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Rules and Regulations

Federal Register

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Tuesday, September 9, 2025

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 532

[Docket ID: OPM–2025–0010]

RIN 3206–AO83

Prevailing Rate Systems; Abolishment of Hennepin, Minnesota, as a Nonappropriated Fund Federal Wage System Wage Area

AGENCY: Office of Personnel Management.

ACTION: Final rule; correcting amendments.

SUMMARY: The Office of Personnel Management (OPM) is issuing a final rule to abolish the Hennepin, Minnesota, nonappropriated fund (NAF) Federal Wage System (FWS) wage area and define most of its counties to the nearest NAF FWS wage areas. Those counties without NAF FWS employment would no longer be defined to a NAF wage area. These changes are necessary because NAF FWS employment in the survey area has been declining, and the local activities no longer have the capability to conduct local wage surveys. This rule also makes correcting amendments related to four prior final rules revising other NAF FWS wage areas.

DATES:

Effective date: This regulation is effective October 9, 2025.

Applicability date: This change applies on the first day of the first applicable pay period beginning on or after October 9, 2025.

FOR FURTHER INFORMATION CONTACT: Ana Paunoiu, by telephone at (202) 606–2858 or by email at *paypolicy@opm.gov.*

SUPPLEMENTARY INFORMATION: On June 2, 2025, OPM issued a proposed rule (90 FR 23292) to abolish the Hennepin, MN, NAF FWS wage area and define Hennepin, Morrison, and Stearns Counties, to the Grand Forks, North Dakota, NAF FWS wage area; and Monroe County, Wisconsin, to the Lake, Illinois, NAF FWS wage area. Murray, Ramsey and St. Louis Counties, MN; and Juneau and Polk Counties, WI, will no longer be defined to a NAF wage area because those counties have no NAF FWS employment. The Federal Prevailing Rate Advisory Committee, the national labor-management committee responsible for advising OPM on matters concerning the pay of FWS employees, reviewed and recommended these changes by consensus.

In addition, this final rule makes revisions to the ''Appendix B to Subpart B of Part 532—Nationwide Schedule of Nonappropriated Fund Regular Wage Surveys,'' to correct inadvertent errors in prior final rules related to FWS wage areas. Specifically, this final rule: (1) removes ''Allegheny'' under the State of Pennsylvania because the final rule (88 FR 78223), published on November 15, 2023, abolishing the Allegheny, PA, NAF FWS wage area, inadvertently omitted deleting this entry from Appendix B; (2) revises the name of the ''Arapahoe-Denver, Colorado,'' NAF FWS wage area to read ''Arapahoe'' because the final rule (89 FR 67519), published on August 21, 2024, removing Denver County from the Arapahoe-Denver, CO, NAF FWS wage area and changing the name of the Arapahoe-Denver NAF FWS wage area to ''Arapahoe,'' inadvertently omitted revising the name in Appendix B; (3) removes ''Frederick'' under the State of Maryland because the final rule (89 FR 67829), published on August 22, 2024, abolishing the Frederick, MD, NAF FWS wage area inadvertently omitted deleting this entry from Appendix B; and (4) removes ''Calhoun'' under the State of Alabama because the final rule (89 FR 93147), published on November 26, 2024, abolishing the Calhoun, AL, NAF FWS wage area, inadvertently omitted deleting this entry from Appendix B.

The proposed rule had a 30-day comment period, during which OPM received no comments. Therefore, this final rule adopts the proposed rule at 90 FR 23292 without change.

Expected Impact of This Rule

Section 5343 of title 5, U.S. Code, provides OPM with the authority and responsibility to define the boundaries of NAF FWS wage areas. Any changes in wage area definitions can have the long-term effect of increasing pay for Federal employees in affected locations. OPM expects this final rule to impact approximately 98 NAF FWS employees. Considering the small number of employees affected, OPM does not anticipate this rule will substantially impact local economies or have a large impact in local labor markets. As this and future wage area changes may impact higher volumes of employees in geographical areas and could rise to the level of impacting local labor markets, OPM will continue to study the implications of such impacts in this or future rules as needed.

Regulatory Review

OPM has examined the impact of this rulemaking as required by Executive Orders 12866 and 13563 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 (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). This rulemaking is not a ''significant regulatory action'' under Executive Order 12866. The rule is not an E.O. 14192 regulatory action because it is not significant under E.O. 12866.

Regulatory Flexibility Act

The Director of OPM certifies that this rule will not have a significant economic impact on a substantial number of small entities.

Federalism

OPM has examined this rule in accordance with Executive Order 13132, Federalism, and has determined that this rule will not have any negative impact on the rights, roles and responsibilities of State, local, or Tribal governments.

Civil Justice Reform

This rulemaking meets the applicable standard set forth in Executive Order 12988.

Unfunded Mandates Act of 1995

This rulemaking will not result in the expenditure by State, local, and Tribal governments, in the aggregate, or by the private sector, of $100 million or more in any year in 1995 dollars, updated annually for inflation. That threshold is currently approximately $206 million.

This rulemaking will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

Congressional Review Act

Subtitle E of the Small Business Regulatory Enforcement Fairness Act of 1996 (known as the Congressional Review Act or CRA) (5 U.S.C. 801 *et seq.*) requires most final rules to be submitted to Congress before taking effect. OPM will submit to Congress and the Comptroller General of the United States a report regarding the issuance of this rule before its effective date. The Office of Information and Regulatory Affairs in the Office of Management and Budget has determined that this rule is not a major rule as defined by the CRA (5 U.S.C. 804).

Paperwork Reduction Act

This rulemaking does not impose any reporting or record-keeping requirements subject to the Paperwork Reduction Act.

List of Subjects in 5 CFR Part 532

Administrative practice and procedure, Freedom of information, Government employees, Reporting and recordkeeping requirements, Wages.

Office of Personnel Management

Jerson Matias,

Federal Register Liaison.

Accordingly, OPM is amending 5 CFR part 532 as follows:

PART 532—PREVAILING RATE SYSTEMS

■ 1. The authority citation for part 532 continues to read as follows:

Authority: 5 U.S.C. 5343, 5346; § 532.707 also issued under 5 U.S.C. 552.

■ 2. In Appendix B to subpart B, amend the table by:

■ a. Revising the wage survey listings for Alabama, Colorado, and Maryland;

■ b. Removing the wage survey listings for Minnesota, and;

■ c. Revising the wage survey listings for Pennsylvania.

The revisions read as follows:

Appendix B to Subpart B of Part 532—Nationwide Schedule of Nonappropriated Fund Regular Wage Surveys

* * * * *

State	Wage area	Beginning month of survey	Calendar year of full-scale survey odd or even
Alabama	Madison	April	Even.
	Montgomery	April	Odd.
* *	* * *	*	*
Colorado	Arapahoe	July	Even.
	El Paso	July	Even.
* *	* * *	*	*
Maryland	Anne Arundel	August	Even.
	Charles-St. Mary's	August	Even.
	Harford	May	Even.
	Montgomery-Prince George's	August	Even.
* *	* * *	*	*
Pennsylvania	Cumberland	May	Even.
	York	May	Even.
* *	* * *	*	*

■ 3. In Appendix D to subpart B, amend the table by revising the wage area listing for the States of Illinois and North Dakota to read as follows:

Appendix D to Subpart B of Part 532—Nonappropriated Fund Wage and Survey Areas

* * * * *

Definitions of Wage Areas and Wage Area Survey Areas

* * * * *

Illinois

Lake

Survey Area

Illinois:
Lake

Area of Application. Survey area plus:

Illinois:
Cook
Rock Island
Vermilion

Indiana:
St. Joseph

Iowa:
Johnson

Michigan:
Dickinson
Marquette

Wisconsin:
Brown
Dane
Milwaukee
Monroe

St. Clair

Survey Area

Illinois:
St. Clair

Area of Application. Survey area plus:

Illinois:
Madison
Williamson

Indiana:
Vanderburgh

Missouri (City):
St. Louis

Missouri (County):
St. Louis

* * * * *

North Dakota

Grand Forks

Survey Area

North Dakota:
Grand Forks

Area of Application. Survey area plus:

Minnesota:
Hennepin
Morrison
Stearns

North Dakota:
Cass
Cavalier
Pembina
Steele

Ward

Survey Area

North Dakota:
Ward

Area of Application. Survey area plus:

North Dakota:

Divide

* * * * *

[FR Doc. 2025–17309 Filed 9–8–25; 8:45 am]

BILLING CODE 6325–39–P

DEPARTMENT OF ENERGY

10 CFR Part 429

[EERE–2022–BT–TP–0028]

RIN 1904–AF49

Energy Conservation Program: Test Procedure for Central Air Conditioners and Heat Pumps

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

ACTION: Final rule.

SUMMARY: The U.S. Department of Energy (''DOE'') is finalizing a one-year delay of certain product-specific enforcement provisions related to the controls verification procedure established in a recently published final rule amending the test procedures for central air conditioners and heat pumps.

DATES: The effective date of this rule is September 9, 2025.

ADDRESSES: The docket, which includes **Federal Register** notices, public meeting attendee lists and transcripts, 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, not all documents listed in the index may be publicly available, such as those containing information that is exempt from public disclosure.

A link to the docket web page can be found at *www.regulations.gov/docket/EERE-2022-BT-TP-0028.* The docket web page contains instructions on how to access all documents, including public comments, in the docket.

For further information on how to review the docket contact the Appliance and Equipment Standards Program staff at (202) 287–1445 or by email: *ApplianceStandardsQuestions@ee.doe.gov.*

FOR FURTHER INFORMATION CONTACT:

Ms. Julia Hegarty, 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) 255–0630. Email: *ApplianceStandardsQuestions@ee.doe.gov.*

Mr. Pete Cochran, 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: *peter.cochran@hq.doe.gov.*

SUPPLEMENTARY INFORMATION:

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I. Authority and Background

The Energy Policy and Conservation Act, Public Law 94–163, as amended (''EPCA''),[1] authorizes DOE to regulate the energy efficiency of a number of consumer products and certain industrial equipment. (42 U.S.C. 6291–6317, as codified) Title III, Part B of EPCA [2] established the Energy Conservation Program for Consumer Products Other Than Automobiles, which sets forth a variety of provisions designed to improve energy efficiency. Central air conditioners (''CACs'') and central air conditioning heat pumps (''HPs'') (collectively, ''CAC/HPs'') are included in the list of ''covered products'' for which DOE is authorized to establish and amend energy conservation standards and test procedures. (42 U.S.C. 6292 (a)(3)) DOE's currently applicable test procedure for CAC/HPs is prescribed at 10 CFR part 430, subpart B, appendix M1 (''appendix M1'').

On January 7, 2025, DOE published a final rule amending the Federal test procedures for CAC/HPs (''January 2025 Final Rule''). 90 FR 1224. The January 2025 Final Rule amended the currently applicable test procedure at appendix M1 and also established a new test procedure at 10 CFR part 430, subpart B, appendix M2 (''appendix M2''), the use of which would be required beginning on the compliance date of any future amended standards for CAC/HPs based on the new efficiency metrics established in appendix M2. *Id.* at 90 FR 1284. Additionally, the January 2025 Final Rule established enforcement provisions related to the use of a controls verification procedure (''CVP''), to be conducted per industry standards AHRI 210/240–2024 and AHRI 1600–2024 for the purposes of CAC/HP assessment and enforcement testing. *Id.* at 90 FR 1224, 1255–1265.

On January 20, 2025, President Trump issued the ''Regulatory Freeze Pending Review'' memorandum, which was published in the **Federal Register** on January 25, 2025. 90 FR 8249. This Presidential action ordered all executive departments and agencies to consider postponing for 60 days the effective date of certain rules published in the **Federal Register** for the purpose of reviewing any questions of fact, law, and policy that the rules may raise. Additionally, executive departments and agencies were to consider opening a comment period to allow interested parties to provide comments about issues of fact, law, and policy raised by the rules postponed under the memorandum.

Consistent with the ''Regulatory Freeze Pending Review'' Presidential memorandum of January 20, 2025, DOE delayed the effective date of the January 2025 Final Rule to March 21, 2025 (''February 2025 delay of effective date''). 90 FR 9001, (February 5, 2025). DOE also sought comment on any further delay of the effective date, including the impacts of such delay, as well as comment on the legal, factual, or policy issues raised by the rule. *Id.*

Following the February 2025 delay of effective date, DOE delayed the effective date of the January 2025 Final Rule twice more, to allow time for further review of comments received. The first of these additional delays extended the effective date of the January 2025 Final Rule to May 20, 2025. 90 FR 13052 (March 30, 2025). The second of these additional delays extended the effective date of the January 2025 Final Rule to July 7, 2025. 90 FR 21389 (May 20, 2025). Neither of these additional delays nor the initial February 2025 delay of effective date affected the compliance date of the January 2025 Final Rule, which remains July 7, 2025.

In response to the February 2025 delay of effective date, comments from interested parties advocating for a further delay in the effective date of the January 2025 Final Rule were largely limited to the CVP provisions established by the January 2025 Final Rule. Multiple commenters provided justification for further delaying the CVP enforcement provisions of the January 2025 Final Rule, with most commenters suggesting a one-year delay. DOE published a notice of proposed rulemaking (''NOPR'') on May 29, 2025 (''May 2025 NOPR''), in which

[1] All references to EPCA in this document refer to the statute as amended through the Energy Act of 2020, Public Law 116–260 (Dec. 27, 2020), which reflect the last statutory amendments that impact Parts A and A–1 of EPCA.

[2] For editorial reasons, upon codification in the U.S. Code, Part B was redesignated Part A.

DOE tentatively determined that a further delay in implementation of the CVP provisions is warranted and proposed to delay implementation of the CVP provisions at 10 CFR 429.134(k)(4) until July 7, 2026 (*i.e.,* a one-year delay from the original compliance date). 90 FR 22671, 22674.

DOE received comments in response to the May 2025 NOPR from the interested parties listed in Table I.1.

TABLE I.1—LIST OF COMMENTERS WITH WRITTEN SUBMISSIONS IN RESPONSE TO THE MAY 2025 NOPR

Commenter(s)	Reference in this final rule	Comment No. in the docket	Commenter type
Air-Conditioning, Heating, & Refrigeration Institute.	AHRI	72	Trade Association.
Allstyle Coil Company	Allstyle	78	Manufacturer.
Anonymous	Anonymous	63	Individual.
Appliance Standards Awareness Project	ASAP	80	Efficiency Advocacy Organization.
AUX Air USA	AUX Air	67	Manufacturer.
Bosch Home Comfort	Bosch	77	Manufacturer.
China WTO/TBT * National Notification & Enquiry Center.	P.R. China	64 and 68	Foreign Government.
Daikin Comfort Technologies North America, Inc.	Daikin	81	Manufacturer.
Daniel Simpson	Simpson	65	Individual.
Fujitsu General America, Inc	Fujitsu	73	Manufacturer.
GE Appliances	GE Appliances	70	Manufacturer.
Johnson Controls	JCI	79	Manufacturer.
Lennox International	Lennox	74	Manufacturer.
LG Electronics U.S.A., Inc	LG	66	Manufacturer.
Mitsubishi Electric US, Inc	Mitsubishi	71	Manufacturer.
Mortex Products, Inc	Mortex	76	Manufacturer.
Northwest Energy Efficiency Alliance	NEEA	83	Efficiency Organization.
Rheem Manufacturing Company	Rheem	75	Manufacturer.
Trane Technologies	Trane	82	Manufacturer.
Unico, Inc	Unico	69	Manufacturer.

* WTO/TBT refers to World Trade Organization/Technical Barriers to Trade.

A parenthetical reference at the end of a comment quotation or paraphrase provides the location of the item in the public record.[3]

The following section discusses comments received in response to the May 2025 NOPR.

II. Discussion

A. Summary of Comments Received

1. Comments Supporting the Proposed One-Year Delay of CVP Enforcement

AHRI supported the May 2025 NOPR proposal for a one-year delay of CVP enforcement provisions. (AHRI, No.72 at p.1) AHRI commented that the delay would allow time for further CVP testing and procedure evaluation, which may be used to provide additional clarifications on the CVP, referenced by DOE, in AHRI 210/240–2024 and AHRI 1600–2024. (*Id.* at pp.1–2)

Similarly, comments received from Allstyle, AUX Air, Bosch, Daikin, GE Appliances, JCI, LG, Mitsubishi, Mortex, Rheem, Trane, and Unico supported the May 2025 NOPR proposal for a one-year delay of CVP enforcement provisions. (Allstyle, No.78 at p.1; AUX Air, No.67 at p.1; Bosch, No.77 at p.2; Daikin, No.81 at p.2; GE Appliances, No.70 at p.3; JCI, No.79 at p.1; LG, No.66 at p.1; Mitsubishi, No.71 at p.1; Mortex, No.76 at p.1; Rheem, No.75 at p.1; Trane, No.82 at p.2; Unico, No.69 at p.1) Several of these commenters stated their reason for supporting the proposal was that the delay would allow time for additional CVP testing to inform possible refinements or clarifications of the CVP methodology. (Allstyle, No.78 at p.1; Bosch, No.77 at p.2; Daikin, No.81 at pp.2–4; GE Appliances, No.70 at p.1; JCI, No.79 at p.1; Mortex, No.76 at p.1; Trane, No.82 at p.2; Unico, No.69 at p.2) Other reasons stated for supporting the proposed delay included the following: concerns over the repeatability and/or reproducibility of the CVP (Bosch, No.77 at p.2; Daikin, No.81 at pp.2–3; GE Appliances, No.70 at pp.1–2; JCI, No.79 at p.1; Mitsubishi, No.71 at pp.1–2; Trane, No.82 at p.2); concerns that the capacity and energy efficiency ratio tolerances selected by DOE at 10 CFR 429.134(k)(4) have not been adequately validated (Bosch, No.77 at p.2; Daikin, No.81 at p.3; LG, No.66 at p.1; Rheem, No.75 at p.1); concerns that market disruption may be created by CVP enforcement without the proposed delay, with negative consumer consequences (Bosch, No.77 at p.2; Daikin, No.81 at p.2; LG, No.66 at p.1; Unico, No.69 at p.1); concerns that the CVP is time-consuming and costly to perform (AUX Air, No.67 at p.1; Bosch, No.77 at p.2; Daikin, No.81 at pp.3–4); and concerns that the CVP methodology does not adequately address certain product types or product behaviors (*e.g.,* multi-split systems, defrost cycles, oil return cycles, incidental protective subroutines) (AUX Air, No.67 at p.1; GE Appliances, No.70 at pp.1–2; Mitsubishi, No.71 at pp.1–2).

Additionally, Bosch commented that, without the proposed delay, CVP enforcement would unfairly penalize variable-speed systems that provide superior performance and energy savings to consumers. (Bosch, No.77 at p.2) Daikin stated that, without the proposed delay, CVP enforcement would require the re-design of some existing products, with little benefit to consumers. (Bosch, No.77 at p.2; Daikin, No.81 at pp.3–4)

Further, GE Appliances commented that the proposed delay would allow the sell-through period for R–410A products to finish before CVP enforcement takes effect. (GE Appliances, No.70 at p.2) JCI commented that the proposed delay would allow time for laboratory upgrades needed to perform the CVP on products. (JCI, No.79 at p.1)

[3] The parenthetical reference provides a reference for information located in the docket of DOE's rulemaking to develop test procedures for insert product. (Docket No. EERE–2022–BT–TP–0028, which is maintained at: *www.regulations.gov*). The references are arranged as follows: (commenter name, comment docket ID number at page of that document).

Lastly, Daikin, Mitsubishi, and Unico requested that DOE prepare to make revisions to its CVP references and/or CVP enforcement provisions during the proposed delay. (Daikin, No.81 at p.4; Mitsubishi, No.71 at p.2; Unico, No.69 at p.2) While Fujitsu did not directly comment on the one-year delay of the CVP enforcement provisions as proposed in the May 2025 NOPR, it urged DOE to be flexible with CVP enforcement. (Fujitsu, No.73 at p.1) Noting that industry and AHRI are still collecting and evaluating CVP test data, Fujitsu commented that DOE should consider further delaying CVP enforcement into 2027 or later if results of testing indicate major revisions of the CVP are necessary. (*Id.*)

2. Comments Opposing the Proposed One-Year Delay of CVP Enforcement

ASAP, Lennox, and NEEA commented in opposition to the May 2025 NOPR proposal for a one-year delay of CVP enforcement provisions. (ASAP, No.80 at p.1; Lennox, No.74 at p.3; NEEA, No.83 at p.1) All three commenters stated that the CVP was developed collaboratively with industry (ASAP, No.80 at p.1, Lennox, No.74 at p.2; NEEA, No.83 at pp.1–2) and that the CVP benefits consumers by ensuring variable-speed systems operate with the efficiency and comfort claimed by manufacturers. (ASAP, No.80 at p.1; Lennox, No.74 at pp.1–3; NEEA, No.83 at p.1) Further, ASAP commented that the tolerances selected by DOE at 10 CFR 429.134(k)(4) were supported with data presented in the January 2025 Final Rule. (ASAP, No.80 at p.1)

Lennox commented that the CVP provides a more level playing field for manufacturers because it provides a consistent and representative approach to ensuring variable-speed systems operate as indicated by manufacturers. (Lennox, No.74 at pp.1–2) Lennox also stated that the proposed delay would benefit manufacturers that are primarily foreign-owned and whose variable-speed products do not perform properly. (*Id.* at p.2) By moving forward with the proposed delay, Lennox asserted that DOE would improperly provide relief to these manufacturers and create an unlevel playing field for other manufacturers, including itself, that have taken steps to comply with the CVP. (*Id.*) Lennox pointed to previous comments submitted by the Carrier Global Corporation (''Carrier''), Trane, and itself in response to the February 2025 delay of effective date as examples of manufacturers that have evaluated the CVP and have concluded that the procedure appropriately represents the operation of variable-speed equipment. (*Id.*) Lastly, Lennox commented that, to the benefit of consumers, the CVP promotes innovation and helps avoid poor product designs among manufacturers. (*Id.* at p.3)

In its comments, NEEA also noted that Carrier, Lennox, and Trane had expressed confidence in the CVP finalized by the January 2025 Final Rule in responses to the February 2025 delay of effective date. (NEEA, No.83 at pp.1–2) NEEA stated that its recent lab testing[4] supports the urgency of implementing the CVP enforcement provisions because a substantial fraction of systems tested would likely fail the procedure. (*Id.* at p.2) NEEA commented that its findings from lab testing align with field-performance data from the Bonneville Power Administration, which showed one-third of 17 variable-speed units behaving as fixed-speed systems. (*Id.*)

Moreover, NEEA commented that the CVP was designed to minimize testing burden because it does not require testing every model line (*i.e.,* only enough to ensure consistent variable-speed operation across product lines) and utilizes generous tolerance bands for flexibility. (*Id.*) NEEA stated that the CVP was designed to close a known loophole in variable-speed representations to reflect real-world energy use, while complying with DOE's statutory obligation to ensure test procedures are not unduly burdensome to conduct. (*Id.*)

3. Other Comments

This section summarizes comments received regarding the January 2025 Final Rule as a whole (*i.e.,* not specific to the May 2025 NOPR proposal for a one-year delay of CVP enforcement provisions).

Two individual commenters recommended that the January 2025 Final Rule not be delayed. (Simpson, No.65 at p.1; Anonymous, No.63 at p.1) Simpson further expressed that a delay or rescission of the January 2025 Final Rule would disregard the sunk cost of developing the AHRI standards that the final rule incorporates by reference. (Simpson, No.65 at p.1)

AHRI recommended that DOE refrain from any further delays to the effective date of the January 2025 Final Rule, for all sections besides the CVP enforcement provisions, to implement improvements in the representativeness of the test procedure benefiting consumers and other key stakeholders. (AHRI, No.72 at p.2) Similarly, Rheem, Daikin, and Trane commented that DOE should retain the July 7, 2025, effective date for all other sections (*i.e.,* all except the CVP enforcement provisions) of the January 2025 Final Rule. (Rheem, No.75 at pp.1–2; Daikin, No.81 at p.4; Trane, No.82 at p.2) Trane further commented that maintaining the effective date of the January 2025 Final Rule would promote regulatory predictability so that manufacturers could move forward with equipment design and manufacturing. (Trane, No.82 at p.2) Rheem asserted that maintaining the effective date for the January 2025 Final Rule would lessen confusion surrounding outdoor units with no match (''OUWNM'') and guidance on the disposition of existing R–410A refrigerant system inventory. (Rheem, No.75 at pp.1–2)

Unico, Mortex, and Allstyle requested that DOE consider excluding independent coil manufacturers (''ICMs'')[5] from the requirement to comply with the CVP enforcement provisions. (Unico, No.69 at pp.1–2; Mortex, No.76 at pp.1–2; Allstyle, No.78 at pp.1–2) To substantiate their request, Unico, Mortex, and Allstyle commented that, in the case of an ICM matchup with a coil-only indoor unit, there are no controls in the coil-only indoor unit that would impact the variable-speed outdoor unit's control system and, subsequently, CVP results. (*Id.*) In the case of an ICM matchup with a blower-coil indoor unit, the commenters stated that there would only be blower motor controls in the blower-coil indoor unit, and that these blower motor controls would have no direct interaction with the variable-speed outdoor unit's control system. (*Id.*) Further, Unico, Mortex, and Allstyle stated that nearly all ICM matchups with variable-speed outdoor units use non-communicating controls. (*Id.*) The three commenters added that, with non-communicating controls in an ICM matchup, the indoor unit is unlikely to have a measurable effect on CVP results because, in such cases, the indoor unit is only providing basic inputs (*e.g.,* calls for cooling/heating) to the outdoor unit rather than participating in a closed-loop control logic. (*Id.*)

P.R. China provided two separate comments to the May 2025 NOPR with recommendations regarding compliance dates. In its first submitted comment, P.R. China requested that DOE postpone the compliance date of the entire January 2025 Final Rule to 180 days after its effective date, for the purpose of allowing a transition period. (P.R.

[4] See *neea.org/resource/low-load-efficiency-heat-pump-performance/.*

[5] ICMs are manufacturers that manufacture indoor units (*e.g.,* coil-only or blower-coil units) but do not manufacture single-package units or outdoor units. ICMs match the indoor units they manufacture to the outdoor units of other manufacturers.

China, No.64 at pp.6–9) P.R. China commented that, currently, there is no transition period for complying with the January 2025 Final Rule because its effective date and compliance date are now both July 7, 2025. (*Id.*) With no transition period, P.R. China asserted that manufacturers cannot recertify their products in appropriate time since certification bodies can only accept new certifications after a rule takes effect. (*Id.*) P.R. China referenced previous final rules published by DOE as precedent for having transition periods of approximately 180 days. (*Id.*) P.R. China also cited Article 5.9 of the World Trade Organization Agreement on Technical Barriers to Trade (''WTO TBT Agreement'') as reason for having a transition period.[6] (*Id.*)

In its second submitted comment, P.R. China requested that DOE delay the compliance date for the January 2025 Final Rule to July 1, 2027. (P.R. China, No.68 at p.3) P.R. China stated that the CVP provisions would add time and cost burden because manufacturers want to ensure compliance with increased testing. (P.R. China, No.68 at p. 3) P.R China further stated that product redesign and upgrades to testing labs would be necessary to ensure compliance, and that the proposed CVP tolerances needed to be verified by industry. (*Id.*) P.R. China also asserted that the EPA Technology Transition Rule may be reconsidered, which could impact OUWNM provisions in the January 2025 Final Rule. (*Id.*)

Lastly, P.R China offered the following concerns regarding the CVP enforcement provisions and methodology: (1) that a contradiction in regulations exists by only incorporating the AHRI 210/240–2024 and AHRI 1600–2024 CVP appendices in 10 CFR 429 and not in appendix M1; and (2) that the 3 °F temperature rise in the CVP's return air temperature (''RAT'') equation (*i.e.,* 83 °F − 80 °F) is not large enough to generate a full-load response that matches the cooling capacity of the A_{Full} regulatory test. (P.R. China, No.64 at pp.2–6) P.R. China suggested that DOE clarify the contradiction in regulations and modify the CVP methodology to allow for a larger temperature rise in the RAT equation. (*Id.* at p.9)

[6] Article 5.9 of the WTO TBT Agreement states that ''except in those urgent circumstances referred to in paragraph 7, Members shall allow a reasonable interval between the publication of requirements concerning conformity assessment procedures and their entry into force in order to allow time for producers in exporting Members, and particularly in developing country Members, to adapt their products or methods of production to the requirements of the importing Member.'' *See www.wto.org/english/docs_e/legal_e/tbt_e.htm#art5.*

B. Conclusion

After considering the comments received in response to the May 2025 NOPR, DOE has determined that a one-year delay of the CVP enforcement provisions is appropriate. DOE acknowledges the concerns of AHRI, P.R. China, and industry stakeholders that additional time is needed to conduct further CVP testing, evaluate the CVP methodology, and provide clarifications if necessary. While a few commenters opposed the proposed delay, citing the benefits of CVP enforcement for consumers, DOE finds that the additional time will better support an effective implementation of the CVP.

Accordingly, DOE is finalizing the proposed one-year delay of the CVP enforcement provisions at 10 CFR 429.134(k)(4), amending the date of applicability to July 7, 2026. Furthermore, in light of this final rule being published after the effective date of the test procedure and enforcement provisions as amended by the January 2025 Final Rule, DOE will exercise its enforcement discretion and will not apply the CVP enforcement provisions set forth at 10 CFR 429.134(k)(4) to impacted units manufactured between July 7, 2025, and the effective date of this final rule.

In response to comments from P.R. China requesting a delay in the compliance date of the entire test procedure adopted in the January 2025 Final Rule to allow for a transition period, DOE notes that EPCA does not require manufacturers to immediately use test procedures upon publication in the **Federal Register**. Manufacturers have 180 days before representations of energy use or efficiency have to be based on the new test procedure. (42 U.S.C. 6293(c)(2)) The January 2025 Final Rule was published on January 7, 2025, which provided a 180-day period prior to the July 7, 2025, compliance date. Manufacturers, distributors, retailers, and private labelers may also petition DOE for a compliance date extension of up to an additional 180 days. (42 U.S.C. 6293(c)(3)) Thus, DOE is not delaying the compliance date of the January 2025 Final Rule (with the exception of delaying applicability of the CVP enforcement provisions). July 7, 2025, remains both the effective date and compliance date of the January 2025 Final Rule. With regards to P.R. China's request for a delay of the January 2025 Final Rule compliance date to July 1, 2027, due to CVP concerns, DOE notes that the one-year delay in CVP enforcement provides manufacturers, both domestic and international, with additional time to prepare for compliance and to ensure that the CVP is implemented in an effective manner.

Regarding P.R. China's concern about a contradiction in regulation, DOE clarifies that the CVP is not incorporated by reference in appendix M1 because it is not a required element of the test procedure for certification. Rather, the CVP is used for DOE assessment and enforcement purposes. As such, its incorporation in 10 CFR 429.4 and 429.134, rather than appendix M1, is consistent with its intended use and does not represent a contradiction in regulation.

With regards to the comments that ICM models should be excluded from the requirement to comply with the CVP enforcement provisions, DOE is not amending the CVP provisions at this time to provide any exclusion for ICM models certified as variable capacity. As discussed in the January 2025 Final Rule, the CVP test provisions represented industry consensus regarding: (1) the verification of compliance of systems with the variable capacity system definition, and (2) verification of the consistency of fixed-speed settings of compressor and indoor fans with native control operation as part of enforcement. 90 FR 1224, 1232. When the CVP provisions take effect, DOE may perform the CVP for any model certified as a variable capacity compressor system for the purposes of assessment or enforcement testing, including ICM models certified as variable capacity.

III. Effective Date

The Administrative Procedure Act (''APA'') requires that agencies publish a rule not less than 30 days before the rule will become effective, unless an exception from this requirement applies. (5 U.S.C. 553(d)) Under the APA, agencies may bypass this 30-day delay if the final rule ''relieves a restriction'' or if the agency finds ''good cause.'' Here, both exceptions apply. First, this final rule delays the implementation of the CVP enforcement provisions until July 7, 2026. Under the January 2025 Final Rule, the implementation date of the CVP enforcement provisions was July 7, 2025. Thus, this final rule relieves a restriction as it is delaying the implementation date of the CVP enforcement provisions for one year and delaying the application of these provisions.

Second, as stated previously, DOE will not apply the CVP enforcement provisions to models manufactured between July 7, 2025, and the effective date of this final rule. Moreover, DOE foresees little, if any, harm done by bypassing the 30-day delay in effectiveness. Rather, DOE finds that there is a good cause to forego the generally required 30-day delay because having the final rule effective upon publication will avoid potential confusion regarding the applicability of the CVP enforcement provisions.

IV. Procedural Issues and Regulatory Review

DOE has concluded that the determinations made pursuant to the various procedural requirements applicable to the January 2025 Final Rule remain unchanged for this final rule. These determinations are set forth in the January 2025 Final Rule and are adopted here. 90 FR 1224, 1268–1272.

V. Approval of the Office of the Secretary

The Secretary of Energy has approved publication of this final rule.

List of Subjects in 10 CFR Part 429

Administrative practice and procedure, Confidential business information, Energy conservation, Household appliances, Imports, Intergovernmental relations, Reporting and recordkeeping requirements, Small businesses.

Signing Authority

This document of the Department of Energy was signed on September 4, 2025, by Louis 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 September 4, 2025.

Jennifer Hartzell,

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

For the reasons stated in the preamble, DOE amends part 429 of Chapter II of Title 10, Code of Federal Regulations as set forth below:

PART 429—CERTIFICATION, COMPLIANCE, AND ENFORCEMENT FOR CONSUMER PRODUCTS AND COMMERCIAL AND INDUSTRIAL EQUIPMENT

■ 1. The authority citation for part 429 continues to read as follows:

Authority: 42 U.S.C. 6291–6317; 28 U.S.C. 2461 note.

■ 2. Amend § 429.134 by revising the introductory text to paragraph (k) to read as follows:

§ 429.134 Product-specific enforcement provisions.

* * * * *

(k) *Central air conditioners and heat pumps.* Before July 7, 2025, the provisions in this section of this title as it appeared in the 10 CFR parts 200–499 edition revised as of January 1, 2023 are applicable. On and after July 7, 2025, provisions in paragraphs (k)(1), (2) and (3) of this section shall apply. On and after July 7, 2026, provisions in paragraph (k)(4) of this section shall also apply.

* * * * *

[FR Doc. 2025–17227 Filed 9–8–25; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

10 CFR Parts 429 and 431

[EERE–2023–BT–CE–0001]

RIN 1904–AF97

Energy Conservation Program for Appliance Standards: Certification Requirements, Labeling Requirements, and Enforcement Provisions for Certain Consumer Products and Commercial Equipment

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

ACTION: Final rule; Congressional Review Act (CRA) revocation.

SUMMARY: The U.S. Department of Energy (DOE) is publishing this final rule to rescind and amend the certification provisions, labeling requirements, and enforcement provisions for specific types of consumer products and commercial and industrial equipment addressed in its final rule published in the **Federal Register** on October 9, 2024. DOE is undertaking this action because the October 9, 2024 final rule was the subject of a joint resolution of disapproval under the Congressional Review Act (CRA), which was passed by the U.S. House of Representatives and the Senate and subsequently signed by the President on May 9, 2025, after which it became law. Because the October 9, 2024 final rule has no force or effect, DOE has a nondiscretionary duty to remove the associated provisions from the Code of Federal Regulations (CFR), and through this final rule, DOE is taking the necessary action to effect such rescission.

DATES: The effective date of this rule is September 9, 2025. The incorporation by reference of certain material listed in the rule is approved by the Director of the Federal Register as of December 17, 2012.

FOR FURTHER INFORMATION CONTACT:

Mr. Troy Watson, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Program, EE–2J, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (240) 449–9387. Email: *ApplianceStandardsQuestions@ee.doe.gov.*

Mr. Eric Stas, 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: *Eric.Stas@hq.doe.gov.*

SUPPLEMENTARY INFORMATION: DOE is reinstating a previously approved incorporation by reference for the following industry standard into 10 CFR part 429:

Association of Home Appliance Manufacturers (AHAM) ANSI/AHAM Standard DW–1–2010, (ANSI/AHAM DW–1–2010), ''Household Electric Dishwashers,'' ANSI approved September 18, 2010.

Copies of ANSI/AHAM DW–1–2010 may be purchased from AHAM at 1111 19th Street NW, Suite 402, Washington, DC 20036, or by going to *www.aham.org.*

See section V.M of this document for further discussion of this standard.

Table of Contents

I. Authority and Background

Among other things, the Energy Policy and Conservation Act (EPCA), Public Law 94–163 (42 U.S.C. 6291–6317, as codified), authorizes DOE to regulate the energy efficiency of a number of consumer products and certain industrial equipment.[1] Title III, Part B [2] of EPCA established the Energy Conservation Program for Consumer Products Other Than Automobiles, which sets forth a variety of provisions designed to improve energy efficiency. Title III, Part C[3] of EPCA,[3] added by Public Law 95–619, Title IV, section 441(a), established the Energy Conservation Program for Certain Industrial Equipment, which sets forth a variety of provisions designed to improve energy efficiency. These products and equipment include central air conditioners and heat pumps (CAC/HPs), dishwashers (DWs), residential clothes washers (RCWs), pool heaters, dehumidifiers, external power supplies (EPSs), battery chargers, computer room air conditioners (CRACs), direct-expansion dedicated outdoor air systems (DX–DOASes), air-cooled, three-phase, small commercial package air conditioners and heat pumps with a cooling capacity of less than 65,000 Btu/h (''three-phase, less than 65,000 Btu/h ACUACs and ACUHPs'') and air-cooled, three-phase variable refrigerant flow air conditioners and heat pumps with a cooling capacity of less than 65,000 Btu/h (''three-phase, less than 65,000 Btu/h VRF''), commercial water heating equipment (CWHs), automatic commercial ice makers (ACIMs), walk-in coolers and walk-in freezers (''walk-ins''), commercial and industrial pumps, portable air conditioners (''portable ACs''), compressors, dedicated-purpose pool pump motors (DPPPMs), air cleaners, single package vertical units (SPVUs), and ceiling fan light kits (CFLKs), all of which are subjects of this document. (42 U.S.C. 6292(a)(3), (6–7), (11), and (20); 42 U.S.C. 6295 (u), (cc), and (ff); 42 U.S.C. 6311(1)(A–D), (F–G), (K), and (2)(B)(i)).

On October 9, 2024, DOE published a final rule in the **Federal Register** to establish and amend the certification provisions, labeling requirements, and enforcement provisions for the specific types of consumer products and commercial and industrial equipment previously mentioned, as well as making a number of additional corrections and revising certification templates. 89 FR 81994 (''October 2024 final rule''). The changes made by the October 2024 final rule were summarized at pages 81996–82003 of that document and further discussed and implement elsewhere in that final rule (*see* 89 FR 81994, 81996–82003 (Oct. 9, 2024)). The rule became effective on December 23, 2024.

For products or equipment for which this rule establishes the initial certification regulations for certifying compliance with new or amended standards, the October 2024 final rule required manufacturers to submit the initial certification report for basic models distributed in commerce beginning May 7, 2025. For basic models with existing certification regulations, October 2024 final rule's amendments to the reporting requirements for certifying compliance with existing standards were mandatory beginning with the annual certification report submitted on or after May 7, 2025.

However, on February 12, 2025, House Joint Resolution 42 (H.J.Res. 42) was introduced pursuant to the Congressional Review Act (CRA; 5 U.S.C. 801–808), and the measure sought to disapprove DOE's October 2024 final rule. The joint resolution of disapproval passed the House of Representatives on March 5, 2025, and it passed the Senate on April 30, 2025. It was sent to the President on May 6, 2025, and it was signed on May 9, 2025, thereby becoming Pub. L. 119–8. Accordingly, it proclaimed the October 2024 final rule as having no force or effect.

Because of the October 2024 final rule's nullification under the CRA, DOE has a non-discretionary duty to remove the relevant provision contained in that final rule from the CFR. This final rule takes the necessary steps to effect such rescission.

II. Amendments To Codify the Act in the CFR

In this final rule, DOE is rescinding and amending numerous provisions in 10 CFR parts 429 and 431 in order to comply with the requirements of Pub. L. 119–8, which, pursuant to the CRA, disapproved and caused DOE's October 9, 2024 final rule to have no force or effect. Accordingly, DOE is taking action to revert its relevant regulations in the CFR to the version in effect prior to promulgation of the October 9, 2024 final rule. Table II.1 outlines the changes made in that rule which are being rescinded in this final rule.

TABLE II.1—SUMMARY OF OCTOBER 9, 2024 FINAL RULE CHANGES TO CERTIFICATION REPORTING REQUIREMENTS RELATIVE TO PRIOR CERTIFICATION REPORTING REQUIREMENTS

Prior DOE certification reporting requirements	October 9, 2024 final rule amended certification reporting requirements
For CAC/HPs, no reporting requirement to indicate whether variable speed coil-only rating is based on non-communicating or communicating control system.	Added reporting requirement to § 429.16(e)(2)(vi) to specify whether variable speed coil-only rating is based on non-communicating or communicating control system.
For CAC/HPs, no reporting requirement to indicate whether system varies blower speeds with outdoor air conditions.	Added reporting requirement to § 429.16(e)(4)(iv) to specify whether system varies blower speeds with outdoor air conditions.
For CAC/HPs, current sampling requirements state to use Student's t-Distribution Values from "Appendix D," whereas appendix A to subpart B of part 429 contains the applicable Student's t-Distribution Values.	Corrected § 429.16(b)(3)(i)(B), (ii)(B), and (iii)(A)(2) to specify that the Student's t-Distribution Values in appendix A to subpart B of part 429 should be used.
For DWs, reporting requirements in § 429.19(b)(2) and (3) and list of materials incorporated by reference in § 429.4 specify ANSI/AHAM DW–1–2010.	Removed referenced standard in § 429.19(b)(2) and from the list of materials incorporated by reference in § 429.4.

[1] All references to EPCA in this document refer to the statute as amended through the Energy Act of 2020, Public Law 116–260 (Dec. 27, 2020), which reflect the last statutory amendments that impact Parts A and A–1 of EPCA.

[2] For editorial reasons, upon codification in the U.S. Code, Part B was redesignated Part A.

[3] For editorial reasons, upon codification in the U.S. Code, Part C was redesignated Part A–1.

TABLE II.1—SUMMARY OF OCTOBER 9, 2024 FINAL RULE CHANGES TO CERTIFICATION REPORTING REQUIREMENTS RELATIVE TO PRIOR CERTIFICATION REPORTING REQUIREMENTS—Continued

Prior DOE certification reporting requirements	October 9, 2024 final rule amended certification reporting requirements
For DWs, reporting requirements do not include cycle selected for energy test.	Added reporting requirements for cycle selected for energy test at heavy, medium, and light soil loads, whether the cycles are soil-sensing, and the options selected for the energy test at these soil loads (when testing in accordance with appendix C2) to § 429.19(b)(3)(iv).
For DWs, reporting requirements do not include cleaning index.	Added reporting requirement for average cleaning index of sensor heavy response, sensor medium response, and sensor light response test cycles (when testing in accordance with appendix C2) to § 429.19(b)(3)(v).
For DWs, reporting requirements do not reflect water re-use system DWs.	Added reporting requirements specific to water re-use system DWs to § 429.19(b)(3)(vii), including energy use and water use associated with drain out and clean out events.
For DWs, reporting requirements do not reflect information needed for DWs with built-in reservoirs.	Added reporting requirements specific to DWs with built-in reservoirs to § 429.19(b)(3)(viii), including reservoir capacity, prewash and main wash fill water volume, and total water consumption.
For DWs, no rounding requirements are specified in § 429.19.	Added rounding requirements to § 429.19(c).
For RCWs, reporting requirements include outdated requirements associated with appendix J1.	Removed obsolete appendix J1 RCW reporting requirements from § 429.20(b)(2)(i).
For RCWs, ''capacity'' is required to be reported.	Updated existing requirement to specify ''clothes container capacity'' rather than ''capacity'' at § 429.20(b)(2)(ii).
For RCWs, reporting requirements do not include test cloth lot used by manufacturer for testing and certifying.	Added reporting requirement to § 429.20(b)(3) for test cloth lot number used during testing to determine other reported values.
For RCWs, no reporting requirements for RCWs tested in accordance with appendix J test procedure.	Added reporting requirements for energy efficiency ratio, water efficiency ratio, type of control system, remaining moisture content, clothes container capacity, and type of loading when certifying in accordance with appendix J to § 429.20(b)(2)(i).
For pool heaters, reporting requirement only includes thermal efficiency for gas-fired pool heaters.	Added reporting requirement for integrated thermal efficiency for both gas-fired and electric pool heaters to § 429.24(b)(2)(i).
For electric pool heaters, no reporting requirement for active electrical power.	Added reporting requirement for active electrical power for electric pool heaters to § 429.24(b)(2)(ii).
For dehumidifiers, reporting requirements include outdated requirements associated with appendix X.	Removed obsolete appendix X dehumidifier reporting requirements from § 429.36(b)(2)(i).
For EPSs, no reporting requirement for output cord specifications.	Added reporting requirement for output cord effective wire gauge and length (or for EPSs shipped without an output cord, effective wire gauge and length for the manufacturer's recommended output cord) to § 429.37(b)(i)–(iv).
For EPSs, no reporting requirements for output voltage.	Added reporting requirements for output voltage to § 429.37(i) through (iv).
For EPSs exempt from the energy conservation standards, only the number of units of exempt external power supplies sold during the most recent 12-calendar-month period ending on July 31, importer or manufacturer name and address, and brand name must be reported.	Added requirement that the year for which the sales number being reported represents to § 429.37(b)(3) and (c).
For battery chargers, reporting requirements only reflect metrics associated with battery chargers tested in accordance with appendix Y.	Added reporting requirements to § 429.39(b)(5) and (6) for battery chargers tested in accordance with newly adopted appendix Y1, multi-metric approach.
For CRACs, reporting requirements do not include provisions for certifying compliance with net sensible coefficient of performance standards.	Added reporting requirements specific to net sensible coefficient of performance to § 429.43(b)(2)(ix)(B).
For CRACs, reporting requirements do not include provisions for submitting a supplemental testing instructions file in PDF form.	Added supplemental testing instructions file requirements in PDF form for certification reports to § 429.43(b)(4)(viii).
For CRACs, reporting requirements do not include indoor and outdoor unit individual model numbers.	Added reporting requirements for indoor and outdoor unit individual model numbers to § 429.43(b)(6)(i).
For CRACs, current AEDM tolerances do not specify tolerances for NSenCOP verification tests.	Added tolerance of 5 percent to table 2 to § 429.70(c)(5)(vi)(B) for CRAC verification tests for NSenCOP.
For DX–DOASes, reporting requirements do not include provisions for certifying compliance with integrated seasonal moisture removal efficiency 2 and integrated seasonal coefficient of performance 2 standards.	Added reporting requirements for integrated seasonal moisture removal efficiency 2 and integrated seasonal coefficient of performance 2, as well as rated moisture removal capacity, rated supply airflow rate, and configuration of the basic model to § 429.43(b)(2)(xi)(A) through (C).
For DX–DOASes, reporting requirements do not include reporting requirements for systems with ventilation energy recovery systems (''VERS'').	Added reporting requirements for systems with VERS to § 429.43(b)(3)(iii).
For DX–DOASes, reporting requirements do not include provisions for submitting a supplemental testing instructions file in PDF form.	Added supplemental testing instructions file requirements in PDF form for certification reports to § 429.43(b)(4)(x).
For DX–DOASes, reporting requirements do not include indoor and outdoor unit individual model numbers.	Added reporting requirements for indoor and outdoor unit individual model numbers to § 429.43(b)(6)(ii).
For three-phase less than 65,000 Btu/h ACUACs and ACUHPs and three-phase less than 65,000 Btu/h VRF, no reporting requirements for seasonal energy efficiency ratio 2 and heating seasonal performance factor 2.	Added reporting requirements for seasonal energy efficiency ratio 2 and heating seasonal performance factor 2 to § 429.67(f)(2).

TABLE II.1—SUMMARY OF OCTOBER 9, 2024 FINAL RULE CHANGES TO CERTIFICATION REPORTING REQUIREMENTS RELATIVE TO PRIOR CERTIFICATION REPORTING REQUIREMENTS—Continued

Prior DOE certification reporting requirements	October 9, 2024 final rule amended certification reporting requirements
For three-phase less than 65,000 Btu/h ACUACs and ACUHPs and three-phase less than 65,000 Btu/h VRF, reporting requirements do not include indoor and outdoor unit individual model numbers.	Added reporting requirements for indoor and outdoor unit individual model numbers to § 429.67(f)(4)).
For three-phase less than 65,000 Btu/h ACUACs and ACUHPs and three-phase less than 65,000 Btu/h VRF, reporting requirements do not include provisions for submitting a supplemental testing instructions file in PDF form for outdoor units with no match.	Added supplemental testing instructions file requirements in PDF form for certification reports for outdoor units with no match to § 429.67(f)(3).
For three-phase less than 65,000 Btu/h ACUACs three-phase less than 65,000 Btu/h VRF, current sampling requirements state to use the Student's t-Distribution Values from "appendix D", whereas appendix A to subpart B of part 429 contains the applicable Student's t-Distribution Values.	Corrected § 429.67(c)(2)(ii)(A)(2) to specify that the Student's t-Distribution Values in appendix A to subpart B of part 429 should be used.
For CWHs, no reporting requirements for electric instantaneous water heaters.	Added reporting requirements for electric instantaneous water heaters to § 429.44(c)(2)(vi)–(vii).
For CWHs, no rated input reporting requirement for electric storage water heaters.	Added rated input reporting requirement for electric storage water heaters to § 429.44(c)(2)(i).
For ACIMs, reporting requirements include "maximum energy use" and "maximum condenser water use."	Updated reporting requirement terminology to specify "energy use" and "condenser water use" in § 429.45(b)(2).
For ACIMs, no rounding requirements for represented values specified in 10 CFR 429.45.	Added rounding requirements in § 429.45(b)(3) that specify represented values determined in 10 CFR 429.45 must be rounded consistent with the test procedure rounding instructions upon the compliance date of any amended standards.
For walk-in refrigeration systems, no reporting requirement for whether the basic model meets the definition of a CO_2 unit cooler.	Added reporting requirement for whether the basic model meets the definition of a CO_2 unit cooler to § 429.53(b)(2)(iii)(G).
For walk-in refrigeration systems, the configuration reporting requirement does not include "detachable single-packaged dedicated system" or "attached split system".	Modified current configuration reporting requirement in § 429.53(b)(2)(iii)(C) to include "detachable single-packaged dedicated system" and "attached split system".
For walk-in dedicated condensing systems, no reporting requirement for head pressure controls.	Added reporting requirement in § 429.53(b)(3)(ii) for whether the basic model has head pressure controls.
No supplemental testing instructions for walk-in refrigeration systems.	Added requirement in § 429.53(b)(4) for submission of supplement test information in PDF format, if necessary to run a valid test, at the time of certification.
For walk-in refrigeration systems, no reporting requirement for compressor break-in duration used to obtain certified rating.	Added optional reporting requirement to § 429.53(b)(3)(ii) for compressor break-in duration used to obtain certified rating, if applicable.
For walk-in doors with anti-sweat heater (ASH) controls, no reporting requirements for conditions at which the controls activate the ASH wire.	Added reporting requirements to § 429.53(b)(2)(i)(H) for conditions (*i.e.,* temperature, humidity, etc.) at which the controls activate the ASH wire.
For walk-in doors, no reporting requirement for thermal conduction load through the door.	Added reporting requirement for thermal conduction load through the door to § 429.53(b)(3)(i)(B).
For walk-in panels, date of manufacturer is not required on a panel's nameplate or label.	Required panel manufacture date be added to the nameplate or label in § 431.305(a).
For commercial and industrial pumps, P_i^{in} is listed as P^{in}_i.	Amended all instances of P^{in}_i with P_i^{in}.
For portable ACs, reporting requirement for duct configuration lists "ability to operate in both configurations" as an option.	Removed "ability to operate in both configurations" as an option in § 429.62(b)(2) and add reporting requirement for whether model is distributed in commerce with multiple duct configuration options.
For portable ACs, no reporting requirement for full-load seasonally adjusted cooling capacity for variable-speed models.	Added reporting requirements for whether the basic model is variable-speed, and if yes; the full-load seasonally adjusted cooling capacity to § 429.62(b)(3).
For compressors, reporting requirements are included in 10 CFR 429.63, but no annual filing date is specified in 10 CFR 429.12.	Established an annual filing date of September 1 at 10 CFR 429.12(d), by which manufacturers would be required to submit required reporting information to DOE.
For DPPPMs, no reporting requirements outlined in 10 CFR 429.65.	Added reporting requirements for DPPPMs to § 429.65(e).
For DPPPMs, no rounding requirements outlined in 10 CFR 429.65.	Added rounding requirements for DPPPMs to § 429.65(f).
For DPPPMs, no annual filing date specified in 10 CFR 429.12.	Established an annual filing date of September 1 at 10 CFR 429.12(d), by which manufacturers would be required to submit required reporting information to DOE.
For air cleaners, no reporting requirements outlined in 10 CFR 429.68.	Added reporting requirements for air cleaners to § 429.68(b).
For air cleaners, no annual filing date specified in 10 CFR 429.12.	Established an annual filing date of December 1 at 10 CFR 429.12(d), by which manufacturers would be required to submit required reporting information to DOE.
For air cleaners, 10 CFR 429.68(a)(2)(ii) includes a typographical error and states "equal to the high".	Corrected 10 CFR 429.68(a)(2)(ii) to specify "equal to the lower".
For SPVUs, reporting requirements do not include provisions for certifying compliance with integrated energy efficiency ratio standards.	Added reporting requirements for certifying compliance with integrated energy efficiency ratio standards to 10 CFR 429.43(b)(2)(v)(B) and (vi)(B).

TABLE II.1—SUMMARY OF OCTOBER 9, 2024 FINAL RULE CHANGES TO CERTIFICATION REPORTING REQUIREMENTS RELATIVE TO PRIOR CERTIFICATION REPORTING REQUIREMENTS—Continued

Prior DOE certification reporting requirements	October 9, 2024 final rule amended certification reporting requirements
For SPVUs with cooling capacities less than 65,000 Btu/h, reporting requirements do not include whether the unit is weatherized or non-weatherized, and if non-weatherized, the airflow rate of outdoor ventilation air which is drawn in and conditioned.	Added reporting requirements to 10 CFR 429.43(b)(2)(v)(B) and (vi)(B) for whether the unit is weatherized or non-weatherized, and if non-weatherized, the airflow rate of outdoor ventilation air which is drawn in and conditioned as determined in accordance with 10 CFR 429.134(x)(3), while the equipment is operating with the same drive kit and motor settings used to determine the certified efficiency rating of the equipment.
For SPVUs, existing supplemental testing instruction requirements do not reflect updated integrated energy efficiency ratio test procedure.	Added supplemental testing instruction file content requirements for when certifying compliance with an integrated energy efficiency ratio standard to 10 CFR 429.43(b)(4)(vi)(B) and (vii)(B).
For CFLKs, reporting requirements inadvertently omit CFLKs distributed with consumer-replaceable SSL.	Amended reporting requirements in 10 CFR 429.33(b)(2)(ii)(A) and (b)(3)(ii)(B) to include CFLKs distributed with consumer-replaceable SSL.

III. Final Action

DOE has determined, pursuant to 5 U.S.C. 553(b)(B), that prior notice and an opportunity for public comment on this final rule are unnecessary. Given the applicable statutory requirement enacted by Congress to disapprove the subject October 9, 2024 final rule under the Congressional Review Act, and the absence of any benefit in providing comment given that the rule implements the specific requirements of Public Law 119–8, DOE finds that good cause exists to waive prior notice and an opportunity for public comment on the actions presented in this document to implement the provisions of Public Law 119–8 relevant to the subject consumer products and commercial/industrial equipment. As this rule relieves manufacturers from certain certification, compliance, and enforcement requirements, DOE finds good cause pursuant to 5 U.S.C. 553(d)(1) to waive the 30-day delay in effective date for this rule.

IV. Procedural Issues and Regulatory Review

A. Review Under Executive Order 12866

This final rule is not a ''significant regulatory action'' under any of the criteria set out in section 3(f) of Executive Order 12866, ''Regulatory Planning and Review.'' 58 FR 51735 (October 4, 1993). Accordingly, this action was not subject to review by the Office of Information and Regulatory Affairs (OIRA) in the Office of Management and Budget (OMB).

B. Review Under the Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) requires preparation of a final regulatory flexibility analysis (FRFA) for any final rule where the agency was first required by law to publish a proposed rule for public comment, unless the agency certifies that the rule, if promulgated, will not have a significant economic impact on a substantial number of small entities. As required by Executive Order 13272, ''Proper Consideration of Small Entities in Agency Rulemaking,'' 67 FR 53461 (August 16, 2002), DOE published procedures and policies on February 19, 2003 to ensure that the potential impacts of its rules on small entities are properly considered during the DOE rulemaking process. 68 FR 7990. DOE has made its procedures and policies available on the Office of the General Counsel's website: *https://energy.gov/gc/office-general-counsel.* DOE is revising the Code of Federal Regulations to remove certification provisions, labeling requirements, and enforcement provisions adopted in the final rule published in the **Federal Register** on October 9, 2024, because that final rule has no force or effect pursuant to a joint resolution of disapproval under the Congressional Review Act (Pub. L. 119–8). Because this is a technical amendment for which a general notice of proposed rulemaking is not required, the analytical requirements of the Regulatory Flexibility Act do not apply to this rulemaking.

C. Review Under the Paperwork Reduction Act of 1995

Manufacturers of the subject products and equipment must certify to DOE that their products comply with any applicable energy conservation standards. To certify compliance, manufacturers must first obtain test data for their products according to the DOE test procedures, including any amendments adopted for those test procedures. DOE has established regulations for the certification and recordkeeping requirements for all covered consumer products and commercial equipment. (See generally 10 CFR part 429.) The collection-of-information requirement for the certification and recordkeeping is subject to review and approval by OMB under the Paperwork Reduction Act (PRA). This requirement has been approved by OMB under OMB control number 1910–1400. Public reporting burden for the certification is estimated to average 35 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Notwithstanding any other provision 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 of information displays a currently valid OMB Control Number.

D. Review Under the National Environmental Policy Act of 1969

Pursuant to the National Environmental Policy Act (NEPA) of 1969, DOE has analyzed this action in accordance with NEPA, as amended, DOE's NEPA implementing regulations (set forth in 10 CFR part 1021), and DOE's NEPA implementing procedures (published outside the Code of Federal Regulations on June 30, 2025). On July 3, 2025, DOE published an interim final rule in the **Federal Register** which revised 10 CFR part 1021 to contain only administrative and routine actions excepted from NEPA review in appendix A, its existing categorical exclusions in appendix B, related requirements, and a provision for emergency circumstances. 90 FR 29676. DOE notes that appendix A in 10 CFR part 1021 (formerly categorical exclusions) are now administrative and routine actions that do not require NEPA review.

Upon due consideration of those authorities, DOE has determined that NEPA does not apply to this action, as this final rule is an administrative and routine action excepted from NEPA review for the reasons that follow. Because the CRA resolution of disapproved rendered the October 2024 final rule without force or effect, DOE has a non-discretionary duty to remove the relevant provision contained in that final rule from the CFR, and this final rule takes the necessary steps to effect such rescission. Accordingly, DOE has determined that because this action is being taken at the direction of Congress, the rule is an administrative and routine action. DOE had determined that this rulemaking is a Federal action, but it is not a ''major Federal action'' significantly affecting the quality of the human environment within the meaning of section 110(10) of NEPA, 42 U.S.C. 4336e(10), so no further environmental review is needed. For more information, please see appendix A of 10 CFR part 1021 (''A5, Interpretive rulemakings with no change in environmental effect'') and appendix A of DOE's NEPA implementing procedures, A5, Interpretive rulemakings with no change in environmental effect (June 30, 2025).

E. Review Under Executive Order 13132

Executive Order 13132, ''Federalism,'' 64 FR 43255 (August 4, 1999), imposes certain requirements on agencies formulating and implementing policies or regulations that preempt State law or that have Federalism implications. The Executive Order requires agencies to examine the constitutional and statutory authority supporting any action that would limit the policymaking discretion of the States and to carefully assess the necessity for such actions. The Executive Order also requires agencies to have an accountable process to ensure meaningful and timely input by State and local officials in the development of regulatory policies that have Federalism implications. On March 14, 2000, DOE published a statement of policy describing the intergovernmental consultation process it will follow in the development of such regulations. 65 FR 13735. DOE examined this final rule and determined that it will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. EPCA governs and prescribes Federal preemption of State regulations as to energy conservation for the products that are the subject of this final rule. States can petition DOE for exemption from such preemption to the extent, and based on criteria, set forth in EPCA. (42 U.S.C. 6297(d)) No further action is required by Executive Order 13132.

F. Review Under Executive Order 12988

Regarding the review of existing regulations and the promulgation of new regulations, section 3(a) of Executive Order 12988, ''Civil Justice Reform,'' 61 FR 4729 (Feb. 7, 1996), imposes on Federal agencies the general duty to adhere to the following requirements: (1) eliminate drafting errors and ambiguity; (2) write regulations to minimize litigation; (3) provide a clear legal standard for affected conduct rather than a general standard; and (4) promote simplification and burden reduction. Section 3(b) of Executive Order 12988 specifically requires that Executive agencies make every reasonable effort to ensure that the regulation (1) clearly specifies the preemptive effect, if any; (2) clearly specifies any effect on existing Federal law or regulation; (3) provides a clear legal standard for affected conduct while promoting simplification and burden reduction; (4) specifies the retroactive effect, if any; (5) adequately defines key terms; and (6) addresses other important issues affecting clarity and general draftsmanship under any guidelines issued by the Attorney General. Section 3(c) of Executive Order 12988 requires Executive agencies to review regulations in light of applicable standards in sections 3(a) and 3(b) to determine whether they are met or it is unreasonable to meet one or more of them. DOE has completed the required review and determined that, to the extent permitted by law, this final rule meets the relevant standards of Executive Order 12988.

G. Review Under the Unfunded Mandates Reform Act of 1995

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) requires each Federal agency to assess the effects of Federal regulatory actions on State, local, and Tribal governments and the private sector. Public Law 104–4, sec. 201 (codified at 2 U.S.C. 1531). For a regulatory action resulting in a rule that may cause the expenditure by State, local, and Tribal governments, in the aggregate, or by the private sector of $100 million or more in any one year (adjusted annually for inflation), section 202 of UMRA requires a Federal agency to publish a written statement that estimates the resulting costs, benefits, and other effects on the national economy. (2 U.S.C. 1532(a), (b)) The UMRA also requires a Federal agency to develop an effective process to permit timely input by elected officers of State, local, and Tribal governments on a proposed ''significant intergovernmental mandate,'' and requires an agency plan for giving notice and opportunity for timely input to potentially affected small governments before establishing any requirements that might significantly or uniquely affect small governments. On March 18, 1997, DOE published a statement of policy on its process for intergovernmental consultation under UMRA. 62 FR 12820; also available at *https://energy.gov/gc/office-general-counsel.* DOE examined this final rule according to UMRA and its statement of policy and determined that the rule contains neither an intergovernmental mandate, nor a mandate that may result in the expenditure of $100 million or more in any year, so these requirements do not apply.

H. Review Under the Treasury and General Government Appropriations Act, 1999

Section 654 of the Treasury and General Government Appropriations Act, 1999 (Pub. L. 105–277) requires Federal agencies to issue a Family Policymaking Assessment for any rule that may affect family well-being. This final rule will not have any impact on the autonomy or integrity of the family as an institution. Accordingly, DOE has concluded that it is not necessary to prepare a Family Policymaking Assessment.

I. Review Under Executive Order 12630

DOE has determined, under Executive Order 12630, ''Governmental Actions and Interference with Constitutionally Protected Property Rights'' 53 FR 8859 (March 18, 1988), that this regulation will not result in any takings that might require compensation under the Fifth Amendment to the U.S. Constitution.

J. Review Under Treasury and General Government Appropriations Act, 2001

Section 515 of the Treasury and General Government Appropriations Act, 2001 (44 U.S.C. 3516 note) provides for agencies to review most disseminations of information to the public under guidelines established by each agency pursuant to general guidelines issued by OMB. OMB's guidelines were published at 67 FR 8452 (Feb. 22, 2002), and DOE's guidelines were published at 67 FR 62446 (Oct. 7, 2002). Pursuant to OMB Memorandum M–19–15, Improving Implementation of the Information Quality Act (April 24, 2019), DOE published updated guidelines which are available at *https://www.energy.gov/*

sites/prod/files/2019/12/f70/DOE%20Final%20Updated%20IQA%20Guidelines%20Dec%202019.pdf. DOE has reviewed this final rule under the OMB and DOE guidelines and has concluded that it is consistent with applicable policies in those guidelines.

K. Review Under Executive Order 13211

Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use,'' 66 FR 28355 (May 22, 2001), requires Federal agencies to prepare and submit to OMB, a Statement of Energy Effects for any significant energy action. A ''significant energy action'' is defined as any action by an agency that promulgated or is expected to lead to promulgation of a final rule, and that (1) is a significant regulatory action under Executive Order 12866, or any successor order; and (2) is likely to have a significant adverse effect on the supply, distribution, or use of energy; or (3) is designated by the Administrator of OIRA as a significant energy action. For any significant energy action, the agency must give a detailed statement of any adverse effects on energy supply, distribution, or use if the regulation is implemented, and of reasonable alternatives to the action and their expected benefits on energy supply, distribution, and use.

This regulatory action is not a significant regulatory action under Executive Order 12866. Moreover, it would not have a significant adverse effect on the supply, distribution, or use of energy, nor has it been designated as a significant energy action by the Administrator of OIRA. Therefore, it is not a significant energy action, and, accordingly, DOE has not prepared a Statement of Energy Effects.

L. Review Under Section 32 of the Federal Energy Administration Act of 1974

Under section 301 of the Department of Energy Organization Act (Pub. L. 95–91; 42 U.S.C. 7101), DOE must comply with section 32 of the Federal Energy Administration Act of 1974, as amended by the Federal Energy Administration Authorization Act of 1977. (15 U.S.C. 788; FEAA) Section 32 essentially provides in relevant part that, where a proposed rule authorizes or requires use of commercial standards, the notice of proposed rulemaking must inform the public of the use and background of such standards. In addition, section 32(c) requires DOE to consult with the Attorney General and the Chairman of the Federal Trade Commission (FTC) concerning the impact of the commercial or industry standards on competition.

In this final rule, DOE is reinstating reference to ANSI/AHAM DW–1–2010 as the test method for dishwashers. Because this is a technical amendment for which a general notice of proposed rulemaking is not required and because DOE did not propose the incorporation by reference, section 32 does not apply to this rulemaking.

M. Congressional Notification

As required by 5 U.S.C. 801, DOE will report to Congress on the promulgation of this rule prior to its effective date. The report will state that it has been determined that the rule is not a ''major rule'' as defined by 5 U.S.C. 804(2).

N. Description of Materials Incorporated by Reference

In this final rule, DOE is reinstating an incorporation by reference (as referenced in the amendatory text of this document) for a testing standard published by the Association of Home Appliance Manufacturers (AHAM) that was previously approved by the Director of the Federal Register as of December 17, 2012 for incorporation in §§ 429.4 and 429.19 for use with the dishwashers test procedure: ANSI/AHAM Standard DW–1–2010 (ANSI/AHAM DW–1–2010), ''Household Electric Dishwashers,'' ANSI approved September 18, 2010. Copies of ANSI/AHAM DW–1–2010 may be purchased from AHAM at 1111 19th Street NW, Suite 402, Washington, DC 20036, or by going to *www.aham.org.*

Approval of the Office of the Secretary

The Secretary of Energy has approved publication of this final rule.

List of Subjects

10 CFR Part 429

Administrative practice and procedure, Confidential business information, Energy conservation, Household appliances, Imports, Incorporation by reference, Intergovernmental relations, Reporting and recordkeeping requirements, and Small businesses.

10 CFR Part 431

Administrative practice and procedure, Confidential business information, Energy conservation test procedures, and Reporting and recordkeeping requirements.

Signing Authority

This document of the Department of Energy was signed on September 4, 2025, by Louis 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 September 5, 2025.

Treena V. Garrett,

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

For the reasons stated in the preamble and under the authority of the Congressional Review Act (5 U.S.C. 801–808) and Public Law 119–8, DOE amends parts 429 and 431 of subchapter D of chapter II of title 10, Code of Federal Regulations as set forth below:

PART 429—CERTIFICATION, COMPLIANCE, AND ENFORCEMENT FOR CONSUMER PRODUCTS AND COMMERCIAL AND INDUSTRIAL EQUIPMENT

■ 1. The authority citation for part 429 continues to read as follows:

Authority: 42 U.S.C. 6291–6317; 28 U.S.C. 2461 note.

■ 2. Amend § 429.4 by redesignating paragraphs (b)(1) and (2) as paragraphs (b)(2) and (3), respectively, and reinstating paragraph (b)(1) to read as follows:

§ 429.4 Materials incorporated by reference.

* * * * *

(b) * * *

(1) ANSI/AHAM DW–1–2010, *Household Electric Dishwashers,* (ANSI approved September 18, 2010), IBR approved for § 429.19.

* * * * *

■ 3. Amend § 429.12 by reinstating paragraphs (b)(12) and (13), (d), and (i) to read as follows:

§ 429.12 General requirements applicable to certification reports.

* * * * *

(b) * * *

(12) If the test sample size is listed as ''0'' to indicate the certification is based upon the use of an alternate way of determining measures of energy conservation, identify the method used for determining measures of energy

conservation (such as ''AEDM,'' or linear interpolation). Manufacturers of commercial packaged boilers, commercial water heating equipment, commercial refrigeration equipment, commercial HVAC equipment, and central air conditioners and central air conditioning heat pumps must provide the manufacturer's designation (name or other identifier) of the AEDM used; and

(13) Product specific information listed in §§ 429.14 through 429.63 of this chapter.

* * * * *

(d) *Annual filing.* All data required by paragraphs (a) through (c) of this section shall be submitted to DOE annually, on or before the following dates:

TABLE 1 TO PARAGRAPH (d)

Product category	Deadline for data submission
Portable air conditioners	February 1.
Fluorescent lamp ballasts; Compact fluorescent lamps; General service fluorescent lamps, general service incandescent lamps, and incandescent reflector lamps; Candelabra base incandescent lamps and intermediate base incandescent lamps; Ceiling fans; Ceiling fan light kits; Showerheads; Faucets; Water closets; and Urinals.	March 1.
Water heaters; Consumer furnaces; Pool heaters; Commercial water heating equipment; Commercial packaged boilers; Commercial warm air furnaces; Commercial unit heaters; and Furnace fans.	May 1.
Dishwashers; Commercial pre-rinse spray valves; Illuminated exit signs; Traffic signal modules and pedestrian modules; and Distribution transformers.	June 1.
Room air conditioners; Central air conditioners and central air conditioning heat pumps; and Commercial heating, ventilating, air conditioning (HVAC) equipment.	July 1.
Consumer refrigerators, refrigerator-freezers, and freezers; Commercial refrigerators, freezers, and refrigerator-freezers; Automatic commercial ice makers; Refrigerated bottled or canned beverage vending machines; Walk-in coolers and walk-in freezers; and Consumer miscellaneous refrigeration products.	August 1.
Torchieres; Dehumidifiers; Metal halide lamp ballasts and fixtures; External power supplies; Pumps; and Battery chargers.	September 1.
Residential clothes washers; Residential clothes dryers; Direct heating equipment; Cooking products; and Commercial clothes washers.	October 1.

* * * * *

(i) *Compliance dates.* For any product subject to an applicable energy conservation standard for which the compliance date has not yet occurred, a certification report must be submitted not later than the compliance date for the applicable energy conservation standard. The covered products enumerated below are subject to the stated compliance dates for initial certification:

(1) Commercial warm air furnaces, packaged terminal air conditioners, and packaged terminal heat pumps, July 1, 2014;

(2) Commercial gas-fired and oil-fired instantaneous water heaters less than 10 gallons and commercial gas-fired and oil-fired hot water supply boilers less than 10 gallons, October 1, 2014;

(3) All other types of covered commercial water heaters except those specified in paragraph (i)(2) of this section, commercial packaged boilers with input capacities less than or equal to 2.5 million Btu/h, and self-contained commercial refrigeration equipment with solid or transparent doors, December 31, 2014;

(4) Variable refrigerant flow air conditioners and heat pumps, March 31, 2015;

(5) Small, large, and very large air-cooled, water-cooled, evaporatively-cooled, and water-source commercial air conditioning and heating equipment, single package vertical units, computer room air conditioners, commercial package boilers with input capacities greater than 2.5 million Btu/h, and all other types of commercial refrigeration equipment except those specified in paragraph (i)(3) of this section, July 1, 2015.

■ 4. Amend § 429.16 by:

■ a. Reinstating paragraphs (b)(3)(i)(B), (b)(3)(ii)(B), (b)(3)(iii)(A)(*2*), and (e)(2)(v);

■ b. Removing paragraph (e)(2)(vi); and

■ c. Reinstating paragraph (e)(4)(iv).

The reinstated provisions read as follows:

§ 429.16 Central air conditioners and central air conditioning heat pumps.

* * * * *

(b) * * *

(3) * * *

(i) * * *

(B) The upper 90 percent confidence limit (UCL) of the true mean divided by 1.05, where:

$$UCL = \bar{x} + t_{.90}\left(\frac{s}{\sqrt{n}}\right)$$

And $\bar{x}$ is the sample mean; s is the sample standard deviation; n is the number of samples; and $t_{0.90}$ is the t statistic for a 90 percent one-tailed confidence interval with n − 1 degrees of freedom (from appendix D). Round represented values of off-mode power consumption to the nearest watt.

(ii) * * *

(B) The lower 90 percent confidence limit (LCL) of the true mean divided by 0.95, where:

$$LCL = \bar{x} - t_{.90}\left(\frac{s}{\sqrt{n}}\right)$$

And $\bar{x}$ is the sample mean; s is the sample standard deviation; n is the number of samples; and $t_{0.90}$ is the t statistic for a 90 percent one-tailed confidence interval with n − 1 degrees of freedom (from appendix D). Round represented values of EER2, SEER2, HSPF2, EER, SCORE, and SHORE to the nearest 0.05.

(iii) * * *

(A) * * *

(*2*) The lower 90 percent confidence limit (LCL) of the true mean divided by 0.95, where:

$$LCL = \bar{x} - t_{.90}\left(\frac{s}{\sqrt{n}}\right)$$

And $\bar{x}$ is the sample mean; s is the sample standard deviation; n is the number of samples; and $t_{0.90}$ is the t statistic for a 90 percent one-tailed confidence interval with n − 1 degrees of freedom (from appendix D).

* * * * *

(e) * * *

(2) * * *

(v) For all split systems including outdoor units with no match, the refrigerant.

* * * * *

(4) * * *

(iv) For blower coil systems, the airflow-control settings associated with full load cooling operation; and the airflow-control settings or alternative instructions for setting fan speed to the speed upon which the rating is based;

* * * * *

■ 5. Amend § 429.19 by removing paragraph (c) and reinstating paragraphs (b)(2) and (3) to read as follows:

§ 429.19 Dishwashers.

* * * * *

(b) * * *

(2) Pursuant to § 429.12(b)(13), a certification report shall include the following public product-specific information: The estimated annual energy use in kilowatt hours per year (kWh/yr), the water consumption in gallons per cycle, and the capacity in number of place settings as specified in ANSI/AHAM DW–1–2010 (incorporated by reference, see § 429.4).

(3) Pursuant to § 429.12(b)(13), a certification report shall include the following additional product-specific information—

(i) The presence of a soil sensor, and if yes, the number of cycles required to reach calibration;

(ii) The water inlet temperature used for testing in degrees Fahrenheit (°F);

(iii) The cycle selected for the energy test and whether that cycle is soil-sensing;

(iv) The options selected for the energy test;

(v) Presence of a built-in water softening system, and if yes, the energy use in kilowatt-hours and the water use in gallons required for each regeneration of the water softening system, the number of regeneration cycles per year, and data and calculations used to derive these values; and

(vi) Indication of whether Cascade Complete Powder or Cascade with the Grease Fighting Power of Dawn was used as the detergent formulation. When certifying dishwashers, other than water re-use dishwashers, according to appendix C1 to subpart B of part 430 of this chapter:

(A) Before July 17, 2023, Cascade Complete Powder detergent may be used as the basis for certification in conjunction with the detergent dosing methods specified in either section 2.5.2.1.1 or section 2.5.2.1.2 of appendix C1 to subpart B of part 430. Cascade with the Grease Fighting Power of Dawn detergent may be used as the basis for certification only in conjunction with the detergent dosing specified in section 2.5.2.1.1 of appendix C1.

(B) Beginning July 17, 2023, Cascade Complete Powder detergent may be used as the basis for certification of newly certified basic models only in conjunction with the detergent dosing method specified in section 2.5.2.1.2 of appendix C1 to subpart B of part 430. Cascade with the Grease Fighting Power of Dawn detergent may be used as the basis for certification only in conjunction with the detergent dosing specified in section 2.5.2.1.1 of appendix C1. Manufacturers may maintain existing basic model certifications made prior to July 17, 2023, consistent with the provisions of paragraph (b)(3)(vi)(A) of this chapter.

■ 6. Amend § 429.20 by reinstating paragraphs (b) and (c) to read as follows:

§ 429.20 Residential clothes washers.

* * * * *

(b) *Certification reports.* (1) The requirements of § 429.12 are applicable to residential clothes washers; and

(2) Pursuant to § 429.12(b)(13), a certification report shall contain the following public product-specific information:

(i) For residential clothes washers tested in accordance with appendix J1: The modified energy factor (MEF) in cubic feet per kilowatt hour per cycle (cu ft/kWh/cycle), the capacity in cubic feet (cu ft), the corrected remaining moisture content (RMC) expressed as a percentage, and, for standard-size residential clothes washers, a water factor (WF) in gallons per cycle per cubic foot (gal/cycle/cu ft).

(ii) For residential clothes washers tested in accordance with appendix J2: The integrated modified energy factor (IMEF) in cu ft/kWh/cycle, the integrated water factor (IWF) in gal/cycle/cu ft, the capacity in cu ft, the corrected remaining moisture content (RMC) expressed as a percentage, and the type of loading (top-loading or front-loading).

(3) Pursuant to § 429.12(b)(13), a certification report must include the following additional product-specific information: A list of all cycle selections comprising the complete energy test cycle for each basic model.

(c) *Reported values.* Values reported pursuant to this subsection must be rounded as follows: MEF and IMEF to the nearest 0.01 cu ft/kWh/cycle; WF and IWF to the nearest 0.1 gal/cycle/cu ft; RMC to the nearest 0.1 percentage point; and clothes container capacity to the nearest 0.1 cu ft.

■ 7. Amend § 429.24 by:

■ a. Reinstating paragraph (a)(2) introductory text;

■ b. Removing paragraphs (a)(3) and (4);

■ c. Reinstating paragraph (b)(2); and

■ d. Removing paragraph (c).

The reinstated provisions read as follows:

§ 429.24 Pool heaters.

(a) * * *

(2) For each basic model of pool heater, a sample of sufficient size shall be randomly selected and tested to ensure that any represented value of the thermal efficiency or other measure of energy consumption of a basic model for which consumers would favor higher values shall be less than or equal to the lower of:

* * * * *

(b) * * *

(2) Pursuant to § 429.12(b)(13), a certification report shall include the following public product-specific information: The thermal efficiency in percent (%) and the input capacity in British thermal units per hour (Btu/h).

8. Amend § 429.33 by reinstating paragraphs (b)(2)(ii)(A) and (b)(3)(ii)(B) to read as follows:

§ 429.33 Ceiling fan light kits.

* * * * *

(b) * * *

(2) * * *

(ii) * * *

(A) For each basic model of lamp and/or each basic model of non-consumer-replaceable SSL packaged with the ceiling fan light kit, the brand, basic model number, test sample size, kind of lamp (*i.e.,* general service fluorescent lamp (GSFL); fluorescent lamp with a pin base that is not a GSFL; compact fluorescent lamp (CFL) with a medium screw base; CFL with a base that is not medium screw base [*e.g.,* candelabra base]; other fluorescent lamp [not GSFL or CFL]; general service incandescent lamp (GSIL); candelabra base incandescent lamp; intermediate base incandescent lamp; incandescent reflector lamp; other incandescent lamp [not GSIL, IRL, candelabra base or intermediate base incandescent lamp]; integrated LED lamp; non-consumer-replaceable SSL; consumer-replaceable SSL [not integrated LED lamps] and other SSL lamps that have an ANSI standard base and are not integrated LED lamps; other lamp not specified), lumen output in lumens (lm), and efficacy in lumens per watt (lm/W).

* * * * *

(3) * * *

(ii) * * *

(B) For each basic model of lamp and/or each basic model of non-consumer-replaceable SSL packaged with the ceiling fan light kit, a declaration that, where applicable, the lamp basic model was tested by a laboratory accredited as required under § 430.25 of this chapter; and

* * * * *

■ 9. Amend § 429.36 by reinstating paragraphs (b)(2)(i) and (b)(2)(ii) to read as follows:

§ 429.36 Dehumidifiers.

* * * * *

(b) * * *

(2) * * *

(i) For dehumidifiers tested in accordance with appendix X: The energy factor in liters per kilowatt hour (liters/kWh) and capacity in pints per day.

(ii) For dehumidifiers tested in accordance with appendix X1: The integrated energy factor in liters per kilowatt (liters/kWh), capacity in pints per day, and for whole-home dehumidifiers, case volume in cubic feet.

■ 10. Amend § 429.37 by reinstating paragraphs (b)(2) and (3) and (c) to read as follows:

§ 429.37 External power supplies.

* * * * *

(b) * * *

(2) Pursuant to § 429.12(b)(13), a certification report shall include the following public product-specific information:

(i) *External power supplies:* The average active mode efficiency as a percentage (%), no-load mode power consumption in watts (W), nameplate output power in watts (W), and, if missing from the nameplate, the output current in amperes (A) of the basic model or the output current in amperes (A) of the highest- and lowest-voltage models within the external power supply design family.

(ii) *Switch-selectable single-voltage external power supplies:* The average active mode efficiency as a percentage (%) value, no-load mode power consumption in watts (W) using the lowest and highest selectable output voltages, nameplate output power in watts (W), and, if missing from the nameplate, the output current in amperes (A).

(iii) *Adaptive single-voltage external power supplies:* The average active-mode efficiency as a percentage (%) at the highest and lowest nameplate output voltages, no-load mode power consumption in watts (W), nameplate output power in watts (W) at the highest and lowest nameplate output voltages, and, if missing from the nameplate, the output current in amperes (A) at the highest and lowest nameplate output voltages.

(iv) *External power supplies that are exempt from no-load mode requirements under § 430.32(w)(5) of this chapter:* A statement that the product is designed to be connected to a security or life safety alarm or surveillance system component, the average active-mode efficiency as a percentage (%), the nameplate output power in watts (W), and, if missing from the nameplate, the certification report must also include the output current in amperes (A) of the basic model or the output current in amperes (A) of the highest- and lowest-voltage models within the external power supply design family.

(3) Pursuant to § 429.12(b)(13), a certification report for external power supplies that are exempt from the energy conservation standards at § 430.32(w)(1)(ii) pursuant to § 430.32(w)(2) of this chapter must include the following additional information if, in aggregate, the total number of exempt EPSs sold as spare and service parts by the certifier exceeds 1,000 units across all models: The total number of units of exempt external power supplies sold during the most recent 12-calendar-month period ending on July 31, starting with the annual report due on September 1, 2017.

(c) *Exempt external power supplies.* (1) For external power supplies that are exempt from energy conservation standards pursuant to § 430.32(w)(2) of this chapter and are not required to be certified pursuant to § 429.12(a) as compliant with an applicable standard, the importer or domestic manufacturer must, no later than September 1, 2017, and annually by each September 1st thereafter, submit a report providing the following information if, in aggregate, the total number of exempt EPSs sold as spare and service parts by the importer or manufacturer exceeds 1,000 units across all models:

(i) The importer or domestic manufacturer's name and address;

(ii) The brand name; and

(iii) The number of units sold during the most recent 12-calendar-month period ending on July 31.

(2) The report must be submitted to DOE in accordance with the submission procedures set forth in § 429.12(h).

■ 11. Amend § 429.39 by:

■ a. Reinstating paragraphs (a)(1), (a)(2)(ii) introductory text, and (a)(2)(iii) introductory text;

■ b. Removing paragraphs (a)(2)(v) and (vi);

■ c. Reinstating paragraphs (b)(2) and (3); and

■ d. Removing paragraphs (b)(5) and (6).

The reinstated provisions read as follows:

§ 429.39 Battery chargers.

(a) * * *

(1) *Represented values* include: The unit energy consumption (UEC) in kilowatt-hours per year (kWh/yr), battery discharge energy (E_{batt}) in watt hours (Wh), 24-hour energy consumption (E_{24}) in watt hours (Wh), maintenance mode power (P_m) in watts (W), standby mode power (P_{sb}) in watts (W), off mode power (P_{off}) in watts (W), and duration of the charge and maintenance mode test (t_{cd}) in hours (hrs) for all battery chargers other than uninterruptible power supplies (UPSs); and average load adjusted efficiency (Eff_{avg}) for UPSs.

(2) * * *

(ii) For each basic model of battery chargers other than UPSs, a sample of sufficient size must be randomly selected and tested to ensure that the represented value of UEC is greater than or equal to the higher of:

* * * * *

(iii) For each basic model of battery chargers other than UPSs, using the sample from paragraph (a)(2)(ii) of this section, calculate the represented values of each metric (*i.e.,* maintenance mode power (P_m), standby power (P_{sb}), off mode power (P_{off}), battery discharge energy (E_{batt}), 24-hour energy consumption (E_{24}), and duration of the charge and maintenance mode test (t_{cd})), where the represented value of the metric is:

* * * * *

(b) * * *

(2) Pursuant to § 429.12(b)(13), a certification report must include the following product-specific information for all battery chargers other than UPSs: The nameplate battery voltage of the test battery in volts (V), the nameplate battery charge capacity of the test battery in ampere-hours (Ah), and the nameplate battery energy capacity of the test battery in watt-hours (Wh). A certification report must also include the represented values, as determined in paragraph (a) of this section for the maintenance mode power (P_m), standby mode power (P_{sb}), off mode power (P_{off}), battery discharge energy (E_{batt}), 24-hour energy consumption (E_{24}), duration of the charge and maintenance mode test (t_{cd}), and unit energy consumption (UEC).

(3) Pursuant to § 429.12(b)(13), a certification report must include the following product-specific information for all battery chargers other than UPSs: The manufacturer and model of the test

battery, and the manufacturer and model, when applicable, of the external power supply.

* * * * *

■ 12. Amend § 429.43 by:

■ a. Reinstating the section heading and paragraphs (b)(2)(v), (vi), and (ix);

■ b. Removing paragraphs (b)(2)(xi) and (b)(3)(iii);

■ c. Reinstating paragraphs (b)(4)(vi) through (viii); and

■ d. Removing paragraphs (b)(4)(x) and (b)(6).

The reinstated provisions read as follows:

§ 429.43 Commercial heating, ventilating, air conditioning (HVAC) equipment (excluding air-cooled, three-phase, small commercial package air conditioning and heating equipment with a cooling capacity of less than 65,000 British thermal units per hour and air-cooled, three-phase, variable refrigerant flow multi-split air conditioners and heat pumps with less than 65,000 British thermal units per hour cooling capacity).

* * * * *

(b) * * *

(2) * * *

(v) Single package vertical air conditioners: The energy efficiency ratio (EER in British thermal units per Watt-hour (Btu/Wh)) and the rated cooling capacity in British thermal units per hour (Btu/h).

(vi) Single package vertical heat pumps: The energy efficiency ratio (EER in British thermal units per Watt-hour (Btu/Wh)), the coefficient of performance (COP), and the rated cooling capacity in British thermal units per hour (Btu/h).

* * * * *

(ix) Computer room air-conditioners: The net sensible cooling capacity in British thermal units per hour (Btu/h), the net cooling capacity in British thermal units per hour (Btu/h), the configuration (upflow/downflow), economizer presence (yes or no), condenser medium (air, water, or glycol-cooled), sensible coefficient of performance (SCOP), and rated airflow in standard cubic feet per minute (SCFM).

* * * * *

(4) * * *

(vi) Single package vertical air-conditioners: Any additional testing instructions, if applicable; if a variety of motors/drive kits are offered for sale as options in the basic model to account for varying installation requirements, the model number and specifications of the motor (to include efficiency, horsepower, open/closed, and number of poles) and the drive kit, including settings, associated with that specific motor that were used to determine the certified rating; and which, if any, special features were included in rating the basic model.

(vii) Single package vertical heat pumps: Any additional testing instructions, if applicable; if a variety of motors/drive kits are offered for sale as options in the basic model to account for varying installation requirements, the model number and specifications of the motor (to include efficiency, horsepower, open/closed, and number of poles) and the drive kit, including settings, associated with that specific motor that were used to determine the certified rating; and which, if any, special features were included in rating the basic model.

(viii) Computer room air-conditioners: Any additional testing instructions, if applicable; and which, if any, special features were included in rating the basic model.

