 November 3, 2025. Individuals can obtain copies of the collection instrument by writing to the above email address.

1. *Ticket to Work Program Evaluation—0960–NEW.* In compliance with the Ticket to Work Incentives Improvement Act if 1999 (Pub. L. 106–170), Section 101(d)(4)(A), SSA is contracting with Mathematica to conduct an independent evaluation to assess (1) the effects of the program on work outcomes and self-sufficiency, and (2) their cost effectiveness.

Background

The Ticket Act established supports designed to increase the availability of and access to employment services for adults with disabilities receiving Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI), hereafter referred to as Ticketholders.[1] Among the supports created by the Ticket Act were three programs:

- *Ticket To Work (TTW).* The TTW program established an alternative system for providing employment services to disabled SSI recipients and SSDI beneficiaries. Under TTW, Ticketholders can obtain vocational rehabilitation, employment services, or other support services from SSA-approved Employment Networks (ENs) or state vocational rehabilitation (VR) agencies. SSA pays ENs or VR agencies if the Ticketholders they serve work and earn above specified amounts.
- *Work Incentives Planning and Assistance (WIPA).* SSA awards cooperative agreements to community-based organizations to provide expertise and counseling that helps disabled SSI recipients and SSDI beneficiaries understand how their earnings affect their disability benefits, with a goal of helping beneficiaries successfully transition to work.
- *Protection and Advocacy for Beneficiaries of Social Security (PABSS).* SSA awards grants to Protection & Advocacy (P&A) agencies in states, territories, and tribal communities to provide legal-based advocacy services for SSI and SSDI beneficiaries who want to work. PABSS grantees offer services to help remove barriers to employment, including helping beneficiaries secure TTW and other employment-related services; helping beneficiaries understand issues with their disability benefits; and helping to protect beneficiaries' legal rights to employment, transportation, and housing.

Purpose of the Evaluation

To comply with *Public Law 106–170,* the evaluation will document the extent to which Ticket Act programs are effective, meaning that they achieve their legislative intent: to allow individuals with disabilities to seek the services necessary to obtain and retain employment and reduce their dependency on cash benefit programs. The evaluation findings on these components will support SSA's understanding of:

(1) Whether the programs achieve their legislative intent;

(2) The factors contributing to this achievement or lack thereof, and

(3) Opportunities for improvement of the programs' efficiency and effectiveness.

The evaluation will also document the cost effectiveness of Ticket Act programs as currently structured, identifying opportunities to deliver the same outcomes at lower costs or improve outcomes with additional investments.

As SSA implemented many changes to the Ticket Act programs since our last comprehensive evaluation in 2013, we are also conducting this evaluation to assess these revisions to the programs, including:

- The increased prevalence of remote service delivery, which makes services

[1] Throughout this document, "Ticketholders" broadly refers to working-age disabled SSI and SSDI beneficiaries who are eligible for services created by the Ticket Act.

more broadly available to Ticketholders, but may reduce the effectiveness of services offered.

- Changes to the number of ENs and VR agencies participating in the program, as well as changes to the types of services they offer. These changes may affect the overall effectiveness of the program.
- Revisions that changed the programs' operations, for instance the implementation of electronic submissions, which may also affect the overall effectiveness of the program.
- Investment in a marketing program to support EN outreach, which may have affected the overall use of the TTW program.

We expect this comprehensive evaluation will provide updated information regarding: (1) the ability of the Ticket Programs to achieve their legislative intent; and (2) the evidence base necessary to determine the need for potential programmatic changes or other proposals to maximize program effectiveness.

The Evaluation Methods

SSA contracted with Mathematica to conduct the evaluation; however, SSA will oversee all data collection activities. The evaluation will utilize the following data collection efforts:

- *Surveys of the Ticket Act service providers (''provider surveys''):* Mathematica will field three concurrent surveys, each focusing on a specific type of Ticket Act service provider. The surveys will ask about provider decisions to participate in the program, provider decisions about service provision, and about challenges that ENs and VR agencies face in effectively serving beneficiaries. Mathematica will invite one person from each EN, VR agency, WIPA project, and P&A agency with a PABSS grant (572 organizations) to respond as a representative on behalf of the organization.[2] Each organization's representative will complete an interview via a self-administered online survey.
- *Qualitative interviews with Ticketholders (''qualitative data collection''):* Mathematica will conduct interviews with Ticketholders to provide a platform for open-ended, guided discussions in which interviewees can share their experiences with the Ticket Act programs, including their ability to find a provider at all; find a provider who could meet their employment service needs; and experiences with services affecting their employment outcomes. We expect these interview findings will help assess the extent to which Ticket Act programs are working effectively and efficiently and what opportunities may be available to improve the achievement of program outcomes. Mathematica will use existing SSA records to select a random sample of Ticketholders and invite them to participate in interviews. These interviews will be voluntary, and Mathematica will administer them over a four-month period.

Mathematica will conduct these surveys and interviews using a mix of online and telephone processes as well as computer-based management tools for streamlining recruitment and scheduling, ensuring clear documentation for each interview or survey and for recording the data.

The Respondents are service providers for the Ticket to Work program, specifically one staff member from each EN, state VR, WIPA project and P&A agency with a PABSS grant (''Providers''), as well as Ticketholders.

Type of Request: Request for a new information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Total annual burden (hours) *	Average theoretical hourly cost **	Total estimated annual opportunity cost ***
Provider surveys						
TTW survey	353	1	38	* 224	** $40.10	*** $8,982
WIPA survey	59	1	38	* 37	** 40.10	*** 1,483
PABSS survey	46	1	28	* 21	** 40.10	*** 842
Subtotal—surveys	458			* 282		*** 11,307
Qualitative interviews						
Ticketholder: TTW users	70	1	51	* 60	** 16.22	*** 973
Ticketholder: TTW non-users	10	1	41	* 7	** 16.22	*** 114
Ticketholder: WIPA users	20	1	51	* 17	** 16.22	*** 276
Subtotal—qualitative interviews	100			84		*** 1,363
Totals						
Surveys	458			* 282		*** 11,307
Qualitative interviews	100			* 84		*** 1,363
Total	558			* 366		*** 12,670

* To show annual burden, we multiplied the number of respondents by the number of responses annually by the average respondent burden per response. We allocated the number of planned responses by year based on the timing of the provider survey and the planned distribution of the qualitative interviews over the two calendar years.

** Opportunity cost estimates for Ticket Act providers assume a wage rate of $40.10 per hour, the average national wage reported by the Bureau of Labor Statistics for the employment category of ''Social and Community Service Managers'' (accessed at *https://www.bls.gov/oes/current/oes119151.htm* on October 22, 2024). Opportunity cost estimates for SSA Ticketholders assume a rate of $16.22 per hour, corresponding to the average wage for employed SSDI and SSI beneficiaries in 2019 ($12.92, *https://www.ssa.gov/policy/docs/statcomps/nbs/2019/job-characteristics.html*) adjusted for inflation using the U.S. Bureau of Labor Statistic's Inflation Calculator (*https://www.bls.gov/data/inflation_calculator.htm*).

*** This figure does not represent actual costs that SSA will impose on survey respondents or participants in the qualitative interviews. They are theoretical opportunity costs for the time that respondents will spend participating in data collection activities. There is no charge to respondents for participating in data collection activities. We calculated these costs by multiplying the total annual burden in hours by the average theoretical hourly rate. Because the table presents rounded total annual burden hours, this rounding may affect the previsions needed to replicate these estimates. *There is no actual charge to respondents to complete the tasks.*

[2] Numbers of provider organizations as of 2024. To the extent that the universe of service providers changes between the time of drafting of this document and the survey fielding period, we will field the survey to the population of services providers as of a date as close to the beginning of survey fielding as practicable.

2. *Application for a Social Security Number (SSN) Card, the Social Security Number Application Process (SSNAP), and Online SSN Application Process (oSSNAP)—20 CFR 422.103–422.110—0960–0066.* SSA collects information on the SS–5 (used in the United States) and SS–5–FS (used outside the United States) to issue original or replacement Social Security cards. SSA also enters the application data into the SSNAP application when issuing a card via telephone or in person. In addition, hospitals collect the same information on SSA's behalf for newborn children through the Enumeration at Birth (EAB) process. In this process, parents of newborns provide hospital birth registration clerks with information required to register these newborns. Hospitals send this information to State Bureaus of Vital Statistics (BVS), and they send the information to SSA's National Computer Center. SSA then uploads the data to the SSA mainframe along with all other enumeration data, and we assign the newborn a Social Security number (SSN) and issue a Social Security card. The vast majority of applications for original SSN cards utilize EAB.

Finally, oSSNAP collects information similar to that which we collect on the paper SS–5 for no change situations, with the exception of name change, new or replacement SSN cards for U.S. Citizens (adult and minor children), and replacement cards only for non-U.S. citizens. For certain applicants for SSN replacement cards, the modality allows respondents to complete the application using an internet application and submit the required evidence online rather than completing a paper Form SS–5 [formerly the internet SSN Replacement Card (iSSNRC) application]. oSSNAP also allows applicants for new or replacement SSN cards to start the application process on-line, receive a list of evidentiary documents, and then submit the application data to SSA for further processing by SSA employees. Applicants using oSSNAP in this way then visit a local SSA office to complete the application process.

SSA collects race and ethnicity information as part of the SSN card application process. Response to the race and ethnicity questions is voluntary. The respondents for this information collection are applicants for original and replacement Social Security cards, or individuals who wish to change information in their SSN records, who use any of the modalities described above.

Note: SSA is combining the iSSNRC and oSSNAP screens to streamline these processes for the respondents. Through combining the screens under one application (oSSNAP), respondents can more easily find the electronic process which works best for them to submit their request for a replacement SSN card.

Type of Request: Revision of an OMB-approved information collection.

Application scenario	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)	Average theoretical hourly cost amount (dollars) *	Average wait time in field office (minutes) **	Total annual opportunity cost (dollars) ***
EAB Modality							
Hospital staff who relay the State birth certificate information to the BVS and SSA through the EAB process	3,599,746	1	10	599,958	*$26.91	....	***$16,144,870
oSSNAP Modality							
Adult U.S. Citizens requesting a replacement card with no changes using iSSNRC Webservices through oSSNAP	2,218,960	1	10	369,827	*32.66	....	***12,078,550
Adult U.S. Citizens requesting a replacement card with a name change using iSSNRC Webservices through oSSNAP	37,820	1	10	6,303	*32.66	....	***205,856
Adult U.S. Citizens providing information to receive a replacement card through the oSSNAP+	2,334,386	1	10	389,064	*32.66	**23	***41,932,566
Adult U.S. Citizens providing information to receive an original card through the oSSNAP+	90,952	1	10	15,159	*32.66	**23	***1,633,784
Adult Non-U.S. Citizens providing information to receive an original card through the oSSNAP+	786,589	1	10	131,098	*32.66	**23	***14,129,500
Adult Non-U.S. Citizens providing information to receive a replacement card through the oSSNAP+	214,286	1	10	35,714	*32.66	**23	***3,858,028
SSNAP/SS–5 Modality							
Respondents who do not have to provide parents' SSNs	6,764,440	1	9	1,014,666	*32.66	**23	***117,827,515
Respondents whom we ask to provide parents' SSNs (when applying for original SSN cards for children under age 12)	221,751	1	9	33,263	*32.66	**23	***3,862,633
Applicants age 12 or older who need to answer additional questions so SSA can determine whether we previously assigned an SSN	796,688	1	10	132,781	*32.66	**23	***14,310,893
Applicants asking for a replacement SSN card beyond the allowable limits (i.e., who must provide additional documentation to accompany the application)	11,885	1	60	11,885	*32.66	**23	***536,963
Enumeration Quality Review							
Authorization to SSA to obtain personal information cover letter	+1	1	1	1	1	1	1
Authorization to SSA to obtain personal information follow-up cover letter	+1	1	1	1	1	1	1
Grand Total							
Totals	17,077,505	....	....	2,739,720	....	....	***226,521,160

+ We are not currently sending out these notices; however, we included 1 hour burden placeholder for these notices, in the event we need to send them out in the near future.

* We based this figure on average Medical Records Specialist, and average U.S. worker's hourly wages as reported by the U.S. Bureau of Labor Statistics (Occupational Employment and Wage Statistics).
** We based this figure on the average FY 2025 wait times for field offices, based on SSA's current management information enumeration data.
*** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. *There is no actual charge to respondents to complete the application.*

3. *Claimant's Work Background—20 CFR 404.1512(a); 404.1520(a)(4); 404.1565(b); 416.912(a); 416.920(a)(4); 416.965(b)—0960–0300.* Sections 205(a) and 1631(e) of the Act provide the Commissioner of Social Security with the authority to establish procedures for determining if a claimant is entitled to disability benefits. The administrative law judge (ALJ) may ask individuals to provide background information on Form HA–4633 about work they performed in the past 15 years. When a claimant requests a hearing before an ALJ to establish an entitlement to disability benefits, the ALJ may request that the claimant provide a work history to assist the ALJ in fully inquiring into issues related to the disability. The ALJ uses the information collected from the claimants on Form HA–4633 to: (1) identify the claimant's relevant work history; (2) decide if SSA requires expert vocational testimony and, if so, have a vocational expert available to testify during the hearing; and (3) provide a reference for the ALJ to discuss the claimant's work history. The ALJ makes the completed Form HA–4633 part of the documentary evidence of record. The respondents are claimants for disability benefits under Title II or Title XVI who requested a hearing before an ALJ after SSA denied their application for disability payments.

Note: We are revising the burden for this information collection 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) **
HA–4633 (paper)	48,450	1	20	16,150	* $13.30	** $214,795
Electronic Records Express Submissions	236,550	1	20	78,850	* 32.66	** 275,241
Totals	285,000			142,500		*** 490,036

* We based these figures on average DI hourly wages based on SSA's current FY 2024 SSI data (*https://www.ssa.gov/legislation/2024FactSheet.pdf*), and 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 Update Report—20 CFR 404.1589–404.1595 and 416.988–416.996—0960–0511.* As part of our statutory requirements, SSA periodically uses Form SSA–455, the Disability Update Report, to evaluate current Title II disability beneficiaries' and Title XVI disability payment recipients' continued eligibility for Social Security disability payments. Specifically, SSA uses the form to determine if: (1) there is enough evidence to warrant referring the respondent for a full medical Continuing Disability Review (CDR); (2) the respondent's impairments are still present and indicative of no medical improvement, precluding the need for a CDR; or (3) the respondent has unresolved work-related issues. SSA mails Form SSA–455 to specific disability recipients, whom we select as possibly qualifying for the CDR process. SSA pre-fills the form with data specific to the disability recipient, except for the sections we ask the recipients to complete. When SSA receives the completed form, we scan it into SSA's system. This allows us to gather the information electronically, and enables SSA to process the returned forms through automated decision logic to decide the proper course of action to take. The respondents are recipients of Title II and Title XVI Social Security disability payments.