* * * * *

■ 13. Amend § 429.44 by reinstating paragraph (c)(2) to read as follows:

§ 429.44 Commercial water heating equipment.

* * * * *

(c) * * *

(2) Pursuant to § 429.12(b)(13), a certification report must include the following public equipment-specific information:

(i) *Commercial electric storage water heaters with storage capacity less than or equal to 140 gallons:* The standby loss in percent per hour (%/h) and the measured storage volume in gallons (gal).

(ii) *Commercial gas-fired and oil-fired storage water heaters with storage capacity less than or equal to 140 gallons:* The thermal efficiency in percent (%), the standby loss in British thermal units per hour (Btu/h), the rated storage volume in gallons (gal), and the rated input in British thermal units per hour (Btu/h).

(iii) *Commercial water heaters and hot water supply boilers with storage capacity greater than 140 gallons:* The thermal efficiency in percent (%); whether the storage volume is greater than 140 gallons (Yes/No); whether the tank surface area is insulated with at least R–12.5 (Yes/No); whether a standing pilot light is used (Yes/No); for gas or oil-fired water heaters, whether the basic model has a fire damper or fan-assisted combustion (Yes/No); and, if applicable, pursuant to § 431.110 of this chapter, the standby loss in British thermal units per hour (Btu/h); the measured storage volume in gallons (gal); and the rated input in British thermal units per hour (Btu/h).

(iv) *Commercial gas-fired and oil-fired instantaneous water heaters with storage capacity greater than or equal to 10 gallons and gas-fired and oil-fired hot water supply boilers with storage capacity greater than or equal to 10 gallons:* The thermal efficiency in percent (%); the standby loss in British thermal units per hour (Btu/h); the rated storage volume in gallons (gal); the rated input in British thermal units per hour (Btu/h); whether the water heater includes a storage tank with a storage volume greater than or equal to 10 gallons (Yes/No). For equipment that does not meet the definition of storage-type instantaneous water heaters (as set forth in 10 CFR 431.102), in addition to the requirements discussed previously in this paragraph (c)(2)(iv), the following must also be included in the certification report: whether the measured storage volume is determined using weight-based test in accordance with § 431.106 of this chapter or the calculation-based method in accordance with § 429.72; whether the water heater will initiate main burner operation based on a temperature-controlled call for heating that is internal to the water heater (Yes/No); whether the water heater is equipped with an integral pump purge functionality (Yes/No); if the water heater is equipped with integral pump purge, the default duration of the pump off delay (minutes).

(v) *Commercial gas-fired and oil-fired instantaneous water heaters with storage capacity less than 10 gallons and gas-fired and oil-fired hot water supply boilers with storage capacity less than 10 gallons:* The thermal efficiency in percent (%); the rated storage volume in gallons (gal), the rated input in British thermal units per hour (Btu/h); and whether the measured storage volume is determined using weight-based test in accordance with § 431.106 of this chapter or the calculation-based method in accordance with § 429.72.

(vi) *Commercial unfired hot water storage tanks:* The thermal insulation (*i.e.,* R-value) and stored volume in gallons (gal).

* * * * *

■ 14. Amend § 429.45 by removing paragraph (b)(3) and reinstating paragraph (b)(2) to read as follows:

§ 429.45 Automatic commercial ice makers.

* * * * *

(b) * * *

(2) Pursuant to § 429.12(b)(13), a certification report shall include the following public product-specific information: The maximum energy use in kilowatt hours per 100 pounds of ice

(kWh/100 lb ice), the maximum condenser water use in gallons per 100 pounds of ice (gal/100 lbs. ice), the harvest rate in pounds of ice per 24 hours (lbs. ice/24 hours), the type of cooling, and the equipment type.

■ 15. Amend § 429.53 by reinstating paragraph (b) to read as follows:

§ 429.53 Walk-in coolers and walk-in freezers.

* * * * *

(b) *Certification reports.* (1) The requirements of § 429.12 apply to manufacturers of walk-in cooler and walk-in freezer panels, doors, and refrigeration systems, and;

(2) Pursuant to § 429.12(b)(13), a certification report must include the following public product-specific information:

(i) For doors: The door type, R-value of the door insulation, and a declaration that the manufacturer has incorporated the applicable design requirements. In addition, for those walk-in coolers and walk-in freezers with transparent reach-in doors and windows, the glass type of the doors and windows (*e.g.,* double-pane with heat reflective treatment, triple-pane glass with gas fill), and the power draw of the anti-sweat heater in watts per square foot of door opening must also be included.

(ii) For walk-in cooler and walk-in freezer panels: The R-value of the insulation.

(iii) For walk-in cooler and walk-in freezer refrigeration systems: The installed motor's functional purpose (*i.e.,* evaporator fan motor or condenser fan motor), its rated horsepower, and a declaration that the manufacturer has incorporated the applicable walk-in-specific design requirements into the motor;

(3) Pursuant to § 429.12(b)(13), starting on June 5, 2017, a certification report must include the following public product-specific information in addition to the information listed in paragraph (b)(2) of this section:

(i) For walk-in cooler and walk-in freezer doors: The door energy consumption and rated surface area in square feet.

(ii) For refrigeration systems that are medium-temperature dedicated condensing units, medium-temperature single-package dedicated systems, or medium-temperature matched systems: The refrigeration system AWEF, net capacity, the configuration tested for certification (*e.g.,* condensing unit only, unit cooler only, single-package dedicated system, or matched-pair), and if an indoor dedicated condensing unit is also certified as an outdoor dedicated condensing unit and, if so, the basic model number for the outdoor dedicated condensing unit.

(4) Pursuant to § 429.12(b)(13), starting on June 5, 2017, a certification report must include the following product-specific information in addition to the information listed in paragraphs (b)(2) and (3) of this section:

(i) For walk-in cooler and walk-in freezer doors: the rated power of each light, heater wire, and/or other electricity-consuming device associated with each basic model of display and non-display door; and whether such device(s) has a timer, control system, or other demand-based control reducing the device's power consumption.

(5) When certifying compliance to the AWEF refrigeration standards for WICF refrigeration systems except those specified in (b)(3)(ii) of this section, a certification report must include the following public product-specific information in addition to the information listed in paragraph (b)(2) of this section: For refrigeration systems that are low-temperature dedicated condensing units, low-temperature matched systems, low-temperature single-package dedicated systems, or medium and low-temperature unit coolers: The refrigeration system AWEF, net capacity, the configuration tested for certification (*e.g.,* condensing unit only, unit cooler only, single-package dedicated system, or matched-pair), and if an indoor dedicated condensing unit is also certified as an outdoor dedicated condensing unit and, if so, the basic model number for the outdoor dedicated condensing unit.

■ 16. Amend § 429.59 by reinstating paragraphs (b)(2)(i) through (iii) to read as follows:

§ 429.59 Pumps.

* * * * *

(b) * * *

(2) * * *

(i) For a pump subject to the test methods prescribed in section III of appendix A to subpart Y of part 431 of this chapter: PEI_{CL}; pump total head in feet (ft.) at BEP and nominal speed; volume per unit time (flow rate) in gallons per minute (gpm) at BEP and nominal speed; the nominal speed of rotation in revolutions per minute (rpm); calculated driver power input at each load point i (P^{in}_i), corrected to nominal speed, in horsepower (hp); full impeller diameter in inches (in.); and for RSV and ST pumps, the number of stages tested.

(ii) For a pump subject to the test methods prescribed in section IV or V of appendix A to subpart Y of part 431 of this chapter: PEI_{CL}; pump total head in feet (ft.) at BEP and nominal speed; volume per unit time (flow rate) in gallons per minute (gpm) at BEP and nominal speed; the nominal speed of rotation in revolutions per minute (rpm); driver power input at each load point i (P^{in}_i), corrected to nominal speed, in horsepower (hp); full impeller diameter in inches (in.); whether the PEI_{CL} is calculated or tested; and for RSV and ST pumps, number of stages tested.

(iii) For a pump subject to the test methods prescribed in section VI or VII of appendix A to subpart Y of part 431 of this chapter: PEI_{VL}; pump total head in feet (ft.) at BEP and nominal speed; volume per unit time (flow rate) in gallons per minute (gpm) at BEP and nominal speed; the nominal speed of rotation in revolutions per minute (rpm); driver power input (measured as the input power to the driver and controls) at each load point i (P^{in}_i), corrected to nominal speed, in horsepower (hp); full impeller diameter in inches (in.); whether the PEI_{VL} is calculated or tested; and for RSV and ST pumps, the number of stages tested.

* * * * *

■ 17. Amend § 429.62 by removing paragraph (b)(3) and reinstating paragraphs (a)(5) and (b)(2) to read as follows:

§ 429.62 Portable air conditioners.

(a) * * *

(5) The represented value of combined energy efficiency ratio or annualized energy efficiency ratio of a basic model must be rounded to the nearest 0.1 Btu/Wh.

* * * * *

(b) * * *

(2) Pursuant to § 429.12(b)(13), a certification report shall include the following public product-specific information: The combined energy efficiency ratio (CEER in British thermal units per Watt-hour (Btu/Wh), the seasonally adjusted cooling capacity in British thermal units per hour (Btu/h), the duct configuration (single-duct, dual-duct, or ability to operate in both duct configurations), presence of heating function, and primary condensate removal feature (auto-evaporation, gravity drain, removable internal collection bucket, or condensate pump).

§ 429.65 [Amended]

■ 18. Amend § 429.65 by removing paragraphs (e) and (f).

■ 19. Amend § 429.67 by removing paragraph (f)(4) and by reinstating paragraphs (c)(2)(ii)(A)(*2*), (f)(2), and (f)(3)(i) and (ii) to read as follows:

§ 429.67 Air-cooled, three-phase, small commercial package air conditioning and heating equipment with a cooling capacity of less than 65,000 British thermal units per hour and air-cooled, three-phase, variable refrigerant flow multi-split air conditioners and heat pumps with a cooling capacity of less than 65,000 British thermal units per hour.

* * * * *

(c) * * *

(2) * * *

(ii) * * *

(A) * * *

(*2*) The lower 90 percent confidence limit (LCL) of the true mean divided by 0.95, where:

$$LCL = \bar{x} - t_{.90}\left(\frac{s}{\sqrt{n}}\right)$$

And $\bar{x}$ is the sample mean; *s* is the sample standard deviation; *n* is the number of samples; and $t_{0.90}$ is the t statistic for a 90 percent one-tailed confidence interval with n − 1 degrees of freedom (from appendix D to this subpart).

* * * * *

(f) * * *

(2) Pursuant to § 429.12(b)(13), for each individual model (for single-package systems) or individual combination (for split-systems, including outdoor units with no match and ''tested combinations'' for multi-split, multi-circuit, and multi-head mini-split systems), a certification report must include the following public equipment-specific information:

(i) *Commercial package air conditioning equipment that is air-cooled with a cooling capacity of less than 65,000 Btu/h (3-Phase):* The seasonal energy efficiency ratio (SEER in British thermal units per Watt-hour (Btu/Wh)), and the rated cooling capacity in British thermal units per hour (Btu/h).

(ii) *Commercial package heating equipment that is air-cooled with a cooling capacity of less than 65,000 Btu/h (3-Phase):* The seasonal energy efficiency ratio (SEER in British thermal units per Watt-hour (Btu/Wh)), the heating seasonal performance factor (HSPF in British thermal units per Watt-hour (Btu/Wh)), and the rated cooling capacity in British thermal units per hour (Btu/h).

(iii) *Variable refrigerant flow multi-split air conditioners that are air-cooled with rated cooling capacity of less than 65,000 Btu/h (3-Phase):* The seasonal energy efficiency ratio (SEER in British thermal units per Watt-hour (Btu/Wh)) and rated cooling capacity in British thermal units per hour (Btu/h).

(iv) *Variable refrigerant flow multi-split heat pumps that are air-cooled with rated cooling capacity of less than 65,000 Btu/h (3-Phase):* The seasonal energy efficiency ratio (SEER) in British thermal units per Watt-hour (Btu/Wh), the heating seasonal performance factor (HSPF) in British thermal units per Watt-hour (Btu/Wh), and rated cooling capacity in British thermal units per hour (Btu/h).

(3) * * *

(i) Air cooled commercial package air conditioning equipment with a cooling capacity of less than 65,000 Btu/h (3-phase): The nominal cooling capacity in British thermal units per hour (Btu/h); rated airflow in standard cubic feet per minute (SCFM) for each fan coil; rated static pressure in inches of water; refrigeration charging instructions (*e.g.,* refrigerant charge, superheat and/or subcooling temperatures); frequency or control set points for variable-speed components (*e.g.,* compressors, VFDs); required dip switch/control settings for step or variable components; a statement whether the model will operate at test conditions without manufacturer programming; any additional testing instructions, if applicable; if a variety of motors/drive kits are offered for sale as options in the basic model to account for varying installation requirements, the model number and specifications of the motor (to include efficiency, horsepower, open/closed, and number of poles) and the drive kit, including settings, associated with that specific motor that were used to determine the certified rating; and which, if any, special features were included in rating the basic model.

(ii) Commercial package heating equipment that is air-cooled with a cooling capacity of less than 65,000 Btu/h (3-phase): The nominal cooling capacity in British thermal units per hour (Btu/h); rated heating capacity in British thermal units per hour (Btu/h); rated airflow in standard cubic feet per minute (SCFM) for each fan coil; rated static pressure in inches of water; refrigeration charging instructions (*e.g.,* refrigerant charge, superheat and/or subcooling temperatures); frequency or control set points for variable-speed components (*e.g.,* compressors, VFDs); required dip switch/control settings for step or variable components; a statement whether the model will operate at test conditions without manufacturer programming; any additional testing instructions, if applicable; if a variety of motors/drive kits are offered for sale as options in the basic model to account for varying installation requirements, the model number and specifications of the motor (to include efficiency, horsepower, open/closed, and number of poles) and the drive kit, including settings, associated with that specific motor that were used to determine the certified rating; and which, if any, special features were included in rating the basic model.

* * * * *

■ 20. Amend § 429.68 by reinstating paragraph (a)(2)(ii) introductory text and removing and reserving paragraph (b) to read as follows:

§ 429.68 Air cleaners.

(a) * * *

(2) * * *

(ii) Any represented value of the integrated energy factor or other measure of energy consumption of a basic mode for which consumers would favor higher values shall be less than or equal to the high:

* * * * *

(b) [Reserved]

■ 21. Amend § 429.70 by reinstating table 2 to paragraph (c)(5)(vi)(B) to read as follows:

§ 429.70 Alternative methods for determining energy efficiency and energy use.

* * * * *

(c) * * *

(5) * * *

(vi) * * *

(B) * * *

TABLE 2 TO PARAGRAPH (c)(5)(vi)(B)

Equipment	Metric	Applicable tolerance
Commercial Packaged Boilers	Combustion Efficiency	5% (0.05)
	Thermal Efficiency	5% (0.05)
Commercial Water Heaters or Hot Water Supply Boilers	Thermal Efficiency	5% (0.05)
	Standby Loss	10% (0.1)

TABLE 2 TO PARAGRAPH (c)(5)(vi)(B)—Continued

Equipment	Metric	Applicable tolerance
Unfired Storage Tanks	R-Value	10% (0.1)
Air-Cooled, Split and Packaged ACs and HPs Greater Than or Equal to 65,000 Btu/h Cooling Capacity and Less Than 760,000 Btu/h Cooling Capacity.	Energy Efficiency Ratio	5% (0.05)
	Energy Efficiency Ratio 2	5% (0.05)
	Coefficient of Performance	5% (0.05)
	Coefficient of Performance 2	5% (0.05)
	Integrated Energy Efficiency Ratio	10% (0.1)
	Integrated Ventilation, Economizing, and Cooling	10% (0.1)
	Integrated Ventilation and Heating Efficiency	10% (0.1)
Water-Cooled, Split and Packaged ACs, All Cooling Capacities	Energy Efficiency Ratio	5% (0.05)
	Energy Efficiency Ratio 2	5% (0.05)
	Integrated Energy Efficiency Ratio	10% (0.1)
	Integrated Ventilation, Economizing, and Cooling	10% (0.1)
Evaporatively-Cooled, Split and Packaged ACs, All Capacities	Energy Efficiency Ratio	5% (0.05)
	Energy Efficiency Ratio 2	5% (0.05)
	Integrated Energy Efficiency Ratio	10% (0.1)
	Integrated Ventilation, Economizing, and Cooling	10% (0.1)
Water-Source HPs, All Capacities	Energy Efficiency Ratio	5% (0.05)
	Coefficient of Performance	5% (0.05)
	Integrated Energy Efficiency Ratio	10% (0.1)
Single Package Vertical ACs and HPs	Energy Efficiency Ratio	5% (0.05)
	Coefficient of Performance	5% (0.05)
Packaged Terminal ACs and HPs	Energy Efficiency Ratio	5% (0.05)
	Coefficient of Performance	5% (0.05)
Variable Refrigerant Flow ACs and HPs (Excluding Air-Cooled, Three-phase with Less Than 65,000 Btu/h Cooling Capacity).	Energy Efficiency Ratio	5% (0.05)
	Coefficient of Performance	5% (0.05)
	Integrated Energy Efficiency Ratio	10% (0.1)
Computer Room Air Conditioners	Sensible Coefficient of Performance	5% (0.05)
Direct Expansion-Dedicated Outdoor Air Systems	Integrated Seasonal Coefficient of Performance 2	10% (0.1)
	Integrated Seasonal Moisture Removal Efficiency 2	10% (0.1)
Commercial Warm-Air Furnaces	Thermal Efficiency	5% (0.05)
Commercial Refrigeration Equipment	Daily Energy Consumption	5% (0.05)

* * * * *

■ 22. Amend § 429.72 by reinstating paragraph (e) to read as follows:

§ 429.72 Alternative methods for determining non-energy ratings.

* * * * *

(e) *Commercial gas-fired and oil-fired instantaneous water heaters and hot water supply boilers.* The storage volume of a commercial gas-fired or oil-fired instantaneous water heater or a commercial gas-fired or oil-fired hot water supply boiler basic model may be determined by performing a calculation of the stored water volume based upon design drawings (including computer-aided design (CAD) models) or physical dimensions of the basic model. Any value of storage volume of a basic model reported to DOE in a certification of compliance in accordance with § 429.44(c)(2)(iv) and (v) must be calculated using the design drawings or physical dimensions, or measured as per the applicable provisions in the test procedures in 10 CFR 431.106. The storage volume determination must include all water contained within the water heater from the inlet connection to the outlet connection(s). The storage volume of water contained in the water heater must then be computed in gallons.

* * * * *

§ 429.134 [Amended]

■ 23. Amend § 429.134 by removing paragraph (q)(5).

PART 431—ENERGY EFFICIENCY PROGRAM FOR CERTAIN COMMERCIAL AND INDUSTRIAL EQUIPMENT

■ 24. The authority citation for part 431 continues to read as follows:

Authority: 42 U.S.C. 6291–6317; 28 U.S.C. 2461 note.

■ 25. Amend § 431.2 by reinstating the definition of ''Covered equipment'' to read as follows:

§ 431.2 Definitions.

* * * * *

Covered equipment means any electric motor, as defined in § 431.12; commercial heating, ventilating, and air conditioning, and water heating product (HVAC & WH product), as defined in § 431.172; commercial refrigerator, freezer, or refrigerator-freezer, as defined in § 431.62; automatic commercial ice maker, as defined in § 431.132; commercial clothes washer, as defined in § 431.152; distribution transformer, as defined in § 431.192; illuminated exit sign, as defined in § 431.202; traffic signal module or pedestrian module, as defined in § 431.222; unit heater, as defined in § 431.242; commercial prerinse spray valve, as defined in § 431.262; mercury vapor lamp ballast, as defined in § 431.282; refrigerated bottled or canned beverage vending machine, as defined in § 431.292; walk-in cooler and walk-in freezer, as defined in § 431.302; metal halide ballast and metal halide lamp fixture, as defined in § 431.322.

* * * * *

■ 26. Amend § 431.305 by reinstating paragraphs (a)(1) and (b)(1) to read as follows:

§ 431.305 Walk-in cooler and walk-in freezer labeling requirements.

(a) * * *

(1) *Required information.* The permanent nameplate of a walk-in cooler or walk-in freezer panel for which standards are prescribed in § 431.306 must be marked clearly with the following information:

(i) The panel brand or manufacturer; and

(ii) One of the following statements, as appropriate:

(A) ''This panel is designed and certified for use in walk-in cooler applications.''

(B) ''This panel is designed and certified for use in walk-in freezer applications.''

(C) ''This panel is designed and certified for use in walk-in cooler and walk-in freezer applications.''

* * * * *

(b) * * *

(1) *Required information.* The permanent nameplate of a walk-in cooler or walk-in freezer door for which standards are prescribed in § 431.306 must be marked clearly with the following information:

(i) The door brand or manufacturer; and

(ii) One of the following statements, as appropriate:

(A) ''This door is designed and certified for use in walk-in cooler applications.''

(B) ''This door is designed and certified for use in walk-in freezer applications.''

(C) ''This door is designed and certified for use in walk-in cooler and walk-in freezer applications.''

* * * * *

[FR Doc. 2025–17262 Filed 9–8–25; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 97

[Docket No. 31622; Amdt. No. 4181]

Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This rule establishes, amends, suspends, or removes Standard Instrument Approach Procedures (SIAPS) and associated Takeoff Minimums and Obstacle Departure procedures (ODPs) for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, adding new obstacles, or changing air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATES: This rule is effective September 9, 2025. The compliance date for each SIAP, associated Takeoff Minimums, and ODP is specified in the amendatory provisions. The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of September 9, 2025.

ADDRESSES: Availability of matters incorporated by reference in the amendment is as follows:

For Examination

U.S. Department of Transportation, Docket Ops-M30. 1200 New Jersey Avenue SE, West Bldg., Ground Floor, Washington, DC 20590–0001.

2. The FAA Air Traffic Organization Service Area in which the affected airport is located;

3. The office of Aeronautical Information Services, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 or,

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

Availability

All SIAPs and Takeoff Minimums and ODPs are available online free of charge. Visit the National Flight Data Center at *nfdc.faa.gov* to register. Additionally, individual SIAP and Takeoff Minimums and ODP copies may be obtained from the FAA Air Traffic Organization Service Area in which the affected airport is located.

FOR FURTHER INFORMATION CONTACT: Gary W. Petty, Manager, Flight Procedures and Airspace Group, Flight Technologies and Procedures Division, Office of Safety Standards, Flight Standards Service, Aviation Safety, Federal Aviation Administration. Mailing Address: FAA Mike Monroney Aeronautical Center, Flight Procedures and Airspace Group, 6500 South MacArthur Blvd., STB Annex, Bldg 26, Room 217, Oklahoma City, OK 73099. Telephone (405) 954–1139.

SUPPLEMENTARY INFORMATION: This rule amends 14 CFR part 97 by establishing, amending, suspending, or removes SIAPS, Takeoff Minimums and/or ODPS. The complete regulatory description of each SIAP and its associated Takeoff Minimums or ODP for an identified airport is listed on FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR part 51, and 14 CFR 97.20. The applicable FAA Forms are 8260–3, 8260–4, 8260–5, 8260–15A, 8260–15B, when required by an entry on 8260–15A, and 8260–15C.

The large number of SIAPs, Takeoff Minimums and ODPs, their complex nature, and the need for a special format make publication in the **Federal Register** expensive and impractical. Further, pilots do not use the regulatory text of the SIAPs, Takeoff Minimums or ODPs, but instead refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP, Takeoff Minimums and ODP listed on FAA form documents is unnecessary. This amendment provides the affected CFR sections and specifies the types of SIAPS, Takeoff Minimums and ODPs with their applicable effective dates. This amendment also identifies the airport and its location, the procedure, and the amendment number.

Availability and Summary of Material Incorporated by Reference

The material incorporated by reference is publicly available as listed in the **ADDRESSES** section.

The material incorporated by reference describes SIAPS, Takeoff Minimums and/or ODPs as identified in the amendatory language for part 97 of this final rule.

The Rule

This amendment to 14 CFR part 97 is effective upon publication of each separate SIAP, Takeoff Minimums and ODP as amended in the transmittal. Some SIAP and Takeoff Minimums and textual ODP amendments may have been issued previously by the FAA in a Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flights safety relating directly to published aeronautical charts.

The circumstances that created the need for some SIAP and Takeoff Minimums and ODP amendments may require making them effective in less than 30 days. For the remaining SIAPs and Takeoff Minimums and ODPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs and Takeoff Minimums and ODPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these SIAPs and Takeoff Minimums and ODPs, the TERPS criteria were applied to the conditions existing or anticipated at the affected airports. Because of the close and immediate relationship between these SIAPs, Takeoff Minimums and ODPs, and safety in air commerce, I find that notice and public procedure under 5 U.S.C. 553(b) are impracticable and contrary to the public interest and, where applicable, under 5 U.S.C. 553(d), good cause exists for making some SIAPs effective in less than 30 days.

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. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Lists of Subjects in 14 CFR Part 97

Air Traffic Control, Airports, Incorporation by reference, Navigation (Air). Issued in Washington, DC on August 29, 2025.

Gary W. Petty,

Aviation Safety, Flight Standards Service Manager (Acting), Standards Section, Flight Procedures & Airspace Group, Flight Technologies & Procedures Division, Federal Aviation Administration.

ADOPTION OF THE AMENDMENT

Accordingly, pursuant to the authority delegated to me, 14 CFR part 97 is amended by establishing, amending, suspending, or removing Standard Instrument Approach Procedures and/or Takeoff Minimums and Obstacle Departure Procedures effective at 0901 UTC on the dates specified, as follows:

PART 97–STANDARD INSTRUMENT APPROACH PROCEDURES

■ 1. The authority citation for part 97 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44701, 44719, 44721–44722.

■ 2. Part 97 is amended to read as follows:

Effective 2 October 2025

Atqasuk, AK, ATK/PATQ, RNAV (GPS) RWY 7, Amdt 3
Atqasuk, AK, ATK/PATQ, RNAV (GPS) RWY 25, Amdt 3
Miami, FL, MIA, RNAV (RNP) Y RWY 12, Orig-C
Charles City, IA, KCCY, Takeoff Minimums and Obstacle DP, Orig-A
St Louis, MO, STL, TACAN RWY 12R, Amdt 2
St Louis, MO, STL, TACAN RWY 30L, Amdt 2
Athens/Albany, OH, UNI, ILS OR LOC RWY 25, Amdt 3
Bucyrus, OH, 17G, VOR RWY 22, Amdt 5A, CANCELED
Caldwell, OH, I10, RNAV (GPS) RWY 23, Amdt 1A
Galion, OH, GQQ, RNAV (GPS) RWY 5, Amdt 1
Galion, OH, GQQ, VOR RWY 23, Amdt 13C, CANCELED
Mansfield, OH, MFD, ILS OR LOC RWY 32, Amdt 18
Mansfield, OH, MFD, NDB RWY 32, Amdt 12
Mansfield, OH, MFD, VOR RWY 14, Amdt 16A, CANCELED
Mansfield, OH, MFD, VOR RWY 32, Amdt 7B, CANCELED
Marion, OH, MNN, RNAV (GPS) RWY 25, Amdt 1
Mount Vernon, OH, 4I3, RNAV (GPS) RWY 10, Amdt 1C
New Lexington, OH, I86, RNAV (GPS) RWY 26, Amdt 1
New Lexington, OH, I86, VOR/DME RWY 26, Amdt 2A, CANCELED
Shelby, OH, 12G, RNAV (GPS)-A, Orig
Shelby, OH, 12G, VOR-A, Amdt 5B, CANCELED
Van Wert, OH, VNW, RNAV (GPS) RWY 9, Amdt 1
Van Wert, OH, VNW, Takeoff Minimums and Obstacle DP, Amdt 4
Willard, OH, 8G1, RNAV (GPS)-A, Amdt 1
Zanesville, OH, ZZV, ILS OR LOC RWY 22, Amdt 3
Nashville, TN, BNA, ILS OR LOC RWY 2C, Amdt 3
Nashville, TN, BNA, ILS OR LOC RWY 2L, ILS RWY 2L (SA CAT I), ILS RWY 2L (CAT II), ILS RWY 2L (CAT III), Amdt 12
Nashville, TN, BNA, ILS OR LOC RWY 2R, ILS RWY 2R (SA CAT I), ILS RWY 2R (CAT II), ILS RWY 2R (CAT III), Amdt 9
Nashville, TN, BNA, ILS OR LOC RWY 20L, Amdt 7
Nashville, TN, BNA, ILS OR LOC RWY 20R, Amdt 12
Nashville, TN, BNA, ILS OR LOC RWY 31, Amdt 11
Nashville, TN, BNA, RNAV (GPS) Y RWY 2C, Amdt 3
Nashville, TN, BNA, RNAV (GPS) Y RWY 2L, Amdt 4
Nashville, TN, BNA, RNAV (GPS) Y RWY 2R, Amdt 3
Nashville, TN, BNA, RNAV (GPS) Y RWY 20L, Amdt 3
Nashville, TN, BNA, RNAV (GPS) Y RWY 20R, Amdt 4
Nashville, TN, BNA, RNAV (GPS) Y RWY 31, Amdt 3
Nashville, TN, BNA, RNAV (RNP) Z RWY 2C, Amdt 3
Nashville, TN, BNA, RNAV (RNP) Z RWY 2L, Amdt 3
Nashville, TN, BNA, RNAV (RNP) Z RWY 2R, Amdt 3
Nashville, TN, BNA, RNAV (RNP) Z RWY 20L, Amdt 3
Nashville, TN, BNA, RNAV (RNP) Z RWY 20R, Amdt 3
Nashville, TN, BNA, RNAV (RNP) Z RWY 31, Amdt 2
Pasco, WA, PSC, PASCO ONE, Graphic DP
Pasco, WA, PSC, RNAV (GPS) Y RWY 12, Amdt 3
Pasco, WA, PSC, RNAV (GPS) Y RWY 30, Amdt 4
Pasco, WA, PSC, RNAV (RNP) Z RWY 12, Amdt 2
Pasco, WA, PSC, RNAV (RNP) Z RWY 30, Amdt 2
Pasco, WA, KPSC, Takeoff Minimums and Obstacle DP, Amdt 9
Pasco, WA, PSC, VOR RWY 30, Amdt 6
Ravenswood, WV, I18, RNAV (GPS) RWY 22, Orig-C

[FR Doc. 2025–17305 Filed 9–8–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 97

[Docket No. 31623; Amdt. No. 4182]

Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This rule amends, suspends, or removes Standard Instrument Approach Procedures (SIAPs) and associated Takeoff Minimums and Obstacle Departure Procedures for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, adding new obstacles, or changing air traffic requirements. These changes are designed to provide for the safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATES: This rule is effective September 9, 2025. The compliance date for each SIAP, associated Takeoff Minimums, and ODP is specified in the amendatory provisions.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of September 9, 2025.

ADDRESSES: Availability of matter incorporated by reference in the amendment is as follows:

For Examination

U.S. Department of Transportation, Docket Ops–M30, 1200 New Jersey Avenue SE, West Bldg., Ground Floor, Washington, DC 20590–0001;

2. The FAA Air Traffic Organization Service Area in which the affected airport is located;

3. The office of Aeronautical Information Services, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 or,

4. The National Archives and Records Administration (NARA).

For information on the availability of this material at NARA, visit *www.archives.gov/federal-register/cfr/ibr-locations* or email *fr.inspection@nara.gov.*

Availability

All SIAPs and Takeoff Minimums and ODPs are available online free of charge. Visit the National Flight Data Center online at *nfdc.faa.gov* to register. Additionally, individual SIAP and Takeoff Minimums and ODP copies may be obtained from the FAA Air Traffic Organization Service Area in which the affected airport is located.

FOR FURTHER INFORMATION CONTACT: Gary W. Petty, Manager, Flight Procedures and Airspace Group, Flight Technologies and Procedures Division, Office of Safety Standards, Flight Standards Service, Aviation Safety, Federal Aviation Administration. Mailing Address: FAA Mike Monroney Aeronautical Center, Flight Procedures and Airspace Group, 6500 South MacArthur Blvd., STB Annex, Bldg 26, Room 217, Oklahoma City, OK 73099. Telephone (405) 954–1139.

SUPPLEMENTARY INFORMATION: This rule amends 14 CFR part 97 by amending the referenced SIAPs. The complete regulatory description of each SIAP is listed on the appropriate FAA Form 8260, as modified by the National Flight Data Center (NFDC)/Permanent Notice to Airmen (P–NOTAM), and is incorporated by reference under 5 U.S.C. 552(a), 1 CFR part 51, and 14 CFR 97.20. The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the **Federal Register** expensive and impractical. Further, pilots do not use the regulatory text of the SIAPs, but refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP contained on FAA form documents is unnecessary. This amendment provides the affected CFR sections, and specifies the SIAPs and Takeoff Minimums and ODPs with their applicable effective dates. This amendment also identifies the airport and its location, the procedure and the amendment number.

Availability and Summary of Material Incorporated by Reference

The material incorporated by reference is publicly available as listed in the **ADDRESSES** section.

The material incorporated by reference describes SIAPs, Takeoff Minimums and ODPs as identified in the amendatory language for part 97 of this final rule.

The Rule

This amendment to 14 CFR part 97 is effective upon publication of each separate SIAP and Takeoff Minimums and ODP as amended in the transmittal. For safety and timeliness of change considerations, this amendment incorporates only specific changes contained for each SIAP and Takeoff Minimums and ODP as modified by FDC permanent NOTAMs.

The SIAPs and Takeoff Minimums and ODPs, as modified by FDC permanent NOTAM, and contained in this amendment are based on criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these changes to SIAPs and Takeoff Minimums and ODPs, the TERPS criteria were applied only to specific conditions existing at the affected airports. All SIAP amendments in this rule have been previously issued by the FAA in a FDC NOTAM as an emergency action of immediate flight safety relating directly to published aeronautical charts.

The circumstances that created the need for these SIAP and Takeoff Minimums and ODP amendments require making them effective in less than 30 days.

Because of the close and immediate relationship between these SIAPs, Takeoff Minimums and ODPs, and safety in air commerce, I find that notice and public procedure under 5 U.S.C. 553(b) are impracticable and contrary to the public interest and, where applicable, under 5 U.S.C. 553(d), good cause exists for making these SIAPs effective in less than 30 days.

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. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 97

Air Traffic Control, Airports, Incorporation by reference, Navigation (Air).

Issued in Washington, DC on August 29, 2025.

Gary W. Petty,

Aviation Safety, Flight Standards Service Manager (Acting), Standards Section, Flight Procedures & Airspace Group, Flight Technologies & Procedures Division, Federal Aviation Administration.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, 14 CFR part 97 is amended by amending Standard Instrument Approach Procedures and Takeoff Minimums and ODPs, effective at 0901 UTC on the dates specified, as follows:

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

■ 1. The authority citation for part 97 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44701, 44719, 44721–44722.

■ 2. Part 97 is amended to read as follows:

By amending: § 97.23 VOR, VOR/DME, VOR or TACAN, and VOR/DME or TACAN; § 97.25 LOC, LOC/DME, LDA, LDA/DME, SDF, SDF/DME; § 97.27 NDB, NDB/DME; § 97.29 ILS, ILS/DME, MLS, MLS/DME, MLS/RNAV; § 97.31 RADAR SIAPs; § 97.33 RNAV SIAPs; and § 97.35 COPTER SIAPs, Identified as follows:

EFFECTIVE UPON PUBLICATION

AIRAC date	State	City	Airport	FDC No.	FDC date	Procedure name
2–Oct–25	WI	Racine	Batten Intl	5/0168	8/5/2025	RNAV (GPS) RWY 22, Orig-B
2–Oct–25	AK	Point Lay	Point Lay Lrrs	5/0938	8/11/2025	RNAV (GPS) RWY 24, Amdt 2
2–Oct–25	AK	Kodiak	Kodiak	5/3010	8/11/2025	ILS Y OR LOC Y RWY 26, Amdt 4
2–Oct–25	PA	Philadelphia	Philadelphia Intl	5/3207	6/24/2025	RNAV (GPS) RWY 35, Amdt 5
2–Oct–25	PA	Philadelphia	Philadelphia Intl	5/3209	6/24/2025	RNAV (GPS) RWY 27L, Amdt 4
2–Oct–25	PA	Philadelphia	Philadelphia Intl	5/3210	6/24/2025	RNAV (GPS) RWY 26, Amdt 1D
2–Oct–25	PA	Philadelphia	Philadelphia Intl	5/3211	6/24/2025	RNAV (GPS) RWY 17, Amdt 3D
2–Oct–25	PA	Philadelphia	Philadelphia Intl	5/3212	6/24/2025	ILS OR LOC RWY 26, Amdt 4D
2–Oct–25	PA	Philadelphia	Philadelphia Intl	5/3213	6/24/2025	ILS V RWY 17 (CONVERGING), Amdt 8
2–Oct–25	PA	Philadelphia	Philadelphia Intl	5/3214	6/24/2025	ILS V RWY 9R (CONVERGING), Amdt 7
2–Oct–25	PA	Philadelphia	Philadelphia Intl	5/3215	6/24/2025	ILS OR LOC RWY 27R, ILS RWY 27R (SA CAT I AND II), Amdt 10I
2–Oct–25	PA	Philadelphia	Philadelphia Intl	5/3216	6/24/2025	ILS Z OR LOC RWY 17, Amdt 9
2–Oct–25	NY	Massena	Massena Intl-Richards Fld	5/3883	7/28/2025	RNAV (GPS) RWY 9, Amdt 2
2–Oct–25	NY	Massena	Massena Intl-Richards Fld	5/3884	7/28/2025	RNAV (GPS) RWY 27, Amdt 2
2–Oct–25	NY	Massena	Massena Intl-Richards Fld	5/4472	7/28/2025	RNAV (GPS) RWY 5, Amdt 2C
2–Oct–25	PA	Philadelphia	Philadelphia Intl	5/6295	6/24/2025	RNAV (GPS) RWY 27R, Amdt 1C
2–Oct–25	SC	Aiken	Aiken Rgnl	5/7077	5/8/2025	RNAV (GPS) RWY 7, Amdt 1E
2–Oct–25	SC	Aiken	Aiken Rgnl	5/7079	5/8/2025	ILS OR LOC/DME RWY 7, Orig-E
2–Oct–25	KY	Frankfort	Capital City	5/7707	5/8/2025	VOR RWY 25, Amdt 3D
2–Oct–25	IN	Gary/Chicago	Gary/Chicago Intl	5/8221	7/15/2025	RNAV (GPS) Y RWY 12, Amdt 3A
2–Oct–25	UT	Brigham City	Brigham City Rgnl	5/9869	8/21/2025	RNAV (GPS) RWY 35, Amdt 2C

[FR Doc. 2025–17306 Filed 9–8–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF STATE

22 CFR Part 126

[Public Notice: 12801]

RIN 1400–AG10

Amendment to the International Traffic in Arms Regulations: Prohibited Exports, Imports, and Sales To or From Certain Countries—Cyprus

AGENCY: Department of State.

ACTION: Final rule.

SUMMARY: The Department of State is amending the International Traffic in Arms Regulations to reflect current defense trade policy toward Cyprus.

DATES: This rule is effective on October 1, 2025.

FOR FURTHER INFORMATION CONTACT: Mr. Damon Smith, Foreign Affairs Officer, Office of Defense Trade Controls Policy, U.S. Department of State, telephone (202) 596–3616; email *DDTCCustomerService@state.gov.* ATTN: Regulatory Change, ITAR Section 126.1 Cyprus Country Policy Update.

SUPPLEMENTARY INFORMATION: The Department of State (the Department) amends section 126.1 of the International Traffic in Arms Regulations (ITAR) (22 CFR parts 120 through 130) to specify that the Republic of Cyprus' status as a proscribed destination is suspended from October 1, 2025, through September 30, 2026. This action continues the Department's current policy, which originally lifted the arms embargo to the Republic of Cyprus, under section 126.1 of the ITAR, on October 1, 2022.

Specifically, section 1250A(d) of the National Defense Authorization Act for Fiscal Year 2020 (Pub. L. 116–92) (2020 NDAA) and section 205(d) of the Eastern Mediterranean Security and Energy Partnership Act of 2019 (Pub. L. 116–94, Div. J.) (EMSEPA) provide that the policy of denial for exports, reexports, and transfers of defense articles on the United States Munitions List to the Republic of Cyprus shall remain in place unless the President determines and certifies to the appropriate congressional committees not less than annually that: (A) the Government of the Republic of Cyprus is continuing to cooperate with the United States Government in efforts to implement reforms on anti-money laundering regulations and financial regulatory oversight; and (B) the Government of the Republic of Cyprus has made and is continuing to take the steps necessary to deny Russian military vessels access to ports for refueling and servicing.

On April 14, 2020, the President delegated to the Secretary of State the functions and authorities vested by the 2020 NDAA and the EMSEPA (85 FR 35797, June 12, 2020). On July 7, 2025, utilizing these authorities, the Secretary of State certified to the appropriate congressional committees that the Republic of Cyprus meets the statutory requirements to remove the policy of denial for exports, reexports, and transfers of defense articles to the Republic of Cyprus for fiscal year 2026. The Secretary of State further approved the suspension of the policy of denial for exports, reexports, and transfers of defense articles and defense services to the Republic of Cyprus for fiscal year 2026. In conjunction with this action, the Secretary of State also suspended the policy of denial for retransfers and temporary imports destined for or originating in the Republic of Cyprus and brokering activities involving the Republic of Cyprus for fiscal year 2026.

As a result of this certification, certain exemptions to licensing requirements continue to be available for exports, reexports, retransfers, and temporary imports destined for or originating in the Republic of Cyprus and brokering activities involving the Republic of Cyprus, provided the conditions for use of those exemptions are met. Applications for licenses and other authorizations submitted to the Directorate of Defense Trade Controls involving the Republic of Cyprus and nationals of the Republic of Cyprus are subject to case-by-case review.

Regulatory Analysis and Notices

Administrative Procedure Act

This rulemaking involves a military or foreign affairs function of the United States under 5 U.S.C. 553(a). As the provisions of section 553 do not apply to this rulemaking, the Department is publishing this rule with a specified effective date and without a request for public comment.

Regulatory Flexibility Act

Since this rule is exempt from the notice-and-comment rulemaking provisions of 5 U.S.C. 553, it does not require analysis under the Regulatory Flexibility Act.

Unfunded Mandates Reform Act of 1995

This rulemaking does not involve a mandate that will result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of $100 million or more in any year and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

Congressional Review Act

It is the view of the Office of Information and Regulatory Affairs that this rulemaking is not a major rule under the criteria of 5 U.S.C. 804. This rule will not increase costs or prices and should have no adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises in domestic and export markets. The Department does not expect this rule to have an annual effect on the economy of $100 million or more.

Executive Orders 12372 and 13132

This rulemaking will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 13132, it is determined that this amendment does not have sufficient federalism implications to require consultations or warrant the preparation of a federalism summary impact statement. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities do not apply to this rulemaking.

Executive Orders 12866 and 13563

Executive Orders 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributed impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. Because the scope of this rule implements a governmental policy expanding defense trade with a country, and does not impose additional regulatory requirements or obligations, the Department believes costs associated with this rule will be minimal. This rule has been designated as a significant regulatory action by the Office of Information and Regulatory Affairs under Executive Order 12866, as amended.

Executive Order 14192

This rule is exempt from the requirements of Executive Order 14192 because it relates to a foreign affairs function of the United States.

Executive Order 12988

The Department of State has reviewed this rulemaking in light of Executive Order 12988 to eliminate ambiguity, minimize litigation, establish clear legal standards, and reduce burden.

Executive Order 13175

The Department of State has determined that this rulemaking will not have tribal implications, will not impose substantial direct compliance costs on Indian tribal governments, and will not preempt tribal law. Accordingly, the requirements of Executive Order 13175 do not apply to this rulemaking.

Paperwork Reduction Act

This rulemaking does not impose or revise any information collections subject to 44 U.S.C. Chapter 35.

List of Subjects in 22 CFR Part 126

Arms and munitions, Exports.

Accordingly, for the reasons set forth above, Title 22, Chapter I, Subchapter M, part 126 is amended as follows:

PART 126–GENERAL POLICIES AND PROVISIONS

■ 1. The authority citation for part 126 continues to read as follows:

Authority: 22 U.S.C. 287c, 2651a, 2752, 2753, 2776, 2778, 2779, 2779a, 2780, 2791, 2797, 10423; Sec. 1225, Pub. L. 108–375, 118 Stat. 2091; Sec. 7045, Pub. L. 112–74, 125 Stat. 1232; Sec. 1250A, Pub. L. 116–92, 133 Stat. 1665; Sec. 205, Pub. L. 116–94, 133 Stat. 3052; E.O. 13637, 78 FR 16129, 3 CFR, 2013 Comp., p. 223.

■ 2. Amend § 126.1 by revising paragraph (r)(2) to read as follows:

§ 126.1 Prohibited exports, imports, and sales to or from certain countries.

* * * * *

(r) * * *

(2) From October 1, 2025, through September 30, 2026, the policy of denial and the status of Cyprus as a proscribed destination is suspended.

* * * * *

Brent T. Christensen,

Senior Official, performing the functions of the Under Secretary, Arms Control and International Security, Department of State.

[FR Doc. 2025–17287 Filed 9–8–25; 8:45 am]

BILLING CODE 4710–25–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket Number USCG–2025–0528]

RIN 1625–AA08

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

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is revising its existing special local regulations by adding a new recurring event to an existing table. The Coast Guard is expanding a regulated area for one event and updating the dates of existing events in the Coast Guard Southeast District Sector St. Petersburg.

DATES: This rule is effective October 9, 2025.

ADDRESSES: To view documents go to *https://www.regulations.gov* and search for USCG–2025–0528.

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, call or email Lieutenant Ryan McNaughton, Sector St. Petersburg Prevention Department, U.S. Coast Guard; telephone 813–918–7270, email *ryan.a.mcnaughton@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

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

II. Background Information, Authority, and Regulatory History

The Coast Guard is revising its recurring marine events in the geographic boundaries of the Coast Guard Southeast District Captain of the Port (COTP) St. Petersburg Zone listed in 33 CFR 100.703, table 1 to § 100.703. Under the authority in 46 U.S.C. 70041, the COTP is issuing this rule, which is needed to keep the public is informed of the most up to date recurring special local regulations. The previous list under § 100.703, Table 1 to § 100.703 required changes to three existing special local regulations and the addition of one new special local regulation. In response, on July 21, 2025, the Coast Guard published a notice of proposed rulemaking (NPRM) titled Special Local Regulations; Recurring Marine Events; Sector St. Petersburg (90 FR 34200). There we stated why we issued the NPRM and invited comments on our proposed regulatory action related to the revisions of the special local regulations. During the comment period that ended August 20, 2025, we received 1 comment.

III. Discussion of Comments, Changes, and the Rule

As noted above, we received 1 comment on our NPRM published July 21, 2025. The comment was in favor of the changes. There are no changes in the regulatory text of this rule from the proposed rule in the NPRM. This rule is revising its existing special local regulations by adding a new recurring event to an existing table. The Coast Guard is expanding a regulated area for one event and updating the dates of existing events in the Coast Guard Southeast District Sector St. Petersburg. This action is necessary to provide for the safety of life on these navigable waters.

IV. Regulatory Analyses

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

A. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard received no comments from the Small Business Administration on this rulemaking.

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities for the following reasons. Vessel traffic will be able to safely transit around the special local regulations which will impact a limited size and duration and usually will not affect high vessel traffic areas. Moreover, the Coast Guard will issue a local maritime community by Local Notice to Mariners, Broadcast Notice to Mariners via VHF–FM marine channel 16, and the rule would allow vessels to seek permission to enter the regulated area.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), if this rule will affect your small business, organization, or governmental jurisdiction and you have questions, contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Small businesses may send comments to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards by calling 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

B. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

C. Federalism and Indian Tribal Governments

We have analyzed this rule under Executive Order 13132, Federalism, and have determined that it is consistent with the fundamental federalism principles and preemption requirements in that Order.

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

D. Unfunded Mandates Reform Act

As required by The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538), the Coast Guard certifies that this rule will not result in an annual expenditure of $100,000,000 or more (adjusted for inflation) by a State, local, or tribal government, in the aggregate, or by the private sector.

E. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment.

This rule is administrative in nature and updates the table to include a new event and change the dates on others. It is categorically excluded from further review under paragraph L61 of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1.

List of Subjects in 33 CFR Part 100

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

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

PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

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

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

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

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

* * * * *

TABLE 1 TO § 100.703—SPECIAL LOCAL REGULATIONS; RECURRING MARINE EVENTS, SECTOR ST. PETERSBURG

Date/time	Event/sponsor	Location	Regulated area
1. One Saturday in January Time (Approximate): 11:30 a.m. to 2 p.m.	Gasparilla Invasion and Parade/ Ye Mystic Krewe of Gasparilla.	Tampa, Florida	*Location:* A regulated area is established consisting of the following waters of Hillsborough Bay and its tributaries north of 27°51′18″ N and south of the John F. Kennedy Bridge: Hillsborough Cut ''D'' Channel, Seddon Channel, Sparkman Channel and the Hillsborough River south of the John F. Kennedy Bridge. *Additional Regulation:*

TABLE 1 TO § 100.703—SPECIAL LOCAL REGULATIONS; RECURRING MARINE EVENTS, SECTOR ST. PETERSBURG—Continued

Date/time	Event/sponsor	Location	Regulated area
			(1) Entrance into the regulated area is prohibited to all commercial marine traffic from 9 a.m. to 6 p.m. EST on the day of the event. (2) The regulated area will include a 100 yard Safety Zone around the vessel JOSE GASPAR while docked at the Tampa Yacht Club until 6 p.m. EST on the day of the event. (3) The regulated area is a ''no wake'' zone. (4) All vessels within the regulated area shall stay 50 feet away from and give way to all officially entered vessels in parade formation in the Gasparilla Marine Parade. (5) When within the marked channels of the parade route, vessels participating in the Gasparilla Marine Parade may not exceed the minimum speed necessary to maintain steerage. (6) Jet skis and vessels without mechanical propulsion are prohibited from the parade route. (7) Vessels less than 10 feet in length are prohibited from the parade route unless capable of safely participating. (8) Vessels found to be unsafe to participate at the discretion of a present Law Enforcement Officer are prohibited from the parade route. (9) Northbound vessels in excess of 65 feet in length without mooring arrangement made prior to the date of the event are prohibited from entering Seddon Channel unless the vessel is officially entered in the Gasparilla Marine Parade. (10) Vessels not officially entered in the Gasparilla Marine Parade may not enter the parade staging area box within the following coordinates: 27°53′53″ N, 082°27′47″ W; 27°53′22″ N, 082°27′10″ W; 27°52′36″ N, 082°27′55″ W; 27°53′02″ N, 082°28′31″ W.
2. One Saturday in February Time (Approximate): 9:00 a.m. to 9:00 p.m.	Bradenton Area River Regatta/City of Bradenton.	Bradenton, FL	*Location(s):* *Enforcement Area* #1. All waters of the Manatee River between the Green Bridge and the CSX Train Trestle contained within the following points: 27°30′43″ N, 082°34′20″ W, thence to position 27°30′44″ N, 082°34′09″ W, thence to position 27°30′ 00″ N, 082°34′04″ W, thence to position 27°29′58″ N, 082°34′15″ W, thence back to the original position, 27°30′43″ N, 082°34′20″ W. *Enforcement Area* #2. All waters of the Manatee River contained within the following points: 27°30′35″ N, 082°34′37″ W, thence to position 27°30′35″ N, 082°34′26″ W, thence to position 27°30′26″ N, 082°34′26″ W, thence to position 27°30′26″ N, 082°34′37″ W, thence back to the original position, 27°30′35″ N, 082°34′37″ W.
3. One weekend (Friday, Saturday, and Sunday) in March. Time (Approximate): 8:00 a.m. to 5:00 p.m.	Gulfport Grand Prix/Gulfport Grand Prix LLC.	Gulfport, FL	*Location(s):* (1) *Race Area.* All waters of Boca de Ciego contained within the following points: 27°44′10″ N, 082°42′29″ W, thence to position 27°44′07″ N, 082°42′40″ W, thence to position 27°44′06″ N, 082°42′40″ W, thence to position 27°44′04″ N, 082°42′29″ W, thence to position 27°44′07″ N, 082°42′19″ W, thence to position 27°44′08″ N, 082°42′19″ W, thence back to the original position, 27°44′10″ N, 082°42′29″ W. (2) *Buffer Zone.* All waters of Boca de Ciego encompassed within the following points: 27°44′10″ N, 082°42′47″ W, thence to position 27°44′01″ N, 082°42′44″ W, thence to position 27°44′01″ N, 082°42′14″ W, thence to position 27°44′15″ N, 082°42′14″ W.
4. One weekend (Friday, Saturday and Sunday) in July. Time (Approximate): 8:00 a.m. to 6:00 p.m.	Sarasota Powerboat Grand Prix/Powerboat P–1 USA, LLC..	Sarasota, FL	*Location:* All waters of the Gulf of America contained within the following points: 27°18′44″ N, 082°36′14″ W, thence to position 27°19′09″ N, 082°35′13″ W, thence to position 27°17′42″, N, 082°34′00″ W, thence to position 27°16′43″ N, 082°34′49″ W, thence back to the original position, 27°18′44″ N, 082°36′14″ W.
5. One weekend (Friday, Saturday and Sunday in August. Time (Approximate): 8:00 a.m. to 8:00 p.m.	Clearwater AquaX Grand Prix/Powerboat P–1 USA, LLC.	Clearwater, FL	*Location:* All waters of the Gulf of American contained within the following points: 27°57′11″ N, 82°50′1″ W, thence to 27°57′13″ N, 82°50′19″ W, thence to 27°57′55″ N, 82°50′10″ W, thence to 27°57′53″ N, 82°49′65″ and along the shoreline back to the beginning point.
6. One weekend (Friday, Saturday and Sunday) in September. Time (Approximate): 8:00 a.m. to 6:00 p.m.	St. Petersburg Powerboat Grand Prix.	St. Petersburg, FL	*Location:* All waters of the Tampa Bay encompassed within the following points: 27°46′56.22″ N, 082°36′55.50″W, thence to position 27°47′08.82″ N, 082°34′33.24″ W, thence to position 27°46′06.96″ N, 082°34′29.04″ W, thence to position 27°45′59.22″ N, 082°37′02.88″ W, thence back to the original position 27°46′24.24″ N, 082°37′30.24″ W.
7. One weekend (Saturday and Sunday) in September. Time (Approximate): 8:00 a.m. to 5:00 p.m.	Clearwater Offshore Nationals/Race World Offshore.	Clearwater, FL	*Locations:* (1) *Race Area.* All waters of the Gulf of America contained within the following points: 27°58′34″ N, 82°50′09″ W, thence to position 27°58′32″ N, 82°50′02″ W, thence to position 28°00′12″ N, 82°50′10″ W, thence to position 28°00′13″ N, 82°50′10″ W, thence back to the original position, 27°58′34″ N, 82°50′09″ W. (2) *Spectator Area.* All waters of Gulf of America seaward no less than 150 yards from the race area and as agreed upon by the Coast Guard and race officials.

TABLE 1 TO § 100.703—SPECIAL LOCAL REGULATIONS; RECURRING MARINE EVENTS, SECTOR ST. PETERSBURG—Continued

Date/time	Event/sponsor	Location	Regulated area
			(3) *Enforcement Area.* All waters of the Gulf of America encompassed within the following points: 28°58′40″ N, 82°50′37″ W, thence to position 28°00′57″ N, 82°49′45″ W, thence to position 27°58′32″ N, 82°50′32″ W, thence to position 27°58′23″ N, 82°49′53″ W, thence back to position 28°58′40″ N, 82°50′37″ W.
8. One Thursday, Friday, and Saturday in October. Time (Approximate): 10:00 a.m. to 5:00 p.m.	Roar Offshore/OPA Racing LLC ..	Fort Myers Beach, FL.	*Location:* All waters of the Gulf of America west of Fort Myers Beach contained within the following points: 26°26′27″ N, 081°55′55″ W, thence to position 26°25′33″ N, longitude 081°56′34″ W, thence to position 26°26′38″ N, 081°58′40″ W, thence to position 26°27′25″ N, 081°58′8″ W, thence back to the original position 26°26′27″ N, 081°55′55″ W.
9. One weekend (Friday, Saturday, and Sunday) in October. Time (Approximate): 8:00 a.m. to 6:00 p.m.	OPA World Championships/Englewood Beach Waterfest.	Englewood Beach, FL.	*Location:* All waters of the Gulf of America encompassed within the following point: 26°54′15″ N, 82°20′55″ W, thence to position 26°53′53″ N, 82°21′54″ W, thence to position 26°55′54″ N, 82°23′1″ W, thence to position 26°56′11″ N, 82°22′6″ W, thence back to the original position 26°54′15″ N, 82°20′55″ W.

Dated: September 4, 2025.

Courtney A. Sergent,

Captain of the Port, Sector St. Petersburg.

[FR Doc. 2025–17319 Filed 9–8–25; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 110

[Docket Number USCG–2023–0868]

RIN 1625–AA01

Anchorage Regulations; Los Angeles and Long Beach Harbors, CA

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is amending the anchorage regulations for Los Angeles and Long Beach Harbors. This action would amend Anchorages F and G, and update anchorage usage and communication requirements. The purpose of this final rule is to improve navigation safety by modifying Anchorage F and G to accommodate an increased volume of vessel traffic and larger vessels calling on the Ports of Los Angeles and Long Beach and alleviate vessels anchoring near a subsea pipeline.

DATES: This rule is effective October 9, 2025.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *https://www.regulations.gov*, type USCG–2023–0868 in the search box and click ''Search.'' Next, in the Document Type column, select ''Supporting & Related Material.''

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, call or email Lieutenant Rubymar Sebastian-Echevarria at Southwest District Waterways, Coast Guard; telephone (571) 613–2930 or (206) 820–5620, email *D11waterways@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of proposed rulemaking
OMB Office of Management and Budget
§ Section
U.S.C. United States Code
VMRS Vessel Movement Reporting System

II. Background Information and Regulatory History

On April 23, 2024, the Coast Guard published a notice of proposed rulemaking (NPRM) titled Anchorage Regulations; Los Angeles and Long Beach Harbors, California (89 FR 30299). There we stated why we issued the NPRM and invited comments on our proposed regulatory action related to this amendment. During the comment period that ended July 22, 2024, we received three (03) comments.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70006 *and 70034,* 33 CFR 109.05, 33 CFR 1.05–1, and DHS Delegation No. 00170.1 Revision 01.3, which collectively authorize the Coast Guard to propose, establish, and define regulatory anchorage grounds. Under Title 33 of the Code of Federal Regulation (CFR) §§ 1.05–1 and 109.05, U.S. Coast Guard District Commanders are delegated the authority to establish anchorage grounds by the Commandant of the U.S. Coast Guard. The Coast Guard established Anchorage Grounds under Title 33 CFR CGFR 67–46, 32 FR 17728, Dec. 12, 1967, as amended by CGD11–04–005, 71 FR 15036, Mar. 27, 2006. The purpose of this rule is to improve navigational safety and update anchorage usage and communication requirements.

IV. Discussion of Comments, Changes, and the Rule

As noted above, we received three comments on the NPRM published April 23, 2024. Two comments were submitted to the docket. One commenter supported with the NPRM and stated that this action would enhance the safety and usability of the anchorages. Another commenter stated that Anchorage F and G positions do not align with the initial submissions from the COTP and briefed to the Harbor Safety Committee. Additionally, the commenter suggested that in Table 11 to paragraph (c), Anchorage A should be deleted because Anchorage A was replaced with Pier 400. Lastly, the commenter suggested that Table 11 to paragraph (c), note ''d'': 33 CFR 165.1109(e) should be replaced with 33 CFR 165.1152. As discussed below, the Coast Guard revised the regulatory text of this rule based on this feedback. The third commenter emailed us to provide the comment. The commenter mentioned they would ''greatly appreciate it if the Coast Guard could confirm those updated coordinates with the Vessel Traffic Service LA–LB once finalized,'' and that the ''Coast Guard reconsider language that insinuates the rule would support ''increased volume of vessel traffic.'' We confirmed the coordinates for the location of these anchorages with the Vessel Movement Reporting System (VMRS) prior to publishing this rule. However, we disagree with the assertion that the description of our proposed rule insinuates anything about vessel traffic volumes.

This rule amends the boundaries and anchorage requirements for Anchorages F and G in Los Angeles and Long Beach

Harbors. Changes in global demand patterns and supply chain disruptions have contributed to port congestion and increased usage of Anchorages F and G. Due to economies of scale, vessels calling on the Ports of Los Angeles and Long Beach have increased in size and require more surface area for anchoring and maneuvering. Additionally, a subsea pipeline is located less than one nautical mile from the anchorages. For these reasons, the Coast Guard is publishing this rule to expand the distance between anchorages and require vessels greater than 1600 gross tons to place their propulsion plants in standby and have a second anchor ready to let go when forecasted and/or observed wind speeds and gusts are 35 knots or greater. This rule requirement is needed to prevent vessels from dragging anchor and to prevent harm to vessels, the port, and the environment. The regulation would update port, pilot, and communication information to maintain proactive anchorage management.

In response to comments, we removed the line in Table 11 to paragraph (c) to Anchorage A as suggested by the commenter. Anchorage A was removed on January 2, 2015 (79 FR 71654) and this line is no longer necessary. Additionally, we updated the formatting of the coordinates to match what is currently in other parts of the CFR.

In addition to the changes made in response to public comments, we made two additional changes. First, we discovered that Note ''d'' to Table 11 to paragraph (c) contained an outdated cross-reference to § 165.1109(e). Section 165.1109 was redesignated as § 165.1152 on June 30, 2001 (66 FR 33637). We have corrected that reference here. Second, we changed the reference from Vessel Traffic Service (VTS) to VMRS to correctly refer to the system and align with 33 CFR 161.12. While technically a VMRS, it's common parlance to refer to them as ''VTS LA–LB.''

The specific anchorage boundaries and amendments are described in detail in the proposed regulatory text at the end of the document.

V. Regulatory Analyses

We developed this rule after considering numerous statutes and Executive orders related to rulemaking.

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. This rule has not been designated a ''significant regulatory action,'' under section 3(f) of Executive Order 12866. Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB).

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard received no comments from the Small Business Administration on this rulemaking. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

C. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969(42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves amending the regulations for Los Angeles and Long Beach Harbors. This action would amend Anchorages F and G, and update anchorage usage and communication requirements. The purpose of this final rule is to improve navigation safety by modifying Anchorages F and G to accommodate an increased volume of vessel traffic and larger vessels calling on the Ports of Los Angeles and Long Beach and alleviate vessels anchoring near a subsea pipeline. It is categorically excluded from further review under paragraph L59 (b) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1.

List of Subjects in 33 CFR Part 110

Anchorage Grounds.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 110 as follows:

PART 110—ANCHORAGE REGULATIONS

■ 1. The authority citation for part 110 continues to read as follows:

Authority: 33 U.S.C. 2071; 46 U.S.C. 70006, 70034; 33 CFR 1.05–1; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.3.

■ 2. Amend § 110.214, by revising and republishing paragraphs (a)(1)(i) and (ii), (a)(2)(i)(B), (a)(3), (b)(6) and (7), and (c) to read as follows:

§ 110.214 Los Angeles and Long Beach Harbors, California.

(a) * * *

(1) * * *

(i) Unless otherwise directed by the Captain of the Port Los Angeles-Long Beach, the Long Beach Port Pilots will assign all anchorages inside the federal breakwater. All anchorages outside (seaward) of the federal breakwater will be assigned by Vessel Movement Reporting System (VMRS) Center Los Angeles-Long Beach. The master, pilot, or person in charge of a vessel must notify the Long Beach Pilots (for anchorages inside the federal breakwater) or VMRS Center Los Angeles-Long Beach (for anchorages outside the federal breakwater) of their intention to anchor, upon anchoring, and at least fifteen minutes prior to departing an anchorage. All anchorage assignments will be made as described in this part unless modified by the Captain of the Port.

(ii) Radio communications for port entities governing anchorages are as follows: VMRS Center Los Angeles-Long Beach, call sign ''San Pedro Traffic'', Channel 14 VHF–FM; Long Beach Port Pilots, call sign ''Long Beach Pilots'', Channel 12 VHF–FM.

* * * * *

(2) * * *

(i) * * *

(B) No vessel may anchor anywhere else within Los Angeles or Long Beach harbors (inside the federal breakwater) for more than 10 consecutive days unless extended anchorage permission is obtained from the Captain of the Port. In determining whether extended anchorage permission will be granted, consideration will be given, but not necessarily limited to: The current and anticipated demands for anchorage space within the harbor, the requested duration, the condition of the vessel, and the reason for the request.

* * * * *

(3) *Other General Requirements.* (i) When at anchor, all commercial vessels greater than 1600 gross tons shall, at all times, have a licensed or credentialed deck officer on watch and maintain a continuous radio listening watch unless subject to one of the exemptions in this paragraph. The radio watch must be on CH–12 VHF–FM when anchored inside the federal breakwater, and on CH–14 VHF–FM when anchored outside the federal breakwater, except for unmanned barges; vessels which have less than 100 gallons of oil or fuel onboard regardless of how the fuel is carried; and other vessels receiving advance approval from the Captain of the Port.

(ii) When winds are forecasted and/or observed at 35 knots or greater (including wind gusts) vessels shall ensure their propulsion plant is placed in immediate standby and a second anchor, if installed, is made ready to let go. Vessels unable to comply with this requirement must immediately notify the Captain of the Port. In such case, the Captain of the Port may require additional precautionary measures, including but not limited to one or more tugs standing by to render immediate assistance.

* * * * *

(b) * * *

(6) *Commercial Anchorage F (outside of Long Beach Breakwater).* (i) The waters southeast of the Long Beach Breakwater bounded by a line connecting the following coordinates:

TABLE 6 TO PARAGRAPH (b)(6)(i)

	Latitude	Longitude
Beginning Point	33°43′05.1″ N	118°08′04.0″ W
Thence west to	33°43′05.0″ N	118°10′32.5″ W
Thence south/southeast to	33°42′13.3″ N	118°09′54.8″ W
Thence south/southeast to	33°40′51.3″ N	118°09′32.2″ W
Thence south/southeast to	33°38′36.2″ N	118°07′43.8″ W
Thence north/northeast to	33°40′44.4″ N	118°06′51.4″ W

(ii) And thence north/northwest to the beginning point.

(7) *Commercial Anchorage G (outside of the Middle Breakwater).* (i) The waters south of the Middle Breakwater bounded by a line connecting the following coordinates:

TABLE 7 TO PARAGRAPH (b)(7)(i)

	Latitude	Longitude
Beginning Point	33°43′05.4″ N	118°11′17.9″ W
Thence west to	33°43′05.4″ N	118°12′18.6″ W
Thence south/southwest to	33°42′25.8″ N	118°14′19.2″ W
Thence southeast to	33°40′50.4″ N	118°13′01.2″ W
Thence northeast	33°41′02.9″ N	118°12′19.0″ W
Thence east/northeast to	33°42′10.8″ N	118°11′36.0″ W

(ii) And thence north/northeast to the beginning point.

* * * * *

(c) *Individual anchorage requirements:* (1) Table 11 to this paragraph (c) lists anchorage grounds, identifies the purpose of each anchorage, and contains specific regulations applicable to certain anchorages. Requirements for the explosives anchorage are contained in paragraph (d) of this section.

(2) The geographic boundaries of each anchorage are contained in paragraph (b) of this section.

TABLE 11 TO PARAGRAPH (c)

Anchorage	General location	Purpose	Specific regulations
B	Long Beach Harbor	......do	......Do.
C	......do	......do	Notes a, g.
D	......do	Commercial & Naval	Notes a, b, g.
E	......do	Commercial	Note c.
F	Outside Breakwater	......do	Notes c, d, g.

TABLE 11 TO PARAGRAPH (c)—Continued

Anchorage	General location	Purpose	Specific regulations
G	......do	......do	Notes c, d.
N	Los Angeles Harbor	Small Craft	Note e.
P	Long Beach Harbor	......do	Note f.
Q	......do	......do	Notes c, g.

Notes:

a. Bunkering and lightering are permitted.

b. West of 118°09′48″ W priority for use of the anchorage will be given to commercial vessels over 244 meters (approximately 800 feet). East of 118°09′48″ W priority for use of the anchorage will be given to Naval and Public vessels, vessels under Department of Defense charter, and vessels requiring use of the explosives anchorage.

c. Bunkering and lightering are prohibited.

d. This anchorage is within a Regulated Navigation Area and additional requirements apply as set forth in 33 CFR 165.1152.

e. This anchorage is controlled by the Los Angeles Port Police. Anchoring, mooring and recreational boating activities conforming to applicable City of Los Angeles ordinances and regulations are allowed in this anchorage.

f. This anchorage is controlled by the Long Beach Harbor Master. Anchoring, mooring and recreational boating activities conforming to applicable City of Long Beach ordinances and regulations are allowed in this anchorage.

g. When the explosives anchorage is activated portions of this anchorage lie within the explosives anchorage and the requirements of paragraph (d) of this section apply.

* * * * *

Dated: September 4, 2025.

Jeffrey W. Novak,

Rear Admiral, U.S. Coast Guard, Commander, Eleventh Coast Guard District.

[FR Doc. 2025–17318 Filed 9–8–25; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

[Docket No. FWS–HQ–ES–2022–0134; FXES1111090FEDR–256–FF09E21000]

RIN 1018–BG93

Endangered and Threatened Wildlife and Plants; Similarity of Appearance Explanation for the Northern Distinct Population Segment of the Southern Subspecies of Scarlet Macaw

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notification of final explanation.

SUMMARY: In response to an order by the United States District Court for the District of Columbia, we, the U.S. Fish and Wildlife Service (Service), are providing our final explanation related to a specific issue regarding our listing determination under the Endangered Species Act (ESA or Act) for the northern distinct population segment (DPS) of the southern subspecies of the scarlet macaw (*Ara macao macao*). We explain why we did not conduct an analysis under section 4(e) of the Act pertaining to the DPS.

DATES: This document is effective September 9, 2025.

ADDRESSES: Supporting materials for this action, including comments we received on our March 11, 2025, **Federal Register** document (90 FR 11674) are available for public inspection in Docket No. FWS–HQ–ES–2022–0134 on *https://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Rachel London, Manager, Branch of Delisting and Foreign Species, Ecological Services Program, U.S. Fish and Wildlife Service; *rachel_london@fws.gov;* telephone 703–358–2171. 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:

Background

On February 26, 2019, we published in the **Federal Register** a final rule under the Endangered Species Act of 1973, as amended (Act; 16 U.S.C. 1531 *et seq.*) (84 FR 6278; hereafter, referred to as ''the 2019 rule''). The 2019 rule was the outcome of a rulemaking proceeding that began with a proposed rule (77 FR 40222, July 6, 2012) and a revised proposed rule (81 FR 20302, April 7, 2016).

The 2019 rule revised the List of Endangered and Threatened Wildlife in title 50 of the Code of Federal Regulations (at 50 CFR 17.11(h)) to:

- Add the northern subspecies of scarlet macaw (*A. m. cyanoptera*) as an endangered species;
- Add the northern distinct population segment (DPS) of the southern subspecies (*A. m. macao*) as a threatened species; and
- Add the southern DPS of the southern subspecies (*A. m. macao*) and subspecies crosses (*A. m. cyanoptera* and *A. m. macao*) as threatened species due to similarity of appearance to the northern subspecies (*A. m. cyanoptera*) and to the northern DPS of the southern subspecies (*A. m. macao*).

The 2019 rule also added protective regulations to 50 CFR 17.41 pursuant to section 4(d) of the Act for the northern and southern DPSs of the southern subspecies and for subspecies crosses (hereafter, ''the 4(d) rule''). For a more thorough discussion of the taxonomy, life history, distribution, and the determination of listing status for scarlet macaws under the Act, please refer to the 2019 rule.

In the 2019 rule, we determined that the northern DPS of the southern subspecies of scarlet macaw met the definition of a threatened species because it was likely to become in danger of extinction within the foreseeable future throughout all of its range. In response to litigation, on April 3, 2023 (88 FR 19549), we published additional analyses and a final threatened species determination for the northern DPS of the southern subspecies of scarlet macaw.

As part of a lawsuit in the United States District Court for the District of Columbia that challenged the macaw listing (*Friends of Animals* v. *Williams* (No. 1:21–cv–02081–RC) (*Friends of Animals*)), on July 10, 2024, the court found that the 2019 rule was flawed in part because it did not include an explanation as to why we decided not to consider listing the northern DPS of the southern subspecies as an endangered species based on similarity of appearance to the northern subspecies. The court remanded the 2019 rule back to us for further explanation on this issue. However, the court did not vacate the 2019 rule, instead finding ''the deficiency identified in the 2019 Final Rule—the Service's lack of explanation for why it decided not to consider listing the Northern DPS as endangered based on similarity of appearance—is relatively minor and also has 'a real possibility of being cured by further explanation on remand.' " The court further explained, "On remand, the Service may, for instance, be able to explain why it exercised its significant discretion not to consider a similarity-of-appearance listing for the Northern DPS, or it may decide to reconsider uplisting the Northern DPS based on such a rationale."

Subsequently, on October 8, 2024, the court ordered the Service to submit to the Office of the Federal Register (OFR) no later than March 7, 2025, a "notice opening a 30-day public comment period on either (1) a draft ESA Section 4(e) analysis for the Northern DPS, or (2) an explanation regarding why the Service exercised its significant discretion not to consider a similarity-of-appearance listing for the Northern DPS." On March 11, 2025 (90 FR 11674), we published a notice seeking comments on our explanation regarding why we did not conduct an analysis under section 4(e) of the Act pertaining to the DPS.

The court further ordered the Service to submit to the OFR the final section 4(e) analysis or explanation no later than 150 days after the end of the public comment period on our March 11, 2025, explanation. Accordingly, this document provides the court-ordered explanation as to why we did not consider a similarity-of-appearance listing as endangered under section 4(e) for the northern DPS of the southern subspecies, in addition to the determination of threatened status under section 4(a). We are providing this explanation in compliance with the court's order. The government filed a notice of appeal of the court's order on December 5, 2024, and its opening appellate brief on the court's order regarding similarity of appearance on July 2, 2025.

By providing this explanation, we are not indicating our agreement with the court's holding. As addressed further below, it is our position that section 4(e) of the Act does not provide us with authority to treat a threatened species listed pursuant to section 4(a) of the Act as an endangered species based on similarity of appearance to an endangered species. Therefore, we do not intend in future rulemakings to provide explanations as to why we did not consider treating other species as endangered under section 4(e) of the Act if those species separately warrant listing as threatened species under section 4(a) of the Act. If we receive a favorable decision on our appeal, we intend to publish a notice rescinding this analysis.

For a description of previous Federal actions concerning the scarlet macaw, please refer to:

- The 2022 notification of additional analysis (87 FR 66093, November 2, 2022);
- The 2023 significant portion of the range (SPR) analysis (88 FR 19549, April 3, 2023);
- The 2024 opening of a comment period on the 2023 SPR analysis (89 FR 104950, December 26, 2024); and
- The 2025 final SPR analysis (90 FR 23446, June 3, 2025).

Summary of Public Comments

In the March 11, 2025, **Federal Register** document (90 FR 11674), we requested any interested party to submit written comments and information on our analysis and explanation. We reviewed all comments received for substantive issues; we received two non-substantive comments, and one comment letter from Friends of Animals that raised multiple substantive issues. We address the substantive comments below.

Comment (1): Friends of Animals does not believe that the notice complies with the court's order, and they expressed concern that our rationale that the Act prohibits the Service from listing the northern DPS as an endangered species will limit public comment. They also suggested that for this reason, we should "reissue the notice, disavow its flawed interpretation, and reinvite public comments."

Response: With our March 11, 2025, notice, we complied with the court's order to submit to the OFR a "notice opening a 30-day public comment period on either (1) a draft ESA Section 4(e) analysis for the Northern DPS, or (2) an explanation regarding why the Service exercised its significant discretion not to consider a similarity-of-appearance listing for the Northern DPS." We decline to reopen the public comment period.

Comment (2): Friends of Animals suggested that our March 11, 2025, notice was a flawed interpretation of the ESA and inappropriate.

Response: For the reasons set forth in our appeal to the United States District Court for the District of Columbia (U.S. Court of Appeals Case #24–5278; July 2, 2025, opening brief Document #2123523), and as discussed below, we disagree that section 4(e) of the Act authorizes the Service to treat a listed threatened species as an endangered species based on similarity of appearance. We are issuing this final notice because we are complying with the court's October 8, 2024, order.

Explanation

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

The Act defines an "endangered species" as a species that is in danger of extinction throughout all or a significant portion of its range and a "threatened species" as a species that is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range (16 U.S.C. 1532(6), (20)). The Act requires that we determine whether any species is an endangered species or a threatened species because of any of the following five factors in section 4(a):

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

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

(C) Disease or predation;

(D) The inadequacy of existing regulatory mechanisms; or

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

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

Section 2 of the Act states that the purposes of the Act include providing a means to conserve the ecosystems upon which endangered and threatened species depend, developing a program for the conservation of listed species, and achieving the purposes of certain treaties and conventions (16 U.S.C. 1531(b)). The ultimate goal of conservation efforts is the recovery of listed species so that they no longer need the protective measures of the Act. The Act provides multiple tools to conserve species that warrant protection under section 4(a) and have been added to the List of Endangered and Threatened Wildlife (50 CFR 17.11) or

List of Endangered and Threatened Plants (50 CFR 17.12). These include, among other protections, the designation of critical habitat, recovery planning under section 4(f), protective regulations for threatened species under section 4(d), and Federal agency requirements to ensure their actions are not likely to jeopardize the continued existence of listed species or destroy or adversely modify their critical habitat under section 7(a)(2).

One of these tools, section 4(e), provides us with the discretion to treat species as endangered species or threatened species when they are not listed under section 4(a). This authority to treat species as endangered or threatened when they are similar in appearance to (*i.e.,* resemble) a species that is listed under section 4(a) is limited to situations when treating the species as endangered or threatened under section 4(e) could help protect the listed species that it resembles. In other words, under section 4(e), we may treat an unlisted species as an endangered or threatened species if doing so will facilitate enforcement of the Act for the benefit of, and reduce threats to, the species listed under section 4(a). The Act's tools and protections for endangered and threatened species are directed at the species that meet the definitions of endangered species or threatened species under section 4(a), not the species that are treated as endangered or threatened under section 4(e) solely because of a similarity in appearance.

Section 4(e) of the Act provides that the Secretary may, by regulation of commerce or taking, and to the extent he deems advisable, treat any species as an endangered species or threatened species even though it is not listed pursuant to section 4 of the Act if the Secretary finds three criteria are met that: (A) such species so closely resembles in appearance, at the point in question, a species which has been listed pursuant to the Act that enforcement personnel would have substantial difficulty in attempting to differentiate between the listed and unlisted species; (B) the effect of this substantial difficulty is an additional threat to an endangered or threatened species; and (C) such treatment of an unlisted species will substantially facilitate the enforcement and further the policy of the Act (16 U.S.C. 1533(e)). The Act provides the Service discretion in determining both when and how to apply section 4(e). However, as discussed below, there are several ways in which the statutory language demonstrates that Congress did not intend for the 4(e) authority to apply to species that warrant listing under section 4(a). Moreover, the legislative history further underscores this limitation on 4(e) authority.

First, the plain language of the Act provides for no circumstances in which a species that meets the definition of a threatened species under section 4(a) would also meet the criteria at section 4(e)(A)–(C) for being ''treated'' as an endangered species. Treating a species as endangered under section 4(e), when that species separately warrants protection in its own right as a threatened species under section 4(a), would circumvent the protections intended for species that qualify for listing under section 4(a) and would never satisfy the requirements under 4(e)(C) to further the policy of the Act (*i.e.,* section 2(b)–(c) of the Act). Sections 4(a)–(c) establish the primary mechanism for determining whether species meet the definition of an endangered species or a threatened species. For species that meet the definition of an endangered species or a threatened species based on the factors and standards set out in sections 4(a)–(b), section 4(c)(l) provides the mandatory requirement that the Secretary list those species according to the definition they meet. Nowhere does section 4(a)–(c) include a requirement to consider a species' similarity of appearance to an already listed species when making a listing determination, nor does 4(e) either address, alter, or amend any of the provisions in sections 4(a)–(c) or characterize the similarity-of-appearance authority it provides as mandatory.

Moreover, for species that meet the definition of a threatened species under section 4(a), treating the species instead as endangered under section 4(e) would not provide any greater protections than the species would otherwise receive as a threatened species listed under section 4(a). In most cases, doing so would actually provide species with fewer protections than listing them as threatened species under section 4(a). This is because species treated as endangered or threatened under section 4(e) do not receive the protections of the Act provided to species listed under section 4(a), such as the designation of critical habitat, consultation requirements for Federal agencies under section 7, and the recovery planning provisions under section 4(f).

Section 4(e) specifies that the authority to ''treat'' any similarity-of-appearance species as an endangered or threatened species is to be exercised ''by regulation of commerce or taking, and to the extent [the Secretary] deems advisable.'' Therefore, all applicable prohibitions and exceptions for species treated under section 4(e) of the Act as endangered or threatened based on their similarity of appearance to a species listed under section 4(a) are set forth by regulation, such as in a species-specific rule, and are determined with the goal of furthering the conservation of the species listed under section 4(a) that the 4(e) species resembles. The Act does not differentiate how the Service should regulate commerce or taking of species treated as endangered based on similarity of appearance as compared to those treated as threatened based on similarity of appearance. In either situation, the Service issues regulations that it deems are advisable relating to commerce or taking of the species. Moreover, there is no requirement that those regulations for a species being treated as endangered under section 4(e) provide greater protections than the regulations for treating a species as threatened under section 4(e). For all these reasons, treating a species as endangered under section 4(e), when that species separately warrants protection as a threatened species under section 4(a), will not facilitate the enforcement or further the policy of the Act.

Second, the court's interpretation in *Friends of Animals* that the section 4(e) ''similarity of appearance'' provision requires the Service to consider treating a species as endangered when it is listed as threatened under section 4(a) is in direct conflict with the plain language of section 4 of the Act. Section 4(e) explicitly limits its applicability to unlisted species, authorizing the Secretary to treat any species as an endangered species or threatened species ''*even though it is not listed* pursuant to section 4 of this Act.'' Similarly, the third criterion for treating a species as endangered or threatened pursuant to section 4(e) requires that ''such treatment of *an unlisted species* will substantially facilitate the enforcement and further the policy of this Act'' (sections 4(e) and 4(e)(C) (emphases added)). Thus, our authority to treat species as endangered species or threatened species due to similarity of appearance is limited to species that are otherwise ''unlisted'' or ''not listed'' and does not extend to species that are listed under section 4(a).

If Congress had intended for section 4(e) to apply to any species that warrant listing as endangered species or threatened species under section 4(a), Congress would have no need to include the terms ''unlisted'' and ''not listed'' in section 4(e). Congress also used the latter of those terms—''not listed''—in section 9 of the Act. In both section 4(e) and section 9, those terms are used as a necessary precondition for any species to qualify for the statutory provision at issue. Under section 4(e), only a species that is ''not listed'' may be considered for treatment as an endangered or threatened species based on similarity of appearance to a listed species. Under section 9, the term ''not listed'' is a precondition for the limited exceptions to import or export prohibitions (*i.e.,* ''It is unlawful [to import or export] . . . fish or wildlife (other than shellfish and fishery products which (i) are not listed pursuant to section 4 of this Act as endangered species or threatened species, and . . .)'' (section 9(d)(1)(A), with similar language in sections 9(e) and (f)).

This conclusion is also supported by the Act's legislative history. Multiple congressional reports—from both houses of Congress—made this clear. For example, when the Act was enacted in 1973, the Senate Report described how the statute deals with the problem presented by two species that are so similar in appearance that people without specialized training cannot distinguish between them: ''If one species *is listed* under section 4, but *the other is not,* the Secretary may treat *the unlisted species* as an endangered or threatened species if such treatment will substantially facilitate the enforcement and further the policy of this Act'' (S. Rept. 93–307, at 9 (1973) (emphasis added)); see also H. Rept. 93–412, at 12 (1973), and H. Rept. 100–928, at 20 (1988)). In light of the clear statutory language and legislative history, while the Service has discretion in when to treat an ''unlisted'' or ''not listed'' species as an endangered species or threatened species under section 4(e), this discretion does not extend to species that warrant listing under section 4(a), like the northern DPS (16 U.S.C. 1533(a); 1532 (6), (20)).

In accordance with the statutory language and legislative history, our regulations, guidance, and longstanding practice all provide for treatment of a species as endangered or threatened under section 4(e) only when the species is not listed under section 4(a). Our regulations provide that ''whenever a species *which is not Endangered or Threatened* closely resembles an Endangered or Threatened species, such species may be treated as either Endangered or Threatened'' (50 CFR 17.50, emphasis added). These regulations have remained substantively unchanged since their promulgation in 1975 (although they were amended for other reasons at various times). Moreover, since the inception of section 4(e), we have only ever considered invoking its authority for species that do not warrant listing under section 4(a), and we have never evaluated a section 4(a)-listed species under section 4(e). For example, in invoking section 4(e) to treat the American alligator as listed in 1975, we first delisted three populations of alligators that had previously been listed as endangered species under section 4(a) and then decided to treat those unlisted populations as listed under section 4(e) (40 FR 44412, Sept. 26, 1975).

In light of the above points, the Service does not evaluate whether to treat a species as endangered under section 4(e) of the Act if that species separately meets the definition of a threatened species under section 4(a). Therefore, because we found that the northern DPS of the southern subspecies of scarlet macaw meets the definition of a threatened species under section 4(a), we did not evaluate whether it should be treated as an endangered species under section 4(e).

However, even if the Act did give us the authority to evaluate whether the northern DPS of the southern subspecies of macaw should be treated as an endangered species under section 4(e), we would not find that the northern DPS met the criteria for such treatment identified in section 4(e)(A)–(C). As explained above, and further discussed below, treating the northern DPS as endangered under section 4(e) of the Act rather than actually listing it as a threatened species under section 4(a) would not provide any additional protections for either the northern DPS or the northern subspecies, meaning such treatment would not facilitate the enforcement or further the policy of the Act.

This conclusion is further supported by the court's ruling in *Friends of Animals* upholding our treatment of the southern DPS as a threatened (rather than endangered) species pursuant to section 4(e) of the Act. We found it was appropriate to treat the southern DPS of the southern subspecies as threatened, not endangered, under section 4(e) ''because the 4(d) rule . . . provide[d] adequate protections for'' the section 4(a)-listed scarlet macaws that the southern DPS resembled, and the treatment of the southern DPS as threatened would substantially facilitate law enforcement actions to protect and conserve those 4(a)-listed macaws, including the endangered northern subspecies (84 FR 6278, February 26, 2019). The court in *Friends of Animals* upheld that determination finding, ''[h]aving reviewed the whole record—and cognizant of the significant discretion that Congress vested in the Service to make similarity-of-appearance listing decisions, *see* 16 U.S.C. 1533(e)—the Court finds that the Service satisfactorily discharged its duty to articulate a 'rational connection between the facts found and the choice made' to list the Southern DPS as threatened'' and not endangered as plaintiff argued. The same reasoning would apply when evaluating whether to treat the northern DPS as endangered under section 4(e), rather than listing it as a threatened species under section 4(a). Specifically, the 4(d) rule for the northern DPS also provides adequate protections for the northern subspecies. Additionally, treating the southern DPS as threatened under section 4(e) and listing the northern DPS as a threatened species under section 4(a) will facilitate law enforcement actions to protect and conserve both the northern DPS and the northern subspecies.

Further, in addition to the Act, three other laws provide critical safeguards for all scarlet macaws: the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the Wild Bird Conservation Act (WBCA; 16 U.S.C. 4901 *et seq.*), and the Lacey Act Amendments of 1981 (Lacey Act; 16 U.S.C. 3371–3378). Pursuant to these laws, import, use after import, export, and re-export of scarlet macaw is strictly regulated. For example, under CITES, such activities are prohibited for primarily commercial purposes for any scarlet macaw removed from the wild or bred in captivity on or after the inclusion of the scarlet macaw in the CITES Appendices on October 28, 1976, as there are currently no CITES-registered commercial breeding facilities for the Appendix-I species (CITES Art. III, VII(2), VII(4); 16 U.S.C. 1538(c)(1); 50 CFR 23.5, 23.13, 23.20, 23.23, 23.24, 23.26, 23.27, 23.45, 23.46, 23.55). Additionally, under the WBCA, imports may only be for scientific research, zoological breeding or display, cooperative breeding, or personal pet purposes (16 U.S.C. 4910, 4911; 50 CFR 15.11, 15.22–15.26). Under the Lacey Act, imports and exports are prohibited for any scarlet macaw and its offspring that were taken, possessed, transported, or sold in violation of foreign law (16 U.S.C. 3371–3378). As such, the Service would have no basis for extending additional protections to the northern DPS if it were treated as endangered based on similarity of appearance to the northern subspecies. Therefore, we would not treat the northern DPS as endangered under section 4(e) rather than list it as a threatened species under section 4(a) because doing so would not facilitate enforcement or further the policy of the Act for the conservation of either the northern DPS of the southern subspecies of scarlet macaw, or the northern subspecies of scarlet macaw.