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 (minutes) **	Total annual opportunity cost (dollars) ***
SSA–455 (mail-in)	1,049,176	1	15	262,294	* $13.30		*** $3,488,510
SSA–455 (electronic online process)	89,104	1	15	22,276	* 13.30		*** 296,271
Telephone Interview Process	100	1	15	25	* 13.30	** 180	*** 4,325
Totals	1,138,380			284,595			*** 3,789,106

* We based this figure on average DI payments based on SSA's current FY 2024 data (*https://www.ssa.gov/legislation/2024FactSheet.pdf*).
** We based this figure on the average FY 2025 wait times for field offices, based on SSA's current management information data.
*** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. *There is no actual charge to respondents to complete the application.*

Dated: August 28, 2025.

Mark Steffensen,

General Counsel, Deputy Commissioner for Law and Policy, Social Security Administration.

[FR Doc. 2025–16848 Filed 9–2–25; 8:45 am]

BILLING CODE 4191–02–P

SURFACE TRANSPORTATION BOARD

[Docket No. EP 774 (Sub-No. 2)]

Notice of Passenger Rail Advisory Committee Meeting

AGENCY: Surface Transportation Board.

ACTION: Notice of Passenger Rail Advisory Committee meeting.

SUMMARY: Notice is hereby given of a meeting of the Passenger Rail Advisory Committee (PRAC), pursuant to the Federal Advisory Committee Act (FACA).

DATES: The meeting will be held on September 18, 2025, at 9:00 a.m. E.T.

ADDRESSES: The meeting will be held at the Surface Transportation Board headquarters at 395 E Street SW, Washington, DC 20423.

FOR FURTHER INFORMATION CONTACT: Brian O'Boyle at (202) 577–4615 or *Brian.Oboyle@stb.gov.* If you require an accommodation under the Americans with Disabilities Act for this meeting, please call (202) 245–0245 by September 12, 2025.

SUPPLEMENTARY INFORMATION: The PRAC was formed in 2023 to provide advice and guidance to the Board on passenger rail issues on a continuing basis to help the Board better fulfill its statutory responsibilities in overseeing certain aspects of passenger rail service. *Establishment of the Passenger Rail Advisory Comm.,* EP 774 (STB served Nov. 13, 2023). The purpose of this meeting is to facilitate discussions regarding ideas on how to improve efficiency on passenger rail routes, reduce disputes between passenger rail carriers and freight rail hosts, and improve regulatory processes related to intercity passenger rail. Potential agenda items for this meeting include reports from the four subcommittees (Joint Operations, Current State, Expansion of Service, and Liability), selection of issues from each subcommittee, and discussion of priorities and objectives of the PRAC.

The meeting, which is open to the public, will be conducted in accordance with FACA, 5 U.S.C. app. 2; Federal Advisory Committee Management regulations, 41 CFR part 102–3; PRAC's charter; and Board procedures. Further communications about this meeting may be announced through the Board's website at *www.stb.gov.*

Written Comments: Members of the public may submit written comments to PRAC at any time. Comments should be addressed to PRAC, c/o Brian O'Boyle, Surface Transportation Board, 395 E Street SW, Washington, DC 20423–0001 or *Brian.Oboyle@stb.gov.* Please submit any comments for review at the meeting by September 12, 2025, if possible.

Authority: 49 U.S.C. 1321, 11101, and 11121.

Decided: August 28, 2025.

By the Board, Anika S. Cooper, Chief Counsel, Office of Chief Counsel.

Kenyatta Clay,

Clearance Clerk.

[FR Doc. 2025–16800 Filed 9–2–25; 8:45 am]

BILLING CODE 4915–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Availability of the Final Environmental Assessment and Mitigated Finding of No Significant Impact/Record of Decision for SpaceX Falcon 9 Operations at Space Launch Complex 40 (SLC–40), Cape Canaveral Space Force Station, Florida

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

ACTION: Notice of availability.

SUMMARY: The FAA is announcing the availability of the Final Environmental Assessment and Mitigated Finding of No Significant Impact/Record of Decision for SpaceX Falcon 9 Operations at Space Launch Complex-40 at Cape Canaveral Space Force Station, Florida (Final EA). The Final Environmental Assessment analyzes: Up to 120 Falcon 9 launches annually at SLC–40, which represents an annual increase of 70 launches from the 50 previously analyzed in a July 2020 EA; construction and operation of a landing zone at SLC–40; and up to 34 first-stage booster landings at the new landing zone annually. The Final EA also evaluates the potential environmental impacts associated with FAA's approval of related airspace closures. The FAA has posted the Final Environmental Assessment and Mitigated Finding of No Significant Impact/Record of Decision on the FAA Office of Commercial Space Transportation website: *https://www.faa.gov/space/stakeholder_engagement/SpaceX_Falcon_SLC_40_EA.*

The Unique ID for this document is EAXX–021–12–000–1737545438.

FOR FURTHER INFORMATION CONTACT: Eva Long via the project email address at *SpaceXFalconSLC40@icf.com.*

SUPPLEMENTARY INFORMATION: The FAA published the Draft Environmental Assessment for public comment on March 14, 2025. A public meeting was scheduled for April 16, 2025. The public comment period was extended to May 15, 2025, due to the national Zoom outage on April 16, 2025, and the public meeting was rescheduled for May 8, 2025. The FAA received 4,275 public comments on the Draft Environmental Assessment. The Final Environmental Assessment considers all input provided on the Draft Environmental Assessment and addresses substantive comments received, as appropriate.

The United States Department of the Air Force (DAF) is a cooperating agency for this Final EA. To meet the DAF's National Environmental Policy Act requirements for adopting the FAA's Environmental Assessment as a cooperating agency, (see 32 CFR 989.15(e) (2024)), FAA posted a link to the Draft Finding of No Significant Impact (Draft FONSI) for public comment on behalf of the DAF. The DAF may adopt the Final EA and issue a separate decision document.

Issued in Washington, DC on: August 29, 2025.

Stacey Molinich Zee,

Manager, Operations Support Branch.

[FR Doc. 2025–16880 Filed 9–2–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Notice of Final Federal Agency Actions on Proposed Transportation Project in Utah

AGENCY: Federal Highway Administration (FHWA).

ACTION: Notice of limitation on claims for judicial review.

SUMMARY: The FHWA, on behalf of the Utah Department of Transportation (UDOT), is issuing this notice to announce actions taken by UDOT and other Federal agencies that are final agency actions. These actions relate to proposed transportation improvements on Interstate 84 (I–84) and State Route 167 (SR–167) in Mountain Green, Morgan County, Utah. The proposed action includes the addition of a full access diamond interchange at I–84 tying into an extension of Trappers Loop Road; the addition of a four-way,

signalized intersection at SR–167/Old Highway Road; the addition of a shared use path on the Trappers Loop Road extension; and the closure of the existing I–84/SR–167 interchange.

DATES: By this notice, the FHWA, on behalf of UDOT, is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A claim seeking judicial review of the Federal Agency actions on the listed highway project will be barred unless the claim is filed on or before February 2, 2026. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

ADDRESSES: The Environmental Assessment (EA), Finding of No Significant Impact (FONSI) and additional project documents can be viewed and downloaded from the project website at: *https://udotinput.utah.gov/i84mountaingreen* or by contacting UDOT Environmental Services, 4501 South 2700 West, P.O. Box 148450, Salt Lake City, UT 84114–8450, during normal business hours are 8 a.m. to 5 p.m. (Eastern Standard Time), Monday through Friday, except State holidays.

FOR FURTHER INFORMATION CONTACT: Tyler Allen, Environmental Program Manager; 801–997–0080; *tylerallen@utah.gov.*

SUPPLEMENTARY INFORMATION: Effective January 17, 2017, and as subsequently renewed on May 26, 2022, the FHWA assigned, and the UDOT assumed, environmental responsibilities for this project pursuant to 23 U.S.C. 327. Notice is hereby given that UDOT and other Federal agencies have taken final agency actions subject to 23 U.S.C. 139(l)(1) by issuing licenses, permits, or approvals for the proposed improvement highway project. The actions by UDOT and other Federal agencies on the project, and the laws under which such actions were taken are described in the FONSI approved on August 25, 2025, and in other project records for the listed project. The EA, FONSI and other documents for the listed project are available by contacting UDOT at the address provided above.

The project subject to this notice is:

Project Location: Project limits include I–84; MP 93.40–94.40 in Morgan County, Utah.

Project Actions: This notice applies to the EA and FONSI and all other Federal agency licenses, permits, or approvals for the listed project as of the issuance date of this notice including but not limited to the Section 4(f) Evaluation and all laws under which such actions were taken, including but not limited to:

1. *General:* National Environmental Policy Act (NEPA) [42 U.S.C. 4321 *et seq.*]; Federal–Aid Highway Act (FAHA) [23 U.S.C. 109 and 23 U.S.C. 128]; 23 CFR part 771.

2. *Air:* Clean Air Act (CAA) [42 U.S.C. 7401–7671(q)], with the exception of project level conformity determinations [42 U.S.C. 7506].

3. *Noise:* Noise Control Act of 1972 [42 U.S.C. 4901–4918]; 23 CFR part 772.

4. *Land:* Section 4(f) of the Department of Transportation Act of 1966 [23 U.S.C. 138 and 49 U.S.C. 303]; 23 CFR part 774; Land and Water Conservation Fund (LWCF) [54 U.S.C. 200302–200310].

5. *Wildlife:* Endangered Species Act (ESA) [16 U.S.C. 1531–1544 and 1536]; Fish and Wildlife Coordination Act [16 U.S.C. 661–667(d)]; Migratory Bird Treaty Act (MBTA) [16 U.S.C. 703–712].

6. *Historic and Cultural Resources:* Section 106 of the National Historic Preservation Act of 1966, as amended [54 U.S.C. 3006101 *et seq.*]; Archaeological Resources Protection Act of 1979 (ARPA) [16 U.S.C. 470(aa)–470(II)]; Preservation of Historical and Archaeological Data [54 U.S.C.312501–312508].

7. *Social and Economic:* Civil Rights Act of 1964 [42 U.S.C. 2000d—2000d–1]; American Indian Religious Freedom Act [42 U.S.C. 1996]; Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201–4209].

8. *Wetlands and Water Resources:* Clean Water Act (Section 319, Section 401, Section 404) [33 U.S.C. 1251–1387]; Safe Drinking Water Act (SDWA) [42 U.S.C. 300f–300j—26]; Rivers and Harbors Act of 1899 [33 U.S.C. 401–406]; Wild and Scenic Rivers Act [16 U.S.C. 1271–1287]; Emergency Wetlands Resources Act [16 U.S.C. 3921, 3931]; Wetlands Mitigation, [23 U.S.C. 119(g) and 133(b)(3)]; Flood Disaster Protection Act [42 U.S.C. 4001–4130].

9. *Hazardous Materials:* Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) [42 U.S.C. 9601–9675]; Superfund Amendments and Reauthorization Act of 1986 (SARA); Resource Conservation and Recovery Act (RCRA) [42 U.S.C. 6901–6992(k)].

10. *Executive Orders:* E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management; E.O. 11593 Protection and Enhancement of Cultural Resources; E.O. 13007 Indian Sacred Sites; E.O. 13287 Preserve America; E.O. 11514 Protection and Enhancement of Environmental Quality; E.O. 13112 Invasive Species.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

(Authority: 23 U.S.C. 139(l)(1)).

Issued on: August 29, 2025.

Ivan Marrero,

Division Administrator, Federal Highway Administration.

[FR Doc. 2025–16847 Filed 9–2–25; 8:45 am]

BILLING CODE 4910–RY–P

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA–2023–0114]

Pipeline Safety: Request for Special Permit for EcoEléctrica, L.P.

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA); U.S. Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: PHMSA is publishing this notice to solicit public comments on a special permit application filed by EcoEléctrica, L.P. (EcoEléctrica). The application asks PHMSA to waive certain requirements in Federal pipeline safety regulations that apply to liquefied natural gas (LNG) facilities. PHMSA will review the comments received in deciding whether to grant or deny the application.

DATES: Submit any comments regarding this special permit request by October 3, 2025.

ADDRESSES: Comments should reference the docket number for this special permit request and may be submitted in the following ways:

- *E-Gov Website:* This site allows the public to enter comments on any **Federal Register** notice issued by any agency.
- *Fax:* 1–202–493–2251.
- *Mail:* Docket Management System: 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:* Docket Management System: U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590, between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays.

Instructions: Identify the docket number for the special permit request you are commenting on at the beginning of your comments. If you submit comments by mail, please submit two copies. To receive confirmation that PHMSA has received your comments, please include a self-addressed stamped postcard. Internet users may submit comments at *http://www.regulations.gov.*

Note: A privacy statement is published on *http://www.regulations.gov*. Comments, including any personal information provided, are posted without changes or edits to *http://www.regulations.gov.*

Confidential Business Information

Confidential Business Information (CBI) is commercial or financial information that is both customarily and treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S. Code § 552), CBI is exempt from public disclosure. If your comments responsive to this notice contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this notice, it is important that you clearly designate the submitted comments as CBI. Pursuant to 49 Code of Federal Regulations (CFR) § 190.343, you may ask PHMSA to give confidential treatment to information you give to the Agency by taking the following steps: (1) mark each page of the original document submission containing CBI as ''Confidential;'' (2) send PHMSA a second copy of the original document with the CBI deleted along with the original document; and (3) explain why the information you are submitting is CBI. Unless you are notified otherwise, PHMSA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this notice. Submissions containing CBI should be sent to Lee Cooper, DOT, PHMSA–PHP–80, 1200 New Jersey Avenue SE, Washington, DC 20590–0001. Any commentary PHMSA receives that is not designated specifically as CBI will be placed in the public docket for this matter.

FOR FURTHER INFORMATION CONTACT:

- *General:* Mr. Lee Cooper by phone at 202–913–3171 or by email at *lee.cooper@dot.gov.*
- *Technical:* Ms. Katherine Roth by email at *katherine.roth@dot.gov.*

SUPPLEMENTARY INFORMATION: On September 8, 2023, EcoEléctrica applied for a special permit asking PHMSA to waive the requirements in 49 CFR 193.2167 and 193.2173, which prohibit the use of covered impoundment systems and require the removal of water from impoundment areas at LNG facilities, respectively.[1] If granted, the waiver would allow EcoEléctrica to use pipe-in-pipe (PIP) technology as part of the impounding system for an LNG terminal in Peñuelas, Puerto Rico. EcoEléctrica has been operating the LNG terminal since June 2000.

On February 13, 2022, EcoEléctrica placed a project into service that supplies LNG from the terminal to a nearby truck loading facility owned by a third party. EcoEléctrica used PIP technology for the following piping segments in the project:

1. Approximately 3,600 feet of LNG transfer piping using PIP technology with a six-inch diameter outer pipe and a four-inch diameter inner pipe.
2. Approximately 3,600 feet of LNG recirculation piping using PIP technology with a four-inch diameter outer pipe and a 1.5-inch diameter inner pipe.

PHMSA's regulations for LNG facilities in 49 CFR part 193 do not currently authorize the use of PIP technology. PIP technology consists of two layers of pipe—an inner pipe that handles LNG and an outer pipe that serves as the impoundment system. Section 193.2167 prohibits the use of covered impoundment systems due to the potential for confined vapor explosions resulting from the flammable mixture of released methane vapors and oxygen from the atmosphere. Section 193.2173 requires that impoundment areas be constructed such that all areas drain completely to prevent water collection.