Authority

The Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), is the authority for this action.

Brian R. Nesvik,

Director, U.S. Fish and Wildlife Service.

[FR Doc. 2025–17320 Filed 9–8–25; 8:45 am]

BILLING CODE 4333–15–P

Proposed Rules

Federal Register
Vol. 90, No. 172
Tuesday, September 9, 2025

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–2277; Project Identifier MCAI–2023–00733–T]

RIN 2120–AA64

Airworthiness Directives; Bombardier, Inc., Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for all Bombardier, Inc., Model BD–700–2A12 airplanes. This proposed AD was prompted by a determination that new or more restrictive airworthiness limitations are necessary. This proposed AD would require revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this proposed AD by October 24, 2025.

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

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

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2025–2277; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For Bombardier material identified in this proposed AD, contact Bombardier Business Aircraft Customer Response Center, 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514–855–2999; email *ac.yul@aero.bombardier.com;* website *bombardier.com*.
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

FOR FURTHER INFORMATION CONTACT: Mark Taylor, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 516–228–7300; email: *9-avs-nyaco-cos@faa.gov*.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments using a method listed under the **ADDRESSES** section. Include ''Docket No. FAA–2025–2277; Project Identifier MCAI–2023–00733–T'' at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend the proposal because of those comments.

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

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as ''PROPIN.'' The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Mark Taylor, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 516–228–7300; email: *9-avs-nyaco-cos@faa.gov*. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

Transport Canada, which is the aviation authority for Canada, has issued Transport Canada AD CF–2023–38, dated June 1, 2023 (Transport Canada AD CF–2023–38) (also referred to as the MCAI), to correct an unsafe condition for all Bombardier, Inc., Model BD–700–2A12 airplanes. The MCAI states that new or more restrictive airworthiness limitations have been developed.

The FAA is proposing this AD to address reduced structural integrity of the airplane and reduced controllability of the airplane. You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2025–2277.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed Bombardier Global 7500 Airworthiness Limitations, BD700–3AB48–11400–01, Issue 017, dated February 28, 2023. This service information specifies new or more restrictive airworthiness limitations for fuel tank systems, safe life limits, certification maintenance requirements, and candidate certification maintenance requirements (CCMRs).

The FAA also reviewed Bombardier Global 7500 Revision Submission, RS–BD700–2A12–052, Airworthiness

Limitations, BD700–3AB48–11400–01, dated May 7, 2025. This service information specifies new airworthiness limitations identified as additional mandatory maintenance tasks (AMMT).

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

FAA's Determination

These products have been approved by the civil aviation authority of another country and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, that authority has notified the FAA of the unsafe condition described in the MCAI and material referenced above. The FAA is proposing this AD because the FAA evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop on other products of the same type design.

Proposed Requirements of This NPRM

This proposed AD would require revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations.

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

Differences Between This Proposed AD and the MCAI

Transport Canada AD CF–2023–38 specifies incorporating all of Bombardier Global 7500 Airworthiness Limitations, BD700–3AB48–11400–01, Issue 017, dated February 28, 2023. However, this proposed AD would not require the CCMRs specified in Bombardier Global 7500 Airworthiness Limitations, BD700–3AB48–11400–01, Issue 017, dated February 28, 2023. Instead of mandating the CCMRs as done in the Transport Canada AD, the FAA, after coordination with Transport Canada, determined the corresponding AMMT task numbers will be used. Therefore, the FAA proposes to mandate the AMMT tasks as specified in paragraph (g)(2) of this proposed AD.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 56 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

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

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

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

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

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

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

Bombardier, Inc.: Docket No. FAA–2025–2277; Project Identifier MCAI–2023–00733–T.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by October 24, 2025.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all Bombardier, Inc., Model BD–700–2A12 airplanes, certificated in any category.

(d) Subject

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

(e) Unsafe Condition

This AD was prompted by a determination that new or more restrictive airworthiness limitations are necessary. The FAA is issuing this AD to address reduced structural integrity of the airplane and reduced controllability of the airplane.

(f) Compliance

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

(g) Maintenance or Inspection Program Revision

(1) Within 90 days after the effective date of this AD, revise the existing maintenance or inspection program, as applicable, to incorporate the information specified in Bombardier Global 7500 Airworthiness Limitations, BD700–3AB48–11400–01, Issue 017, dated February 28, 2023, except for the information specified in the "Candidate CMR Limitations—General" section. The initial

compliance time for doing the tasks is at the time specified in Bombardier Global 7500 Airworthiness Limitations, BD700–3AB48–11400–01, Issue 017, dated February 28, 2023, or within 90 days after the effective date of this AD, whichever occurs later.

(2) Within 90 days after the effective date of this AD, revise the existing maintenance or inspection program, as applicable, to incorporate the information specified in the ''Additional mandatory maintenance tasks—General'' section of Bombardier Global 7500 Revision Submission, RS–BD700–2A12–052, Airworthiness Limitations, BD700–3AB48–11400–01, dated May 7, 2025. The initial compliance time for doing the tasks is at the time specified in the ''Additional mandatory maintenance tasks—General'' section of Bombardier Global 7500 Revision Submission, RS–BD700–2A12–052, Airworthiness Limitations, BD700–3AB48–11400–01, dated May 7, 2025, or within 90 days after the effective date of this AD, whichever occurs later.

(h) No Alternative Actions, Intervals, or Critical Design Configuration Control Limitations (CDCCLs)

After the existing maintenance or inspection program has been revised as required by paragraph (g) of this AD, no alternative actions (*e.g.,* inspections), intervals, or CDCCLs may be used unless the actions, intervals, and CDCCLs are approved as an alternative method of compliance (AMOC) in accordance with the procedures specified in paragraph (i)(1) of this AD.

(i) Additional AD Provisions

The following provisions also apply to this AD:

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

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, International Validation Branch, FAA; or Transport Canada; or Bombardier, Inc.'s Transport Canada Design Approval Organization (DAO). If approved by the DAO, the approval must include the DAO-authorized signature.

(j) Additional Information

For more information about this AD, contact Mark Taylor, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 516–228–7300; email: *9-avs-nyaco-cos@faa.gov.*

(k) Material Incorporated by Reference

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

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

(i) Bombardier Global 7500 Airworthiness Limitations, BD700–3AB48–11400–01, Issue 017, dated February 28, 2023.

(ii) Bombardier Global 7500 Revision Submission, RS–BD700–2A12–052, Airworthiness Limitations, BD700–3AB48–11400–01, dated May 7, 2025.

(3) For Bombardier material identified in this AD, contact Bombardier Business Aircraft Customer Response Center, 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514–855–2999; email *ac.yul@aero.bombardier.com*; website *bombardier.com.*

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

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

Issued on September 4, 2025.

Steven W. Thompson,

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

[FR Doc. 2025–17246 Filed 9–8–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2025–0152]

RIN 1625–AA09

Drawbridge Operation Regulation; Atlantic Intracoastal Waterway, North Myrtle Beach, SC

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to change the operating schedule that governs the Little River Bridge, across the Atlantic Intracoastal Waterway (Upper Little River), mile 347.3, at North Myrtle Beach, SC. South Carolina Department of Transportation (SCDOT) requested the Coast Guard consider placing the swing bridge on weekday scheduled openings at designated times to assist with vehicle congestion. We invite your comments on this proposed rulemaking.

DATES: Comments and related material must reach the Coast Guard on or before October 9, 2025.

ADDRESSES: You may submit comments identified by docket number USCG–2025–0152 at *https://www.regulations.gov.*

See the ''Public Participation and Request for Comments'' portion of the **SUPPLEMENTARY INFORMATION** section below for instructions on submitting comments. This notice of proposed rulemaking with its plain-language, 100-word-or-less proposed rule summary will be available in this same docket.

FOR FURTHER INFORMATION CONTACT: If you have questions on this proposed rule, call or email Ms. Jennifer Zercher, Bridge Management Specialist, Seventh Coast Guard District; telephone 571–607–5951, email *Jennifer.N.Zercher@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
DHS Department of Homeland Security
FR Federal Register
OMB Office of Management and Budget
NPRM Notice of Proposed Rulemaking
§ Section
U.S.C. United States Code
SC South Carolina
AICW Atlantic Intracoastal Waterway

II. Background, Purpose and Legal Basis

Little River Bridge across the AICW (Upper Little River), mile 347.3, at North Myrtle Beach, SC, is a swing bridge with a 7-foot vertical clearance at mean high water in the closed position. The normal operating schedule for the bridge is set forth in 33 CFR 117.5.

On May 13, 2025, the Coast Guard published a temporary deviation entitled ''Drawbridge Operation Regulation; Atlantic Intracoastal Waterway, North Myrtle Beach, SC'' in the **Federal Register** (90 FR 20235). The temporary deviation, effective from 12:01 a.m. on May 5, 2025, through 11:59 p.m. on October 31, 2025, allows Little River Bridge to operate with restricted, scheduled openings at peak traffic times during weekdays and operate on demand at all other times. The temporary deviation was authorized to test the impact of restricted openings on vessels and roadway traffic. The comment period ended June 27, 2025, with zero comments received.

We are reopening the comment period on the same docket number and docket name where we posted the temporary deviation. Both the NPRM and the temporary deviation documents can be found at *https://www.regulations.gov.*

III. Discussion of Proposed Rule

The current operating schedule allows the Little River Bridge to open on demand for marine traffic. Under this proposed rule, the swing bridge will open twice an hour, at the top and bottom of the hour, Monday through Friday during pre-designated times. The on demand openings are causing excessive vehicle congestion during designated rush hour periods. The Coast Guard is proposing to limit swing bridge openings during high vehicle traffic times to assist with vehicle congestion while requesting state and local agencies consider alternate mitigation measures to improve traffic flow and roadway congestion. The swing bridge will open on demand at all other times. Vessels that can pass beneath the bridge without an opening may do so at any time. Public vessels of the United States, tugs with tows and vessels in distress may pass anytime.

IV. Regulatory Analyses

We developed this proposed rule after considering numerous statutes and Executive Orders related to rulemaking. Below we summarize our analyses based on these statutes and Executive Orders.

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. This proposed rule has not been designated a ''significant regulatory action,'' under section 3(f) of Executive Order 12866. Accordingly, the NPRM has not been reviewed by the Office of Management and Budget (OMB).

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule would not have a significant economic impact on a substantial number of small entities.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this proposed rule. If the proposed rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. The Coast Guard will not retaliate against small entities that question or complain about this proposed rule or any policy or action of the Coast Guard.

C. Collection of Information

This proposed rule would call for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520.).

D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132 (Federalism), if it has a substantial direct effect on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this proposed rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this proposed rule does not have tribal implications under Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments) because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes. If you believe this proposed rule has implications for federalism or Indian tribes, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this proposed rule will not result in such an expenditure, we do discuss the effects of this proposed rule elsewhere in this preamble.

F. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01, Rev.1, associated implementing instructions, and Environmental Planning Policy COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f). The Coast Guard has determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This proposed rule promulgates the operating regulations or procedures for drawbridges. Normally such actions are categorically excluded from further review, under paragraph L49, of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1.

Neither a Record of Environmental Consideration nor a Memorandum for the Record are required for this rule. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

V. Public Participation and Request for Comments

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

Submitting comments. We encourage you to submit comments at *https://www.regulations.gov.* To do so, go to *https://www.regulations.gov,* type USCG–2025–0152 in the search box and click ''Search.'' Next, look for this document in the Search Results column, and click on it. Then click on the Comment option. If your material cannot be submitted using *https://www.regulations.gov,* contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

Viewing material in docket. To view documents mentioned in this proposed rule as being available in the docket, find the docket as described in the previous paragraph, and then select ''Supporting & Related Material'' in the Document Type column. Public comments will also be placed in our online docket and can be viewed by following instructions on the *https://www.regulations.gov* Frequently Asked Questions web page. Also, if you go to the online docket and sign up for email alerts through the ''Subscribe'' option, you will be notified when comments/updates are posted, or a final rule is published.

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

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 117 as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

■ 1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 33 CFR 1.05–1; and DHS Delegation No. 00170.1. Revision No.01.3.

■ 2. Amend § 117.911 by revising paragraph (b) to read as follows:

§ 117.911 Atlantic Intracoastal Waterway, Little River to Savannah River.

* * * * *

(b) Little River Bridge across Upper Litte River, mile 347.3, at North Myrtle Beach. The draw shall open on signal, except that from 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m., Monday through Friday, except Federal holidays, the draw will open on the hour and half hour.

* * * * *

Dated: August 26, 2025.

Adam A. Chamie,

Rear Admiral, U.S. Coast Guard, Commander, Coast Guard Southeast District.

[FR Doc. 2025–17302 Filed 9–8–25; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2025–0082]

RIN 1625–AA00

Safety Zones; Recurring Events in Captain of the Port Duluth Zone

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard is proposing to revise existing regulations for recurring safety zones in the Captain of the Port Duluth Zone. The proposed amendments would update the table of annually recurring marine events, add definitions, and clarify how and when the COTP may enforce listed zones. These changes are intended to improve the timeliness and clarity of public notification, enhance mariner situational awareness, and promote the safety of life on the navigable waters of the western Great Lakes during recurring near-shore events. We invite your comments on this proposed rulemaking.

DATES: Comments and related material must be received by the Coast Guard on or before October 9, 2025.

ADDRESSES: You may submit comments identified by docket number USCG–2025–0082 using the Federal Docket Management System at *https://www.regulations.gov.* See the ''Public Participation and Request for Comments'' portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments. This notice of proposed rulemaking with its plain-language, 100-word-or-less proposed rule summary will be available in this same docket.

FOR FURTHER INFORMATION CONTACT: If you have questions about this proposed rulemaking, call or email LT Zachary Fedak, Marine Safety Unit Duluth, U.S. Coast Guard; telephone 218–522–0708, email *Zachary.A.Fedak@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

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

II. Background, Purpose, and Legal Basis

Each year, communities throughout the western Lake Superior region sponsor marine events that generate predictable concentrations of spectator vessels in confined harbor and near-shore waters. These activities pose recurring hazards, including the accidental discharge of fireworks, falling embers or debris, and congestion of swimmers or boaters. In such conditions, even routine vessel wakes or sudden wind shifts can increase the risk of collisions and injuries.

To address these risks, the Coast Guard previously codified annually recurring safety zones for these events in 33 CFR 165.943. Under the current regulation, enforcement of each zone must be individually noticed, which can result in fragmented or delayed information reaching mariners. This fragmentation may lead to confusion when multiple events occur in close proximity or on separate dates.

Through this proposed rule, the Coast Guard seeks to revise § 165.943 to improve clarity, consistency, and public communication. Proposed changes include: defining key terms to support uniform enforcement; clarifying procedures for enforcement and early suspension of safety zones; updating the regulation's structure and formatting; and framing the rule to allow flexibility for consolidated Notifications of Enforcement when operationally appropriate. These revisions are intended to enhance the predictability and timeliness of safety communications, thereby improving mariner situational awareness and promoting the safety of life on navigable waters. The Coast Guard is proposing this rulemaking under authority in 46 U.S.C. 70034.

III. Discussion of Proposed Rule

The Coast Guard is proposing to revise the existing regulatory text and associated table establishing annually recurring safety zones within the Captain of the Port (COTP) Duluth Zone, as listed in 33 CFR 165.943. The proposed changes would update event listings, clarify enforcement procedures, add relevant definitions, and structure the rule in a way that may accommodate a single Notification of Enforcement announcing multiple zones or event dates. These revisions are intended to improve the clarity, consistency, and timeliness of public notification.

The geographic locations and general durations of the safety zones remain unchanged. Each safety zone would continue to be enforced only during specific periods, which will be announced in advance through publication of a Notification of Enforcement in the **Federal Register** and via Broadcast Notices to Mariners over

VHF–FM marine channel 16. These measures ensure continued protection of persons, vessels, and the navigable waters of the western Great Lakes during recurring safety zone enforcement periods.

During periods of enforcement, no vessel or person may enter a designated safety zone without obtaining prior authorization from the COTP Duluth or their designated on-scene representative. The revised regulatory text, which includes updated enforcement procedures, defined terms, exemption and waiver provisions, and provisions for rain dates and early suspension of enforcement, appears at the end of this document.

IV. Regulatory Analyses

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

A. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule would not have a significant economic impact on a substantial number of small entities for the following reasons. The amendments primarily update event listings, clarify enforcement procedures, and improve public notification without expanding the zones' geographic scope or duration. Vessel traffic can safely transit around these zones, which are short in duration, geographically limited, and often occur during off-peak periods. The Coast Guard will continue issuing Broadcast Notices to Mariners via VHF–FM marine channel 16, and vessels may request permission to enter the zones.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this proposed rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this proposed rule. If the proposed rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section. The Coast Guard will not retaliate against small entities that question or complain about this proposed rule or any policy or action of the Coast Guard.

B. Collection of Information

This proposed rule would not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

C. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132 (Federalism), if it has a substantial direct effect on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this proposed rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this proposed rule does not have tribal implications under Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments) because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes. If you believe this proposed rule has implications for federalism or Indian tribes, please call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

D. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this proposed rule would not result in such an expenditure, we do discuss the potential effects of this proposed rule elsewhere in this preamble.

E. Environment

We have analyzed this proposed rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have made a preliminary determination that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This proposed rule involves revision of an existing regulation establishing recurring safety zones in the Captain of the Port Duluth Zone. Normally such actions are categorically excluded from further review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A preliminary Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

V. Public Participation and Request for Comments

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

Submitting comments. We encourage you to submit comments through the Federal Docket Management System at *https://www.regulations.gov.* To do so, go to *https://www.regulations.gov,* type USCG–2025–0082 in the search box and click ''Search.'' Next, look for this document in the Search Results column, and click on it. Then click on the Comment option. If you cannot submit your material by using *https://www.regulations.gov,* call or email the person in the **FOR FURTHER INFORMATION CONTACT** section of this proposed rule for alternate instructions.

Viewing material in docket. To view documents mentioned in this proposed rule as being available in the docket, find the docket as described in the previous paragraph, and then select ''Supporting & Related Material'' in the

Document Type column. Public comments will also be placed in our online docket and can be viewed by following instructions on the *https://www.regulations.gov* Frequently Asked Questions web page. Also, if you click on the Dockets tab and then the proposed rule, you should see a ''Subscribe'' option for email alerts. The option will notify you when comments are posted, or a final rule is published.

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

List of Subjects in 33 CFR Part 165

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

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

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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

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

■ 2. Revise § 165.943 to read as follows:

§ 165.943 Safety Zones; Recurring Events in Captain of the Port Duluth Zone.

(a) *Regulations.* (1) In accordance with the general regulations in § 165.23 of this part, entry into, transiting, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port (COTP) Duluth or his or her designated on-scene representative.

(2) These safety zones are closed to all vessel traffic, except as may be permitted by the COTP Duluth or his or her designated on-scene representative.

(3) The ''on-scene representative'' of the COTP Duluth is any Coast Guard commissioned, warrant or petty officer who has been designated by the COTP Duluth to act on his behalf.

(4) Vessel operators desiring to enter or operate within the safety zone must contact the COTP Duluth or his or her on-scene representative to obtain permission to do so. The COTP Duluth or his or her on-scene representative may be contacted via VHF Channel 16. Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the COTP Duluth, or his or her on-scene representative.

(5) The enforcement dates and times for each of the safety zones listed in Table 1 are subject to change, but the duration of enforcement would remain the same or nearly the same as stated in Table 1. In the event of a change, the COTP Duluth will provide notice to the public by publishing a Notification of Enforcement in the **Federal Register**, as well as issuing a Broadcast Notice to Mariners.

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

(1) *Designated representative* means any Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel and a Federal, State, and local officer designated by or assisting the COTP Duluth in the enforcement of each safety zone.

(2) *Public vessel* means a vessel that is owned, chartered, or operated by the United States, or by a State or political subdivision thereof.

(3) *Rain date* refers to an alternate date and/or time in which the safety zone would be enforced in the event of inclement weather.

(c) *Suspension of enforcement.* The COTP Duluth may suspend enforcement of any of these zones earlier than listed in this section. Should the COTP Duluth suspend any of these zones earlier than the listed duration in this section, he or she may make the public aware of this suspension by Broadcast Notice to Mariners and/or on-scene notice by his or her designated representative.

(d) *Exemption.* Public vessels, as defined in paragraph (b) of this section, are exempt from the requirements in this section.

(e) *Waiver.* For any vessel, the COTP Duluth or his or her designated representative may waive any of the requirements of this section upon finding that operational conditions or other circumstances are such that application of this section is unnecessary or impractical for the purposes of safety or security.

(f) *Notification* The enforcement dates and times for each of the listed safety zones are subject to change. Advance notice to the local maritime community will be made well in advance of the events through Notification(s) of Enforcement in the **Federal Register**, listing exact times and dates of the enforcement periods. A Broadcast Notice to Mariners will also be issued.

TABLE 1 TO § 165.943

[Datum NAD 1983]

Event	Location	Enforcement date and time
(a) June Safety Zones		
(1) Bridgefest Regatta Fireworks Display.	All waters of the Keweenaw Waterway in Hancock, MI within the arc of a circle with a radius of no more than 1,120 feet from the launch site at position 47°07′22″ N, 088°35′28″ W.	Mid-June.
(a) July Safety Zones		
(1) Ashland 4th of July Fireworks Display.	All waters of Chequamegon Bay in Ashland, WI within the arc of a circle with a radius of no more than 1,120 feet from the launch site at position 46°35′50″ N, 090°52′59″ W.	On or around July 4th.
(2) City of Bayfield 4th of July Fireworks Display.	All waters of the Lake Superior North Channel in Bayfield, WI within the arc of a circle with a radius of no more than 1,120 feet from the launch site at position 46°48′40″ N, 090°48′32″ W.	On or around July 4th.
(3) Cornucopia 4th of July Fireworks Display.	All waters of Siskiwit Bay in Cornucopia, WI within the arc of a circle with a radius of no more than 1,120 feet from the launch site at position 46°51′35″ N, 091°06′15″ W.	On or around July 4th.

TABLE 1 TO § 165.943—Continued

[Datum NAD 1983]

Event	Location	Enforcement date and time
(4) Duluth 4th Fest Fireworks Display ..	All waters of the Duluth Harbor Basin, Northern Section in Duluth, MN within the arc of a circle with a radius of no more than 1,120 feet from the launch site at position 46°46′14″ N, 092°06′16″ W.	On or around July 4th.
(5) LaPointe 4th of July Fireworks Display.	All waters of Lake Superior in LaPointe, WI within the arc of a circle with a radius of no more than 1,120 feet from the launch site at position 46°46′40″ N, 090°47′22″ W.	On or around July 4th.
(6) Two Harbors 4th of July Fireworks Display.	All waters of Agate Bay in Two Harbors, MN within the arc of a circle with a radius of no more than 1,120 feet from the launch site at position 47°00′54″ N, 091°40′04″ W.	On or around July 4th.
(7) Superior 4th of July Fireworks Display.	All waters of Superior Bay in Superior, WI within the arc of a circle with a radius of no more than 1,120 feet from the launch site at position 46°43′28″ N, 092°03′38″ W.	On or around July 4th.
(a) August Safety Zones		
(1) Point to LaPointe Swim	All waters of the Lake Superior North Channel between Bayfield and LaPointe, WI within an imaginary line created by the following coordinates: 46°48′50″ N, 090°48′44″ W, moving southeast to 46°46′44″ N, 090°47′33″ W, then moving northeast to 46°46′52″ N, 090°47′17″ W, then moving northwest to 46°49′03″ N, 090°48′25″ W, and finally returning to the starting position.	Early August.
(2) Lake Superior Dragon Boat Festival Fireworks Display.	All waters of Superior Bay in Superior, WI within the arc of a circle with a radius of no more than 1,120 feet from the launch site at position 46°43′28″ N, 092°03′47″ W.	Late August.
(3) Superior Man Triathlon	All waters of the Duluth Harbor Basin, Northern Section in Duluth, MN within an imaginary line created by the following coordinates: 46°46′36″ N, 092°06′06″ W, moving southeast to 46°46′32″ N, 092°06′01″ W, then moving northeast to 46°46′45″ N, 092°05′45″ W, then moving northwest to 46°46′49″ N, 092°05′49″ W, and finally returning to the starting position.	Late August.

Dated: August 27, 2025.

John P. Botti,

Commander, U.S. Coast Guard, Captain of the Port Marine Safety Unit Duluth.

[FR Doc. 2025–17270 Filed 9–8–25; 8:45 am]

BILLING CODE 9110–04–P

Notices

Federal Register

Vol. 90, No. 172

Tuesday, September 9, 2025

COMMISSION ON CIVIL RIGHTS

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

AGENCY: U.S. Commission on Civil Rights.

ACTION: Notice of public meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act, that the South Carolina Advisory Committee (Committee) to the U.S. Commission on Civil Rights will hold a public business meeting via Zoom. The purpose of this meeting is to continue discussing potential civil rights topics of study.

DATES: Tuesday, September 23, 2025, from 11:00 a.m.–12:15 p.m. Eastern Time.

ADDRESSES: The meeting will be held via Zoom Webinar.

Registration Link (Audio/Visual): https://www.zoomgov.com/webinar/register/WN__R1d7Zs-QyiKYkefGT3nBA.

Join by Phone (Audio Only): (833) 435–1820 USA Toll-Free; Meeting ID: 161 311 4564.

FOR FURTHER INFORMATION CONTACT: Victoria Moreno, Designated Federal Officer, at *vmoreno@usccr.gov* or (434) 515–0204.

SUPPLEMENTARY INFORMATION: This Committee meeting is available to the public through the registration link above. Any interested members of the public may attend this meeting. An open comment period will be provided to allow members of the public to make oral comments as time allows. Pursuant to the Federal Advisory Committee Act, public minutes of the meeting will include a list of persons who are present at the meeting. If joining via phone, callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Closed captioning is available by selecting ''CC'' in the meeting platform. To request additional accommodations, please email *svillanueva@usccr.gov* at least 10 business days prior to the meeting.

Members of the public are entitled to submit written comments; the comments must be received in the regional office within 30 days following the meeting. Written comments may be emailed to Sarah Villanueva at *svillanueva@usccr.gov.* Persons who desire additional information may contact the Regional Programs Coordination Unit at (434) 515–0204.

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 the file-sharing website, *https://bit.ly/3YnhKJx.* 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 *svillanueva@usccr.gov.*

Agenda

I. Welcome & Roll Call
II. Chair's Comments
III. Approval of the Minutes—August 5, 2025, Business Meeting
IV. Discussion on Ranked Choice Poll Results
V. Public Comment
VI. Next Steps
VII. Adjournment

Dated: September 4, 2025.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2025–17231 Filed 9–8–25; 8:45 am]

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COMMISSION ON CIVIL RIGHTS

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

AGENCY: U.S. Commission on Civil Rights.

ACTION: Notice of public meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act (FACA), that the Alaska Advisory Committee (Committee) to the U.S. Commission on Civil Rights will hold a virtual business meeting via Zoom on Friday, September 19, 2025, from 11:30 a.m. to 12:30 p.m. Alaska time. The purpose of this meeting is to discuss the proposal stage and draft project proposal.

DATES: Friday, September 19, 2025, from 11:30 a.m.—12:30 p.m. Alaska Time.

ADDRESSES: The meeting will be held via Zoom Webinar. *Registration Link (Audio/Visual):*https://www.zoomgov.com/webinar/register/WN_QtLEwYn1T-eI_Hj0LbQsDQ *Join by Phone (Audio Only):* (833) 435–1820 USA Toll Free; Webinar ID: 160 956 9193

FOR FURTHER INFORMATION CONTACT: Kayla Fajota, Designated Federal Officer (DFO) at *kfajota@usccr.gov* or (434) 515–2395.

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 captions will be provided for individuals who are deaf, hard of hearing, or who have certain cognitive or learning impairments. To request additional accommodations, please email Angelica Trevino, Support Services Specialists, at *atrevino@usccr.gov* at least 10 business days prior to the meeting.

Members of the public are entitled to make comments during the open period at the end of the meeting. Members of the public may also submit written comments; the comments must be received in the Regional Programs Unit within 30 days following the meeting. Written comments may be emailed to Kayla Fajota (DFO) at *kfajota@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, Alaska Advisory Committee link. Persons interested in the work of this Committee are directed to the Commission's website, *http://www.usccr.gov,* or may contact the Regional Programs Coordination Unit at *atrevino@usccr.gov.*

Agenda

I. Welcome and Roll Call
II. Announcements
III. Nominate and Elect Vice-Chair
IV. Overview of Project Proposal Stage
V. Discussion: Project Proposal
VI. Next Steps
VII. Public Comment
VIII. Adjournment

Dated: September 4, 2025.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2025–17240 Filed 9–8–25; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–583–879]

Certain Monomers and Oligomers From Taiwan: Preliminary Affirmative Determination of Sales at Less Than Fair Value and Preliminary Affirmative Determination of Critical Circumstances

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

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that certain monomers and oligomers from Taiwan are being, or are likely to be, sold in the United States at less than fair value (LTFV). The period of investigation (POI) is January 1, 2024, through December 31, 2024. Interested parties are invited to comment on this preliminary determination.

DATES: Applicable September 9, 2025.

FOR FURTHER INFORMATION CONTACT: Jaron Moore or Katerina Katsiadas, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–3640 or (202) 482–4929, respectively.

SUPPLEMENTARY INFORMATION:

Background

This preliminary determination is made in accordance with section 733(b) of the Tariff Act of 1930, as amended (the Act). Commerce published the notice of initiation of this investigation on April 23, 2025.[1] For a complete description of the events that followed the initiation of this investigation, *see* the Preliminary Decision Memorandum.[2] A list of topics included in the Preliminary Decision Memorandum is included as Appendix II to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Scope of the Investigation

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

Scope Comments

In accordance with the *Preamble* to Commerce's regulations,[3] the *Initiation Notice* set aside a period of time for parties to raise issues regarding product coverage (*i.e.,* scope).[4] No interested party commented on the scope of the investigation as it appeared in the *Initiation Notice.* Therefore, Commerce is not preliminarily modifying the scope language as it appeared in the *Initiation Notice.*

Methodology

Commerce is conducting this investigation in accordance with section 731 of the Act. Pursuant to section 776(a) of the Act, Commerce has preliminarily relied upon facts otherwise available for Eternal Materials Co., Ltd. (Eternal Materials), Qualipoly Chemical Corporation (Qualipoly), and Synth-Edge Advanced Material Co., Ltd. (Synth-Edge), the mandatory respondents in this investigation, because each failed to submit the necessary information to calculate an antidumping margin in this investigation. Furthermore, pursuant to sections 776(a) and (b) of the Act, Commerce has preliminarily relied upon facts otherwise available, with adverse inferences for Eternal Materials, Qualipoly, and Synth-Edge. For a full description of the methodology underlying the preliminary determination, *see* the Preliminary Decision Memorandum.

Preliminary Affirmative Determination of Critical Circumstances

In accordance with section 733(e) of the Act and 19 CFR 351.206, Commerce preliminarily finds that critical circumstances exist for Eternal Materials, Qualipoly, Synth-Edge, and all-other companies not selected for individual examination. For a full description of the methodology and results of Commerce's critical circumstances analysis, *see* the Preliminary Decision Memorandum.

All-Others Rate

Sections 733(d)(1)(ii) and 735(c)(5)(A) of the Act provide that, in the preliminary determination, Commerce shall determine an estimated all-others rate for all exporters and producers not individually examined. This rate shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero and *de minimis* margins, and any margins determined entirely under section 776 of the Act.

In this investigation, Commerce preliminary assigned a rate based entirely on facts available under section 776 of the Act to the three mandatory respondents. Consequently, pursuant to section 735(c)(5)(B) of the Act, Commerce's normal practice under these circumstances has been to calculate the all-others rate as a simple average of the alleged dumping margin(s) from the petition.[5]

[1] *See Certain Monomers and Oligomers from the Republic of Korea and Taiwan: Initiation of Less-Than-Fair-Value Investigations,* 90 FR 17044 (April 23, 2025) (*Initiation Notice*).

[2] *See* Memorandum, ''Decision Memorandum for the Preliminary Affirmative Determination in the Less-Than-Fair-Value Investigation of Certain Monomers and Oligomers from Taiwan'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

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

[4] *See Initiation Notice,* 90 FR at 17044–45.

[5] *See, e.g., Notice of Preliminary Determination of Sales at Less Than Fair Value: Sodium Nitrite from the Federal Republic of Germany,* 73 FR 21909, 21912 (April 23, 2008), unchanged in *Notice of Final Determination of Sales at Less Than Fair Value: Sodium Nitrite from the Federal Republic of Germany,* 73 FR 38986, 38987 (July 8, 2008), and accompanying Issues and Decision Memorandum at Comment 2; *see also Notice of Final Determination of Sales at Less Than Fair Value: Raw Flexible Magnets from Taiwan,* 73 FR 39673, 39674 (July 10, 2008); *Steel Threaded Rod from Thailand: Preliminary Determination of Sales at Less Than Fair Value and Affirmative Preliminary*

Continued

In the Petition,[6] Arkema, Inc. (the petitioner) provided two estimated dumping margins, 112.81 and 286.12 percent. Therefore, consistent with our practice, for the all-others rate in this investigation, we preliminarily assigned a simple average of the dumping margins alleged in the Petition, which is 199.47 percent.[7]

Preliminary Determination

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

Exporter/producer	Estimated weighted-average dumping margin (percent)
Eternal Materials Co., Ltd	*286.12
Qualipoly Chemical Corporation	*286.12
Synth-Edge Advanced Material Co., Ltd	*286.12
All Others	199.47

* Rate based on AFA.

Suspension of Liquidation

In accordance with section 733(d)(2) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to suspend liquidation of entries of subject merchandise, as described in Appendix I, entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**. Further, pursuant to section 733(d)(1)(B) of the Act and 19 CFR 351.205(d), Commerce will instruct CBP to require a cash deposit equal to the estimated weighted-average dumping margins or the estimated all-others rate, as follows: (1) the cash deposit rate for the respondent listed above will be equal to the company-specific estimated weighted-average dumping margin determined in this preliminary determination; (2) if the exporter is not a respondent identified above, but the producer is, then the cash deposit rate will be equal to the company-specific estimated weighted-average dumping margin established for that producer of the subject merchandise; and (3) the cash deposit rate for all other producers and exporters will be equal to the all-others estimated weighted-average dumping margin.

Section 733(e)(2) of the Act provides that, given an affirmative determination of critical circumstances, any suspension of liquidation shall apply to unliquidated entries of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the later of: (a) the date which is 90 days before the date on which the suspension of liquidation was first ordered; or (b) the date on which notice of initiation of the investigation was published. Commerce preliminarily finds that critical circumstances exist for imports of subject merchandise produced or exported by Eternal Materials; Qualipoly; and Synth Edge. In accordance with section 733(e)(2)(A) of the Act, the suspension of liquidation shall apply to unliquidated entries of shipments of subject merchandise from the producers or exporters identified in this paragraph that were entered, or withdrawn from warehouse, for consumption on or after the date which is 90 days before the publication of this notice.

Commerce normally adjusts cash deposits for estimated antidumping duties by the amount of export subsidies countervailed in a companion countervailing duty (CVD) proceeding, when CVD provisional measures are in effect. Accordingly, where Commerce preliminarily made an affirmative determination for countervailable export subsidies, Commerce has offset the estimated weighted-average dumping margin by the appropriate CVD rate. Any such adjusted cash deposit rate may be found in the ''Preliminary Determination'' section above. The CVD investigation of certain monomers and oligomers from Taiwan preliminarily found no export subsidies; accordingly, we are making no offsets to the estimated weighted-average dumping margin.[8]

These suspension-of-liquidation instructions will remain in effect until further notice.

Disclosure

Normally, Commerce discloses to interested parties the calculations performed in connection with a preliminary determination within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of the notice of preliminary determination in the **Federal Register**, in accordance with 19 CFR 351.224(b). However, because Commerce preliminarily applied AFA to the three individually examined companies in this investigation, in accordance with section 776 of the Act, and the applied AFA rate is based solely on the petition, there are no calculations to disclose.

Consistent with 19 CFR 351.224(e), Commerce will analyze and, if appropriate, correct any timely allegations of significant ministerial errors by amending the preliminary determination. However, consistent with 19 CFR 351.224(d), Commerce will not consider incomplete allegations that do not address the significance standard under 19 CFR 351.224(g) following the preliminary determination. Instead, Commerce will address such allegations in the final determination together with issues raised in the case briefs or other written comments.

Verification

Because the individually-examined respondents in this investigation did not act to the best of their abilities to provide information requested by Commerce, and Commerce preliminarily determines the examined respondent is uncooperative, we will not conduct verification.

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than 14 days after the date of publication of the preliminary determination.[9] Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date for filing case briefs.[10] Interested parties who submit case or rebuttal briefs in this proceeding must submit: (1) a table of contents listing each issue; and (2) a table of authorities.[11]

As provided under 19 CFR 351.309(c)(2) and (d)(2), in prior proceedings we have encouraged interested parties to provide an executive summary of their briefs that should be limited to five pages total, including footnotes. In this investigation, we instead request that

Determination of Critical Circumstances, 78 FR 79670, 79671 (December 31, 2013), unchanged in *Steel Threaded Rod from Thailand: Final Determination of Sales at Less Than Fair Value and Affirmative Final Determination of Critical Circumstances,* 79 FR 14476, 14477 (March 14, 2014).

[6] *See* Petitioner's Letter, ''Petition for the Imposition of Antidumping and Countervailing Duties,'' dated March 27, 2025 (Petition); *see also* Checklist, ''AD Investigation Initiation Checklist,'' dated April 16, 2025 (Initiation Checklist); *see also* Petitioner's Letter, ''Response to Volume II Supplemental Questions'' dated April 4, 2025 (Taiwan AD Supplement) at Exhibit Supp–II–14.

[7] *See* Petition; Initiation Checklist; and Taiwan AD Supplement.

[8] *See Certain Monomers and Oligomers from Taiwan: Preliminary Affirmative Countervailing Duty Determination,* 90 FR 42184 (August 29, 2025), and accompanying Preliminary Decision Memorandum.

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

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

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

interested parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.[12] Further, we request that interested parties limit their public executive summary of each issue to no more than 450 words, not including citations. We intend to use the public executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final determination in this investigation. We request that interested parties include footnotes for relevant citations in the public executive summary of each issue. Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).[13]

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, limited to issues raised in the case and rebuttal briefs, must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, within 30 days after the date of publication of this notice in the **Federal Register**. Requests should contain the party's name, address, and telephone number, the number of participants and whether any participant is a foreign national, and a list of the issues to be discussed. If a request for a hearing is made, Commerce intends to hold the hearing at a date and time to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

Final Determination

Section 735(a)(1) of the Act and 19 CFR 351.210(b)(1) provide that Commerce will issue the final determination within 75 days after the date of its preliminary determination. Accordingly, Commerce will make its final determination no later than 75 days after the signature date of this preliminary determination.

U.S. International Trade Commission Notification

In accordance with section 733(f) of the Act, Commerce will notify the U.S. International Tade Commission (ITC) of its preliminary determination of sales at LTFV. If the final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after the final determination whether imports of certain monomers and oligomers from Taiwan are materially injuring, or threaten material injury to, the U.S. industry.

Notification to Interested Parties

This determination is issued and published in accordance with sections 733(f) and 777(i)(1) of the Act and 19 CFR 351.205(c).

Dated: September 3, 2025.

Christopher Abbott,

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

Appendix I

Scope of the Investigation

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

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

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

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

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

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

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

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

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

Notwithstanding the above, specifically excluded from the scope are downstream products, including but not limited to, inks, coatings and overprint varnishes. For purposes of this exclusion, the downstream product requires only the application of

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

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

energy to be cured, *e.g.,* inks or varnish applied to packaging, coatings applied to wood flooring, *etc.* The energy source required to cure the downstream product to its substrate can be thermal, ultraviolet radiation, visible light, electron beam radiation, or infrared radiation.

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

Appendix II

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Period of Investigation
IV. Application Of Facts Available With Adverse Inferences
V. Preliminary Affirmative Determination of Critical Circumstances
VI. Adjustments to Cash Deposit Rates for Export Subsidies in the Companion Countervailing Duty Investigation
VII. Recommendation

[FR Doc. 2025–17285 Filed 9–8–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–523–816]

Certain Aluminum Foil From the Sultanate of Oman: Final Results of Countervailing Duty Administrative Review; 2022

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that Oman Aluminium Rolling Company SPC, a producer and exporter of certain aluminum foil (aluminum foil) from the Sultanate of Oman (Oman) received countervailable subsidies during the period of review January 1, 2022, through December 31, 2022.

DATES: Applicable September 9, 2025.

FOR FURTHER INFORMATION CONTACT: Kristen Johnson, 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) 482–4793.

SUPPLEMENTARY INFORMATION:

Background

On December 13, 2024, Commerce published the *Preliminary Results* in the **Federal Register** and invited interested parties to comment.[1] On May 16, 2025, Commerce extended the deadline for the final results of this administrative review.[2] The deadline for these final results is now September 5, 2025. For a complete description of the events that occurred since the *Preliminary Results, see* the Issues and Decision Memorandum.[3]

Scope of the Order

The product covered by this *Order* is aluminum foil.[4] For a complete description of the scope of the *Order, see* the Issues and Decision Memorandum.

Analysis of Comments Received

Commerce addressed all issues raised in interested parties' case and rebuttal briefs in the Issues and Decision Memorandum. A list of the issues raised by parties, to which Commerce responded in the Issues and Decision Memorandum, is provided as an appendix to this notice. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Methodology

Commerce conducted this administrative review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act). For each of the subsidy programs found to be countervailable, we find that there is a subsidy, *i.e.,* a government-provided financial contribution that gives rise to a benefit to the recipient, and that the subsidy is specific.[5] For a complete description of the methodology underlying all of Commerce's conclusions, including our reliance on facts otherwise available, including adverse facts available (AFA), pursuant to sections 776(a) and (b) of the Act, see the Issues and Decision Memorandum.

Changes Since the Preliminary Results

Based on a review of the record and comments received from interested parties regarding our *Preliminary Results* and Post-Preliminary Analysis,[6] and for the reasons explained in the Issues and Decision Memorandum, we made one modification to our upstream subsidy analysis for these final results of review.

Final Results of Administrative Review

We determine that the following net countervailable subsidy rate exists for the period January 1, 2022, through December 31, 2022:

Company	Subsidy rate (percent *ad valorem*)
Oman Aluminium Rolling Company SPC [7]	10.88

Disclosure

Commerce intends to disclose its calculations and analysis performed for these final results of review within five days after the date of publication of this notice in the **Federal Register** in accordance with 19 CFR 351.224(b).

Assessment Rates

Pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.212(b)(2), Commerce has determined, and U.S. Customs and Border Protection (CBP) shall assess, countervailing duties on all appropriate entries of subject merchandise in accordance with the final results of this review, for the above-listed companies at the applicable *ad valorem* assessment rates listed. Commerce intends to issue assessment instructions 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

[1] *See Certain Aluminum Foil from the Sultanate of Oman: Preliminary Results of Countervailing Duty Administrative Review; 2022,* 89 FR 100971 (December 13, 2024) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

[2] *See* Memorandum, ''Extension of Deadline for Final Results of Countervailing Duty Administrative Review,'' dated May 16, 2025.

[3] *See* Memorandum, ''Issues and Decision Memorandum for the Final Results of the Administrative Review of the Countervailing Duty Order on Certain Aluminum Foil from the Sultanate of Oman; 2022,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[4] *See Certain Aluminum Foil from the Sultanate of Oman and the Republic of Turkey: Countervailing Duty Orders,* 86 FR 62782 (November 12, 2021) (*Order*).

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

[6] *See* Memorandum, ''Post-Preliminary Analysis Memorandum for the Administrative Review of the Countervailing Duty Order on Certain Aluminum Foil from the Sultanate of Oman,'' dated May 14, 2025 (Post-Preliminary Analysis).

[7] Commerce found that Oman Aluminium Rolling Company SPC is cross-owned with Sohar Paper Cores LLC, Takamul Investment Company LLC, and OQ SAOC.

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

In accordance with section 751(a)(2)(C) of the Act, Commerce intends to instruct CBP to collect cash deposits of estimated countervailing duties in the amounts shown for the companies subject to this review for shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this administrative review. For all non-reviewed companies, we will instruct CBP to continue to collect cash deposits of estimated countervailing duties at the most recent company-specific or all-others rate applicable to the company, as appropriate. These cash deposits, when imposed, shall remain in effect until further notice.

Administrative Protective Order (APO)

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

Notice to Interested Parties

These final results are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5).

Dated: September 3, 2025.

Christopher Abbott,

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

Appendix

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Subsidies Valuation Information
V. Upstream Subsidy Analysis
VI. Use of Facts Otherwise Available and Adverse Inferences
VII. Analysis of Programs
VIII. Discussion of the Issues
Comment 1: Whether a First-Tier Comparison Price Is on the Record
Comment 2: Whether Commerce Should Continue to Use UN Comtrade Prices
Comment 3: Whether the Benchmark Should Include Ocean Freight and Import Duties
IX. Recommendation

[FR Doc. 2025–17283 Filed 9–8–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF131]

Caribbean Fishery Management Council's Scientific and Statistical Committee; Public Virtual Meeting

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

ACTION: Notice of a public virtual meeting.

SUMMARY: The Caribbean Fishery Management Council's (Council) Scientific and Statistical Committee (SSC) will hold a 3-day public virtual meeting to address the items contained in the tentative agenda included in the **SUPPLEMENTARY INFORMATION**.

DATES: The SSC public virtual meeting will be held on September 23 through 25, 2025, from 12:30 p.m. to 5 p.m. Atlantic Standard Time (AST), every day.

ADDRESSES: You may join the SSC public virtual meeting via Zoom from a computer, tablet, or smartphone by entering the following address: *https://us02web.zoom.us/j/87993466049?pwd=5bvhG3ATeIVRjmTYREbW44fhGIFouD.1.*

Meeting ID: 879 9346 6049.
Passcode: 314088.
One tap mobile:

+16892781000,,87993466049#,,,,*314088# US

Dial by your location:

+1 669 900 9128 US (San Jose)
+1 301 715 8592 US (Washington DC)
+1 646 558 8656 US (New York)
+1 787 966 7727 Puerto Rico
+1 939 945 0244 Puerto Rico

Meeting ID: 879 9346 6049.
Passcode: 314088.
Find your local number: https://us02web.zoom.us/u/kbSF3HMCmJ.

In case of problems with ZOOM, please join the meeting via GoToMeeting by entering the following address: *https://meet.goto.com/768055309.*

You can also dial in using your phone.

Access Code: 768–055–309
United States: +1 (571) 757–317–3122

Join from a video-conferencing room or system.

Meeting ID: 768–055–309
Dial in or type: 67.217.95.2 or *inroomlink.goto.com*
Or dial directly: 768055309@67.217.95.2 or 67.217.95.2##768055309

Get the app now and be ready when your first meeting starts: *https://meet.goto.com/install.*

FOR FURTHER INFORMATION CONTACT: Graciela García-Moliner, Caribbean Fishery Management Council, 270 Muñoz Rivera Avenue, Suite 401, San Juan, Puerto Rico 00918–1903, telephone: (787) 766–5926.

SUPPLEMENTARY INFORMATION: The following items included in the tentative agenda will be discussed:

September 23, 2025

12:30 p.m.–5 p.m.

Call to Order
Roll Call
SEDAR 91 U.S. Caribbean Spiny Lobster St. Thomas/St. John Assessment Report—Adyan Ríos, Caribbean Branch SEFSC, NOAA Fisheries

September 24, 2025

12:30 p.m.–5 p.m.

SEDAR 91 U.S. Caribbean Spiny Lobster St. Croix Assessment Report-Adyan Ríos, Caribbean Branch SEFSC, NOAA Fisheries

September 25, 2025

12:30 p.m.–5 p.m.

SEDAR 84 Caribbean Yellowtail Snapper (Puerto Rico, St. Thomas/St. John) and Stoplight Parrotfish (St. Croix): SSC recommendations for finalizing the stock assessments—SEFSC, NOAA Fisheries
Other Business
Next Meeting
Adjourn

The order of business may be adjusted as necessary to accommodate the completion of agenda items. The meeting will begin on September 23, 2025, at 12:30 p.m. AST, and will end on September 25, 2025, at 5 p.m., AST. Other than the start time, interested parties should be aware that discussions may start earlier or later than indicated, at the discretion of the Chair. In addition, the meeting may be completed prior to the date established in this notice.

Special Accommodations

For Any Additional Information On This Public Virtual Meeting, Please Contact Dr. Graciela García-Moliner, Caribbean Fishery Management Council, 270 Muñoz Rivera Avenue, Suite 401, San Juan, Puerto Rico 00918–1903, telephone: (787) 403–8337.

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

Dated: September 5, 2025.

Rey Israel Marquez,

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

[FR Doc. 2025–17307 Filed 9–8–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF168]

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) will hold a 3-day hybrid meeting with both in-person and webinar participation options to consider actions affecting New England fisheries in the exclusive economic zone (EEZ).

DATES: The meeting will be held Tuesday, Wednesday, and Thursday, September 23 through 25, 2025, beginning at 9 a.m. each day.

ADDRESSES:

Meeting address: The meeting will be held at the Beauport Hotel, 55 Commercial Street, Gloucester, MA 01930; telephone (978) 282–0008; online at *https://www.beauporthotel.com/.* Register for the webinar at *https://nefmc-org.zoom.us/webinar/register/WN__1D1JgTwSc2Nj-i3MF3bhw#/registration*

Council address: New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950; telephone (978) 465–0492; *www.nefmc.org.*

FOR FURTHER INFORMATION CONTACT: Cate O'Keefe, Executive Director, New England Fishery Management Council; telephone: (978) 465–0492, ext. 113.

SUPPLEMENTARY INFORMATION:

Agenda

Tuesday, September 23, 2025

The Council will begin the meeting with introductions and announcements by Acting Council Chair Daniel Salerno, followed by the swearing-in of new and reappointed Council members and the election of officers for the 2025–2026 term.

The Council will then receive reports from the Council Chair and Executive Director, the Greater Atlantic Regional Fisheries Office (GARFO), NOAA General Counsel, the Northeast Fisheries Science Center (NEFSC), the Mid-Atlantic Fishery Management Council (MAFMC), the Atlantic States Marine Fisheries Commission (ASMFC), the U.S. Coast Guard, NOAA Enforcement, and the Highly Migratory Species Advisory Panel.

Following reports, Council staff will present recommendations under Executive Order 14276, Restoring American Seafood Competitiveness, for Council approval. The Council will then take final action on an omnibus Management Flexibility Action addressing specification frequency, rollover provisions, in-season adjustment authority, and related measures.

After the lunch break, the Council will receive a report from the Northeast Trawl Advisory Panel (NTAP) on its July 2025 meeting and updates on the Regional Industry-Based Trawl Survey (RIBTS) pilot project. The Scientific and Statistical Committee (SSC), chaired by Dr. Conor McManus, will present overfishing limit (OFL) and acceptable biological catch (ABC) recommendations for northern and southern monkfish and the skate complex, as well as scallop specification process recommendations.

The Council will then hear from the Monkfish and Skate Committees and take final action on Framework 17 to set monkfish specifications for 2026–2028 and defaults for 2029–2030, along with final action on skate specifications for 2026–2027 and defaults for 2028–2030. The meeting will adjourn at 5 p.m.

At 6 p.m., the Council will host a public outreach session at the Beauport Hotel to foster informal discussion among Council members, staff, industry participants, and members of the public.

Wednesday, September 24, 2025

The second day will begin with a presentation from the NEFSC Cooperative Research Branch, followed by the Scallop Committee report on Framework Adjustment 40, survey updates, the Scallop Strategic Plan, and the Limited Access General Category Individual Fishing Quota Program Review.

Next, the Groundfish Committee will report on Amendment 25, including Council final action to incorporate four cod stock units into the Northeast Multispecies Fishery Management Plan, and provide an update on Framework 72.

After a Council photo and lunch break, the Habitat Committee will present final action on an Essential Fish Habitat (EFH) framework revising EFH designations for Atlantic herring, Atlantic cod, skates, and monkfish. The Climate and Ecosystem Steering Committee will provide updates on process mapping, Inflation Reduction A-funded projects, and regional climate and ecosystem initiatives.

The day will conclude with an open public comment period for issues not listed on the agenda.

Thursday, September 25, 2025

The Council will begin with a report from the On-Demand Gear Conflict Working Group, including final action on an omnibus framework to revise gear-marking regulations for the use of fixed gear without persistent buoy lines in New England and Mid-Atlantic fisheries. The Council also will review and approve the Working Group's final report under its Terms of Reference.

The Council will then hold an initial discussion of 2026 Council priorities, followed by planning updates from the Executive Director. The meeting will conclude with any other business and adjourn at noon.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Executive Director Cate O'Keefe (see **ADDRESSES**) at least 5 days prior to the meeting date.

Dated: September 5, 2025.

Rey Israel Marquez,

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

[FR Doc. 2025–17308 Filed 9–8–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF DEFENSE

Office of the Secretary

Record of Decision for the Enhanced Integrated Air and Missile Defense System on Guam Environmental Impact Statement

AGENCY: Missile Defense Agency (MDA), Department of Defense (DoD).

ACTION: Record of decision.

SUMMARY: The MDA, as the lead agency, and the United States Army (USA), as a cooperating agency, are issuing this joint Record of Decision (ROD) to implement the construction,

deployment, and operations and maintenance of the Enhanced Integrated Air and Missile Defense (EIAMD) system on Guam, a territory of the U.S. This action will enable MDA and USA to meet their congressional mandate for a persistent 360-degree layered Integrated Air and Missile Defense capability on Guam to address the rapid evolution of missile threats from regional adversaries. Specifically, this ROD documents the decision made, alternatives considered, and discussions of all related and anticipated impacts. In addition to the USA, the United States Air Force (USAF), United States Navy (USN), and Federal Aviation Administration (FAA) are participating as cooperating agencies due to their jurisdiction or special expertise as it pertains to certain components of the selected alternative or for potentially affected operations and resources. The ROD details significant environmental impacts, outlines mitigation measures, and identifies the environmentally preferred alternative.

FOR FURTHER INFORMATION CONTACT: For further information on the EIAMD System on Guam Final Environmental Impact Statement (EIS) or this ROD, please contact Mr. Mark Wright, MDA Public Affairs, at 571–231–8212 or by email at *mda.info@mda.mil.*

Downloadable electronic versions of the Final EIS and ROD are available on MDA's website at *https://www.mda.mil/system/eiamd/.*

SUPPLEMENTARY INFORMATION:

A. MDA and USA Decision and Regulatory Background

On February 25, 2025, the Council on Environmental Quality (CEQ) published an interim final rule that removed all iterations of its National Environmental Policy Act (NEPA) implementing regulations (as required by Executive Order (E.O.) 14154, *Unleashing American Energy*), effective April 11, 2025.

The EIS complies with guidance for implementing NEPA in effect at the time of the preparation of the EIAMD System on Guam EIS: Section 102(2)(C) of NEPA of 1969, Sections 4321 *et seq.* of Title 42 United States Code (U.S.C.); CEQ regulations; MDA's NEPA Implementing Procedures (79 **Federal Register** 46410); USAF's Environmental Impact Analysis Process (32 Code of Federal Regulations (CFR) part 989); USA's NEPA Implementing Procedures (32 CFR part 651); USN's Procedures for Implementing NEPA (32 CFR part 775); and Chief of Naval Operations Instruction 5090.1E, *Environmental Readiness Program;* and Chief of Naval Operations Manual M–5090.1, *Environmental Readiness Program Manual;* and FAA NEPA implementing policies (FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*).

The MDA and USA are issuing this ROD to select the Proposed Action, as described in the EIAMD System on Guam Final EIS. This action will allow them to construct and implement the EIAMD system capability, along with its associated mission support facilities and infrastructure requirements, on Guam. The other option, the No Action Alternative, would be not to construct and implement the EIAMD system capability, along with the associated mission support facilities and infrastructure requirements, on Guam; this would not meet the purpose of or need for the Proposed Action. The MDA and USA will request the FAA establish or modify existing restricted airspace on Guam, as described in the EIAMD System on Guam Final EIS, to address the High Intensity Radiated Fields hazard introduced by the operation of the EIAMD system.

B. FAA Role

The FAA is a cooperating agency for the EIS because it is assigned responsibilities pursuant to 49 U.S.C. 40101 for civil aviation and regulation of air commerce in the interests of aviation safety and efficiency. The MDA and USA will request that the FAA, as a cooperating agency, consider and adopt, in whole or in part, the EIS as the required NEPA documentation to support FAA decisions on the establishment and configuration of special use airspace. The FAA will publish a separate public notification as part of its rulemaking process and issue a separate ROD for the EIS in accordance with FAA Joint Order 7400.2R, *Procedures for Handling Airspace Matters.*

C. Background

The selected action will construct, deploy, and operate and maintain a comprehensive, persistent, 360-degree EIAMD system to defend the entirety of Guam against the rapidly evolving threats of advanced cruise, ballistic, and hypersonic missile attacks from regional adversaries. The proposed EIAMD system includes a combination of MDA, USA, and USN components that have been integrated for air and missile defense and positioned on 16 sites on DoD lands across Guam. Site preparation could begin late in calendar year 2025. Following construction, testing, and final system check, the EIAMD system would become operational.

D. Purpose and Need

Guam is a key strategic location for sustaining and maintaining U.S. influence, deterring adversaries, responding to crises, and maintaining a free and open Indo-Pacific. Within the context of homeland defense, an attack on Guam would be considered a direct attack on the U.S. and would be met with an appropriate response. The Commander of U.S. Indo-Pacific Command has identified the need for a comprehensive, persistent, 360-degree layered Integrated Air and Missile Defense capability on Guam to address the rapid evolution of missile threats from regional adversaries. The U.S. Congress codified this requirement in the Fiscal Year (FY)22 and FY23 National Defense Authorization Acts. This defensive architecture must be adaptable to expand capability and capacity as the threat evolves. The purpose of the Proposed Action is to provide an enhanced integrated air and missile defense system to defend the entirety of Guam against rapidly evolving threats of advanced cruise, ballistic, and hypersonic missile attacks from regional adversaries as soon as possible.

E. NEPA Process

The NEPA process includes a robust public participation component. The MDA initiated a 60-day formal public scoping period by publishing a Notice of Intent to prepare an EIS in the **Federal Register** on May 5, 2023. The public comment period was extended to 105 days to account for impacts from Typhoon Mawar, which struck Guam on May 24, 2023. Three public scoping meetings were held on Guam on August 2, 3, and 4, 2023. The MDA received 136 comments during the scoping period, which closed on August 18, 2023. The Draft EIS was released for a 75-day public review and comment period from October 25, 2024, through January 8, 2025, with a Notice of Availability published in the **Federal Register** on October 25 and 28, 2024. Two public meetings were held on Guam on November 14 and 15, 2024. The MDA received 72 comment letters during the public comment period, which closed on January 8, 2025. A Notice of Availability for the EIAMD System on Guam Final EIS was published in the **Federal Register** on July 25, 2025. This ROD concludes the NEPA process.

F. Alternatives Considered

Although current U.S. forces are capable of defending Guam against regional ballistic missile threats, regional threats to Guam continue to increase and advance technologically. Guam's geographical location in the Pacific, topography, existing DoD lands, and critical infrastructure the island the only reasonable location capable of accommodating the unique 360-degree EIAMD system performance requirements. System components need to be distributed at locations throughout Guam to provide the performance required to defend against threats. As such, alternatives analyzed in the EIAMD System on Guam EIS consist of the Proposed Action and the No Action Alternative.

1. No Action Alternative

Under the No Action Alternative, the EIAMD system would not be established on Guam. By implementing the No Action Alternative, defensive capabilities would not expand to provide enhanced defense capability for Guam against the rapidly evolving threats of potential missile attacks from regional adversaries. The No Action Alternative serves as the baseline against which the Proposed Action is compared.

2. Proposed Action

The Proposed Action is to implement an EIAMD system capability by constructing, deploying, and operating and maintaining a comprehensive, persistent, 360-degree EIAMD system for air and missile defense positioned on 16 sites on DoD properties on Guam. Of the proposed 16 sites, which include mission support sites, 8 are on Naval Base Guam (NBG) (including the NBG Munitions Site [NMS]), 6 are on Andersen Air Force Base (AAFB), and 2 are on Marine Corps Base Camp Blaz (MCBCB). Two sites (MCBCB South and NBG Nimitz Hill) would have Explosive Safety Quantity Distance arcs that encroach on non-DoD land, potentially requiring real estate actions on those properties. Additionally, one site (NMS Northeast) would require a road easement across Government of Guam lands to access the EIAMD system site on DoD property. In addition, the Proposed Action would include modifications and restrictions to existing airspace.

G. Environmental Impacts

The EIAMD System on Guam Final EIS includes an analysis of potential impacts of the Proposed Action and No Action Alternative on the following resource areas; airspace management, health and safety, cultural resources, terrestrial biological resources, socioeconomics, protection of children and environmental justice, land use and recreational resources, transportation, visual quality, utilities, air quality, greenhouse gases,[1] noise, water resources, and geological and soil resources.

The discussion below summarizes only those resource areas expected to have significant impacts as a result of implementation of the Proposed Action. Based on the analysis presented in the Final EIS, all other resource areas were determined to have less than significant impacts.

1. Terrestrial Biological Resources

Site Preparation and Construction: Implementation of the Proposed Action would result in removal of limestone forest (biologically important habitat for native wildlife and federal Endangered Species Act (ESA)-listed species) across nine sites. Implementation of mitigation measures would reduce expected impacts on terrestrial biological resources on Guam but impacts from the loss of limestone forest would remain major, long term, and significant with implementation of the Proposed Action.

There would be significant impacts from the removal of approximately 5,459 individuals of the federal ESA-listed threatened plant *Cycas micronesica* at five locations. Implementation of mitigation measures would reduce impacts from the implementation of the Proposed Action. Due to the ongoing population decline of *Cycas micronesica* on Guam, combined with the additional loss of approximately 5,459 individuals, the impacts on *Cycas micronesica* would remain major, long term, and significant.

There would be significant impacts on the ESA-listed threatened Mariana fruit bat due to loss of 235 acres of limestone forest habitat. Given this loss of foraging and roosting habitat and the critically low numbers of fruit bats on Guam, the loss would be a major, direct, long-term, and significant impact on Mariana fruit bats but mitigable to less than significant with implementation of the mitigation measures (*e.g.,* improving foraging and roosting habitat through the establishment of habitat enhancement sites [HESs]).

[1] While climate change and greenhouse gases were analyzed as a resource area, subsequent guidance and changes in regulatory requirements drove the decision to exclude climate change and greenhouse gases from consideration in making the decision of which alternative to select.

2. Socioeconomics (Housing and Health Care)

Site Preparation and Construction: Construction of the Proposed Action would require an average of 400 construction workers annually, and span over 10 years, with approximately 240 workers (60 percent) expected to be in-migrant laborers originating off Guam. Construction contractors may house in-migrant workers in suitable temporary workforce housing facilities or be required to find accommodations within the local housing market. The 2020 Guam Housing and Needs Study identified a need for an additional 9,908 housing units between 2020 and 2025 to meet community demand. In-migrant workers accommodated within the local housing market would further impact housing availability on Guam. Impacts on housing associated with the influx of in-migrant workers, although temporary, would have direct and indirect long-term, major, and significant impacts on the availability of housing on Guam.

Operations and Maintenance: Because the overall availability of housing on Guam is low, EIAMD system personnel arriving from other locations would serve on a rotational basis until adequate community support facilities are available. DoD recognizes the need for additional Life Support Facilities on Guam, including housing, to support the additional mission requirements. DoD is reviewing these needs holistically and plans to address the EIAMD system housing needs before the arrival of dependents in 2031. In the interim, for the Proposed Action, the USA plans to phase the deployment of EIAMD system personnel arriving on Guam. All EIAMD system personnel and dependents (except for civilian personnel and DoD contractors) arriving prior to 2031 will be housed in military housing units located on military installations as available. This phased approach would minimize the initial need for housing for EIAMD system personnel and limit the impact on Guam's housing market.

Beginning in 2031, approximately 2,300 permanent military and civilian personnel and their dependents, and 44 contractors supporting the EIAMD system, would reside on Guam. An estimated 20 percent (469 individuals) would require off-base housing. The projected housing requirement to support these personnel and their dependents is 324 units, which is approximately 18.8 percent of the currently available rental units on Guam that meet military housing standards. The local housing market and military housing may have sufficient capacity to meet the number of units required for operations personnel and their dependents arriving in 2031. The extent of impacts on housing, however, would depend on the availability of military housing, both the number of units and the timing of the construction of new units with the arrival of personnel, to support multiple DoD projects on Guam. Considering the limited availability of housing and the unmet community demand for housing units on Guam, impacts on housing are expected to be long term, major, and significant.

Given the increase in population associated with the Proposed Action, impacts on medical and health care services were determined to be long term and significant based on Guam's status as a Medically Underserved Area and the likelihood that the 2,300 permanent personnel and their dependents arriving on the island in 2031 would require access to local medical services, increasing the demand on a system that is already significantly overburdened. The DoD is also looking at medical services holistically and plans to address these needs prior to the arrival of dependents in 2031; military personnel associated with the Proposed Action would receive general health services at the military treatment facilities, which would minimize impacts on Guam.

3. Transportation

Site Preparation and Construction: Site preparation and construction would result in significant short-term impacts on traffic at six intersections.

Operations and Maintenance: When compared to the 2035 baseline traffic conditions (conditions after completion of construction), 13 intersections are currently operating at level of service (LOS) F but would have an increase of at least 50 additional vehicles during peak AM/PM hours as a result of the Proposed Action. Therefore, impacts from operations and maintenance would be long term, major, and significant.

4. Cumulative

Pursuant to E.O. 14154, the CEQ issued guidance, ''Implementation of the National Environmental Policy Act,'' dated February 19, 2025, directing federal agencies to establish or update their NEPA implementing procedures by February 19, 2026, consistent with NEPA as amended by the Fiscal Responsibility Act of 2023 (Pub. L. 118–5). With respect to cumulative impacts considerations, the CEQ guidance provides: ''Effects: Federal agencies should analyze the reasonably foreseeable effects of the proposed action consistent with section 102 of NEPA, which does not employ the term 'cumulative effects;' NEPA instead requires consideration of 'reasonably foreseeable' effects, regardless of whether or not those effects might be characterized as 'cumulative.''' Because of the regulations in effect at the time of the preparation of the EIS, the Final EIS supporting this ROD continues to provide an analysis of cumulative effects, however, the decision in this ROD must only consider those effects resulting from the reasonably foreseeable impacts of the Proposed Action. This approach is consistent with the May 29, 2025, decision by the U.S. Supreme Court in *Seven County Infrastructure Coalition* v. *Eagle County, Colorado,* 605 U.S. ___; 145 S. Ct. 1497; 221 L. Ed. 2d 820 (2025). Further explanation of the cumulative effects can be found in Chapter 4 (Cumulative Impacts) of the Final EIS.

Cumulative impacts for all resources, except terrestrial biological resources, socioeconomics (specifically, housing, medical services, and Government of Guam that provide infrastructure support on the island), and transportation, were determined to be less than significant.

- There would be significant, adverse, cumulative impacts on terrestrial biological resources due to the removal of limestone forest and the removal of approximately 5,459 individuals of the Federal ESA-listed plant species *Cycas micronesica*.
- Any additional demand on the local housing market as a result of the increase in EIAMD system personnel on Guam would result in a significant cumulative impact. In addition, given that Guam is designated as a Medically Underserved Area and Government of Guam services related to infrastructure support are already strained, any additional demands on these services are also considered significant cumulative impacts.
- Significant cumulative impacts would occur at 6 transportation roadway intersections from site preparation and construction and at 13 transportation roadway intersections associated with operations and maintenance when impacts of the selected action are combined with those of other actions. Implementation of the Proposed Action would generate increased traffic due to other ongoing projects on Guam.

H. Agency Coordination

The MDA and USA have consulted and coordinated with appropriate agencies and representatives, including the U.S. Fish and Wildlife Service (USFWS), Guam State Historic Preservation Office (SHPO), and Bureau of Statistics and Plans (BSP), during planning and development of the EIS. A summary of the results from each consultation and coordination process is included below:

- *Federal Endangered Species Act (ESA).* In accordance with the USFWS under Section 7 of the Federal ESA, the MDA and USA received a Biological Opinion (BO) on July 9, 2025 and the associated terms and conditions are addressed in this ROD. Species addressed in the BO include Mariana fruit bat, Mariana common moorhen, Mariana swiftlet, Guam kingfisher, Guam rail, Mariana crow, Mariana eight-spot butterfly, and eight plant species: *Bulbophyllum guamense, Cycas micronesica, Dendrobium guamense, Eugenia bryanii, Heritiera longipetiolata, Phyllanthus saffordii, Tabernaemontana rotensis,* and *Tuberolabium guamense.* The USFWS estimates the Proposed Action will potentially result in the incidental take of Mariana fruit bat in the form of harassment due to nighttime construction and ungulate control activities. Further, the USFWS estimates that incidental take in the form of capture and collection and mortality of Mariana eight-spot butterfly due to the development of the AAFB Munitions Storage Area (MSA) site. The USFWS determined the Proposed Action including the estimated anticipated take is likely to adversely affect, but is not likely to jeopardize the continued existence of, the Mariana fruit bat, Mariana eight-spot butterfly, *Bulbophyllum guamense, Cycas micronesica, Dendrobium guamense, Eugenia bryanii, Heritiera longipetiolata, Phyllanthus saffordii, Tabernaemontana rotensis, Tuberolabium guamense,* or the three extirpated species, the Guam kingfisher, Mariana crow, or Guam rail. The USFWS concurred with the determination the Proposed Action may affect but is unlikely to adversely affect Guam tree snail, humped tree snail, fragile tree snail, Mariana common moorhen and Mariana swiftlet. The MDA and USA commit to all the conservation measures, best management practices, the reasonable and associated terms, prudent measure, and terms and conditions in the BO.
- *National Historic Preservation Act (NHPA).* The MDA and USA are required to comply with Section 106 of the NHPA for the EIAMD undertaking. Joint Region Marianas (JRM), MDA, and USA, through consultations with the Guam SHPO, have determined the *Programmatic Agreement among the Commander, Navy Region Marianas (CNRM); the Advisory Council on*

Historic Preservation; and the Guam SHPO regarding Navy Undertakings on the Island of Guam, November 20, 2008, applies to the Proposed Action and thus fulfills the federal agency obligations under Section 106. The 2008 Programmatic Agreement applies to all undertakings initiated within the USN's area of responsibility, regardless of whether they are initiated, funded, or carried out by CNRM (now JRM) or by another command or lessee of the USN. AAFB, MCBCB, NMS, and NBG are currently under USN joint command. The 2008 Programmatic Agreement provides alternate, streamlined procedures for completing the Section 106 process for agreed-upon undertakings. Any adverse effects on historic properties in the study area will be mitigated in accordance with the 2008 Programmatic Agreement.

• *Coastal Zone Management Act (CZMA).* The MDA and USA completed the CZMA federal consistency process for the Proposed Action on Guam. JRM submitted the Coastal Consistency Determination to BSP on March 11, 2025. JRM received conditional concurrence from BSP that the Proposed Action is consistent to the maximum extent practicable with the enforceable policies of Guam's Coastal Management Program (GCMP) on May 8, 2025. The Proposed Action was updated as part of the Final EIS to clarify it will be implemented consistent with the enforceable policies of the GCMP to the maximum extent practicable, satisfying the conditions in the BSP's conditional concurrence. Thus, the Proposed Action, as described in the Final EIS, is fully consistent with GCMP's enforceable policies to the maximum extent practicable.

I. Mitigation Measures and Monitoring

The MDA and USA will take all practicable means to avoid or minimize environmental harm while still fulfilling the need for the 360-degree defense of Guam. Mitigation measures are summarized below. The MDA and USA will use a mitigation monitoring database to track the implementation of mitigation measures identified in the EIS.

1. Biological Resources

The following is a general summary of the mitigation measures that will be implemented commensurate with impacts to minimize impacts on terrestrial biological resources. A detailed list of the conservation and mitigation measures, best management practices, the reasonable and prudent measures, and associated terms and conditions included in the incidental take statement are included in the USFWS BO (see Appendix E [Agency Coordination, Consultation, and Correspondence]).

• *Establish Habitat Enhancement Sites (HESs)*

○ Several potential HESs have been identified in northern Guam on AAFB and in southern Guam on NMS that could be used to compensate for impacts associated with the Proposed Action. The location and size of these HESs will be commensurate with the amount of limestone forest and savanna complex removed under the Proposed Action. The number, size, and location of potential HESs will be finalized in conjunction with ongoing coordination with JRM and the installation site approval process.

○ Habitat enhancement activities will include the following:

▪ Installation of ungulate exclusion fences around the HESs;

▪ Removal of ungulates (*i.e.,* trapping, snaring, and shooting) with the goal of eradication within the fenced areas;

▪ Invasive plant removal; and

▪ Propagation, planting, and establishment of dominant and rare species characteristic of native limestone forest and savanna complex habitats.

○ Prior to any site preparation at the AAFB MSA site, ungulate exclusion fencing would be installed commensurate with the amount of limestone forest removal associated with the AAFB MSA site.

• *Pre-Construction Surveys, General ESA-Listed Plant Salvage and Transplantation*

○ If pre-construction surveys identify an ESA-listed plant as present in the construction area, one of the following will occur:

1. Salvageable ESA-listed plants will be directly transplanted into HESs. Transplantation will occur after fencing and ungulate removal is complete (see CM–3) and the site is reasonably likely to support the transplants; or

2. If individuals cannot be directly transplanted, then propagules will be salvaged or collected, and such material housed in a native plant nursery until they are ready for transplant into the HESs.

3. If there is an insufficient number of propagules or whole plants from within the project footprint to collect or salvage, then propagule collection from other sources outside the project footprint will be conducted to provide seedlings to meet transplanting/outplanting establishment targets. Transplantation/outplanting timing will be site specific for each EIAMD system site.

• *Mariana Eight-Spot Butterfly Host Plant Outplanting at HESs*

○ The DoD will plant Mariana eight-spot butterfly host plants within the HESs. The number of host plants established within the HESs will be commensurate with the number of individuals removed with the implementation of the Proposed Action.

2. Transportation

The MDA and USA recognize potential impacts on transportation associated with implementation of the Proposed Action. To minimize these impacts, any mitigation measures would be coordinated with the Guam Department of Public Works for the most appropriate solution. Mitigations would be implemented where practical and feasible, and applicable permits would be obtained. These solutions would also be coordinated with stakeholders prior to implementation. Any such mitigations would only be accomplished if duly authorized and funded by Federal legislation.

J. Environmentally Preferred Alternative

Based on the findings of the EIAMD System on Guam Final EIS, the No Action Alternative would be the environmentally preferred alternative because the significant, adverse, cumulative impacts from the Proposed Action would not occur. However, under the No Action Alternative, defensive capabilities would not be expanded to provide enhanced defense capability for Guam, nor would it satisfy the purpose of or need for the Proposed Action.

K. Post-Final Environmental Impact Statement Comments

On August 15, 2025, the Governor and Lieutenant Governor of Guam submitted a letter to the MDA Director responding to the EIAMD System on Guam Final EIS on behalf of the people of Guam and the Government of Guam. The letter indicates the Final EIS does not sufficiently address cumulative impacts on Guam's infrastructure, public services, economy, and natural and cultural resources, noting two reports issued in 2025 by the U.S. Government Accountability Office (GAO–25–108187 and GAO–25–107453). While neither of these GAO reports were specifically addressed in the Final EIS, we reviewed the reports and determined they provide no new information or data and the reports' conclusions were based significantly upon the same available information and data analyzed in the EIS. In fact, both reports make reference to MDA resources, including in one report, the EIAMD System on Guam Draft EIS. We have determined the August 15, 2025, letter from the Governor and Lieutenant Governor of Guam does not provide new data or information that would necessitate supplementing the Final EIS before a decision may be made. Further, the conclusions and recommendations made in the letter were taken into consideration before this decision was made.

No other comments were received after the EIAMD System on Guam Final EIS was published that need be addressed before a decision may be made.

L. Decision

In accordance with NEPA, we have considered the information contained within the EIAMD System on Guam Final EIS, comments from the public, input from regulatory agencies, EIAMD system capabilities including system performance and operation effectiveness, the analysis of the missile threat to Guam, and other relevant factors in deciding whether to implement the EIAMD system on Guam. We have decided to select the Proposed Action over the No Action Alternative. Although the No Action Alternative would have fewer environmental impacts, it would not support the purpose and need of a 360-degree defense of Guam. While this decision reflects the intent of the MDA and the USA to proceed with the Proposed Action, not all of the Proposed Action is immediately funded. In accordance with the BO, site-specific mitigations, which are yet to be authorized and funded, would only be accomplished should the portion of the Proposed Action necessitating mitigation proceed. No subsequent decision is required to proceed with the mitigations described in the Biological Opinion or the construction, deployment, operations, and maintenance of any of the sites described in the Final EIS.

(Authority: The DoD NEPA Implementing Procedures, Part 4.1[d] [June 20, 2025] [90 FR 27857] allow for the publication of notices in the **Federal Register** for ROD notices)

Dated: September 5, 2025.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025–17312 Filed 9–8–25; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Department of the Army, Corps of Engineers

Notice of Intent To Prepare a Supplemental Environmental Impact Statement for the Sabine Pass to Galveston Bay Coastal Storm Risk Management and Ecosystem Restoration Project, Orange County, TX

AGENCY: Corps of Engineers, Department of the Army, DoD.

ACTION: Notice of intent to prepare a draft supplemental environmental impact statement for the Sabine Pass to Galveston Bay Coastal Storm Risk Management and Ecosystem Restoration Project, Orange County, Texas.

SUMMARY: The Galveston District, U.S. Army Corps of Engineers (USACE) intends to prepare a Draft Supplemental Environmental Impact Statement (SEIS) for the Sabine Pass to Galveston Bay, Orange County Project consistent with the National Environmental Policy Act of 1969 (NEPA, Pub. L. 91–190) as amended. On October 2, 2018, the Record of Decision (ROD) was signed for the Sabine Pass to Galveston Bay, Texas Coastal Storm Risk Management and Ecosystem Restoration Final Integrated Feasibility Report and Environmental Impact Statement (FIFR–EIS). The FIFR–EIS evaluated three distinct separable elements (projects) using a region-wide systems approach in Orange County, Port Arthur and Vicinity, and Freeport and Vicinity. The Orange County Project is currently in the pre-construction engineering and design phase (PED). The USACE is currently evaluating alternative alignments for the Orange County Project based on new technical analyses and stakeholder engagement. The currently identified alignments differ in location and the magnitude of environmental impacts from those evaluated in the FIFR–EIS. In accordance with NEPA and the Department of Defense NEPA implementing procedures, the USACE will prepare a SEIS to document and disclose the impacts of substantial changes to the proposed action and new information that are relevant to environmental concerns. The USACE is seeking public input on the scope of the SEIS, effects, additional alternatives, public concerns, and relevant information, studies, or analyses for the proposed action.

DATES: Public scoping comments should be submitted on or before October 9, 2025, electronically or mailed as written letters. One public scoping meeting will be held on September 17, 2025, from 6:00 p.m. to 8:00 p.m. at the Orange County Convention and Expo Center, 11475 FM 1442, Orange, Texas 77630.

ADDRESSES: Submit all electronic public comments via email to Dr. Raven Blakeway: *S2GOrangeCounty@usace.army.mil* or via online comment form at the project website below. Written comments may be mailed to U.S. Army Corps of Engineers, Galveston District, ATTN: Dr. Raven Blakeway (RPEC), 2000 Fort Point Road, Galveston, TX 77550.

Pertinent information about the study and online comment form can be found at: *https://www.swg.usace.army.mil/S2G/OrangeCounty/.*

FOR FURTHER INFORMATION CONTACT: Questions or comments regarding the proposed Draft SEIS can be addressed by contacting Dr. Raven Blakeway by phone at 409–790–9058 or by emailing at *S2GOrangeCounty@usace.army.mil.*

SUPPLEMENTARY INFORMATION:

1. *Authority.* The Sabine Pass to Galveston Bay, Texas Coastal Storm Risk Management and Ecosystem Restoration (S2G) study described in the Final Integrated Feasibility Report and Environmental Impact Statement (FIFR–EIS) was conducted under the ''Coastal Texas Protection and Restoration Study'' authority, Senate resolution dated June 23, 2004, in accordance with Section 110 of the Rivers and Harbors Act of 1962. The FIFR–EIS was completed in May 2017 and the Chief of Engineers Report was signed December 7, 2017. The ROD was signed by the Assistant Secretary of the Army, Civil Works on October 2, 2018. Construction was authorized under section 1401(3)(3) of the Water Resources Development Act of 2018 (Pub. L. 115–270) and the project received appropriations to construct under the Bipartisan Budget Act of 2018 (Pub. L. 115–123). The lead agency for this action is the USACE and the non-federal sponsor is the Gulf Coast Protection District (GCPD).

2. *Background.* The purpose of the proposed action is to provide coastal storm risk management by addressing storm surge threats through protecting critical infrastructure and people, reducing structural damage, lessening financial and social burdens following storm events, and increasing the counties' ability to respond to natural hazards and build resiliency to long-term impacts associated with sea level rise and land subsidence. Orange County, TX (project area) has sustained several major historical surge events in the past 120 years that have resulted in significant impacts on infrastructure

and residents, coastal shorelines, marshes, and forested wetlands prompting the need to reduce coastal storm risks.

The USACE prepared the S2G FIFR–EIS to document the feasibility of reducing coastal storm risks and included identification of a Recommended Plan that proposed a new approximately 26.7-mile-long levee and floodwall system along the edge of the Sabine and Neches River floodplains in Orange County, and to raise or reconstruct 11.6 miles and 18.2 miles of existing levees and floodwalls for Port Arthur and Freeport vicinities, respectively. The S2G Recommended Plan was divided into three distinct project areas: Port Arthur, Freeport, and Orange County as separable elements (projects) for the Preconstruction, Engineering, and Design (PED) and construction phases. The projects are in various stages of design and construction. The Orange County Project has moved from the feasibility phase to PED, which involves completing detailed engineering, design, and technical studies needed to begin construction. In response to new information resulting from additional technical studies, stakeholder engagement, and collection of site-specific data, alternatives that would modify the Recommended Plan for the Orange County Project are being considered.

Following the National Environmental Policy Act of 1969 (NEPA, Pub. L. 91–190) as amended, and Department of Defense NEPA implementing procedures, the USACE determined that a Draft Supplemental Environmental Impact Statement (SEIS) would be prepared because the agency (i) made substantial changes to the proposed action that are relevant to environmental concerns and (ii) there are substantial new circumstances or information about the significance of the adverse effects that bear on the proposed action or its effects.

In the S2G FIFR–EIS, the Orange County Project was estimated to result in the direct and indirect loss of 69.5 acres of forested wetlands and 2,340.2 acres of estuarine marsh, of which would be offset through restoration of 453 acres of estuarine marsh and preservation of 559.5 acres of forested wetlands. The impacts expected to be evaluated in the SEIS include additional short- and long-term effects to existing aquatic and terrestrial habitats, fish and wildlife including federally protected species and their habitat, water quality, noise, protected lands, recreation features, and viewshed. Compensatory mitigation is expected to be required to address impacts to aquatic habitats and federally protected species. Additional details related to these effects and other relevant data collection will be described in the Draft SEIS.

3. *Alternatives.* The Draft SEIS will compare the Recommended Plan, as described in the Chief's Report and FIFR–EIS for the Orange County Project and proposed alternative alignments and system changes identified during PED. More specifically, analyses in PED have resulted in recommendations to increase the height of levees and floodwalls, modify the lengths of these features, increase the number of pump stations, include interior drainage channels, and shift the alignment to be closer to the Sabine River. The Draft SEIS will evaluate reasonably foreseeable effects of the proposed design changes in the Recommended Plan including potential adverse and beneficial impacts to the human and natural environments that balance the interests of coastal storm risk management and environmental impacts. The USACE requests comments on alternatives or effects and relevant information, studies, or analyses with respect to the proposed action (NEPA § 107(c); 42 U.S.C. 4336a(c)).

4. *Public Participation.* Scoping completed prior to and after publication of this NOI will be used to develop the Draft SEIS. The scoping comment period begins with publication of this notice and ends on October 9, 2025. All substantive comments received during the scoping period may be used to identify or modify alternatives, or to supplement or improve analyses, not previously considered that should be evaluated in the Draft SEIS. Additional comments received outside of the scoping period will be considered prior to the Draft SEIS public review period, to the extent possible.

One public scoping meeting is scheduled for September 17, 2025. A Public Notice was published for the scoping meeting on the Galveston District website, the Legal Notices section of the Orange Leader and Beaumont Enterprise, and the S2G Orange County Project website. Public news releases included the scoping period timeframe, public meeting date, time, location, and where to send comments. The news releases were also distributed to the local stakeholders and known interested parties.

5. *Coordination.* The USACE will serve as the lead federal agency in the preparation of the Draft SEIS. Federal and state agencies have been invited to participate throughout the study process as Cooperating or Participating Agencies. The following agencies have accepted: Environmental Protection Agency, National Marine Fisheries Service, Texas Commission of Environmental Quality, Texas Parks and Wildlife Department, Texas General Land Office, and Texas Water Development Board. Further coordination with environmental agencies will be conducted under the Fish and Wildlife Coordination Act, the Endangered Species Act, the Clean Water Act, the Coastal Zone Management Act, the National Historic Preservation Act, and the Magnuson-Stevens Fishery Conservation and Management Act.

6. *Schedule.* The USACE currently estimates that the Draft SEIS will be available for public review and comment in or around mid- to late-2026. At that time, the USACE will provide a 45-day public review period for individuals and agencies to review and comment. The USACE will notify all interested agencies, organizations, and individuals of the availability of the draft document at that time. A Final SEIS and Record of Decision are expected in mid- to late-2027.

Seth W. Wacker,

Colonel, U.S. Army, Commanding.

[FR Doc. 2025–17300 Filed 9–8–25; 8:45 am]

BILLING CODE: P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2025–SCC–0646]

Agency Information Collection Activities; Comment Request; Student Assistance General Provisions—Student Right To Know (SRK)

AGENCY: Federal Student Aid (FSA), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act (PRA) of 1995, the Department is proposing an extension without change to a currently approved information collection request (ICR).

DATES: Interested persons are invited to submit comments on or before November 10, 2025.

ADDRESSES: To access and review all the documents related to the information collection listed in this notice, please use *http://www.regulations.gov* by searching the Docket ID number ED–2025–SCC–0646. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at *http://www.regulations.gov* by selecting the

Docket ID number or via postal mail, commercial delivery, or hand delivery. If the *regulations.gov* site is not available to the public for any reason, the Department will temporarily accept comments at *ICDocketMgr@ed.gov.* Please include the docket ID number and the title of the information collection request when requesting documents or submitting comments. Please note that comments submitted after the comment period will not be accepted. Written requests for information or comments submitted by postal mail or delivery should be addressed to Carolyn Rose, U.S. Department of Education, Federal Student Aid, 400 Maryland Avenue SW, Washington, DC 20202.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Carolyn Rose, (202) 453–5967.

SUPPLEMENTARY INFORMATION: The Department, in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. The Department is soliciting comments on the proposed information collection request (ICR) that is described below. The Department is especially interested in public comment addressing the following issues: (1) is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: Student Assistance General Provisions—Student Right to Know (SRK).

OMB Control Number: 1845–0004.

Type of Review: Extension without change to a currently approved ICR.

Respondents/Affected Public: Private Sector; State, Local, and Tribal Governments.

Total Estimated Number of Annual Responses: 31,971.

Total Estimated Number of Annual Burden Hours: 24,016.

Abstract: Section 485 of the Higher Education Act of 1965, as amended (HEA) authorizes the administration of the Student Right-to-Know (SRK) regulations. These regulations are in 34 CFR 668.41 and 668.45 and relate to the retention, placement and post-graduate study by students at an institution.

Brian Fu,

Program and Management Analyst, Office of Planning, Evaluation and Policy Development.

[FR Doc. 2025–17251 Filed 9–8–25; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2025–SCC–0613]

Agency Information Collection Activities; Comment Request; Migrant Student Information Exchange (MSIX) Minimum Data Elements

AGENCY: Office of Elementary and Secondary Education (OESE), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act (PRA) of 1995, the Department is proposing a revision of a currently approved information collection request (ICR).

DATES: Interested persons are invited to submit comments on or before November 10, 2025.

ADDRESSES: To access and review all the documents related to the information collection listed in this notice, please use *http://www.regulations.gov* by searching the Docket ID number ED–2025–SCC–0613. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at *http://www.regulations.gov* by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. If the *regulations.gov* site is not available to the public for any reason, the Department will temporarily accept comments at *ICDocketMgr@ed.gov.* Please include the docket ID number and the title of the information collection request when requesting documents or submitting comments. Please note that comments submitted after the comment period will not be accepted. Written requests for information or comments submitted by postal mail or delivery should be addressed to the Manager of the Strategic Collections and Clearance Governance and Strategy Division, U.S. Department of Education, 400 Maryland Ave. SW, LBJ, Room 4C210, Washington, DC 20202–1200.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Benjamin Starr, 202–245–8116.

SUPPLEMENTARY INFORMATION: The Department, in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. The Department is soliciting comments on the proposed information collection request (ICR) that is described below. The Department is especially interested in public comment addressing the following issues: (1) is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: Migrant Student Information Exchange (MSIX) Minimum Data Elements.

OMB Control Number: 1810–0683.

Type of Review: A revision of a currently approved ICR.

Respondents/Affected Public: State, Local, and Tribal Governments.

Total Estimated Number of Annual Responses: 343,880.

Total Estimated Number of Annual Burden Hours: 391,338.

Abstract: The Migrant Information Exchange (MSIX) is a nationwide electronic records exchange mechanism mandated under Title I, Part C of the Elementary and Secondary Education Act of 1965 (ESEA), as amended. MSIX and its minimum data elements (MDEs) are authorized under ESEA section 1308(b). As a condition of receiving a grant of funds under Title I, Part C, each State educational agency (SEA) is required to collect, maintain, and submit minimum health and education-related data to MSIX within established timeframes. Regulations for the MSIX issued by the U.S. Department of Education (the Department) have been in effect since June 9, 2016 (34 CFR 200.85).

Ross Santy,

Chief Data Officer, Office of Planning, Evaluation and Policy Development.

[FR Doc. 2025–17314 Filed 9–8–25; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP25–1139–000.
Applicants: Equitrans, L.P.
Description: § 4(d) Rate Filing: Negotiated Rate Agreement—9/4/2025 to be effective 9/4/2025.
Filed Date: 9/4/25.
Accession Number: 20250904–5003.
Comment Date: 5 p.m. ET 9/16/25.

Docket Numbers: RP25–1140–000.
Applicants: Equitrans, L.P.
Description: § 4(d) Rate Filing: Update Map URL to be effective 10/4/2025.
Filed Date: 9/4/25.
Accession Number: 20250904–5004.
Comment Date: 5 p.m. ET 9/16/25.

Docket Numbers: RP25–1141–000.
Applicants: Mountain Valley Pipeline, LLC.
Description: § 4(d) Rate Filing: Map URL Update to be effective 10/4/2025.
Filed Date: 9/4/25.
Accession Number: 20250904–5005.
Comment Date: 5 p.m. ET 9/16/25.

Docket Numbers: RP25–1142–000.
Applicants: Rager Mountain Storage Company LLC.
Description: § 4(d) Rate Filing: Update Map URL to be effective 10/4/2025.
Filed Date: 9/4/25.
Accession Number: 20250904–5007.
Comment Date: 5 p.m. ET 9/16/25.

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.

Filings in Existing Proceedings

Docket Numbers: RP25–1056–001.
Applicants: Kinetica Energy Express, LLC.
Description: Compliance filing: Reservation of Capacity for Future Expansions Modification Compliance to be effective 9/1/2025.
Filed Date: 9/3/25.
Accession Number: 20250903–5087.
Comment Date: 5 p.m. ET 9/15/25.

Docket Numbers: RP25–1082–001.
Applicants: Equitrans, L.P.
Description: Tariff Amendment: Remove Reference to Extension of Time for NAESB 4.0 Amendment to be effective 9/25/2025.
Filed Date: 9/4/25.
Accession Number: 20250904–5000.
Comment Date: 5 p.m. ET 9/16/25.

Docket Numbers: RP25–1083–001.
Applicants: Mountain Valley Pipeline, LLC.
Description: Tariff Amendment: Remove Reference to Extension of Time for NAESB 4.0 Amendment to be effective 9/25/2025.
Filed Date: 9/4/25.
Accession Number: 20250904–5001.
Comment Date: 5 p.m. ET 9/16/25.

Docket Numbers: RP25–1084–001.
Applicants: Rager Mountain Storage Company LLC.
Description: Tariff Amendment: Remove Reference to Extension of Time for NAESB 4.0 Amendment to be effective 9/25/2025.
Filed Date: 9/4/25.
Accession Number: 20250904–5002.
Comment Date: 5 p.m. ET 9/16/25.

Any person desiring to protest in any of the above proceedings must file in accordance with Rule 211 of the Commission's Regulations (18 CFR 385.211) on or before 5:00 p.m. Eastern time on the specified comment date.

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: September 4, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–17268 Filed 9–8–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project Nos. 6904–043, 6903–037]

Battenkill Hydro Associates; Notice of Applications Accepted for Filing and Soliciting Motions To Intervene and Protests

Take notice that the following hydroelectric applications have been filed with the Commission and are available for public inspection.

a. *Type of Applications:* Subsequent Minor License.

b. *Project Nos.:* 6904–043, 6903–037.

c. *Date filed:* January 31, 2024.

d. *Applicant:* Battenkill Hydro Associates (Battenkill Hydro).

e. *Name of Projects:* Upper and Middle Greenwich Hydroelectric Projects (Upper Greenwich Project and Middle Greenwich Project).

f. *Location:* On the Batten Kill in the Village of Greenwich in Washington County, New York.

g. *Filed Pursuant to:* Federal Power Act 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact:* Sherri Loon, Coordinator—Operations USA, Kruger Energy, LP, 423 Brunswick Ave., Gardiner, ME 04345; (207) 203–3026; *sherri.loon@kruger.com* or Lewis Loon, General Manager—Operations and Maintenance USA, Kruger Energy, LP, 423 Brunswick Ave., Gardiner, ME 04345; (207) 203–3027; *lewis.loon@kruger.com*.

i. *FERC Contact:* Chris Millard at (202) 502–8256, or *christopher.millard@ferc.gov*.

j. *Deadline for filing motions to intervene and protests:* on or before 5:00 p.m. Eastern Daylight Time on November 3, 2025. The Commission strongly encourages electronic filing. Please file motions to intervene and protests using the Commission's eFiling system at *https://ferconline.ferc.gov/FERCOnline.aspx*. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. All filings must clearly identify the project name and docket number on the first page: *Upper Greenwich Hydroelectric Project (P–6904–043) or Middle Greenwich Hydroelectric Project (P–6903–037).*

The Commission's Rules of Practice require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. The applications have been accepted but are not ready for environmental analysis at this time.

l. *The Upper Greenwich Project consists of the following existing facilities:* (1) an 11.5-foot-high, 203-foot-long concrete gravity spillway dam topped with 2-foot-high flashboards; (2) a reservoir with a normal water surface area of 20 acres and a gross storage capacity of 70 acre-feet at a normal water surface elevation of 334 feet National Geodetic Vertical Datum 1929 (NGVD29); (3) two 12-foot by 7.5-foot intake gates; (4) a 200-foot-long, 40-foot-wide, and 10-foot-high earthen power canal; (5) 60-foot-wide, 11-foot-high, 1-inch clear trash racks angled at 45 degrees to the flow and toward a 3-foot-wide fish passage sluice; (6) a 53-foot-long, 14-foot-wide, concrete and steel powerhouse containing two turbine-generator units with a rated capacity of 300 kilowatts (kW) each for a total installed capacity of 600 kW; (7) a tailrace channel; (8) a 150-foot-long transmission line; and (9) appurtenant facilities.

The Middle Greenwich Project consists of the following existing facilities: (1) a 10-foot-high, 235-foot-long concrete gravity spillway dam; (2) a 9-acre reservoir with a gross storage capacity of 80 acre-feet at a normal water surface elevation of 318 feet NGVD29; (3) a 150-foot-long, 20-foot-wide, and 10-foot-high power canal; (4) 24-foot-wide, 11-foot-high, 1-inch clear trash racks angled at 45 degrees to the flow and toward a 2.5-foot-wide fish passage sluice; (5) a 15-foot-long by 19.5-foot-wide concrete and steel powerhouse containing one turbine-generator unit with a capacity of 300 kW; (6) a tailrace channel; (7) a 150-foot-long transmission line; and (8) appurtenant facilities.

The Upper and Middle Greenwich projects operate in a run-of-river mode and release a minimum flow to the bypassed reach of 80 cubic feet per second (cfs) and 20 cfs, respectively, or inflow, whichever is less.[1] A 20-cfs attraction flow is conveyed through the fish passage sluice to the bypassed reach at each project. Battenkill Hydro is not proposing any new project facilities or changes to the operation of either project.

From 1999 to 2009, average annual generation at the Upper and Middle Greenwich projects was 146 kilowatt-hours (kWh) and 78 kWh, respectively.

m. A copy of the applications can be viewed on the Commission's website at *http://www.ferc.gov,* using the ''eLibrary'' link. Enter the docket number, excluding the last three digits in the docket number field, to access the documents (P–6904 or P–6903). For assistance, contact FERC at *FERCOnlineSupport@ferc.gov,* or call toll-free, (866) 208–3676 or (202) 502–8659 (TTY).

You may also register online at *https://ferconline.ferc.gov/FERCOnline.aspx* to be notified via email of new filings and issuances related to these or other pending projects. For assistance, contact FERC Online Support.

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n. Anyone may submit a protest or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, 385.211, and 385.214. In determining the appropriate action to take, the Commission will consider all protests filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any protests or motions to intervene must be received on or before the specified deadline date for the particular application.

All filings must (1) bear in all capital letters the title ''PROTEST'' or ''MOTION TO INTERVENE;'' (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. Agencies may obtain copies of the applications directly from the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application.

o. *Procedural schedule:* The applications will be processed according to the following schedule. Revisions to the schedule will be made as appropriate.

Milestone	Target date
Issue Scoping Notice for comments.	October 2025.
Scoping Comments due	November 2025.
Request Additional Information (if necessary).	December 2025.
Issue Notice of Ready for Environmental Analysis.	December 2025.

Final amendments to the applications must be filed with the Commission no later than 30 days from the issuance date of the notice of ready for environmental analysis.

Dated: September 4, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–17269 Filed 9–8–25; 8:45 am]

BILLING CODE 6717–01–P

[1] Project operation occurred intermittently from 2009 to 2013. Both projects are currently offline and have not operated since June 2013 (*see* Battenkill Hydro's letter filed November 7, 2022).

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: RP25–1137–000.

Applicants: Texas Eastern Transmission, LP.

Description: § 4(d) Rate Filing: Negotiated Rates—Various Releases eff 9–1–25 to be effective 9/1/2025.

Filed Date: 9/2/25.

Accession Number: 20250902–5147.

Comment Date: 5 p.m. ET 9/15/25.

Docket Numbers: RP25–1138–000.

Applicants: Pacific Summit Energy LLC, Gunvor USA LLC.

Description: Joint Petition for Limited Waiver of Capacity Release Regulations, et al. of Gunvor USA LLC, et al.

Filed Date: 9/2/25.

Accession Number: 20250902–5196.

Comment Date: 5 p.m. ET 9/15/25.

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.

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Dated: September 3, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–17229 Filed 9–8–25; 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: EG25–515–000.

Applicants: Big Creek Solar 1 LLC.

Description: Big Creek Solar 1 LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 9/4/25.

Accession Number: 20250904–5099.

Comment Date: 5 p.m. ET 9/25/25.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER25–2025–002.

Applicants: Great Basin Transmission, LLC.

Description: Tariff Amendment: GBT Deficiency Response Filing to be effective 8/20/2025.

Filed Date: 9/3/25.

Accession Number: 20250903–5127.

Comment Date: 5 p.m. ET 9/24/25.

Docket Numbers: ER25–3066–002.

Applicants: UGI Utilities, Inc., UGI Utilities Inc.

Description: Tariff Amendment: UGI Utilities Inc. submits tariff filing per 35.17(b): UGIU submits Formula Rate—Depreciation Rate Revision Errata Filing to be effective 10/1/2025.

Filed Date: 9/4/25.

Accession Number: 20250904–5076.

Comment Date: 5 p.m. ET 9/25/25.

Docket Numbers: ER25–3366–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Original NSA, SA No. 7734; Queue No. AF1–049 to be effective 8/5/2025.

Filed Date: 9/3/25.

Accession Number: 20250903–5124.

Comment Date: 5 p.m. ET 9/24/25.

Docket Numbers: ER25–3368–000.

Applicants: Florida Power & Light Company.

Description: § 205(d) Rate Filing: FPL & PowerSouth Amendment to Exhibit A of Interconnection Agreement to be effective 9/5/2025.

Filed Date: 9/4/25.

Accession Number: 20250904–5121.

Comment Date: 5 p.m. ET 9/25/25.

Docket Numbers: ER25–3369–000.

Applicants: AEP Texas Inc.

Description: § 205(d) Rate Filing: AEPTX–LCRA TSC (Garwood Relift) Facilities Develop.m.ent Agreement to be effective 8/20/2025.

Filed Date: 9/4/25.

Accession Number: 20250904–5128.

Comment Date: 5 p.m. ET 9/25/25.

The filings are accessible in the Commission's eLibrary system (*https://elibrary.ferc.gov/idmws/search/fercgensearch.asp*) by querying the docket number.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf*. For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

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Dated: September 4, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–17267 Filed 9–8–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[CP18–513–000]

Cheniere Corpus Christi Pipeline, LP; Notice of Request for Extension of Time

Take notice that on August 27, 2025, Cheniere Corpus Christi Pipeline, LP (CCPL) requested that the Commission grant an extension of time, until December 31, 2029, to construct and place into service its Stage 3 Pipeline Project (Project), located in San Patricio County, Texas, as authorized in the Order Granting Authorizations under Sections 3 and 7 of the Natural Gas Act (Order).[1] The Order required CCPL to complete construction of the Project and make it available for service within five years of the date of the Order, or by November 22, 2024.

On May 6, 2022, the Commission granted CCPL an extension of time, until June 30, 2027, to complete construction of the Project and make it available for service.[2]

[1] *Corpus Christi Liquefaction Stage III, LLC, Corpus Christi Liquefaction, LLC & Cheniere Corpus Christi Pipeline, LP,* 169 FERC ¶ 61,135 (2019).

[2] *Corpus Christi Liquefaction Stage III, LLC, Corpus Christi Liquefaction, LLC & Cheniere Corpus Christi Pipeline, LP,* 179 FERC ¶ 61,087 (2022), *as amended,* Errata Notice, Docket Nos. CP18–512–001 & CP18–513–001 (May 10, 2022), *further amended,*

Specifically, the Stage 3 Pipeline Project consists of a 21-mile-long, 42-inch-diameter pipeline, the installation of two Solar Titan 130E gas fired compressor units at CCPL's existing Sinton Compressor Station, meter stations, and other appurtenant facilities. CCPL requires additional time to complete construction and installation of the second Solar Titan 130E compressor unit (Unit No. 2), two receipt meters, a delivery meter, and related appurtenant facilities.

CCPL states that it has made good faith efforts to advance construction of the Stage 3 Pipeline Project, which has already been partially constructed and placed in service. CCPL states that construction activities commenced on February 24, 2020, and on January 26, 2021, CCPL placed the first Solar Titan 130E compressor unit in service. CCPL states that it has constructed the compressor building, suction and discharge header piping, and installed piping to accommodate supporting ancillary equipment to accommodate both the first unit placed in service as well as Unit No. 2. Additionally, CCPL states that it has submitted a purchase order for Unit No. 2. Because of a longer than anticipated timeline for obtaining and installing Unit No. 2, and because of updated logistical and planning milestones, CCPL estimates it will need additional time beyond the current June 30, 2027, in-service deadline to complete installation and commissioning, and to place the remaining facilities into service.

This notice establishes a 15-calendar day intervention and comment period deadline. Any person wishing to comment on CCPL's request for an extension of time may do so. No reply comments or answers will be considered. If you wish to obtain legal status by becoming a party to the proceedings for this request, you should, on or before the comment date stated below, file a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (NGA) (18 CFR 157.10).

As a matter of practice, the Commission itself generally acts on requests for extensions of time to complete construction for NGA facilities when such requests are contested before order issuance. For those extension requests that are contested,[3] the Commission will aim to issue an order acting on the request within 45 days.[4] The Commission will address all arguments relating to whether the applicant has demonstrated there is good cause to grant the extension.[5] The Commission will not consider arguments that re-litigate the issuance of the certificate order, including whether the Commission properly found the project to be in the public convenience and necessity and whether the Commission's environmental analysis for the certificate complied with the National Environmental Policy Act (NEPA).[6] At the time a pipeline requests an extension of time, orders on certificates of public convenience and necessity are final and the Commission will not re-litigate their issuance.[7] The Director of the Office of Energy Projects, or his or her designee, will act on all of those extension requests that are uncontested.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (*http://www.ferc.gov*). From the Commission's Home Page on the internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field.

User assistance is available for eLibrary and the Commission's website during normal business hours from FERC Online Support at (202) 502–6652 (toll free at 1–866–208–3676) or email at *ferconlinesupport@ferc.gov,* or the Public Reference Room at (202) 502–8371, TTY (202) 502–8659. Email the Public Reference Room at *public.referenceroom@ferc.gov*.

The Commission strongly encourages electronic filings of comments in lieu of paper using the ''eFile'' link at *http://www.ferc.gov*. In lieu of electronic filing, you may submit a paper copy which must reference the Project docket number.

To file via USPS: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

To file via any other courier: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

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Comment Date: 5:00 p.m. Eastern Time on September 18, 2025.

Dated: September 3, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–17228 Filed 9–8–25; 8:45 am]

BILLING CODE 6717–01–P

Errata Notice, Docket Nos. CP18–512–001 & CP18–513–001 (June 13, 2022) (the ''Stage 3 Extension Order''), *reh'g denied,* 181 FERC ¶ 61,033 (2022), *aff'd sub nom, Sierra Club* v. *FERC,* 97 F.4th 16 (D.C. Cir. 2024).

[3] Contested proceedings are those where an intervenor disputes any material issue of the filing. 18 CFR 385.2201(c)(1).

[4] *Algonquin Gas Transmission, LLC,* 170 FERC ¶ 61,144, at P 40 (2020).

[5] *Id.* at P 40.

[6] Similarly, the Commission will not re-litigate the issuance of an NGA section 3 authorization, including whether a proposed project is not inconsistent with the public interest and whether the Commission's environmental analysis for the permit order complied with NEPA.

[7] *Algonquin Gas Transmission, LLC,* 170 FERC ¶ 61,144, at P 40 (2020).

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 9028–012]

Banister Hydro, Inc.; Notice of Application Accepted for Filing and Soliciting Motions To Intervene and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* New Major License.

b. *Project No.:* 9028–012.

c. *Date filed:* July 26, 2024.

d. *Applicant:* Banister Hydro, Inc. (Banister Hydro).

e. *Name of Project:* Halifax Hydroelectric Project (Halifax Project or project).

f. *Location:* On the Banister River, near the Town of Halifax in Halifax County, Virginia.

g. *Filed Pursuant to:* Federal Power Act 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact:* Sherri Loon, Coordinator of Operations—USA, Banister Hydro, Inc c/o KEI (USA)

Power Management Inc., 423 Brunswick Ave., Gardiner, ME 04345; (207) 203–3026; *sherri.loon@kruger.com* or Lewis Loon, General Manager, Operations and Maintenance—USA, Banister Hydro, Inc. c/o KEI (USA) Power Management Inc., 423 Brunswick Ave., Gardiner, ME 04345; (207) 203–3027; *lewis.loon@kruger.com*.

i. *FERC Contact:* Chris Millard at (202) 502–8256, or *christopher.millard@ferc.gov*.

j. *Deadline for filing motions to intervene and protests:* on or before 5:00 p.m. Eastern Daylight Time on November 3, 2025.

The Commission strongly encourages electronic filing. Please file motions to intervene and protests using the Commission's eFiling system at *https://ferconline.ferc.gov/FERCOnline.aspx*. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. All filings must clearly identify the project name and docket number on the first page: *Halifax Hydroelectric Project (P–9028–012).*

The Commission's Rules of Practice require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. This application has been accepted but is not ready for environmental analysis at this time.

l. *The Halifax Hydroelectric Project consists of the following existing facilities:* (1) a 682-foot-long and 36-foot-high dam, with a 301-foot-long concrete spillway (consisting of a 24-foot-long fixed weir, twelve 3-foot-wide piers, eleven 20-foot-wide gated bays, and a 21-foot-long fixed weir), a 73-foot-8-inch-long integral powerhouse and intake structure, and a 307-foot-8-inch-long non-overflow structure (consisting of a 57-foot-6-inch-long concrete gravity wall, 203-foot-2-inch-long sheet pile cells with earthfill, and a 47-foot-long earthfill section); (2) an approximately 374-acre impoundment with a gross storage capacity of 3,510 acre-feet at a normal water surface elevation of 351.3 feet mean sea level (MSL);[1] (3) two 455-kilowatt (kW) turbine-generator units and a 875-kW turbine-generator unit for a total installed capacity of 1,785 kW; (4) a 486-foot-long, 4.16-kilovolt (kV) generator lead connecting to a 4.16/13.2-kV transformer, and a 26-foot-long, 13.2-kV transmission line connecting to the local distribution system; and (5) appurtenant facilities.

The Halifax Project operates in a run-of-river mode with a continuous minimum flow of 5 cubic feet per second (cfs), or inflow, whichever is less. There is minimal to no available usable storage behind the dam and if river flow is less than 135 cfs, all water is spilled over the dam. The project is typically operated remotely in automatic control mode. Banister Hydro is not proposing any new project facilities or changes to the operation of the project.

From 2019 to 2023, average annual generation at the Halifax Project was 2,403 megawatt-hours.

m. A copy of the application can be viewed on the Commission's website at *http://www.ferc.gov,* using the ''eLibrary'' link. Enter the docket number, excluding the last three digits in the docket number field, to access the document (P–9028). For assistance, contact FERC at *FERCOnlineSupport@ferc.gov,* or call toll-free, (866) 208–3676 or (202) 502–8659 (TTY).

You may also register online at *https://ferconline.ferc.gov/FERCOnline.aspx* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

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n. Anyone may submit a protest or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, 385.211, and 385.214. In determining the appropriate action to take, the Commission will consider all protests filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any protests or motions to intervene must be received on or before the specified deadline date for the particular application.

All filings must (1) bear in all capital letters the title ''PROTEST'' or ''MOTION TO INTERVENE;'' (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application.

o. *Procedural schedule:* The application will be processed according to the following schedule. Revisions to the schedule will be made as appropriate.

Milestone	Target date
Issue Scoping Document Notice for comments.	October 2025.
Scoping Comments due	November 2025.
Request Additional Information (if necessary).	December 2025.
Issue Notice of Ready for Environmental Analysis.	December 2025.

Final amendments to the applications must be filed with the Commission no later than 30 days from the issuance date of the notice of ready for environmental analysis.

Dated: September 4, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–17266 Filed 9–8–25; 8:45 am]

BILLING CODE 6717–01–P

[1] In a revised Exhibit A filed May 22, 2025, Banister Hydro states that elevation data expressed as MSL are equal to that of the National Geodetic Vertical Datum of 1929 at the Halifax Project.

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC25–102–000.

Applicants: NRG East Generation Holdings LLC, NRG Demand Response Holdings LLC, Lightning Power, LLC, Enerwise Global Technologies, LLC dba CPower.

Description: Response to 06/12/2025, Joint Application for Authorization Under Section 203 of the Federal Power Act of NRG East Generation Holdings LLC, et al.

Filed Date: 9/2/25.

Accession Number: 20250902–5205.

Comment Date: 5 p.m. ET 9/23/25.

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG25–513–000.

Applicants: Pineview, LLC.

Description: Pineview, LLC submits Notice of Self–Certification of Exempt Wholesale Generator Status.

Filed Date: 9/3/25.

Accession Number: 20250903–5034.

Comment Date: 5 p.m. ET 9/24/25.

Docket Numbers: EG25–514–000.

Applicants: Mulqueeney Wind Energy LLC.

Description: Mulqueeney Wind Energy LLC submits Notice of Self–Certification of Exempt Wholesale Generator Status.

Filed Date: 9/3/25.

Accession Number: 20250903–5040.

Comment Date: 5 p.m. ET 9/24/25.

Take notice that the Commission received the following Complaints and Compliance filings in EL Dockets:

Docket Numbers: EL25–112–000.

Applicants: Trans-Allegheny Interstate Line Company.

Description: Petition for Declaratory Order of Trans-Allegheny Interstate Line Company.

Filed Date: 8/28/25.

Accession Number: 20250828–5287.

Comment Date: 5 p.m. ET 9/29/25.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER10–1936–010.

Applicants: Carville Energy LLC.

Description: Supplement to 07/01/2024, Triennial Market Power Analysis for Central Region of Carville Energy LLC.

Filed Date: 8/27/25.

Accession Number: 20250827–5189.

Comment Date: 5 p.m. ET 9/17/25.

Docket Numbers: ER10–2475–035; ER10–2475–036; ER10–2474–034; ER10–2474–035; ER10–3246–028; ER10–3246–029; ER11–4666–008; ER11–4666–009; ER11–4667–008; ER11–4667–009; ER12–295–007; ER12–295–008; ER24–1587–003; ER24–1587–004; ER22–1385–014; ER22–1385–015; ER23–676–010; ER23–676–011; ER23–674–010; ER23–674–011; ER13–1266–054; ER13–1266–055; ER15–2211–051; ER15–2211–052; ER10–1521–020; ER10–1521–021; ER10–1520–020; ER10–1520–021.

Applicants: Occidental Power Services, Inc., Occidental Power Marketing, L.P., MidAmerican Energy Services, LLC, CalEnergy, LLC, BHE Wind Watch, LLC, BHE Power Watch, LLC, BHER Market Operations, LLC., AlbertaEx, L.P., NaturEner Rim Rock Wind Energy, LLC, NaturEner Glacier Wind Energy 2, LLC, NaturEner Glacier Wind Energy 1, LLC, PacifiCorp, Sierra Pacific Power Company, Nevada Power Company.

Description: Supplement to 01/31/2025, and 04/30/2025, Notice of Non-Material Change in Status of Nevada Power Company, et al.

Filed Date: 9/3/25.

Accession Number: 20250903–5078.

Comment Date: 5 p.m. ET 9/24/25.

Docket Numbers: ER21–2818–012.

Applicants: Tri-State Generation and Transmission Association, Inc.

Description: Compliance filing: Revisions to Rate Schedule No. 281 in Compliance with the August 4 Order to be effective 11/1/2021.

Filed Date: 9/3/25.

Accession Number: 20250903–5106.

Comment Date: 5 p.m. ET 9/24/25.

Docket Numbers: ER24–2938–002.

Applicants: Sierra Pinta Energy Storage, LLC.

Description: Notice of Non-Material Change in Status of Sierra Pinta Energy Storage, LLC.

Filed Date: 9/2/25.

Accession Number: 20250902–5202.

Comment Date: 5 p.m. ET 9/23/25.

Docket Numbers: ER25–1839–001; ER25–2368–001; EL25–95–001.

Applicants: Michigan Public Power Agency v. Michigan Electric Transmission Company, LLC, Michigan Electric Transmission Company LLC, Michigan Electric Transmission Company, LLC.

Description: Compliance Filing to August 20, 2025 Order of Michigan Electric Transmission Company, LLC et al.

Filed Date: 8/29/25.

Accession Number: 20250829–5250.

Comment Date: 5 p.m. ET 9/19/25.

Docket Numbers: ER25–2600–001.

Applicants: Midcontinent Independent System Operator, Inc., Duke Energy Indiana, LLC.

Description: Tariff Amendment: Duke Energy Indiana, LLC submits tariff filing per 35.17(b): 2025–09–03_Supplement DEI Proposed Company Specific Temp RE Procure Subsidiary to be effective 12/31/9998.

Filed Date: 9/3/25.

Accession Number: 20250903–5033.

Comment Date: 5 p.m. ET 9/24/25.

Docket Numbers: ER25–2638–001.

Applicants: Midcontinent Independent System Operator, Inc., Ameren Transmission Company of Illinois.

Description: Tariff Amendment: Ameren Transmission Company of Illinois submits tariff filing per 35.17(b): 2025–09–03_SA 4509 ATXI–AEC–MEC-Sikeston Sub Orig TIA to be effective 6/6/2025.

Filed Date: 9/3/25.

Accession Number: 20250903–5043.

Comment Date: 5 p.m. ET 9/24/25.

Docket Numbers: ER25–3357–000.

Applicants: Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: 4457 Platteview Solar GIA/Cancellation of 3949R1 InterimGIA to be effective 8/18/2025.

Filed Date: 9/3/25.

Accession Number: 20250903–5030.

Comment Date: 5 p.m. ET 9/24/25.

Docket Numbers: ER25–3358–000; TS25–3–000.

Applicants: Redfield PV I, LLC, Redfield PV I, LLC.

Description: Request for Temporary Waiver, et al. of Redfield PV I, LLC.

Filed Date: 9/2/25.

Accession Number: 20250902–5201.

Comment Date: 5 p.m. ET 9/23/25.

Docket Numbers: ER25–3359–000.

Applicants: Public Service Company of New Hampshire.

Description: Tariff Amendment: Cancellation of Wok, LLC Interconnection Study Agreement to be effective 9/4/2025.

Filed Date: 9/3/25.

Accession Number: 20250903–5053.

Comment Date: 5 p.m. ET 9/24/25.

Docket Numbers: ER25–3360–000.

Applicants: AL Solar H, LLC.

Description: § 205(d) Rate Filing: AL Solar H MBR Application Filing to be effective 11/3/2025.

Filed Date: 9/3/25.

Accession Number: 20250903–5055.

Comment Date: 5 p.m. ET 9/24/25.

Docket Numbers: ER25–3361–000.

Applicants: New York Independent System Operator, Inc.

Description: § 205(d) Rate Filing: NYISO 205: Revisions to Establish Rules for NYTOs to Exercise Federal ROFR to be effective 11/3/2025.

Filed Date: 9/3/25.

Accession Number: 20250903–5086.

Comment Date: 5 p.m. ET 9/24/25.

Docket Numbers: ER25–3362–000.

Applicants: Alabama Power Company, Georgia Power Company, Mississippi Power Company.

Description: Initial rate filing: Alabama Power Company submits tariff filing per 35.12: Bogalusa West Solar Project Affected System Upgrade Agreement Filing to be effective 5/31/2025.

Filed Date: 9/3/25.

Accession Number: 20250903–5100.

Comment Date: 5 p.m. ET 9/24/25.

Docket Numbers: ER25–3363–000.

Applicants: Georgia Power Company.

Description: Initial rate filing: Bogalusa West Affected System Upgrade Agreement Concurrence Filing to be effective 5/31/2025.

Filed Date: 9/3/25.

Accession Number: 20250903–5101.

Comment Date: 5 p.m. ET 9/24/25.

Docket Numbers: ER25–3364–000.

Applicants: Mississippi Power Company.

Description: Initial rate filing: Bogalusa West Affected System Upgrade Agreement Concurrence Filing to be effective 5/31/2025.

Filed Date: 9/3/25.

Accession Number: 20250903–5103.

Comment Date: 5 p.m. ET 9/24/25.

Docket Numbers: ER25–3365–000.

Applicants: MidAmerican Energy Company, Cordova Energy Company LLC.

Description: § 205(d) Rate Filing: Cordova Energy Company LLC submits tariff filing per 35.13(a)(2)(iii: Application for Affiliate Capacity Purchase Agreement to be effective 11/3/2025.

Filed Date: 9/3/25.

Accession Number: 20250903–5116.

Comment Date: 5 p.m. ET 9/24/25.

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: September 3, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–17232 Filed 9–8–25; 8:45 am]

BILLING CODE 6717–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0953; FR ID 311284]

Information Collection Being Submitted for Review and Approval to Office of Management and Budget

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal Agencies to take this opportunity to comment on the following information collection. Pursuant to the Small Business Paperwork Relief Act of 2002, the FCC seeks specific comment on how it might further reduce the information collection burden for small business concerns with fewer than 25 employees. The Commission may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (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 comments and recommendations for the proposed information collection should be submitted on or before October 9, 2025.

ADDRESSES: Comments should be sent 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. Your comment must be submitted into *www.reginfo.gov* per the above instructions for it to be considered. In addition to submitting in *www.reginfo.gov* also send a copy of your comment on the proposed information collection to Nicole Ongele, FCC, via email to *PRA@fcc.gov* and to *Nicole.Ongele@fcc.gov.* Include in the comments the OMB control number as shown in the **SUPPLEMENTARY INFORMATION** below.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection, contact Nicole Ongele at (202) 418–2991. To view a copy of this information collection request (ICR) submitted to OMB: (1) go to the web page *http://www.reginfo.gov/public/do/PRAMain,* (2) look for the section of the web page called "Currently Under Review," (3) click on the downward-pointing arrow in the "Select Agency" box below the "Currently Under Review" heading, (4) select "Federal Communications Commission" from the list of agencies presented in the "Select Agency" box, (5) click the "Submit" button to the right of the "Select Agency" box, (6) when the list of FCC ICRs currently under review appears, look for the Title of this ICR and then click on the ICR Reference Number. A copy of the FCC submission to OMB will be displayed.

SUPPLEMENTARY INFORMATION: As part of its continuing effort to reduce paperwork burdens, as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3520), the FCC invited the general public and other Federal Agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: (a) 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; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology. Pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, see 44 U.S.C. 3506(c)(4), the FCC seeks specific comment on how it might further reduce the information collection burden for small business concerns with fewer than 25 employees.

OMB Control Number: 3060–0953.

Title: Section 95.2309, Frequency Coordination/Coordinator, Wireless Medical Telemetry Service.

Form No.: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit and Not-for-profit institutions.

Number of Respondents and Responses: 3,000 respondents; 3,000 responses.

Estimated Time per Response: 2–5 hours.

Frequency of Response: On occasion and one-time reporting requirements, third party disclosure requirement and recordkeeping requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority is contained in 47 U.S.C. 4(i), 302, 303(b), (c), (e), (f), (r), and 307.

Total Annual Burden: 15,000 hours.

Total Annual Cost: $750,000.

Needs and Uses: The Commission will submit this information collection to OMB as an extension after this 60-day comment period to obtain the full three-year clearance from them.

The Commission allocated spectrum and set stringent regulations for a ''Wireless Medical Telemetry Service,'' ensuring that critical medical equipment operates free from interference. Medical telemetry equipment is essential in hospitals and healthcare facilities, transmitting vital patient data—such as pulse and respiration rates—directly to nearby receivers. This technology not only enhances patient mobility but also significantly improves their comfort. It is crucial for advancing healthcare delivery.

Federal Communications Commission.

Katura Jackson,

Federal Register Liaison Officer, Office of the Secretary.

[FR Doc. 2025–17272 Filed 9–8–25; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0430; FR ID 311138]

Information Collection Being Reviewed by the Federal Communications Commission

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

DATES: Written PRA comments should be submitted on or before November 10, 2025. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Nicole Ongele, FCC, via email *PRA@fcc.gov* and to *nicole.ongele@fcc.gov*.

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Nicole Ongele, (202) 418–2991.

SUPPLEMENTARY INFORMATION: The FCC may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid Office of Management and Budget (OMB) control number.

OMB Control Number: 3060–0430.

Title: Section 1.1206, Permit-but-Disclose Proceedings.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Individuals or households; Business or other for-profit; Not-for-profit institutions; Federal Government; and State, local, or tribal governments.

Number of Respondent and Responses: 11,500 respondents; 34,500 responses.

Frequency of Response: On occasion reporting requirement.

Obligation to Respond: Required to obtain benefits. Statutory authority for this collection of information is contained in sections 4(i) and (j), 303(r), and 409 of the Communications Act of 1934, as amended, 47 U.S.C. 154(i) and (j), 303(r), and 409.

Estimated Time per Response: 0.75 hours (45 minutes).

Total Annual Burden: 25,875 hours.

Total Annual Costs: No cost.

Needs and Uses: The Commission's rules, under 47 CFR 1.1206, require that a public record be made of ex parte presentations (*i.e.,* written presentations not served on all parties to the proceeding or oral presentations as to which all parties have not been given notice and an opportunity to be present) to decision-making personnel in ''permit-but-disclose'' proceedings, such as notice-and-comment rulemakings and declaratory ruling proceedings.

On February 2, 2011, the FCC released a Report and Order and Further Notice of Proposed Rulemaking, GC Docket Number 10–43, FCC 11–11, which amended and reformed the Commission's rules on ex parte presentations (47 CFR 1.1206(b)(2)) made in the course of Commission rulemakings and other permit-but-disclose proceedings. The modifications to the existing rules adopted in this Report and Order require that parties file more descriptive summaries of their ex parte contacts, ensure that other parties and the public have an adequate opportunity to review and respond to information submitted ex parte, and improve the FCC's oversight and enforcement of the ex parte rules. The modified ex parte rules that contain information collection requirements which OMB approved on December 6, 2011, are as follows: (1) Ex parte notices will be required for all oral ex parte presentations in permit-but-disclose proceedings, not just for those presentations that involve new information or arguments not already in the record; (2) If an oral ex parte presentation is limited to material already in the written record, the notice must contain either a succinct summary of the matters discussed or a citation to the page or paragraph number in the party's written submission(s) where the matters discussed can be found; (3) Notices for all ex parte presentations must include the name of the person(s) who made the ex parte presentation as well as a list of all persons attending or otherwise participating in the meeting at which the presentation was made; (4) Notices of ex parte presentations made outside the Sunshine period must be filed within two business days of the presentation; (5) The Sunshine period will begin on the day (including business days, weekends, and holidays) after issuance of the Sunshine notice, rather than when the Sunshine Agenda is issued (as the current rules provide); (6) If an ex parte presentation is made on the day the Sunshine notice is released, an ex parte notice must be submitted by the next business day, and any reply would be due by the following business day. If a permissible ex parte presentation is made during the Sunshine period (under an exception to the Sunshine period prohibition), the ex parte notice is due by the end of the same day on which the presentation was made, and any reply would need to be filed by the next business day. Any reply must be in writing and limited to the issues raised in the ex parte notice to which the reply is directed; (7) Commissioners and agency staff may continue to request ex parte presentations during the Sunshine period, but these presentations should be limited to the specific information required by the Commission; (8) Ex parte notices must be submitted electronically in machine-readable format. PDF images created by scanning a paper document may not be submitted, except in cases in which a word-processing version of the document is not available. Confidential information may continue to be submitted by paper filing, but a redacted version must be filed electronically at the same time the paper filing is submitted. An exception to the electronic filing requirement will be made in cases in which the filing party claims hardship. The basis for the hardship claim must be substantiated in the ex parte filing; (9) To facilitate stricter enforcement of the ex parte rules, the Enforcement Bureau is authorized to levy forfeitures for ex parte rule violations; (10) Copies of electronically filed ex parte notices must also be sent electronically to all staff and Commissioners present at the ex parte meeting so as to enable them to review the notices for accuracy and completeness. Filers may be asked to submit corrections or further information as necessary for compliance with the rules; and (11) Parties making permissible ex parte presentations in restricted proceedings must conform and clarify rule changes when filing an ex parte notice with the Commission.

The information is used by parties to permit-but-disclose proceedings, including interested members of the public, to respond to the arguments made and data offered in the ex parte presentations. The responses may then be used by the Commission in its decision-making.

The availability of the ex parte materials ensures that the Commission's decisional processes are fair, impartial, and comport with the concept of due process in that all interested parties can know of and respond to the arguments made to the decision-making officials.

Federal Communications Commission.

Katura Jackson,

Federal Register Liaison Officer, Office of the Secretary.

[FR Doc. 2025–17271 Filed 9–8–25; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL MARITIME COMMISSION

[Docket No. 25–25]

20230930–DK–Butterfly-1, Inc., Complainant v. CMA CGM S.A., 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 20230930–DK–Butterfly–1, Inc. (the ''Complainant'') against CMA CGM S.A. (the ''Respondent''). Complainant states that the Commission has subject matter jurisdiction over the complaint pursuant to the Shipping Act, 46 U.S.C. 41301 *et seq.* and personal jurisdiction over Respondent as an ocean common carrier, as defined in 46 U.S.C. 40102(18).

Complainant is a corporation existing under the laws of New York with a mailing address in Union, New Jersey, that was formerly known as Bed, Bath & Beyond, Inc.

Complainant identifies Respondent as a company existing under the laws of France with its principal place of business located in Marseilles, France, who does business in the United States through CMA CGM (America) LLC, with its principal place of business in Norfolk, Virginia.

Complainant alleges that Respondent violated 46 U.S.C. 41102(c) and 41104(a)(10), and 46 CFR 545.5. Complainant alleges these violations arose from the assessment of detention and demurrage charges during periods of time in which the charges were not just or reasonable because of circumstances outside the control of Complainant and its agents and service providers, and the acts or omissions of Respondent that led to the assessment of such charges.

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/25-25/.* This proceeding has been assigned to the Office of Administrative Law Judges. The initial decision of the presiding judge shall be issued by September 4, 2026, and the final decision of the Commission shall be issued by March 18, 2027.

(Authority: 46 U.S.C. 41301; 46 CFR 502.61(c))

Served: September 4, 2025.

Jennifer Everling,

Assistant Secretary.

[FR Doc. 2025–17273 Filed 9–8–25; 8:45 am]

BILLING CODE 6730–02–P

FEDERAL TRADE COMMISSION

Agency Information Collection Activities; Submission for OMB Review; Comment Request

AGENCY: Federal Trade Commission.

ACTION: Notice.

SUMMARY: The Federal Trade Commission (''FTC'' or ''Commission'') requests that the Office of Management and Budget (''OMB'') extend for an additional three years the current Paperwork Reduction Act (''PRA'') clearance for the information collection requirements in the regulations governing ''Duties of Furnishers of Information to Consumer Reporting Agencies'' (''Information Furnishers Rule''), which applies to certain motor vehicle dealers, and its shared enforcement with the Consumer Financial Protection Bureau (''CFPB'') of the furnisher provisions (subpart E) of the CFPB's Regulation V regarding other entities. That clearance expires on September 30, 2025.

DATES: Comments must be submitted by October 9, 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 Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Gorana Neskovic, Attorney, Division of Privacy and Identity Protection, Bureau of Consumer Protection, (202) 326–2322, 600 Pennsylvania Ave. NW, CC–8232, Washington, DC 20580.

SUPPLEMENTARY INFORMATION:

Title: Duties of Furnishers of Information to Consumer Reporting Agencies.

OMB Control Number: 3084–0144.

Type of Review: Extension without change of a currently approved collection.

Affected Public: Private Sector: Businesses and other for-profit entities.

Estimated Annual Burden Hours: 15,423 hours.

Estimated Annual Labor Costs: $942,021.

Estimated Annual Non-Labor Costs: $0.

Abstract: The Dodd-Frank Act [1] transferred most of the FTC's rulemaking authority for the furnisher provisions of the Fair Credit Reporting Act (''FCRA'') [2] to the CFPB. The FTC, however, retains rulemaking authority for motor vehicle dealers that are predominantly engaged in the sale and servicing of motor vehicles, the leasing and servicing of motor vehicles, or both.[3] In addition, the FTC retains its authority to enforce the furnisher provisions of the FCRA and rules issued under those provisions. Accordingly, the FTC and CFPB have overlapping enforcement authority for many entities subject to CFPB's Regulation V (subpart E), and the FTC has sole enforcement authority for the motor vehicle dealers subject to the FTC rule.

Under § 660.3 of the FTC's Information Furnishers Rule [4] and § 1022.42 of the CFPB Rule,[5] furnishers must establish and implement reasonable written policies and procedures regarding the accuracy and integrity of the information relating to consumers that they furnish to a consumer reporting agency (''CRA'') for inclusion in a consumer report.[6] Section 660.4 of the FTC Rule and § 1022.43 of the CFPB Rule require that entities which furnish information about consumers to a CRA respond to direct disputes from consumers. These provisions also require that a furnisher notify consumers by mail or other means (if authorized by the consumer) within five business days after making a determination that a dispute is frivolous or irrelevant (''F/I dispute'').

Request for Comment: On May 16, 2025, the Commission sought comment on the information collection requirements associated with the Information Furnishers Rule. 90 FR 21032. No relevant comments addressing the Rule's information collections were received. Pursuant to the OMB regulations, 5 CFR part 1320, the FTC is providing this second opportunity for public comment while seeking OMB approval to renew clearance for the Rule's information collection requirements.

Your comment—including your name and your state—will be placed on the public record of this proceeding. Because your comment will be made public, you are solely responsible for making sure that your comment does not include any sensitive personal information, like anyone's Social Security number, date of birth, driver's license number or other state identification number or foreign country equivalent, passport number, financial account number, or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, like medical records or other individually identifiable health information. In addition, do not include any ''[t]rade secret or any commercial or financial information which is . . . privileged or confidential'' as provided in Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2). In particular, do not include competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns devices, manufacturing processes, or customer names.

Josephine Liu,

Assistant General Counsel for Legal Counsel.

[FR Doc. 2025–17284 Filed 9–8–25; 8:45 am]

BILLING CODE 6750–01–P

[1] Public Law 111–203, 124 Stat. 1376 (2010).

[2] 15 U.S.C. 1681 *et seq.*

[3] *See* Dodd-Frank Act, sec. 1029(a), (c).

[4] 16 CFR 660.3.

[5] 12 CFR 1022.42.

[6] The rule also provides that an entity is not a furnisher when it: provides information to a CRA solely to obtain a consumer report for a permissible purpose under the FCRA; is acting as a CRA as defined in section 603(f) of the FCRA; is an individual consumer to whom the furnished information pertains; or is a neighbor, friend, or associate of the consumer, or another individual with whom the consumer is acquainted or who may have knowledge about the consumer's character, general reputation, personal characteristics, or mode of living in response to a specific request from a CRA.

FEDERAL TRADE COMMISSION

[File No. P222100]

Horseracing Integrity and Safety Authority Enforcement Rule Proposed Modification

AGENCY: Federal Trade Commission.

ACTION: Notice of Horseracing Integrity and Safety Authority (HISA) proposed rule modification; request for public comment.

SUMMARY: As required by the Horseracing Integrity and Safety Act of 2020, the Federal Trade Commission publishes a proposed modification of the Horseracing Integrity and Safety Authority's rules addressing horseracing in the United States. The proposed rule modification would amend the Rule 8000 Series, the Enforcement Rule, which establishes specified violations, sanctions applicable to violations of rules in both the Rule 2000 and Rule 8000 Series, a comprehensive set of procedures for the adjudication of alleged violations, and rules applicable to the exercise of the Authority's investigatory powers. This document publicizes the Authority's proposed rule modification's text and explanation, and it seeks public comment on whether the Commission should approve the proposed rule modification.

DATES: The Commission must approve or disapprove the proposed modification on or before November 10, 2025. If approved, the proposed rule modification would be effective 30 days following the date of the Commission's order approving the modification. Comments must be filed on or before September 23, 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 below. Write ''HISA Enforcement Rule Proposed Modification'' on your comment and file your comment online at *https://www.regulations.gov.* 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 of 2020 [1] recognizes a self-regulatory nonprofit organization, the Horseracing Integrity and Safety Authority (''HISA'' or ''the Authority''), which is charged with developing proposed rules on a variety of subjects. Those proposed rules and proposed rule modifications take effect only if approved by the Federal Trade Commission (''FTC'' or the ''Commission'').[2] The proposed rules and rule modifications must be published in the **Federal Register** for public comment.[3] Thereafter, the Commission has 60 days from the date of publication to approve or disapprove the proposed rule or rule modification.[4]

Pursuant to section 3053(a) of the Act and Commission Rule 1.142, notice is hereby given that, on September 27, 2023, the Authority filed with the Commission a proposed Enforcement Rule modification and supporting documentation as described in Items I,

[1] 15 U.S.C. 3051 through 3060.

[2] 15 U.S.C. 3053(b)(2).

[3] 15 U.S.C. 3053(b)(1).

[4] 15 U.S.C. 3053(c)(1).

II, III and IX below, which Items have been prepared by the Authority. This revised submission was filed on July 7, 2025, to reflect updated proposed modifications to the rules since September 27, 2023. The Office of the Secretary of the Commission determined that the filing complied with the Commission's rule governing such submissions.[5] The Commission is publishing this document to solicit comments on the proposed rule modification from interested persons.

I. Self-Regulatory Organization's Statement of the Background, Purpose of, and Statutory Basis for the Proposed Rule Modification

a. Background and Purpose

The Horseracing Integrity and Safety Act of 2020 (''Act'') recognizes that the establishment of a national set of uniform standards for racetrack safety and medication control will enhance the safety and integrity of horseracing. On December 20, 2021, the Authority filed with the Commission the Rule 8000 Series, which establishes penalties and adjudicatory procedures for the enforcement of rules promulgated by the Authority. The Rule 8000 Series was published in the **Federal Register** on January 26, 2022,[6] and approved by the Commission by Order dated March 25, 2022.[7] The Authority filed a proposed rule modification to the Rule 8000 Series on June 5, 2022. The modification was published in the **Federal Register** on July 26, 2022,[8] and approved by the Commission by Order dated September 23, 2022.[9] The Authority filed a proposed rule modification to Rule 8400 on May 31, 2023. The modification was published in the **Federal Register** on July 28, 2023.[10] The modification was approved by the Commission by Order dated September 26, 2023.[11]

The Authority now proposes modifications to several provisions in the Rule 8000 Series. The modifications are outlined in detail in Item II of this document, but in general terms, the more significant proposed modifications are as follows. Rule 8100 would be modified to clarify that it is a violation of Rule 8100 to cause a Covered Horse to compete in a Covered Horserace with the knowledge that it is ineligible to compete pursuant to the rules of the Authority. Rule 8200 would be amended to clarify the penalties that apply to various violations of the Rule 2000 Series, to direct the purse be redistributed after a Covered Horse is disqualified from a Covered Horserace, and to authorize an automatic suspension for failure to pay a fine or to repay a purse. Rules 8310, 8320, and 8330 would be modified to state with precision the rule violations that are subject to adjudication under the Rule 8000 series, and the procedures under which the adjudications shall be conducted. Rule 8320 would be amended to separate the procedures for riding crop violations from those for violation of the rules in the Rule 2000 Series pertaining to prohibited aspects of Shock Wave therapy and prohibited use of electrical and mechanical devices. Rule 8320 also would be amended to permit appeals of riding crop violations to the Internal Adjudication Panel pursuant to Rule 2285. Rule 8340 would be amended to specify that the procedures in the rule concerning initial hearings are applicable to proceedings to suspend or revoke accreditation under Rule 2116. The procedural rules for appeals in Rule 8350(a) would be modified to provide consistency with modifications of the Rule 2000 Series that went into effect on July 8, 2024. Rule 8360 would be modified to clarify procedural details concerning the suspension and revocation of Racetrack accreditation. Rule 8400 would be modified to include standards to guide the Authority in the issuance of subpoenas. The Rule 8000 Series would further be modified to include a new Rule 8410, which allows the Authority to review and act upon information or evidence submitted to the Authority from any source concerning possible rule violations. A new rule 8420 is proposed to require the Authority to seek and obtain the approval of the Commission before initiating civil actions under 15 U.S.C. 3054(j). Finally, several modifications are proposed to make minor clarifying changes to the language of several rules for greater precision throughout the Rule 8000 Series.

This submission is also made to comply with the Commission's March 27, 2023, Order that directed ''the Authority to review all of its existing rules (Racetrack Safety, Assessment Methodology, Enforcement, Registration, and [Anti-Doping and Medication Control ('ADMC')] and submit any proposed rule modifications to the Commission by September 27, 2023.'' The Authority reviewed all its existing rules, and this submission was originally filed on September 27, 2023, in accordance with the March 27, 2023, Order. This revised submission is now filed to reflect updated proposed modifications to the rules since September 27, 2023. The modifications are limited in scope and build upon or alter the details of a disciplinary and procedural framework already in place. The reason for proposing the rule modification is to enhance the Rule 8000 Series Enforcement Rules in a manner that is consistent with 15 U.S.C. 3057(d). An effective enforcement system builds public confidence in the sport by ensuring that Covered Horseraces are conducted in a fair and transparent manner. The proposed rule modification takes into account the unique character of horseracing, including the various types of violations that arise and the range of penalties that are imposed in horseracing. Covered Persons, Covered Horseraces, and Covered Horses will be affected by the proposed rule modification in similar ways. Covered Persons who participate in horseracing will benefit from the enhanced enforcement of the rules, the running of horseraces in a fair and transparent manner, and the deterrence of violations that the Rule 8000 Series achieves. Covered Persons will have confidence that the rules are being applied fairly and evenly to all racing participants. Covered Horseraces will also benefit from the enhanced standards of integrity that effective enforcement of the rules will make possible. The safety and well-being of Covered Horses, always a primary concern to the Authority, will also be safeguarded by the modifications to the Rule 8000 Series that help to ensure the rules of the Authority pertaining to the safety and welfare of Covered Horses are consistently and effectively enforced.

On August 28, 2023, HISA representatives shared a draft of the Rule 8000 Series modifications with the following interested stakeholders for input: Racing Officials Accreditation Program; Racing Medication and Testing

[5] 16 CFR 1.140 through 1.144; *see also* FTC, Procedures for Submission of Rules Under the Horseracing Integrity and Safety Act, 86 FR 54819 (Oct. 5, 2021).

[6] See FTC, Notice of HISA Enforcement Proposed Rule, 87 FR 4023 (Jan. 26, 2022).

[7] FTC, Order Approving the Enforcement Rule Proposed by the Horseracing Integrity and Safety Authority (Mar. 25, 2022), *https://www.ftc.gov/system/files/ftc_gov/pdf/P222100HISAOrderRacetrackSafety.pdf.*

[8] See FTC, Notice of HISA Enforcement Proposed Rule Modification, 87 FR 44393 (July 26, 2022).

[9] FTC, Order Approving the Enforcement Rule Modification Proposed by the Horseracing Integrity and Safety Authority (Sept. 23, 2022), *https://www.ftc.gov/system/files/ftc_gov/pdf/Order%20re%20HISA%20Enforcement%20Rule%20Modification.pdf.*

[10] See FTC, Notice of HISA Enforcement Proposed Rule Modification, 88 FR 48849 (July 28, 2023).

[11] FTC, Order Approving the Enforcement Rule Modification Proposed by the Horseracing Integrity and Safety Authority (Sept. 26, 2023), *https://www.ftc.gov/system/files/ftc_gov/pdf/p222100_commission_order_re_enforcement_rule_modification.pdf.*

Consortium (Scientific Advisory Committee); National Thoroughbred Racing Association; The Jockey Club; The Jockeys' Guild; Thoroughbred Racing Association; Arapahoe Park; Rillito Downs; Thoroughbred Owners of California; California Horse Racing Board; Kentucky Racing Commission; Delaware Racing Commission; Maryland Racing Commission; National Horsemen's Benevolent and Protective Association; Thoroughbred Horsemen's Association; Thoroughbred Owners and Breeders Association; Kentucky Thoroughbred Association; American Association of Equine Practitioners; American Veterinary Medical Association; Stronach Racing Group (five thoroughbred racetracks); Churchill Downs (six thoroughbred racetracks); Breeders' Cup; Keeneland; Del Mar; and the Racing Operations Committee. Additionally, on August 28, 2023, a draft of the proposed modifications was made available to the public for review and comment on the HISA website at *https://hisaus.org/.* Attached to this document is Exhibit A, which includes copies of all comments received concerning the rule modification proposal.[12]

The modifications have been crafted in the most precise manner possible to resolve the specific issues that are outlined in Item II for each modification. In some instances, as noted below, commenters proposed revisions and alternatives that were adopted in drafting the proposed rule modification. A summary of the substance of the comments received by the Authority is included in the discussion of the proposed rule modification that relates to the particular comment. The Authority incorporates by reference into this modification the existing standards[13] set forth in the Notice of Filing of Proposed Rule that originally established the Rule 8000 Series and that was submitted to the Commission in the original filing of the Rule 8000 Series on December 20, 2021. Similarly, the Authority incorporates by reference additional standards submitted as Exhibit A[14] to the Authority's Proposed Rule Modification Submission of the Rule 8000 Series on June 5, 2022.

With the review, input, and ultimate approval of the Authority's Board of Directors, the proposed rule modification to the Rule 8000 Series modifies and enhances the penalties and adjudication procedures for the enforcement of rules promulgated by the Authority. HISA submits herewith the proposed rule modification for Commission approval.

b. Statutory Basis

The Horseracing Integrity and Safety Act of 2020, 15 U.S.C. 3051 through 3060.

II. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Modification

The modifications in the proposed Rule 8000 Series would not make significant substantive changes to the rules. The majority of the modifications are provisions concerning the procedures applicable to existing rules, changes made to conform to the Rule 2000 modifications that went into effect on July 8, 2024, and stylistic changes that enhance the clarity of the rules.

Rule 8100 sets forth a series of violations that are subject to disciplinary action under the Rule 8000 Series. A new paragraph (k) would be added to establish a new violation for ''Entering a Covered Horse or causing a Covered Horse to compete in a Covered Horserace prior to registering the Covered Horse with the Authority in accordance with the Rule 9000 Series.'' This violation is included to enforce the requirement in Rule 9000(h) that Responsible Persons must register Covered Horses before running them in Covered Horseraces. Covered Horses must be registered to be eligible to be entered or to run in Covered Horseraces. Additionally, new paragraph (l) would be added to clarify that it is a violation for ''[c]ausing a Covered Horse to compete in a Covered Horserace with the knowledge that, at the time of the Covered Horserace, the Covered Horse is ineligible to compete pursuant to the rules of the Authority.'' Under Rule 2240(a), Covered Horses are not eligible to compete in a Covered Horserace if they are placed on the Veterinarians' List. Similarly, under Rules 3229(a)(1) and 3339(a)(1), Covered Horses are not eligible to compete in a Covered Horserace if they are serving a period of Ineligibility for an Anti-Doping Rule Violation or a Controlled Medication Rule Violation. The new paragraph (l) would penalize running a Covered Horse that is ineligible to compete. The rule would include a requirement that, in order to impose a penalty, the Authority must show that a Covered Person acted with knowledge that the horse was ineligible.[15] These modifications will be of particular benefit to Covered Horses and the running of Covered Horseraces, because it will ensure the horses are subject to veterinary supervision and other forms of oversight by the Authority, and bolster the integrity and safety of the sport.

Rule 8200(b) establishes a schedule of sanctions that may be imposed upon a Covered Person by the Authority for violations of specified Authority rules as described in paragraph 8200(a). Rule 8200(b)(1) specifies various rule violations by rule number, and also lists the penalty provisions applicable to those violations. The rule would be modified to make clear that these penalties are to be imposed in lieu of the penalties listed under Rule 8200(b)(2) through (12). An additional modification would be made to include the following clause: ''provided, however, for any violation involving a Covered Horse that participates in a Covered Horserace in violation of Rule 2271(a)(11) or 2271(a)(12), the Covered Horse shall be disqualified, the purse forfeited, and the Responsible Person shall be subject to the penalty schedule established in Rule 2271(b).'' This clause clarifies the penalties for racing violations of Rule 2271(a)(11) and Rule 2271(a)(12).

A modification would be made to Rule 8200(b)(2)(ii). The current rule authorizes a fine of up to $100,000.00 for any violation that ''due to its nature, chronicity, or severity poses an actual or potential threat of harm to the safety, health, *and* welfare of Covered Persons, Covered Horses, or the integrity of Covered Horseraces'' (emphasis added). The word ''and'' would be deleted and replaced with ''or.'' This will clarify that the rule is invoked when a threat of harm is posed to any one of the elements of ''safety, health, or welfare of Covered Persons or Covered Horses, or to the integrity of Covered Horseraces''; it is not necessary that the threat of harm jeopardizes safety, health, and welfare in combination with one another. The rule modification will provide clear direction in the imposition of appropriate fines as a penalty for harmful or dangerous behavior.

Rule 8200(b)(9) permits the Authority to deny purse money or require the forfeiture of purse money, disqualify a Covered Horse, or make changes to the

[12] Exhibit A is available on the docket for this publication at *https://www.regulations.gov.*

[13] This supporting documentation is available on the docket for the 2022 Proposed Rule Notice at *https://www.regulations.gov/docket/FTC-2022-0009/document.*

[14] This supporting documentation is available on the docket for the 2022 Proposed Rule Modification Notice at *https://www.regulations.gov/docket/FTC-2022-0044/document.*

[15] Keeneland Association submitted a comment suggesting the inclusion of ''with the knowledge'' in the new violation set forth in Rule 8100(l). This suggestion was adopted.

order of finish in Covered Horseraces. The rule would be modified to add an additional sentence, which states: ''If a Covered Horse is disqualified, the purse shall be redistributed in accordance with the revised order of finish.'' This sentence would be added to make clear that after revising the order of finish, the stewards (who in most instances are the body imposing the sanction) must redistribute the purse according to the revised order of finish. This modification is proposed because some stewards have questioned whether purse redistribution is a duty of the stewards in those cases in which an Authority rule is violated that necessitates a disqualification. The rule would be modified to state explicitly the purse redistribution requirement.

A modification of Rule 8200 is proposed to include a new paragraph (e), which states: ''(e) Failure by a Covered Person to pay any fine by the prescribed deadline that is imposed by the Authority, or by any official or body authorized to adjudicate violations under the Rule 2000 or 8000 Series, shall subject the Covered Person to automatic suspension by the Authority, absent a showing to the Authority by the Covered Person of exceptional circumstances that resulted in the failure to pay the fine.'' This rule would penalize the failure to pay fines imposed by the Authority. Non-payment permits the Authority to automatically suspend the registration of a Covered Person, absent a showing of exceptional circumstances that resulted in the failure to pay the fine. This rule is similar to a common practice of various State racing commissions, in which licensure is temporarily suspended as a penalty for overdue fines until the fines are repaid. A similar provision would be included in a new paragraph (f) in Rule 8200, which imposes an automatic suspension for failure to repay a purse.

Rule 8310 would be amended to include Rule 2116 (concerning the suspension or revocation of accreditation) within the class of violations to be adjudicated under the Rule 8300 Series. This modification is necessary to conform to provisions in Rule 2116 concerning the suspension or revocation of accreditation that took effect on July 8, 2024.

Rule 8320(a) would be modified as follows, with additions underlined and deleted language marked with a strikethrough:

8320. Adjudication of Violations in the Rule 2200 Series

(a) Violations of the Rule 2200 Series shall be adjudicated as set forth in this Rule 8320.

(1) The stewards shall adjudicate all alleged violations of Rules 2271(a~~b~~)(2) or 2272 relating to the use of Shock Wave Therapy~~, Rule 2280 relating to the use of the riding crop~~, and Rule 2273 relating to the use of other electrical or mechanical devices.

(2) The stewards shall adjudicate all alleged violations of Rules 2280 through 2283 relating to riding crops.

This modification is proposed at the suggestion of a commenter to distinguish violations of the riding crop rules from rules concerning the use of Shock Wave Therapy and of all other electrical and mechanical devices.[16] The citation to Rule 2271(b) in Rule 8320(a)(i) would be changed to Rule 2271(a)(2) to conform to Rule 2000 Series modifications of the rule number that took effect on July 8, 2024.

Rule 8320(a)(3) would be modified to permit the appeal of riding crop violations to the Internal Adjudication Panel pursuant to Rule 2285. Rule 2285 creates an intermediate appeal process specific to violations of the riding crop rules. The modification to Rule 8320(a)(3) is necessary to specify that these appeals are adjudicated under the procedures set forth in Rule 2285 rather than under Rule 8320(b).

Rules 8320(b)(1) and 8320(b)(2) would be further amended to add Rule 2286 and the Rule 8000 Series to the body of procedures applicable to Rule 2200 violations adjudicated by the Internal Adjudication Panel and the Arbitral Body. Similarly, Rules 8330(a) and 8330(b) would be amended to add the Rule 8000 Series to the body of procedures applicable to Rule 8100 violations adjudicated by Internal Panel and the Arbitral Body. Both modifications include language stating that the Rule 8000 Series procedures are controlling in any instances of conflict between the Rule 7000 and Rule 8000 Series. These modifications are proposed to ensure that the appropriate procedures are applied to the various types of rule violation cases arising under the Rule 2200 Series and the Rule 8100 Series. Rule 2286 specifies that the procedures set forth in Rule 8340(c) through (j) are applicable to Rule 2200 Series violation cases; Rules 8320(b)(1) and (b)(2) would correspondingly be modified to include Rule 2286 proceedings among those to be adjudicated by the Internal Adjudication Panel or the Arbitral Body, to conform to Rule 2286. Similarly, the reference to the Rule 8000 procedures in Rule 8320(b)(1) and (b)(2) is included because Rule 2286 requires the use of the procedures established in Rule 8340(c) through (j).

Rule 8340(a) would be amended to specify that the procedures for initial hearings under the rule are applicable to proceedings concerning the suspension or revocation of Racetrack accreditation under Rule 2116. Accreditation cases will therefore be heard first by a panel of three Board members, whose decision is then appealable to the full Board. The panel adjudication process is well-suited to the potentially complex nature of Racetrack accreditation violations and issues.

Rule 8350, ''Appeal to the Board,'' states in paragraphs (a) and (b) the basic rule of appeal, that decisions rendered by the Racetrack Safety Committee, the stewards, the Internal Adjudication Panel, an independent Arbitral Body, or an initial Board hearing panel may be appealed on the record to the full Board. Rule 8350(a) would be modified to include the following introductory clause: ''Except as set forth in Rule 2285

[16] The Jockeys' Guild.

concerning intermediate appeals for violations of Rules 2280 and 2281, and in Rule 2287 concerning appeals taken in the course of adjudicating the provisional suspension of registration, any . . . [.]'' Similar clauses excepting Rule 2116, Rule 2117, and Rule 2287 would be included in Rule 8350(b).

The modification in Rule 8350(a) (excepting intermediate appeals for violations of Rules 2280 and 2281 under Rule 2285) is proposed to conform to Rule 2285. Rule 2285, which went into effect on July 8, 2024, establishes a level of intermediate appeal of rulings issued to jockeys by the stewards for violations of the riding crop provisions in Rules 2280 and 2281. Rule 2285 provides that the appeals shall be heard initially by a three-member appeal panel appointed from the pool of adjudicators who constitute the Internal Adjudication Panel as established under the Rule 7000 Series. Under Rule 2285, any decision rendered by the three-member appeal panel is then appealable to the Board of the Authority. The modification to Rule 8350(a) excepting intermediate appeals under Rule 2285 is proposed to make clear that decisions rendered by the stewards under Rules 2280 and 2281 are not appealed directly to the Board under Rule 8350, but instead are first appealed to the three-member appeal panel established in Rule 2285.

Rule 8350(a) would be further modified to exempt from its procedures those appeals taken in the course of adjudicating the provisional suspension of registration under Rule 2287. Similarly, Rule 8350(b) would be modified to exempt appeals taken in the course of adjudicating the provisional suspension of accreditation under Rule 2117 and the provisional suspension of registration under Rule 2287. These changes are proposed because Rules 2117 and 2287 establish comprehensive procedures to be applied in their respective provisional suspension proceedings, and the modifications to Rule 8350(a) and (b) make clear that the Rule 8350 procedures do not apply to those proceedings. Rule 2116 would be excepted from Rule 8350(b) because appeals of suspension or revocation of Racetrack accreditation are covered by Rule 8360.

Rule 8360 would be modified to clarify various procedural details concerning the appeal of the suspension and revocation of Racetrack accreditation. Rule 8360 currently provides that the appeal procedures in the rule apply to the appeal of Board Panel decisions to the full Board, and that the Board's review of a decision shall take the form of a *de novo* hearing or review. Rule 8360(a)(1) would be modified to specify that a *de novo* hearing shall be conducted under the appeal procedures set forth in Rule 8340(c) through (h). The rule would be further modified to state that its procedures do not apply to proceedings concerning the provisional suspension of accreditation under Rule 2117, since Rule 2117 establishes procedures specific to the provisional suspension context. These modifications to Rule 8360 would enhance the orderly adjudication of Racetrack accreditation proceedings.

Rule 8400(a) would be modified as follows:

(a) The ~~Commission, the~~ Authority or ~~their~~ its designees:

(1) Shall have free access to:

(i) ~~w~~With regard to Covered Persons, books, records, offices, ~~r~~Racetrack facilities, and other places of business of Covered Persons that are used in the care, treatment, training, ~~and~~or racing of Covered Horses~~.~~; and

(ii) ~~w~~With regard to any person who owns a Covered Horse or performs services on a Covered Horse, books, records, offices, facilities, and other places of business that are used in the care, treatment, training, ~~and~~or racing of Covered Horses.

The replacement of the word ''and'' with ''or'' would make clear that care, training, and racing are independent of one another as activities that render items and locations subject to access by the Authority. An item or location does not have to be used in the care, treatment, training, *and* racing of a Covered Horse in order to be subject to the provisions of Rule 8400(a)(i) and (ii).

In several provisions of the current Rule 8400, reference is made to both the Commission and the Authority as exercising various powers prescribed by the rules. Proposed amendments to the rule would delete the reference to the Commission. The Commission's investigatory powers and enforcement authority are set forth in various statutes, *e.g.,* sections 9 and 20 of the Federal Trade Commission Act, 15 U.S.C. 49, 57b–1.[17] There is therefore no reason to reference the Commission in the Rule 8400 Series.

Rule 8400(e) would be modified to require the Authority to request and obtain the approval of the Commission before issuing a subpoena under 15 U.S.C. 3054(h), with the proviso that the request will be deemed approved if the Commission does not act upon the request within 20 days of receipt of the request. The modification is proposed to enhance the Commission's oversight of, and power to constrain, the Authority in the exercise of its subpoena power.

Rule 8400 also would be modified to establish a set of standards by which subpoenas are issued. The standards are set forth in a new paragraph (f), which states:

(f) The following considerations shall be taken into account by the Authority in determining whether a subpoena shall be issued:

(1) The availability of, and likelihood of success in using, alternative methods for obtaining the information in a timely manner;

[17] *See generally* A Brief Overview of the Federal Trade Commission's Investigative, Law Enforcement, and Rulemaking Authority, *available at https://www.ftc.gov/about-ftc/mission/enforcement-authority.*

(2) The indispensability of the information to the success of an investigation or establishing a violation; and

(3) The need to protect against the destruction of records or information or to preserve testimony that may be necessary to investigate and prosecute violations of the rules of the Authority.

The rule would guide the Authority's discretion in considering whether to request Commission approval to issue a subpoena. The proposed rule sets forth three relevant considerations as specified in paragraphs (f)(1) through (3). These considerations will ensure that subpoenas will be used as an investigatory tool only when truly necessary, and not as a matter of routine in cases concerning the violation of Authority rules. The rules are patterned after and congruent with nearly identical provisions in Rule 5730(e) of the Anti-Doping and Medication Control Rules.

Rule 8410 is a new provision that would establish procedures by which the Authority may review matters concerning alleged violations of one or more rules in the Rule 2200 Series or the Rule 8100 Series. Proposed Rule 8410, to a certain degree, parallels rules pertaining to objections and protests that are common to the regulations of many State racing commissions. The rule would authorize the Authority on its own initiative to review evidence or information that is submitted from any source. The proposed rule states that evidence or information pertaining to the running of a Covered Horserace should be submitted within 72 hours after the race. The proposed rule provides that the Authority is not required to act on the evidence or information if the Authority deems it lacking in credibility. Conversely, if the information or evidence indicates that there is a reasonable probability that the rules of the Authority have been violated or have not been enforced, the proposed rule directs the Authority to conduct an investigation. The Authority also would be empowered to submit the matter for a hearing or to issue a Notice of Suspected or Actual Violation. The new provisions would create a procedure by which to review, for example, complaints made by racing participants alleging that other racing participants or their horses are non-compliant with the rules of the Authority.

A new Rule 8420 would be established to require the Authority to request and obtain the approval of the Commission before initiating any civil action pursuant to 15 U.S.C. 3054(j). The Authority's request would be deemed approved if the Commission does not act upon the request within 20 days of receipt. The rule would ensure that civil actions contemplated by the Authority are subject to the approval of the Commission prior to initiation of the civil action by the Authority. The proposed rule thus enhances the oversight of the Commission over the Authority.

In several provisions of the rules, the term ''National Stewards Panel'' would be replaced by the term ''Internal Adjudication Panel,'' as defined in the Rule 1000 Series and as referred to in the Rule 3000 and Rule 7000 Series.[18] The Internal Adjudication Panel is a body of adjudicators (many of whom are current or former stewards) who are assigned to preside over cases involving controlled medication violations. The name ''National Stewards Panel'' has sometimes been confused with references in the Authority's rules to ''the stewards,'' who preside over Covered Horseraces taking place at Racetracks. To avoid confusion, the language would be modified to remove any reference to the word ''stewards.''[19]

Two commenters suggested that the Authority calculate time without regard to Saturdays, Sundays, and holidays, which under Rule 8011 cannot be the last day of a specified period of time.[20] The commenters noted racing is routinely conducted on Saturdays, Sundays, and holidays, and there is no reason to make exceptions for these days as opposed to traditional business workdays. The Authority believes the exemptions for weekends and holidays are still appropriate, as many participants in horseracing do not organize their routine activities around weekend and holiday racing.

A commenter submitted this note concerning the proposed rule modification in Rule 8100(k): ''Given the combination of reduction in the annual number of starters and the growing trend of greater time between close of entry and start, horses with regulatory restrictions that would otherwise prohibit a start should be given time to relieve such conditions prior to the day of the race. Thus, entries of all horses could be taken with any regulatory restriction cleared by the day of the race. Horses failing to satisfy regulatory restrictions at a time certain on the day of the race could be subject to scratch.''[21] The Authority took this comment into consideration and separated registration (in proposed Rule 8100(k)) from other regulatory activities (in proposed Rule 8100(l)) for greater clarity.

III. Compliance With the Commission's March 27, 2023, Order

In accordance with the Commission's March 27, 2023 Order, the Authority's submission in support of the proposed rule modification discusses each of the suggestions made by commenters on the **Federal Register** publication from the original Enforcement Rule submission, where the Authority, in its February 21, 2022, letter to the Commission (the ''February 21, 2022, Letter''[22]), committed to further consider the suggestions.[23] The Authority's response to each of the suggestions is set out below.

1. A commenter noted that Rules 8200, 8320, 8340, 8350, and 8360 are ''vague because they included references to specific timeframes, but do not specify whether the timeframe is computed using calendar or business days and does not specify what happens if the last day falls on a weekend or holiday.''

The Authority agreed with the commenter that an additional rule was necessary setting forth the manner in which time is to be calculated. The Authority therefore proposed a modification to the Rule 8000 Series to include Rule 8011, ''Calculation of Time.'' This change was approved by the Commission on September 23, 2022.[24]

2. A commenter noted that Rule 8100(f) provides that ''[f]ailure to comply with a written order or ruling of the Authority or an agent of the Authority pertaining to a racing matter or investigation'' is considered a violation. The commenter opined that the

[18] The Washington Horse Racing Commission requested information concerning the nature of the Internal Adjudication Panel and its membership. The Authority provided the information and explained the reasons for the change in name from National Stewards Panel. See the comment and response in the comments submitted with this proposed rule modification and available in Exhibit A on the docket for this publication at *https://www.regulations.gov.*

[19] The modification amending the term ''National Stewards Panel'' to ''Internal Adjudication Panel'' is proposed in Rule 8200(b), Rule 8320(b), Rule 8330(a), Rule 8350(a), and Rule 8350(g).

[20] The Jockey Club and Rick Hammerle (Racetrack Operations Committee).

[21] The Jockey Club.

[22] This letter is available on the docket for the 2022 Proposed Rule Notice at *https://www.regulations.gov/docket/FTC-2022-0009/document.*

[23] The Authority's August 22, 2022, letter concerning the comments to the Enforcement Rule Modification did not commit to further consider any of the suggestions made during that comment period. *See* HISA Response to Public Comments (Aug. 22, 2022), *available at https://www.regulations.gov/docket/FTC-2022-0044/document.*

[24] FTC, Order Approving the Enforcement Rule Modification Proposed by the Horseracing Integrity and Safety Authority (Sept. 23, 2022), *https://www.ftc.gov/system/files/ftc_gov/pdf/Order%20re%20HISA%20Enforcement%20Rule%20Modification.pdf.*

term ''racing matter'' is overbroad and not clearly limited to the Authority's statutory jurisdiction.

The Authority is aware its jurisdiction must be precisely and carefully defined to avoid overreach. The Authority proposed, and the Commission approved, modifications to several provisions in Rule 8400 pertaining to search and seizure in response to concerns about its jurisdiction.[25] The Authority disagrees that the term ''racing matter'' is overbroad, however, and notes similar language is commonly used in the regulations of State racing commissions.[26]

3. A commenter noted that Rule 8200(b) states that the stewards may impose a sanction in certain circumstances. The commenter suggested ''including potential mitigating circumstances (if any) that could cause the stewards not to impose such a sanction.''

The Authority agreed with the underlying idea of the comment and recognized that additional language should be added to guide the discretion of the stewards and other disciplinary bodies in Rule 8200(b). The Authority therefore proposed, and the Commission approved, a modification to Rule 8200(b) to require that any fine be imposed ''in proportion to the nature, chronicity and severity of the violation.''[27] This permits the decisionmaker to consider the circumstances of each particular violation, including mitigating circumstances.

4. One commenter offered the opinion that the rules are confusing, and stated that the ''regulation tells us which violations are not covered, but not what violations are covered.''

The Authority notes that Rule 8100 sets forth a series of precisely defined violations, and further violations are specifically identified in the Rule 2000 Series Racetrack Safety rules. The Authority does not agree that the rules are confusing, but regularly provides assistance to Covered Persons who have questions about the rules and compliance issues.

5. A commenter opined that Rule 8200(b)(2) and Rule 8200(b)(3) do not provide sufficient guidance to the stewards regarding fines, and suggested that it would be helpful to provide a ''list of factors or a rubric'' to guide the stewards' discretion. Another commenter stated that Rule 8200 generally provides the Authority with too much discretion in the imposition of the wide array of penalties established by the rule. The commenter stated that the rule ''lacks a strictly defined process for consistency of application.''

The Authority recognized that additional language should be added to guide the discretion of the stewards and other disciplinary bodies in Rule 8200(b). The Authority therefore proposed, and the Commission approved, a modification to Rule 8200(b) to require that any fine be imposed ''in proportion to the nature, chronicity and severity of the violation.''[28]

6. A commenter expressed concern ''about Rule 8200(b)(6), which bars Covered Persons from associating with all other Covered Persons.'' Similarly, another commenter noted that ''the term ''associating'' in subpart (b)(6) may be problematic as it is not defined. This is a very broad term and almost anything could be considered an ''association'' in this use. Defining ''associating'' is recommended.

The Authority agreed that these terms were problematic. The Authority proposed, and the Commission approved, a modification to Rule 8200(b)(6) to remove the ''association'' provision entirely, and to replace it with a narrower provision that permits the Authority to bar a penalized Covered Person from access to any location under the jurisdiction of the Authority.[29]

7. Two commenters expressed the opinion that the concept of censure is unclear in Rule 8200(b)(10), and that the regulation should provide additional information concerning the concept.

The Authority declines to adopt this commenter's suggestion. The concept of censure is well-known as a pronouncement in which a body formally expresses its disapproval of an individual's actions.

8. Two commenters noted as follows: ''Under subparagraph (d) (Notice of Suspected or Actual Violation), the Covered Person is required to respond to a Notice of Suspected or Actual Violation with[in] seven (7) days. We would urge the Commission to consider a twenty (20) day response period. The seven (7) day response time is not consistent with due process. Further, we encourage the Commission to require further description of how service on Covered Persons and the Authority will be determined.''

The current rule permits the Authority to require a response in 7 days, and the Authority believes that this comports with due process. The rule also, however, permits the Authority to grant a longer period to respond based upon the seriousness of the violation, the imminence of risk, or other factors. The Authority declines to expand upon the details of accomplishing service. Email is commonly accepted as a means of service, and the Rule 9000 Series requires a Covered Person to provide and maintain contact information.

9. One commenter stated as follows: ''In relation to draft rule 8200 (Schedule of Sanctions for Violations; Consent Decrees; Notice of Suspected or Actual Violation), the Minnesota Racing Commission recommends expanding the language in subsection (d)(1)(iii) to allow the Authority to provide additional time to respond for other reasons that are not necessarily based on the 'seriousness of the violation or the imminence of risk.' There are numerous other reasons that the Authority may want to allow a Covered Person to respond, such as illness, consultation with counsel, etc. Amending this is recommended.''

The Authority agreed with this commenter's suggestion and proposed a modification to Rule 8200(d)(1)(iii) to state that additional time to respond may be granted for reasons unrelated to the seriousness of the violation and imminence of risk.[30] This modification was approved by the Commission.[31]

10. Several commenters offered comments regarding possible amendments of the penalty structures established in the Rules. The commenters opined that certain monetary penalties were too severe, or suggested that minimum penalties be lowered in amount. Commenters also suggested additional standards might be included in the rules to further guide discretion.

In response to these commenters and other comments concerning the penalty schedule set forth in Rule 8200(b), the Authority proposed, and the Commission approved, a modification to the rule to make clear that fines may be imposed in amounts lower than $50,000.00 for second violations[32] and removed a rule that prohibited association between Covered Persons in

[25] FTC, Notice of HISA Enforcement Proposed Rule Modification, 87 FR 44393, 44396 (July 26, 2022); FTC, Notice of HISA Enforcement Proposed Rule Modification, 88 FR 48849, 48849–50 (July 28, 2023).

[26] See, *e.g.,* Kentucky Horse Racing Commission regulation 810 KAR 3:020, Licensing of Racing Participants, section 15(1)(u), available in HISA's Supporting Documentation—Legal Standards on the docket for the 2022 Proposed Rule Notice at *https://www.regulations.gov/docket/FTC-2022-0009/document.*

[27] See FTC, Notice of HISA Enforcement Proposed Rule Modification, 87 FR 44393, 44396–97 (July 26, 2022).

[28] *Id.*

[29] *Id.* at 44395.

[30] *Id.* at 44397.

[31] FTC, Order Approving the Enforcement Rule Modification Proposed by the Horseracing Integrity and Safety Authority (Sept. 23, 2022), *https://www.ftc.gov/system/files/ftc_gov/pdf/Order%20re%20HISA%20Enforcement%20Rule%20Modification.pdf.*

[32] See FTC, Notice of HISA Enforcement Proposed Rule Modification, 87 FR 44393, 44397 (July 26, 2022).

favor of a rule permitting the Authority to bar a penalized Covered Person from access to any location under the jurisdiction of the Authority.[33] Rule 8200(b) was modified to require that any fine be imposed ''in proportion to the nature, chronicity and severity of the violation.'' [34] These changes were made to ensure that the penalty structure is applied consistently and in a manner appropriate to the circumstances of the violation.

11. A commenter opined that Rule 8320(b) does not sufficiently specify the parameters as to how and why the Racetrack Safety Committee ''in its discretion'' refers matters to the National Stewards Panel, the Arbitral Body, or the State stewards. Another commenter recommended that Rule 8320(b) should set forth the factors that make a case appropriate for a given venue.

The Authority considered this comment but declines the request to include a specific list of factors guiding the discretion of the Racetrack Safety Committee. The Racetrack Safety Committee is mindful that there are numerous types of violations that might be brought before it under Rule 8320(b). The rule specifies that in referring the case, the Racetrack Safety Committee may consider the ''seriousness of the alleged violation and the facts of the case[.]'' Per the Rules of the 7000 Series, the Arbitral Body and the Internal Adjudication Panel are guided by an elaborate set of procedures suitable for complex cases, and the stewards are the obvious preference for adjudication of violations more directly related to race day activities and the running of the race.

12. Several comments were received concerning the procedural rules set forth in Rule 8340. These comments pertained to the role of attorneys and witnesses for the Authority and Covered Persons, and various rules of practice that might be included in the rules.

The Authority has carefully considered the comments relating to the rule and believes that the rule adequately specifies the roles of attorneys and witnesses. The hearing process rules are intended to provide some flexibility of application as appropriate to particular cases. The rules are similar in many respects to State laws and regulations pertaining to adjudicative proceedings.

13. Two commenters requested with regard to Rule 8350(d) ''that the time for filing an appeal be extended from 10 days to 30 days in the interest of due process.''

The Authority believes that the current 10-day period for filing an appeal is appropriate, not overly burdensome, and has been easily complied with by Covered Persons who have filed appeals since the Program Effective Date of July 1, 2022.

14. Several commenters suggested that the provisions in Rule 8400(a), pertaining to the Authority's right of access to records and locations of Covered Persons who own or provide services to Covered Horses, might be modified in various ways to further define the extent and reach of these provisions. The commenters offered proposed language to more specifically link the right of search to racetrack facilities, barn areas, places of business and vehicles of persons owning or engaged in the care of Covered Horses. A commenter offered a similar proposal to supplement the rules concerning the Authority's subpoena power in Rule 8400(d). A commenter also suggested that language be added to specifically state that searches are conducted ''in connection with an investigation of a violation of any provision of 15 U.S.C. Chapter 57A or any regulation promulgated by the Authority.''

Since this comment was submitted in 2022, the Authority has proposed, and the Commission approved, a modification to Rule 8400(a) to more precisely define the extent and reach of the Authority's right of access to various types of records and physical locations.[35] The modification was prompted in part by the points and suggestions made by the commenters.

15. A commenter suggested that the rules be modified to tie the terms ''devices'' and ''instrumentalities'' to specific devices such as goading instruments, shock wave machines, and TCO2 devices.

Since this comment concerning Rule 8400 was received in 2022, the Authority proposed, and the Commission approved, a modification to Rule 8400(a) to define more precisely the categories of physical items subject to seizure by the Authority, though the Authority did not specifically reference Shock Wave machines, goading instruments or TCO2 devices.[36]

The changes advanced in the proposed Enforcement Rule modification are intended to enhance the Rule 8000 Series in a manner that is consistent with the Act. The proposed rules are carefully tailored to the unique character of horseracing and to the organizational structure of the Authority.

IV. Legal Authority

This rule is proposed by the Authority for approval or disapproval by the Commission under 15 U.S.C. 3053(c)(1).

V. Date of Effectiveness

If approved by the Commission, this proposed rule modification would be effective 30 days following the date of the Commission's order approving the modification.

VI. Request for Comments

Members of the public are invited to comment on the Authority's proposed rule modification. The Commission requests that factual data on which the comments are based be submitted with the comments. The supporting documentation referred to in the Authority's filing is available for public inspection on the docket for this matter at *https://www.regulations.gov.*

The Commission seeks comments that address the decisional criteria provided by the Act. The Act gives the Commission two criteria against which to measure proposed rules and rule modifications: ''The Commission shall approve a proposed rule or modification if the Commission finds that the proposed rule or modification is consistent with—(A) this chapter; and (B) applicable rules approved by the Commission.'' [37] In other words, the Commission will evaluate the proposed rule for its consistency with the specific requirements, factors, standards, or considerations in the text of the Act as well as the Commission's rules.

Although the Commission evaluates the Authority's proposed rule for its consistency with the Act and the Commission's rules, the Commission may consider broader questions—about the health and safety of horses and jockeys, the integrity of horseraces and wagering on horseraces, and the administration of the Authority itself—in another context: ''The Commission . . . may abrogate, add to, and modify the rules of the Authority promulgated in accordance with [the Act] as the Commission finds necessary or appropriate to ensure the fair administration of the Authority, to conform the rules of the Authority to requirements of [the Act] and applicable rules approved by the Commission, or otherwise in furtherance of the purposes of [the Act].'' [38] The Commission may exercise this rulemaking power on its own initiative or in response to a petition from a member from the public.

[33] *Id.* at 44395.

[34] *Id.* at 44396–97.

[35] See FTC, Notice of HISA Enforcement Proposed Rule Modification, 87 FR 44393, 44396 (July 26, 2022); see also FTC, Notice of HISA Enforcement Proposed Rule Modification, 88 FR 48849, 48850–51 (July 28, 2023).

[36] See FTC, Notice of HISA Enforcement Proposed Rule Modification, 87 FR 44393, 44396 (July 26, 2022); see also FTC, Notice of HISA Enforcement Proposed Rule Modification, 88 FR 48849, 48850–51 (July 28, 2023).

[37] 15 U.S.C. 3053(c)(2).

[38] 15 U.S.C. 3053(e) (as amended by the Consolidated Appropriations Act, 2023, H.R. 2617, 117th Cong., Division O, Title VII (2022)).

If members of the public wish to provide comments to the Commission about its use of the rulemaking power, they are encouraged to submit a petition requesting that the Commission issue a rule addressing the subject of interest. The petition must meet all the criteria established in the Rules of Practice (part 1, subpart D);[39] if it does, the petition will be published in the **Federal Register** for public comment. In particular, the petition for a rulemaking must ''identify the problem the requested action is intended to address and explain why the requested action is necessary to address the problem.''[40]

VII. 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 23, 2025. Write ''HISA Enforcement Rule Modification'' 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 because of heightened security screening. We strongly encourage you to submit your comments online. To ensure 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 Enforcement Rule Modification'' 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 public record, you are solely responsible for making sure your comment does not include any sensitive or confidential information. In particular, your comment should not contain 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 ''[t]rade secret or any commercial or financial information which . . . is privileged or confidential''—as provided in section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2)—including, in particular, competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

Comments containing material for which confidential treatment is requested must be filed in paper form, must be clearly labeled ''Confidential,'' and must comply with FTC Rule 4.9(c), 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* FTC Rule 4.9(c). Your comment will be kept confidential only if the General Counsel grants your request in accordance with the law and the public interest. Once your comment has been posted publicly at *https://www.regulations.gov* —as legally required by FTC Rule 4.9(b), 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 FTC Rule 4.9(c), and the General Counsel grants that request.