On September 8, 2023, EcoEléctrica filed a special permit asking PHMSA to waive the requirements in 49 CFR 193.2167 and 193.2173 to authorize the use of PIP technology for spill containment for the LNG transfer and recirculation piping described above. A copy of that application, along with the proposed special permit and draft environmental assessment, is available for review and public comments in Docket No. PHMSA–2023–0114.

PHMSA invites interested persons to review and submit comments in the docket on the special permit request and accompanying documents. Please submit comments on potential safety, environmental, and other relevant considerations implicated by the special permit request. Comments may include relevant data. PHMSA will review all comments received on or before the closing date in deciding whether to grant or deny the application.

[1] EcoEléctrica submitted supplemental information to PHMSA on May 31 and October 31, 2024 and January 2 and 27, 2025.

Issued in Washington, DC on August 28, 2025, under authority delegated in 49 CFR 1.97.

Linda Daugherty,

Acting Associate Administrator for Pipeline Safety.

[FR Doc. 2025–16840 Filed 9–2–25; 8:45 am]

BILLING CODE 4910–60–P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

[Docket No. DOT–OST–2018–0204]

Air Carrier Access Act Advisory Committee

AGENCY: Office of the Secretary of Transportation (OST), U.S. Department of Transportation (DOT).

ACTION: Notice; solicitation of nominations for membership.

SUMMARY: The Department solicits nominations for membership to serve on the Air Carrier Access Act (ACAA) Advisory Committee (Committee), which reviews issues related to the air travel needs of passengers with disabilities.

DATES: The deadline for nominations for Committee members must be received on or before October 3, 2025.

ADDRESSES: All nomination materials should be submitted by one of the following methods:

- *Email (preferred): ACAA-Advisory-Committee@dot.gov.*
- *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12–140, Washington, DC 20590–0001.
- *Hand Delivery:* 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12–140, Washington, DC, between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Tori Ford, Attorney-Advisor, Office of Aviation Consumer Protection, *victoria.ford@dot.gov,* 202–843–2369, or Vinh Nguyen, Senior Attorney, Office of Aviation Consumer Protection, *vinh.nguyen@dot.gov,* 202–697–1385.

SUPPLEMENTARY INFORMATION: On September 20, 2019, the Secretary of Transportation established the ACAA Advisory Committee in accordance with section 439 of the FAA Reauthorization Act of 2018 (2018 FAA Act) and operates it in accordance with the provisions of the Federal Advisory Committee Act, as amended, 5 U.S.C. ch. 10. Section 541 of the FAA

Reauthorization Act of 2024 (2024 FAA Act) extended the statutory authorization for the Committee to September 30, 2028. The purpose of the ACAA Advisory Committee is to advise the Secretary about issues relating to the air travel needs of passengers with disabilities.

In particular, the ACAA Advisory Committee will identify and assess barriers to accessible air travel, determine the extent to which DOT is addressing those barriers, recommend improvements, and advise the Secretary on implementing the ACAA. The 2024 FAA Act requires the Committee to address the following topics: (1) lithium-ion battery powered wheelchairs; (2) service animals; (3) accessibility of websites, kiosks, and information communication technology; and (4) inflight communications. The Committee will be continuing, but subject to renewal every two years. The Committee is expected to meet at least twice annually. Unless otherwise required by law or approved by the Secretary, all meetings will be held virtually. Additional meetings and subcommittee meetings may be called as necessary.

In this notice, the Department is soliciting nominations for membership to the Committee. The Committee shall report to the Secretary through the General Counsel and shall comprise no more than 25 members, with at least one member from each of the following groups: passengers with disabilities; national disability organizations; air carriers; airport operators; contract service providers; aircraft manufacturers; manufacturers of wheelchairs, including powered wheelchairs and other mobility aids; and national veterans organizations representing disabled veterans.

Members are appointed by the Secretary of Transportation. Members will serve 2-year terms but may be reappointed. Past members of the Committee are welcome to apply. The Department is interested in ensuring membership is balanced fairly in terms of the points of view represented and the functions to be performed by the Committee.

Process and Deadline for Submitting Nominations: Qualified individuals can self-nominate or be nominated by any individual or organization. To be considered for the ACAA Advisory Committee, nominators should submit the following information:

(1) Name, title, and relevant contact information (including phone, fax, and email address) of the individual requesting consideration;

(2) A letter of support from a company, union, trade association, academic, or nonprofit organization on letterhead containing a brief description why the nominee should be considered for membership;

(3) Short biography of nominee, including professional and academic credentials; and

(4) An affirmative statement that the nominee meets all Committee eligibility requirements.

Please do not send company, trade association, or organization brochures or any other information. Materials submitted should total two pages or less. Should more information be needed, DOT staff will contact the nominee, obtain information from the nominee's past affiliations, or obtain information from publicly available sources, such as the internet.

All nomination materials must be submitted through one of the methods referenced above in the ''Addresses'' section. Nominations must be received before October 3, 2025. Nominees selected for appointment to the Committee will be notified by return email and by a letter of appointment.

Issued in Washington, DC.

Gregory D. Cote,

Acting General Counsel.

[FR Doc. 2025–16839 Filed 9–2–25; 8:45 am]

BILLING CODE 4910–9X–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0055]

Agency Information Collection Activity Under OMB Review: Request for Determination of Loan Guaranty Eligibility—Unmarried Surviving Spouses

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 October 3, 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. 2900–0055.''

FOR FURTHER INFORMATION CONTACT: VA PRA information: Dorothy Glasgow, 202–461–1084, *VAPRA@va.gov.*

SUPPLEMENTARY INFORMATION:

Title: VA Form 26–1817, Request for Determination of Loan Guaranty Eligibility—Unmarried Surviving Spouses.

OMB Control Number: 2900–0055 *https://www.reginfo.gov/public/do/PRASearch.*

Type of Review: Revision of a currently approved collection.

Abstract: The VA Form 26–1817 is submitted by an unmarried surviving spouse of a veteran whose death was service-connected for determination of eligibility for VA home loan benefits as authorized by 38 U.S.C. 3701(b)(2). Serves to record application and internal VA processing of request including verification on veterans service-connected death and status of applicant as unmarried surviving spouse.

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 27906, June 30, 2025.

Affected Public: Individuals or Households.

Estimated Annual Burden: 3,125 hours.

Estimated Average Burden per Respondent: 15 minutes.

Frequency of Response: One time.

Estimated Number of Respondents: 12,500.

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. 2025–16855 Filed 9–2–25; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0914]

Agency Information Collection Activity Under OMB Review: Authorization to Disclose Personal Information to a Third Party—Education Benefits

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 (VBA), 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 October 3, 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. 2900–0914.''

FOR FURTHER INFORMATION CONTACT: *VA PRA information:* Dorothy Glasgow, 202–461–1084, *VAPRA@va.gov*

SUPPLEMENTARY INFORMATION:

Title: Authorization to Disclose Personal Information to a Third Party—Education Benefits, VA Form 22–10278.

OMB Control Number: 2900–0914 *https://www.reginfo.gov/public/do/PRASearch.*

Type of Review: Revision of a currently approved collection.