Visit the FTC website to read this document and any news release describing it. The FTC Act and other laws 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 23, 2025. For information on the Commission's privacy policy, including routine uses permitted by the Privacy Act, see *https://www.ftc.gov/siteinformation/privacypolicy.*

VIII. Communications by Outside Parties to the Commissioners or Their Advisors

Written communications and summaries or transcripts of oral communications respecting the merits of this proceeding, from any outside party to any Commissioner or Commissioner's advisor, will be placed on the public record. *See* 16 CFR 1.26(b)(5).

IX. Self-Regulatory Organization's Proposed Rule Language

The following language reflects the Enforcement Rule with the proposed modifications incorporated. A redline version that shows every way in which the previously approved Enforcement Rule would be modified by the proposed rule modification is available as Exhibit B on the docket at *https://www.regulations.gov.*

8000. Violations, Sanctions, Hearing Procedures, and Investigatory Powers

8011. Calculation of Time

In calculating any period of time prescribed in the Rule 8000 Series, time shall be calculated in calendar days. If the last day of a specified period of time falls on a Saturday, Sunday, or holiday, then the last day of the period shall be considered to be the next working day immediately following the Saturday, Sunday, or holiday.

8100. Violations

Violations under this Rule shall include:

(a) Failure to cooperate with the Authority or an agent of the Authority during any investigation;

(b) Failure to respond truthfully, to the best of a Covered Person's knowledge, to a question of the Authority or an agent of the Authority with respect to any matter under the jurisdiction of the Authority;

(c) Tampering or attempted tampering with the application of the safety, performance, or anti-doping and medication control rules or process adopted by the Authority, including:

(1) Intentional interference, or an attempt to interfere, with an official or agent of the Authority;

(2) Procurement or the provision of knowingly false information to the Authority or agent of the Authority; and

(3) The intimidation of, or an attempt to intimidate, a potential witness;

(d) Assisting, encouraging, aiding, abetting, conspiring, covering up, or any other type of intentional complicity involving a racetrack safety violation or the violation of a period of suspension or ineligibility;

(e) Threatening or seeking to intimidate a person with the intent of discouraging the person from the good faith reporting to the Authority, an agent of the Authority, or the Commission, of information that relates to:

(1) A suspected or alleged violation of a rule in the Rule 2200 Series; or

(2) A suspected or alleged noncompliance with a rule in the Rule 2200 Series;

(f) Failure to comply with a written order or ruling of the Authority or an

[39] 16 CFR 1.31; see FTC, Procedures for Responding to Petitions for Rulemaking, 86 FR 59851 (Oct. 29, 2021).

[40] 16 CFR 1.31(b)(3).

agent of the Authority pertaining to a racing matter or investigation;

(g) Failure to register with the Authority, failure of a Responsible Person to register a Covered Horse, making a knowingly false statement or omission of information in an application for registration with the Authority, or failure to advise the Authority of material changes in the application information as required by the rules of the Authority;

(h) Perpetrating or attempting to perpetrate a fraud or misrepresentation in connection with the care or racing of a Covered Horse;

(i) Failure to remit fees as required under 15 U.S.C. 3052(f)(3);

(j) Failure by a Racetrack to collect equitable allocation amounts among Covered Persons in conformity with the funding provisions of 15 U.S.C. 3052(f)(3) and any rules pertaining thereto;

(k) Entering a Covered Horse or causing a Covered Horse to compete in a Covered Horserace prior to registering the Covered Horse with the Authority in accordance with the Rule 9000 Series; and

(l) Causing a Covered Horse to compete in a Covered Horserace with the knowledge that, at the time of the Covered Horserace, the Covered Horse is ineligible to compete pursuant to the rules of the Authority.

8200. Schedule of Sanctions for Violations; Consent Decrees; Notice of Suspected or Actual Violation

(a) *Application.* This Schedule shall apply to any Covered Person's violation of, or failure to comply with, the Act or rules promulgated by the Authority, except for:

(1) Anti-doping and medication control rule violations as established in the Rule 3000 Series; and

(2) Racing rules and State laws or regulations not pre-empted by 15 U.S.C. 3054(b).

(b) *Imposition of Sanction.* The Board of the Authority, the Racetrack Safety Committee, the stewards, any steward or body of stewards selected from the Internal Adjudication Panel, or an Arbitral Body, after any hearing required to be conducted in accordance with the Rule 7000 Series or Rule 8000 Series and upon finding a violation or failure to comply with the rules of the Authority (with the exceptions identified in paragraph (a)), may impose one or more of the following sanctions on a Covered Person for each violation of the rules of the Authority, in proportion to the nature, chronicity, and severity of the violation:

(1) For a violation of Rule 2271(a)(2) or 2272 relating to the use of Shock Wave Therapy, a violation of Rule 2271(a)(11) or 2271(a)(12) relating to permitting a Covered Horse to perform a Workout or participate in a Covered Horserace after treatment with an intra-articular injection, a violation of Rule 2273 relating to the use of other electrical or mechanical devices, or a violation of Rule 2280 relating to the use of the riding crop, impose the penalties set forth in Rules 2271(b), 2272, 2274, 2282, and 2283, in lieu of the penalties set forth in Rule 8200(b)(2) through (12); provided, however, for any violation involving a Covered Horse that participates in a Covered Horserace in violation of Rule 2271(a)(11) or 2271(a)(12), the Covered Horse shall be disqualified, the purse forfeited, and the Responsible Person shall be subject to the penalty schedule established in Rule 2271(b);

(2) Impose a fine upon a Covered Person in the following amounts:

(i) Up to $50,000.00 for a first violation; or

(ii) Up to $100,000.00 for a second violation of the same or similar nature to a prior violation, or any violation that due to its nature, chronicity, or severity poses an actual or potential threat of harm to the safety, health, or welfare of Covered Persons or Covered Horses, or to the integrity of Covered Horseraces;

(3) Deny or suspend the registration of a Covered Person for a definite period, a probationary period, or a period contingent on the performance of a particular act;

(4) Revoke the registration of a Covered Person subject to reapplication at a specified date;

(5) Impose a lifetime ban from registration with the Authority;

(6) Deny a Covered Person or a Covered Horse access to any location under the jurisdiction of the Authority during the period of a suspension;

(7) Impose a temporary or permanent cease and desist order against a Covered Person;

(8) Require a Covered Person, as a condition of participation in horseracing, to take any remedial or other action that is consistent with the safety, welfare, and integrity of Covered Horses, Covered Persons, and Covered Horseraces;

(9) Deny purse money or require the forfeiture of purse money, disqualify a Covered Horse, or make changes to the order of finish in Covered Horseraces as consistent with the safety, welfare, and integrity of Covered Horses, Covered Persons, and Covered Horseraces. If a Covered Horse is disqualified, the purse shall be redistributed in accordance with the revised order of finish;

(10) Censure a Covered Person;

(11) Prohibit a Racetrack from conducting any Covered Horserace; or

(12) Impose any other sanction as a condition of participation in horseracing as deemed appropriate in keeping with the seriousness of the violation and the facts of the case, and that is consistent with the safety, welfare, and integrity of Covered Horses, Covered Persons, and Covered Horseraces.

(c) *Consent Decrees.* The Board of the Authority shall have the discretion to enter into a consent decree or other similar agreement with a Covered Person as necessary to promote the safety, welfare, and integrity of Covered Horses, Covered Persons, and Covered Horseraces.

(d) *Notice of Suspected or Actual Violation.*

(1) The Authority, the Racetrack Safety Committee, or one or more stewards may issue a Notice of Suspected or Actual Violation to a Covered Person in any case in which the issuing body has reason to believe that the Covered Person has violated or has failed to comply with any rule of the Authority. The notice shall:

(i) Identify the provision or provisions which the Covered Person is believed to have violated;

(ii) Specify with reasonable particularity the factual basis of the issuing body's belief that the provision has been violated; and

(iii) Provide the Covered Person at least 7 days to respond, or a longer period as deemed appropriate and specified in the Notice based upon:

(A) The seriousness of the violation;

(B) The imminence of risk to Covered Persons, Covered Horses, Covered Horseraces, or the public; or

(C) Any other relevant factor.

(2) Upon receipt of the Notice of Suspected or Actual Violation, the Covered Person shall respond in writing to the issuing body within the time period specified in the notice. The Covered Person shall include in the response:

(i) A statement by the Covered Person admitting the violation or explaining the reasons why the Covered Person believes that a violation has not occurred;

(ii) All relevant details concerning the circumstances of the suspected or actual violation, including the results of any investigation undertaken by the Covered Person of the circumstances, and identification of any persons responsible for the circumstances; and

(iii) A detailed explanation of any remedial plan the Covered Person proposes to undertake to cure the suspected or actual violation and the date of the expected completion of the remedial plan.

(3) Upon receipt of the written response of the Covered Person, the issuing body may accept any proposed remedial plan, subject to any reasonable modifications the issuing body deems necessary, or it may initiate disciplinary proceedings in conformity with the provisions of Rule 8300. If the issuing body determines that no violation has occurred, the issuing body shall so inform the Covered Person and no further action shall be taken.

(e) Failure by a Covered Person to pay any fine by the prescribed deadline that is imposed by the Authority, or by any official or body authorized to adjudicate violations under the Rule 2000 or 8000 Series, shall subject the Covered Person to automatic suspension by the Authority, absent a showing to the Authority by the Covered Person of exceptional circumstances that resulted in the failure to pay the fine.

(f) Failure by a Covered Person to repay a purse as ordered by the Authority, or by any official or body authorized to adjudicate violations under the Rule 2000 or Rule 8000 Series, shall subject the Covered Person to automatic suspension by the Authority, absent a showing to the Authority by the Covered Person of exceptional circumstances that resulted in the failure to repay the purse.

8300. Disciplinary Hearings and Accreditation Procedures

8310. Application

An alleged violation or failure to comply with the provisions of the Rule 2200 Series or Rule 8100, and any matter involving the suspension or revocation of accreditation pursuant to Rule 2116 shall be adjudicated in accordance with this Rule 8300 Series, except that:

(a) An alleged violation of the anti-doping and medication control rule provisions in the Rule 3000 Series shall be adjudicated in accordance with the procedures set forth therein; and

(b) This rule shall not apply to the adjudication of violations arising under State laws, racing rules, and regulations not preempted under 15 U.S.C. 3054(b).

8320. Adjudication of Violations in the Rule 2200 Series

(a) Violations of the Rule 2200 Series shall be adjudicated as follows.

(1) The stewards shall adjudicate all alleged violations of Rule 2271(a)(2) or 2272 relating to the use of Shock Wave Therapy, and Rule 2273 relating to the use of other electrical or mechanical devices.

(2) The stewards shall adjudicate all alleged violations of Rules 2280 through 2283 relating to riding crops.

(3) The stewards shall apply the hearing procedures of the State jurisdiction in which the violation is alleged to have occurred. Provided, however, that in any State that has not entered into an agreement with the Authority under which the State stewards serve in an adjudicatory capacity under the Rule 8000 Series and enforce the Rule 2200 Series, a hearing may be conducted by one or more stewards, notwithstanding any State rule to the contrary. All testimony at a stewards' hearing shall be given under oath, and a record of the hearing shall be kept by use of an audio recorder, video recording, or court reporter's transcript. Any ruling finding a violation relating to the use of the riding crop under Rules 2280 and 2281 may be appealed under the procedures described in Rule 2285. All other rulings by the stewards finding a violation may be appealed to the Board of the Authority under the procedures described in Rule 8350. An appeal shall be filed in writing within 10 days of the issuance of the ruling by the stewards.

(b) With regard to any matter involving an alleged violation of a rule in the Rule 2200 Series other than those set forth in paragraph (a) above, the Racetrack Safety Committee may, at its discretion and taking into account the seriousness of the alleged violation and the facts of the case:

(1) Refer the matter to one or more members of the Internal Adjudication Panel for adjudication in conformity with the procedures established in Rule 2286, the Rule 7000 Series, and the Rule 8000 Series. Where there is any inconsistency between the provisions of the Rule 7000 and Rule 8000 Series, the provisions of the Rule 8000 Series shall be controlling;

(2) Refer the matter to an Arbitral Body for adjudication in conformity with the procedures established in Rule 2286, the Rule 7000 Series, and the Rule 8000 Series. Where there is any inconsistency between the provisions of the Rule 7000 and Rule 8000 Series, the provisions of the Rule 8000 Series shall be controlling;

(3) Refer the matter to the stewards for adjudication in accordance with the hearing procedures of the applicable State jurisdiction. Provided, however, that in any State that has not entered into an agreement with the Authority under which the State stewards serve in an adjudicatory capacity under the Rule 8000 Series and enforce the Rule 2200 Series, a hearing may be conducted by one or more stewards, notwithstanding any State rule to the contrary; or

(4) Conduct a hearing upon the matter itself, under the procedures set forth in Rule 8340.

8330. Adjudication of Rule 8100 Violations

With regard to any matter involving an alleged violation of any provision of Rule 8100, the Board of the Authority may, at its discretion and taking into account the seriousness of the violation and the facts of the case:

(a) Refer the matter to one or more members of the Internal Adjudication Panel for adjudication in conformity with the procedures established in the Rule 7000 Series and the Rule 8000 Series. Where there is any inconsistency between the provisions of the Rule 7000 and Rule 8000 Series, the provisions of the Rule 8000 Series shall be controlling;

(b) Refer the matter to an Arbitral Body for adjudication in conformity with the procedures established in the Rule 7000 Series and the Rule 8000 Series. Where there is any inconsistency between the provisions of the Rule 7000 and Rule 8000 Series, the provisions of the Rule 8000 Series shall be controlling;

(c) Refer the matter to the stewards for adjudication in accordance with the hearing procedures of the applicable State jurisdiction. Provided, however, that in any State that has not entered into an agreement with the Authority under which the State stewards shall serve in an adjudicatory capacity under the Rule 8000 Series and enforce the Rule 2200 Series, a hearing may be conducted by one or more stewards, notwithstanding any State rule to the contrary; or

(d) Conduct a hearing upon the matter itself, under the procedures set forth in Rule 8340.

8340. Initial Hearings Conducted Before the Racetrack Safety Committee or the Board of the Authority

(a) An initial hearing before the Board, including a proceeding under Rule 2116, shall be conducted by a panel of three Board members. The Board chair shall appoint the panel members and shall also designate one of them as the chair of the panel. At the discretion of the panel of the Board, an initial hearing may be conducted in person or by means of an audio-visual teleconferencing system or by telephone.

(b) An initial hearing before the Racetrack Safety Committee shall be heard by a quorum of the Racetrack

Safety Committee. The Racetrack Safety Committee Chair shall act as the chair of the hearing panel unless the Chair is unavailable, in which case the Racetrack Safety Committee Chair shall designate a member of the quorum to act as the chair of the panel. At the discretion of the Racetrack Safety Committee, an initial hearing may be conducted in person or by means of an audio-visual teleconferencing system or by telephone.

(c) The Covered Person charged with an alleged violation is entitled to notice of a hearing before the Board panel or the Racetrack Safety Committee, and shall be informed not less than 20 days prior to the hearing of:

(1) The time, place, and nature of the hearing;

(2) The legal authority and jurisdiction under which the hearing is to be held;

(3) A description of the rule or rules allegedly violated, specifying by number the rule or rules allegedly violated; and

(4) A statement of the factual basis of the alleged violation(s) in sufficient detail to provide adequate opportunity to prepare for the hearing.

(d) At any time prior to, during, or after the hearing, the Board panel or the Racetrack Safety Committee in its discretion may require the submission of written briefs or other information as will assist in the hearing of the matter.

(e) All testimony in proceedings before the Board panel or the Racetrack Safety Committee shall be given under oath, and a record of the proceedings shall be kept in stenographic or recorded form.

(f) The burden of proof shall be on the party alleging the violation to show, by a preponderance of the evidence, that the Covered Person has violated or failed to comply with, or is responsible for a violation of, a provision of the Authority's rules.

(g) The Board panel or the Racetrack Safety Committee shall allow a full presentation of evidence and shall not be bound by the technical rules of evidence. However, the Board panel or the Racetrack Safety Committee may disallow evidence that is irrelevant or unduly repetitive of other evidence. The Board panel or the Racetrack Safety Committee shall have the authority to determine, in its sole discretion, the weight and credibility of any evidence or testimony. The Board panel or the Racetrack Safety Committee may admit hearsay evidence if it determines the evidence is of a type that is commonly relied on by reasonably prudent people. Any applicable rule of privilege shall apply in hearings before the Board panel or the Racetrack Safety Committee.

(h) A party shall be entitled to present its case or defense by oral or documentary evidence, to be represented by counsel at the party's expense, to submit rebuttal evidence, and to conduct such limited cross-examination as may be required for a full and true disclosure of the facts.

(i) Presiding Officer for the Conduct of the Hearing. The Board panel or the Racetrack Safety Committee may appoint a presiding officer to assist in regulating the orderly conduct of and presentation of evidence at the hearing. The Board panel or the Racetrack Safety Committee may assign to the presiding officer any or all of the following powers, in any manner that the Board panel or the Racetrack Safety Committee determines is most appropriate based upon the nature and complexity of the subject matter of the hearing. The presiding officer may be granted the power to:

(1) Rule upon requests, including all requests for adjournments;

(2) Set the time and place of hearing, recesses, and adjournments;

(3) Administer oaths and affirmations;

(4) Summon and examine witnesses, including the authority to direct a party to appear and to testify;

(5) Order that opening and closing statements be made;

(6) Admit or exclude evidence;

(7) Allow oral argument;

(8) Issue orders limiting the scope and length of cross-examination, the length of briefs, and similar matters;

(9) Order the parties to appear for a prehearing conference to consider matters that may simplify the issues or expedite the proceeding; and

(10) Perform all acts and take all measures necessary for the maintenance of order and the efficient conduct of the hearing.

(j) Presiding Officer for the Submission of a Hearing Report. The Board panel or the Racetrack Safety Committee may direct a presiding officer to issue in writing a hearing report at the conclusion of the hearing and to submit it to the Board panel or the Racetrack Safety Committee and all parties. A copy of the record of the hearing shall accompany the hearing report. The hearing report shall set forth findings of fact, conclusions of law, and a recommended disposition. If the presiding officer finds that imposition of a penalty under Rule 8200 is warranted, the recommended penalty shall be set forth in specific detail, including the length of any suspension and the amount of any fine. If so directed by the Board panel or the Racetrack Safety Committee, the presiding officer shall establish a schedule for the filing by the parties of:

(1) Briefs to be considered by the presiding officer prior to the presiding officer's preparation of the hearing report; and

(2) Exceptions to the presiding officer's hearing report after the hearing report has been delivered to the parties. The exceptions may include, for consideration and adoption by the Board panel or the Racetrack Safety Committee, the particular findings of fact, conclusions of law, and recommendations for disposition with which the party disagrees and the reasons for such disagreement, any general comments by the party on the suitability of the hearing report, and the party's alternative proposed findings of fact, conclusions of law, and recommendations for disposition. A party shall send a copy of its exceptions to all other parties or their attorneys and to the presiding officer.

(k) Review by the Board panel or the Racetrack Safety Committee. Upon receipt of the record of the hearing, and of any hearing report and exceptions thereto submitted pursuant to paragraph (j), the Board panel or the Racetrack Safety Committee shall review the record and submissions. The period for review shall not exceed 20 days unless extended by the Board panel or the Racetrack Safety Committee upon notice to all parties.

(l) Written Decision. Within 30 days of the close of the review period, the Board panel or the Racetrack Safety Committee shall issue to all parties a written decision setting forth findings of fact, conclusions of law, and the disposition of the matter including any penalty imposed. If a hearing report has been received, the Board panel and the Racetrack Safety Committee shall have discretion to adopt, modify, or reject any or all of the hearing report including, but not limited to, the appropriate disposition of the proceeding and any penalty recommended.

8350. Appeal to the Board

(a) Except as set forth in Rule 2285 concerning intermediate appeals for violations of Rules 2280 and 2281, and in Rule 2287 concerning appeals taken in the course of adjudicating the provisional suspension of registration, any decision rendered by the Racetrack Safety Committee, the stewards, the Internal Adjudication Panel, or an Arbitral Body may be appealed on the record to the Board. The decision may be appealed by a party to the decision, or the decision may be reviewed upon the Board's own initiative and at its discretion.

(b) Except as set forth in Rule 2116 concerning appeals taken in the course of adjudicating the suspension or revocation of accreditation, in Rule 2117 concerning appeals taken in the course of adjudicating the provisional suspension of accreditation, and in Rule 2287 concerning appeals taken in the course of adjudicating the provisional suspension of registration, any decision rendered by an initial Board hearing panel may be appealed on the record to the Board, to be reviewed by a quorum of the Board which shall not include the Board members who were on the panel in the initial hearing. The decision may be appealed by a party to the decision, or the decision may be reviewed upon the Board's own initiative and at its discretion.

(c) An appeal shall not automatically stay the decision. A party may request the Board to stay the decision. A stay may be issued by the Board, or by any official or body of the Authority to whom the Board delegates the authority to review requests for stay, for good cause shown.

(d) A party to the decision must file with the Board a written request for any appeal within 10 days of receiving a written order. The appeal request shall contain the following information:

(1) The name, address, and telephone number, if any, of the appellant;

(2) A description of the objections to the decision;

(3) A statement of the relief sought; and

(4) Whether the appellant requests a hearing.

(e) The Board may in its discretion review a decision based solely upon written submissions scheduled for filing with such timing and response requirements as the Board may require. Alternatively, or in addition to written submissions, the Board may set a date, time, and place for a hearing. Notice shall be given to all parties in writing and shall set out the date, time, and place of the hearing, and shall be served personally or sent by electronic or U.S. mail to the last known address of the appellant. If the appellant objects to the date of the hearing, the appellant may obtain a continuance, but the continuance shall not automatically stay imposition of a sanction or prolong a stay issued by the Board. At the discretion of the Board, the hearing may be conducted in person or by means of an audio-visual videoconferencing system or by telephone.

(f) Upon review of the decision that is the subject of the appeal, the Board shall uphold the decision unless it is clearly erroneous or not supported by the evidence or applicable law.

(g) Upon completing its review, the Board may:

(1) Accept the decision;

(2) Reject or modify the decision, in whole or in part;

(3) Remand the matter, in whole or in part, to the stewards, the Racetrack Safety Committee, the Internal Adjudication Panel, or an Arbitral Body, as the case may be, for further proceedings as appropriate; or

(4) Conduct further proceedings on the matter as appropriate, including but not limited to requiring the submission of written briefs or, in extraordinary circumstances and at the Board's discretion, the taking of additional testimony before the Board under oath.

(h) The Board may appoint a presiding officer to assist in regulating the orderly conduct of, and presentation of evidence at, a hearing in accordance with Rule 8340(i). The Board may also direct a presiding officer to issue in writing a hearing report at the conclusion of the hearing in accordance with Rule 8340(j).

(i) The Board shall issue its written decision based on the record, any further proceedings, testimony, or hearing report and exceptions thereto submitted in accordance with Rule 8340(j), and any additional submissions or testimony under Rule 8350(g)(4). If a hearing report and exceptions have been submitted, the Board's written decision shall, in accordance with Rule 8340(l), include findings of fact, conclusions of law, and the disposition of the matter including any penalty imposed. The Board shall not be bound by the timing provisions in Rules 8340(k) and 8340(l) relating to the period for review and the issuance by the Board of its written decision. A copy of the Board's decision shall be served upon all parties by first class mail, electronic mail, or personal service.

(j) The decision of the Board shall be the final decision of the Authority.

8360. Procedures for the Suspension and Revocation of Accreditation

(a) Except as set forth in Rule 2117 concerning appeals taken in the course of adjudicating the provisional suspension of accreditation, any decision issued by a Board panel denying, suspending, or revoking Racetrack accreditation may:

(1) Be appealed within 10 days by the Racetrack to the Board of the Authority for a *de novo* hearing reviewing the Board panel's decision, to be conducted under the procedures set forth in Rule 8340(c) through (h); or

(2) Be reviewed by the Board of the Authority on its own initiative.

(b) The Board panel's order suspending or revoking accreditation shall be stayed automatically pending the *de novo* hearing and review of the decision by the Board of the Authority.

(c) At its discretion, the Board of the Authority may request and consider any additional information from any source that may assist in the review.

(d) The Racetrack may request to make a presentation before the Board of the Authority concerning racetrack safety and any remedial efforts proposed to be undertaken by the Racetrack. At its discretion, the Board of the Authority may permit the Racetrack to make such presentation.

(e) In conducting its initial review under Rule 8340 or the *de novo* hearing on appeal, the Board of the Authority may consider all factors that it deems appropriate, including but not limited to:

(1) The extent and magnitude of any deficiencies in racetrack operations conducted at the Racetrack;

(2) The threat posed by the deficiencies to the safety and integrity of horseracing conducted at the Racetrack;

(3) The adequacy of the efforts the Racetrack proposes to undertake or has undertaken to remedy all deficiencies at the Racetrack;

(4) The likelihood and timeframe within which compliance can be achieved by the Racetrack, given the resources available to the Racetrack and the past record of the Racetrack in achieving and maintaining compliance with the rules of the Authority; and

(5) Any other factors the Board of the Authority deems relevant to its review.

(f) Upon completing its initial review under Rule 8340, or upon concluding the *de novo* hearing on appeal, the Board of the Authority may take one or more of the following actions:

(1) Order that the Racetrack's accreditation be denied, suspended, or revoked, upon a vote in favor of denial, suspension, or revocation by two-thirds of a quorum of the members of the Board of the Authority;

(2) Reinstate accreditation subject to any requirements the Board of the Authority deems necessary to ensure that horseracing will be conducted in a manner consistent with racetrack safety and integrity. The Board of the Authority may also impose a fine upon reinstatement in an amount not to exceed $50,000.00. The Board of the Authority may require the Racetrack to report at prescribed intervals on the status of racetrack safety operations and remedial efforts to improve safety

pursuant to the Authority's racetrack safety rules; or

(3) Prohibit a Racetrack from conducting any Covered Horserace.

8370. Final Civil Sanction

Any decision rendered by the Board of the Authority under Rule 8350 or under Rule 8360 shall constitute a final civil sanction subject to appeal and review in accordance with the provisions of 15 U.S.C. 3058.

8380. Guidelines for Confidentiality and Public Reporting

As used in this Rule, ''public disclosure'' means the dissemination or distribution of information by the Authority to the general public.

(a) This Rule shall apply to an alleged violation of any provision of the Act, the Rule 2000 Series, the Rule 8000 Series, or the Rule 9000 Series. It shall not apply to:

(1) An alleged violation of the anti-doping and medication control rule provisions in the Rule 3000 Series; or

(2) An alleged violation arising under State laws, racing rules, and regulations not preempted under 15 U.S.C. 3054(b).

(b) After notice of a violation of any provision in the Rule 2200 Series, the Rule 8000 Series, or the Rule 9000 Series has been provided to a Covered Person by the Authority or any official or body authorized to adjudicate violations under the Rule 8000 Series, the Authority shall publicly disclose the following information relating to the alleged violation:

(1) The identity of any Covered Person who is the subject of the alleged violation;

(2) The identity of any applicable horse; and

(3) The rule violated and, where appropriate, the basis of the asserted violation.

(c) Information as described in paragraph (b) concerning a violation of the Rule 2100 Series shall be disclosed in accordance with this Rule by the Authority either upon issuance of a Notice of Suspected or Actual Violation, or at any time thereafter, as deemed appropriate by the Authority.

(d) If at any time information pertaining to an alleged violation is publicly disclosed by the Covered Person charged with the violation or any employee or agent of the Covered Person, the Authority may comment on the information publicly disclosed by the Covered Person.

(e) The Authority need not disclose to the public any information if such public disclosure might compromise an ongoing investigation or proceeding. When the Authority determines that an ongoing investigation or proceeding will no longer be compromised by public disclosure, the Authority shall at such time make any public disclosure required under this Rule.

(f) Notwithstanding any provision to the contrary in the rules of the Authority, the Authority may make public disclosure of any relevant information at any time, including prior to delivery of notice of a violation, if the Authority determines that such disclosure:

(1) Concerns a violation or circumstance that poses a serious and imminent risk of harm to Covered Persons, Covered Horses, or the public; or

(2) Is otherwise in the best interest of horseracing conducted at Covered Horseraces.

(g) The Authority shall publicly disclose the resolution of an alleged violation no later than 20 days after the earliest of:

(1) The imposition of a final civil sanction;

(2) A resolution between the Authority and the Covered Person; or

(3) The dismissal of the allegation or a finding of no violation by the Authority.

(h) Public disclosure under paragraphs (g)(1) and (g)(2) shall include the following:

(1) The name of the Covered Person who committed the violation and any Covered Horse affected by the violation;

(2) The Rule violated;

(3) The sanction imposed;

(4) The order or other ruling issued in the matter; and

(5) The results of any appellate decisions concerning the violation.

(i) Public disclosure shall not be required under this Rule if the Covered Person alleged to have committed a violation is a minor. Public disclosure concerning a case involving a minor shall be at the discretion of the Authority and in proportion to the facts and circumstances of the case.

(j) Publication shall be accomplished at a minimum by placing the required information on the Authority's website or publishing it through other means.

(k) Pursuant to 15 U.S.C. 3054, this Rule shall preempt any provision of State law or regulation, including those pertaining to data practices and privacy laws.

8400. Investigatory Powers

(a) The Authority or its designees:

(1) Shall have free access to:

(i) With regard to Covered Persons, books, records, offices, Racetrack facilities, and other places of business of Covered Persons that are used in the care, treatment, training, or racing of Covered Horses; and

(ii) With regard to any person who owns a Covered Horse or performs services on a Covered Horse, books, records, offices, facilities, and other places of business that are used in the care, treatment, training, or racing of Covered Horses.

(2) May seize:

(i) Any medication, drug, substance, or injectable in violation or suspected violation of any provision of 15 U.S.C. 3151 through 3160 or the rules of the Authority; and

(ii) Intravenous tubing, syringes, needles, nasogastric tubes, container bags, vials, electrical devices, riding crops not in compliance with Rule 2281, and similar items that may be evidence of a violation or suspected violation of any provision of 15 U.S.C. 3151 through 3160 or the rules of the Authority.

(b) After the conclusion of any proceedings relating to the alleged violation, the Authority or its designees shall return any seized property if its possession by a Covered Person is not specifically prohibited by the Act or the rules of the Authority.

(c) A Covered Person shall:

(1) Cooperate with the Authority or its designees during any investigation; and

(2) Respond truthfully to the best of the Covered Person's knowledge if questioned by the Authority or its designees about a racing matter.

(d) A Covered Person or any officer, employee, or agent of a Covered Person shall not hinder a person who is conducting an investigation under, or attempting to enforce or administer any provision of, 15 U.S.C. 3151 through 3160 or the rules of the Authority.

(e) The Authority may issue subpoenas for the attendance of witnesses in proceedings within their jurisdiction, and for the production of documents, records, papers, books, supplies, devices, equipment, and all other instrumentalities related to matters within the jurisdiction of the Authority. The Authority shall request and obtain the approval of the Commission before issuing a subpoena pursuant to 15 U.S.C. 3054(h). If the Commission does not act upon the request within 20 days of receipt, the Authority's request to issue a subpoena pursuant to 15 U.S.C. 3054(h) shall be deemed approved by the Commission.

(f) The following considerations shall be taken into account by the Authority in determining whether a subpoena shall be issued:

(1) The availability of, and likelihood of success in using, alternative methods for obtaining the information in a timely manner;

(2) The indispensability of the information to the success of an investigation or establishing a violation; and

(3) The need to protect against the destruction of records or information or to preserve testimony that may be necessary to investigate and prosecute violations of the rules of the Authority.

(g) Failure to comply with a subpoena or with the other provisions of this Rule may be penalized by the imposition of one or more penalties set forth in Rule 8200.

(h) The Authority may administer oaths to witnesses and require witnesses to testify under oath in matters within the jurisdiction of the Authority.

8410. Review of Alleged Rule Violations

(a) The Authority may on its own initiative review any evidence or information submitted from any source which establishes a reasonable probability that one or more rules of the Authority in the Rule 2200 Series or the Rule 8100 Series have been violated or have not been enforced. If the evidence or information pertains to the running of a Covered Horserace, the evidence or information should be submitted to the Authority within 72 hours after the Covered Horserace. If the Authority deems the evidence or information submitted to be lacking in credibility, the Authority is not obligated to take further action. The Authority's decision whether to take further action is not subject to appeal.

(b) If the Authority determines there is a reasonable probability that the rules of the Authority have been violated or have not been enforced, the Authority shall conduct an investigation of the matter. The Authority may in its discretion:

(1) Assign the matter for a hearing pursuant to Rule 8320(b) or Rule 8330; or

(2) Issue a Notice of Suspected or Actual Violation pursuant to Rule 8200(d).

8420. Civil Actions

The Authority shall request and obtain the approval of the Commission before initiating any civil action pursuant to 15 U.S.C. 3054(j). If the Commission does not act upon the request within 20 days of receipt, the Authority's request to initiate a civil action pursuant to 15 U.S.C. 3054(j) shall be deemed approved by the Commission.

By direction of the Commission.

April J. Tabor,

Secretary.

[FR Doc. 2025–17296 Filed 9–8–25; 8:45 am]

BILLING CODE 6750–01–P

OFFICE OF GOVERNMENT ETHICS

Agency Information Collection Activities; Submission for OMB Review; Proposed Collection; Comment Request for a Modified OGE Form 201 Request an Individual's Ethics Documents

AGENCY: Office of Government Ethics (OGE).

ACTION: Notice of request for agency and public comments.

SUMMARY: After this first round notice and public comment period, the U.S. Office of Government Ethics (OGE) plans to submit a proposed modified OGE Form 201, entitled ''Request an Individual's Ethics Documents,'' to the Office of Management and Budget (OMB) for review and approval of a three-year extension under the Paperwork Reduction Act of 1995. The OGE Form 201 is used by persons requesting access to executive branch public financial disclosure reports and other covered records.

DATES: Written comments by the public and agencies on this proposed extension are invited and must be received by November 10, 2025. Information on how to submit a written comment can be found in the **ADDRESSES** section of this notice.

Additionally, a virtual public meeting will be held on October 6, 2025 from 2:00–3:00 p.m. Eastern Time. Information on how to register for the meeting can be found in the **SUPPLEMENTARY INFORMATION** section of this notice.

ADDRESSES: Comments may be submitted to OGE, by any of the following methods:

Email: usoge@oge.gov. (Include reference to ''OGE Form 201 Paperwork Comment'' in the subject line of the message.)

Mail, Hand Delivery/Courier: Office of Government Ethics, Suite 750, 250 E Street SW, Washington, DC 20024, Attention: McEvan Baum, Assistant Counsel.

Instructions: Comments may be posted on OGE's website, *www.oge.gov.* Sensitive personal information, such as account numbers or Social Security numbers, should not be included. Comments generally will not be edited to remove any identifying or contact information.

FOR FURTHER INFORMATION CONTACT: McEvan Baum at the U.S. Office of Government Ethics; telephone: 202–482–9287; TTY: 800–877–8339; Email: *usoge@oge.gov.* An electronic copy of the OGE Form 201 version used to manually submit access requests to OGE or other executive branch agencies by mail or FAX is available in the Forms Library section of OGE's website at *http://www.oge.gov.* A paper copy may also be obtained, without charge, by contacting Mr. Baum. An automated version of the OGE Form 201, also available on OGE's website, enables the applicant to electronically fill out, submit and receive access to copies of the public financial disclosure reports certified by the U.S. Office of Government Ethics.

SUPPLEMENTARY INFORMATION:

Title: OGE Form 201 Request an Individual's Ethics Documents.

Agency Form Number: OGE Form 201.

OMB Contro Number: 3209–0002.

Type of Information Collection: Extension with modifications of a currently approved collection.

Type of Review Request: Regular.

Respondents: Individuals requesting access to executive branch public financial disclosure reports and other covered records.

Estimated Annual Number of Respondents: 12,461.

Estimated Time per Response: 10 minutes.

Estimated Total Annual Burden: 2,077 hours.

Abstract: The OGE Form 201 collects information from, and provides certain information to, persons who seek access to OGE Form 278 Public Financial Disclosure Reports, including OGE Form 278–T Periodic Transaction Reports, and other covered records. The form reflects the requirements of the Ethics in Government Act, subsequent amendments pursuant to the STOCK Act, and OGE's implementing regulations that must be met by a person before access can be granted. These requirements include the address of the requester, as well as any other person on whose behalf a record is sought, and acknowledgement that the applicant is aware of the prohibited uses of executive branch public disclosure financial reports. See 5 U.S.C. 13107(b) and (c) and 13122(b)(1) and 5 CFR 2634.603(c) and (f). Executive branch departments and agencies are encouraged to utilize the OGE Form 201 for individuals seeking access to public financial disclosure reports and other covered documents. OGE permits departments and agencies to use or develop their own forms as long as the forms collect and provide all of the required information.

OGE currently has OMB approval for six versions of the form: OGE's online application (English, Arabic, Chinese, French, and Spanish), and a PDF version in English.

OGE is proposing two changes to both English language versions of the form. First, OGE proposes updating the language of its Privacy Act Statement. Second, OGE proposes replacing the outdated Ethics in Government Act citation with the current citation.

OGE is also proposing additional changes only to the English language PDF version of the form, as summarized below:

- Adding text to the Supplemental Information section, page 3 (section 5a), and page 5 (above the large text box) to inform requesters of general retention periods that may impact availability of documents they are requesting.
- Modifying the text in several places to improve accuracy, clarity, consistency, and align with plain language principles.

To view a pdf draft containing the proposed changes, visit *https://www.oge.gov/web/OGE.nsf/0/7CBE89A1496B40E785258CEC00555DC2/$FILE/OGE%20Form%20201%20Renewal_Draft_website.pdf.*

To register to attend the virtual public meeting on October 6, 2025 from 2:00–3:00 p.m. Eastern Time, visit *https://events.gcc.teams.microsoft.com/event/2a12717b-0338-4df7-af40-342375b8dd51@c0abca44-0182-40a9-8010-01ec94254f77.*

Request for Comments: Agency and public comment is invited specifically on the need for and practical utility of this information collection, the accuracy of OGE's burden estimate, the enhancement of quality, utility and clarity of the information collected, and the minimization of burden (including the use of information technology). Comments received in response to this notice will be summarized for and included with the OGE request for extension of OMB paperwork approval. The comments will also become a matter of public record.

Specifically, OGE seeks public comment on the following:

- What problems do you have using the form?
- Are there sections of the form or instructions that are unclear?
- Is there information provided that is confusing?
- What additional information would be helpful?

Authority: 44 U.S.C. 3506(c)(2)(A); 5 U.S.C. 13107(b) and (c); 5 U.S.C. 13122(b)(1); 5 CFR 2634.603(c) and (f).

Approved: September 4, 2025.

Shelley K. Finlayson,

Chief of Staff and Program Counsel, Office of Government Ethics.

[FR Doc. 2025–17233 Filed 9–8–25; 8:45 am]

BILLING CODE 6345–04–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[30Day–25–0600]

Agency Forms Undergoing Paperwork Reduction Act Review

In accordance with the Paperwork Reduction Act of 1995, the Centers for Disease Control and Prevention (CDC) has submitted the information collection request titled ''CDC Model Performance Evaluation Program (MPEP) for *Mycobacterium tuberculosis* Drug Susceptibility Testing'' to the Office of Management and Budget (OMB) for review and approval. CDC previously published a ''Proposed Data Collection Submitted for Public Comment and Recommendations'' notice on June 16, 2025, to obtain comments from the public and affected agencies. CDC received no public comments related to the previous notice. This notice serves to allow an additional 30 days for public and affected agency comments.

CDC will accept all comments for this proposed information collection project. The Office of Management and Budget is particularly interested in comments that:

(a) 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;

(b) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(c) Enhance the quality, utility, and clarity of the information to be collected;

(d) Minimize the burden of the collection of information on those who are to respond, including, through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses; and

(e) Assess information collection costs.

To request additional information on the proposed project or to obtain a copy of the information collection plan and instruments, call (404) 639–7570. 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. Direct written comments and/or suggestions regarding the items contained in this notice to the Attention: CDC Desk Officer, Office of Management and Budget, 725 17th Street NW, Washington, DC 20503 or by fax to (202) 395–5806. Provide written comments within 30 days of notice publication.

Proposed Project

CDC Model Performance Evaluation Program (MPEP) for *Mycobacterium tuberculosis* Drug Susceptibility Testing (OMB Control No. 0920–0600, Exp. 9/30/2025)—Extension—National Center for HIV, Viral Hepatitis, STD, and Tuberculosis Prevention (NCHHSTP), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

The CDC is requesting an Extension of a currently approved information collection from participants in the CDC Model Performance Evaluation Program (MPEP) for *Mycobacterium tuberculosis* Drug Susceptibility Testing for a period of three years. Extension of this information will not require changes in the scope of the project. As part of the Extension, CDC is requesting a non-substantive change to the title of the data collection to ''CDC Model Performance Evaluation (MPEP) for *Mycobacterium tuberculosis* Drug Susceptibility Testing'' from ''CDC Model Performance Evaluation Program (MPEP) for *Mycobacterium tuberculosis* and Nontuberculous Mycobacteria Drug Susceptibility Testing'' to reflect that nontuberculous mycobacteria are no longer included in the program.

Tuberculosis (TB) is a continuing public health problem. The overall number of cases, and associated incidence rate, in the United States has increased over the past several years. High rates are reported among non-U.S.-born persons, correctional populations, people experiencing homelessness, and individuals reported to have diabetes. To reach the goal of eliminating TB, this data collection is designed to monitor and evaluate performance and practices among U.S. laboratories performing *M. tuberculosis* susceptibility testing.

Participation in this program is one way in which laboratories can ensure high-quality laboratory testing, resulting in accurate and reliable testing results. By providing an evaluation program to assess the ability of laboratories to test for drug resistant *M. tuberculosis* strains, this provides laboratories a self-assessment tool to aid in optimizing their skills in susceptibility testing. The information obtained from the laboratories on susceptibility practices and procedures is used to inform continuous program improvement related to good performance, training needs, and the development of practice standards.

Participants in this program include domestic clinical and public health laboratories. Data collection from laboratory participants occurs twice per year. The data collected in this program will include the susceptibility test results of primary and secondary drugs, drug concentrations, and test methods performed by laboratories on a set of performance evaluation isolates. The performance evaluation isolates are sent to participating laboratories twice each year. Participants also report laboratory demographic data such as laboratory type and the number of drug susceptibility tests performed annually. Over the past three years, six final MPEP reports have been distributed and published with an average of 58 participants per MPEP isolate shipment. All state public health laboratories that perform *Mycobacterium tuberculosis* drug susceptibility testing participated in MPEP, along with approximately seven hospital, seven independent/reference, and two federal laboratories; these participating laboratories represent geographical and laboratory type variation. Drug susceptibility testing results met consensus for 73% or 22 isolates of the six panels with five isolates each (30) for first-line drugs, highlighting challenges that laboratories experience with current testing practices and methods. MPEP continues to select isolates with both common and challenging resistance patterns for educational value.

CDC is requesting OMB approval for 113 burden hours, a reduction of 16 burden hours due to the reduction in the number of respondents. There is no cost to respondents to participate other than their time.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondent	Form name	Number of respondents	Number of responses per respondent	Average burden per response (hours)
Domestic Laboratory	Online Survey Instrument Webshots	70	2	15/60
	Participant Biosafety Compliance Agreement	70	1	5/60
	MPEP *Mycobacterium tuberculosis* Results Worksheet	70	2	30/60
	MPEP *Mycobacterium tuberculosis* Minimum Inhibitory Concentration (MIC) Results Form.	4	2	15/60

Jeffrey M. Zirger,

Lead, Information Collection Review Office, Office of Public Health Ethics and Regulations, Office of Science, Centers for Disease Control and Prevention.

[FR Doc. 2025–17256 Filed 9–8–25; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[30Day–25–1092]

Agency Forms Undergoing Paperwork Reduction Act Review

In accordance with the Paperwork Reduction Act of 1995, the Centers for Disease Control and Prevention (CDC) has submitted the information collection request titled ''Sudden Death in the Young'' to the Office of Management and Budget (OMB) for review and approval. CDC previously published a ''Proposed Data Collection Submitted for Public Comment and Recommendations'' notice on June 16, 2025 to obtain comments from the public and affected agencies. CDC did not receive comments related to the previous notice. This notice serves to allow an additional 30 days for public and affected agency comments.

CDC will accept all comments for this proposed information collection project. The Office of Management and Budget is particularly interested in comments that:

(a) 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;

(b) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(c) Enhance the quality, utility, and clarity of the information to be collected;

(d) Minimize the burden of the collection of information on those who are to respond, including, through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses; and

(e) Assess information collection costs.

To request additional information on the proposed project or to obtain a copy of the information collection plan and instruments, call (404) 639–7570. 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. Direct written comments and/or suggestions regarding the items contained in this notice to the Attention: CDC Desk Officer, Office of Management and Budget, 725 17th Street NW, Washington, DC 20503 or by fax to (202) 395–5806. Provide written comments within 30 days of notice publication.

Proposed Project

Sudden Death in the Young (OMB Control No. 0920–1092, Exp. 9/30/2025) Extension—National Center for Chronic Disease Prevention and Health Promotion (NCCDPHP), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

Estimates of the annual incidence of Sudden Death in the Young (SDY) vary broadly due to differences in case definitions, inconsistencies in classifying cause of death on death certificates, study populations, and case ascertainment. To address the need for improved estimates of SDY incidence and its epidemiology based on uniform cases definitions, CDC, in collaboration with NIH's National Heart, Lung, and Blood Institute (NHLBI) and National Institute of Neurological Disorders and Stroke (NINDS), implemented the SDY Case Registry in 2015. To meet the ongoing need to produce accurate and uniform information, CDC, and NIH continued the SDY Case Registry in 2018 with 13 recipients through a CDC-based cooperative agreement program (DP18–1806). In 2023, a new cooperative agreement program was started with 12 recipients (DP23–0006) and was launched by CDC with continued support from NIH. The current Revision seeks to revise burden hour estimates, modify responses for data elements collected, and to extend OMB approval for a period of three years.

CDC recipients agree to compile a defined set of SDY information about a defined subset of child deaths through the jurisdiction's/state's existing CDR program. CDC estimates that the 12 participating state/jurisdictions will collect data on approximately 606 SDY cases per year. Each of the 12 CDC-funded state/jurisdiction awardees will, on average, review and enter data on 51 of 606 cases each year. Burden is estimated for reporting required case information. It is estimated that approximately half (303) of the estimated 606 SDY cases will undergo advanced clinical review by a team of three medical experts.

OMB approval is requested for three years. The total estimated annual burden is 438 hours which is a decrease of 73 hours from the previously approved information collection request due to a decrease in the number of participating states/local jurisdictions from 13 to 12. There are no costs to respondents other than their time.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)
State Health Personnel	SDY Module I	12	51	10/60
Medical Expert	Advanced Review	36	26	15/60
State Health Personnel	SDY Module N	12	51	10/60

Jeffrey M. Zirger,

Lead, Information Collection Review Office, Office of Public Health Ethics and Regulations, Office of Science, Centers for Disease Control and Prevention.

[FR Doc. 2025–17257 Filed 9–8–25; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[60Day–25–0210; Docket No. CDC–2025–0455]

Proposed Data Collection Submitted for Public Comment and Recommendations

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice with comment period.

SUMMARY: The Centers for Disease Control and Prevention (CDC), as part of its continuing effort to reduce public burden and maximize the utility of government information, invites the general public and other Federal agencies the opportunity to comment on a continuing information collection, as required by the Paperwork Reduction Act of 1995. This notice invites comment on a continuing information collection project titled List of Ingredients Added to Tobacco in the Manufacture of Cigarette Products. This data collection is developed so that cigarette manufacturers, packagers, and importers can submit annually to HHS (through CDC) a list of ingredients added to tobacco in the manufacturing of cigarettes.

DATES: CDC must receive written comments on or before November 10, 2025.

ADDRESSES: You may submit comments, identified by Docket No. CDC–2025–0455 by either of the following methods:

- *Federal eRulemaking Portal: www.regulations.gov*. Follow the instructions for submitting comments.
- *Mail:* Jeffrey M. Zirger, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE, MS H21–8, Atlanta, Georgia 30329.

Instructions: All submissions received must include the agency name and Docket Number. CDC will post, without change, all relevant comments to *www.regulations.gov*.

Please note: Submit all comments through the Federal eRulemaking portal (*www.regulations.gov*) or by U.S. mail to the address listed above.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the information collection plan and instruments, contact Jeffrey M. Zirger, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE, MS H21–8, Atlanta, Georgia 30329; Telephone: 404–639–7570; Email: *omb@cdc.gov*.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. In addition, the PRA also requires federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each new proposed collection, each proposed extension of existing collection of information, and each reinstatement of previously approved information collection before submitting the collection to the OMB for approval. To comply with this requirement, we are publishing this notice of a proposed data collection as described below.

The OMB is particularly interested in comments that will help:

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;

4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submissions of responses; and

5. Assess information collection costs.

Proposed Project

List of Ingredients Added to Tobacco in the Manufacture of Cigarette Products (OMB Control No. 0920–0210, Exp. 1/31/2026)—Extension—National Center for Chronic Disease Prevention and Health Promotion (NCCDPHP), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

Cigarette smoking is the leading preventable cause of premature death and disability in our nation. Each year more than 480,000 deaths occur as the result of cigarette smoking-related diseases. Since 1986, as required by the Comprehensive Smoking Education Act (CSEA) of 1984, which amended the Federal Cigarette Labeling and Advertising Act (FCLAA), 15 U.S.C. 1335a, CDC has collected information about the ingredients used in cigarette products. HHS has delegated responsibility for implementing the required information collection to CDC. Respondents are commercial cigarette manufacturers, packagers, or importers (or their representatives), who are required by FCLAA to submit ingredient reports to HHS on an annual basis.

Respondents are not required to submit specific forms; however, they are required to submit a list of all ingredients used in their products. CDC requires the ingredient report to be submitted by chemical name and Chemical Abstract Service (CAS) Registration Number, consistent with accepted reporting practices for other companies currently required to report ingredients added to other consumer products. The information collected is subject to strict confidentiality provisions.

Ingredient reports are due annually on March 31. Upon receipt and verification of the annual ingredient report, CDC issues a Certificate of Compliance to the respondent. As deemed appropriate by the Secretary of HHS, HHS is authorized to use the information to report to Congress the health effects of ingredients, research activities related to the health effects of ingredients, and other information that the Secretary determines to be of public interest.

The total estimated annualized burden hours are 358. OMB approval is requested for three years. There are no costs to respondents other than their time.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total burden (in hours)
Business Entities	N/A	55	1	6.5	358
Total					358

Jeffrey M. Zirger,

Lead, Information Collection Review Office, Office of Public Health Ethics and Regulations, Office of Science, Centers for Disease Control and Prevention.

[FR Doc. 2025–17258 Filed 9–8–25; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[60Day–25–0338; Docket No. CDC–2025–0420]

Proposed Data Collection Submitted for Public Comment and Recommendations

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice with comment period.

SUMMARY: The Centers for Disease Control and Prevention (CDC), as part of its continuing effort to reduce public burden and maximize the utility of government information, invites the general public and other federal agencies the opportunity to comment on a continuing information collection, as required by the Paperwork Reduction Act of 1995. This notice invites comment on a continuing information collection project titled Annual Submission of the Ingredients Added to, and the Quantity of Nicotine Contained in, Smokeless Tobacco Manufactured, Imported, or Packaged in the U.S. This activity is designed to allow CDC to collect a list of ingredients added to tobacco in the manufacture of smokeless tobacco products and a specification of the quantity of nicotine contained in each product.

DATES: CDC must receive written comments on or before November 10, 2025.

ADDRESSES: You may submit comments, identified by Docket No. CDC–2025–0420 by any of the following methods:

- *Federal eRulemaking Portal: www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Jeffrey M. Zirger, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE, MS H21–8, Atlanta, Georgia 30329.

Instructions: All submissions received must include the agency name and Docket Number. CDC will post, without change, all relevant comments to *www.regulations.gov.*

Please note: Submit all comments through the Federal eRulemaking portal (*www.regulations.gov*) or by U.S. mail to the address listed above.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the information collection plan and instruments, contact Jeffrey M. Zirger, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE, MS H21–8, Atlanta, Georgia 30329; Telephone: 404–639–7570; Email: *omb@cdc.gov.*

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. In addition, the PRA also requires federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each new proposed collection, each proposed extension of existing collection of information, and each reinstatement of previously approved information collection before submitting the collection to the OMB for approval. To comply with this requirement, we are publishing this notice of a proposed data collection as described below.

The OMB is particularly interested in comments that will help:

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;
4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submissions of responses; and
5. Assess information collection costs.

Proposed Project

Annual Submission of the Ingredients Added to, and the Quantity of Nicotine Contained in, Smokeless Tobacco Manufactured, Imported, or Packaged in the U.S. (OMB Control No. 0920–0338, Exp. 1/31/2026)—Extension—National Center for Chronic Disease Prevention and Health Promotion (NCCDPHP), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

Smokeless tobacco products (SLT) are associated with many health problems. Using smokeless tobacco can lead to nicotine addiction; causes cancer of the mouth, esophagus, and pancreas; is associated with diseases of the mouth; can increase risks for early delivery and stillbirth when used during pregnancy; can cause nicotine poisoning in children; and may increase the risk for death from heart disease and stroke.

As required by the Comprehensive Smokeless Tobacco Health Education Act of 1986 (CSTHEA, 15 U.S.C. 4401 *et seq.,* Pub. L. 99–252), CDC collects a list of ingredients added to tobacco in the manufacture of smokeless tobacco products and a specification of the quantity of nicotine contained in each product. Respondents are not required to submit specific forms; however, they are required to meet reporting guidelines and to submit the ingredient report by chemical name and Chemical Abstract Service (CAS) Registration Number, consistent with accepted reporting practices for other companies that are required to report ingredients added to other consumer products, and to report on the quantity of nicotine contained in each smokeless tobacco product as specified in previous **Federal Register** Notices. Respondents may submit the required information to CDC through a designated representative. The information collection is subject to strict confidentiality provisions.

Ingredient and nicotine analysis reports for new SLT products are due at the time of first importation. Thereafter, ingredient reports are due annually on March 31. Following receipt of the annual nicotine and ingredient report, CDC issues a Certificate of Compliance to the respondent. As deemed appropriate by the Secretary of HHS, HHS is authorized to use the information to report to Congress the health effects of ingredients, research activities related to the health effects of ingredients, and other information that the Secretary determines to be of public interest.

The total estimated annualized burden hours are 18,843. OMB approval is requested for three years. There are no costs to respondents other than their time.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total burden (in hours)
Smokeless Tobacco Manufacturers, Packagers, and Importers.	SLT Ingredient Report	11	1	6.5	71.5
Smokeless Tobacco Manufacturers, Packagers, and Importers.	SLT Nicotine Data Reporting	11	1	1,706.5	18,771.5
Total					18,843

Jeffrey M. Zirger,

Lead, Information Collection Review Office, Office of Public Health Ethics and Regulations, Office of Science, Centers for Disease Control and Prevention.

[FR Doc. 2025–17259 Filed 9–8–25; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

[OMB #: 0970–0307]

Proposed Information Collection Activity; State Court Improvement Program

AGENCY: Children's Bureau, Administration for Children and Families, U.S. Department of Health and Human Services.

ACTION: Request for public comments.

SUMMARY: The Administration for Children and Families (ACF) is requesting a 3-year extension of the State Court Improvement Program (SCIP) Strategic Plan Template and Annual Self-Assessment (Office of Management and Budget (OMB) #0970–0307, expiration February 28, 2026). There are minor updates to the self-assessment to reflect new legislation as well as to support technical assistance. The collections are necessary to continue operating the program in compliance with congressional reauthorization.

DATES: *Comments due* November 10, 2025.

ADDRESSES: In compliance with the requirements of the Paperwork Reduction Act of 1995, ACF is soliciting public comment on the specific aspects of the information collection described above. You can obtain copies of the proposed collection of information and submit comments by emailing *opreinfocollection@acf.hhs.gov.* Identify all requests by the title of the information collection.

SUPPLEMENTARY INFORMATION:

Description: The SCIP provides federal funding to state courts to assess their child welfare and judicial practices and develop and implement improvement plans. States use funds in a variety of ways, including improving legal representation and hearing quality, enhancing the engagement of families in court proceedings, and supporting child welfare and court partnerships. The proposed collection is a continuation of the current collection and comprised of two instruments: a strategic plan and self-assessment. The self-assessment reflects what the state has done in the prior year focusing on its progress and status within the change management cycle. The strategic plan looks forward to those interventions and actions the state plans to undertake to address needs or buttress strengths they have discovered in their assessment activities. These two instruments serve as an application for annual SCIP funding as well as a source for data which are shared back with SCIP grantees to support their community learning and peer connections, to inform technical assistance, and support any reporting to Congress and others. Regarding updates to the self-assessment and strategic plan, a minor change was made early in 2025 to the self-assessment in response to Executive Orders, amounting to one optional topical box and a few drop-down categories being removed. Additionally, at this time, the following minor changes are proposed to the currently approved version of the self-assessment. These do not impact estimated time to respond.

- Brief questions were added on IV–E funding, self-assessment point of contact or publishing information, and additional collaborative partners.
- Dropdown categories have been added to reduce burden and improve data where 'other' was too often selected.
- Some questions about technical assistance states participated in were removed because alternative data sources were found that reduced burden.

No changes are proposed to the strategic plan.

The next application will be due June 30, 2026.

Respondents: We anticipate the highest state court of every state, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands to respond. All 53 jurisdictions currently participate in the program. One response from each jurisdiction is anticipated.

ANNUAL BURDEN ESTIMATES

Instrument	Total number of respondents	Annual number of responses per respondent	Average burden hours per response	Annual burden hours
Annual Self-Assessment	53	1	40	2,120
Strategic Plan	53	*.20	52	551.2
Estimated Total Annual Burden Hours				2,671.20

* The full Strategic Plan is completed every 5 years. In years when the Strategic Plan is not completed, respondents may spend minimal time updating relevant sections of the Strategic Plan. This is accounted for in the estimate for the Annual Self-Assessment.

Comments: The Department specifically requests comments on (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

In addition, the Children's Bureau (CB) would specifically like to highlight:

(e) Regarding IV–E legal representation funding, in addition to asking an open-ended question about this topic in the Self-Assessment, would additional data elements around type of attorneys funded (*e.g.,* agency, kin) or type of cases (*e.g.,* only in foster care, in other civil matters) be useful? These data are not needed for SCIP application approval by CB but could be compiled and shared back with grantees to support peer learning and connections. From your cost/benefit vantage, would this be worth including? And;

(f) Under section II of the Self-Assessment, for the optional project areas, each has a box on any training associated with the projects that includes more granular information such as the number of attendees, mode of delivery, and evaluation. This level of detail was formerly useful for CB in reviewing for grant compliance when there were three separate SCIP grants, one of which was for training. With the statutory merger of the SCIP grants, this level of detail is no longer needed for CB for grant compliance. These data can still be organized to share back with grantees to support peer learning and connections. From your cost/benefit vantage, would this be worth keeping or should we remove that level of detail? Consideration will be given to comments and suggestions submitted within 60 days of this publication.

Authority: 42 U.S.C. 629h.

Mary C. Jones,

ACF/OPRE Certifying Officer.

[FR Doc. 2025–17275 Filed 9–8–25; 8:45 am]

BILLING CODE 4184–29–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Proposed Information Collection Activity; Evaluation of the Trafficking Victim Assistance Program (TVAP) and Aspire: Child Trafficking Victim Assistance Program (New Collection)

AGENCY: Office of Planning, Research, and Evaluation, Administration for Children and Families, U.S. Department of Health and Human Services.

ACTION: Request for public comments.

SUMMARY: The Administration for Children and Families (ACF) Office of Planning, Research, and Evaluation (OPRE) is proposing a new data

collection activity for the Evaluation of the Trafficking Victim Assistance Program (TVAP) and Aspire: Child Trafficking Victim Assistance Program (Aspire). The evaluation will examine the key characteristics and implementation of the programs, including the challenges, strengths, and successes.

DATES: *Comments due* November 10, 2025.

ADDRESSES: In compliance with the requirements of the Paperwork Reduction Act of 1995, ACF is soliciting public comment on the specific aspects of the information collection described above. You can obtain copies of the proposed collection of information and submit comments by emailing *opreinfocollection@acf.hhs.gov.* Identify all requests by the title of the information collection.

SUPPLEMENTARY INFORMATION:

Description: TVAP and Aspire are funded by the Office on Trafficking in Persons to provide time-limited comprehensive case management services to individuals who have experienced severe forms of human trafficking, including adults (TVAP) and children (Aspire). The programs also aim to (1) develop and maintain a nationwide network of providers to conduct human trafficking outreach and provide direct services and community referrals, and (2) establish local regional presence within each of the 10 ACF geographic regions to coordinate project activities and direct services. The purpose of the proposed information collection activity is to document and examine the goals of TVAP and Aspire following redesign in 2022, how the programs are structured and administered, how partnerships are developed and maintained, how clients reach the programs, how comprehensive case management services are provided, and factors that affect program implementation.

The proposed information collection activities include:

1. Semi-structured virtual interviews focused in three of the ACF geographic regions with:

a. Subrecipient service providers who provide case management services to TVAP and/or Aspire clients. Interviews will include questions about client referral and enrollment, case management service provision, support received from TVAP/Aspire leadership, interactions with community partners and/or government systems, and perceptions of the programs.

b. Other service providers who serve people referred from TVAP and/or Aspire but are not formal subrecipient partners. Interviews will include questions about providers' relationship to the programs, referral pathways through TVAP/Aspire, assistance provided to these clients, interactions with various groups related to TVAP/Aspire, and perceptions of the programs.

c. Local government system (*e.g.,* law enforcement, child welfare) personnel who interact with TVAP/Aspire program staff, subrecipients, and/or clients. Interviews will include questions about their interactions with and perceptions of TVAP/Aspire.

d. Clients, *i.e.,* people who have been enrolled in and received assistance through TVAP and/or Aspire beginning in Fiscal Year (FY) 2023. Respondents must be at least 18 years old at the time of the interview. Interviews will include questions about how they learned about the programs, services they received, what was helpful, and what could be improved.

2. A web-based survey of all providers that have participated as a TVAP and/or Aspire subrecipient beginning in FY 2023. The survey will include questions about organizational characteristics, client enrollment and services provision, and perceptions of program implementation, including challenges, strengths, and successes.

Respondents: TVAP and Aspire subrecipient service providers, other service providers (non-subrecipients) who receive TVAP and/or Aspire referrals, local government system personnel (*e.g.,* law enforcement, child welfare professionals), and TVAP and/or Aspire clients (individuals who have been enrolled into the programs).

ANNUAL BURDEN ESTIMATES

Instrument	Number of respondents (total over request period)	Number of responses per respondent (total over request period)	Average burden per response (in hours)	Total burden (in hours)	Annual burden (in hours)
Subrecipient Interview Guide	30	1	1.5	45	23
Other Service Provider Interview Guide	20	1	1	20	10
Local Government Systems Interview Guide	10	1	1	10	5
Client Interview Guide	30	1	1	30	15
Subrecipient Survey	100	1	0.58	58	29
Estimated Total Annual Burden Hours					82

Comments: The Department specifically requests comments on (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted within 60 days of this publication.

Statutory Authority: Public Law 106–386 section 107 [22 U.S.C. 7105]

Mary C. Jones,

ACF/OPRE Certifying Officer.

[FR Doc. 2025–17230 Filed 9–8–25; 8:45 am]

BILLING CODE 4184–50–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2023–D–0093]

M13B Bioequivalence for Immediate-Release Solid Oral Dosage Forms: Additional Strengths Biowaiver; International Council for Harmonisation; Draft Guidance for Industry; Reopening of the Comment Period

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability; reopening of the comment period.

SUMMARY: The Food and Drug Administration (FDA or the Agency) is reopening the comment period for the draft guidance announced in the notice entitled ''M13B Bioequivalence for Immediate-Release Solid Oral Dosage Forms: Additional Strengths Biowaiver; International Council for Harmonisation; Draft Guidance for Industry,'' published in the **Federal Register** of June 2, 2025. The Agency is taking this action to allow interested persons additional time to submit comments.

DATES: FDA is reopening the comment period for the draft guidance announced in the notice published on June 2, 2025 (90 FR 23339). Submit either electronic or written comments on the draft guidance by October 9, 2025 to ensure that the Agency considers your comment on this draft guidance before it begins work on the final version of the guidance.

ADDRESSES: You may submit comments on any guidance at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

• *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*

• If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

• *Mail/Hand Delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

• For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2023–D–0093 for ''M13B Bioequivalence for Immediate-Release Solid Oral Dosage Forms: Additional Strengths Biowaiver; International Council for Harmonisation; Draft Guidance for Industry.'' Received comments will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240–402–7500.

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

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

You may submit comments on any guidance at any time (see 21 CFR 10.115(g)(5)).

FOR FURTHER INFORMATION CONTACT:

Regarding the guidance: Lei Zhang, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 75, Rm. 4724, Silver Spring, MD 20993–0002, *LeiK.Zhang@fda.hhs.gov.*

Regarding the ICH: Brooke Dal Santo, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6304, Silver Spring, MD 20993–0002, 301–348–1967, *Brooke.DalSanto@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: In the **Federal Register** of June 2, 2025 (90 FR 23339), FDA published a notice with a 30-day period to provide comments on the draft guidance for industry entitled, ''M13B Bioequivalence for Immediate-Release Solid Oral Dosage Forms: Additional Strengths Biowaiver.'' Interested persons were originally given until August 1, 2025, to submit comments to the docket. The Agency is reopening the comment period for the draft guidance until October 9, 2025. The Agency is planning to host a webinar on September 11, 2025, to present an overview of the draft guidance, explain the current scientific thinking behind the draft guidance, and highlight the main areas that differ from FDA's current guidance on selected topics. The Agency believes that an additional 30 days will allow adequate time for interested persons to submit comments after the webinar.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–17292 Filed 9–8–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2023–D–1954]

Classification Categories for Certain Supplements Under Biosimilar User Fee Amendments III; Guidance for Industry; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the availability of a final guidance for industry entitled ''Classification Categories for Certain Supplements Under BsUFA III.'' This guidance provides recommendations for applicants on classification categories A, B, C, D, E, and F for original and resubmitted prior approval supplements submitted to approved applications for biosimilar and interchangeable biosimilar products under the Public Health Service Act (PHS Act). The commitment letter associated with the Biosimilar User Fee Amendments of 2022 (BsUFA III) sets forth these supplement classification categories and their associated review performance goals. This guidance is intended to help applicants identify the appropriate classification category and review goal date of the supplement being submitted. This guidance finalizes and replaces the draft guidance of the same title issued on August 11, 2023.

DATES: The announcement of the guidance is published in the **Federal Register** on September 9, 2025.

ADDRESSES: You may submit either electronic or written comments on Agency guidances at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

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

Written/Paper Submissions

Submit written/paper submissions as follows:

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

Instructions: All submissions received must include the Docket No. FDA–2023–D–1954 for ''Classification Categories for Certain Supplements Under BsUFA III.'' Received comments will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240–402–7500.

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

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

You may submit comments on any guidance at any time (see 21 CFR 10.115(g)(5)).

Submit written requests for single copies of this guidance to the Division of Drug Information, Center for Drug Evaluation and Research, Food and Drug Administration, 10001 New Hampshire Ave., Hillandale Building, 4th Floor, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your requests. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the guidance document.

FOR FURTHER INFORMATION CONTACT:
Mustafa Ünlü, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 22, Rm. 1139, Silver Spring, MD 20993, 301–796–3396; or Phillip Kurs, Center for Biologics Evaluation and Research, Food and Drug Administration, 240–402–7911.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a final guidance for industry entitled ''Classification Categories for Certain Supplements Under BsUFA III.'' This guidance provides recommendations for applicants and FDA review staff on classification categories A, B, C, D, E, and F for original and resubmitted prior approval supplements (hereafter ''supplements'') submitted to approved applications under section 351(k) of the PHS Act (42 U.S.C. 262(k)). These classification categories pertain to supplements for biosimilar and interchangeable biosimilar products seeking the following:

- To update prescribing information and, if applicable, FDA-approved patient labeling (*e.g.,* Patient Package Insert, Medication Guide, Instructions for Use) with safety information that has been updated in the reference product labeling and is applicable to one or more indications for which the biosimilar or interchangeable biosimilar product is licensed.

- To receive licensure for an additional indication.
- To remove an approved indication.
- To receive an initial determination of interchangeability.

Supplements to approved applications under section 351(k) of the PHS Act that do not meet the criteria under Categories A through F are outside the scope of this guidance.

This guidance is intended to help applicants identify the appropriate classification category and review goal date of the supplement being submitted. Section I.A. of the commitment letter associated with the BsUFA III sets forth these supplement classification categories and their associated review performance goals. The full text of the proposed BsUFA III Commitment Letter can be found on the Agency's web page ''BsUFA III: Fiscal Years 2023–2027,'' available at *https://www.fda.gov/industry/biosimilar-user-fee-amendments/bsufa-iii-fiscal-years-2023-2027*.

This guidance finalizes the draft guidance entitled ''Classification Categories for Certain Supplements Under BsUFA III'' issued on August 11, 2023 (88 FR 54626). FDA considered comments received on the draft guidance as the guidance was finalized. Changes from the draft to the final guidance include clarification that the guidance does not include recommendations for manufacturing-only supplements or for all supplements for safety-related updates to the labeling, clarification that applicants can request reconsideration of classification category with appropriate justification, and clarification that a pediatric assessment or amended initial pediatric study plan may be included in a Category D supplement. In addition, editorial changes were made to improve clarity.

This guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The guidance represents the current thinking of FDA on ''Classification Categories for Certain Supplements Under BsUFA III.'' It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations.

II. Paperwork Reduction Act of 1995

While this guidance contains no collection of information, it does refer to previously approved FDA collections of information. The previously approved collections of information are subject to review by OMB under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3521). The collections of information pertaining to the Biosimilar User Fee Program and for the submission of biologics license applications under section 351(k) of the PHS Act regarding biosimilar product applications, interchangeable biosimilar product applications, and supplemental applications have been approved under OMB control number 0910–0718. The collections of information in 21 CFR 201.56 and 201.57 for the submission of labeling have been approved under OMB control number 0910–0572. The collections of information pertaining to Medication Guides for prescription human drug and biological products have been approved under OMB control number 0910–0393. The collections of information in 21 CFR part 601 for the submission of biologics license applications, supplemental applications, and Form FDA 356h have been approved under OMB control number 0910–0338.

III. Electronic Access

Persons with access to the internet may obtain the guidance at *https://www.fda.gov/drugs/guidance-compliance-regulatory-information/guidances-drugs, https://www.fda.gov/vaccines-blood-biologics/guidance-compliance-regulatory-information-biologics/biologics-guidances, https://www.fda.gov/regulatory-information/search-fda-guidance-documents,* or *https://www.regulations.gov*.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–17290 Filed 9–8–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2024–N–5943]

Agency Information Collection Activities; Submission for Office of Management and Budget Review; Comment Request; Tobacco Product Establishment Registration and Listing

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that a proposed collection of information has been submitted to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995.

DATES: Submit written comments (including recommendations) on the collection of information by October 9, 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 0910–0650. 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.

Tobacco Product Establishment Registration and Listing

OMB Control Number 0910–0650—Revision

This information collection supports the Food and Drug Administration (FDA, us, or we) regulations and guidance. Tobacco products are generally governed by chapter IX of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (sections 900 through 921) (21 U.S.C. 387 through 21 U.S.C. 387u).

Section 905 of the FD&C Act requires the annual registration of any ''establishment in any State engaged in the manufacture, preparation, compounding, or processing of a tobacco product or tobacco products.'' Section 905 of the FD&C Act requires this registration be completed by December 31 of each year. The Secretary of Health and Human Services (Secretary) has delegated to the FDA Commissioner the responsibility for administering the FD&C Act, including section 905. Section 905 of the FD&C Act requires owners or operators of each establishment to register: (1) their name; (2) places of business; (3) a list of all tobacco products which are manufactured by that person; (4) a copy of all labeling and a reference to the authority for the marketing of any tobacco product subject to a tobacco product standard under section 907 of the FD&C Act (21 U.S.C. 387g) or to premarket review under section 910 of the FD&C Act (21 U.S.C. 387j); (5) a copy of all consumer information and other labeling; (6) a representative sampling of advertisements; (7) upon request made by the Secretary for good cause, a copy of all advertisements for a particular tobacco product; and (8) upon request made by the Secretary, if the registrant has determined that a tobacco product contained in the product list is not subject to a tobacco product standard established under section 907 of the FD&C Act, a brief statement of the basis upon which the registrant made such determination.

FDA collects the information submitted pursuant to section 905 of the FD&C Act through the Tobacco Registration and Product Listing Module Next Generation (TRLM NG) electronic portal, and through paper forms; Form FDA 3741, ''Registration and Listing for Owners and Operators of Domestic Tobacco Product Establishments,'' available at *www.fda.gov/media/77915/download,* and Form FDA 3741a, ''Registration and Listing for Owners and Operators of Domestic Deemed Tobacco Product Establishments,'' available at *www.fda.gov/media/99863/download,* for those individuals who are unable to submit online through TRLM NG. TRLM NG is designed to streamline the data entry process for registration and product listing. FDA strongly encourages electronic submission through TRLM NG, available at *www.fda.gov/tobacco-products/manufacturing/tobacco-registration-and-listing-module-next-generation-trlm-ng-instructions,* to facilitate efficiency and timeliness of data submission and management.

FDA has published a guidance for industry titled ''Registration and Product Listing for Owners and Operators of Domestic Tobacco Product Establishments'' (March 2023; *www.fda.gov/downloads/TobaccoProducts/Labeling/RulesRegulationsGuidance/UCM191940.pdf*). This guidance is intended to assist persons making tobacco product establishment registration and product listing submissions to FDA.

At this time, FDA is proposing several updates to the information submitted pursuant to section 905 of the FD&C Act through Form FDA 3741, Form FDA 3741a, and the corresponding information submitted electronically through TRLM NG. The updates include: (1) merging the contents of Form FDA 3741a into Form FDA 3741 to create an updated and comprehensive Form FDA 3741, ''Registration and Product Listing of Tobacco Product Manufacturing Establishments''; (2) restructuring and developing sections of the updated Form FDA 3741 for ease of navigation and data input; (3) updating terminology of the updated Form FDA 3741 for clarity; (4) updating instructions of the updated Form FDA 3741 for clarity; and (5) aligning tobacco product categories and subcategories of the updated Form FDA 3741 to be consistent with other FDA tobacco forms. Since the publication of the 60-day **Federal Register** notice, the following changes have been applied to the updated Form FDA 3741: (1) material file data elements have been added and are captured in TRLM NG; and (2) product listing updates can be entered directly in TRLM NG and relevant data elements have been added to Form FDA 3741 in case of paper submissions. Finally, as discussed in the 60-day **Federal Register** notice, FDA is proposing to add Form FDA 3741b, a new product listing spreadsheet, to this information collection. FDA anticipates the new Form FDA 3741b will streamline product listing submissions and subsequent FDA review. Since the publication of the 60-day **Federal Register** notice, the following changes have been applied to the product listing spreadsheet (Form FDA 3741b): (1) removal of the ''Material Files'' tab, which will now be captured through TRLM NG user interface as part of Form FDA 3741; (2) restriction of form usage to initial product list submissions only, as this form will be used exclusively for initial submissions; (3) addition of ''Universal Product Code'' field to improve data quality and traceability; (4) removal of multiple data elements regarding manufacturer information, product marketing, and product status fields from the spreadsheet, which will be incorporated into Form FDA 3741 and TRLM NG for improved efficiency.

Although these proposed updates will increase the overall length of the updated and comprehensive Form FDA 3741 and the corresponding information submitted electronically through TRLM NG, FDA anticipates these updates will streamline the navigation and completion of Form FDA 3741, reduce redundancies, increase overall user efficiency and ultimately enable industry to more accurately convey the required registration and listing information to FDA as required by section 905 of the FD&C Act. Both current versions of Form FDA 3741, ''Registration and Listing for Owners and Operators of Domestic Tobacco Product Establishments''; and Form FDA 3741a, ''Registration and Listing for Owners and Operators of Domestic Deemed Tobacco Product Establishments'', will be discontinued upon implementation of the updated and comprehensive Form FDA 3741, ''Registration and Product Listing of Tobacco Product Manufacturing Establishments''.

Section 904(a)(1) of the FD&C Act requires that each tobacco product manufacturer or importer submit ''a listing of all ingredients, including tobacco, substances, compounds, and additives that are, as of such date, added by the manufacturer to the tobacco, paper, filter, or other part of each tobacco product by brand and by quantity in each brand and subbrand'' by December 22, 2009. This section applies only to those tobacco products manufactured and distributed before June 22, 2009, and which are still manufactured as of the date of the ingredient listing submission.

Section 904(c) of the FD&C Act requires that a tobacco product manufacturer: (1) provide all information required under section 904(a) of the FD&C Act to FDA ''at least 90 days prior to the delivery for introduction into interstate commerce of a tobacco product not on the market on the date of enactment''; (2) advise FDA in writing at least 90 days prior to adding any new tobacco additive or increasing in quantity an existing tobacco additive, except for those additives that have been designated by FDA through regulation as not a human or animal carcinogen, or otherwise harmful to health under intended conditions of use; and (3) advise FDA in writing at least 60 days of such action of eliminating or decreasing an existing additive, or adding or increasing an additive that has been designated by FDA through regulation as not a human or animal carcinogen, or otherwise harmful to health under intended conditions of use.

FDA collects the information submitted pursuant to section 904(a)(1) and 904(c) of the FD&C Act through an electronic portal, and through a paper form (Form FDA 3742, ''Listing of Ingredients in Tobacco Products'' available at *www.fda.gov/media/77661/download*) for those individuals who choose not to use the electronic portal.

In addition to the development of the electronic portal and paper form, FDA published a guidance titled ''Listing of Ingredients in Tobacco Products'' (March 2023; *www.fda.gov/regulatory-information/search-fda-guidance-documents/listing-ingredients-tobacco-products*). This guidance is intended to assist persons making tobacco product ingredient listing submissions. FDA also provides a technical guide, embedded hints, and a web tutorial to the electronic portal, available at *www.fda.gov/industry/fda-esubmitter/using-esubmitter-prepare-tobacco-product-submissions.* The Tobacco Control Act also gave FDA the authority to issue a regulation deeming all other products that meet the statutory definition of a tobacco product [1 2] to be subject to Chapter 9 of the FD&C Act (section 901(b) of the FD&C Act (21 U.S.C. 387a(b))). On May 10, 2016, FDA issued that rule, extending FDA's tobacco product authority to all products that meet the definition of tobacco product in the law (except for accessories of newly regulated tobacco products), including electronic nicotine delivery systems, cigars, hookah tobacco, pipe tobacco, nicotine gels, and dissolvables that were not already subject to the FD&C Act, and other tobacco products that may be developed in the future (81 FR 28974 at 28976) (''the final deeming rule'').

In the **Federal Register** of January 17, 2025 (90 FR 5909), 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]

FDA form/activity/FD&C act section	Number of respondents	No. of responses per respondent	Total annual responses	Hours per response	Total hours
Establishment Registration (Initial), the initial registration of a tobacco product establishment using Form FDA 3741, Form FDA 3741a, and the new Form FDA 3741 (Electronic and Paper submissions) [2] Sections 905(b), 905(c), 905(d), 905(h), or 905(i).	37	1	37	1.65 (99 minutes)	61
Establishment Registration (Renewal), the registration renewal of a tobacco product establishment using Form FDA 3741, Form FDA 3741a, and the new Form FDA 3741 (Electronic and Paper submissions) [3] Sections 905(b), 905(c), 905(d), 905(h), or 905(i).	900	1	900	0.28 (17 minutes)	252
Product Listing (Initial), the initial listing of tobacco products (New) Form FDA 3741b, "Tobacco Product List Spreadsheet".	37	1	37	0.22 (13 minutes)	8
Tobacco Product Listing Form FDA 3742, "Listing of Ingredients in Tobacco Products" Section 904(a)(1).	16	1	16	2 (120 minutes)	32
Tobacco Product Listing Form FDA 3742, "Listing of Ingredients" Section 904(c).	37	10	370	0.40 (24 minutes)	148
Obtaining a Dun & Bradstreet D–U–N–S Number	37	1	37	0.5 (30 minutes)	19
Total			1,397		520

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.
[2] This initial submission is averaged over the three years of the information collection utilizing the current Form FDA 3741 and 3741a, which will be combined in updated Form FDA 3741 in Spring 2026.
[3] This renewal submission is averaged over the three years of the information collection utilizing the current Form FDA 3741 and 3741a, which will be combined in Form FDA 3741 "Registration and Product Listing of Tobacco Product Manufacturing Establishments" with product listing and material file information updates.

Since publication of the 60-day **Federal Register** notice, we have revised our estimates to consolidate like activities, and the estimated annual reporting burden for establishment registration and product listing based on updated center data. We believe this is a more accurate picture of what our annualized burden would be. FDA has based these estimates on experience with this information collection, information we have available from interactions with industry, registration and listing reports, and TRLM NG.

FDA estimates that the updated Form FDA 3741 will be available and required to be used by tobacco product manufacturers in Spring 2026. As mentioned previously in this notice, this new form will replace both the current Form FDA 3741 and Form 3741a, which is scheduled to be discontinued in Spring 2026. To capture this consolidation accurately in the burden table, we have combined like activities from the 60-day **Federal Register** notice and averaged the burden

[1] Tobacco Product: as stated in section 201(rr) of the FD&C Act in relevant part, a tobacco product: (1) means any product made or derived from tobacco, or containing nicotine from any source, that is intended for human consumption, including any component, part, or accessory of a tobacco product (except for raw materials other than tobacco used in manufacturing a component, part, or accessory of a tobacco product); and (2) does not mean an article that is a drug defined under section 201(g)(1) of the FD&C Act, a device defined under section 201(h) of the FD&C Act, or a combination product described in section 503(g) of the FD&C Act, or a food under section 201(f) of the FD&C Act if it contains no nicotine, or no more than trace amounts of naturally occurring nicotine.

[2] Premium Cigars: on August 9, 2023, the U.S. District Court for the District of Columbia issued an order vacating FDA's rule deeming tobacco products to be subject to FDA's tobacco product authorities ''insofar as it applies to premium cigars.'' *Cigar Ass'n of Am.* v. *FDA,* No. 16–cv–01460, Dkt. No. 277 (D.D.C. Aug. 9, 2023), appeal filed No. 23–5220 (D.C. Cir. Sep. 29, 2023).

For purposes of its ruling, the court specified that premium cigars are those cigars that:

(1) are wrapped in whole tobacco leaf; (2) contain a 100 percent leaf tobacco binder; (3) contain at least 50 percent (of the filler by weight) long filler tobacco; (4) are handmade or hand rolled; (5) have no filter, nontobacco tip, or nontobacco mouthpiece; (6) do not have a characterizing flavor other than tobacco; (7) contain only tobacco, water, and vegetable gum with no other ingredients or additives; and (8) weigh more than 6 pounds per 1,000 units.

FDA recognizes that, absent further relief, it is bound by the District Court's order. The Agency is continuing to evaluate the evolving legal and practical circumstances surrounding premium cigars and will provide further information as it is available.

over the 3-year approved information collection request (ICR) period for a more comprehensive burden table.

Based on updated data, we have revised our estimate for sections 905(b), 905(c), 905(d), 905(h), or 905(i) of the FD&C Act. Based on FDA's experience with current establishment registration and product listing information submitted to the agency, FDA has lowered the estimated annual respondents for (1) initial tobacco product establishment registration and listing (via Form FDA 3741) from 200 to 37 respondents, and (2) renewal of tobacco product establishment and listing (via Form FDA 3741) from 2,572 to 900 respondents.

The agency estimates that up to 37 new establishments will each submit one initial establishment registration and product listing via the current Form FDA 3741. The agency retains the hours per response estimate of 1.60 hours (or 96 minutes) for the initial tobacco product establishment registration and listing via the current Form FDA 3741, which FDA estimates manufacturers will need to use through the first year of the 3-year ICR approval period. Once the updated Form FDA 3741 is released, FDA estimates its completion to take 1.67 hours (100 minutes) for an initial registration of a tobacco product establishment and material file submission. As shown in Table 1, averaged across the 3-year ICR period, FDA estimates an average annual burden of 1.65 hours (99 minutes) for a total of 61 burden hours (across the 37 annual respondents). FDA estimates up to 37 establishments will each submit 1 initial product listing spreadsheet each year using the new Form FDA 3741b, which is expected to take 0.33 hours (20 minutes), for a total of 12 burden hours. Averaged across the 3-year ICR approval period, FDA estimates an average annual hours per response of 0.22 hours (8 average total hours) because, as noted above, the agency estimates that tobacco product manufacturers will not start using this new form until Year 2 of the 3-year ICR approval period.

Based on updated data, FDA estimates that the annual number of respondents for establishment registration and product listing renewals required under FD&C Act section 905 (Form FDA 3741) will decrease from 2,572 to 900. FDA retains the hours per response estimate of 10 minutes (0.17 hours) for the registration renewal via the current Form FDA 3741, which FDA estimates manufacturers will need to use through the first year of the 3-year ICR approval period. For Years 2 and 3, FDA estimates that the updated Form FDA 3741 will take 20 minutes (0.33 hours) for registration renewal. The renewal time increases with the updated Form FDA 3741 because the consolidated registration renewal process now encompasses establishment registration, product listing updates, and material file updates. Averaged across the 3-year ICR period, FDA estimates an average annual burden of 0.28 hours (17 minutes) for a total of 252 burden hours (across the 900 annual respondents).

FDA estimates that the submission of ingredient listings required by section 904(a)(1) of the FD&C Act for each establishment will take 2 hours initially. Ingredients may be submitted electronically through the CTP Portal Next Generation or if unable to submit ingredients electronically then by mail using Form FDA 3742. FDA estimates that 16 establishments will initially submit one report annually at 2 hours per report, for a total of 32 hours.

Based on FDA's experience and the number of new products authorized to be introduced or delivered for introduction into interstate commerce submitted over the past 3 years, FDA estimates that 37 establishments will each submit 10 reports (one every 6 months). FDA also estimates that the confirmation or updating of product (ingredient) listing information required by section 904(c) of the FD&C Act is expected to take 0.40 hour (24 minutes) for a total 148 burden hours. FDA estimates that obtaining a D–U–N–S number will take 30 minutes. FDA assumes that all new establishment facilities that will be required to initially register under section 905 of the FD&C Act would obtain a D–U–N–S number. FDA estimates that up to 37 establishments that would need to obtain this number each year. The total industry burden to obtain a D–U–N–S number is 19 hours.

Our estimated burden for the information collection reflects an overall decrease of 442 hours and a decrease of 1,861 annual responses. We attribute this adjustment to the proposed revisions to this information collection to add the updated and comprehensive Form FDA 3741, ''Registration and Product Listing of Tobacco Product Manufacturing Establishments'' and add Form FDA 3741b, ''Tobacco Product List Spreadsheet''.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–17222 Filed 9–8–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2019–D–2102]

Development of Therapeutic Protein Biosimilars: Comparative Analytical Assessment and Other Quality-Related Considerations; Guidance for Industry; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the availability of a final guidance for industry entitled ''Development of Therapeutic Protein Biosimilars: Comparative Analytical Assessment and Other Quality-Related Considerations.'' This guidance describes the Agency's recommendations on the design and evaluation of comparative analytical studies intended to support a demonstration that a proposed therapeutic protein product is biosimilar to a reference product licensed under the Public Health Service Act (PHS Act). Additionally, this guidance is intended to provide recommendations to sponsors on the scientific and technical information for the chemistry, manufacturing, and controls (CMC) portion of a marketing application for a proposed product submitted under the PHS Act. This guidance finalizes and replaces the draft guidance of the same title issued on May 22, 2019, and replaces the final guidance ''Quality Considerations in Demonstrating Biosimilarity of a Therapeutic Protein Product to a Reference Product'' issued on April 30, 2015.

DATES: The announcement of the guidance is published in the **Federal Register** on September 9, 2025.

ADDRESSES: You may submit either electronic or written comments on Agency guidances at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*

• If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

• *Mail/Hand Delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

• For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2019–D–2102 for ''Development of Therapeutic Protein Biosimilars: Comparative Analytical Assessment and Other Quality-Related Considerations.'' Received comments will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240–402–7500.

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

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

You may submit comments on any guidance at any time (see 21 CFR 10.115(g)(5)).

Submit written requests for single copies of this guidance to the Division of Drug Information, Center for Drug Evaluation and Research, Food and Drug Administration, 10001 New Hampshire Ave., Hillandale Building, 4th Floor, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your requests. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the guidance document.

FOR FURTHER INFORMATION CONTACT: Mustafa Unlu, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 22, Rm. 1139, Silver Spring, MD 20993, 301–796–3396, *mustafa.unlu@fda.hhs.gov.* Philip Kurs, Center for Biologics Evaluation and Research, Food and Drug Administration, 240–402–7911.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a final guidance for industry entitled ''Development of Therapeutic Protein Biosimilars: Comparative Analytical Assessment and Other Quality-Related Considerations.'' This final guidance describes the Agency's recommendations on the design and evaluation of comparative analytical studies intended to support a demonstration that a proposed therapeutic protein product is biosimilar to a reference product licensed under section 351(a) of the PHS Act (42 U.S.C. 262(a)). Additionally, this final guidance is intended to provide recommendations to sponsors on the scientific and technical information for the CMC portion of a marketing application for a proposed product submitted under section 351(k) of the PHS Act. Although the 351(k) pathway applies generally to biological products, this final guidance focuses on therapeutic protein products.

Section 351(k) of the PHS Act (42 U.S.C. 262(k)) provides an abbreviated licensure pathway for biological products shown to be biosimilar to or interchangeable with an FDA-licensed reference product and sets forth the requirements for an application for a proposed biosimilar product and an application for a proposed interchangeable biosimilar product. Under this abbreviated licensure pathway, FDA will license a proposed biological product submitted under section 351(k) of the PHS Act if, among other things, FDA determines that the information submitted in the application is sufficient to show that the biological product is biosimilar to the reference product.

This guidance finalizes the draft guidance entitled ''Development of Therapeutic Protein Biosimilars: Comparative Analytical Assessment and Other Quality-Related Considerations'' issued on May 22, 2019 (84 FR 23569). FDA considered comments received on the draft guidance as the guidance was finalized. Comments submitted to the docket of the draft guidance addressed a range of issues, including clarifying questions on reference product lots and on the analyses of the comparative analytical data. FDA provided additional information and clarifying edits in response to comments as appropriate. In addition, editorial changes were made to improve clarity.

This guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The guidance represents the current thinking of FDA on ''Development of Therapeutic Protein Biosimilars: Comparative Analytical Assessment and Other Quality-Related Considerations.'' It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations.

II. Paperwork Reduction Act of 1995

While this guidance contains no collection of information, it does refer to previously approved FDA collections of information. The previously approved collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3521). The collections of information related to the submission of: (1) An investigational new drug application under 21 CFR part 312 have been approved under OMB control number 0910–0014; (2) a new drug application, under 21 CFR part 314 have been approved under OMB control number 0910–0001; (3) a biologics license application (BLA) under 21 CFR part 601 have been approved under OMB control number 0910–0338; and (4) a BLA under section 351(k), under 21 CFR part 601 have been approved under OMB control number 0910–0718. The collections of information regarding current good manufacturing processes for drug products and biological products under 21 CFR part 211 and 21 CFR parts 600, 601, and 610 have been approved under OMB control numbers 0910–0139 and 0910–0338.

III. Electronic Access

Persons with access to the internet may obtain the guidance at *https://www.fda.gov/drugs/guidance-compliance-regulatory-information/guidances-drugs, https://www.fda.gov/vaccines-blood-biologics/guidance-compliance-regulatory-information-biologics/biologics-guidances, https://www.fda.gov/regulatory-information/search-fda-guidance-documents,* or *https://www.regulations.gov.*

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–17226 Filed 9–8–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2023–D–1955]

E6(R3) Good Clinical Practice; International Council for Harmonisation; Guidance for Industry; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the availability of a final guidance for industry entitled ''E6(R3) Good Clinical Practice.'' The guidance was prepared under the auspices of the International Council for Harmonisation of Technical Requirements for Pharmaceuticals for Human Use (ICH). The guidance includes a principles document and annex 1 and is the precursory guidance to the draft guidance entitled ''E6(R3) Good Clinical Practice: Annex 2.'' Once complete, the guidance will be composed of a principles document, annex 1, and annex 2. The guidance is intended to outline flexible and modern good clinical practices for conducting clinical trials. Notably, the guidance highlights the importance of quality-by-design, proportionality, and risk-based approaches in conducting clinical trials to ensure safety and reliability of results. The guidance also encourages use of innovative design elements and technology in clinical trials, while avoiding unnecessary complexities. The guidance finalizes the draft guidance of the same title issued on June 7, 2023.

DATES: The announcement of the guidance is published in the **Federal Register** on September 9, 2025.

ADDRESSES: You may submit either electronic or written comments on Agency guidances at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

• *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*

• If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

• *Mail/Hand Delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

• For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2023–D–1955 for ''E6(R3) Good Clinical Practice.'' Received comments will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240–402–7500.

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

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

You may submit comments on any guidance at any time (see 21 CFR 10.115(g)(5)).

Submit written requests for single copies of this guidance to the Division of Drug Information, Center for Drug Evaluation and Research, Food and Drug Administration, 10001 New Hampshire Ave., Hillandale Building, 4th Floor, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your requests. The guidance may also be obtained by mail by calling Center for Biologics Evaluation and Research at 1–800–835–4709 or 240–402–8010. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the guidance document.

FOR FURTHER INFORMATION CONTACT:

Regarding the guidance: Amy Chi, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6334, Silver Spring, MD 20993–0002, 240–402–0992, *amy.chi@fda.hhs.gov;* Phillip Kurs, Center for Biologics Evaluation and Research, Food and Drug Administration, 240–402–7911.

Regarding the ICH: Brooke Dal Santo, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6304, Silver Spring, MD 20993–0002, 301–348–1967, *Brooke.DalSanto@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a guidance for industry entitled ''E6(R3) Good Clinical Practice.'' The guidance was prepared under the auspices of ICH. ICH seeks to achieve greater regulatory harmonization worldwide to ensure that safe, effective, high-quality medicines are developed, registered, and maintained in the most resource-efficient manner.

By harmonizing the regulatory requirements in regions around the world, ICH guidelines enhance global drug development, improve manufacturing standards, and increase the availability of medications. For example, ICH guidelines have substantially reduced duplicative clinical studies, prevented unnecessary animal studies, standardized the reporting of important safety information, and standardized marketing application submissions.

The six Founding Members of the ICH are FDA; the Pharmaceutical Research and Manufacturers of America; the European Commission; the European Federation of Pharmaceutical Industries Associations; the Japanese Ministry of Health, Labour, and Welfare; and the Japanese Pharmaceutical Manufacturers Association. The Standing Members of the ICH Association include Health Canada and Swissmedic. ICH membership continues to expand to include other regulatory authorities and industry associations from around the world (refer to *https://www.ich.org/*).

ICH works by engaging global regulatory and industry experts in a detailed, science-based, and consensus-driven process that results in the development of ICH guidelines. The regulators around the world are committed to consistently adopting these consensus-based guidelines, realizing the benefits for patients and for industry.

As a Founding Regulatory Member of ICH, FDA plays a major role in the development of each of the ICH guidelines, which FDA then adopts and issues as guidance for industry. FDA's guidance documents do not establish legally enforceable responsibilities. Instead, they describe the Agency's current thinking on a topic and should be viewed only as recommendations, unless specific regulatory or statutory requirements are cited.

In the **Federal Register** of June 7, 2023 (88 FR 37257), FDA published a notice announcing the availability of a draft guidance entitled ''E6(R3) Good Clinical Practice.'' The notice gave interested persons an opportunity to submit comments by September 5, 2023.

After consideration of the comments received and revisions to the guideline, a final draft of the guideline was submitted to the ICH Assembly and endorsed by the regulatory agencies in December 2024.

This guidance finalizes the draft guidance issued on June 7, 2023. The guidance offers modernized and agile recommendations for designing and conducting trials efficiently, safely, and innovatively. In response to public comments, the guidance clarifies that technology and design elements are likely to evolve and that the principles of E6(R3) are developed to remain relevant as such advances occur. The guidance stresses proportionality and a focus on the risk to participants and the reliability of the results. Furthermore, the guidance adds clarity to enable different modalities of informed consent (including remote and eConsent) as well as refining language on consent and assent. The guidance also clarifies the responsibilities of the investigators and sponsors regarding delegating clinical trial conduct responsibilities to service providers to reflect the practical application of E6(R3). Lastly, the guidance significantly streamlines and adds clarity to the section on data governance and simplifies the table in appendix C by providing clarity on the considerations for determining what records are considered essential.

This guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The guidance represents the current thinking of FDA on ''E6(R3) Good Clinical Practice.'' It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations.

FDA considered the applicability of Executive Order 14192, per OMB guidance in M–25–20, and finds this action to be deregulatory in nature.

II. Paperwork Reduction Act of 1995

While this guidance contains no collection of information, it does refer to previously approved FDA collections of information. Therefore, clearance by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3521) is not required for this guidance. The previously approved collections of information are subject to review by OMB under the PRA. The collections of information found in 21 CFR part 312 for investigational new drug applications have been approved under OMB control number 0910–0014. The collections of information under 21 CFR part 312.145 pertaining to good clinical practice have been approved under OMB control number 0910–0843. The collections of information found in 21 CFR parts 50 and 56 pertaining to protection of human subjects, institutional review boards and informed consent have been approved under OMB control number 0910–0130. The collections of information found in 21 CFR part 314 relating to the review of new drug applications have been approved under OMB control number 0910–0001. The collections of information found in 21 CFR part 601 relating to the review of biologic licensing applications have been approved under OMB control number 0910–0338. The collections of information found in 21 CFR part 11 pertaining to electronic records and electronic signatures have been approved under OMB control number 0910–0303. The collections of information found in 21 CFR parts 210 and 211 pertaining to current good manufacturing practice have been approved under OMB control number 0910–0139.

III. Electronic Access

Persons with access to the internet may obtain the guidance at *https://*

www.regulations.gov, https://www.fda.gov/drugs/guidance-compliance-regulatory-information/guidances-drugs, https://www.fda.gov/vaccines-blood-biologics/guidance-compliance-regulatory-information-biologics/biologics-guidances, or *https://www.fda.gov/regulatory-information/search-fda-guidance-documents.*

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–17311 Filed 9–8–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Amended Notice of Meeting

Notice is hereby given of a change in the meeting of the Innovations in Nanosystems and Nanotechnology Study Section, October 08, 2025, 09:30 a.m. to October 09, 2025, 06:30 p.m., National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 which was published in the **Federal Register** on August 22, 2025, 90 FR 41091, FR Doc No 2025–16169.

This meeting is being amended to change the meeting start time from 9:30 a.m. to 9:00 a.m. The date and location remain the same. The meeting is closed to the public.

Dated: September 4, 2025.

Denise M. Santeufemio,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–17280 Filed 9–8–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Office of the Director, National Institutes of Health; Notice of Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the NIH Clinical Center Research Hospital Board.

This will be a hybrid meeting held in-person and virtually and will be open to the public as indicated below. Individuals who plan to attend in-person or view the virtual meeting and need special assistance or other reasonable accommodations, should notify the Contact Person listed below in advance of the meeting. The meeting can be accessed from the NIH Videocast at the following link: *https://videocast.nih.gov/.*

Name of Committee: NIH Clinical Center Research Hospital Board.

Date: October 17, 2025.

Time: 9:00 a.m. to 1:00 p.m.

Agenda: NIH and Clinical Center (CC) Leadership Announcements, CC Acting Chief Executive Officer (CEO) Update of Recent Activities and Organizational Priorities, and Other Business of the Clinical Center Research Hospital Board (CCRHB).

Place: National Institutes of Health, Building 31, Conference Room 6C02 A & B, 9000 Rockville Pike, Bethesda, MD 20892 (In-Person and Virtual).

Contact Persons: Patricia Piringer, RN, MSN (C), National Institutes of Health Clinical Center, 10 Center Drive, Bethesda, MD 20892, *ppiringer@cc.nih.gov*, (301) 402–2435, (202) 460–7542 (direct).

Natascha Pointer, Management Analyst, Executive Assistant to Dr. Gilman, Office of the Chief Executive Officer, National Institutes of Health Clinical Center, 10 Center Drive, Bethesda, MD 20892, *npointer@cc.nih.gov*, (301) 496–4114, (301) 402–2434 (direct).

Any interested person may file written comments with the committee by forwarding the statement to the Contact Person(s) listed on this notice. The statement should include the name, address, telephone number and, when applicable, the business or professional affiliation of the interested person.

In the interest of security, NIH has procedures at *https://www.nih.gov/about-nih/visitor-information/campus-access-security* for entrance into on-campus and off-campus facilities. All visitor vehicles, including taxicabs, hotel, and airport shuttles will be inspected before being allowed on campus. Visitors attending a meeting on campus or at an off-campus federal facility will be asked to show one form of identification (for example, a government-issued photo ID, driver's license, or passport) and to state the purpose of their visit.

Information is also available on the CCRHB website: *https://www.ccrhb.od.nih.gov/* where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.14, Intramural Research Training Award; 93.22, Clinical Research Loan Repayment Program for Individuals from Disadvantaged Backgrounds; 93.232, Loan Repayment Program for Research Generally; 93.39, Academic Research Enhancement Award; 93.936, NIH Acquired Immunodeficiency Syndrome Research Loan Repayment Program; 93.187, Undergraduate Scholarship Program for Individuals from Disadvantaged Backgrounds, National Institutes of Health, HHS)

Dated: September 5, 2025.

Margaret Vardanian,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–17288 Filed 9–8–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Biological Chemistry and Macromolecular Biophysics Integrated Review Group; Biochemistry and Biophysics of Membranes Study Section.

Date: October 9–10, 2025.

Time: 9:30 a.m. to 8:00 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: Irina V. Nesmelova, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 594–6496, *irina.nesmelova@nih.gov.*

Name of Committee: Integrative, Functional and Cognitive Neuroscience Integrated Review Group; Behavioral Neuroendocrinology, Neuroimmunology, Rhythms, and Sleep Study Section.

Date: October 14–15, 2025.

Time: 8:00 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: Simon Peter Peron, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Dr., Room 1009K, Bethesda, MD 20892, (301) 594–6236, *peronsp@csr.nih.gov.*

Name of Committee: Biobehavioral and Behavioral Processes Integrated Review Group; Child Psychopathology and Developmental Disabilities Study Section.

Date: October 14–15, 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: Robin Lori Thompson, Ph.D., Scientific Review Officer, The Center for Scientific Review, The National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 480–4933, *robin.thompson@nih.gov*.

Name of Committee: Interdisciplinary Molecular Sciences and Training Integrated Review Group; Cellular and Molecular Technologies Study Section.

Date: October 15–16, 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: Tatiana V. Cohen, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5213, Bethesda, MD 20892, 301–455–2364, *tatiana.cohen@nih.gov*.

Name of Committee: Aging and Neurodegeneration Integrated Review Group; Aging Systems and Geriatrics Study Section.

Date: October 16–17, 2025.

Time: 9:00 a.m. to 8:00 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: Roger Alan Bannister, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 1010–D, Bethesda, MD 20892, (301) 435–1042, *bannisterra@csr.nih.gov*.

Name of Committee: Surgical Sciences, Biomedical Imaging and Bioengineering Integrated Review Group; Imaging Guided Interventions and Surgery Study Section.

Date: October 16–17, 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: Ella Fung Jones, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 496–0777, *ella.jones@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA–HG–24–026: Building Partnerships and Broadening Perspectives to Advance Ethical, Legal, and Social Implications (ELSI) Research (BBAER) Program.

Date: October 17, 2025.

Time: 9:30 a.m. to 10:00 a.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: Rochelle Francine Hentges, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 1000C, Bethesda, MD 20892, (301) 402–8720, *hentgesrf@mail.nih.gov*.

Name of Committee: Applied Immunology and Disease Control Integrated Review Group; Interspecies Microbial Interactions and Infections Study Section.

Date: October 20–21, 2025.

Time: 10:30 a.m. to 5:30 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: Irene Ramos Lopez, Ph.D., Scientific Review Officer, The Center for Scientific Review, The National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 480–4891, *irene.ramoslopez@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Cardiovascular Differentiation and Development.

Date: October 21, 2025.

Time: 9:30 a.m. to 7:00 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: Sara Ahlgren, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, RM 4136, Bethesda, MD 20892, 301–435–0904, *sara.ahlgren@nih.gov*.

Name of Committee: Interdisciplinary Molecular Sciences and Training Integrated Review Group; Enabling Bioanalytical and Imaging Technologies Study Section.

Date: October 23–24, 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: Kenneth Ryan, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3218, MSC 7717, Bethesda, MD 20892, 301–435–0229, *kenneth.ryan@nih.hhs.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: September 4, 2025.

Denise M. Santeufemio,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–17281 Filed 9–8–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–6555–N–01]

Request for Information on the Uses of Rental Housing Finance Survey Data

AGENCY: Office of the Assistant Secretary for Policy Development and Research, Department of Housing and Urban Development (HUD).

ACTION: Request for information.

SUMMARY: The Department of Housing and Urban Development (HUD) is evaluating current needs for data from the Rental Housing Finance Survey (RHFS). As part of this evaluation, HUD is soliciting information from the public on uses of RHFS data and other comments or concerns about the RHFS.

DATES: Comments are requested on or before November 10, 2025. Late-filed comments will be considered to the extent practicable.

ADDRESSES: Interested persons are invited to submit comments responsive to this RFI. Copies of all comments submitted are available for inspection and downloading at *www.regulations.gov*. To receive consideration as public comments, comments must be submitted through one of the two methods specified below. All submissions must refer to the above docket number and title. Commenters are encouraged to identify the number of the specific question or questions to which they are responding. Responses should include the name(s) of the person(s) or organization(s) filing the comment; however, because any responses received by HUD will be publicly available, responses should not include any personally identifiable information or confidential commercial information.

1. Electronic Submission of Comments. Interested persons may submit comments electronically through the Federal eRulemaking Portal at *www.regulations.gov*. HUD strongly encourages commenters to submit comments electronically. Electronic submission of comments allows the commenter maximum time to prepare and submit a comment, ensures timely receipt by HUD, and enables HUD to make them immediately available to the public. Comments submitted electronically through the *www.regulations.gov* website can be viewed by other commenters and interested members of the public. Commenters should follow the instructions provided on that site to submit comments electronically.

2. Submission of Comments by Mail. Comments may be submitted by mail to the Regulations Division, Office of General Counsel, Department of Housing and Urban Development, 451 7th Street SW, Room 10276, Washington, DC 20410–0500.

FOR FURTHER INFORMATION CONTACT: George Carter, Director, Housing and Demographic Analysis Division, Office of Policy Development and Research, 451 7th Street SW, Room 8222, Washington, DC 20410–0500, telephone number 202–402–5873 (this is not a toll-free number). HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech and communication disabilities. To learn more about how to make an accessible telephone call, please visit: *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.*

SUPPLEMENTARY INFORMATION:

I. Background

The purpose of the Rental Housing Finance Survey (RHFS) is to provide a current and continuous measure of the financial, mortgage and property characteristics of single-family and multifamily rental housing properties in the United States. The survey provides information on the financing of rental housing properties with emphasis on new originations for purchase, refinancing, and loan terms associated with these originations. In addition, the survey includes information on property characteristics, such as number of units, amenities available, rental income, operating costs, and capital expenditure information. The RHFS presents a full picture of the financing of rental housing, which is much more fragmented than the market for owner-occupied mortgages that is well documented by the private sector and supported by HUD, the Government Sponsored Enterprises, Fannie Mae and Freddie Mac, the Department of Veterans' Affairs, the U.S. Department of Agriculture's Rural Housing Service, and banks. The RHFS is the only data source with detailed information on the mortgage financing of multifamily rental properties with two or more units. RHFS data, tables, and documentation can be found here: *https://www.census.gov/programs-surveys/rhfs.html.*

II. Specific Information Requested

HUD is soliciting information from the public on uses of RHFS data and other comments or concerns about the RHFS. HUD welcomes all comments relevant to the RHFS. HUD is particularly interested in receiving input from interested parties, including government policy makers, academic researchers, and RHFS data users, on the questions outlined below.

1. What important data in the RHFS does the public use to analyze current rental housing finance characteristics and/or forecast future rental housing finance characteristics?
2. What concerns are there related to reducing the scope of, or eliminating entirely, the RHFS?
3. Is there any current RHFS content that is no longer relevant or has limited usefulness? Is there content that should be added to the RHFS?
4. Are there private sector data sources that provide comparable information to the RHFS?
5. Are there other concerns about content that is included or missing in the RHFS?

John Gibbs,

Principal Deputy Assistant Secretary for Policy Development and Research.

[FR Doc. 2025–17261 Filed 9–8–25; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–6514–N–01]

Mortgage and Loan Insurance Programs Under the National Housing Act—Debenture Interest Rates

AGENCY: Office of the Assistant Secretary for Housing, HUD.

ACTION: Notice.

SUMMARY: This Notice announces changes in the interest rates to be paid on debentures issued with respect to a loan or mortgage insured by the Federal Housing Administration under the provisions of the National Housing Act (the Act). The interest rate for debentures issued under Section 221(g)(4) of the Act during the 6-month period beginning July 1, 2025, is 4⅜ percent. The interest rate for debentures issued under any other provision of the Act is the rate in effect on the date that the commitment to insure the loan or mortgage was issued, or the date that the loan or mortgage was endorsed (or initially endorsed if there are two or more endorsements) for insurance, whichever rate is higher. The interest rate for debentures issued under these other provisions with respect to a loan or mortgage committed or endorsed during the 6-month period beginning July 1, 2025, is 4⅝ percent.

FOR FURTHER INFORMATION CONTACT: Eden Teklebrhane, Department of Housing and Urban Development, 451 Seventh Street SW, Room 5146, Washington, DC 20410–8000; telephone (202) 402–2746 (this is not a toll-free number).

HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.*

SUPPLEMENTARY INFORMATION: Section 224 of the National Housing Act (12 U.S.C. 1715o) provides that debentures issued under the Act with respect to an insured loan or mortgage (except for debentures issued pursuant to Section 221(g)(4) of the Act) will bear interest at the rate in effect on the date the commitment to insure the loan or mortgage was issued, or the date the loan or mortgage was endorsed (or initially endorsed if there are two or more endorsements) for insurance, whichever rate is higher. This provision is implemented in HUD's regulations at 24 CFR 203.405, 203.479, 207.259(e)(6), and 220.830. These regulatory provisions state that the applicable rates of interest will be published twice each year as a notice in the **Federal Register**.

Section 224 further provides that the interest rate on these debentures will be set from time to time by the Secretary of HUD, with the approval of the Secretary of the Treasury, in an amount not in excess of the annual interest rate determined by the Secretary of the Treasury pursuant to a statutory formula based on the average yield of all outstanding marketable Treasury obligations of maturities of 15 or more years.

The Secretary of the Treasury (1) has determined, in accordance with the provisions of Section 224, that the statutory maximum interest rate for the period beginning July 1, 2025, is 4⅝ percent; and (2) has approved the establishment of the debenture interest rate by the Secretary of HUD at 4⅝ percent for the 6-month period beginning July 1, 2025. This interest rate will be the rate borne by debentures issued with respect to any insured loan or mortgage (except for debentures issued pursuant to Section 221(g)(4)) with insurance commitment or endorsement date (as applicable) within the next 6 months of 2025).

For convenience of reference, HUD is publishing the following chart of debenture interest rates applicable to mortgages committed or endorsed since January 1, 1980:

Effective interest rate	On or after	Prior to
9½	Jan. 1, 1980	July 1, 1980.
9⅞	July 1, 1980	Jan. 1, 1981.
11¾	Jan. 1, 1981	July 1, 1981.
12⅞	July 1, 1981	Jan. 1, 1982.
12¾	Jan. 1, 1982	Jan. 1, 1983.
10¼	Jan. 1, 1983	July 1, 1983.
10⅜	July 1, 1983	Jan. 1, 1984.
11½	Jan. 1, 1984	July 1, 1984.
13⅜	July 1, 1984	Jan. 1, 1985.
11⅝	Jan. 1, 1985	July 1, 1985.
11⅛	July 1, 1985	Jan. 1, 1986.
10¼	Jan. 1, 1986	July 1, 1986.
8¼	July 1, 1986	Jan. 1. 1987.
8	Jan. 1, 1987	July 1, 1987.
9	July 1, 1987	Jan. 1, 1988.
9⅛	Jan. 1, 1988	July 1, 1988.
9⅜	July 1, 1988	Jan. 1, 1989.
9¼	Jan. 1, 1989	July 1, 1989.
9	July 1, 1989	Jan. 1, 1990.
8⅛	Jan. 1, 1990	July 1, 1990.
9	July 1, 1990	Jan. 1, 1991.
8¾	Jan. 1, 1991	July 1, 1991.
8½	July 1, 1991	Jan. 1, 1992.
8	Jan. 1, 1992	July 1, 1992.
8	July 1, 1992	Jan. 1, 1993.
7¾	Jan. 1, 1993	July 1, 1993.
7	July 1, 1993	Jan. 1, 1994.
6⅝	Jan. 1, 1994	July 1, 1994.
7¾	July 1, 1994	Jan. 1, 1995.
8⅜	Jan. 1, 1995	July 1, 1995.
7¼	July 1, 1995	Jan. 1, 1996.
6½	Jan. 1, 1996	July 1, 1996.
7¼	July 1, 1996	Jan. 1, 1997.
6¾	Jan. 1, 1997	July 1, 1997.
7⅛	July 1, 1997	Jan. 1, 1998.
6⅜	Jan. 1, 1998	July 1, 1998.
6⅛	July 1, 1998	Jan. 1, 1999.
5½	Jan. 1, 1999	July 1, 1999.
6⅛	July 1, 1999	Jan. 1, 2000.
6½	Jan. 1, 2000	July 1, 2000.
6½	July 1, 2000	Jan. 1, 2001.
6	Jan. 1, 2001	July 1, 2001.
5⅞	July 1, 2001	Jan. 1, 2002.
5¼	Jan. 1, 2002	July 1, 2002.
5¾	July 1, 2002	Jan. 1, 2003.
5	Jan. 1, 2003	July 1, 2003.
4½	July 1, 2003	Jan. 1, 2004.
5⅛	Jan. 1, 2004	July 1, 2004.
5½	July 1, 2004	Jan. 1, 2005.
4⅞	Jan. 1, 2005	July 1, 2005.
4½	July 1, 2005	Jan. 1, 2006.
4⅞	Jan. 1, 2006	July 1, 2006.
5⅜	July 1, 2006	Jan. 1, 2007.
4¾	Jan. 1, 2007	July 1, 2007.
5	July 1, 2007	Jan. 1, 2008.
4½	Jan. 1, 2008	July 1, 2008.
4⅝	July 1, 2008	Jan. 1, 2009.
4⅛	Jan. 1, 2009	July 1, 2009.
4⅛	July 1, 2009	Jan. 1, 2010.
4¼	Jan. 1, 2010	July 1, 2010.
4⅛	July 1, 2010	Jan. 1, 2011.
3⅞	Jan. 1, 2011	July 1, 2011.
4⅛	July 1, 2011	Jan. 1, 2012.
2⅞	Jan. 1, 2012	July 1, 2012.
2¾	July 1, 2012	Jan. 1, 2013.
2½	Jan. 1, 2013	July 1, 2013.
2⅞	July 1, 2013	Jan. 1, 2014.
3⅝	Jan. 1, 2014	July 1, 2014.
3¼	July 1, 2014	Jan. 1, 2015.
3	Jan. 1, 2015	July 1, 2015.
2⅞	July 1, 2015	Jan. 1, 2016.
2⅞	Jan. 1, 2016	July 1, 2016.
2½	July 1, 2016	Jan. 1, 2017.
2¾	Jan. 1, 2017	July 1, 2017.

Effective interest rate	On or after	Prior to
2⅞	July 1, 2017	Jan. 1, 2018.
2¾	Jan. 1, 2018	July 1, 2018.
3⅛	July 1, 2018	Jan. 1, 2019.
3⅜	Jan 1, 2019	July 1, 2019.
2¾	July 1, 2019	Jan 1, 2020.
2¼	Jan 1, 2020	July 1, 2020.
1¼	July 1, 2020	Jan. 1, 2021.
1⅜	Jan 1, 2021	July 1, 2021.
2¼	July, 1 2021	Jan 1, 2022.
1⅞	Jan 1, 2022	July 1, 2022.
3¼	July 1, 2022	Jan 1, 2023.
4¼	Jan 1, 2023	July 1, 2023.
3⅞	July 1, 2023	Jan 1, 2024.
4½	Jan 1, 2024	July 1, 2024.
4¾	July 1, 2024	Jan 1, 2025.
4⅝	Jan 1, 2025	July 1, 2025.
4⅝	July 1, 2025	Jan 1, 2026.

Section 215 of Division G, Title II of Public Law 108–199, enacted January 23, 2004 (HUD's 2004 Appropriations Act) amended Section 224 of the Act, to change the debenture interest rate for purposes of calculating certain insurance claim payments made in cash. Therefore, for all claims paid in cash on mortgages insured under Section 203 or 234 of the National Housing Act and endorsed for insurance after January 23, 2004, the debenture interest rate will be the monthly average yield, for the month in which the default on the mortgage occurred, on United States Treasury Securities adjusted to a constant maturity of 10 years, as found in Federal Reserve Statistical Release H–15. The Federal Housing Administration has codified this provision in HUD regulations at 24 CFR 203.405(b) and 24 CFR 203.479(b).

Similarly, Section 520(a) of the National Housing Act (12 U.S.C. 1735d) provides for the payment of an insurance claim in cash on a mortgage or loan insured under any section of the National Housing Act before or after the enactment of the Housing and Urban Development Act of 1965. The amount of such payment shall be equivalent to the face amount of the debentures that would otherwise be issued, plus an amount equivalent to the interest which the debentures would have earned, computed to a date to be established pursuant to regulations issued by the Secretary. The implementing HUD regulations for multifamily insured mortgages at 24 CFR 207.259(e)(1) and (e)(6), when read together, provide that debenture interest on a multifamily insurance claim that is paid in cash is paid from the date of the loan default at the debenture rate in effect at the time of commitment or endorsement (or initial endorsement if there are two or more endorsements) of the loan, whichever is higher.

Section 221(g)(4) of the Act provides that debentures issued pursuant to that paragraph (with respect to the assignment of an insured mortgage to the Secretary) will bear interest at the ''going Federal rate'' in effect at the time the debentures are issued. The term ''going Federal rate'' is defined to mean the interest rate that the Secretary of the Treasury determines, pursuant to a statutory formula based on the average yield on all outstanding marketable Treasury obligations of 8- to 12-year maturities, for the 6-month periods of January through June and July through December of each year. Section 221(g)(4) is implemented in the HUD regulations at 24 CFR 221.255 and 24 CFR 221.790.

The Secretary of the Treasury has determined that the interest rate to be borne by debentures issued pursuant to Section 221(g)(4) during the 6-month period beginning July 1, 2025, is 4⅜ percent. The subject matter of this notice falls within the categorical exemption from HUD's environmental clearance procedures set forth in 24 CFR 50.19(c)(6). For that reason, no environmental finding has been prepared for this notice.

(Authority: Sections 211, 221, 224, National Housing Act, 12 U.S.C. 1715b, 1715l, 1715o; Section 7(d), Department of HUD Act, 42 U.S.C. 3535(d).)

Frank Cassidy,

Principal Deputy Assistant Secretary for Housing.

Legislation description	Effective start date	Effective date range	Calendar year rate (%)
National Housing Act—Section 221(g)(4)	7/1/2025	July–Dec	4⅜
National Housing Act—Section 224	7/1/2025	July–Dec	4⅝
National Housing Act—Section 221(g)(4)	1/1/2025	Jan–Jun 2025	4⅜
National Housing Act—Section 224	1/1/2025	Jan–Jun 2025	4⅝
National Housing Act—Section 221(g)(4)	7/1/2024	Jul–Dec 2024	4½
National Housing Act—Section 224	7/1/2024	Jul–Dec 2024	4¾
National Housing Act—Section 221(g)(4)	1/1/2024	Jan–Jun 2024	4½
National Housing Act—Section 224	1/1/2024	Jan–Jun 2024	4⅞
National Housing Act—Section 221(g)(4)	7/1/2023	Jul–Dec 2023	3½
National Housing Act—Section 224	7/1/2023	Jul–Dec 2023	3⅞
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	7/1/2023	Jul–Dec 2023	5.35
National Housing Act—Section 221(g)(4)	1/1/2023	Jan–Jun 2023	3⅞
National Housing Act—Section 224	1/1/2023	Jan–Jun 2023	4¼
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	1/1/2023	Jan–Jun 2023	5.32
National Housing Act—Section 221(g)(4)	7/1/2022	Jul–Dec 2022	2⅞
National Housing Act—Section 224	7/1/2022	Jul–Dec 2022	3¼
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	7/1/2022	Jul–Dec 2022	4.40

Legislation description	Effective start date	Effective date range	Calendar year rate (%)
National Housing Act—Section 221(g)(4)	1/1/2022	Jan–Jun 2022	1½
National Housing Act—Section 224	1/1/2022	Jan–Jun 2022	1⅞
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	1/1/2022	Jan–Jun 2022	1.69
National Housing Act—Section 221(g)(4)	7/1/2021	Jul–Dec 2021	1½
National Housing Act—Section 224	7/1/2021	Jul–Dec 2021	2¼
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	7/1/2021	Jul–Dec 2021	0.06
National Housing Act—Section 221(g)(4)	1/1/2021	Jan–Jun 2021	¾
National Housing Act—Section 224	1/1/2021	Jan–Jun 2021	1⅜
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	1/1/2021	Jan–Jun 2021	0.05
National Housing Act—Section 221(g)(4)	7/1/2020	Jul–Dec 2020	⅝
National Housing Act—Section 224	7/1/2020	Jul–Dec 2020	1¼
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	7/1/2020	Jul–Dec 2020	0.09
National Housing Act—Section 221(g)(4)	1/1/2020	Jan–Jun 2020	1¾
National Housing Act—Section 224	1/1/2020	Jan–Jun 2020	2¼
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	1/1/2020	Jan–Jun 2020	0.16
National Housing Act—Section 221(g)(4)	7/1/2019	Jul–Dec 2019	2⅜
National Housing Act—Section 224	7/1/2019	Jul–Dec 2019	2¾
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	7/1/2019	Jul–Dec 2019	1.55
National Housing Act—Section 221(g)(4)	1/1/2019	Jan–Jun 2019	3⅛
National Housing Act—Section 224	1/1/2019	Jan–Jun 2019	3⅜
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	1/1/2019	Jan–Jun 2019	2.13
National Housing Act—Section 221(g)(4)	7/1/2018	Jul–Dec 2018	3.00
National Housing Act—Section 224	7/1/2018	Jul–Dec 2018	3⅛
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	7/1/2018	Jul–Dec 2018	2.45
National Housing Act—Section 221(g)(4)	1/1/2018	Jan–Jun 2018	2⅜
National Housing Act—Section 224	1/1/2018	Jan–Jun 2018	2¾
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	1/1/2018	Jan–Jun 2018	1.93
National Housing Act—Section 221(g)(4)	7/1/2017	Jul–Dec 2017	2¼
National Housing Act—Section 224	7/1/2017	Jul–Dec 2017	2⅞
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	7/1/2017	Jul–Dec 2017	1.39
National Housing Act—Section 221(g)(4)	1/1/2017	Jan–Jun 2017	2⅛
National Housing Act—Section 224	1/1/2017	Jan–Jun 2017	2¾
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	1/1/2017	Jan–Jun 2017	1.03
National Housing Act—Section 221(g)(4)	7/1/2016	Jul–Dec 2016	1¾
National Housing Act—Section 224	7/1/2016	Jul–Dec 2016	2½
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	7/1/2016	Jul–Dec 2016	0.51
National Housing Act—Section 221(g)(4)	1/1/2016	Jan–Jun 2016	2¼
National Housing Act—Section 224	1/1/2016	Jan–Jun 2016	2.78
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	1/1/2016	Jan–Jun 2016	0.26
National Housing Act—Section 221(g)(4)	7/1/2015	Jul–Dec 2015	2⅛
National Housing Act—Section 224	7/1/2015	Jul–Dec 2015	2⅞
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	7/1/2015	Jul–Dec 2015	0.16
National Housing Act—Section 221(g)(4)	1/1/2015	Jan–Jun 2015	2¼
National Housing Act—Section 224	1/1/2015	Jan–Jun 2015	3
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	1/1/2015	Jan–Jun 2015	0.01
National Housing Act—Section 221(g)(4)	7/1/2014	Jul–Dec 2014	2⅜
National Housing Act—Section 224	7/1/2014	Jul–Dec 2014	3¼
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	7/1/2014	Jul–Dec 2014	0.04
National Housing Act—Section 221(g)(4)	1/1/2014	Jan–Jun 2014	2½
National Housing Act—Section 224	1/1/2014	Jan–Jun 2014	3⅝
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	1/1/2014	Jan–Jun 2014	0.04
National Housing Act—Section 221(g)(4)	7/1/2013	Jul–Dec 2013	1¾
National Housing Act—Section 224	7/1/2013	Jul–Dec 2013	2⅞
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	7/1/2013	Jul–Dec 2013	0.07
National Housing Act—Section 221(g)(4)	1/1/2013	Jan–Jun 2013	1⅜
National Housing Act—Section 224	1/1/2013	Jan–Jun 2013	2½
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	1/1/2013	Jan–Jun 2013	0.04
National Housing Act—Section 221(g)(4)	7/1/2012	Jul–Dec 2012	1⅝
National Housing Act—Section 224	7/1/2012	Jul–Dec 2012	2¾
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	7/1/2012	Jul–Dec 2012	0.05
National Housing Act—Section 221(g)(4)	1/1/2012	Jan–Jun 2012	1⅞
National Housing Act—Section 224	1/1/2012	Jan–Jun 2012	2⅞
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	1/1/2012	Jan–Jun 2012	0.09
National Housing Act—Section 221(g)(4)	7/1/2011	Jul–Dec 2011	3
National Housing Act—Section 224	7/1/2011	Jul–Dec 2011	4⅛
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	7/1/2011	Jul–Dec 2011	0.02
National Housing Act—Section 221(g)(4)	1/1/2011	Jan–Jun 2011	2½
National Housing Act—Section 224	1/1/2011	Jan–Jun 2011	3⅞
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	1/1/2011	Jan–Jun 2011	0.03
National Housing Act—Section 221(g)(4)	7/1/2010	Jul–Dec 2010	3⅜
National Housing Act—Section 224	7/1/2010	Jul–Dec 2010	4⅛
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	7/1/2010	Jul–Dec 2010	0.12

Legislation description	Effective start date	Effective date range	Calendar year rate (%)
National Housing Act—Section 221(g)(4)	1/1/2010	Jan–Jun 2010	$3\frac{3}{8}$
National Housing Act—Section 224	1/1/2010	Jan–Jun 2010	$4\frac{1}{4}$
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	1/1/2010	Jan–Jun 2010	0.18
National Housing Act—Section 221(g)(4)	7/1/2009	Jul–Dec 2009	$3\frac{3}{8}$
National Housing Act—Section 224	7/1/2009	Jul–Dec 2009	$4\frac{1}{8}$
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	7/1/2009	Jul–Dec 2009	0.06
National Housing Act—Section 221(g)(4)	1/1/2009	Jan–Jun 2009	$3\frac{3}{4}$
National Housing Act—Section 224	1/1/2009	Jan–Jun 2009	$4\frac{1}{8}$
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	1/1/2009	Jan–Jun 2009	0.19
National Housing Act—Section 221(g)(4)	7/1/2008	Jul–Dec 2008	$3\frac{7}{8}$
National Housing Act—Section 224	7/1/2008	Jul–Dec 2008	$4\frac{5}{8}$
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	7/1/2008	Jul–Dec 2008	0.11
National Housing Act—Section 221(g)(4)	1/1/2008	Jan–Jun 2008	$4\frac{1}{8}$
National Housing Act—Section 224	1/1/2008	Jan–Jun 2008	$4\frac{1}{2}$
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	1/1/2008	Jan–Jun 2008	1.90
National Housing Act—Section 221(g)(4)	7/1/2007	Jul–Dec 2007	$4\frac{3}{4}$
National Housing Act—Section 224	7/1/2007	Jul–Dec 2007	5.00
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	7/1/2007	Jul–Dec 2007	3.37
National Housing Act—Section 221(g)(4)	1/1/2007	Jan–Jun 2007	$4\frac{7}{8}$
National Housing Act—Section 224	1/1/2007	Jan–Jun 2007	$4\frac{3}{4}$
Alaska Native Claims Act—Public Law 94–204, Section 2(b)	1/1/2007	Jan–Jun 2007	4.81

[FR Doc. 2025–17254 Filed 9–8–25; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–6556–N–01]

Request for Information on the Uses of Survey of Market Absorption of New Multifamily Apartments (SOMA) Data

AGENCY: Office of the Assistant Secretary for Policy Development and Research, Department of Housing and Urban Development (HUD).

ACTION: Request for information.

SUMMARY: The Department of Housing and Urban Development (HUD) is evaluating current needs for data from the Survey of Market Absorption of New Multifamily Units (SOMA). As part of this evaluation, HUD is soliciting information from the public on uses of SOMA data and other comments or concerns about the SOMA.

DATES: Comments are requested on or before November 10, 2025. Late-filed comments will be considered to the extent practicable.

ADDRESSES: Interested persons are invited to submit comments responding to the specific questions in this Request for Information as well as any other concerns about the SOMA.

1. *Electronic Submission of Comments.* Interested persons may submit comments electronically through the Federal eRulemaking Portal at *http://www.regulations.gov*.

2. *Submission of Comments by Mail.* Comments may be submitted by mail to the Regulations Division, Office of General Counsel, Department of Housing and Urban Development, 451 7th Street SW, Room 10276, Washington, DC 20410–0500.

FOR FURTHER INFORMATION CONTACT: George Carter, Director, Housing and Demographic Analysis Division, Office of Policy Development and Research, 451 7th Street SW, Room 8222, Washington, DC 20410–0500, telephone number 202–402–5873 (this is not a toll-free number). HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech and communication disabilities. To learn more about how to make an accessible telephone call, please visit: *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs*.

SUPPLEMENTARY INFORMATION:

I. Background

The purpose of the Survey of Market Absorption of New Multifamily Units (SOMA) is to provide data on the rate at which different types of new rental apartments and new condominiums/cooperative apartments are absorbed, that is, taken off the market, usually by being rented or sold, over the course of the first twelve months following completion of a building. The SOMA uses the Survey of Construction (SOC) as its sampling base. It provides data on the time between completion and rental or sale of new multifamily units and data on rents, sales prices, and size of apartments rented or sold. It is an indicator of how multifamily construction responds to consumer demand. SOMA data, tables, and documentation can be found here: *https://www.census.gov/programs-surveys/soma.html*.

II. Specific Information Requested

HUD is soliciting information from the public on uses of SOMA data and other comments or concerns with the SOMA. HUD is interested in all comments relevant to the SOMA. We are especially interested in receiving input from interested parties, including government policy makers, academic researchers, and SOMA data users, on the questions outlined below.

1. What important data in the SOMA do the public use to analyze current absorption of multifamily housing units and/or forecast absorption of multifamily housing units?

2. Are there concerns related to reducing the scope of, or eliminating entirely, the SOMA?

3. Is there current SOMA content that is no longer relevant or has limited usefulness? Is there content that should be added to the SOMA?

4. Are there private sector data sources that provide comparable information to the SOMA?

5. Are there any other concerns about included or missing content in the SOMA?

John Gibbs,

Principal Deputy Assistant Secretary for Policy Development and Research.

[FR Doc. 2025–17260 Filed 9–8–25; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS–HQ–IA–2025–0145; FXIA16710900000–256–FF09A30000]

Foreign Endangered Species; Receipt of Permit Applications

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of receipt of permit applications; request for comments.

SUMMARY: We, the U.S. Fish and Wildlife Service, invite the public to comment on applications to conduct certain activities with foreign species that are listed as endangered under the Endangered Species Act (ESA). With some exceptions, the ESA prohibits activities with listed species unless Federal authorization is issued that allows such activities. The ESA also requires that we invite public comment before issuing permits for any activity otherwise prohibited by the ESA with respect to any endangered species.

DATES: We must receive comments by October 9, 2025.

ADDRESSES:

Obtaining Documents: The applications, supporting materials, and any comments and other materials that we receive will be available for public inspection at *https://www.regulations.gov* in Docket No. FWS–HQ–IA–2025–0145.

Submitting Comments: When submitting comments, please specify the name of the applicant and the permit number at the beginning of your comment. You may submit comments by one of the following methods:

- *Internet: https://www.regulations.gov.* Search for and submit comments on Docket No. FWS–HQ–IA–2025–0145.
- *U.S. Mail:* Public Comments Processing, Attn: Docket No. FWS–HQ–IA–2025–0145; U.S. Fish and Wildlife Service Headquarters, MS: PRB/3W; 5275 Leesburg Pike; Falls Church, VA 22041–3803.

For more information, see Public Comment Procedures under **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT: Timothy MacDonald, by phone at 703–358–2185 or via email at *DMAFR@fws.gov.* Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION:

I. Public Comment Procedures

A. How do I comment on submitted applications?

We invite the public and local, State, Tribal, and Federal agencies to comment on these applications. Before issuing any of the requested permits, we will take into consideration any information that we receive during the public comment period.

You may submit your comments and materials by one of the methods in **ADDRESSES**. We will not consider comments sent by email or to an address not in **ADDRESSES**. We will not consider or include in our administrative record comments we receive after the close of the comment period (see **DATES**).

When submitting comments, please specify the name of the applicant and the permit number at the beginning of your comment. Provide sufficient information to allow us to authenticate any scientific or commercial data you include. The comments and recommendations that will be most useful and likely to influence agency decisions are: (1) Those supported by quantitative information or studies; and (2) those that include citations to, and analyses of, the applicable laws and regulations.

B. May I review comments submitted by others?

You may view and comment on others' public comments at *https://www.regulations.gov* unless our allowing so would violate the Privacy Act (5 U.S.C. 552a) or Freedom of Information Act (5 U.S.C. 552).

C. Who will see my comments?

If you submit a comment at *https://www.regulations.gov,* your entire comment, including any personal identifying information, will be posted on the website. If you submit a hardcopy comment that includes personal identifying information, such as your address, phone number, or email address, you may request at the top of your document that we withhold this information from public review. However, we cannot guarantee that we will be able to do so. Moreover, all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public disclosure in their entirety.

II. Background

To help us carry out our conservation responsibilities for affected species, and in consideration of section 10(c) of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), we invite public comments on permit applications before final action is taken. With some exceptions, the ESA prohibits certain activities with listed species unless Federal authorization is issued that allows such activities. Permits issued under section 10(a)(1)(A) of the ESA allow otherwise prohibited activities for scientific purposes or to enhance the propagation or survival of the affected species. Service regulations regarding prohibited activities with endangered species, captive-bred wildlife registrations, and permits for any activity otherwise prohibited by the ESA with respect to any endangered species are available in title 50 of the Code of Federal Regulations in part 17.

III. Permit Applications

We invite comments on the following applications.

Applicant: University of Wyoming, Laramie, WY; Permit No. PER21495165

The applicant requests a permit to import scientific samples derived from wild Dugong (*Dugong dugon*) and wild bottlenose dolphin (*Tursiops truncatus*) from The Steinhardt Museum of Natural History in Tel Aviv, Israel, for the purpose of scientific research. This notification is for a single import.

Applicant: Cincinnati Zoo & Botanical Garden, Cincinnati, OH; Permit No. PER11734478

The applicant requests a permit to import two live captive-bred male cheetahs (*Acinonyx jubatus*) from the Toronto Zoo in Toronto, Canada, for the purpose of enhancing the propagation or survival of the species. This notification is for a single import.

Applicant: USFWS Texas Coastal Ecological Services Field Office, Corpus Christi, TX; Permit PER20155869

The applicant requests a permit to import one wild, rescued Kemp's ridley sea turtle (*Lepidochelys kempii*) from Anglesey Sea Zoo in the United Kingdom, for the purpose of enhancing the propagation or survival of the species. This notification is for a single import.

Applicant: James Pfarr, Archer, FL; Permit No. PER20464337

The applicant requests a permit to import one male captive-bred blue-billed curassow (*Crax alberti*) from Francy Hermans, Belgium for the purpose of enhancing the propagation or survival of the species. This notification is for a single import.

Applicant: United States Geological Survey, National Wildlife Health Center, Honolulu, HI; Permit No. PER20455458

The applicant requests authorization to import biological samples from wild, captive-held, or captive-born animals of all ESA-listed species for the purpose of scientific research. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: U.S. Fish and Wildlife Service, Mexican Wolf Recovery Program, Albuquerque, NM; Permit No. PER20605788

The applicant requests renewal of their permit to export and re-export live Mexican wolves (*Canis lupus baileyi*) for breeding and re-introduction, as well as the export and re-export of biological samples for genetic studies, for the purposes of enhancement of the species and scientific research. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Duke University dba Duke University Lemur Center, Durham, NC; Permit No. PER20660309

The applicant requests a permit to conduct interstate and foreign commerce of animals under the ESA for captive-born and wild source animals of the family Lemuridae (lemurs), genus *Avahi* (wooly lemurs) and *Propithecus* (sifakas), Indri (*Indri indri*), the aye-aye (*Daubentonia madagascariensis*), the lesser slow loris (*Nycticebus pygmaeus*), and the Philippine tarsier (*Tarsius syrichta*). This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Richland Lexington Riverbanks Park District dba Riverbanks Zoo & Garden, Columbia, SC; Permit No. PER20841514

The applicant requests a permit to import one live, captive-born male Komodo Island monitor (*Varanus komodoensis*) from The Wilder Institute Calgary Zoo in Calgary, Canada for the purpose of enhancing the propagation or survival of the species. This notification is for a single import.

Applicant: Columbus Zoo and Aquarium; Permit No. PER20976961

The applicant requests a permit to import one captive-born female tiger (*Panthera tigris*) from Seoul Zoo in the Republic of Korea, for the purpose of enhancing the propagation or survival of the species. This notification is for a single import.

Applicant: Saint Louis Zoo, Saint Louis, MO; Permit No. PER19410330

The applicant requests a permit to import biological samples derived from wild Galapagos tortoises (*Geochelone niger*) in the Galapagos Islands, Ecuador, for the purpose of scientific research. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Viktoria Keller c/o Christine Bacon, Jaffrey, New Hampshire; Permit No. PER20063193

The applicant requests a permit to export the plant samples, described below, to the University of Gothenburg's Department of Biological and Environmental Sciences in Gothenburg, Västra Götaland county, Sweden, for the purpose scientific research. This notification is for a single export.

Common name	Scientific name
Artificial propagated	
baker's loulu	*Pritchardia bakeri.*
loulu	*Pritchardia kaalae.*
wahane	*Pritchardia aylmer-robinsonii.*
loulu	*Pritchardia hardyi.*
loulu	*Pritchardia lanigera.*
loulu	*Pritchardia munroi.*
lo'ulu	*Pritchardia maideniana.*
loulu	*Pritchardia napaliensis.*
loulu	*Pritchardia schattaueri.*
loulu	*Pritchardia remota.*
loulu	*Pritchardia viscosa.*
Wild harvested	
baker's loulu	*Pritchardia bakeri.*

Applicant: The Dallas World Aquarium, Dallas, TX; Permit No. PER21322231

The applicant requests authorization to import four, live, captive-born giant otters (*Pteronura brasiliensis*) from Parque de las Leyendas in Lima, Peru for the purpose of enhancing the propagation or survival of the species. This notification is for a single import.

Applicant: White Oak Conservation, Yulee, FL; Permit No. PER20522169

The applicant requests a captive-bred wildlife registration under 50 CFR 17.21(g) for the following species, to enhance the propagation or survival of the species. This notification covers activities to be conducted by the applicant over a 5-year period.

Common name	Scientific name
Cheetah	*Acinonyx jubatus*
African wild ass	*Equus africanus*
Grevy's zebra	*Equus grevyi*
Black rhinoceros	*Diceros bicornis*
Great Indian rhinoceros	*Rhinoceros unicornis*
Southern white rhinoceros	*Ceratotherium simum simum*

Common name	Scientific name
Northern white rhinoceros	*Ceratotherium simum cottoni*
Babirusa	*Babyrousa babyrussa*
Slender-horned gazelle	*Gazella leptoceros*
Blue-billed curassow	*Crax alberti*
Andean condor	*Vultur gryphus*
Asian elephant	*Elephas maximus*

Applicant: Stevens Ranch Enterprises dba 6S River Ranch, Gatesville, TX; Permit No. PER20524437

The applicant requests a captive-bred wildlife registration under 50 CFR 17.21(g) for Arabian oryx (*Oryx leucoryx*), red lechwe (*Kobus leche*), and swamp deer (*Cervus duvaucelii*), to enhance the propagation or survival of the species. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: 4J Conservation Center, Inc., Dade City, FL; Permit No. PER19946078

The applicant requests a captive-bred wildlife registration under 50 CFR 17.21(g) for black-and-white ruffed lemur (*Varecia variegata*) and red-ruffed lemur (*Varecia rubra*) to enhance the propagation or survival of the species. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Rock Creek Ranch dba RCR Family Ranch, LLC, Valley Spring, TX; Permit No. PER21078527

The applicant requests a captive-bred wildlife registration under 50 CFR 17.21(g) for red lechwe (*Kobus leche*), to enhance the propagation or survival of the species. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Brady Champion Ranch, LLC, Rochelle, TX; Permit No. PER21286647

The applicant requests a captive-bred wildlife registration under 50 CFR 17.21(g) for the following species, to enhance the propagation or survival of the species. This notification covers activities to be conducted by the applicant over a 5-year period.

Common name	Scientific name
Hartmann's mountain zebra	*Equus zebra hartmannae.*
Red lechwe	*Kobus leche.*
Arabian oryx	*Oryx leucoryx.*
Swamp deer	*Cervus duvauceli.*
Eld's brow-antlered deer	*Cervus eldi.*

Applicant: Stevens Ranch Enterprises dba 6S River Ranch, Gatesville, TX; Permit No. PER20670381

The applicant requests a permit authorizing the culling of excess Arabian oryx (*Oryx leucoryx*), red lechwe (*Kobus leche*), and swamp deer (*Cervus duvaucelii*) from the captive herd maintained at their facility, to enhance the species' propagation and survival. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Brady Champion Ranch, LLC, Rochelle, TX; Permit No. PER21295663

The applicant requests a permit authorizing the culling of excess Hartmann's mountain zebra (*Equus zebra hartmannae*), red lechwe (*Kobus leche*), Arabian oryx (*Oryx leucoryx*), swamp deer (*Cervus duvauceli*), and Eld's brow-antlered deer (*Cervus eldi*) from the captive herd maintained at their facility, to enhance the species' propagation and survival. This notification covers activities to be conducted by the applicant over a 5-year period.

Multiple Trophy Applicants

The following applicants request permits to import sport-hunted trophies of male bontebok (*Damaliscus pygargus pygargus*) culled from a captive herd maintained under the management program of the Republic of South Africa, for the purpose of enhancing the propagation or survival of the species.

- Jonathan Ballad, Nokesville, VA; Permit No. PER20504803
- Rex Burney, East Prairie, MO; Permit No. PER20514589
- Joseph Rostan, Cranberry Township, PA; Permit No. PER20624291
- Tammy A. Hudson, Magnolia, TX; Permit No. PER20666880
- Earl Wohlert, Troy, VA; Permit No. PER20835799
- Robert Neu, Mukwonago, WI; Permit No. PER20837345
- Patrick McCormick, San Diego, CA; Permit No. PER20837674
- Frank Robert Prestia Jr., Ellwood City, PA; Permit No. PER20876371
- Mark Riether, Williamstown, NJ; Permit No. PER21275462
- Roy C. Ewen, Lakebay, WA; Permit No. PER21277235
- Jeffrey Siler, Ammon, ID; Permit No. PER21278188

IV. Next Steps

After the comment period closes, we will make decisions regarding permit issuance. If we issue permits to any of the applicants listed in this notice, we will publish a notice in the **Federal Register**. You may locate the notice announcing the permit issuance by searching *https://www.regulations.gov* for the permit number listed above in this document. For example, to find information about the potential issuance of Permit No. 12345A, you would go to regulations.gov and search for ''12345A''.

V. Authority

We issue this notice under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), and its implementing regulations.

Scott Carleton,

Acting Chief, Branch of Permits, Division of Management Authority, U.S. Fish and Wildlife Service.

[FR Doc. 2025–17289 Filed 9–8–25; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Geological Survey

[Docket No. USGS–2025–0072; GX25GH00COM0000]

Request for Nominations for Members To Serve on the National Volcano Early Warning System Advisory Committee

AGENCY: U.S. Geological Survey, Interior.

ACTION: Request for nominations.

SUMMARY: The Department of the Interior (DOI) is seeking nominations to serve on the National Volcano Early Warning System Advisory Committee (NVEWSAC). The NVEWSAC will assist the Secretary in implementing the National Volcano Early Warning and Monitoring System (NVEWS) and provide an annual report to the Secretary that describes its activities and related scientific research.

DATES: Nominations for the NVEWSAC must be received by October 9, 2025.

ADDRESSES: NVEWSAC nominations can be sent to Gari Mayberry via email at *gmayberry@usgs.gov.* Additional information about NVEWSAC may be found at *https://www.usgs.gov/programs/VHP/national-volcano-early-warning-system-advisory-committee-nvewsac.*

FOR FURTHER INFORMATION CONTACT: Inquiries regarding NVEWSAC can be directed to Gari Mayberry, Volcano Hazard Program Coordinator, USGS, by mail at 12201 Sunrise Valley Drive, MS 905, Reston, VA 20192; by email at *gmayberry@usgs.gov;* or by telephone at (703) 648–6711.

SUPPLEMENTARY INFORMATION: The NVEWSAC is established under Title V of the John Dingell Jr., Conservation, Management and Recreation Act, March 12, 2019 (Pub. L. 116–9) and is regulated by the Federal Advisory Committee Act (FACA). The NVEWSAC assists the Secretary in implementing NVEWS and provides an annual report to the Secretary that describes its activities and related scientific research. The NVEWSAC includes up to 30 members and will meet 1–2 times per year.

Membership will be comprised of representatives from Federal Agencies and non-Federal experts who are qualified physical scientists, natural scientists, volcanologists, geochemists, atmospheric scientists, meteorologists, engineers, remote-sensing scientists, hydrologists, and information technologists. Non-Federal experts will be appointed as Special Government Employees (SGEs). Individuals may also be selected from state and local governments, academia, and the volcano science community, who will be appointed as representative members of those organizations. Nominations received through this call may be used to fill future vacancies on the NVEWSAC.

Please be aware that applicants selected to serve as SGEs will be required, prior to appointment, to file a Confidential Financial Disclosure Report in order to avoid involvement in real or apparent conflicts of interest. You may find a copy of the Confidential Financial Disclosure Report at the following website: *https://www.doi.gov/ethics/special-government-employees/financial-disclosure.* Additionally, after appointment, members appointed as SGEs will be required to meet applicable financial disclosure and ethics training requirements. Please contact 202–208–7960 or *DOI_Ethics@sol.doi.gov* with any questions about the ethics requirements for members appointed as SGEs.

Nominees should have established records of distinguished service, be familiar with relevant areas of geology, volcanology, geography, hydrology, atmospheric science/meteorology, ecology, and related fields and have at least a general familiarity with U.S. Geological Survey programmatic activities relating to its participation in NVEWS. The candidate's field of expertise should be specified in a brief nomination letter, along with a resume providing adequate description of the nominee's qualifications, including information that would enable DOI to make an informed decision regarding membership and permit DOI to contact a potential member. Nominations are to be sent to the email address listed under **ADDRESSES**. Final selection and appointment of Committee members will be made by the Secretary of the Interior.

(Authority: 5 U.S.C. Ch. 10.)

Gari Mayberry,

Volcano Hazard Program Coordinator, Natural Hazards Mission Area.

[FR Doc. 2025–17252 Filed 9–8–25; 8:45 am]

BILLING CODE 4338–11–P

DEPARTMENT OF THE INTERIOR

National Park Service

[Docket No. NPS–2025–0037; NPS–WASO–VRP–NPS0040843; 255–PPWOIEADA0–PPMVSIE1Y.Y00000]

Improving Visitor Services in National Parks

AGENCY: National Park Service, Interior.

ACTION: Request for information (RFI).

SUMMARY: The National Park Service (NPS) seeks comments and information to identify improvements that could be made to visitor services in parks, including more efficient ways to deliver and manage those services. This RFI is part of the U.S. Department of the Interior's implementation of Executive Order (E.O.) 14314, which directs the Secretary of the Interior to take steps to improve services for U.S. residents visiting national parks.

DATES: Written comments and information are requested on or before October 9, 2025.

ADDRESSES: Interested persons should submit ideas for improving visitor services in parks via the Federal eRulemaking Portal: *https://www.regulations.gov*. Follow the instructions for submitting comments to NPS–2025–0037, which is the docket established for this RFI. While responses to this RFI do not bind the NPS to any further actions related to the responses, all comments received will be posted without change to *https://www.regulations.gov,* including any personal information provided.

Electronic Access and Filing

This document and all comments received may be viewed online through the Federal eRulemaking portal at *https://www.regulations.gov* using the docket number listed above. Electronic retrieval help and guidelines are also available at *https://www.regulations.gov*. An electronic copy of this document may also be downloaded from the Office of the Federal Register website at *https://www.federalregister.gov* and the U.S. Government Publishing Office's website at *https://www.GovInfo.gov.* All comments received before the close of business on the comment closing date indicated above will be considered and will be available for examination in the docket at the above address. Comments received after the comment closing date will be filed in the docket and will be considered to the extent practicable.

FOR FURTHER INFORMATION CONTACT: Jason Gibson, Acting Associate Director for Interpretation, Education, and Volunteers at 202–513–7247.

SUPPLEMENTARY INFORMATION: The National Park System is made up of 433 sites (often referred to as parks) that are administered by the NPS, including national parks, national historical parks, national monuments, national lakeshores, national preserves, national recreation areas, and national seashores.[1] In 2024, these parks received more than 331 million recreation visits, the largest number of visits in NPS history.[2] The NPS provides and manages an array of visitor services that enhance the experience of visitors to parks by promoting enjoyment, access, health, learning, and stewardship.

The NPS provides educational, experiential, and interpretive programs and content that lead to greater protection, appreciation, and enjoyment of parks, such as ranger-guided tours, skill-building opportunities, and information displays. The NPS designs, builds, and maintains visitor facilities, infrastructure, and other physical resources such as visitor centers, bathrooms, campgrounds, picnic areas, signage, docks, trails, and roads, and provides services such as garbage removal and water distribution. These services keep visitors safe and healthy, create opportunities for access and recreation, and are essential for visitor satisfaction. The NPS supports the efficient management and delivery of commercial visitor services by partners that provide accommodations, services, and facilities, such as lodging, food, retail, marinas, transportation, equipment rentals, and guided recreational activities.

Visitor services provided by the NPS and its partners are central to the NPS mission because these services promote meaningful experiences for park visitors through greater understanding, access, and enjoyment of America's natural, cultural, historical, and recreational treasures. Visitor services have a great influence on the quality of the experiences that visitors have in parks. Ensuring that those services are provided and managed effectively and efficiently is a priority for the NPS and the Trump administration.

Request for Information

On July 3, 2025, the President signed E.O. 14314, ''Making America Beautiful Again by Improving Our National Parks.'' E.O. 14314 announced the administration's policy to preserve opportunities for American families to make unforgettable memories at national parks, such as Grand Canyon National Park and Great Smoky Mountains National Park. In furtherance of this policy, section 2(c) of E.O. 14314 directed the Secretary of the Interior to take steps to improve services for U.S. residents visiting national parks. This RFI helps implement that direction by requesting information from the American public about how the NPS can better serve the millions of visitors that come to parks each year.

For purposes of this RFI, the term ''visitor services'' means any service provided by the NPS or its partners to visitors in parks, including, but not limited to, the services described above. Pursuant to the directive in E.O. 14314 to improve visitor services, the NPS is using this RFI to seek input from the public about how NPS can improve visitor services in parks, including how the NPS can more efficiently provide or manage such services in order to enhance the visitor experience. This includes how the NPS can provide access to visitor services in parks in a way that allows visitors to have meaningful and enjoyable experiences given increasing visitation to more popular parks and features.

The NPS expects the American public will have useful information and perspectives to share about the value that visitor services provide, including how they can be improved or otherwise changed, whether some services are unnecessary and should be eliminated, and ideas about expanding or developing new services. The NPS requests that commenters provide, to the extent possible, first-hand accounts of visitor services that were provided by the NPS or its partners that support specific suggestions for improvement or change. This will help the NPS evaluate suggestions made by the American public for their benefit.

(Authority: 54 U.S.C. 100101; E.O. 14314.)

Jason Gibson,

Acting Associate Director for Interpretation, Education, and Volunteers.

[FR Doc. 2025–17293 Filed 9–8–25; 8:45 am]

BILLING CODE 4312–52–P

[1] For a complete list of System units visit *https://www.nps.gov/aboutus/national-park-system.htm.*

[2] See *https://www.nps.gov/aboutus/visitation-numbers.htm.*

INTERNATIONAL TRADE COMMISSION

Notice of Receipt of Complaint; Solicitation of Comments Relating to the Public Interest

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has received a complaint entitled *Certain Microcurrent Facial Toning Devices and Systems Thereof, DN 3846;* the Commission is soliciting comments on any public interest issues raised by the complaint or complainant's filing pursuant to the Commission's Rules of Practice and Procedure.

FOR FURTHER INFORMATION CONTACT: Lisa R. Barton, Secretary to the Commission, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–2000. The public version of the complaint can be accessed on the Commission's Electronic Document Information System (EDIS) at *https://edis.usitc.gov.* For help accessing EDIS, please email *EDIS3Help@usitc.gov.*

General information concerning the Commission may also be obtained by accessing its internet server at United States International Trade Commission (USITC) at *https://www.usitc.gov.* The public record for this investigation may be viewed on the Commission's Electronic Document Information System (EDIS) at *https://edis.usitc.gov.* Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission has received a complaint and a submission pursuant to § 210.8(b) of the Commission's Rules of Practice and Procedure filed on behalf ZIIP Inc. and The Beauty Tech Group Ltd. on September 4, 2025. The complaint alleges violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain microcurrent facial toning devices and systems thereof. The complaint names as respondent: The Carol Cole Co. d/b/a/ NuFace of Vista, CA.

The complainant requests that the Commission issue a limited exclusion order, cease and desist orders, and impose a bond upon respondent alleged infringing articles during the 60-day Presidential review period pursuant to 19 U.S.C. 1337(j).

Proposed respondent, other interested parties, members of the public, and interested government agencies are invited to file comments on any public interest issues raised by the complaint or § 210.8(b) filing. Comments should address whether issuance of the relief specifically requested by the complainant in this investigation would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) explain how the articles potentially subject to the requested remedial orders are used in the United States;

(ii) identify any public health, safety, or welfare concerns in the United States relating to the requested remedial orders;

(iii) identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) indicate whether complainant, complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to the requested exclusion order and/or a cease and desist order within a commercially reasonable time; and

(v) explain how the requested remedial orders would impact United States consumers.

Written submissions on the public interest must be filed no later than by close of business, eight calendar days after the date of publication of this notice in the **Federal Register**. There will be further opportunities for comment on the public interest after the issuance of any final initial determination in this investigation. Any written submissions on other issues must also be filed by no later than the close of business, eight calendar days after publication of this notice in the **Federal Register**. Complainant may file replies to any written submissions no later than three calendar days after the date on which any initial submissions were due, notwithstanding § 201.14(a) of the Commission's Rules of Practice and Procedure. No other submissions will be accepted, unless requested by the Commission. Any submissions and replies filed in response to this Notice are limited to five (5) pages in length, inclusive of attachments.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above. Submissions should refer to the docket number (''Docket No. 3846'') in a prominent place on the cover page and/or the first page. (*See* Handbook for Electronic Filing Procedures, Electronic Filing Procedures [1]). Please note the Secretary's Office will accept only electronic filings during this time. Filings must be made through the Commission's Electronic Document Information System (EDIS, *https://edis.usitc.gov*.) No in-person paper-based filings or paper copies of any electronic filings will be accepted until further notice. Persons with questions regarding filing should contact the Secretary at *EDIS3Help@usitc.gov*.

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. *See* 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All information, including confidential business information and documents for which confidential treatment is properly sought, submitted to the Commission for purposes of this Investigation may be disclosed to and used: (i) by the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel,[2] solely for cybersecurity purposes. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.[3]

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of §§ 201.10 and 210.8(c) of the Commission's Rules of Practice and Procedure (19 CFR 201.10, 210.8(c)).

By order of the Commission.

Issued: September 5, 2025.

Susan Orndoff,

Supervisory Attorney.

[FR Doc. 2025–17295 Filed 9–8–25; 8:45 am]

BILLING CODE 7020–02–P

[1] Handbook for Electronic Filing Procedures: *https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf*.

[2] All contract personnel will sign appropriate nondisclosure agreements.

[3] Electronic Document Information System (EDIS): *https://edis.usitc.gov*.

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–620 and 731–TA–1445 (Review)]

Wooden Cabinets and Vanities From China; Determinations

On the basis of the record [1] developed in the subject five-year reviews, the United States International Trade Commission (''Commission'') determines, pursuant to the Tariff Act of 1930 (''the Act''), that revocation of the countervailing and antidumping duty orders on wooden cabinets and vanities from China would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

Background

The Commission instituted these reviews on March 3, 2025 (90 FR 11059) and determined on June 6, 2025, that it would conduct expedited reviews (90 FR 36070, July 31, 2025).

The Commission made these determinations pursuant to section 751(c) of the Act (19 U.S.C. 1675(c)). It completed and filed its determinations in these reviews on September 5, 2025. The views of the Commission are contained in USITC Publication 5661 (September 2025), entitled *Wooden Cabinets and Vanities from China: Investigation Nos. 701–TA–620 and 731–TA–1445 (Review)*.

By order of the Commission.

Issued: September 5, 2025.

Susan D. Orndoff,

Supervisory Attorney.

[FR Doc. 2025–17301 Filed 9–8–25; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–513 and 731–TA–1249 (Second Review)]

Sugar From Mexico; Determinations

On the basis of the record [1] developed in the subject five-year reviews, the United States International Trade Commission (''Commission'') determines, pursuant to the Tariff Act of 1930 (''the Act''), that termination of the suspended investigations on sugar from Mexico would be likely to lead to

[1] The record is defined in § 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

[1] The record is defined in § 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

Background

The Commission instituted these reviews on March 3, 2025 (90 FR 11062, March 3, 2025) and determined on June 6, 2025, that it would conduct expedited reviews (90 FR 36070, July 31, 2025).

The Commission made these determinations pursuant to section 751(c) of the Act (19 U.S.C. 1675(c)). It completed and filed its determinations in these reviews on September 5, 2025. The views of the Commission are contained in USITC Publication 5664 (September 2025), entitled *Sugar from Mexico: Investigation Nos. 701–TA–513 and 731–TA–1249 (Second Review).*

By order of the Commission.

Issued: September 5, 2025.

Susan Orndoff,

Supervisory Attorney.

[FR Doc. 2025–17291 Filed 9–8–25; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

[OMB Number 1117–0038]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Revision of a Currently Approved Collection; Title—Reporting and Recordkeeping for Digital Certificates—Form 251

AGENCY: Drug Enforcement Administration, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Department of Justice (DOJ), Drug Enforcement Administration (DEA), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 60 days until November 10, 2025.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Heather E. Achbach, Regulatory Drafting and Policy Support Section, Drug Enforcement Administration; Mailing Address: 8701 Morrissette Drive, Springfield, Virginia 22152; Telephone: (571) 776–3882; Email: *Heather.E.Achbach@dea.gov* or *DEA.PRA@dea.gov*.

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Statistics, including whether the information will have practical utility;

— Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

— Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and

— Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of This Information Collection

1. *Type of Information Collection:* Revision of a currently approved collection.

2. *Title of the Form/Collection:* Reporting and Recordkeeping for Digital Certificates

3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* DEA Form 251. The applicable component within the Department of Justice is the Drug Enforcement Administration, Diversion Control Division.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:*

Affected public (Primary): Business or other for-profit.

Affected public (Other): None.

Abstract: DEA collects information about reporting and recordkeeping for digital certificates. The application for a digital certificate is required to ensure that the person applying for the certificate is either a DEA registrant or someone who has power of attorney from a DEA registrant to sign orders for Schedule I and II substances. The DEA Certification Authority uses the information to verify the person's identity and eligibility to hold a DEA-issued digital certificate.

Under the proposed modifications of this collection, the collection will become online only and eliminate the need for paper forms. With the move to being online only, DEA is proposing to no longer have a notary requirement. Instead of the notary requirement, DEA is proposing to use *www.login.gov* as a part of the application. Last, the collection would only be one form (DEA Form 251) instead of four forms.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* DEA estimates that 86,262 registrants participate in this information collection. The time per response is 1 hour and 45 minutes for new applications and 15 minutes for renewals.

6. *An estimate of the total public burden (in hours) associated with the proposed collection:* DEA estimates that this collection takes 64,697 annual burden hours.

7. *An estimate of the total annual cost burden associated with the collection, if applicable:* $0.

TOTAL BURDEN HOURS

Activity	Number of respondents	Frequency	Total annual responses	Time per response (hours)	Total annual burden (hours)
New Applications	28,754	1	28,754	1.75 (1 hour and 45 minutes)	50,320
Renewals	57,508	1	57,508	0.25 (15 minutes)	14,377
Total	86,262	1	86,262	0.750006 (45 minutes)	64,697

If additional information is required contact: Darwin Arceo, Department Clearance Officer, United States Department of Justice, Office of Justice Management Division, Office of Chief Information Officer, Enterprise Portfolio Management, Two Constitution Square, 145 N Street NE, 4W–218, Washington, DC.

Dated: September 5, 2025.

Darwin Arceo,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2025–17274 Filed 9–8–25; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

[OMB Number 1140–0066]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Revision of a Previously Approved Collection; Title—Licensee Record-Keeping Requirements for Armor-Piercing Ammunition

AGENCY: Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice.

ACTION: 30-Day Notice.

SUMMARY: The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 30 days until October 9, 2025.

FOR FURTHER INFORMATION CONTACT: If you have comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact: Gary Griffin, FIPB, either by mail at Bureau of Alcohol, Tobacco, Firearms, and Explosives; 99 New York Ave NE; Washington DC 2022, by email at *fipb-informationcollection@atf.gov,* or telephone at 202–648–7190.

SUPPLEMENTARY INFORMATION: The proposed information collection was previously published in the **Federal Register**, volume 90 page 28814, on Tuesday, July 1, 2025, allowing a 60-day comment period. Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

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

—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

—Enhance the quality, utility, and clarity of the information to be collected; and/or

—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.

Written comments and recommendations for this information collection should be submitted within 30 days of the publication of this notice on the following website *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function and entering either the title of the information collection or the OMB Control Number 1140–0066. This information collection request may be viewed at *www.reginfo.gov.* Follow the instructions to view Department of Justice, information collections currently under review by OMB.

DOJ 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 DOJ notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Overview of This Information Collection

1. *Type of Information Collection:* Revision of a previously approved collection.

2. *Title of the Form/Collection:* Licensee Record-keeping Requirements for Armor-Piercing Ammunition.

3. *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* None.

Component: Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S. Department of Justice.

4. *Affected public who will be asked or required to respond, as well as a brief abstract: Affected Public:* Individuals or households, Private Sector-for or not for profit institutions.

Abstract: Licensed manufacturers, importers, dealers, and collectors are required to create and maintain disposition records on armor-piercing ammunition. These records are used primarily for law enforcement purposes and may be used to trace ammunition collected as evidence during a criminal investigation or court presentation. The records are required by 18 U.S.C. 922 and are necessary to support ATF's mission to enforce the Gun Control Act, particularly tracing ammunition used in crimes. Information Collection (IC) OMB #1140–0066 is being revised to change the title of the ICR to reflect that the record-keeping requirement applies to licensed manufacturers, importers, dealers, and collectors.

5. *Obligation to Respond:* Required to obtain or retain a benefit.

6. *Total Estimated Number of Respondents:* 398 respondents.

7. *Estimated Time per Respondent:* 2 minutes (0.0333 hours).

8. *Frequency:* Once annually.

9. *Total Estimated Annual Time Burden:* 13 hours.

10. *Total Estimated Annual Other Costs Burden:* $0.

If additional information is required, contact: Darwin Arceo, Department Clearance Officer, Enterprise Portfolio Management, Justice Management Division, United States Department of Justice, Two Constitution Square, 145 N Street NE, 4W–218 Washington, DC 20530.

Dated: September 5, 2025.

Darwin Arceo,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2025–17279 Filed 9–8–25; 8:45 am]

BILLING CODE 4410–FY–P

DEPARTMENT OF JUSTICE

[OMB Number 1125–0007]

Agency Information Collection Activities; Proposed Collection eComments Requested; Revision and Extension of a Previously Approved Collection; Immigration Practitioner/Organization Complaint Form (EOIR–44)

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

ACTION: 30-Day notice.

SUMMARY: The Executive Office for Immigration Review (EOIR), Department

of Justice (DOJ), will be submitting the following 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. The proposed information collection was previously published in the **Federal Register** on July 2, 2025, allowing a 60-day comment period.

DATES: Comments are encouraged and will be accepted for 30 days until October 9, 2025.

FOR FURTHER INFORMATION CONTACT: If you have comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact: Justine Fuga, Associate General Counsel, Office of the General Counsel, Executive Office for Immigration Review, 5107 Leesburg Pike, Suite 2600, Falls Church, VA 22041, telephone: (703) 305–0265, *Justine.Fuga@usdoj.gov, eoir.pra.comments@usdoj.gov.*

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
—Enhance the quality, utility, and clarity of the information to be collected; and/or
—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.

Written comments and recommendations for this information collection should be submitted within 30 days of the publication of this notice on the following website *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function and entering either the title of the information collection or the OMB Control Number 1125–0007. This ICR may be viewed at *www.reginfo.gov.* Follow the instructions to view Department of Justice information collections currently under review by OMB.

DOJ 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 DOJ notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Overview of This Information Collection

1. *Type of Information Collection:* Revision and extension of a previously approved collection.
2. *Title of the Form/Collection:* Immigration Practitioner/Organization Complaint Form.
3. *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* The agency form number is EOIR–44, and the sponsoring component is EOIR.
4. *Affected public who will be asked or required to respond, as well as a brief abstract:*

Affected Public: Individuals and households.

Abstract: Any individual may file a complaint against an immigration practitioner authorized to practice before the Board of Immigration Appeals (Board) and the immigration courts of EOIR. *See* 8 CFR 1003.102. An individual filing a complaint regarding a practitioner's behavior in proceedings before EOIR must file the complaint in writing by mail or email to EOIR's Office of the General Counsel's Attorney Discipline Unit (ADU) using Form EOIR–44. The completed form must state in detail certain information supporting the complaint, including the name and address of both the complainant and the practitioner, the date and nature of the alleged conduct or behavior at issue, the individuals involved, the harm to or damages incurred by the complainant, and any other relevant information. *See* 8 CFR 1003.104(a)(2). The information on this form will be used to determine whether the ADU should conduct a preliminary disciplinary inquiry, request additional information from the complainant, refer the matter to a state bar disciplinary authority or other law enforcement agency, or take no further action. EOIR has revised the Privacy Act Notice on the form to update citations to legal authority and clarify how EOIR uses the collected information.

5. *Obligation to Respond:* Voluntary.
6. *Total Estimated Number of Respondents:* 100.
7. *Estimated Time per Respondent:* 2 hours.
8. *Frequency:* Once a year.
9. *Total Estimated Annual Time Burden:* 200 hours.
10. *Total Estimated Annual Other Costs Burden:* The total estimated annual public cost is $1,020. There are no capital or start-up costs associated with this information collection. There are no fees associated with filing the form. Most responses are printed and submitted by mail to the agency. The total annual printing cost to individuals is estimated at $10.00 ($0.10 per page × 1 page × 100 respondents). The total postage cost to individuals is estimated at $1,010.00 ($10.10 Priority Mail flat rate envelope × 100 respondents). However, the printing and postage costs may be avoided by electronically completing the form and submitting the form by email.

If additional information is required, contact: Darwin Arceo, Department Clearance Officer, Enterprise Portfolio Management, Justice Management Division, United States Department of Justice, Two Constitution Square, 145 N Street NE, 4W–218 Washington, DC 20530.

Dated: September 5, 2025.

Darwin Arceo,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2025–17276 Filed 9–8–25; 8:45 am]

BILLING CODE 4410–30–P

DEPARTMENT OF JUSTICE

[OMB Number 1125–0002]

Agency Information Collection Activities; Proposed Collection eComments Requested; Revision and Extension of a Previously Approved Collection; Title—Notice of Appeal From a Decision of an Immigration Judge (Form EOIR–26)

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

ACTION: 30-Day notice.

SUMMARY: The Executive Office for Immigration Review (EOIR), Department of Justice (DOJ), will be submitting the following 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. The proposed

information collection was previously published in the **Federal Register** on July 1, 2025, allowing a 60-day comment period. A correction to this notice was published in the **Federal Register** on July 23, 2025, and did not affect the 60-day comment period closing date.

DATES: Comments are encouraged and will be accepted for 30 days until October 9, 2025.

FOR FURTHER INFORMATION CONTACT: If you have comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact: Justine Fuga, Associate General Counsel, Office of the General Counsel, Executive Office for Immigration Review, 5107 Leesburg Pike, Suite 2600, Falls Church, VA 22041, telephone: (703) 305–0265, *Justine.Fuga@usdoj.gov, eoir.pra.comments@usdoj.gov.*

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
—Enhance the quality, utility, and clarity of the information to be collected; and/or
—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.

Written comments and recommendations for this information collection should be submitted within 30 days of the publication of this notice on the following website *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function and entering either the title of the information collection or the OMB Control Number 1125–0002. This ICR may be viewed at *www.reginfo.gov.* Follow the instructions to view Department of Justice information collections currently under review by OMB.

DOJ 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 DOJ notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Overview of This Information Collection

1. *Type of Information Collection:* Revision and extension of a previously approved collection.

2. *Title of the Form/Collection:* Notice of Appeal from a Decision of an Immigration Judge.

3. *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* The agency form number is EOIR–26, and the sponsoring component is EOIR.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:*

Affected Public: Parties to EOIR immigration proceedings, which includes individuals who are the subject of EOIR immigration proceedings as well as Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE).

Abstract: A party (either DHS ICE or the individual (Respondent/Applicant) who is the subject of the EOIR immigration proceeding) affected by a decision of an Immigration Judge may appeal that decision to the Board of Immigration Appeals (Board or BIA), provided the Board has jurisdiction pursuant to 8 CFR 1003.1. An appeal from an Immigration Judge's decision is taken by completing the Form EOIR–26 and submitting it to the Board. *See* 8 CFR 1003.3, 1003.38. The form requests information necessary for the Board to process an appeal of an Immigration Judge decision, such as the Respondent's/Applicant's name and alien registration number (A-number), the mailing addresses for parties and the attorney or representative of record, the basis for the appeal, and proof of service of the notice of appeal. EOIR is revising this form to implement several changes. Formatting and textual revisions were made throughout the form and instructions to improve organization, clarity, and readability. EOIR also updated references to online materials. Changes were made to clarify filing instructions for paper and electronic submissions, including filing fee changes enacted under the One Big Beautiful Bill Act (''OBBBA'') (H.R. 1), signed into law on July 4, 2025. EOIR removed references and collection of information pertaining to the BIA Pro Bono Project, which currently is not an active agency program. An option was added to the form for an appellant to specify that he or she is filing an interlocutory appeal from an Immigration Judge decision. Finally, EOIR added a field to collect the email address for the appellant's attorney or authorized representative.

5. *Obligation to Respond:* Required to obtain/retain the benefit of administratively appealing a decision of an Immigration Judge.

6. *Total Estimated Number of Respondents:* 45,473.

7. *Estimated Time per Respondent:* 30 minutes (0.5 hours).

8. *Frequency:* Once a year.

9. *Total Estimated Annual Time Burden:* 22,736 hours.

10. *Total Estimated Annual Other Costs Burden:* The total estimated annual public cost is $12,747,978. Of the total number of responses received annually, 12,487 responses are submitted by mail or hand delivery from respondents/applicants subject to the $1,010 filing fee requirement and 647 responses are submitted by mail or hand delivery from DHS ICE representatives exempted from the $1,010 filing fee requirement.

Cost	Individual	DHS ICE
Printing	$0.80 per response	$0.80 per response.
Postage	$10.10 per response	$10.10 per response.
Filing Fee	$1,010 per response	$0 per response.
Total per Response	$1,020.90	$10.90.
Total for All Paper Responses Filed	*$1020.90 × 12,487 = $12,747,978*	*$10.90 × 647 = $7,052.*

If additional information is required, contact: Darwin Arceo, Department Clearance Officer, Enterprise Portfolio Management, Justice Management Division, United States Department of Justice, Two Constitution Square, 145 N Street NE, 4W–218, Washington, DC 20530.

Dated: September 5, 2025.

Darwin Arceo,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2025–17277 Filed 9–8–25; 8:45 am]

BILLING CODE 4410–30–P

DEPARTMENT OF JUSTICE

[OMB Number 1140–0075]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Revision of Previously Approved Collection; Title—Explosives Transactions Involving Limited Permittees—ATF Forms 5400.4 and 5400.30

AGENCY: Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice.

ACTION: 30-Day notice.

SUMMARY: The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection was previously published in the **Federal Register**, volume 90 page 28813, on Tuesday, July 1, 2025, allowing a 60-day comment period.

DATES: Comments are encouraged and will be accepted for 30 days until October 9, 2025.

FOR FURTHER INFORMATION CONTACT: If you have comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact: Michael O'Lena, EIPB, either by mail at 99 New York Avenue NE, Room 6.N.518, Washington, DC 20226, by email at *eipb-informationcollection@atf.gov,* or telephone at (202) 648–7120.

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
—Enhance the quality, utility, and clarity of the information to be collected; and/or
—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.

Written comments and recommendations for this information collection should be submitted within 30 days of the publication of this notice on the following website *www.reginfo.gov/public/do/*PRAMain. Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function and entering either the title of the information collection or the OMB Control Number 1140–0075. This information collection request may be viewed at *www.reginfo.gov.* Follow the instructions to view Department of Justice, information collections currently under review by OMB.

DOJ 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 DOJ notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Overview of This Information Collection

1. *Type of Information Collection:* Revision of a previously approved collection.

2. *Title of the Form/Collection:* Explosives Transactions Involving Limited Permittees.

3. *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* ATF Form 5400.4 and 5400.30.

Component: Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S. Department of Justice.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:* Affected Public: Individuals or households, Private Sector-for or not for profit institutions.

Abstract: Specific requirements for licensees and permittees to distribute explosives materials in transactions involving limited permittees, and to report lost or stolen Intrastate Purchase of Explosives Coupons. This information collection is contained in 27 CFR 555.34, 555.105, and 555.125, and 555.126. Information Collection (IC) OMB 1140–0075 is being revised to streamline the collections involving explosives limited permittees. There previously were four collections (OMB control numbers 1140–0025, 1140–0075, 1140–0077, and 1140–0079), which have been combined, simplified, and updated to remove duplicative elements, and adjusted to reflect a regulatory change currently being finalized. These changes reduced the collective burden arising from these four ICRs. This ICR now includes three collection requirements: submitting an authorized persons list, completing the Form 5400.4, Limited Permittee Transaction Report (LPTR), and reporting lost or stolen ATF Form 5400.30s, Intrastate Purchase of Explosives Coupons (IPECs). Distributors and carriers no longer have to verify the identity of the person accepting explosives delivered by common carriers, and distributors can note the identification information they do collect directly on the LPTR, thereby reducing the burden. The LPTR has also been substantially revised to reflect the streamlined information collection requirements, decreasing the amount of time for record-keeping. In addition, the number of limited permittees has decreased significantly since the previous renewal periods for the original ICRs, from 100 respondents to 13, and the number of responses has also significantly decreased. The time burden for this combined ICR has therefore decreased, due both to streamlining the combined collections and to the decrease in respondents and responses, from 1 hour per respondent or 254 hours total per year, to 25 minutes per respondent or 9.75 hours total per year.

5. *Obligation to Respond:* To obtain or retain a benefit.

6. *Total Estimated Number of Respondents:* 13 respondents.

7. *Estimated Time per Respondent:* 0.75 hours.

8. *Frequency:* Twice annually.

9. *Total Estimated Annual Time Burden:* 9.75 hours

10. *Total Estimated Annual Other Costs Burden:* $0.

If additional information is required, contact: Darwin Arceo, Department Clearance Officer, Enterprise Portfolio Management, Justice Management Division, United States Department of Justice, Two Constitution Square, 145 N Street NE, 4W–218 Washington, DC 20530.

Dated: September 5, 2025.

Darwin Arceo,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2025–17278 Filed 9–8–25; 8:45 am]

BILLING CODE 4410–FY–P

MILLENNIUM CHALLENGE CORPORATION

[MCC FR 25–05]

Reinstatement of Information Collection Request OMB No. 0414–0001

AGENCY: Millennium Challenge Corporation.

ACTION: 60 Day notice; request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Millennium Challenge Corporation (MCC) invites public comment on MCC's proposed request for approval from the Office of Management and Budget (OMB) to renew an information collection. This document describes the collection of information for which MCC intends to seek OMB approval. The purpose of this notice is to allow for 60 days of public comment preceding submission of the collection request to OMB.

DATES: Comments are due by November 10, 2025.