Abstract: The VA Form 22–10278 is used to release information in its custody or control in the following circumstances: where the individual identifies the particular information and consents to its use; for the purpose for which it was collected or a consistent purpose (*i.e.,* a purpose which the individual might have reasonably expected). By law, VA must have a claimants or beneficiary's written permission (an ''authorization'') to use or give out claim or benefit information for any purpose that is not contained in VA's System of Records, 58VA21/22/28 Compensation, Pension, Education and Veteran Readiness and Employment Records-VA. The claimant or beneficiary may revoke the authorization at any time, except if VA has already acted based on the claimant's permission. The VA Form 22–10278 will be available on the VA.gov website in a fillable electronic format. The form can be submitted either electronically or mailed to the appropriate VA Regional Processing Office.

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 27907, June 30, 2025.

Affected Public: Veterans and beneficiaries eligible for VA educational assistance benefits.

Estimated Annual Burden: 27 hours.

Estimated Average Burden per Respondent: 5 minutes.

Frequency of Response: Once.

Estimated Number of Respondents: 322.

(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. 2025–16860 Filed 9–2–25; 8:45 am]

BILLING CODE 8320–01–P

FEDERAL REGISTER

Vol. 90 Wednesday,

No. 168 September 3, 2025

Part II

The President

Proclamation 10967—Overdose Prevention Week, 2025
Proclamation 10968—Labor Day, 2025
Executive Order 14343—Further Exclusions From the Federal Labor-Management Relations Program
Executive Order 14344—Making Federal Architecture Beautiful Again
Memorandum of August 28, 2025—Use of Appropriated Funds for Illegal Lobbying and Partisan Political Activity by Federal Grantees

Federal Register

Vol. 90, No. 168

Wednesday, September 3, 2025

Presidential Documents

Title 3—

The President

Proclamation 10967 of August 28, 2025

Overdose Prevention Week, 2025

By the President of the United States of America

A Proclamation

The safety, health, and well-being of our people is essential to building a resilient Nation. Tragically, one of the gravest threats to American lives is the drug overdose crisis, which has caused heartbreak and suffering on untold numbers of families. This Overdose Prevention Week, we remember those who lost their lives to overdose, we stand beside the families left to grieve, and we renew our solemn commitment to ending this epidemic once and for all.

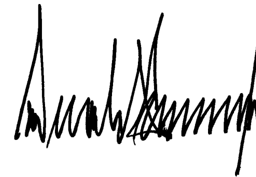
Under the previous administration, our country endured a catastrophe of unimaginable proportions on our southern border. Deadly drugs like fentanyl and other opioids flooded into our cities and towns, falling into the hands of our children, siblings, parents, friends, and neighbors, and leaving devastation in their wake. Over the past year, more than 80,000 of our fellow citizens have died from drug overdoses. Children have vanished from classrooms, parents from dinner tables, and entire neighborhoods have been shaken by unconscionable grief and sorrow.

To combat this vicious assault on the American people, in July, I proudly signed into law the HALT Fentanyl Act, which classifies fentanyl-related compounds as Schedule I drugs. I also designated cartels as foreign terrorist organizations—and with the passage of the historic One Big Beautiful Bill, we are expanding the southern border wall and deporting violent drug traffickers who prey on our Nation's most vulnerable. I will continue to do everything in my power to protect children and families, end the scourge of drug addiction, and keep lethal substances out of our communities and out of the hands of our citizens.

During this week, my Administration calls on every American to protect themselves and their families from the perils of drug overdose. Preserving our American inheritance depends on freedom from danger, freedom from harm, and freedom to lead long, safe, and vigorous lives. My Administration will never stop fighting to achieve a future that protects its citizens, defends its communities, and ensures that the American people are happy, healthy, and free.

NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim August 31 through September 6, 2025, as Overdose Prevention Week. I call upon my fellow Americans to observe this week with appropriate programs, ceremonies, religious services, and other activities that raise awareness about the prescription opioid and drug overdose epidemic and to consider concrete follow-up activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of August, in the year of our Lord two thousand twenty-five, and of the Independence of the United States of America the two hundred and fiftieth.



[FR Doc. 2025–16922
Filed 9–2–25; 11:15 am]
Billing code 3395–F4–P

Presidential Documents

Proclamation 10968 of August 28, 2025

Labor Day, 2025

By the President of the United States of America

A Proclamation

From the earliest days of our American story, our Nation's future has been molded by the skill, determination, and unwavering resilience of the American worker. From the earliest settlers, who laid the foundations of a new Nation to the innovators who built our railroads, steel mills, and skyscrapers, America's greatness has always rested in the strength of its workforce. This Labor Day, we honor the proud legacy of America's workforce—and we pay tribute to the unbreakable spirit that keeps it strong nearly 250 years later.

The American worker is the beating heart of our economy, the foundation of our strength, and the living embodiment of the American Dream. In every honest citizen lives the instinct to work, build, and create—an instinct seen in the welder, the nurse, the trucker, the farmer, and the machinist. Every job, every shift, every hour worked by millions of talented patriots today adds another stone to the foundation of our prosperity.

Tragically, in recent decades, a corrupt political class allowed our manufacturing base to decline. Our jobs were shipped to distant shores, our industries decimated, and our communities weakened, all while building up foreign competitors at the expense of American workers and families.

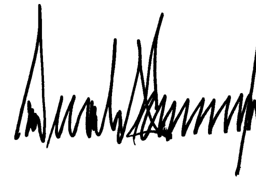
Those days ended on January 20, 2025. Every day, my Administration is restoring the dignity of labor and putting the American worker first. We are making it easier to buy American and hire American, breathing new life into our manufacturing cities, and securing fair trade deals that protect our jobs and reward our productivity. We are amassing hundreds of billions of dollars in tariff revenue and ensuring that every product of American craftsmanship is appreciated for its true value in overseas markets. Under my leadership, we are bringing jobs back to America—and those jobs are going to American-born workers.

From our heartland to our great coastal cities, once-forgotten communities are stirring with new opportunity. Workers are keeping more of what they earn, and new jobs are being created at a record pace. As President, I will always defend the interests of every citizen who works with integrity, honors the rule of law, and strives to secure a brighter future for themselves, their families, and future generations of Americans.

This Labor Day, we renew our pledge to protect American jobs and defend the dignity of American labor—and we proudly acknowledge the vital role that our workers play in our past, present, and glorious American future.

NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 1, 2025, as Labor Day. I call upon all public officials and people of the United States to observe this day with appropriate programs, ceremonies, and activities that honor the contributions and resilience of working Americans.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of August, in the year of our Lord two thousand twenty-five, and of the Independence of the United States of America the two hundred and fiftieth.



[FR Doc. 2025–16923
Filed 9–2–25; 11:15 am]
Billing code 3395–F4–P

Presidential Documents

Executive Order 14343 of August 28, 2025

Further Exclusions From the Federal Labor-Management Relations Program

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 7103(b)(1) of title 5, United States Code, to enhance the national security of the United States, it is hereby ordered:

Section 1. *Determinations.* The agencies and agency subdivisions set forth in section 2 of this order are hereby determined to have as a primary function intelligence, counterintelligence, investigative, or national security work. It is also hereby determined that Chapter 71 of title 5, United States Code, cannot be applied to these agencies and agency subdivisions in a manner consistent with national security requirements and considerations.

Sec. 2. *National Security Exclusions.* Executive Order 12171 of November 19, 1979, as amended, is further amended by:

(a) In section 1–408, adding at the end:

''(e) Units in the Bureau of Reclamation with primary responsibility for operating, managing, or maintaining hydropower facilities.'';

(b) Revising section 1–411 to read:

''1–411. Agencies or subdivisions of the Department of Commerce:

(a) The International Trade Administration.

(b) Office of the Commissioner for Patents and subordinate units, Patent and Trademark Office.

(c) The following subdivisions of the National Oceanic and Atmospheric Administration:

(1) National Environmental Satellite, Data, and Information Service.

(2) National Weather Service.''; and

(c) Adding the following after section 1–419:

''1–420. The National Aeronautics and Space Administration.

1–421. The United States Agency for Global Media.''.

Sec. 3. *Extension of Deadline.* Any order published by the Secretaries of Defense and Veterans Affairs pursuant to section 4 of Executive Order 14251 of March 27, 2025 (Exclusions from Federal Labor-Management Relations Programs), shall have full force and effect if it is issued prior to the date that is 15 days from the date of this order, notwithstanding section 4(b)(ii) of Executive Order 14251.

Sec. 4. *Severability.* If any provision of this order, or the application of any provision to any person or circumstance, is held to be invalid, the remainder of this order and the application of its provisions to any other persons or circumstances shall not be affected thereby.

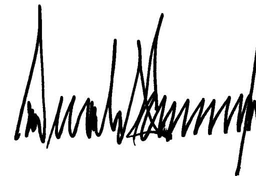
Sec. 5. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.



THE WHITE HOUSE,
August 28, 2025.

[FR Doc. 2025–16924
Filed 9–2–25; 11:15 am]
Billing code 3395–F4–P

Presidential Documents

Executive Order 14344 of August 28, 2025

Making Federal Architecture Beautiful Again

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered:

Section 1. *Purpose.* The Founders, in line with great societies before them, attached great importance to Federal civic architecture. They wanted America's public buildings to inspire the American people and encourage civic virtue. President George Washington and Secretary of State Thomas Jefferson consciously modeled the most important buildings in Washington, DC, on the classical architecture of ancient Athens and Rome. They sought to use classical architecture to visually connect our contemporary Republic with the antecedents of democracy in classical antiquity, reminding citizens not only of their rights but also their responsibilities in maintaining and perpetuating its institutions.

Washington and Jefferson personally oversaw the competitions to design the Capitol Building and the White House. Under the direction and following the vision of these two Founders, Pierre Charles L'Enfant designed the Nation's capital as a classical city. For approximately a century and a half following America's founding, America's Federal architecture continued to be characterized by beautiful and beloved buildings of largely, though not exclusively, classical design. In the 1960s, the Federal Government largely replaced traditional designs for new construction with modernist and brutalist ones. The Federal architecture that ensued, overseen by the General Services Administration (GSA), was often unpopular with Americans. The new buildings ranged from the undistinguished to designs even GSA now admits many in the public found unappealing.

In 1994, GSA responded to this widespread criticism by establishing the Design Excellence Program. The GSA intended that program to ''provide visual testimony to the dignity, enterprise, vigor, and stability of the American Government.'' Unfortunately, the program has not met this goal. Under the Design Excellence Program, GSA has often selected designs by prominent architects with little regard for local input or regional aesthetic preferences. The resulting Federal architecture sometimes impresses the architectural elite, but not the American people who the buildings are meant to serve. Many of these new Federal buildings are not even visibly identifiable as civic buildings.

It is time to update the policies guiding Federal architecture to address these problems and ensure that architects designing Federal buildings serve their clients, the American people.

Sec. 2. *Policy.* (a) Applicable Federal public buildings should uplift and beautify public spaces, inspire the human spirit, ennoble the United States, and command respect from the general public. They should also be visually identifiable as civic buildings and, as appropriate, respect regional architectural heritage. Architecture—particularly traditional and classical architecture—that meets the criteria set forth in this subsection is the preferred architecture for applicable Federal public buildings. In the District of Columbia, classical architecture shall be the preferred and default architecture for Federal public buildings absent exceptional factors necessitating another kind of architecture.

(b) Where the architecture of applicable Federal public buildings diverges from the preferred architecture set forth in subsection (a) of this section,

great care and consideration must be taken to choose a design that commands respect from the general public and clearly conveys to the general public the dignity, enterprise, vigor, and stability of America's system of self-government.

(c) When renovating, reducing, or expanding applicable Federal public buildings that do not meet the criteria set forth in subsection (a) of this section, the feasibility and potential expense of building redesign to meet those criteria should be examined. Where feasible and economical, such redesign should be given substantial consideration, especially with regard to the building's exterior.

Sec. 3. *Definitions.* For the purposes of this order:

(a) ''Applicable Federal public building'' means:

(i) all Federal courthouses and agency headquarters;

(ii) all Federal public buildings in the National Capital Region; and

(iii) all other Federal public buildings that cost or are expected to cost more than $50 million in 2025 dollars to design, build, and finish, but does not include infrastructure projects or land ports of entry.

(b) ''Brutalist architecture'' means the style of architecture that grew out of the early 20th-century modernist movement that is characterized by a massive and block-like appearance with a rigid geometric style and large-scale use of exposed poured concrete.

(c) ''Classical architecture'' means the architectural tradition derived from the forms, principles, and vocabulary of the architecture of Greek and Roman antiquity, and as later developed and expanded upon by such Renaissance architects as Alberti, Brunelleschi, Michelangelo, and Palladio; such Enlightenment masters as Robert Adam, John Soane, and Christopher Wren; such 19th-century architects as Benjamin Henry Latrobe, Robert Mills, and Thomas U. Walter; and such 20th-century practitioners as Julian Abele, Daniel Burnham, Rafael Carmoega, Charles F. McKim, John Russell Pope, Julia Morgan, and the firm of Delano and Aldrich. Classical architecture encompasses such styles as Neoclassical, Georgian, Federal, Greek Revival, Beaux-Arts, and Art Deco.

(d) ''Deconstructivist architecture'' means the style of architecture generally known as ''deconstructivism'' that emerged during the late 1980s and that features fragmentation, disorder, discontinuity, distortion, skewed geometry, and the appearance of instability.

(e) ''General public'' means members of the public who are not:

(i) artists, architects, engineers, art or architecture critics, instructors or professors of art or architecture, or members of the building industry; or

(ii) affiliated with any interest group, trade association, or any other organization, whose membership is financially affected by decisions involving the design, construction, or remodeling of public buildings.

(f) ''Public building'' has the meaning given that term in section 3301(a)(5) of title 40, United States Code.

(g) ''Traditional architecture'' includes classical architecture, as defined herein, and also includes the historic humanistic architecture such as Gothic, Romanesque, Second Empire, Pueblo Revival, Spanish Colonial, and other Mediterranean styles of architecture historically rooted in various regions of America.

(h) ''2025 dollars'' means dollars adjusted for inflation using the Bureau of Economic Analysis's Gross Domestic Product price deflator and using 2025 as the base year.

Sec. 4. *Guiding Principles for Federal Architecture.* (a) Executive departments and agencies (agencies) shall to the extent practicable adhere to the following Guiding Principles for Federal Architecture:

(i) The policy shall be to provide requisite and adequate facilities in an architectural style and form that is distinguished and that will reflect

the dignity, enterprise, vigor, and stability of the American Government. Because of their proven ability to meet these requirements, classical and traditional architecture are preferred modes of architectural design. This preference does not exclude the possibility of alternative styles in appropriate circumstances. Major emphasis should be placed on the choice of designs that embody architectural excellence. Specific attention should be paid to the possibilities of incorporating into such designs qualities that reflect the regional architectural traditions of that part of the Nation in which buildings are located. Where appropriate, fine art should be incorporated in the designs, with emphasis on the work of living American artists. Designs shall adhere to sound construction practice and utilize materials, methods, and equipment of proven dependability. Buildings shall be economical to build, operate, and maintain, and should be accessible to the handicapped.

(ii) Design must flow from the needs of the Government and the aspirations and preferences of the American people to the architectural profession, and not vice versa. Competitions for the design of Federal buildings should be held where appropriate. The advice of distinguished architects practiced in classical or traditional architecture should, as a rule, be sought prior to the award of important design contracts.