ADDRESSES: Please send all written comments by email to Christopher Ice, Chief Information Officer, *icece@mcc.gov.*

FOR FURTHER INFORMATION CONTACT: Requests for additional information regarding the collection listed in this notice, including requests for copies of the proposed collection instrument and supporting documentation, may be directed to Christopher Ice, Chief Information Officer, MCC, *icece@mcc.gov,* 202–521–2652.

SUPPLEMENTARY INFORMATION:

Public Comments Invited: You are asked to comment on any aspect of this information collection, including (a) whether the proposed collection of information is necessary for the proper performance of MCC's functions; (b) the accuracy of the estimated burden of the proposed collection; (c) ways for MCC to enhance the quality, utility, and clarity of the information to be collected; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection and your comments will become a matter of public record.

Title of Information Collection: MCC Restricted Data Use Application.

OMB Control Number: 0414–0001.

Type of Review: Request to reinstate a previously approved information collection.

Respondents/Affected Public: Researchers, including university and college faculty and students, who use this data for statistical analysis.

Total Estimated Number of Respondents: Approximately 10 new respondents are expected annually to access MCC-funded restricted data.

Frequency: One application for each restricted data package for which access is requested by a respondent.

Estimated Average Burden per Response: 90 minutes.

Estimated Total Annual Burden: 15 hours total.

Estimated Total Annual Cost to Public: There are no costs to respondents other than their time.

Respondents' Obligation: Voluntary reply.

Abstract: MCC is committed to providing public access to high-value data collected as part of the development, implementation, and evaluation of MCC-funded foreign assistance programs, while being equally committed to protecting the confidentiality of individuals and organizations from which the data is collected. To achieve these twin aims, MCC publishes de-identified public use files of microdata on its website through the MCC Evidence Platform. In addition, MCC makes restricted data files available in cases where the de-identification efforts for public use files would significantly impair the analytic potential of the data, or where the data contains highly sensitive information that cannot be shared as a public-use file. However, access to restricted data is only granted to users who meet eligibility criteria and agree to terms of access established by MCC, including agreeing to follow strict requirements for maintaining data confidentiality. The MCC Restricted Data Use Application collects information that is used by MCC and its data steward, the University of Michigan's Interagency Consortium for Political and Social Research (ICPSR), to evaluate whether respondents qualify for access to MCC's restricted data. The application, which is submitted electronically, requires the provision of specific information by the respondent, such as (i) the name, contact information, and CV/Resume/Biosketch for each person that will access the restricted data, (ii) a research proposal describing the need for the data and how it will be used, (iii) evidence of Institutional Review Board approval or exemption of the research proposal, and (iv) a signed restricted data use agreement.

(Authority: Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35)

Dated: September 4, 2025.

Brian Finkelstein,

Acting VP/General Counsel and Corporate Secretary.

[FR Doc. 2025–17253 Filed 9–8–25; 8:45 am]

BILLING CODE 9211–03–P

NATIONAL CAPITAL PLANNING COMMISSION

Notice of Public Comment Period for the Introduction Chapter Updates of the Comprehensive Plan for the National Capital: Federal Elements

AGENCY: National Capital Planning Commission.

ACTION: Notice of 30-day public comment period.

SUMMARY: The National Capital Planning Commission (NCPC) has released a draft update to the Introduction Chapter of the Comprehensive Plan for the National Capital: Federal Elements for public review. The chapter establishes the planning framework for the Comprehensive Plan's Federal Elements to guide agency actions, including review of projects and long-range plans that affect federal buildings, installations, campuses, and master plans in the National Capital Region. The current Comprehensive Plan's Introduction Chapter was adopted in June 2024 and was updated in response to Executive Order (E.O.) 13985 (Advancing Racial Equity and Support for Underserved Communities Through the Federal Government). By way of E.O. 14148, E.O. 13985 was rescinded, and E.O. 14151 (Ending Radical and Wasteful Government DEI Programs and Preferencing) was signed. Together, these orders required federal agencies to undo or amend agency regulations and policies that were made in accordance with E.O. 13985 or which focused on a similar purpose, thereby necessitating revisions to the Introduction Chapter. The draft update reverts the Comprehensive Plan's Introduction

Chapter back to the version that existed prior to June 2024. The Introduction Chapter is available online at: *https://www.ncpc.gov/participate/notices/.*

DATES: The public comment period closes October 9, 2025.

ADDRESSES: Written public comments on the draft may be submitted by either method: U.S. mail, courier, or hand delivered: Introduction Chapter Public Comment, National Capital Planning Commission, 401 9th Street NW, Suite 500N, Washington, DC 20004; or Electronically: *https://www.ncpc.gov/participate/notices/.*

FOR FURTHER INFORMATION CONTACT: Email *compplan@ncpc.gov.*

Authority: 40 U.S.C. 8721(a).

Dated: September 5, 2025.

Meghan Hottel-Cox,

General Counsel and Secretariat, National Capital Planning Commission.

[FR Doc. 2025–17297 Filed 9–8–25; 8:45 am]

BILLING CODE 7502–02–P

NATIONAL CAPITAL PLANNING COMMISSION

Notice of Public Comment Period for Updates to the Submission Guidelines

AGENCY: National Capital Planning Commission.

ACTION: Notice of 30-day public comment period.

SUMMARY: The National Capital Planning Commission (NCPC) has released a draft update to the Submission Guidelines for public review. Agencies that are subject to plan and project review submit development proposals to the Commission by following the process laid out in the Submission Guidelines. These guidelines describe the content of submissions, submission stages, along with the coordination and review process. The Guidelines were last amended in June 2024 in response to Executive Order 13985 (Advancing Racial Equity and Support for Underserved Communities Through the Federal Government). By way of Executive Order 14148, Executive Order 13985 was rescinded, and Executive Order 14151 (Ending Radical and Wasteful Government DEI Programs and Preferencing) was signed. Together, these orders required federal agencies to undo or amend agency regulations and policies that were made in accordance with Executive Order 13985 or which focused on a similar purpose, thereby necessitating revisions to the Guidelines. The draft update reverts the Guidelines to the version that existed prior to June 2024. The Submission Guidelines Update is available online at: *https://www.ncpc.gov/participate/notices/.*

DATES: The public comment period closes October 9, 2025.

ADDRESSES: Written public comments on the draft may be submitted by either method: U.S. mail, courier, or hand delivered: Submission Guidelines Public Comment, National Capital Planning Commission, 401 9th Street NW, Suite 500N, Washington, DC 20004; or Electronically: *https://www.ncpc.gov/participate/notices/.*

FOR FURTHER INFORMATION CONTACT: Email *submission@ncpc.gov.*

Authority: 40 U.S.C. 8721(a).

Dated: September 5, 2025.

Meghan Hottel-Cox,

General Counsel and Secretariat, National Capital Planning Commission.

[FR Doc. 2025–17298 Filed 9–8–25; 8:45 am]

BILLING CODE 7502–02–P

NUCLEAR REGULATORY COMMISSION

[NRC–2025–0414]

Information Collection: Nondiscrimination in Federally Assisted Programs or Activities Receiving Federal Financial Assistance From the Commission

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, ''Nondiscrimination in Federally Assisted Programs or Activities Receiving Federal Financial Assistance from the Commission.''

DATES: Submit comments by November 10, 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–2025–0414. 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–2025–0414 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–2025–0414. A copy of the collection of information and related instructions may be obtained without charge by accessing Docket ID NRC–2025–0414 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 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.* A copy of the collection of information and related instructions may be obtained without charge by accessing ADAMS Accession Nos. ML25197A568 (NRC Form 781) and ML25197A569 (NRC Form 782). The supporting statement and burden spreadsheet are available in ADAMS under Accession Nos. ML25197A565 and ML25203A374, 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 8:00 a.m. and 4:00 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–2025–0414, 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:* Nondiscrimination in Federally Assisted Programs or Activities Receiving Federal Financial Assistance from the Commission.
2. *OMB approval number:* 3150–0053.
3. *Type of submission:* Revision.
4. *The form number, if applicable:* NRC Forms 781 and 782.
5. *How often the collection is required or requested:* NRC Form 781, ''SBCR Compliance Review Part A,'' is submitted upon initiation or modification of a program, during the pre-award and post-award stage, periodic monitoring, and, if a complaint is being processed. NRC Form 782, ''Complaint Form,'' is submitted on occasion, if any person believes himself or any specific class of individuals, have been subjected to discrimination prohibited by part 4 of title 10 of the *Code of Federal Regulations* (10 CFR), subpart A, ''Regulations Implementing Title VI of the Civil Rights Act of 1964 and Title IV of the Energy Reorganization Act of 1974,'' on behalf of the primary funding recipient or any other recipient that received NRC Federal financial assistance through the primary funding recipient. Self-evaluations are performed throughout the duration of obligation based on 10 CFR 4.231, ''Responsibility of applicants and recipients.''
6. *Who will be required or asked to respond:* Recipients of Federal financial assistance provided by the NRC (including educational institutions, other nonprofit organizations receiving Federal assistance, and Agreement States).
7. *The estimated number of annual responses:* 502.
8. *The estimated number of annual respondents:* 200.
9. *The estimated number of hours needed annually to comply with the information collection requirement or request:* 802. (102 hours for reporting, 650 hours for recordkeeping, and 50 hours for third-party disclosures.
10. *Abstract:* All recipients of Federal financial assistance from the NRC are subject to the provisions of 10 CFR part 4, ''Nondiscrimination in Federally Assisted Programs or Activities Receiving Federal Financial Assistance from the Commission.'' Respondents must submit assurances of compliance with 10 CFR part 4 and a complete NRC Form 781, to demonstrate compliance with civil rights statutes and regulations, Executive Orders, White House education initiatives, and related provisions of the Energy Policy Act of 2005 for nondiscrimination with respect to race, color, national origin, sex, disability, or age. Respondents must also notify participants, beneficiaries, applicants, and employees of nondiscrimination practices and keep records of Federal financial assistance and of their own self-evaluations of policies and practices. In the event that discrimination is alleged in NRC-conducted and Federal financially assisted programs and activities, it may be reported using NRC Form 782.

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: September 5, 2025.

For the Nuclear Regulatory Commission.

David Cullison,

NRC Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 2025–17255 Filed 9–8–25; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–461; NRC–2025–1039]

Constellation Energy Generation, LLC; Clinton Power Station, Unit 1; Exemption

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) staff has issued an exemption from the requirement in NRC regulations that would otherwise require the application for renewal of Facility Operating License No. NPF–62 for Clinton Power Station, Unit 1, to be referred to the Advisory Committee on Reactor Safeguards for a review and report, with any report being made part of the record of the application and made available to the public, except to the extent that security classification prevents disclosure.

DATES: The exemption was issued on August 29, 2025.

ADDRESSES: Please refer to Docket ID NRC–2025–1039 when contacting the NRC staff about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

• *Federal Rulemaking Website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2025–1039. 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 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.* The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document.

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

FOR FURTHER INFORMATION CONTACT: Vaughn Thomas, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, telephone: 301–415–5897; email: *Vaughn.Thomas@nrc.gov.*

SUPPLEMENTARY INFORMATION: The text of the exemption is attached.

Dated: September 5, 2025.

For the Nuclear Regulatory Commission.

Vaughn Thomas,

Project Manager, License Renewal Projects Branch, Division of New and Renewed Licenses, Office of Nuclear Reactor Regulation.

Attachment—Exemption

NUCLEAR REGULATORY COMMISSION

Docket No. 50–461; Constellation Energy Generation, LLC; Clinton Power Station, Unit 1; Exemption

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing an exemption from the requirement in Title 10 of the *Code of Federal Regulations* (10 CFR) Part 54.25, ''Report of the Advisory Committee on Reactor Safeguards,'' that would otherwise require the application for renewal of Facility Operating License No. NPF–62 for Clinton Power Station (CPS), Unit 1, to be referred to the Advisory Committee on Reactor Safeguards (ACRS) for a review and report, with any report being made part of the record of the application and made available to the public, except to the extent that security classification prevents disclosure. The NRC, using the requirement in 10 CFR 54.15, ''Specific exemptions,'' (invoking the process in 10 CFR 50.12, Specific exemptions''), finds the criteria of 10 CFR 50.12 are met due to the special circumstance presented by Executive Order (E.O.) 14300 (90 FR 22587), ''Ordering the Reform of the Nuclear Regulatory Commission,'' section 4(b) (stating that review by ACRS of permitting and licensing issues shall focus on issues that are truly novel or noteworthy).

I. Background

Constellation Energy Generation, LLC (CEG) is the holder of Facility Operating License No. NPF–62 for CPS, Unit No. 1. The license provides, among other things, that the licensee is subject to all rules, regulations, and orders of the Commission now or hereafter in effect. CPS, Unit 1 is a General Electric boiling water reactor with a Mark 3 containment licensed to operate at 3,473 megawatts thermal. CPS, Unit 1, is located near Clinton, Illinois.

On February 14, 2024, CEG submitted to the NRC an application for renewal of the CPS, Unit 1 Facility Operating License No. NPF–62, pursuant to 10 CFR part 54, ''Requirements for Renewal of Operating Licenses for Nuclear Power Plants'' requesting renewal for a period of 20 years beyond the current facility operating license expiration on April 17, 2027 (ML24045A026). A final decision on the application is expected on or about October 9, 2025.

Under 10 CFR 54.25, ''[e]ach renewal application will be referred to the [ACRS] for a review and report. Any report will be made part of the record of the application and made available to the public, except to the extent that security classification prevents disclosure.'' The December 31, 1991 rulemaking that promulgated 10 CFR 54.25 (Nuclear Power Plant License Renewal, (56 FR 64943, 64966)) noted that review by the ACRS was desirable but such review was not required by statute.

On May 23, 2025, the President issued E.O. 14300 (90 FR 22587), ''Ordering the Reform of the Nuclear Regulatory Commission,'' and section 4(b) of E.O. 14300 states that ''[r]eview by ACRS of permitting and licensing issues shall focus on issues that are truly novel or noteworthy.''

On August 29, 2025, the NRC staff issued a Safety Evaluation (SE) (ML25238A215) documenting the NRC staff's review of the application.

II. Action

In light of E.O. 14300, the status of the review of the license renewal application for CPS, Unit 1, and the fact that the NRC staff found no ''truly novel or noteworthy'' issues in the application that would benefit from ACRS review, the NRC staff determined that a staff-initiated exemption to 10 CFR 54.25 was warranted and should be granted. Pursuant to 10 CFR 54.15, exemptions from the requirements of 10 CFR part 54 may be granted by the Commission in accordance with 10 CFR 50.12. Per 10 CFR 50.12(a), ''[t]he Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of the regulations of this part,'' when certain conditions are met. Further, per 10 CFR 50.12(a)(2), the Commission will not consider granting an exemption unless special circumstances are present. Under 10 CFR 50.12(b)(vi), special circumstances are present whenever there is present any other material circumstance not considered when the regulation was adopted for which it would be in the public interest to grant an exemption, but if such condition is relied on exclusively for satisfying paragraph (a)(2), then the exemption may not be granted until the Executive Director for Operations has consulted with the Commission. The NRC staff has determined that those criteria are met and an exemption from 10 CFR 54.25 may be granted for the reasons explained below.

III. Discussion

As described in 10 CFR 1.13, the ACRS was established by the Atomic Energy Act of 1954 (AEA), as amended. Among other things, the ACRS reviews and reports on safety studies and applications for construction permits and facility operating licenses and reviews any generic issues or other matters referred to it by the Commission for advice.

Paragraph 10 CFR 54.25, as originally promulgated in 1991, requires that ''[e]ach renewal application will be referred to the [ACRS] for a review and report. Any report will be made part of the record of the application and made available to the public, except to the extent that security classification prevents disclosure.'' The December 31,1991 rulemaking notice explained (56 FR 64966) the background of the requirement thusly:

Section 182.b of the AEA states:

The ACRS shall review each application under section 103 or section 104b. for a construction permit or an operating license for a facility, any application under section 104c. for a construction permit or an operating license for a testing facility, any application under section 104a. or c. specifically referred to it by the Commission, and any application for an amendment to a construction permit or an amendment to an operating license under section 103 or 104a., b., or c. specifically referred to it by the Commission * * *

Section 182.b does not explicitly refer to applications for renewal of an operating license as requiring ACRS review. However, The Commission believes that review by the ACRS is desirable. Accordingly, § 54.25 of the final rule requires ACRS review of a license renewal application.

The Commission has not changed 10 CFR 54.25 since its initial issuance in 1991. Further, no subsequent amendments of the AEA have set forth a requirement for the ACRS to review an application for a renewed license.

10 CFR 54.15, states that ''[e]xemptions from the requirements of this part may be granted by the Commission in accordance with 10 CFR 50.12.'' 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 the regulations of this part, which are authorized by law, will not present an undue risk to the public health and safety,

and are consistent with the common defense and security.''

Exemptions Are Authorized by Law

For an exemption to be authorized by law the item to be exempted cannot be required by statute. The requirement in 10 CFR 54.25 is not required by the AEA, nor required by any other law. As noted by the Commission in 1991 (56 FR at 64,966), the AEA does not explicitly refer to applications for renewal of an operating license as requiring ACRS review. This remains true today. Accordingly, the NRC staff finds that the exemption is authorized by law.

Exemption Will Not Present an Undue Risk to the Public Health and Safety

The standards and criteria that must be met before the Commission issues a renewed license are not affected by an exemption to 10 CFR 54.25. After an exemption to 54.25, the regulation at 10 CFR 54.29 will continue to set forth the safety criteria that must be met before a renewed license may be issued by the Commission. The NRC staff, which has a robust process for reviewing applications for renewed licenses, has completed its detailed review of how the CPS, Unit 1, application addressed the standards of 10 CFR 54.29 (and other relevant regulations). The result of the safety review is documented in an August 29, 2025, SE report. The already-completed reviews by the NRC staff confirmed that the application did not contain anything ''truly novel or noteworthy,'' thereby assuring that an exemption from the 10 CFR 54.25 requirement to refer the application to ACRS will not present an undue risk to public health and safety.

Exemption Is Consistent With the Common Defense and Security

The NRC staff has determined that the exemption from ACRS review of the CPS license renewal application does not impact common defense and security in large part because the common defense and security are not within the scope of the license renewal review that is concerned with aging effects. When promulgating revisions to the license renewal rules (60 FR 22461, 22463–64) in 1995, the Commission re-affirmed its philosophy that the existing regulatory process is adequate to ensure that the licensing bases of all currently operating plants provides and maintains an acceptable level of safety so that operation will not be inimical to public health and safety or common defense and security. The exemption from ACRS review otherwise required by 10 CFR 54.25, does not alter any common defense or security matter or regulation. Thus, the exemption is consistent with common defense and security.

Special Circumstances Are Present

Pursuant to 10 CFR 50.12(a)(2), the Commission will not consider granting an exemption unless special circumstances are present. 10 CFR 50.12(a)(2)(vi) states that special circumstances are present when, ''[t]here is present any other material circumstance not considered when the regulation was adopted for which it would be in the public interest to grant an exemption. If such condition is relied on exclusively for satisfying paragraph (a)(2) of this section, the exemption may not be granted until the Executive Director for Operations has consulted with the Commission.''

The 2025 E.O. 14300 did not, of course, exist when 10 CFR 54.25 was promulgated in 1991. Thus E.O. 14300 was not, and could not, be considered when 10 CFR 54.25 was issued with a blanket requirement that renewal applications be referred to ACRS. Section 4(b) of E.O. 14300 states that the ''[r]eview by ACRS of permitting and licensing issues shall focus on issues that are truly novel or noteworthy.'' The NRC staff determined that there were no ''truly novel or noteworthy'' issues in the CPS, Unit 1, license renewal application. To make a determination that the CPS, Unit 1, application contained no novel or noteworthy issues, the NRC staff drew upon its demonstrated past experience with a total of 90 approved license renewal applications and 13 approved subsequent license renewal applications. When those past reviews identified novel or noteworthy issues (*e.g.,* issues related to buried gray cast iron piping), the NRC staff took appropriate action. However, no such issues are present in the CPS, Unit 1, application. Accordingly, because the Commission did not specifically refer this application for ACRS review, there are no ''truly novel or noteworthy'' issues in the CPS, Unit 1, application. Furthermore, since E.O. 14300 was recently issued, the NRC staff finds that special circumstances are present pursuant to 10 CFR 50.12(a)(2). Thus, given that following E.O. 14300 is in the public interest, the E.O. represents the special circumstance under 10 CFR 50.12(a)(2)(vi) and an exemption from 54.25 is warranted. In fulfillment of 10 CFR 50.12(a)(2)(vi), the EDO consulted with the Commission.

Environmental Consideration

This exemption removes the requirement in 10 CFR 54.25 to refer the renewal application to the ACRS for a review and report, with any report being made part of the record of the application and made available to the public, except to the extent that security classification prevents disclosure. The NRC staff has determined that this exemption does not have an effect on the human environment and therefore, a categorical exclusion under 10 CFR 51.22 is appropriate.

Under 10 CFR 51.22(a), licensing, regulatory, and administrative actions eligible for categorical exclusion shall meet the following criterion, namely that ''[t]he action belongs to a category of actions which the Commission, by rule or regulation, has declared to be a categorical exclusion, after first finding that the category of actions does not individually or cumulatively have a significant effect on the human environment.'' Under 10 CFR 51.22(c)(25) categories of actions that are categorical exclusions include granting of an exemption from the requirements of any regulation of this 10 CFR Chapter I, provided that: (i) there is no significant hazards consideration; (ii) there is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite; (iii) there is no significant increase in individual or cumulative public or occupational radiation exposure; (iv) there is no significant construction impact; (v) there is no significant increase in the potential for or consequences from radiological accidents; and (vi) the requirements from which an exemption is sought involving an item listed in 10 CFR 51.22(c)(25)(vi)(A)–(I); 10 CFR 51.22(c)(25)(vi)(A), (B), and (I) are ''recordkeeping requirements,'' ''reporting requirements,'' or ''other requirements of an administrative, managerial, or organizational nature,'' respectively. As explained below, these criteria are satisfied.

An exemption involves no significant hazards consideration if, as provided in 10 CFR 50.92(c), operation of the facility in accordance with the proposed exemption would not: ''(1) [i]nvolve a significant increase in the probability or consequences of an accident previously evaluated; or (2) [c]reate the possibility of a new or different kind of accident from any accident previously evaluated; or (3) [i]nvolve a significant reduction in a margin of safety.'' This exemption has no bearing on the operation of the CPS and the NRC staff identified no ''truly novel or noteworthy'' issues for an ACRS review. Referring (or declining to refer) the application to the ACRS does not change any manner in which CPS would operate, and accordingly the factors above are met. The requirement in 10 CFR 54.25 for the application to be referred to the ACRS for review and report, with any report being made part of the record of the application, fit within 10 CFR 51.22(c)(25)(vi)(A), (B), and (I) in that they involve ''recordkeeping requirements,'' ''reporting requirements,'' and ''other requirements of an administrative, managerial, or organizational nature.'' Accordingly, an exemption from 10 CFR 54.25 meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(25). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the exemption.

IV. Conclusions

Accordingly, the Commission has determined that, pursuant to 10 CFR 54.15 ''Specific exemptions,'' (stating that exemptions from the requirements of 10 CFR part 54 may be granted by the Commission in accordance with 10 CFR 50.12), an exemption from 10 CFR 54.25 requirement to send the CPS, Unit 1, license renewal application to the ACRS for review is granted. The standards of 10 CFR 50.12(a) are met in that the exemption from 10 CFR 54.25 is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security, and special circumstances are present, and the EDO has consulted with the Commission. Therefore, the renewal application is no longer required to be referred to the ACRS for a review and report.

The exemption is effective upon issuance.

Dated at Rockville, Maryland, this 29th day of August, 2025.

For the Nuclear Regulatory Commission.

/RA/ (Lauren Gibson for)

Michele Sampson,

Director, Division of New and Renewed Licenses, Office of Nuclear Reactor Regulation.

[FR Doc. 2025–17282 Filed 9–8–25; 8:45 am]

BILLING CODE 7590–01–P

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2025–1669 and K2025–1660; MC2025–1670 and K2025–1661; MC2025–1671 and K2025–1662; MC2025–1672 and K2025–1663; MC2025–1673 and K2025–1664; MC2025–1674 and K2025–1665]

New Postal Products

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing for the Commission's consideration concerning a negotiated service agreement. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* September 12, 2025.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at *https://www.prc.gov*. Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Introduction

Pursuant to 39 CFR 3041.405, the Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to Competitive negotiated service agreement(s). The request(s) may propose the addition of a negotiated service agreement from the Competitive product list or the modification of an existing product currently appearing on the Competitive product list.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (*http://www.prc.gov*). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3011.301.[1]

Section II identifies the docket number(s) associated with each Postal Service request, if any, that will be reviewed in a public proceeding as defined by 39 CFR 3010.101(p), the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each such request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 and 39 CFR 3000.114 (Public Representative). The Public Representative does not represent any individual person, entity or particular point of view, and, when Commission attorneys are appointed, no attorney-client relationship is established. Section II also establishes comment deadline(s) pertaining to each such request.

The Commission invites comments on whether the Postal Service's request(s) identified in Section II, if any, are consistent with the policies of title 39. Applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3035, and 39 CFR part 3041. Comment deadline(s) for each such request, if any, appear in Section II.

Section III identifies the docket number(s) associated with each Postal Service request, if any, to add a standardized distinct product to the Competitive product list or to amend a standardized distinct product, the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. Standardized distinct products are negotiated service agreements that are variations of one or more Competitive products, and for which financial models, minimum rates, and classification criteria have undergone advance Commission review. *See* 39 CFR 3041.110(n); 39 CFR 3041.205(a). Such requests are reviewed in summary proceedings pursuant to 39 CFR 3041.325(c)(2) and 39 CFR 3041.505(f)(1). Pursuant to 39 CFR 3041.405(c)–(d), the Commission does not appoint a Public Representative or request public comment in proceedings to review such requests. The comment due date discussed above does not apply to Section III proceedings (Docket Nos. MC2025–1671 and K2025–1662; MC2025–1672 and K2025–1663 and MC2025–1674 and K2025–1665).

[1] *See* Docket No. RM2018–3, Order Adopting Final Rules Relating to Non-Public Information, June 27, 2018, Attachment A at 19–22 (Order No. 4679).

II. Public Proceeding(s)

1. *Docket No(s).:* MC2025–1669 and K2025–1660; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 1408 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* September 4, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Christopher Mohr; *Comments Due:* September 12, 2025.

2. *Docket No(s).:* MC2025–1670 and K2025–1661; *Filing Title:* USPS Request to Add Priority Mail Contract 926 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* September 4, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Jennaca Upperman; *Comments Due:* September 12, 2025.

3. *Docket No(s).:* MC2025–1673 and K2025–1664; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 1409 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* September 4, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Jennaca Upperman; *Comments Due:* September 12, 2025.

III. Summary Proceeding(s)

1. *Docket No(s).:* MC2025–1671 and K2025–1662; *Filing Title:* USPS Request to Add New Fulfillment Standardized Distinct Product, PM–GA Contract 845, and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* September 4, 2025; *Filing Authority:* 39 U.S.C. 3642 and 3633, 39 CFR 3035.105, and 39 CFR 3041.325.

2. *Docket No(s).:* MC2025–1672 and K2025–1663; *Filing Title:* USPS Request to Add New Fulfillment Standardized Distinct Product, PM–GA Contract 846, and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* September 4, 2025; *Filing Authority:* 39 U.S.C. 3642 and 3633, 39 CFR 3035.105, and 39 CFR 3041.325.

3. *Docket No(s).:* MC2025–1674 and K2025–1665; *Filing Title:* USPS Request to Add New Fulfillment Standardized Distinct Product, PM–GA Contract 847, and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* September 4, 2025; *Filing Authority:* 39 U.S.C. 3642 and 3633, 39 CFR 3035.105, and 39 CFR 3041.325.

This Notice will be published in the **Federal Register**.

Erica A. Barker,

Secretary.

[FR Doc. 2025–17286 Filed 9–8–25; 8:45 am]

BILLING CODE 7710–FW–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103869; File No. SR–CboeBZX–2025–086]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Order Approving a Proposed Rule Change To Amend Rule 11.23 Regarding the Closing Auction

September 4, 2025.

I. Introduction

On July 10, 2025, Cboe BZX Exchange, Inc. (''Exchange'' or ''BZX'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'' or ''Exchange Act'') [1] and Rule 19b–4 thereunder,[2] a proposal to amend BZX Rule 11.23 to revise the pricing of Late-Limit-On-Close (''LLOC'') and Limit-On-Close (''LOC'') orders, and the entry, modification, and cancellation times applicable to LLOC and LOC orders. The proposed rule change was published for comment in the **Federal Register** on July 22, 2025.[3] The Commission received no comments on the proposed rule change. This order grants approval of the proposed rule change.

II. Description of the Proposed Rule Change

A. Background

Pursuant to BZX Rule 11.23(c), the Exchange conducts a Closing Auction to establish the BZX Official Closing Price.[4] The Exchange offers three order types that are designated to participate in the Closing Auction. A Market-On-Close (''MOC'') [5] order is a BZX market order that is designated for execution only in the Closing Auction or Cboe Market Close.[6] An LOC order is a BZX limit order that is designated for execution only in the Closing Auction.[7] An LLOC order is a BZX limit order that is designated for execution only in the Closing Auction, but if an LLOC bid or offer has a limit price that is more aggressive than the NBB [8] or NBO,[9] the price of such bid or offer is adjusted to be equal to the NBB or NBO, respectively, at the time of receipt by the Exchange.[10] Each of the three aforementioned order types is also defined as an Eligible Auction Order under Rule 11.23(a)(8). The Closing Auction occurs at approximately 4:00 p.m. ET [11] on each day that BZX is open for trading. The Exchange has set forth detailed parameters around the ability of Users [12] to submit, modify, and cancel orders prior to conducting the Closing Auction and arriving at the BZX Official Closing Price.[13]

B. Proposed Changes to Closing Auction Orders

The Exchange proposes to amend BZX Rule 11.23(a)(11) and BZX Rule 11.23(a)(13) to revise how LLOC and LOC orders are priced. Additionally, the Exchange proposes to amend BZX Rule 11.23(c)(1)(A) and BZX Rule 11.23(c)(1)(B) to change the time by which market makers and other Users must submit, modify, or cancel their LLOC and LOC orders.[14]

Late-Limit-On-Close Orders

An LLOC order currently has its price adjusted to the NBB or NBO if the limit price of the LLOC order is more aggressive than the NBB or NBO upon the Exchange's receipt of the LLOC order.[15] If the NBB or NBO becomes more aggressive, the price of the LLOC order will be adjusted to the more aggressive price, so long as that price is not more aggressive than the original limit price entered by the User.[16] The limit price of an LLOC order will not be adjusted to a less aggressive price unless otherwise provided by Exchange Rules.[17] The Exchange proposes to permit an LLOC order to have its limit price adjusted to both more aggressive prices and less aggressive prices, so long as the adjusted price is not priced higher (for buy orders) or lower (for sell orders) than its User-entered limit price.[18]

The Exchange also proposes to introduce language that it believes better describes the behavior of LLOC orders when the NBB or NBO, respectively, is not available.[19] The Exchange proposes that if there is no NBB or NBO available upon receipt of the LLOC bid or offer by the Exchange, that LLOC bid or offer, respectively, will assume its entered limit price. Additionally, if the NBB or NBO becomes unavailable after the respective LLOC bid or offer has been adjusted to the NBB or NBO before it becomes unavailable, the respective LLOC bid or offer will maintain its most recent adjusted price and would not have its price adjusted until the NBB or NBO, respectively, was available.[20]

In addition to permitting LLOC orders to be re-priced to both higher and lower prices as described above, the Exchange also proposes to amend the time at which Users, including those serving as LMMs, may begin to submit LLOC orders to the Exchange.[21] Currently, LLOC orders may not be submitted before 3:59 p.m. and any LLOC order submitted prior to 3:59 p.m. will be rejected. Now, the Exchange proposes to amend Rule 11.23(c)(1)(A) to permit LMMs and other Users to submit LLOC orders to the Exchange beginning at 3:55 p.m.[22] The Exchange also proposes that once entered, Users may not modify or cancel an LLOC order.[23] LLOC orders will continue to be accepted until 4:00 p.m.

Limit-On-Close Orders

The Exchange proposes to amend Rule 11.23(c)(1)(A) to limit the ability of LMMs and other Users to modify or cancel LOC orders between 3:55 p.m. and 3:59 p.m. While LMMs and other Users will retain the ability to submit LOC orders until 3:59 p.m., the Exchange proposes that LOC orders cannot be modified or cancelled between 3:55 p.m. and 3:59 p.m.,

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 103492 (July 17, 2025), 90 FR 34542 (''Notice'').

[4] The term ''BZX Official Closing Price'' shall mean the price disseminated to the consolidated tape as the market center closing trade. *See* BZX Rule 11.23(a)(3).

[5] *See* Exchange Rule 11.23(a)(15).

[6] *See* BZX Rule 11.28. Cboe Market Close is a closing match process for non-BZX-listed securities. *See* BZX Rule 11.28. The proposed changes do not affect the operation of Cboe Market Close.

[7] *See* BZX Rule 11.23(a)(13).

[8] *See* BZX Rule 1.5(o).

[9] *Id.*

[10] *See* BZX Rule 11.23(a)(11). Where the NBB or NBO becomes more aggressive, the limit price of the LLOC bid or offer will be adjusted to the more aggressive price, provided that the more aggressive price is not more aggressive than the original User entered limit price. *See id.* The limit price of an LLOC order will not be adjusted to a less aggressive price, unless otherwise provided by Exchange Rules. *See id.* If there is no NBB or NBO, the LLOC bid or offer will assume its entered limit price. *See id.*

[11] Hereinafter, all times referenced shall be in Eastern Time (ET).

[12] The term ''User'' shall mean any Member or Sponsored Participant who is authorized to obtain access to the System pursuant to Rule 11.3. *Id.* at 34543 at n. 4.

[13] For a detailed description of the BZX Closing Auction, *see* Notice, *supra* note 3, at 34544–45.

[14] *See* Notice, *supra* note 3, at 34545.

[15] *See id.* (citing Exchange Rule 11.23(a)(11)).

[16] *Id.*

[17] *Id.*

[18] *Id.*

[19] *See* Notice, *supra* note 3, at 34546.

[20] *Id.*

[21] *Id.*

[22] *Id.*

[23] *Id.*

regardless of when the LOC order was received by the Exchange.[24]

In addition, the Exchange proposes to amend Rule 11.23(a)(13) to introduce re-pricing behavior for LOC orders entered in BZX-listed corporate securities (as described in Rule 14.8 and Rule 14.9).[25] As proposed, an LOC order in a BZX-listed corporate security entered between 3:55 p.m. and 3:59 p.m. will be accepted at its limit price, unless the limit price is higher (for buy orders) or lower (for sell orders) than the 3:55 p.m. Reference Price.[26] LOC orders in BZX-listed corporate securities that have a limit price that is priced higher (for buy orders) or lower (for sell orders) than the 3:55 p.m. Reference Price will be re-priced to the 3:55 p.m. Reference Price.[27] If there is no Reference Price available in a particular security due to a lack of liquidity on the BZX Book, the LOC order will not be re-priced and will maintain its original limit price. The Exchange does not propose to amend the price of LOC orders entered in BZX-listed ETPs. An LOC order entered in a BZX-listed ETP will be accepted at its limit price and will not have its price adjusted by the System.

III. Discussion and Commission Findings

After careful review, the Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange.[28] Specifically, the Commission finds that the proposed rule change is consistent with Section 6(b)(5) of the Act,[29] which requires that the rules of a national securities exchange be designed, among other things, to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, to protect investors and the public interest, and not be designed to permit unfair discrimination between customers, issuers, brokers or dealers.

The proposed changes limit price movement through the prohibition of order modifications and cancellations during certain time periods ahead of the Closing Auction,[30] extend the time by which Users can submit LLOC and LOC orders and amend how LOC orders and LLOC orders are re-priced under certain circumstances. The proposed changes are intended to provide LMMs and other Users with additional information about the potential price at which an LOC or LLOC order designated for execution in the Closing Auction may execute, which may provide a more accurate BZX Official Closing Price. Further, the proposal potentially reduces the level of price volatility ahead of the Closing Auction by limiting activity at certain times, while continuing to allow LLMs and other Users opportunities to submit imbalance offsetting orders, which enable LMMs and other Users to control their LLOC and LOC price-forming orders.

The proposal to limit the re-pricing of LOC orders submitted between 3:55 p.m. and 3:59 p.m., to only those cases in which the limit price is higher (for buy orders) or lower (for sell orders) than the 3:55 p.m. Reference Price of BZX-listed corporate securities is also reasonably designed to minimize the amount of price volatility ahead of the Closing Auction. While the Exchange proposes to introduce this re-pricing behavior only for BZX-listed corporate securities rather than all BZX-listed securities, the Exchange noted that segmentation between corporate securities and all other securities already exists under BZX Rule 11.23(c)(2)(B) in that securities other than BZX-listed corporate securities have alternative methods in determining the BZX Official Closing Price that are not available to BZX-listed corporate securities.[31] The Exchange further states its proposal seeks to balance feedback from the LMMs and other Users who trade BZX-listed corporate securities that desire less price volatility approaching the Closing Auction with the needs of the LMMs responsible for submitting price-forming LOC orders ahead of the Closing Auction in ETPs, some of which tend to have volatile price swings that are anticipated based on the underlying holdings and makeup of the product.[32]

IV. Conclusion

For the reasons set forth above, the Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange and, in particular, the requirements of Section 6(b)(5) of the Act.[33]

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,[34] that the proposed rule change (SR–CboeBZX–2025–086) be, and hereby is approved.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[35]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–17248 Filed 9–8–25; 8:45 am]

BILLING CODE 8011–01–P

[24] *See* Notice, *supra* note 3, at 34547.

[25] *Id.* (citing Exchange Rule 14.8 (General Listing Requirements—Tier I) and Exchange Rule 14.9 (General Listing Requirements—Tier II)). A BZX-listed corporate security includes a Company's Primary Equity Security as well as rights, warrants, preferred and secondary classes of stock, and closed-end management investment companies registered under the Investment Company Act of 1940 (''Closed-End Funds''). *Id.* at n. 50.

[26] *Id.* (citing Exchange Rule 11.23(a)(19)). The term ''Reference Price'' shall mean the price within the Reference Price Range that maximizes the number of Eligible Auction Order shares associated with the less of the Reference Buy Shares and the Reference Sell Shares as determined at each price level within the Reference Price Range, that minimizes the absolute difference between Reference Buy Shares and Reference Sell Shares, and minimizes the distance from the Volume Based Tie Breaker. *Id.* at n. 51.

[27] *See* Notice, *supra* note 3, at 34547. The Exchange states that if the System is not able to ingest the 3:55 p.m. Reference Price due to a technical or systems issue at the Exchange, the LOC order will be re-priced upon receipt of the first available Reference Price after System recovery. If the Closing Auction cannot be completed due to a technical or systems issue at the Exchange, the LOC order will not be re-priced and will maintain its original, User-entered limit price. *Id.* at n. 52.

[28] In approving this proposed rule change the Commission notes that it has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[29] 15 U.S.C. 78f(b)(5).

[30] The Exchange notes that the rules of other national securities exchanges similarly prohibit modifications and cancellations to MOC, LOC, and Imbalance-Only orders. *See* Notice, *supra* note 3, at 34548 (citing Nasdaq Equity 4, Rule 4702(b)(11)(A) (''Market On Close Order''); Nasdaq Equity 4, Rule 4702(b)(12)(A) (''Limit On Close Order''); Nasdaq Equity 4, Rule 4702(13)(A) (''Imbalance Only Order''); NYSE Arca Rule 7.35–E(d)(2)(A)–(B)).

[31] *See* Notice, *supra* note 3, at 34547 (citing Exchange Rule 11.23(c)(2)(B)(i), Exchange Rule 11.23(c)(2)(B)(ii)(a), and Exchange Rule 11.23(c)(2)(B)(ii)(b)).

[32] *Id.*

[33] 15 U.S.C. 78f(b)(5).

[34] 15 U.S.C. 78s(b)(2).

[35] 17 CFR 200.30–3(a)(12) and 17 CFR 200.30(a)(76).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103868; File No. SR–CboeBYX–2025–026]

Self-Regulatory Organizations; Cboe BYX Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Adopt Fees for the All Cancels Data Report

September 4, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on August 25, 2025, Cboe BYX Exchange, Inc. (the ''Exchange'' or ''BYX'') filed with the

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Cboe BYX Exchange, Inc. (the ''Exchange'' or ''BYX'') proposes to adopt fees for its new offering of a market data report. The text of the proposed rule change is provided in Exhibit 5.

The text of the proposed rule change is also available on the Exchange's website (*http://markets.cboe.com/us/equities/regulation/rule_filings/BYX/*) and at the Exchange's Office of the Secretary.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend its fee schedule to adopt fees for the All Cancels Report, effective August 25, 2025. The Exchange recently adopted a new data product known as the All Cancels Report as part of the Cboe Timestamping Service.[3] The Cboe Timestamping Service reports provide timestamp information for orders and cancels for market participants. More specifically, the Cboe Timestamping Service reports provide various timestamps relating to the message lifecycle throughout the exchange system. The first report that is currently offered—the Missed Liquidity Report—covers order messages and the second report—Cancels Report[4]—covers cancel messages. Lastly, the recent addition of the All Cancels Report supplements the existing Missed Cancels Report[5] by offering a comprehensive view of cancel behavior and messaging activity. In comparison to the existing Missed Cancels Report, the All Cancels Report includes all cancel-related messages sent by the subscriber, irrespective of whether the cancel attempt was successful or associated with a trade event.

The current Missed Cancels Report provides liquidity response time details for orders that rest on the book where the subscribing firm receiving the report attempted to cancel that resting order or any other resting order within an Exchange-determined amount of time (not to exceed 1 millisecond) after receipt of the order that executed against the resting order and within an Exchange-determined amount of time (not to exceed 100 microseconds) before receipt of the order that executed against the resting order. For example, if a market participant sends in a cancel message, but an order resting on the Exchange order book was executed prior to the system processing the cancel message, the Missed Cancels Report can assist the market participant in determining by how much time that order missed being canceled instead of executing.[6]

In contrast, the All Cancels Report provides a comprehensive view of cancel behavior and messaging activity when the subscriber is the originator of the cancel-related message.[7] It is particularly useful for analyzing cancel patterns across all market scenarios, including those where no trade occurred. Cancel, cancel rejected, or purge/mass cancel records for the subscriber are included, regardless of their timing or relation to a trade.

The All Cancels Report includes the following data elements for cancels: (1) Message Type;[8] (2) Date; (3) Firm ID; (4) Session Sub ID; (5) Client Identifier;[9] (6) Cboe Order ID;[10] (7) Symbol; (8) Exchange System Timestamps;[11] (9) Matching Unit number;[12] (10) Queued;[13] and (11) Port Type.[14]

The Exchange now proposes to assess the following monthly fees for Members and Sponsored Participants that wish to purchase the All Cancels Report. The Exchange proposes a monthly flat fee of $1,000 for the All Cancels Report for a subscribing firm and, if a subscribing firm wishes to purchase both the Missed Cancels and the All Cancels Report, a monthly flat fee of $1,500 for both reports.[15] For a mid-month subscription, the monthly fee shall be prorated based on the initial date of the subscription.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the ''Act'') and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[16] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[17] requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation

[3] *See* Securities Exchange Act Release No. 103715 (August 14, 2025), 90 FR 40450 (August 19, 2025) (SR–CboeBYX–2025–025).

[4] In connection with the offering of this new report, the Exchange proposes to modify the title of the current Cancels Report to Missed Cancels Report in order to provide clarity between the existing Cancels Report, and the new proposed All Cancels Report.

[5] *Id.*

[6] For example, Participant A submits an order that is posted to the Exchange's Book and Participant B at some point thereafter submits a marketable order to execute against Participant A's resting order. Within 500 microseconds of submission of Participant B's order, Participant A sends a cancel message to cancel its resting order. Because Participant B's order is processed at the Matching Engine by the Exchange before Participant A's cancel message, Participant B's order executes against Participant A's resting order. The proposed Report would provide Participant A the data points necessary for that firm to calculate by how much time they missed canceling its resting order.

[7] The report shall not include any trade records or aggressor information.

[8] Represents if it was a cancel, mass cancel or purge, a cancel rejected, or a quote update cancel.

[9] The unique ClOrdID or MassCancelID assigned by the client.

[10] The Cboe Order ID is a unique reference number assigned by the Exchange.

[11] Includes Network Discovery Time (which is a network hardware switch timestamp taken at the network capture point); Order Handler NIC Timestamp (which is a hardware timestamp that represents when a BOE order handler server NIC observed the message); Order Handler Received Timestamp (which is software timestamp that represents when the FIX or BOE order handler has begun processing the order after the socket read); Order Handler Send Timestamp (which represents when the FIX or BOE order handler has finished processing the order and begun sending to the matching engine); Matching Engine NIC Timestamp (which is a hardware timestamp that represents when the target matching engine server NIC observed the message); and Matching Engine Transaction Timestamp (which is a software timestamp that represents when the matching engine has started processing an event).

[12] Represents the matching unit number.

[13] Flag to indicate whether a message was delayed due to message in flight limits (*i.e.,* a limit on the total number of messages in flight between an order handler and a matching engine).

[14] Refers to the port type used by the session to send the applicable message.

[15] The standalone price for the Missed Cancels Report shall remain at $1,000.

[16] 15 U.S.C. 78f(b).

[17] 15 U.S.C. 78f(b)(5).

and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5) [18] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers. The Exchange also believes the proposed rule change is consistent with Section 6(b)(4) of the Act,[19] which requires that Exchange rules provide for the equitable allocation of reasonable dues, fees, and other charges among its Members and other persons using its facilities.

In adopting Regulation NMS, the Commission granted self-regulatory organizations (''SROs'') and broker dealers increased authority and flexibility to offer new and unique market data to consumers of such data. It was believed that this authority would expand the amount of data available to users and consumers of such data and also spur innovation and competition for the provision of market data. The Exchange believes that the proposed reports are the sort of market data product that the Commission envisioned when it adopted Regulation NMS.

The Commission concluded that Regulation NMS—by deregulating the market in proprietary data—would itself further the Act's goals of facilitating efficiency and competition: ''[E]fficiency is promoted when broker-dealers who do not need the data beyond the prices, sizes, market center identifications of the NBBO and consolidated last sale information are not required to receive (and pay for) such data. The Commission also believes that efficiency is promoted when broker-dealers may choose to receive (and pay for) additional market data based on their own internal analysis of the need for such data.'' [20]

By removing ''unnecessary regulatory restrictions'' on the ability of exchanges to sell their own data, Regulation NMS advanced the goals of the Act and the principles reflected in its legislative history. The All Cancels Report provides investors with new options for receiving market data, which was a primary goal of the market data amendments adopted by Regulation NMS.[21]

The All Cancels Report is designed for Members and Sponsored Participants that are interested in gaining insight into latency in connection with their respective cancel messages. The Exchange believes that providing this optional data to interested market participants for a fee is consistent with facilitating transactions in securities, removing impediments to and perfecting the mechanism of a free and open market and a national market system, and, in general, protecting investors and the public interest because it provides additional information and insight to subscribing market participants regarding their trading activity on the Exchange. More specifically, the proposed report provides greater visibility of cancel behavior and messaging activity—particularly for analyzing cancel patterns across all market scenarios, including those where no trade occurred. information and insight into their trading activity on the Exchange.

The Exchange believes the fee proposals for All Cancels Report is reasonable as the Exchange is offering any Member or Sponsored Participant access to subscribe to this report in the subscribing firm's sole discretion based on their unique business needs. The report is optional for Members and Sponsored Participants to subscribe to if they believe it to be helpful and is not required for Members or Sponsored Participants to purchase in order to access the Exchange. Additionally, a subscribing firm may cancel their usage of this report at any time.

The Exchange believes its proposed fee for the All Cancels Report is reasonable as it's a modest, flat fee of $1,000/month, the same as the existing Missed Cancels Report.[22] Furthermore, the Exchange proposes to offer a bundled rate of $1,500 to a Member or Sponsored Participant that wishes to purchase both of these reports.

The proposal would also not permit unfair discrimination as the All Cancels Report will be available to all Members and Sponsored Participants, who may opt to subscribe to the report, and will help to protect a free and open market by continuing to provide additional non-core data (offered on an optional basis for a fee) to the marketplace and by providing investors with greater choices.[23] As such, the Exchange believes that the proposed fees are reasonable.

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 believes the reports will contribute to robust competition among national securities exchanges. The All Cancels Report further enhances competition between exchanges by allowing the Exchange to expand its product offerings to include an additional report similar to reports that are currently offered by other exchanges.[24]

The Exchange also does not believe the proposed fee would cause any unnecessary or inappropriate burden on intermarket competition as other exchanges are free to introduce their own comparable reports with lower prices to better compete with the Exchange's offerings. The Exchange operates in a highly competitive environment, and its ability to price the report is constrained by competition among exchanges who choose to adopt similar products. The Exchange must consider this in its pricing discipline in order to compete for subscribers of the

[18] *Id.*

[19] 15 U.S.C 78f(b)(4).

[20] *See* Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496 (June 29, 2005) (''Regulation NMS Adopting Release'').

[21] *See* Regulation NMS Adopting Release, supra, at 37503.

[22] See BYX Equities Fee Schedule.

[23] *See* Sec. Indus. Fin. Mkts. Ass'n (SIFMA), Initial Decision Release No. 1015, 2016 SEC LEXIS 2278 (ALJ June 1, 2016) (finding the existence of vigorous competition with respect to non-core market data). *See also* the decision of the United States Court of Appeals for the District of Columbia Circuit in *NetCoalition* v. *SEC,* 615 F.3d 525 (D.C. Cir. 2010) (''NetCoalition I'') (upholding the Commission's reliance upon competitive markets to set reasonable and equitably allocated fees for market data).

[24] MIAX Emerald offers a Liquidity Taker Event Report, analogous to the Exchange's Missed Liquidity Report under its Cboe Timestamping Services. *See* MIAX Emerald Rule 531. Although not clearly defined, the Exchange believes that MIAX Emerald's Liquidity Taker Event Report also provides information relating to cancel messages. Particularly, MIAX Emerald Liquidity Taker Event Report provides, among other things, data relating to the ''type of each response submitted by the Recipient Member.'' *See* MIAX Emerald Rule 5.31(a)(iii)(C). MIAX Emerald's technical specifications outline the various types of available liquidity messages including, Simple Mass Quote Cancel Request and Mass Liquidity Cancel Request. *See* MIAX Express Interface for Quoting and Trading Options, MEI Interface Specification, Section 4.1 (Liquidity Messages), available at: *https://www.miaxglobal.com/sites/default/files/job-files/MIAX_Express_Interface_MEI_v2.2a.pdf.* The Exchange also believes that providing the same data points for cancel messages as the data provided for orders messages is of no materials consequence as the Missed Cancels Report serves a similar purpose as the Missed Liquidity Report—providing Members additional information to better understand the efficacy of their incoming orders and cancel messages.

Exchange's market data via the reports. For example, proposing fees that are excessively higher than fees for potentially similar data products would simply serve to reduce demand for the Exchange's reports, which as discussed, Members are under no obligation to utilize. In this competitive environment, potential purchasers are free to choose which, if any, similar product to purchase to satisfy their need for market information. As a result, the Exchange believes this proposed rule change permits fair competition among national securities exchanges.

The Exchange does not believe the proposed rule change would cause any unnecessary or inappropriate burden on intramarket competition. Particularly, the proposed fees apply uniformly to any purchaser in that the Exchange does not differentiate between the different Members and Sponsored Participants that may purchase the reports. The proposed fees are set at a reasonable level that would allow any interested Member or Sponsored Participant to purchase such data based on their business needs.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A) of the Act [25] and paragraph (f) of Rule 19b–4 [26] thereunder. At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act.

[25] 15 U.S.C. 78s(b)(3)(A).

[26] 17 CFR 240.19b–4(f).

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–CboeBYX–2025–026 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–CboeBYX–2025–026. 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–CboeBYX–2025–026 and should be submitted on or before September 30, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[27]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–17245 Filed 9–8–25; 8:45 am]

BILLING CODE 8011–01–P

[27] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103870; File Nos. SR–NYSEAMER–2025–07, NYSEARCA–2025–16]

Self-Regulatory Organizations; NYSE American LLC, NYSE Arca Inc.; Notice of Designation of a Longer Period for Commission Action on Proceedings To Determine Whether To Approve or Disapprove Proposed Rule Changes To Amend Rules To Permit the Listing of Options on Commodity-Based Trust Shares

September 4, 2025.

On February 24, 2025, NYSE American LLC (''NYSE American'') and NYSE Arca Inc. (''NYSE Arca'') (each an ''Exchange,'' and, collectively, the ''Exchanges'') 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] proposed rule changes to amend their respective rules to allow the Exchanges to list and trade options on Commodity-Based Trust Shares. The proposed rule changes were published for comment in the **Federal Register** on March 14, 2025 and March 17, 2025.[3] On April 25, 2025, pursuant to Section 19(b)(2) of the Act,[4] the Commission designated a longer period within which to approve the proposed rule changes, disapprove the proposed rule changes, or institute proceedings to determine whether to disapprove the proposed rule changes.[5] On June 12, 2025, the Commission instituted proceedings under Section 19(b)(2)(B) of the Act [6] to determine whether to approve or disapprove the proposed rule changes.[7] The Commission has not received any comments on the proposed rule changes.

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 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 changes were published for notice and comment in the **Federal Register** on

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102555 (Mar. 10, 2025), 90 FR 12189 (Mar. 14, 2025) (SR–NYSEAMER–2025–07); Securities Exchange Act Release No. 102577 (Mar. 11, 2025), 90 FR 12377 (Mar. 17, 2025) (SR–NYSEARCA–2025–16) (collectively, ''Notices'').

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 102931 (Apr. 25, 2025), 90 FR 18717 (May 1, 2025) (designating June 12, 2025, as the date by which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove SR–NYSEAMER–2025–17) and Securities Exchange Act Release No. 102930 (Apr. 25, 2025), 90 FR 18718 (May 1, 2025) (designating June 15, 2025, as the date by which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove SR–NYSEArca–2025–16).

[6] 15 U.S.C. 78s(b)(2)(B).

[7] *See* Securities Exchange Act Release No. 103240, 90 FR 25687 (June 17, 2025).

[8] 15 U.S.C. 78s(b)(2).

March 14 and March 17, 2025.[9] The 180th day after publication of the Notices is September 10, 2025, for SR–NYSEAMER–2025–07 and September 13, 2025, for SR–NYSEARCA–2025–16. The Commission is extending the time period for approving or disapproving the proposed rule changes 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 changes so that it has sufficient time to consider the proposed rule changes. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[10] designates November 9, 2025, as the date by which the Commission shall either approve or disapprove File No. SR–NYSEAMER–2025–07 and designates November 12, 2025, the as the date by which the Commission shall either approve or disapprove File No. SR–NYSEARCA–2025–16.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[11]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–17243 Filed 9–8–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103863; File No. SR–CboeEDGA–2025–026]

Self-Regulatory Organizations; Cboe EDGA Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Adopt Fees for the All Cancels Report

September 4, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on August 25, 2025, Cboe EDGA Exchange, Inc. (the ''Exchange'' or ''EDGA'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Cboe EDGA Exchange, Inc. (the ''Exchange'' or ''EDGA'') proposes to adopt fees for its new offering of a market data report. The text of the proposed rule change is provided in Exhibit 5.

The text of the proposed rule change is also available on the Exchange's website (*http://markets.cboe.com/us/equities/regulation/rule_filings/edga/*) and at the Exchange's Office of the Secretary.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend its fee schedule to adopt fees for the All Cancels Report, effective August 25, 2025. The Exchange recently adopted a new data product known as the All Cancels Report as part of the Cboe Timestamping Service.[3] The Cboe Timestamping Service reports provide timestamp information for orders and cancels for market participants. More specifically, the Cboe Timestamping Service reports provide various timestamps relating to the message lifecycle throughout the exchange system. The first report that is currently offered—the Missed Liquidity Report—covers order messages and the second report—Cancels Report[4]—covers cancel messages. Lastly, the recent addition of the All Cancels Report supplements the existing Missed Cancels Report[5] by offering a comprehensive view of cancel behavior and messaging activity. In comparison to the existing Missed Cancels Report, the All Cancels Report includes all cancel-related messages sent by the subscriber, irrespective of whether the cancel attempt was successful or associated with a trade event.

The current Missed Cancels Report provides liquidity response time details for orders that rest on the book where the subscribing firm receiving the report attempted to cancel that resting order or any other resting order within an Exchange-determined amount of time (not to exceed 1 millisecond) after receipt of the order that executed against the resting order and within an Exchange-determined amount of time (not to exceed 100 microseconds) before receipt of the order that executed against the resting order. For example, if a market participant sends in a cancel message, but an order resting on the Exchange order book was executed prior to the system processing the cancel message, the Missed Cancels Report can assist the market participant in determining by how much time that order missed being canceled instead of executing.[6]

In contrast, the All Cancels Report provides a comprehensive view of cancel behavior and messaging activity when the subscriber is the originator of the cancel-related message.[7] It is particularly useful for analyzing cancel patterns across all market scenarios, including those where no trade occurred. Cancel, cancel rejected, or purge/mass cancel records for the subscriber are included, regardless of their timing or relation to a trade.

The All Cancels Report includes the following data elements for cancels: (1) Message Type;[8] (2) Date; (3) Firm ID; (4) Session Sub ID; (5) Client Identifier;[9] (6) Cboe Order ID;[10] (7) Symbol; (8)

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[9] *See* Notices, *supra* note 3.

[10] 15 U.S.C. 78s(b)(2).

[11] 17 CFR 200.30–3(a)(57).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 103707 (August 14, 2025), 90 FR 40453 (August 19, 2025) (SR–CboeEDGA–2025–025).

[4] In connection with the offering of this new report, the Exchange proposes to modify the title of the current Cancels Report to Missed Cancels Report in order to provide clarity between the existing Cancels Report, and the new proposed All Cancels Report.

[5] *Id.*

[6] For example, Participant A submits an order that is posted to the Exchange's Book and Participant B at some point thereafter submits a marketable order to execute against Participant A's resting order. Within 500 microseconds of submission of Participant B's order, Participant A sends a cancel message to cancel its resting order. Because Participant B's order is processed at the Matching Engine by the Exchange before Participant A's cancel message, Participant B's order executes against Participant A's resting order. The proposed Report would provide Participant A the data points necessary for that firm to calculate by how much time they missed canceling its resting order.

[7] The report shall not include any trade records or aggressor information.

[8] Represents if it was a cancel, mass cancel or purge, a cancel rejected, or a quote update cancel.

[9] The unique ClOrdID or MassCancelID assigned by the client.

[10] The Cboe Order ID is a unique reference number assigned by the Exchange.

Exchange System Timestamps;[11] (9) Matching Unit number;[12] (10) Queued;[13] and (11) Port Type.[14]

The Exchange now proposes to assess the following monthly fees for Members and Sponsored Participants that wish to purchase the All Cancels Report. The Exchange proposes a monthly flat fee of $1,000 for the All Cancels Report for a subscribing firm and, if a subscribing firm wishes to purchase both the Missed Cancels and the All Cancels Report, a monthly flat fee of $1,500 for both reports.[15] For a mid-month subscription, the monthly fee shall be prorated based on the initial date of the subscription.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the ''Act'') and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[16] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[17] requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[18] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers. The Exchange also believes the proposed rule change is consistent with Section 6(b)(4) of the Act,[19] which requires that Exchange rules provide for the equitable allocation of reasonable dues, fees, and other charges among its Members and other persons using its facilities.

In adopting Regulation NMS, the Commission granted self-regulatory organizations (''SROs'') and broker dealers increased authority and flexibility to offer new and unique market data to consumers of such data. It was believed that this authority would expand the amount of data available to users and consumers of such data and also spur innovation and competition for the provision of market data. The Exchange believes that the proposed reports are the sort of market data product that the Commission envisioned when it adopted Regulation NMS.

The Commission concluded that Regulation NMS—by deregulating the market in proprietary data—would itself further the Act's goals of facilitating efficiency and competition: ''[E]fficiency is promoted when broker-dealers who do not need the data beyond the prices, sizes, market center identifications of the NBBO and consolidated last sale information are not required to receive (and pay for) such data. The Commission also believes that efficiency is promoted when broker-dealers may choose to receive (and pay for) additional market data based on their own internal analysis of the need for such data.''[20]

By removing ''unnecessary regulatory restrictions'' on the ability of exchanges to sell their own data, Regulation NMS advanced the goals of the Act and the principles reflected in its legislative history. The All Cancels Report provides investors with new options for receiving market data, which was a primary goal of the market data amendments adopted by Regulation NMS.[21]

The All Cancels Report is designed for Members and Sponsored Participants that are interested in gaining insight into latency in connection with their respective cancel messages. The Exchange believes that providing this optional data to interested market participants for a fee is consistent with facilitating transactions in securities, removing impediments to and perfecting the mechanism of a free and open market and a national market system, and, in general, protecting investors and the public interest because it provides additional information and insight to subscribing market participants regarding their trading activity on the Exchange. More specifically, the proposed report provides greater visibility of cancel behavior and messaging activity—particularly for analyzing cancel patterns across all market scenarios, including those where no trade occurred. information and insight into their trading activity on the Exchange.

The Exchange believes the fee proposals for the All Cancels Report is reasonable as the Exchange is offering any Member or Sponsored Participant access to subscribe to this report in the subscribing firm's sole discretion based on their unique business needs. The report is optional for Members and Sponsored Participants to subscribe to if they believe it to be helpful and is not required for Members or Sponsored Participants to purchase in order to access the Exchange. Additionally, a subscribing firm may cancel their usage of this report at any time.

The Exchange believes its proposed fee for the All Cancels Report is reasonable as it's a modest, flat fee of $1,000/month, the same as the existing Missed Cancels Report.[22] Furthermore, the Exchange proposes to offer a bundled rate of $1,500 to a Member or Sponsored Participant that wishes to purchase both of these reports.

The proposal would also not permit unfair discrimination as the All Cancels Report will be available to all Members and Sponsored Participants, who may opt to subscribe to the report, and will help to protect a free and open market by continuing to provide additional non-core data (offered on an optional basis for a fee) to the marketplace and by providing investors with greater choices.[23] As such, the Exchange

[11] Includes Network Discovery Time (which is a network hardware switch timestamp taken at the network capture point); Order Handler NIC Timestamp (which is a hardware timestamp that represents when a BOE order handler server NIC observed the message); Order Handler Received Timestamp (which is software timestamp that represents when the FIX or BOE order handler has begun processing the order after the socket read); Order Handler Send Timestamp (which represents when the FIX or BOE order handler has finished processing the order and begun sending to the matching engine); Matching Engine NIC Timestamp (which is a hardware timestamp that represents when the target matching engine server NIC observed the message); and Matching Engine Transaction Timestamp (which is a software timestamp that represents when the matching engine has started processing an event).

[12] Represents the matching unit number.

[13] Flag to indicate whether a message was delayed due to message in flight limits (*i.e.,* a limit on the total number of messages in flight between an order handler and a matching engine).

[14] Refers to the port type used by the session to send the applicable message.

[15] The standalone price for the Missed Cancels Report shall remain at $1,000.

[16] 15 U.S.C. 78f(b).

[17] 15 U.S.C. 78f(b)(5).

[18] *Id.*

[19] 15 U.S.C 78f(b)(4).

[20] *See* Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496 (June 29, 2005) (''Regulation NMS Adopting Release'').

[21] *See* Regulation NMS Adopting Release, supra, at 37503.

[22] See EDGA Equities Fee Schedule.

[23] *See* Sec. Indus. Fin. Mkts. Ass'n (SIFMA), Initial Decision Release No. 1015, 2016 SEC LEXIS 2278 (ALJ June 1, 2016) (finding the existence of vigorous competition with respect to non-core market data). *See also* the decision of the United States Court of Appeals for the District of Columbia Circuit in *NetCoalition* v. *SEC,* 615 F.3d 525 (D.C. Cir. 2010) (''NetCoalition I'') (upholding the Commission's reliance upon competitive markets to set reasonable and equitably allocated fees for market data).

believes that the proposed fees are reasonable.

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 believes the reports will contribute to robust competition among national securities exchanges. The All Cancels Report further enhances competition between exchanges by allowing the Exchange to expand its product offerings to include an additional report similar to reports that are currently offered by other exchanges.[24]

The Exchange also does not believe the proposed fee would cause any unnecessary or inappropriate burden on intermarket competition as other exchanges are free to introduce their own comparable reports with lower prices to better compete with the Exchange's offerings. The Exchange operates in a highly competitive environment, and its ability to price the report is constrained by competition among exchanges who choose to adopt similar products. The Exchange must consider this in its pricing discipline in order to compete for subscribers of the Exchange's market data via the reports. For example, proposing fees that are excessively higher than fees for potentially similar data products would simply serve to reduce demand for the Exchange's reports, which as discussed, Members are under no obligation to utilize. In this competitive environment, potential purchasers are free to choose which, if any, similar product to purchase to satisfy their need for market information. As a result, the Exchange believes this proposed rule change permits fair competition among national securities exchanges.

The Exchange does not believe the proposed rule change would cause any unnecessary or inappropriate burden on intramarket competition. Particularly, the proposed fees apply uniformly to any purchaser in that the Exchange does not differentiate between the different Members and Sponsored Participants that may purchase the reports. The proposed fees are set at a reasonable level that would allow any interested Member or Sponsored Participant to purchase such data based on their business needs.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A) of the Act[25] and paragraph (f) of Rule 19b–4[26] thereunder.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

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–CboeEDGA–2025–026 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–CboeEDGA–2025–026. 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–CboeEDGA–2025–026 and should be submitted on or before September 30, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[27]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–17244 Filed 9–8–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103864; File No. SR–NASDAQ–2025–066]

Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Notice of Filing of Proposed Rule Change To Amend Certain Initial Listing Requirements for de-SPAC Transactions

September 4, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on August 22, 2025, The Nasdaq Stock Market LLC (''Nasdaq'' or ''Exchange'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to

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[24] MIAX Emerald offers a Liquidity Taker Event Report, analogous to the Exchange's Missed Liquidity Report under its Cboe Timestamping Services. *See* MIAX Emerald Rule 531. Although not clearly defined, the Exchange believes that MIAX Emerald's Liquidity Taker Event Report also provides information relating to cancel messages. Particularly, MIAX Emerald Liquidity Taker Event Report provides, among other things, data relating to the ''type of each response submitted by the Recipient Member.'' *See* MIAX Emerald Rule 5.31(a)(iii)(C). MIAX Emerald's technical specifications outline the various types of available liquidity messages including, Simple Mass Quote Cancel Request and Mass Liquidity Cancel Request. *See* MIAX Express Interface for Quoting and Trading Options, MEI Interface Specification, Section 4.1 (Liquidity Messages), available at: *https://www.miaxglobal.com/sites/default/files/job-files/MIAX_Express_Interface_MEI_v2.2a.pdf.* The Exchange also believes that providing the same data points for cancel messages as the data provided for orders messages is of no materials consequence as the Missed Cancels Report serves a similar purpose as the Missed Liquidity Report—providing Members additional information to better understand the efficacy of their incoming orders and cancel messages.

[25] 15 U.S.C. 78s(b)(3)(A).

[26] 17 CFR 240.19b–4(f).

[27] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to modify the rules applicable to de-SPAC transactions to align the treatment of OTC trading SPACs with similarly situated exchange-listed SPACs.

The text of the proposed rule change is available on the Exchange's website at *https://listingcenter.nasdaq.com/rulebook/nasdaq/rulefilings,* and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

Nasdaq is proposing to modify the definition of a ''Reverse Merger'' in Listing Rule 5005(a)(39) [3] to exclude the security of a special purpose acquisition company, as that term is defined in Item 1601(b) of Regulation S–K (''SPAC'') [4] that is listing in connection with a de-SPAC transaction, as that term is defined in Item 1601(a) of Regulation S–K (''de-SPAC transaction''), upon effectiveness of a 1933 Securities Act registration statement (''Registration Statement''). Nasdaq also proposes to modify Listing Rules 5315(e)(4), 5405(a)(4), and 5505(a)(5) (the ''ADV Requirement'') to exclude the security of a company listing in connection with a de-SPAC transaction, upon effectiveness of a Registration Statement, from the minimum trading volume requirement applicable to newly listing companies that previously traded in the over-the-counter (''OTC'') market. The effect of these changes will be to treat a de-SPAC transaction by a SPAC trading in the OTC market in the same way as a de-SPAC transaction with a listed SPAC and, in each case, subject these transactions to the same rules applicable to an initial public offering.[5]

Reverse Merger Rule

Under Nasdaq Listing Rule 5110(c), a security issued by a Company formed by a Reverse Merger, as defined in Listing Rule 5005(a)(39), is eligible for initial listing only if it satisfies additional listing conditions, including, among other requirements, that immediately before the filing of the initial listing application, the combined entity traded for at least one year in the U.S. over-the-counter market, on another national securities exchange, or on a regulated foreign exchange; and timely filed all required periodic financial reports with the SEC or other regulatory authority (Forms 10–Q, 10–K or 20–F) for the prior year, including at least one annual report (the ''Reverse Merger Requirement'').[6]

Listing Rule 5005(a)(39) defines a ''Reverse Merger'' as a transaction whereby an operating company becomes an Exchange Act reporting company by combining with a shell company. While a SPAC is a shell company, the rule specifically excludes from the definition of a Reverse Merger the acquisition of an operating company by a ''listed'' SPAC.[7] The Reverse Merger rule also provides an exception for a company that lists in connection with a firm commitment underwritten public offering where the gross proceeds to the company will be at least $40 million.[8]

The Reverse Merger Requirement was designed to prevent an operating company from becoming an Exchange Act reporting company in a so-called ''backdoor registration'' [9] and immediately accessing public markets without any of the vetting from investors and/or underwriters that companies typically undergo when they perform a traditional IPO. Moreover, in these transactions, the newly public company typically is not required to file a 1933 Act registration statement, which is subject to the SEC Staff review.

The Commission recently adopted new rules to align the legal obligations of companies in de-SPAC transactions with those in traditional IPOs and mandated additional disclosures for both SPAC IPOs and de-SPAC transactions (the ''SPAC Release'').[10] In the SPAC Release the Commission explained that ''[w]hile structured as an M&A transaction, the de-SPAC transaction also is the functional equivalent of the private target company's IPO, because it results in the target company becoming part of a combined company that is a reporting company and provides the private target company with access to cash proceeds that the SPAC had previously raised from the public.'' [11] Further, investment banks involved in the de-SPAC

[3] Rule 5005(a)(39) defines a ''Reverse Merger'' as ''any transaction whereby an operating company becomes an Exchange Act reporting company by combining, either directly or indirectly, with a shell company which is an Exchange Act reporting company, whether through a reverse merger, exchange offer, or otherwise.'' However, the definition currently excludes from being a Reverse Merger ''the acquisition of an operating company by a listed company satisfying the requirements of IM–5101–2 or a business combination described in Rule 5110(a).''

[4] The term special purpose acquisition company (SPAC) means a company that has:

(1) Indicated that its business plan is to:

(i) Conduct a primary offering of securities that is not subject to the requirements of § 230.419 of this chapter (Rule 419 under the Securities Act);

(ii) Complete a business combination, such as a merger, consolidation, exchange of securities, acquisition of assets, reorganization, or similar transaction, with one or more target companies within a specified time frame; and

(iii) Return proceeds from the offering and any concurrent offering (if such offering or concurrent offering intends to raise proceeds) to its security holders if the company does not complete a business combination, such as a merger, consolidation, exchange of securities, acquisition of assets, reorganization, or similar transaction, with one or more target companies within the specified time frame; or

(2) Represented that it pursues or will pursue a special purpose acquisition company strategy. 17 CFR 229.1601.

[5] An OTC SPAC can also structure its de-SPAC transaction such that the operating company, and not the SPAC, is the surviving entity. In a transaction structured in this manner, the de-SPAC transaction would not be subject to the Reverse Merger or ADV Requirements because the listing applicant is a new registrant and not the OTC traded entity. The proposed rule change will therefore also align the treatment of these various structures.

[6] *See* Listing Rule 5110(c).

[7] *See* Listing Rule 5005(a)(39).

[8] *See* Listing Rule 5110(c)(3).

[9] *See* former Commissioner Aguilar speech: Facilitating Real Capital Formation, citing release No. 33–8587, (July 15, 2005) [70 FR 42233] (stating that ''These transactions generally take one of two forms: In the most common type of transaction, a ''reverse merger,'' the private business merges into the shell company, with the shell company surviving and the former shareholders of the private business controlling the surviving entity. In another common type of transaction, a ''back door registration,'' the shell company merges into the formerly private company, with the formerly private company surviving and the shareholders of the shell company becoming shareholders of the surviving entity.'').

[10] Securities Exchange Act Release No. 99418 (January 24, 2024), 89 FR 14158 (February 26, 2024). In the SPAC Release the Commission also adopted a definition for a ''de-SPAC transaction'' that Nasdaq Staff proposes to utilize. *See* 17 CFR 229.1601 (Item 1601 of Regulation S–K): ''The term de-SPAC transaction means a business combination, such as a merger, consolidation, exchange of securities, acquisition of assets, reorganization, or similar transaction, involving a special purpose acquisition company and one or more target companies (contemporaneously, in the case of more than one target company).''

[11] SPAC Release at 14160.

transaction could be considered statutory underwriters and could be found liable for any material misstatements or omissions in the registration statement, similar to an IPO.[12]

As described above, Listing Rule 5005(a)(39) already excludes a de-SPAC transaction by a currently listed SPAC from the definition of a Reverse Merger, as do the comparable rules of other exchanges.[13] This exception was premised on the fact that Nasdaq initially listed the SPAC knowing it would seek to conduct a de-SPAC transaction, and investors invested with that knowledge and with the benefit of the additional disclosure and redemption possibilities that come at the time of the de-SPAC transaction, and so it would be inconsistent to require the company to delist and trade in the OTC market at the time it completes the very transaction it was formed to pursue. Nasdaq believes that expanding this definition to also exclude other de-SPAC transactions from the rule is similarly reasonable where the de-SPAC is listing at the time of effectiveness of a Registration Statement. The Commission treats a de-SPAC transaction as the functional equivalent of an IPO; [14] and given the proposed requirement that a de-SPAC transaction occurs upon effectiveness of the Registration Statement, such transaction is subject to a level of investor protection, rigorous disclosure requirements, and SEC review similar to that of an IPO. Similarly, a company conducting a firm commitment underwritten offering is also currently excluded from the Reverse Merger rules, because such an offering involves an underwriter and requires a registration statement, which includes issuer disclosure and can be reviewed by the Commission. These same elements apply to a de-SPAC transaction listing at the time of effectiveness of a Registration Statement, including the participation of investment banks that the Commission has noted could be considered statutory underwriters. Thus, Nasdaq believes that regardless of where the SPAC is trading, a company listing on Nasdaq in connection with a de-SPAC transaction at the time of effectiveness of a Registration Statement should be excluded from the Reverse Merger Requirement.

To effect this change, Nasdaq proposes to modify Listing Rule 5005(a)(39) to revise the existing de-SPAC exclusion from the definition of a Reverse Merger to exclude any de-SPAC transaction, as that term is defined in Item 1601(a) of Regulation S–K, that is listing upon effectiveness of a Registration Statement.

Average Daily Trading Volume Requirement

In 2019, the Commission approved Nasdaq's proposed changes to enhance its initial listing standards related to liquidity (''Initial Liquidity Amendments'').[15] Under the revised standards, the ADV Requirement provides that securities that traded in the OTC market prior to the application to list such securities on Nasdaq, must have a minimum average daily trading volume over the 30 trading days prior to listing of at least 2,000 shares a day, with trading occurring on more than half of those 30 days. Nasdaq adopted the ADV Requirement to help ensure a liquid trading market, promote price discovery and help establish an appropriate market price for the OTC securities listing on Nasdaq.

Since implementing the Initial Liquidity Amendments, Nasdaq has determined that the ADV Requirement is neither necessary nor appropriate for the listing of a Company in connection with a de-SPAC transaction.

Historically, SPACs listed and traded primarily, if not exclusively, on national securities exchanges while pursuing a business combination, and, at the time the ADV Requirement was adopted SPACs were neither targeted nor immediately affected by the ADV Requirement. Recently, however, Nasdaq observed an increase in a number of SPACs that have been delisted from an exchange and then trade as SPACs in the OTC market. When an OTC-trading SPAC enters into a business combination and applies to list on Nasdaq in connection with the de-SPAC transaction the ADV Requirement applies because the primary equity security ''is trading in the U.S. over-the-counter market as of the date of application. . .'' [16]

For an operating company, investors determine a valuation of the company based on its revenues, future cash flow expectations, business activities and peer valuations, among other metrics. Nasdaq believes that imposing the ADV Requirement on operating companies trading in the OTC market helps ensure that once listed these companies will have sufficient investor base and trading interest to provide the depth and liquidity necessary to promote fair and orderly markets. In contrast, in the Exchange's view, the value of a SPAC prior to a business combination typically is not based on investor interest in the operating company or analysis of its metrics, but instead is based primarily on the value of the cash held in the trust account and supported by the potential redemption ability at the time of the de-SPAC transaction. Nasdaq therefore believes that the ADV Requirement for OTC-trading SPACs is not relevant to help establish the legitimacy of the SPAC market price.

Further, Nasdaq believes that the investor base in the SPAC, typically, changes significantly at the time of the de-SPAC transaction and investors interested in the operating company will first purchase the securities following that transaction. As a result, trading in the SPAC prior to the de-SPAC transaction is not indicative of how the company will trade after the transaction and, therefore, the de-SPAC transaction more closely resembles an IPO of the target company than an OTC uplisting, thus rendering the ADV Requirement not meaningful in helping establish whether the new company will trade well once listed. Accordingly, Nasdaq proposes to modify Listing Rules 5315(e)(4), 5405(a)(4), and 5505(a)(5), on the Nasdaq Global Select, Global and Capital Markets, accordingly, to exclude from the ADV Requirement the security of a company listing in connection with a de-SPAC transaction, as that term is defined in Item 1601(a) of Regulation S–K, upon effectiveness of a Registration Statement.

Although OTC-trading SPACs will be excluded from the ADV Requirement at the time of their application, the post business combination company will be required to satisfy all of Nasdaq's other initial listing standards, as would any

[12] *See e.g.,* SPAC Release at 14238: ''in a de-SPAC distribution, there would be an underwriter present where someone is selling for the issuer or participating in the distribution of securities in the combined company to the SPAC's investors and the broader public. Depending on the facts and circumstances, such an entity could be deemed a ''statutory underwriter'' even though it may not be named as an underwriter in any given offering or may not be engaged in activities typical of a named underwriter in traditional capital raising. Section 11 would apply as it would to anyone acting as underwriter with respect to a registered de-SPAC transaction, and such person will have liability for any material misstatement or omission in the registration statement.''

[13] *See e.g.,* NYSE Listed Company Manual Section 102.01F (''However, a Reverse Merger does not include the acquisition of an operating company by a listed company which qualified for initial listing as an acquisition company under Section 102.06.'').

[14] *See* footnote 10, above.

[15] *See* Securities Exchange Act Release No. 86314 (July 5, 2019), 84 FR 33102 (July 11, 2019) (approving SR–NASDAQ–2019–009).

[16] *See* Listing Rules 5315(e)(4), 5405(a)(4), and 5505(a)(5): ''[i]f the security is trading in the U.S. over-the-counter market as of the date of application, such security must have a minimum average daily trading volume of 2,000 shares over the 30 trading day period prior to listing. . .''

IPO or other new listing. Nasdaq believes that this will continue to help ensure that securities of the post business combination companies have sufficient public float, investor base, and trading interest likely to generate depth and liquidity to support exchange listing and trading, which will help to protect investors and the public interest.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[17] in general, and furthers the objectives of Section 6(b)(5) of the Act,[18] in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest, by (1) excluding the security of an OTC-trading SPAC listing in connection with a de-SPAC transaction upon effectiveness of a Registration Statement from the definition of a Reverse Merger, and (2) removing a listing requirement applicable to an OTC-trading SPAC that is not an appropriate measure of investor base and trading interest. In both cases, based on the unique characteristics of a de-SPAC transaction, the changes will align the requirements for listing a de-SPAC transaction with those for listing an IPO, consistent with the treatment by the Commission in other contexts, eliminating an impediment to a free and open market, while ensuring adequate distribution, shareholder interest, a liquid trading market and investor protections through other listing standards.

Nasdaq believes that excluding a de-SPAC transaction by an OTC-trading SPAC from the Reverse Merger definition avoids imposing an unnecessary impediment to the mechanism of a free and open market and is not unfairly discriminatory. Specifically, as noted above, the Reverse Merger Requirement was designed to prevent an operating company from becoming an Exchange Act reporting company and immediately accessing public markets without proper disclosure and vetting opportunities by the Commission and investors. Nasdaq believes that a de-SPAC transaction with an OTC-trading SPAC where the post transaction entity lists upon effectiveness of a Registration Statement does not present the same concerns as a typical Reverse Merger transaction. The Commission in the SPAC Release explained that ''[w]hile structured as an M&A transaction, the de-SPAC transaction also is the functional equivalent of the private target company's IPO, because it results in the target company becoming part of a combined company that is a reporting company and provides the private target company with access to cash proceeds that the SPAC had previously raised from the public.'' Unlike the historical ''backdoor registrations'' that the Reverse Merger rule was designed to capture, a de-SPAC transaction would be required to file a 1933 Act registration statement to avail itself of the proposed rule change. Further, investment banks involved in the de-SPAC transaction could be considered statutory underwriters and could be found liable for any material misstatements or omissions in the registration statement,[19] similar to an IPO and the existing exception to the application of the Reverse Merger rule where a company lists in connection with certain firm commitment public offerings.

Nasdaq believes that excluding a de-SPAC transaction by OTC-trading SPACs from the definition of a Reverse Merger is reasonable because it aligns the treatment of such transactions with the treatment of a de-SPAC transaction by a Nasdaq-listed SPAC because both cases represent the functional equivalent of an IPO, as the Commission explained in the SPAC Release, and, therefore, these cases differ from a typical Reverse Merger where a public shell merges into a private company, in a so-called ''backdoor registration'' [20] without a Registration Statement which is subject to review by Commission staff.[21]

The proposed requirement that a de-SPAC transaction by an OTC-trading or listed SPAC, is excluded from the definition of Reverse Merger only where the Company is listing upon effectiveness of a Registration Statement is designed to protect investors and the public interest, because it will ensure such companies satisfy the rigorous disclosure requirements under the Securities Act of 1933 and are subject to review by Commission staff.

Nasdaq also believes that excluding the security of a company listing in connection with a de-SPAC transaction, upon effectiveness of a Registration Statement, from the ADV Requirement applicable to newly listing companies that previously traded in the OTC market is designed to avoid imposing an unnecessary impediment to the mechanism of a free and open market and is not unfairly discriminatory.

Specifically, as noted above, the ADV Requirement was adopted to help ensure a liquid trading market, promote price discovery and establish an appropriate market price for the OTC securities listing on Nasdaq. However, since implementing the Initial Liquidity Amendments, Nasdaq has determined that the ADV Requirement is neither necessary nor appropriate for the listing of de-SPAC transactions because trading in the SPAC is not indicative of trading in the merged operating company because shareholders, typically, have the opportunity to redeem their shares in the SPAC for a pro rata portion of the trust at the time of the business combination.

For an operating company, investors determine a valuation of the company based on its revenues, future cash flow expectations, business activities and peer valuations, among other metrics. Nasdaq believes that imposing the ADV Requirement on operating companies trading in the OTC market helps ensure that once listed these companies will have sufficient investor base and trading interest to provide the depth and liquidity necessary to promote fair and orderly markets. In contrast, in the Exchange's view, the value of a SPAC prior to a business combination is not based solely on investor demand for the security but is based primarily on the value of the cash held in the trust account. In that regard, the Exchange has observed that SPACs generally have historically traded close to the value in the trust during the period between its public offering and the consummation of a business combination. This suggests that the value of a SPAC's security derives from the value of the underlying trust. Nasdaq therefore believes that assessing the average daily trading volume of the SPAC before the transaction is not relevant to help establish the trading characteristics of the post transaction entity.

Further, Nasdaq believes that the investor base in the SPAC, typically, changes significantly at the time of the de-SPAC transaction and investors interested in the operating company will first purchase the securities following that transaction. As a result, trading in the SPAC prior to the de-SPAC transaction is not indicative of how the company will trade after the transaction and, therefore, the de-SPAC transaction more closely resembles an IPO of the target company than an OTC

[17] 15 U.S.C. 78f(b).

[18] 15 U.S.C. 78f(b)(5).

[19] *See* footnote 11, above.

[20] *See* footnote 8, above.

[21] Nasdaq notes that a de-SPAC transaction where the SPAC is not the surviving entity is not subject to the Reverse Merger Requirement because the entity to be listed is a new registrant, and, therefore a de-SPAC transaction can already be structured so as not to implicate the Reverse Merger Requirement.

uplisting rendering the ADV Requirement not meaningful in helping establish whether the new company will trade well once listed.[22]

The Exchange believes that other listing standards will help it to ensure adequate distribution, shareholder interest and a liquid trading market of a de-SPAC transaction security following a business combination. In all cases, a de-SPAC transaction must satisfy Nasdaq's initial listing standards which will continue to help ensure that securities of the post business combination entity have sufficient public float, investor base, and trading interest likely to generate depth and liquidity to support exchange listing and trading, which should help to protect investors and the public interest.

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 not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule changes are designed to avoid imposing an unnecessary impediment to the mechanism of a free and open market and does not limit the ability of companies to list on any other national securities exchange. Furthermore, while the rule change may permit more companies to list on Nasdaq in connection with de-SPAC transactions, other exchanges could adopt similar rules to compete for such listings. In addition, the proposed rule change could help facilitate competition amongst OTC-trading SPACs with other SPACs.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the Exchange consents, the Commission will:

A. by order approve or disapprove such proposed rule change, or

B. institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

• Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or

• Send an email to *rule-comments@sec.gov.* Please include file number SR–NASDAQ–2025–066 on the subject line.

Paper Comments

• Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–NASDAQ–2025–066. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–NASDAQ–2025–066 and should be submitted on or before September 30, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[23]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–17242 Filed 9–8–25; 8:45 am]

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[22] Nasdaq notes that a de-SPAC transaction where the SPAC is not the surviving entity is not subject to the ADV Requirement because the entity to be listed is a new registrant, and, therefore a de-SPAC transaction can already be structured not to implicate the ADV Requirement.

[23] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103871; File Nos. SR–CBOE–2025–014, SR-CboeBZX–2025–034, SR-CboeEDGX–2025–018]

Self-Regulatory Organizations; Cboe Exchange, Inc., Cboe BZX Exchange, Inc., Cboe EDGX Exchange, Inc.; Notice of Designation of a Longer Period for Commission Action on Proceedings to Determine Whether to Approve or Disapprove Proposed Rule Changes to Amend Rules to Permit the Listing of Options on Commodity-Based Trust Shares

September 4, 2025.

On March 5, 2025, Cboe Exchange, Inc. (''Cboe''), Cboe BZX Exchange, Inc. (''BZX''), and Cboe EDGX Exchange, Inc. (''EDGX'') (each an ''Exchange,'' and, collectively, the ''Exchanges'') 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] proposed rule changes to amend their respective rules to allow the Exchanges to list and trade options on Commodity-Based Trust Shares. The proposed rule changes were published for comment in the **Federal Register** on March 19, 2025.[3] On April 25, 2025, pursuant to Section 19(b)(2) of the Act,[4] the Commission designated a longer period within which to approve the proposed rule changes, disapprove the proposed rule changes, or institute proceedings to determine whether to disapprove the proposed rule changes.[5] On June 12, 2025, the Commission instituted proceedings under Section 19(b)(2)(B) of the Act[6] to determine whether to approve or disapprove the proposed rule changes.[7] The

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102647 (Mar. 13, 2025), 90 FR 12865 (SR–Cboe–2025–014); Securities Exchange Act Release No. 102648 (March 13, 2025), 90 FR 12914 (SR–CboeBZX–2025–034); Securities Exchange Act Release No. 102649 (March 13, 2025), 90 FR 12838 (SR–CboeEDGX–2025–018) (collectively, ''Notices'').

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 102935 (Apr. 25, 2025), 90 FR 18719 (May 1, 2025) (SR–CboeEDGX–2025–018; Securities Exchange Act Release No. 102934 (Apr. 25, 2025) (SR–Cboe–2025–014), 90 FR 18717 (May 1, 2025) (SR–CboeBZX–2025–034); Securities Exchange Act Release No. 102933 (Apr. 25, 2025), 90 FR 18715 (May 1, 2025) (SR–CboeEDGX–2025–018) (all designating June 17, 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. 103241, 90 FR 25707 (June 17, 2025).

Commission has not received any comments on the proposed rule changes.

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 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 changes were published for notice and comment in the **Federal Register** on March 19, 2025.[9] The 180th day after publication of the Notices is September 15, 2025. The Commission is extending the time period for approving or disapproving the proposed rule changes 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 changes so that it has sufficient time to consider the proposed rule changes. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[10] designates November 14, 2025, as the date by which the Commission shall either approve or disapprove the proposed rule changes (File Nos. SR–Cboe–2025–014; SR-CboeBZX–2025–034; SR–CboeEDGX–2025–018).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[11]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–17241 Filed 9–8–25; 8:45 am]

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[8] 15 U.S.C. 78s(b)(2).