(iii) The choice and development of the building site should be considered the first step of the design process. This choice should be made in cooperation with local agencies. Special attention should be paid to the general ensemble of streets and public places of which Federal buildings will form a part. Where possible, buildings should be located so as to permit a generous development of landscape.

Sec. 5. *GSA Actions.* (a) The Administrator of General Services (Administrator) shall adhere to the policies and principles set forth in sections 2 and 4 of this order, and shall expeditiously update GSA policies and procedures to incorporate such policies and principles and advance the purposes of this order.

(b) The Administrator shall:

(i) ensure that GSA architects whose duties include reviewing, assisting with, or approving the selection of architects or designs for applicable Federal public buildings have formal training in, or substantial and significant experience with, classical or traditional architecture;

(ii) create the position of senior advisor for architectural design, for an individual with specialized experience in classical architecture, to help develop GSA procedures, advise on architectural standards, and provide guidance during design evaluations or design juries;

(iii) where the design of an applicable Federal public building is selected pursuant to a design-build competition under section 3309 of title 41, United States Code, list experience with classical or traditional architecture as specialized experience and technical competence in the phase-one solicitation, and give substantive weight to these factors when evaluating which offerors will be advanced to phase two; and

(iv) consistent with sections 4302 and 4312 of title 5, United States Code, make advancing the purposes and implementing the policies of this order a critical performance element in the individual performance plans of the Chief Architect of GSA and appropriate subordinate employees in the GSA Public Buildings Service involved in selecting designs for applicable Federal public buildings.

(c) Where GSA intends to select a building design pursuant to a design competition, the Administrator shall actively recruit architectural firms and, as applicable, designers with experience in classical and traditional architecture to enter such competition and shall, to the extent practicable, ensure that multiple designs in such modes are advanced to the final evaluation round.

(d) In the event the Administrator proposes to approve a design for a new applicable Federal public building that diverges from the preferred architecture set forth in subsection 2(a) of this order, including Brutalist or Deconstructivist architecture or any design derived from or related to these types of architecture, the Administrator shall notify the President through the Assistant to the President for Domestic Policy not less than 30 days before GSA could reject such design without incurring substantial expenditures. Such notification shall set forth the reasons the Administrator proposes to approve such design, including:

(i) a detailed explanation of why the Administrator believes selecting such design is justified, with particular focus on whether such design is as beautiful and reflective of the dignity, enterprise, vigor, and stability of the American system of self-government as alternative designs using preferred architecture;

(ii) the total expected cost of adopting the proposed design, including estimated maintenance and replacement costs throughout its expected lifecycle; and

(iii) a description of the designs using preferred architecture seriously considered for such project and the total expected cost of adopting such designs, including estimated maintenance and replacement costs throughout their expected lifecycles.

Sec. 6. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

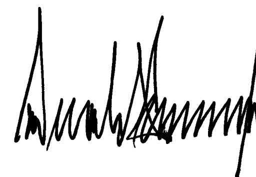
(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(d) The costs for publication of this order shall be borne by the General Services Administration.



THE WHITE HOUSE,
August 28, 2025.

[FR Doc. 2025–16928
Filed 9–2–25; 11:15 am]
Billing code 6820–61–P

Presidential Documents

Memorandum of August 28, 2025

Use of Appropriated Funds for Illegal Lobbying and Partisan Political Activity by Federal Grantees

Memorandum for the Attorney General

By the authority vested in me as President by the Constitution and the laws of the United States of America, I hereby direct:

Section 1. *Investigations Into Use of Federal Grant Funds.* Federal funding reviews by my Administration have revealed that taxpayer funds are being spent on grants with highly political overtones.

In addition to being a wasteful, abusive, and potentially fraudulent use of the American people's money, the possible use of Federal grants as slush funds for political and legislative advocacy raises serious legal concerns. Federal law places strict limitations on the use of Federal grant funds, and in many instances prohibits grantees from lobbying with appropriated funds or supporting political candidates or parties with grant funds.

Therefore, consistent with my duty to take care that the laws are faithfully executed, I hereby direct the Attorney General, in consultation with the heads of executive departments and agencies, to investigate whether Federal grant funds are being used to illegally support lobbying activities (See, 31 U.S.C. 1352) and to take appropriate enforcement action. The Attorney General shall report to the President within 180 days of the date of this memorandum on the progress of the investigation.

Sec. 2. *General Provisions.* (a) Nothing in this memorandum shall be construed to impair or otherwise affect:

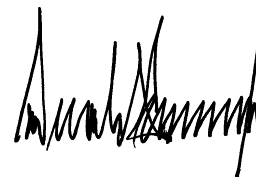
(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(d) You are authorized and directed to publish this memorandum in the *Federal Register*.



THE WHITE HOUSE,
Washington, August 28, 2025

[FR Doc. 2025–16935
Filed 9–2–25; 11:15 am]
Billing code 4410–19–P

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Vol. 90 Wednesday,

No. 168 September 3, 2025

Part III

The President

Notice of August 29, 2025—Continuation of the National Emergency With Respect to Certain Terrorist Attacks

Notice of August 29, 2025—Continuation of the National Emergency With Respect to Foreign Interference in or Undermining Public Confidence in United States Elections

Federal Register
Vol. 90, No. 168
Wednesday, September 3, 2025

Presidential Documents

Title 3—

The President

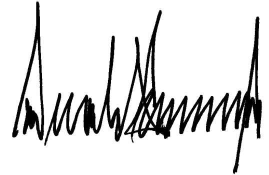
Notice of August 29, 2025

Continuation of the National Emergency With Respect to Certain Terrorist Attacks

Consistent with section 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d), I am continuing for 1 year the national emergency previously declared on September 14, 2001, in Proclamation 7463, with respect to the terrorist attacks of September 11, 2001, and the continuing and immediate threat of further attacks on the United States.

Because the terrorist threat continues, the national emergency declared on September 14, 2001, and the powers and authorities adopted to deal with that emergency must continue in effect beyond September 14, 2025. Therefore, I am continuing in effect for an additional year the national emergency that was declared on September 14, 2001, with respect to the terrorist threat.

This notice shall be published in the *Federal Register* and transmitted to the Congress.



THE WHITE HOUSE,
August 29, 2025.

[FR Doc. 2025–16941
Filed 9–2–25; 2:00 pm]
Billing code 3395–F4–P

Presidential Documents

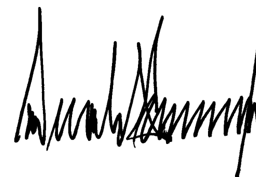
Notice of August 29, 2025

Continuation of the National Emergency With Respect to Foreign Interference in or Undermining Public Confidence in United States Elections

On September 12, 2018, by Executive Order 13848, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the threat of foreign interference in or undermining public confidence in United States elections.

Although there has been no evidence of a foreign power altering the outcomes or vote tabulation in any United States election, foreign powers have historically sought to exploit America's free and open political system. In recent years, the proliferation of digital devices and internet-based communications has created significant vulnerabilities and magnified the scope and intensity of the threat of foreign interference. The ability of persons located, in whole or in substantial part, outside the United States to interfere in or undermine public confidence in United States elections, including through the unauthorized accessing of election and campaign infrastructure or the covert distribution of propaganda and disinformation, continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, the national emergency declared on September 12, 2018, must continue in effect beyond September 12, 2025. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13848 with respect to the threat of foreign interference in or undermining public confidence in United States elections.

This notice shall be published in the *Federal Register* and transmitted to the Congress.



THE WHITE HOUSE,
August 29, 2025.

[FR Doc. 2025–16943
Filed 9–2–25; 2:00 pm]
Billing code 3395–F4–P

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