[9] *See* Notices, *supra* note 3.

[10] 15 U.S.C. 78s(b)(2).

[11] 17 CFR 200.30–3(a)(57).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103867; File No. SR–CboeBZX–2025–122]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Adopt Fees for the All Cancels Report

September 4, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on August 29, 2025, Cboe BZX Exchange, Inc. (the ''Exchange'' or ''BZX'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Cboe BZX Exchange, Inc. (the ''Exchange'' or ''BZX'') proposes to adopt fees for its new offering of a market data report. The text of the proposed rule change is provided in Exhibit 5.

The text of the proposed rule change is also available on the Exchange's website (*http://markets.cboe.com/us/equities/regulation/rule_filings/BZX/*) and at the Exchange's Office of the Secretary.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend its fee schedule to adopt fees for the All Cancels Report, effective August 25, 2025.[3] The Exchange recently adopted a new data product known as the All Cancels Report as part of the Cboe Timestamping Service.[4] The Cboe Timestamping Service reports provide timestamp information for orders and cancels for market participants. More specifically, the Cboe Timestamping Service reports provide various timestamps relating to the message lifecycle throughout the exchange system. The first report that is currently offered– the Missed Liquidity Report—covers order messages and the second report—Cancels Report[5]—covers cancel messages. Lastly, the recent addition of the All Cancels Report supplements the existing Missed Cancels Report[6] by offering a comprehensive view of cancel behavior and messaging activity. In comparison to the existing Missed Cancels Report, the All Cancels Report includes all cancel-related messages sent by the subscriber, irrespective of whether the cancel attempt was successful or associated with a trade event.

The current Missed Cancels Report provides liquidity response time details for orders that rest on the book where the subscribing firm receiving the report attempted to cancel that resting order or any other resting order within an Exchange-determined amount of time (not to exceed 1 millisecond) after receipt of the order that executed against the resting order and within an Exchange-determined amount of time (not to exceed 100 microseconds) before receipt of the order that executed against the resting order. For example, if a market participant sends in a cancel message, but an order resting on the Exchange order book was executed prior to the system processing the cancel message, the Missed Cancels Report can assist the market participant in determining by how much time that order missed being canceled instead of executing.[7]

In contrast, the All Cancels Report provides a comprehensive view of cancel behavior and messaging activity when the subscriber is the originator of

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] The Exchange initially introduced pricing for the All Cancels Report on August 25, 2025 (SR–CboeBZX–2025–118). On August 29, 2025, the Exchange withdrew that filing and submitted this filing.

[4] *See* Securities Exchange Act Release No. 103714 (August 14, 2025), 90 FR 40406 (August 19, 2025) (SR–CboeBZX–2025–112).

[5] In connection with the offering of this new report, the Exchange proposes to modify the title of the current Cancels Report to Missed Cancels Report in order to provide clarity between the existing Cancels Report, and the new proposed All Cancels Report.

[6] *Id.*

[7] For example, Participant A submits an order that is posted to the Exchange's Book and Participant B at some point thereafter submits a marketable order to execute against Participant A's resting order. Within 500 microseconds of submission of Participant B's order, Participant A sends a cancel message to cancel its resting order. Because Participant B's order is processed at the Matching Engine by the Exchange before Participant A's cancel message, Participant B's order executes against Participant A's resting order. The proposed Report would provide Participant A the data points necessary for that firm to calculate by how much time they missed canceling its resting order.

the cancel-related message.[8] It is particularly useful for analyzing cancel patterns across all market scenarios, including those where no trade occurred. Cancel, cancel rejected, or purge/mass cancel records for the subscriber are included, regardless of their timing or relation to a trade.

The All Cancels Report includes the following data elements for cancels: (1) Message Type; [9] (2) Date; (3) Firm ID; (4) Session Sub ID; (5) Client Identifier; [10] (6) Cboe Order ID; [11] (7) Symbol; (8) Exchange System Timestamps; [12] (9) Matching Unit number; [13] (10) Queued; [14] and (11) Port Type.[15]

The Exchange now proposes to assess the following monthly fees for Members and Sponsored Participants that wish to purchase the All Cancels Report. The Exchange proposes a monthly flat fee of $1,000 for the All Cancels Report for a subscribing firm and, if a subscribing firm wishes to purchase both the Missed Cancels and the All Cancels Report, a monthly flat fee of $1,500 for both reports.[16] For a mid-month subscription, the monthly fee shall be prorated based on the initial date of the subscription.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the ''Act'') and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[17] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5) [18] requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5) [19] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers. The Exchange also believes the proposed rule change is consistent with Section 6(b)(4) of the Act, [20] which requires that Exchange rules provide for the equitable allocation of reasonable dues, fees, and other charges among its Members and other persons using its facilities.

In adopting Regulation NMS, the Commission granted self-regulatory organizations (''SROs'') and broker dealers increased authority and flexibility to offer new and unique market data to consumers of such data. It was believed that this authority would expand the amount of data available to users and consumers of such data and also spur innovation and competition for the provision of market data. The Exchange believes that the proposed reports are the sort of market data product that the Commission envisioned when it adopted Regulation NMS.

The Commission concluded that Regulation NMS—by deregulating the market in proprietary data—would itself further the Act's goals of facilitating efficiency and competition: ''[E]fficiency is promoted when broker-dealers who do not need the data beyond the prices, sizes, market center identifications of the NBBO and consolidated last sale information are not required to receive (and pay for) such data. The Commission also believes that efficiency is promoted when broker-dealers may choose to receive (and pay for) additional market data based on their own internal analysis of the need for such data.'' [21]

By removing ''unnecessary regulatory restrictions'' on the ability of exchanges to sell their own data, Regulation NMS advanced the goals of the Act and the principles reflected in its legislative history. The All Cancels Report provides investors with new options for receiving market data, which was a primary goal of the market data amendments adopted by Regulation NMS.[22]

The All Cancels Report is designed for Members and Sponsored Participants that are interested in gaining insight into latency in connection with their respective cancel messages. The Exchange believes that providing this optional data to interested market participants for a fee is consistent with facilitating transactions in securities, removing impediments to and perfecting the mechanism of a free and open market and a national market system, and, in general, protecting investors and the public interest because it provides additional information and insight to subscribing market participants regarding their trading activity on the Exchange. More specifically, the proposed report provides greater visibility of cancel behavior and messaging activity—particularly for analyzing cancel patterns across all market scenarios, including those where no trade occurred. information and insight into their trading activity on the Exchange.

The Exchange believes the fee proposals for the All Cancels Report is reasonable as the Exchange is offering any Member or Sponsored Participant access to subscribe to this report in the subscribing firm's sole discretion based on their unique business needs. The report is optional for Members and Sponsored Participants to subscribe to if they believe it to be helpful and is not required for Members or Sponsored Participants to purchase in order to access the Exchange. Additionally, a subscribing firm may cancel their usage of this report at any time.

The Exchange believes its proposed fee for the All Cancels Report is reasonable as it's a modest, flat fee of $1,000/month, the same as the existing Missed Cancels Report.[23] Furthermore, the Exchange proposes to offer a bundled rate of $1,500 to a Member or

[8] The report shall not include any trade records or aggressor information.

[9] Represents if it was a cancel, mass cancel or purge, a cancel rejected, or a quote update cancel.

[10] The unique ClOrdID or MassCancelID assigned by the client.

[11] The Cboe Order ID is a unique reference number assigned by the Exchange.

[12] Includes Network Discovery Time (which is a network hardware switch timestamp taken at the network capture point); Order Handler NIC Timestamp (which is a hardware timestamp that represents when a BOE order handler server NIC observed the message); Order Handler Received Timestamp (which is software timestamp that represents when the FIX or BOE order handler has begun processing the order after the socket read); Order Handler Send Timestamp (which represents when the FIX or BOE order handler has finished processing the order and begun sending to the matching engine); Matching Engine NIC Timestamp (which is a hardware timestamp that represents when the target matching engine server NIC observed the message); and Matching Engine Transaction Timestamp (which is a software timestamp that represents when the matching engine has started processing an event).

[13] Represents the matching unit number.

[14] Flag to indicate whether a message was delayed due to message in flight limits (*i.e.,* a limit on the total number of messages in flight between an order handler and a matching engine).

[15] Refers to the port type used by the session to send the applicable message.

[16] The standalone price for the Missed Cancels Report shall remain at $1,000.

[17] 15 U.S.C. 78f(b).

[18] 15 U.S.C. 78f(b)(5).

[19] *Id.*

[20] 15 U.S.C. 78f(b)(4).

[21] *See* Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496 (June 29, 2005) (''Regulation NMS Adopting Release'').

[22] *See* Regulation NMS Adopting Release, supra, at 37503.

[23] See BZX Equities Fee Schedule.

Sponsored Participant that wishes to purchase both of these reports.

The proposal would also not permit unfair discrimination as the All Cancels Report will be available to all Members and Sponsored Participants, who may opt to subscribe to the report, and will help to protect a free and open market by continuing to provide additional non-core data (offered on an optional basis for a fee) to the marketplace and by providing investors with greater choices.[24] As such, the Exchange believes that the proposed fees are reasonable.

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 believes the reports will contribute to robust competition among national securities exchanges. The All Cancels Report further enhances competition between exchanges by allowing the Exchange to expand its product offerings to include an additional report similar to reports that are currently offered by other exchanges.[25]

The Exchange also does not believe the proposed fee would cause any unnecessary or inappropriate burden on intermarket competition as other exchanges are free to introduce their own comparable reports with lower prices to better compete with the Exchange's offerings. The Exchange operates in a highly competitive environment, and its ability to price the report is constrained by competition among exchanges who choose to adopt similar products. The Exchange must consider this in its pricing discipline in order to compete for subscribers of the Exchange's market data via the reports. For example, proposing fees that are excessively higher than fees for potentially similar data products would simply serve to reduce demand for the Exchange's reports, which as discussed, Members are under no obligation to utilize. In this competitive environment, potential purchasers are free to choose which, if any, similar product to purchase to satisfy their need for market information. As a result, the Exchange believes this proposed rule change permits fair competition among national securities exchanges.

The Exchange does not believe the proposed rule change would cause any unnecessary or inappropriate burden on intramarket competition. Particularly, the proposed fees apply uniformly to any purchaser in that the Exchange does not differentiate between the different Members and Sponsored Participants that may purchase the reports. The proposed fees are set at a reasonable level that would allow any interested Member or Sponsored Participant to purchase such data based on their business needs.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A) of the Act [26] and paragraph (f) of Rule 19b–4 [27] thereunder. At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov*. Please include file number SR–CboeBZX–2025–122 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–CboeBZX–2025–122. 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–CboeBZX–2025–122 and should be submitted on or before September 30, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[28]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–17249 Filed 9–8–25; 8:45 am]

BILLING CODE 8011–01–P

[24] *See* Sec. Indus. Fin. Mkts. Ass'n (SIFMA), Initial Decision Release No. 1015, 2016 SEC LEXIS 2278 (ALJ June 1, 2016) (finding the existence of vigorous competition with respect to non-core market data). *See also* the decision of the United States Court of Appeals for the District of Columbia Circuit in *NetCoalition* v. *SEC*, 615 F.3d 525 (D.C. Cir. 2010) (''NetCoalition I'') (upholding the Commission's reliance upon competitive markets to set reasonable and equitably allocated fees for market data).

[25] MIAX Emerald offers a Liquidity Taker Event Report, analogous to the Exchange's Missed Liquidity Report under its Cboe Timestamping Services. *See* MIAX Emerald Rule 531. Although not clearly defined, the Exchange believes that MIAX Emerald's Liquidity Taker Event Report also provides information relating to cancel messages. Particularly, MIAX Emerald Liquidity Taker Event Report provides, among other things, data relating to the ''type of each response submitted by the Recipient Member.'' *See* MIAX Emerald Rule 5.31(a)(iii)(C). MIAX Emerald's technical specifications outline the various types of available liquidity messages including, Simple Mass Quote Cancel Request and Mass Liquidity Cancel Request. *See* MIAX Express Interface for Quoting and Trading Options, MEI Interface Specification, Section 4.1 (Liquidity Messages), available at: *https://www.miaxglobal.com/sites/default/files/job-files/MIAX_Express_Interface_MEI_v2.2a.pdf*. The Exchange also believes that providing the same data points for cancel messages as the data provided for orders messages is of no materials consequence as the Missed Cancels Report serves a similar purpose as the Missed Liquidity Report—providing Members additional information to better understand the efficacy of their incoming orders and cancel messages.

[26] 15 U.S.C. 78s(b)(3)(A).

[27] 17 CFR 240.19b–4(f).

[28] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103865; File No. SR–NASDAQ–2025–042]

Self-Regulatory Organizations; Nasdaq Stock Market LLC; Order Instituting Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change To List and Trade Shares of the 21Shares SUI ETF Under Nasdaq Rule 5711(d) (Commodity Based Trust Shares)

September 4, 2025.

I. Introduction

On May 23, 2025, The Nasdaq Stock Market LLC (''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 and trade shares (''Shares'') of the 21Shares SUI ETF (''Trust'') under Nasdaq Rule 5711(d) (Commodity-Based Trust Shares). The proposed rule change was published for comment in the **Federal Register** on June 10, 2025.[3]

On July 22, 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.[5] This order institutes proceedings under Section 19(b)(2)(B) of the Act [6] to determine whether to approve or disapprove the proposed rule change.

II. Summary of the Proposal

As described in more detail in the Notice,[7] the Exchange proposes to list and trade the Shares of the Trust under Nasdaq Rule 5711(d), which governs the listing and trading of Commodity-Based Trust Shares on the Exchange.

According to the Exchange, the investment objective of the Trust is to seek to track the performance of SUI,[8] as measured by the performance of the CME CF SUI—Dollar Reference Rate—New York Variant (''Pricing Benchmark''), adjusted for the Trust's expenses and other liabilities.[9] In seeking to achieve its investment objective, the Trust will hold SUI and will value its Shares daily as of 4:00 p.m. ET based on the Pricing Benchmark.[10] When the Trust sells or redeems its Shares, it will do so in cash with authorized participants in blocks of 10,000 Shares.[11]

III. Proceedings To Determine Whether To Approve or Disapprove SR–NASDAQ–2025–042 and Grounds for Disapproval Under Consideration

The Commission is instituting proceedings pursuant to Section 19(b)(2)(B) of the Act [12] to determine whether the proposed rule change should be approved or disapproved. Institution of proceedings is appropriate at this time in view of the legal and policy issues raised by the proposed rule change. Institution of proceedings does not indicate that the Commission has reached any conclusions with respect to any of the issues involved. Rather, the Commission seeks and encourages interested persons to provide comments on the proposed rule change.

Pursuant to Section 19(b)(2)(B) of the Act,[13] the Commission is providing notice of the grounds for disapproval under consideration. The Commission is instituting proceedings to allow for additional analysis of the proposed rule change's consistency with Section 6(b)(5) of the Act, which requires, among other things, that the rules of a national securities exchange be ''designed to prevent fraudulent and manipulative acts and practices'' and ''to protect investors and the public interest.'' [14]

The Commission asks that commenters address the sufficiency of the Exchange's statements in support of the proposal, which are set forth in the Notice, in addition to any other comments they may wish to submit about the proposed rule change. In particular, the Commission seeks comment on whether the proposal to list and trade Shares of the Trust, which would hold SUI, is designed to prevent fraudulent and manipulative acts and practices or raises any new or novel concerns not previously contemplated by the Commission.

IV. Procedure: Request for Written Comments

The Commission requests that interested persons provide written submissions of their views, data, and arguments with respect to the issues identified above, as well as any other concerns they may have with the proposal. In particular, the Commission invites the written views of interested persons concerning whether the proposal is consistent with Section 6(b)(5) or any other provision of the Act, and the rules and regulations thereunder. Although there do not appear to be any issues relevant to approval or disapproval that would be facilitated by an oral presentation of views, data, and arguments, the Commission will consider, pursuant to Rule 19b–4, any request for an opportunity to make an oral presentation.[15]

Interested persons are invited to submit written data, views, and arguments regarding whether the proposed rule change should be approved or disapproved by September 30, 2025. Any person who wishes to file a rebuttal to any other person's submission must file that rebuttal by October 14, 2025.

Comments may be submitted by any of the following methods:

Electronic Comments

• Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or

• Send an email to *rule-comments@sec.gov.* Please include file number SR–NASDAQ–2025–042 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.

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[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 103187 (June 4, 2025), 90 FR 24433 (''Notice''). The Commission has received no comments on the proposed rule change.

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 103523, 90 FR 35355 (July 25, 2025). The Commission designated September 8, 2025, as the date by which the Commission shall approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change.

[6] 15 U.S.C. 78s(b)(2)(B).

[7] *See* Notice, *supra* note 3.

[8] The Exchange states that SUI is a digital asset that is created and transmitted through the operations of the ''SUI Network,'' an online, distributed computing platform that operates on a peer-to-peer basis. *See* Notice at 24434.

[9] *See id.* at 24433. 21Shares US LLC is the sponsor of the Trust and CSC Delaware Trust Company is the trustee. Each of BitGo New York Trust Company, LLC and Coinbase Custody Trust Company, LLC will be responsible for the custody of the Trust's SUI. *See id.*

[10] *See id.* at 24434. The Pricing Benchmark is calculated by CF Benchmarks Ltd. based on an aggregation of executed trade flow of major SUI trading platforms. *See id.* at 24433.

[11] *See id.* at 24433–34.

[12] 15 U.S.C. 78s(b)(2)(B).

[13] *Id.*

[14] 15 U.S.C. 78f(b)(5).

[15] Section 19(b)(2) of the Act, as amended by the Securities Acts Amendments of 1975, Public Law 94–29 (June 4, 1975), grants the Commission flexibility to determine what type of proceeding—either oral or notice and opportunity for written comments—is appropriate for consideration of a particular proposal by a self-regulatory organization. *See* Securities Acts Amendments of 1975, Senate Comm. on Banking, Housing & Urban Affairs, S. Rep. No. 75, 94th Cong., 1st Sess. 30 (1975).

All submissions should refer to file number SR–NASDAQ–2025–042. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–NASDAQ–2025–042 and should be submitted on or before September 30, 2025. Rebuttal comments should be submitted by October 14, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[16]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–17247 Filed 9–8–25; 8:45 am]

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[16] 17 CFR 200.30–3(a)(57).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103866; File No. SR–CboeEDGX–2025–071]

Self-Regulatory Organizations; Cboe EDGX Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Adopt Fees for the All Cancels Report

September 4, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on August 29, 2025, Cboe EDGX Exchange, Inc. (the ''Exchange'' or ''EDGX'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Cboe EDGX Exchange, Inc. (the ''Exchange'' or ''EDGX'') proposes to adopt fees for its new offering of a market data report. The text of the proposed rule change is provided in Exhibit 5.

The text of the proposed rule change is also available on the Exchange's website (*http://markets.cboe.com/us/options/regulation/rule_filings/edgx/*), at the Exchange's Office of the Secretary.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend its fee schedule to adopt fees for the All Cancels Report, effective August 25, 2025.[3] The Exchange recently adopted a new data product known as the All Cancels Report as part of the Cboe Timestamping Service.[4] The Cboe Timestamping Service reports provide timestamp information for orders and cancels for market participants. More specifically, the Cboe Timestamping Service reports provide various timestamps relating to the message lifecycle throughout the exchange system. The first report that is currently offered–the Missed Liquidity Report—covers order messages and the second report—Cancels Report[5]—covers cancel messages. Lastly, the recent addition of the All Cancels Report supplements the existing Missed Cancels Report[6] by offering a comprehensive view of cancel behavior and messaging activity. In comparison to the existing Missed Cancels Report, the All Cancels Report includes all cancel-related messages sent by the subscriber, irrespective of whether the cancel attempt was successful or associated with a trade event.

The current Missed Cancels Report provides liquidity response time details for orders that rest on the book where the subscribing firm receiving the report attempted to cancel that resting order or any other resting order within an Exchange-determined amount of time (not to exceed 1 millisecond) after receipt of the order that executed against the resting order and within an Exchange-determined amount of time (not to exceed 100 microseconds) before receipt of the order that executed against the resting order. For example, if a market participant sends in a cancel message, but an order resting on the Exchange order book was executed prior to the system processing the cancel message, the Missed Cancels Report can assist the market participant in determining by how much time that order missed being canceled instead of executing.[7]

In contrast, the All Cancels Report provides a comprehensive view of cancel behavior and messaging activity when the subscriber is the originator of the cancel-related message.[8] It is particularly useful for analyzing cancel patterns across all market scenarios, including those where no trade occurred. Cancel, cancel rejected, or purge/mass cancel records for the subscriber are included, regardless of their timing or relation to a trade.

The All Cancels Report includes the following data elements for cancels: (1) Message Type;[9] (2) Date; (3) Firm ID; (4) Session Sub ID; (5) Client Identifier;[10]

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] The Exchange initially introduced pricing for the All Cancels Report on August 25, 2025 (SR–CboeEDGX–2025–068). On August 29, 2025, the Exchange withdrew that filing and submitted this filing.

[4] *See* Securities Exchange Act Release No. 103717 (August 15, 2025), 90 FR 40666 (August 20, 2025) (SR–CboeEDGX–2025–066).

[5] In connection with the offering of this new report, the Exchange proposes to modify the title of the current Cancels Report to Missed Cancels Report in order to provide clarity between the existing Cancels Report, and the new proposed All Cancels Report.

[6] *Id.*

[7] For example, Participant A submits an order that is posted to the Exchange's Book and Participant B at some point thereafter submits a marketable order to execute against Participant A's resting order. Within 500 microseconds of submission of Participant B's order, Participant A sends a cancel message to cancel its resting order. Because Participant B's order is processed at the Matching Engine by the Exchange before Participant A's cancel message, Participant B's order executes against Participant A's resting order. The proposed Report would provide Participant A the data points necessary for that firm to calculate by how much time they missed canceling its resting order.

[8] The report shall not include any trade records or aggressor information.

[9] Represents if it was a cancel, mass cancel or purge, a cancel rejected, or a quote update cancel.

[10] The unique ClOrdID or MassCancelID assigned by the client.

(6) Cboe Order ID; [11] (7) Symbol; (8) Exchange System Timestamps; [12] (9) Matching Unit number; [13] (10) Queued; [14] and (11) Port Type.[15]

The Exchange now proposes to assess the following monthly fees for Members and Sponsored Participants that wish to purchase the All Cancels Report. The Exchange proposes a monthly flat fee of $1,000 for the All Cancels Report for a subscribing firm and, if a subscribing firm wishes to purchase both the Missed Cancels and the All Cancels Report, a monthly flat fee of $1,500 for both reports.[16] For a mid-month subscription, the monthly fee shall be prorated based on the initial date of the subscription.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the ''Act'') and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[17] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5) [18] requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5) [19] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers. The Exchange also believes the proposed rule change is consistent with Section 6(b)(4) of the Act,[20] which requires that Exchange rules provide for the equitable allocation of reasonable dues, fees, and other charges among its Members and other persons using its facilities.

In adopting Regulation NMS, the Commission granted self-regulatory organizations (''SROs'') and broker dealers increased authority and flexibility to offer new and unique market data to consumers of such data. It was believed that this authority would expand the amount of data available to users and consumers of such data and also spur innovation and competition for the provision of market data. The Exchange believes that the proposed reports are the sort of market data product that the Commission envisioned when it adopted Regulation NMS.

The Commission concluded that Regulation NMS—by deregulating the market in proprietary data—would itself further the Act's goals of facilitating efficiency and competition: ''[E]fficiency is promoted when broker-dealers who do not need the data beyond the prices, sizes, market center identifications of the NBBO and consolidated last sale information are not required to receive (and pay for) such data. The Commission also believes that efficiency is promoted when broker-dealers may choose to receive (and pay for) additional market data based on their own internal analysis of the need for such data.'' [21]

By removing ''unnecessary regulatory restrictions'' on the ability of exchanges to sell their own data, Regulation NMS advanced the goals of the Act and the principles reflected in its legislative history. The All Cancels Report provides investors with new options for receiving market data, which was a primary goal of the market data amendments adopted by Regulation NMS.[22]

The All Cancels Report is designed for Members and Sponsored Participants that are interested in gaining insight into latency in connection with their respective cancel messages. The Exchange believes that providing this optional data to interested market participants for a fee is consistent with facilitating transactions in securities, removing impediments to and perfecting the mechanism of a free and open market and a national market system, and, in general, protecting investors and the public interest because it provides additional information and insight to subscribing market participants regarding their trading activity on the Exchange. More specifically, the proposed report provides greater visibility of cancel behavior and messaging activity—particularly for analyzing cancel patterns across all market scenarios, including those where no trade occurred. information and insight into their trading activity on the Exchange.

The Exchange believes the fee proposals for both the All Cancels Report is reasonable as the Exchange is offering any Member or Sponsored Participant access to subscribe to this report in the subscribing firm's sole discretion based on their unique business needs. The report is optional for Members and Sponsored Participants to subscribe to if they believe it to be helpful and is not required for Members or Sponsored Participants to purchase in order to access the Exchange. Additionally, a subscribing firm may cancel their usage of this report at any time.

The Exchange believes its proposed fee for the All Cancels Report is reasonable as it's a modest, flat fee of $1,000/month, the same as the existing Missed Cancels Report.[23] Furthermore, the Exchange proposes to offer a bundled rate of $1,500 to a Member or Sponsored Participant that wishes to purchase both of these reports.

The proposal would also not permit unfair discrimination as the All Cancels Report will be available to all Members and Sponsored Participants, who may opt to subscribe to the report, and will help to protect a free and open market by continuing to provide additional non-core data (offered on an optional basis for a fee) to the marketplace and by providing investors with greater choices.[24] As such, the Exchange

[11] The Cboe Order ID is a unique reference number assigned by the Exchange.

[12] Includes Network Discovery Time (which is a network hardware switch timestamp taken at the network capture point); Order Handler NIC Timestamp (which is a hardware timestamp that represents when a BOE order handler server NIC observed the message); Order Handler Received Timestamp (which is software timestamp that represents when the FIX or BOE order handler has begun processing the order after the socket read); Order Handler Send Timestamp (which represents when the FIX or BOE order handler has finished processing the order and begun sending to the matching engine); Matching Engine NIC Timestamp (which is a hardware timestamp that represents when the target matching engine server NIC observed the message); and Matching Engine Transaction Timestamp (which is a software timestamp that represents when the matching engine has started processing an event).

[13] Represents the matching unit number.

[14] Flag to indicate whether a message was delayed due to message in flight limits (*i.e.,* a limit on the total number of messages in flight between an order handler and a matching engine).

[15] Refers to the port type used by the session to send the applicable message.

[16] The standalone price for the Missed Cancels Report shall remain at $1,000.

[17] 15 U.S.C. 78f(b).

[18] 15 U.S.C. 78f(b)(5).

[19] *Id.*

[20] 15 U.S.C 78f(b)(4).

[21] *See* Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496 (June 29, 2005) (''Regulation NMS Adopting Release'').

[22] *See* Regulation NMS Adopting Release, supra, at 37503.

[23] *See* EDGX Equities Fee Schedule.

[24] *See* Sec. Indus. Fin. Mkts. Ass'n (SIFMA), Initial Decision Release No. 1015, 2016 SEC LEXIS 2278 (ALJ June 1, 2016) (finding the existence of vigorous competition with respect to non-core market data). *See also* the decision of the United States Court of Appeals for the District of Columbia Circuit in *NetCoalition* v. *SEC,* 615 F.3d 525 (D.C.

Continued

believes that the proposed fees are reasonable.

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 believes the reports will contribute to robust competition among national securities exchanges. The All Cancels Report further enhances competition between exchanges by allowing the Exchange to expand its product offerings to include an additional report similar to reports that are currently offered by other exchanges.[25]

The Exchange also does not believe the proposed fee would cause any unnecessary or inappropriate burden on intermarket competition as other exchanges are free to introduce their own comparable reports with lower prices to better compete with the Exchange's offerings. The Exchange operates in a highly competitive environment, and its ability to price the report is constrained by competition among exchanges who choose to adopt similar products. The Exchange must consider this in its pricing discipline in order to compete for subscribers of the Exchange's market data via the reports. For example, proposing fees that are excessively higher than fees for potentially similar data products would simply serve to reduce demand for the Exchange's reports, which as discussed, Members are under no obligation to utilize. In this competitive environment, potential purchasers are free to choose which, if any, similar product to purchase to satisfy their need for market information. As a result, the Exchange believes this proposed rule change permits fair competition among national securities exchanges.

The Exchange does not believe the proposed rule change would cause any unnecessary or inappropriate burden on intramarket competition. Particularly, the proposed fees apply uniformly to any purchaser in that the Exchange does not differentiate between the different Members and Sponsored Participants that may purchase the reports. The proposed fees are set at a reasonable level that would allow any interested Member or Sponsored Participant to purchase such data based on their business needs.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A) of the Act[26] and paragraph (f) of Rule 19b–4[27] thereunder. At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

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–CboeEDGX–2025–071 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–CboeEDGX–2025–071. 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–CboeEDGX–2025–071 and should be submitted on or before September 30, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[28]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–17250 Filed 9–8–25; 8:45 am]

BILLING CODE 8011–01–P

Cir. 2010) (''NetCoalition I'') (upholding the Commission's reliance upon competitive markets to set reasonable and equitably allocated fees for market data).

[25] MIAX Emerald offers a Liquidity Taker Event Report, analogous to the Exchange's Missed Liquidity Report under its Cboe Timestamping Services. *See* MIAX Emerald Rule 531. Although not clearly defined, the Exchange believes that MIAX Emerald's Liquidity Taker Event Report also provides information relating to cancel messages. Particularly, MIAX Emerald Liquidity Taker Event Report provides, among other things, data relating to the ''type of each response submitted by the Recipient Member.'' *See* MIAX Emerald Rule 5.31(a)(iii)(C). MIAX Emerald's technical specifications outline the various types of available liquidity messages including, Simple Mass Quote Cancel Request and Mass Liquidity Cancel Request. *See* MIAX Express Interface for Quoting and Trading Options, MEI Interface Specification, Section 4.1 (Liquidity Messages), available at: *https://www.miaxglobal.com/sites/default/files/job-files/MIAX_Express_Interface_MEI_v2.2a.pdf.* The Exchange also believes that providing the same data points for cancel messages as the data provided for orders messages is of no materials consequence as the Missed Cancels Report serves a similar purpose as the Missed Liquidity Report—providing Members additional information to better understand the efficacy of their incoming orders and cancel messages.

[26] 15 U.S.C. 78s(b)(3)(A).

[27] 17 CFR 240.19b–4(f).

[28] 17 CFR 200.30–3(a)(12).

DEPARTMENT OF STATE

[Public Notice: 12815]

Notice of Determinations; Culturally Significant Objects Being Imported for Exhibition—Determinations: ''Gabriele Münter: Contours of a World'' Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that certain objects being imported from abroad pursuant to agreements with their foreign owners or custodians for temporary display in the exhibition ''Gabriele Münter: Contours of a World'' at the Solomon R. Guggenheim Museum, New York, New York, and at possible additional exhibitions or venues yet to be determined, are of cultural significance, and, further, that their temporary exhibition or display within the United States as aforementioned is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Reed Liriano, Program Coordinator, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, 2200 C Street NW (SA–5), Suite 5H03, Washington, DC 20522–0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000, and Delegation of Authority No. 523 of December 22, 2021.

Stefanie E. Williams,

Deputy Assistant Secretary for Professional and Cultural Exchanges, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2025–17294 Filed 9–8–25; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice: 12818]

Notice of Public Meeting in Preparation for International Maritime Organization C 135

The Department of State will conduct a public meeting at 1:00 p.m. on Monday, October 27, 2025, both in-person at Coast Guard Headquarters in Washington, DC, and via teleconference through Microsoft Teams. The primary purpose of the meeting is to prepare for the International Maritime Organization's (IMO) 135th Session of the Council (C 135) to be held at IMO Headquarters in London, United Kingdom from Wednesday, November 19, 2025, to Friday, November 21, 2025.

Members of the public may participate up to the capacity of the teleconference line, which can handle 500 participants or up to the seating capacity of the room if attending in-person. The meeting location will be the United States Coast Guard Headquarters, and the teleconference line will be provided to those who RSVP. To RSVP, participants should contact the meeting coordinator, LCDR Emily Sysko, by email at LCDR *Emily.T.Sysko@uscg.mil.* LCDR Sysko will provide access information for in-person and virtual attendance.

The agenda items to be considered at C 135 include:

—Adoption of the agenda;
— Report of the Secretary-General on credentials;
— Strategy and planning;
— Resource management;
— Enhancement of Multilingualism;
— IMO Number Scheme;
— IMO International Maritime Law Institute;
— Report of the Maritime Safety Committee;
— Report of the Extraordinary Session of the Marine Environment Protection Committee;
— Report of the Consultative Meeting of Contracting Parties to the London Convention 1972 and the Meeting of Contracting Parties to the 1996 Protocol to the London Protocol;
— External relations;
— Report on the status of conventions;
— Items for inclusion in the agenda for the next session of the Council (C 136);
— Supplementary agenda items;
— Consideration of the report of the Committee.

Please note: The IMO may, on short notice, adjust the C 135 agenda to accommodate the constraints associated with the virtual meeting format. Although no changes to the agenda are anticipated, if any are necessary, they will be provided to those who RSVP.

Those who plan to participate may contact the meeting coordinator, LCDR Emily Sysko, by email at *Emily.T.Sysko@uscg.mil* or by phone at 202–372–1376 or in writing at 2703 Martin Luther King Jr. Ave. SE, ATTN: LCDR Emily Sysko, 2703 Martin Luther King Jr. Ave. SE Stop 7509, Washington DC 20593–7509, by October 13, 2025. Members of the public needing reasonable accommodation should advise LCDR Emily Sysko no later than October 13, 2025. Requests made after that date will be considered but might not be possible to fulfill.

Additional information regarding this and other IMO public meetings may be found at: *https://www.dco.uscg.mil/IMO.*

(Authority: 22 U.S.C. 2656 and 5 U.S.C. 552.)

Emily C. Miletello,

Coast Guard Liaison Officer, Office of Ocean and Polar Affairs, Department of State.

[FR Doc. 2025–17239 Filed 9–8–25; 8:45 am]

BILLING CODE 4710–09–P

DEPARTMENT OF STATE

[Public Notice: 12817]

Notice of Public Meeting in Preparation for International Maritime Organization MEPC/ES.2.

The Department of State will conduct a public meeting at 9:30 a.m. on Tuesday, October 28, 2025, both in-person at Coast Guard Headquarters in Washington, DC, and via teleconference through Microsoft Teams. The primary purpose of the meeting is to prepare for the International Maritime Organization's (IMO) 34th Session of the Assembly (A 34) to be held at IMO Headquarters in London, United Kingdom from Monday, November 24, 2025, to Wednesday, December 03, 2025.

Members of the public may participate up to the capacity of the teleconference line, which can handle 500 participants or up to the seating capacity of the room if attending in-person. The meeting location will be the United States Coast Guard Headquarters, and the teleconference line will be provided to those who RSVP. To RSVP, participants should contact the meeting coordinator, LCDR Emily Sysko, by email at LCDR *Emily.T.Sysko@uscg.mil.* LCDR Sysko will provide access information for in-person and virtual attendance.

The agenda items to be considered at A 34 include:

—Adoption of the agenda;
—Rules of Procedure of the Assembly;
—Election of the President and the Vice-Presidents of the Assembly;
—Application of Article 61 of the IMO Convention—Report of the Council to the Assembly on any requests by Members for waiver;
—Establishment of the committees of the Assembly;
—Consideration of the reports of the committees of the Assembly;
—Report of the Council to the Assembly on the work of the Organization since the thirty-third regular session of the Assembly;
—Strategy, planning and reform
—IMO Member State Audit Scheme;
—Consolidated text of the IMO Convention;
—Enhancement of Multilingualism;
—Consideration of the reports and recommendations of the Maritime Safety Committee;
—Consideration of the reports and recommendations of the Legal Committee;
—Consideration of the reports and recommendations of the Marine Environment Protection Committee;

—Consideration of the reports and recommendations of the Technical Cooperation Committee;
—Consideration of the reports and recommendation of the Facilitation Committee;
—Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972 and the 1996 Protocol thereto: report on the performance of Secretariat functions and other duties;
—Resource management;
—IMO Number Scheme;
—Global maritime training institutions;
—External relations; report on the status of the conventions;
—Election of Member of the Council, as provided for in Articles 16 and 17 of the IMO Convention;
—Election of Member of the IMO Staff Pension Committee;
—Date and place of the thirty fifth regular session of the Assembly;
—Supplementary agenda items.

Please note: The IMO may, on short notice, adjust the A 34 agenda to accommodate the constraints associated with the virtual meeting format. Although no changes to the agenda are anticipated, if any are necessary, they will be provided to those who RSVP.

Those who plan to participate may contact the meeting coordinator, LCDR Emily Sysko, by email at *Emily.T.Sysko@uscg.mil* or by phone at 202–372–1376 or in writing at 2703 Martin Luther King Jr. Ave. SE, ATTN: LCDR Emily Sysko, 2703 Martin Luther King Jr. Ave. SE, Stop 7509, Washington, DC 20593–7509, by October 16, 2025. Members of the public needing reasonable accommodation should advise LCDR Emily Sysko no later than October 16, 2025. Requests made after that date will be considered but might not be possible to fulfill.

Additional information regarding this and other IMO public meetings may be found at: *https://www.dco.uscg.mil/IMO.*

(Authority: 22 U.S.C. 2656 and 5 U.S.C. 552.)

Emily C. Miletello,

Coast Guard Liaison Officer, Office of Ocean and Polar Affairs, Department of State.

[FR Doc. 2025–17234 Filed 9–8–25; 8:45 am]

BILLING CODE 4710–09–P

DEPARTMENT OF STATE

[Public Notice: 12816]

Notice of Determinations; Culturally Significant Objects Being Imported for Exhibition—Determinations: "International Surrealism" Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that certain objects being imported from abroad pursuant to an agreement with their foreign owner or custodian for temporary display in the exhibition ''International Surrealism'' at the Dallas Museum of Art, Dallas, Texas, and at possible additional exhibitions or venues yet to be determined, are of cultural significance, and, further, that their temporary exhibition or display within the United States as aforementioned is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Reed Liriano, Program Coordinator, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, 2200 C Street NW (SA–5), Suite 5H03, Washington, DC 20522–0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000, and Delegation of Authority No. 523 of December 22, 2021.

Stefanie E. Williams,

Deputy Assistant Secretary for Professional and Cultural Exchanges, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2025–17299 Filed 9–8–25; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

Limitation on Claims Against Proposed Public Transportation Project—METRO Blue Line Light Rail Extension Project, Cities of Minneapolis, Robbinsdale, Crystal, and Brooklyn Park, Hennepin County, Minnesota.

AGENCY: Federal Transit Administration (FTA), Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: This notice announces final environmental actions taken by the Federal Transit Administration (FTA) regarding the METRO Blue Line Light Rail Extension Project in the Cities of Minneapolis, Robbinsdale, Crystal, and Brooklyn Park, Hennepin County, Minnesota. The purpose of this notice is to publicly announce FTA's environmental decisions on the subject project and to activate the limitation on any claims that may challenge these final environmental actions.

DATES: A claim seeking judicial review of FTA actions announced herein for the listed public transportation project will be barred unless the claim is filed on or before February 6, 2026.

FOR FURTHER INFORMATION CONTACT: Kathryn Loster, Assistant Chief Counsel, Office of Chief Counsel, (202) 360–2322, or Saadat Khan, Environmental Protection Specialist, Office of Environmental Policy and Programs, (202) 366–6385. FTA is located at 1200 New Jersey Avenue SE, Washington, DC 20590. Office hours are from 9:00 a.m. to 5:00 p.m., Monday through Friday, except federal holidays.

SUPPLEMENTARY INFORMATION: Notice is hereby given that FTA has taken final agency actions subject to 23 U.S.C. 139(l) by issuing certain approvals for the public transportation project listed below. The actions on the project, as well as the laws under which such actions were taken, are described in the documentation issued in connection with the project to comply with the National Environmental Policy Act (NEPA) and in other documents in the FTA environmental project files for the project. Interested parties may contact either the project sponsor or the relevant FTA Regional Office for more information. Contact information for FTA's Regional Offices may be found at *https://www.transit.dot.gov/about/regional-offices/regional-offices.*

This notice applies to all FTA decisions on the listed project as of the issuance date of this notice and all laws under which such actions were taken, including, but not limited to, NEPA (42 U.S.C. 4321–4375), Section 4(f) requirements, (49 U.S.C. 303), Section 106 of the National Historic Preservation Act (54 U.S.C. 306108), Section 6(f) of the Land and Water Conservation Fund Act (54 U.S.C. 200305), Endangered Species Act (16 U.S.C. 1531), Migratory Bird Treaty (16 U.S.C. 703–712), Bald and Golden Eagle Protection Act (16 U.S.C. 668–668d), Clean Water Act, (33 U.S.C. 1251), Uniform Relocation Assistance and Real Property Acquisition Policies Act (42 U.S.C. 4601), and the Clean Air Act (42 U.S.C. 7401–7671q). This notice does not, however, alter or extend the limitation period for challenges of project decisions subject to previous notices published in the **Federal Register**. The project modifications and actions that are the subject of this notice follow:

Project name and location: METRO Blue Line Light Rail Extension Project (Project), Cities of Minneapolis, Robbinsdale, Crystal, and Brooklyn Park, Hennepin County, Minnesota.

Project Sponsor: Metropolitan Council, City of Saint Paul, Ramsey County, Minnesota.

Project description: The Project includes construction of approximately 13.4 miles of new light rail transit (LRT) double-tracks to extend the METRO Blue Line, connecting Downtown Minneapolis to the Cities of Robbinsdale, Crystal, and Brooklyn Park. The Project also involves construction of 13 new LRT stations; park-and-ride facilities with up to 1,531 parking spaces; and accommodations for passenger drop-off, bicycle and pedestrian access. Additionally, the Project work consists of the construction of an operational maintenance facility, 18 traction power substations, 7 new LRT bridges, 4 new or reconstructed roadway bridges, and 2 new or upgraded pedestrian bridges and underpasses plus associated infrastructure improvements.

Final agency action: Section 4(f) determination dated August 11, 2025; Section 6(f) Temporary Non-Conforming Use (TNCU) dated August 11, 2025; METRO Blue Line Light Rail Extension Project Amended Record of Decision (ROD), dated August 11, 2025.

Supporting documentation: METRO Blue Line Light Rail Extension Project Supplemental Final Environmental Impact Statement (EIS), dated May 16, 2025. METRO Blue Line Light Rail Extension Project Supplemental Draft EIS, dated June 12, 2024. The Amended ROD, Supplemental Final EIS, Supplemental Draft EIS, and associated documents can be viewed and downloaded from: *https://metrocouncil.org/Transportation/Projects/Light-Rail-Projects/METRO-Blue-Line-Extension/Environmental.aspx.*

Authority: 23 U.S.C. 139(l)(1).

Megan Blum,

Deputy Associate Administrator for Planning and Environment.

[FR Doc. 2025–17303 Filed 9–8–25; 8:45 am]

BILLING CODE 4910–57–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2025–0631]

Request Notice: Use of Foreign-Built Small Passenger Vessel in United States Coastwise Trade, S/V OCEANA

AGENCY: Maritime Administration (MARAD), U.S. Department of Transportation (DOT).

ACTION: Notice and request for comments.

SUMMARY: The Secretary of Transportation, as represented by MARAD, is authorized to make determinations regarding the coastwise use of foreign built; certain U.S. built; and U.S. and foreign rebuilt vessels that solely carry no more than twelve passengers for hire. MARAD has received such a determination request and is publishing this notice to solicit comments to assist with determining whether the proposed use of the vessel set forth in the request would have an adverse effect on U.S. vessel builders or U.S. coastwise trade businesses that use U.S.-built vessels in those businesses. Information about the requestor's vessel, including a description of the proposed service, is in the **SUPPLEMENTARY INFORMATION** section below.

DATES: Submit comments on or before October 9, 2025.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD–2025–0631 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to *https://www.regulations.gov.* Search the above DOT Docket Number and follow the instructions for submitting comments.
- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include the DOT Docket Number, your name and a mailing address, an email address or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific DOT Docket Number. All comments received will be posted without change to the docket at *www.regulations.gov,* including any personal information provided. For detailed instructions on submitting comments, or to submit comments that are confidential in nature, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT: Patricia Hagerty, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Mail Stop 2, MAR–620, Washington, DC 20590. Telephone: (202) 366–5400. Email: *smallvessels@dot.gov.*

SUPPLEMENTARY INFORMATION: Pursuant to 46 U.S.C. 12121(b), the U.S. Coast Guard may issue a certificate of documentation with a coastwise trade endorsement for eligible, small passenger vessels authorized to carry no more than 12 passengers for hire if MARAD, after notice and an opportunity for public comment, determines the use of the small passenger vessel in the coastwise trade will not adversely affect United States vessel builders or the coastwise trade business of any person that employs vessels built in the United States in that business.[1]

MARAD has received an eligibility determination request. Further details about the requester's vessel and its proposed operations may be found in the determination request posted in the DOT Docket Number listed in the **ADDRESSES** section above at *https://www.regulations.gov.* Interested parties may comment on the undue adverse effect this action may have on U.S. vessel builders or coastwise trade businesses in the U.S. that employ U.S.-built vessels in those businesses. Comments should refer to the vessel name, state the commenter's interest in the request, and demonstrate, with supporting documentation, the undue adverse effect on U.S. vessel builders and coastwise trade businesses.

[1] The U.S. Coast Guard and MARAD have authority under 46 U.S.C. 12121(b) through the Secretary of the Department of Homeland Security and the Secretary of the Department of Transportation, respectively.

Public Participation

How do I submit comments?

Please submit comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. It may take a few hours or even days for comments to be reflected on the docket. Comments must be written in English. Provide concise comments and attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

The docket online is located at *https://www.regulations.gov,* keyword search the DOT Docket Number list in the **ADDRESSES** section above or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). Please periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

You may request that MARAD treat your comments as commercially confidential by submitting them to *SmallVessels@dot.gov.* Include in the email subject heading ''Contains Confidential Commercial Information'' or ''Contains CCI'' and state in your submission, with specificity, the basis for any such confidential treatment highlighting the CCI portions. If possible, please provide a summary of your submission that can be made available to the public.

If MARAD receives a Freedom of Information Act (FOIA) request for the information, procedures described in the Department's FOIA regulation at 49 CFR 7.29 will be followed. Only information that is ultimately determined to be confidential under those procedures will be exempt from disclosure under FOIA.

Privacy Act

Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). For information on DOT's compliance with the Privacy Act, please visit *https://www.transportation.gov/privacy.*

(Authority: 46 U.S.C. 12121, 49 CFR 1.93(a).)

By Order of the Maritime Administration.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2025–17317 Filed 9–8–25; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2025–0632]

Request Notice: Use of Foreign-Built Small Passenger Vessel in United States Coastwise Trade, S/V THE CAT HOUSE

AGENCY: Maritime Administration (MARAD), U.S. Department of Transportation (DOT).

ACTION: Notice and request for comments.

SUMMARY: The Secretary of Transportation, as represented by MARAD, is authorized to make determinations regarding the coastwise use of foreign built; certain U.S. built; and U.S. and foreign rebuilt vessels that solely carry no more than twelve passengers for hire. MARAD has received such a determination request and is publishing this notice to solicit comments to assist with determining whether the proposed use of the vessel set forth in the request would have an adverse effect on U.S. vessel builders or U.S. coastwise trade businesses that use U.S.-built vessels in those businesses. Information about the requestor's vessel, including a description of the proposed service, is in the **SUPPLEMENTARY INFORMATION** section below.

DATES: Submit comments on or before October 9, 2025.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD–2025–0632 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to *https://www.regulations.gov.* Search the above DOT Docket Number and follow the instructions for submitting comments.
- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include the DOT Docket Number, your name and a mailing address, an email address or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific DOT Docket Number. All comments received will be posted without change to the docket at *www.regulations.gov,* including any personal information provided. For detailed instructions on submitting comments, or to submit comments that are confidential in nature, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT: Patricia Hagerty, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Mail Stop 2, MAR–620, Washington, DC 20590. Telephone: (202) 366–5400. Email: *smallvessels@dot.gov.*

SUPPLEMENTARY INFORMATION: Pursuant to 46 U.S.C. 12121(b), the U.S. Coast Guard may issue a certificate of documentation with a coastwise trade endorsement for eligible, small passenger vessels authorized to carry no more than 12 passengers for hire if MARAD, after notice and an opportunity for public comment, determines the use of the small passenger vessel in the coastwise trade will not adversely affect United States vessel builders or the coastwise trade business of any person that employs vessels built in the United States in that business.[1]

MARAD has received an eligibility determination request. Further details about the requester's vessel and its proposed operations may be found in the determination request posted in the DOT Docket Number listed in the **ADDRESSES** section above at *https://www.regulations.gov.* Interested parties may comment on the undue adverse effect this action may have on U.S. vessel builders or coastwise trade businesses in the U.S. that employ U.S.-built vessels in those businesses. Comments should refer to the vessel name, state the commenter's interest in the request, and demonstrate, with supporting documentation, the undue adverse effect on U.S. vessel builders and coastwise trade businesses.

Public Participation

How do I submit comments?

Please submit comments, including the attachments, following the

[1] The U.S. Coast Guard and MARAD have authority under 46 U.S.C. 12121(b) through the Secretary of the Department of Homeland Security and the Secretary of the Department of Transportation, respectively.

instructions provided under the above heading entitled **ADDRESSES**. It may take a few hours or even days for comments to be reflected on the docket. Comments must be written in English. Provide concise comments and attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

The docket online is located at *https://www.regulations.gov,* keyword search the DOT Docket Number list in the **ADDRESSES** section above or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). Please periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

You may request that MARAD treat your comments as commercially confidential by submitting them to *SmallVessels@dot.gov.* Include in the email subject heading ''Contains Confidential Commercial Information'' or ''Contains CCI'' and state in your submission, with specificity, the basis for any such confidential treatment highlighting the CCI portions. If possible, please provide a summary of your submission that can be made available to the public.

If MARAD receives a Freedom of Information Act (FOIA) request for the information, procedures described in the Department's FOIA regulation at 49 CFR 7.29 will be followed. Only information that is ultimately determined to be confidential under those procedures will be exempt from disclosure under FOIA.

Privacy Act

Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). For information on DOT's compliance with the Privacy Act, please visit *https://www.transportation.gov/privacy.*

(Authority: 46 U.S.C. 12121, 49 CFR 1.93(a).)

By Order of the Maritime Administration.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2025–17315 Filed 9–8–25; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2025 –0630]

Request Notice: Use of Foreign-Built Small Passenger Vessel in United States Coastwise Trade, M/V COASTER

AGENCY: Maritime Administration (MARAD), U.S. Department of Transportation (DOT).

ACTION: Notice and request for comments.

SUMMARY: The Secretary of Transportation, as represented by MARAD, is authorized to make determinations regarding the coastwise use of foreign built; certain U.S. built; and U.S. and foreign rebuilt vessels that solely carry no more than twelve passengers for hire. MARAD has received such a determination request and is publishing this notice to solicit comments to assist with determining whether the proposed use of the vessel set forth in the request would have an adverse effect on U.S. vessel builders or U.S. coastwise trade businesses that use U.S.-built vessels in those businesses. Information about the requestor's vessel, including a description of the proposed service, is in the **SUPPLEMENTARY INFORMATION** section below.

DATES: Submit comments on or before October 9, 2025.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD–2025–0630 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to *https://www.regulations.gov.* Search the above DOT Docket Number and follow the instructions for submitting comments.
- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include the DOT Docket Number, your name and a mailing address, an email address or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific DOT Docket Number. All comments received will be posted without change to the docket at *www.regulations.gov,* including any personal information provided. For detailed instructions on submitting comments, or to submit comments that are confidential in nature, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT: Patricia Hagerty, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Mail Stop 2, MAR–620, Washington, DC 20590. Telephone: (202) 366–5400. Email: *smallvessels@dot.gov.*

SUPPLEMENTARY INFORMATION: Pursuant to 46 U.S.C. 12121(b), the U.S. Coast Guard may issue a certificate of documentation with a coastwise trade endorsement for eligible, small passenger vessels authorized to carry no more than 12 passengers for hire if MARAD, after notice and an opportunity for public comment, determines the use of the small passenger vessel in the coastwise trade will not adversely affect United States vessel builders or the coastwise trade business of any person that employs vessels built in the United States in that business.[1]

MARAD has received an eligibility determination request. Further details about the requester's vessel and its proposed operations may be found in the determination request posted in the DOT Docket Number listed in the **ADDRESSES** section above at *https://www.regulations.gov.* Interested parties may comment on the undue adverse effect this action may have on U.S. vessel builders or coastwise trade businesses in the U.S. that employ U.S.-built vessels in those businesses. Comments should refer to the vessel name, state the commenter's interest in the request, and demonstrate, with supporting documentation, the undue adverse effect on U.S. vessel builders and coastwise trade businesses.

Public Participation

How do I submit comments?

Please submit comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. It may take a few hours or even days for comments to be reflected on the docket. Comments must be written in English. Provide concise comments and attach additional

[1] The U.S. Coast Guard and MARAD have authority under 46 U.S.C. 12121(b) through the Secretary of the Department of Homeland Security and the Secretary of the Department of Transportation, respectively.

documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

The docket online is located at *https://www.regulations.gov,* keyword search the DOT Docket Number list in the **ADDRESSES** section above or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). Please periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

You may request that MARAD treat your comments as commercially confidential by submitting them to *SmallVessels@dot.gov.* Include in the email subject heading ''Contains Confidential Commercial Information'' or ''Contains CCI'' and state in your submission, with specificity, the basis for any such confidential treatment highlighting the CCI portions. If possible, please provide a summary of your submission that can be made available to the public.

If MARAD receives a Freedom of Information Act (FOIA) request for the information, procedures described in the Department's FOIA regulation at 49 CFR 7.29 will be followed. Only information that is ultimately determined to be confidential under those procedures will be exempt from disclosure under FOIA.

Privacy Act

Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). For information on DOT's compliance with the Privacy Act, please visit *https://www.transportation.gov/privacy.*

(Authority: 46 U.S.C. 12121, 49 CFR 1.93(a).)

By Order of the Maritime Administration.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2025–17316 Filed 9–8–25; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

Agency Information Collection Activities: Information Collection Renewal; Submission for OMB Review; Disclosure and Reporting of CRA-Related Agreements

AGENCY: Office of the Comptroller of the Currency (OCC), Treasury.

ACTION: Notice and request for comment.

SUMMARY: The OCC, as part of its continuing effort to reduce paperwork and respondent burden, invites comment on a continuing information collection, as required by the Paperwork Reduction Act of 1995 (PRA). In accordance with the requirements of the PRA, the OCC may not conduct or sponsor, and the respondent is not required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number. The OCC is soliciting comment concerning the renewal of its information collection titled, ''Disclosure and Reporting of CRA-Related Agreements.'' The OCC also is giving notice that it has sent the collection to OMB for review.

DATES: Comments must be received by October 9, 2025.

ADDRESSES: Commenters are encouraged to submit comments by email, if possible. You may submit comments by any of the following methods:

- *Email: prainfo@occ.treas.gov.*
- *Mail:* Chief Counsel's Office, Attention: Comment Processing, Office of the Comptroller of the Currency, Attention: 1557–0219, 400 7th Street SW, Suite 3E–218, Washington, DC 20219.
- *Hand Delivery/Courier:* 400 7th Street SW, Suite 3E–218, Washington, DC 20219.
- *Fax:* (571) 293–4835.

Instructions: You must include ''OCC'' as the agency name and ''1557–0219'' in your comment. In general, the OCC will publish comments on *www.reginfo.gov* without change, including any business or personal information provided, such as name and address information, email addresses, or phone numbers. Comments received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. Do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

Written comments and recommendations for the proposed information collection should also be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* You can find this information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

You may review comments and other related materials that pertain to this information collection following the close of the 30-day comment period for this notice by the method set forth in the next bullet.

- *Viewing Comments Electronically:* Go to *www.reginfo.gov.* Hover over the ''Information Collection Review'' tab and click on ''Information Collection Review'' from the drop-down menu. From the ''Currently under Review'' drop-down menu, select ''Department of Treasury'' and then click ''submit.'' This information collection can be located by searching OMB control number ''1557–0219'' or ''Disclosure and Reporting of CRA-Related Agreements.'' Upon finding the appropriate information collection, click on the related ''ICR Reference Number.'' On the next screen, select ''View Supporting Statement and Other Documents'' and then click on the link to any comment listed at the bottom of the screen.
- For assistance in navigating *www.reginfo.gov,* please contact the Regulatory Information Service Center at (202) 482–7340.

FOR FURTHER INFORMATION CONTACT: Shaquita Merritt, Clearance Officer, (202) 649–5490, Chief Counsel's Office, Office of the Comptroller of the Currency, 400 7th Street SW, Washington, DC 20219. If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501 *et seq.*), Federal agencies must obtain approval from the OMB for each collection of information that they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) to include agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. The OCC asks the OMB to extend its approval of the collection in this notice.

Title: Disclosure and Reporting of CRA-Related Agreements.

OMB Control No.: 1557–0219.

Type of Review: Regular.

Affected Public: Businesses or other for-profit.

Description: National banks, Federal savings associations, and their affiliates occasionally enter into agreements with nongovernmental entities or persons (NGEPs) that are related to their Community Reinvestment Act (CRA) responsibilities. Section 48 of the Federal Deposit Insurance Act (FDI Act) requires disclosure of certain of these agreements and imposes related reporting requirements on insured depository institutions (IDIs), their affiliates, and NGEPs.[1]

Estimated Burden

Estimated Frequency of Response: On occasion.

Estimated Number of Respondents: 8.

Estimated Total Annual Burden: 369 hours.

Comments: On June 30, 2025, the OCC published a 60-day notice for this information collection, (90 FR 27904). No comments were received.

Comments continue to be invited on:

(a) Whether the collection of information is necessary for the proper performance of the functions of the OCC, including whether the information has practical utility;

(b) The accuracy of the OCC's estimate of the burden of the collection of information;

(c) Ways to enhance the quality, utility, and clarity of the information to be collected;

(d) Ways to minimize the burden of the collection on respondents, including through the use of automated collection techniques or other forms of information technology; and

(e) Estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Sarah E. Turney,

Assistant Director, Office of the Comptroller of the Currency.

[FR Doc. 2025–17235 Filed 9–8–25; 8:45 am]

BILLING CODE 4810–33–P

[1] 12 U.S.C. 1831y.

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 202508–2900–0004]

Agency Information Collection Activity: Document Evidence Submission

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed new collection, and allow 60 days for public comment in response to the notice.

DATES: Comments must be received on or before November 10, 2025.

ADDRESSES: Comments must be submitted through *www.regulations.gov*.

FOR FURTHER INFORMATION CONTACT:

Program-Specific information: Kendra Mccleave, 202–461–9568, *kendra.mccleave@va.gov*.

VA PRA information: Dorothy Glasgow, 202–461–1084, *VAPRA@va.gov*.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995, Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Document Evidence Submission (VA Form 20–10208).

OMB Control Number: 202508–2900–0004. *https://www.reginfo.gov/public/do/PRASearch*.

(Once at this link, you can enter the OMB Control Number to find the historical versions of this Information Collection).

Type of Review: New collection.

Abstract: VA Form 20–10208 (previously under OMB control number 2900–0877) is used by claimants submitting additional evidence or information in support of a claim or used to update information on a claimant's VA account. This proposal requests to assign a new control number and an additional use by a claimant when submitting evidence as part of a pre-discharge claim. Without this information, VA would not be able to efficiently and successfully process and associate evidence or information of record to a claimant's file which could negatively affect adjudication and decisions made by VA. The increase in burden is due to the associated burden from the previous control number with the additional respondents from this proposed modification.

Affected Public: Individuals or Households.

Estimated Annual Burden: 6,832 hours.

Estimated Average Burden per Respondent: 5 minutes.

Frequency of Response: One time.

Estimated Number of Respondents: 81,981 per year.

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. 2025–17265 Filed 9–8–25; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0876]

Agency Information Collection Activity: Clearance for A–11 Section 280 Improving Customer Experience Information Collection

AGENCY: Veterans Experience Office, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: Veterans Experience Office, Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to the notice.

DATES: Comments must be received on or before November 10, 2025.

ADDRESSES: Comments must be submitted through *www.regulations.gov*.

FOR FURTHER INFORMATION CONTACT:

Program-Specific information: Todd Stawicki, 908–768–5372, *todd.stawicki@va.gov*.

VA PRA information: Dorothy Glasgow, 202–461–1084, *VAPRA@va.gov*.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995, Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VEO invites comments on: (1) whether the proposed collection of information is necessary for the proper performance of VEO's functions, including whether the information will have practical utility; (2) the accuracy of VEO's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Clearance for A–11 Section 280 Improving Customer Experience Information Collection.

OMB Control Number: 2900–0876. *https://www.reginfo.gov/public/do/PRASearch* (Once at this link, you can enter the OMB Control Number to find the historical versions of this Information Collection).

Type of Review: Revision.

Abstract: Whether seeking a loan, Social Security benefits, Veterans benefits, or other services provided by the Federal Government, individuals and businesses expect Government customer services to be efficient and intuitive, just like services from leading private-sector organizations. Yet the 2016 American Consumer Satisfaction Index and the 2017 Forrester Federal Customer Experience Index show that, on average, Government services lag nine percentage points behind the private sector.

A modern, streamlined and responsive customer experience means raising government-wide customer experience to the average of the private sector service industry; developing indicators for high-impact Federal programs to monitor progress towards excellent customer experience and mature digital services; and providing the structure (including increasing transparency) and resources to ensure customer experience is a focal point for agency leadership. To support this, OMB Circular A–11 Section 280 established government-wide standards for mature customer experience organizations in government and measurement. To enable Federal programs to deliver the experience taxpayers deserve, they must undertake three general categories of activities: conduct ongoing customer research, gather and share customer feedback, and test services and digital products.

These data collection efforts may be either qualitative or quantitative in nature or may consist of mixed methods. Additionally, data may be collected via a variety of means, including but not limited to electronic or social media, direct or indirect observation (*i.e.,* in person, video and audio collections), interviews, questionnaires, surveys, and focus groups. Veterans Experience Office will limit its inquiries to data collections that solicit strictly voluntary opinions or responses. Steps will be taken to ensure anonymity of respondents in each activity covered by this request.

The results of the data collected will be used to improve the delivery of Federal services and programs. It will include the creation of personas, customer journey maps, reports and summaries of customer feedback data and user insights.

The Veterans Experience Office will collect this information by electronic means, when possible, as well as by mail, fax, telephone, technical discussions, and in-person interviews. Veterans Experience Office may also utilize observational techniques to collect this information.

Collections will be targeted at the solicitation of opinions from respondents who have experience with the program or may have experience with the program soon. For the purposes of this request, ''customers'' are individuals, businesses, and organizations that interact with a Federal Government agency or program, either directly or via a federal contractor. This could include individuals or households; businesses or other for-profit organizations; not-for-profit institutions; State, local or tribal governments; Federal government; and Universities.

Affected Public: Individuals and households.

Estimated Annual Burden: 504,982 hours.

Estimated Average Burden per Respondent: Varied, dependent upon the data collection method used. The possible response time to complete a questionnaire or survey may be 2 minutes or up to 2 hours to participate in an interview.

Frequency of Response: Varied, dependent upon the data collection method used.

Estimated Number of Respondents: 5,942,778.

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. 2025–17264 Filed 9–8–25; 8:45 am]

BILLING CODE 8320–01–P

FEDERAL REGISTER

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Part II

Department of Education

34 CFR Part 75

Final Priorities and Definitions—Secretary's Supplemental Priorities and Definitions on Evidence-Based Literacy, Education Choice, and Returning Education to the States; Final Rule

DEPARTMENT OF EDUCATION

34 CFR Part 75

[Docket ID ED–2025–OS–0020]

Final Priorities and Definitions—Secretary's Supplemental Priorities and Definitions on Evidence-Based Literacy, Education Choice, and Returning Education to the States

AGENCY: U.S. Department of Education.

ACTION: Final priorities and definitions.

SUMMARY: The Department of Education (Department) announces three priorities and related definitions for use in currently authorized discretionary grant programs or programs that may be authorized in the future. The Secretary may choose to use an entire priority for a grant program or a particular competition or use one or more of the priority's component parts. These priorities and definitions replace the Secretary's supplemental priorities published in the **Federal Register** on December 10, 2021 (86 FR 70612) and all other agency-wide supplemental priorities published prior to January 20, 2025.

DATES: The priorities and definitions are effective October 9, 2025.

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

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

SUPPLEMENTARY INFORMATION:

Purpose of This Regulatory Action: On May 21, 2025, the Department published a notice of proposed supplemental priorities and definitions (NPP) in the **Federal Register** (90 FR 21710). These final priorities and definitions may be used across the Department's discretionary grant programs.

Summary of the Major Provisions of This Regulatory Action: Through this regulatory action, we establish three supplemental priorities and associated definitions. Each major provision is discussed in the *Public Comment* section of this document.

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

The NPP in the **Federal Register** published on May 21, 2025, (90 FR 21710) contained background information and our reasons for proposing the priorities and definitions. There are differences between the proposed priorities and definitions and the final priorities and definitions established in this notice of final priorities and definitions (NFP), as discussed in the *Analysis of Comments and Changes* section in this document.

Public Comment: In response to our invitation in the NPP, more than 1,500 parties submitted comments on the proposed priorities and definitions.

Generally, we do not address technical and other minor changes, or suggested changes that the law does not authorize us to make under applicable statutory authority. In addition, we do not address general comments regarding concerns not directly related to the proposed priorities or definitions.

Analysis of Comments and Changes: An analysis of the comments and of any changes in the priorities and definitions since publication of the NPP follows.

General Comments

Comments: Many commenters appreciated the Department's focus on core issues such as evidence-based literacy, education choice, and State flexibility, noting their importance. Additionally, commenters provided feedback noting their appreciation for the clarity of the priorities and their agreement that Federal involvement often led to burdensome compliance requirements and limited local flexibility.

Discussion: Thank you to all the commenters who expressed support for the priorities. The Department appreciates the support for the prioritization of evidence-based literacy, education choice, and returning education to the States.

Changes: None.

Comments: Many commenters expressed general opposition to the Department's proposed priorities. In so expressing their general opposition, some of these commenters advocated for the priorities issued by the Department under the Biden Administration in 2021 or expressed support for specific themes from those priorities, such as social and emotional learning (SEL); diversity, equity, and inclusion (DEI) programs; teacher diversity; and equity in Science, Technology, Engineering, and Mathematics (STEM). Two commenters noted that they believed that the 2021 priorities were a tool to incentivize equal educational opportunities and welcoming school environments, which the commenters thought were important.

Regarding SEL and DEI programs under the Biden Administration, commenters advocated for the continuation and expansion of these programs. Commenters cited research on SEL as it relates to students' self-management and regulation, interpersonal relationships, mental health, and academic achievement. Commenters also emphasized their belief that DEI initiatives are crucial to fostering inclusive environments and ensuring civil rights for all students, regardless of their background. Some commenters suggested that by removing the 2021 priorities, which had a focus on DEI, the Department runs the risk of grantees violating Federal civil rights law.

Several commenters advocated for including SEL approaches, including trauma-informed practices, in Priority 1 with regard to how literacy is taught. Other commenters suggested that Priority 1 provides for additional services to support student well-being, such as health care and mental health, with one commenter naming a Full-Service Community Schools project that helps to provide these types of supports.

Additional commenters expressed opposition to SEL. One commenter stated that teachers are already overwhelmed with instructional responsibilities, that knowledgeable and compassionate teachers can nurture students, and that other institutions outside of school can provide social and emotional learning opportunities. Another commenter, while appreciating the intent behind SEL, noted that a focus on SEL may divert time away from academic instruction, lead to higher administrative costs due to additional staff and resources, and may reflect political or ideologic biases that do not align with all families' views. The commenter also stated that SEL programs are difficult to assess.

Discussion: While the Department appreciates the comments regarding the 2021 Secretary's Supplemental Priorities, this Administration is focused on addressing the urgent challenges highlighted by the abysmal National Assessment of Educational Progress (NAEP) scores in literacy, expanding learning options, and making sure decisions in education are made closest to the child.

These priorities do not change the enforcement of Federal civil rights laws. Rather, it is necessary to repeal the 2021 priorities because they encourage recipients to violate Federal civil rights law—particularly Title VI of the Civil Rights Act of 1964—by using race-based preferences and stereotypes, and racial exclusion in their programs and to use Federal funds to promote or endorse gender ideology and political activism. Additionally, the 2021 priorities are not consistent with this Administration's focus on merit, fairness, and excellence, nor did they center educational decisions with parents and States who understand their children and communities best. The Department has long had the discretionary authority to focus grant funds through supplemental priorities, which it has done across several administrations.

With regard to Priority 1, the priority rightly avoids references to social and emotional learning. It is essential that literacy instruction is grounded in explicit, systematic, and intentional instruction in phonological awareness, phonic decoding, oral and sign language, vocabulary, language structure, reading fluency, reading comprehension, and writing supported by strong and moderate evidence-based research. Comments promoting ideological or activist frameworks are misplaced and detract from the proven methods that truly support student achievement.

Changes: None.

Comments: Many commenters expressed concerns about the availability of Federal funds. Some commenters were concerned about appropriated funds that the Department had not yet awarded, while others were concerned that incentivizing or re-directing funds to State-level entities to advance Priority 3 or to continue efforts to close the Department of Education would result in reduced funding and support in the future. Commenters questioned the potential impacts of reduced funding, noting for example, the impacts on personnel, academic programming and services, protections, and the identification of and services to specific populations or students (*e.g.,* students with disabilities, homeless students, students in the juvenile justice or foster care systems, English learners, young learners with disabilities, Black students, and other underserved students). Others noted the difficulties that decreases in funding will have on rural districts and communities.

Many of these commenters called for the Department to continue education funding, with some requesting that the Department maintain funding under specific statutes, programs, or content areas.

Several commenters suggested maintaining funding for the TRIO programs. Some are concerned that the Department's emphasis on ''education choice'' and shifting control of education to States may result in less funding or support for these programs and the students they serve. One commenter requested that the Department engage with TRIO stakeholders to better understand the programs and their impact. Another commenter is concerned about the lack of alternatives to TRIO.

Discussion: Comments about funding levels for specific programs are outside the scope of this notice. To clarify, the final priorities are for use in currently authorized discretionary grant programs or programs that may be authorized in the future where Congress has appropriated funds and where the authorizing statutes permit doing so.

Changes: None.

Comments: Many commenters support continued Federal funding for research. Several commenters objected to the Department's cancellation of research grants under the National Center for Special Education Research given their importance related to understanding evidence-based solutions in special education and many suggested continuing these grants.

Discussion: As stated above, comments about funding for specific programs, including research grants, are outside the scope of this notice. For awareness, if it is within the authority of the program authorization where priorities are used, applicants may propose activities related to research.

Changes: None.

Comments: Multiple commenters supported a balanced relationship between Federal and State governments. One of the commenters suggested maintaining and expanding Federal programs that partner with States to achieve Statewide goals, citing the Statewide family engagement centers as an example. The commenter explained that the Federal government's funds are important to focus State efforts on topics of national concern and that States need the funds to pilot initiatives and determine what works before deciding to adopt approaches/strategies Statewide. Another suggested the Federal government continue to provide strong leadership, while State governments focus on evidence-based practices for all students.

Discussion: The 10th Amendment wisely reserved constitutional authority for education to the States in order to limit Federal overreach. Educational decisions should be made at the State level, where local needs, priorities, and circumstances can be better understood and addressed. The Federal government should look to the States to lead in crafting innovative and effective education policies, not impose top-down mandates. This approach is crucial for achieving the broader goal of educational excellence for all students. States must be empowered to create opportunities through policies that are more responsive, effective, and aligned with the unique needs of their communities.

Changes: None.

Comments: Several commenters suggested focusing investments on addressing, for example, teacher pay, teacher shortages, smaller class sizes, free meals, STEM, and mental health.

Discussion: The Department appreciates these suggestions and does not choose to add other priorities through this notice. We have issued separate notices related to artificial intelligence (AI), computer science, and mental health programs, and will issue notices on other priority areas as appropriate.

The Federal budget process, which involves the Administration setting its priorities through proposed funding levels, is separate from the process for establishing supplemental priorities. We continue to emphasize that many educational decisions, including those related to teacher pay, teacher shortages, and class size, should be made at the State level, where local needs, priorities, and circumstances can be better understood and addressed.

Changes: None.

Comments: One commenter suggested incorporating evidence into all Department grant programs including any new programs, and prioritizing evidence-based programs where appropriate.

Discussion: The Department appreciates this comment and notes that it has authority to incorporate evidence into competitive grant programs under the authority in the Education Department General Administrative Regulations (EDGAR) in 34 CFR 75.210. Additional comments on this topic are discussed later in this notice.

Changes: None.

Comments: None.

Discussion: After further review, the Department has made technical clarifying changes to the definition of ''evidence framework'' to ensure all paragraphs align in their structure and to clarify how study ratings would be used.

Changes: We have revised paragraph (a)(i) of the ''evidence framework'' definition to align with paragraphs (a)(ii)-(v), and have revised paragraphs (b)(iii) and (b)(iii)(3) to clarify how study ratings are used to assess strong evidence or moderate evidence.

Comments: Two commenters suggested adding a new priority that focuses on promoting local initiatives. One of the commenters felt that locally driven cross-sector solutions would be more effective in supporting local communities. The other commenter suggested reconsidering Priority 6 from the 2021 SSPs as the commenter felt it was better aligned with the Department's intention to empower State and local decision-making.

Discussion: The Department appreciates the commenters' interest in local projects. However, we do not believe a separate priority focused on local initiatives is necessary at this time, especially considering that Priority 3 would help empower states to consider or promote local initiatives. As noted elsewhere, we are interested in empowering States to implement what is best for students, families, and educators in their communities. We encourage States to work with local organizations, to the extent appropriate, to carry out projects that meet State goals and priorities. Additionally, many of the authorizing statutes for Department grant programs include local organizations as eligible entities and we would still have the authority to grant funds to local organizations in those programs.

Changes: None.

Comments: Multiple commenters recommended the addition of a priority for community partnerships that emphasizes collaboration among local entities to support education and economic outcomes. Relatedly, several commenters emphasized the importance of the Full-Service Community Schools program and efforts of that program to positively impact communities, schools, and academic outcomes. Two of the commenters encouraged the Department to continue support for this program.

Discussion: The Department appreciates commenters sharing their recommendations. While we agree that community partnerships may be valuable in local education efforts, we do not believe a priority specific to community partnerships is necessary. We note that, if it is within the authority of the program authorization where the priority is used, applicants may propose to include community partnerships as part of their projects. We note that comments about continued support for programs are outside the scope of this notice.

Changes: None.

Comments: Many commenters suggested proposing additional priorities. Some commenters recommended the addition of a priority for rural areas to ensure the unique needs of rural communities are addressed and recommended using National Center for Education Statistics locale codes to denote rural areas.

One commenter proposed a new priority that would focus the Department's SSPs more broadly than education on efforts that would support economic mobility, with the priority including subparts related to wraparound services, post-secondary success, family engagement, and workforce development, with the intent of leveraging community resources to impact outcomes. Another commenter suggested a priority for family engagement.

One commenter had recommendations for multiple additional priorities to address other educational needs, including high school redesign, redesign of assessments and accountability systems, the use of AI, and teacher satisfaction and retention. Another commenter encouraged the Department to address gaps in job-training partnerships, including subsidized employment for on-the-job training as a means of addressing teacher shortages.

One commenter suggested maintaining existing strategies that promote cradle to career opportunities for all students. Another commenter emphasized considering the needs of young children with disabilities and their families in any future investments.

Several commenters had suggestions for other ways that the Department could focus its funds. Commenters suggested, for example, prioritizing resources for projects that build equity, expand opportunities for students with disabilities to participate in early childhood education programs in community-based settings, serve historically disadvantaged communities, support the most vulnerable students, strengthen public schools, and advance academic achievement.

Discussion: We appreciate the thoughtful engagement of commenters and recognize the great importance of many of these topics. Educational needs differ significantly across the nation, and States are best positioned to determine and implement the solutions that best serve the unique needs of the students, families, and educators in their communities, rather than the Federal government imposing top-down mandates. As such, we are focusing these Federal priorities on addressing the urgent challenges highlighted by the abysmal NAEP scores in literacy, empowering parents and families, and returning education to the States. Specifically, we aim to prioritize evidence-based literacy programs, expand educational choice, and direct discretionary grant funds toward State-level entities to ensure that decisions are made closer to the communities they serve.

We will continue to consider these suggestions as we work to implement the final mission of the Department.

We note that, the Department has a priority available in EDGAR to prioritize rural areas using locale codes, if appropriate for a given competition. As such, we decline to make a change.

Changes: None.

Comments: One commenter suggested adding accessibility requirements to all three proposed priorities or proposing a fourth priority that would address accessibility requirements, for which the commenter included suggestions.

Discussion: We agree that it is important to consider the needs of students with disabilities as applicants respond to these grant priorities. We note that projects funded through discretionary grants using these priorities must already be consistent with the requirements of the Individuals with Disabilities Education Act (IDEA), Americans with Disabilities Act (ADA), of the Rehabilitation Act of 1973, where applicable. Therefore, the Department declines to add accessibility requirements to these priorities because they would be duplicative of existing law.

Changes: None.

Comments: One commenter, in expressing its overall support for the priorities, suggested that the Department provide examples of policies that explain why State governments are better equipped to implement the policies.

Discussion: While we thank the commenter for their comment, we decline in this document to specify examples or guidance to States regarding policies in which State governments might be better equipped to implement.

Change: None.

Comments: One commenter encouraged the Department to continue engaging with stakeholders on important issues. Another commenter suggested, more specifically, engaging with stakeholders on the development and evaluation of programs.

Discussion: The Department thanks commenters for their suggestions. We look forward to continued engagement with the American public on these critical topics, including on the development and evaluation of programs.

Changes: None.

Comments: Multiple commenters emphasized the need for the Department and these priorities to recognize the sovereignty of Tribal nations and well as Native communities, such as Native Hawaiians.

Discussion: We appreciate the commenters' request and note that in these priorities, the Department identifies Indian Tribes (as defined in

25 U.S.C. 5304(e)), Tribal organizations (as defined in 25 U.S.C. 5304(l)), or Tribal educational agencies (as defined in 20 U.S.C. 7452(b)(3)), as eligible entities that may carry out projects or proposals under Priority 3. These priorities do not alter the Department's existing relationship with Tribal nations or other Native communities.

Changes: None.

Comments: One commenter urged the Department to continue equitable services in any legislation that may be proposed regarding future education programs and services and to ensure compliance with specific legal rulings related to religious schools. The commenter is concerned that State-level grantees may exclude private schools, and in turn children who are eligible for Title program services, from available funding.

Discussion: We appreciate the commenter sharing their concerns. These final priorities are for use in currently authorized discretionary grant programs or programs that may be authorized in the future where Congress has appropriated funds and the authorizing statutes permit doing so. They do not apply to programs that have equitable services requirements. Moreover, these priorities do not change any existing legislation or requirements related to equitable services.

Changes: None.

Comments: One commenter noted that the notice's Regulatory Impact Analysis failed to consider the economic costs/benefits of accessibility compliance noting the economic benefits of relatively short-term educational investments as compared to the costs of lifelong dependence on social programs. Another commenter had concerns about compliance with Executive Order 14192 and the need to identify and repeal regulations and compliance with the National Environmental Policy Act.

Discussion: The Regulatory Impact Analysis explains why a regulation is needed, evaluates alternatives, and assesses the expected costs, benefits and impacts of the rule. It does not, therefore, address costs involved with meeting existing statutory requirements related to accessibility. Additionally, these priorities were determined by the Office of Management and Budget to be non-significant under section 3(f) of Executive Order 12866. These priorities are not considered to be an ''Executive Order 14192 regulatory action''. These priorities do not impact the National Environmental Policy Act.

Changes: None.

Comments: One commenter expressed concern that the changes in the priorities will lead to confusion and inconsistency across States. The commenter believes the Department's role is necessary to provide leadership and establish consistency for students who move across States.

Discussion: States, rather than the Federal government, are best positioned to lead in education. Because State and local governments are closer to the students and families they serve, it is crucial that the Department empower States to create opportunities through policies that are more responsive, effective, and aligned with the unique needs of their communities.

Changes: None.

Comments: One commenter was concerned about the language of ''one or more'' included in the priorities, which the commenter thought gives too much authority to the Secretary in deciding policy implementation and implementing policy that has not gone through the legislative process.

Discussion: This language allows the Department to apply the priorities in the different contexts of many programs. It is a regularly used policy term that is available to the Secretary when priorities go through notice and comment rulemaking.

Changes: None.

Priority 1: Promoting Evidence-Based Literacy

Comments: Many commenters who submitted feedback on Priority 1 expressed support for focusing on improving literacy through evidence-based approaches. Numerous commenters shared concerns about student performance on reading assessments, including the NAEP assessment, noting literacy is critically important to being prepared for school and for the workforce. Many commenters noted the importance of grounding literacy instruction in evidence-based practices. Many commenters noted the urgency of broadening access to evidence-based literacy to as many students as possible. Some commenters shared personal stories about themselves or their children and experiences with dyslexia, and how evidence-based literacy gave them opportunities in life. Other comments described their support for the priority because of their experience with implementing evidence-based literacy in schools and seeing significant improvements in outcomes. Several commenters said that educator preparation programs should be providing future teachers with the knowledge to be experts in teaching evidence-based literacy, and that ongoing professional development should equip teachers with the latest information about evidence-based literacy strategies.

Discussion: Thank you to all the commenters who expressed support for Priority 1 and its focus on improving literacy through evidence-based approaches. We sincerely appreciate your thoughtful feedback and shared commitment to advancing literacy outcomes. Your support reinforces the importance of using proven strategies to ensure all learners have the opportunity to succeed.

Changes: None.

Comments: Several commenters made points related to assessments, including a commenter who supported the priority and advocated for comparing literacy results in the United States with other nations. Another commenter opposed the priority, noting concerns about the utility of standardized tests. Another commenter advocated for a new national assessment other than NAEP to replace State assessments.

Discussion: The Department appreciates these comments and notes that they are outside the scope of this notice.

Changes: None.

Comments: Some commenters said it was not clear how the priority was aligned with other decisions by the Administration, including proposals to eliminate currently authorized and funded literacy programs, grants that the Department has discontinued, the Reduction in Force conducted at the Department, or the proposed elimination of the Department of Education.

Discussion: As we work to realize the Department's final Mission and return education to the States, it is crucial that Federal dollars are directed toward addressing the most urgent needs of students and families. This includes prioritizing evidence-based literacy programs in response to the abysmal NAEP scores, ensuring that Federal resources are spent on strategies that have proven effective in improving student outcomes. Comments about issues such as the Reduction in Force are outside of the scope of this notice.

Changes: None.

Comments: Some commenters said that the Department must clarify how the priority does not endorse or appear to endorse any specific curriculum, literacy program, or pedagogical methods.

Discussion: This priority, along with the other priorities, does not require nor endorse any particular curriculum, program, or intervention. Furthermore, under the Department of Education Organization Act, the Secretary is not authorized to exercise any direction, supervision, or control over the curriculum, or program of instruction at any school or institution of higher education (see 20 U.S.C. 3403). The program components in this priority are grounded in evidence concerning what would help address the significant learning needs of students as demonstrated by NAEP. If the priority is used for a program, applicants could choose any curriculum that meets the evidence standard indicated in the priority.

Changes: None.

Comments: Several commenters recommended prioritizing learners of different ages in the literacy priority. For example, some commenters recommended that the Department dedicate funds to adult learners, with several commenters noting that increased literacy proficiency can lead to improved income levels. Several commenters recommended expanding the priority beyond elementary and secondary school students and connecting adult literacy with workforce preparation and training. Many commenters suggested a new priority and definition for adult education, more broadly, and provided text for consideration.

Discussion: We appreciate the commenters' points about the connection between literacy and employment outcomes and agree that literacy is an important aspect of being prepared for the workforce. To this end, if it is within the authority of the program authorization where the priority is used, applicants may propose to include adult literacy instruction as part of their projects.

Changes: None.

Comments: Several commenters advocated for adding to the priority a focus on early learning, with some advocating for starting at birth. One commenter suggested that support should go beyond classroom instruction to include early identification and support systems and recommended a focus on birth to age eight due to the high return on investment. The commenter also advocated for the Department to work with the Department of Health and Human Services and States to increase access to high-quality early learning. Another commenter suggested that the Department should have a campaign for reading to children starting at birth.

Discussion: We agree with the commenters who noted the connection between literacy for early learning and school readiness. To this end, if it is within the authority of the program authorization where the priority is used, applicants may propose to design projects with a focus on early learning and early identification and support systems. While the Department agrees that coordination with other agencies and reading campaigns can be beneficial, such suggestions are outside the scope of these priorities.

Changes: None.

Comments: Numerous commenters recommended that the Department revise the priority to require States, districts, and schools prioritize literacy instruction for students with disabilities. Some commenters recommended including funding for screeners that identify children at risk or those with learning disorders, such as dyslexia. One commenter said that literacy initiatives must be developmentally appropriate and be individualized to align with an Individualized Education Program or Individualized Family Service Plan.

Discussion: Thank you for your comments and recommendations regarding the prioritization of literacy instruction for students with disabilities. The Department appreciates the thoughtful input and the emphasis on the importance of ensuring strong literacy outcomes for this population.

While the student groups that are the focus of this priority would be determined based on the underlying program authority, the language of the priority is intentionally broad to provide a framework that can inform and support ongoing and future efforts to improve literacy instruction for all students, including those with disabilities. This includes promoting evidence-based practices that can be aligned with programs aimed at serving students with disabilities.

Changes: None.

Comments: A commenter advocated for requiring policies and interventions to address dyslexia.

Discussion: The Department recognizes the importance of identifying dyslexia and providing high-quality learning opportunities to all students, including students with dyslexia. Applicants may propose or expand upon policies and interventions to address dyslexia if those activities are authorized under a program statute.

Changes: None.

Comments: Several commenters noted the importance of serving American Indian, Alaska Native, and Native Hawaiian students. One commenter recommended a carve-out within the priority to support community best practices for projects and proposals aimed at improving literacy of American Indian and Alaska Native children through culturally driven programs.

One commenter recommended that evidence-based methods should include indigenous knowledge systems, oral traditions, and language revitalization. Another commenter recommended revising the definition of ''evidence-based literacy instruction'' to include dual-language and Native American language programs that are supported by community-based evidence or culturally responsive evaluation methods and recommended ensuring that grantees working with Native American students are encouraged to integrate Tribally grounded reading materials and community knowledge systems in alignment with Tribal education codes and language initiatives. A commenter advocated for the use of cultural context and indigenous language evidence for literacy practices to be effective for Native Hawaiian students.

Discussion: The Department appreciates the commenters' points about the importance of serving American Indian, Alaska Native, and Native Hawaiian students. The evidence-based literacy priority will promote literacy instruction based on evidence to ensure that explicit, systematic, and intentional instruction in phonological awareness, phonic decoding, oral and sign language, vocabulary, language structure, reading fluency, reading comprehension, and writing help all students, including Alaska Native and Native Hawaiian students, learn to read. Note: A comment summary and discussion regarding the addition of oral and sign language and writing is discussed later in this notice.

The Department believes these components of evidence-based literacy, as defined in the notice, are the best strategies to focus on for improving student literacy for all students. These components were identified by the National Reading Panel and codified in the Elementary and Secondary Education Act, as amended (ESEA).

Changes: None.

Comments: Several commenters advocated for ensuring that English learners were served by the priority, with some commenters saying that the moderate or strong evidence was not available for serving multilingual students and could result in multilingual students being left out if approaches are limited to moderate or strong evidence. Some commenters expressed concern that limiting activities to moderate and strong evidence could exclude ''innovative or promising approaches'' that serve English learners, and said that the Department should ensure applicants serving specific populations are not disadvantaged because of the existing research base. One commenter noted that literacy instruction for English learners needs to be connected to their home language and connections need to be made across languages and noted the importance of serving multilingual students who also have disabilities. Some commenters stated that it was essential evidence-based literacy programs include culturally responsive materials.

Discussion: The Department is committed to improving literacy after the abysmal NAEP scores indicated that students are not meeting the education achievement standards they need. As stated earlier in this notice, the components of evidence-based literacy are based on the best available evidence. In a grant competition where this priority is used, activities would be reviewed for whether they meet the priority. Applicants may propose additional activities, including related to literacy, for which they would like to implement ''innovative or promising approaches'' and build evidence, if those activities are within the authority of the program authorization.

Changes: None.

Comments: Several commenters advocated for tutoring as a strategy for providing students support as part of an evidence-based literacy intervention. Commenters noted that tutoring can help to catch up students who are performing below grade level in literacy.

Discussion: The Department agrees that tutoring, particularly high-dosage tutoring, may be a strategy that is part of implementing evidence-based literacy. We note that the tutoring would need to be evidence-based as defined in the notice to meet the priority. If it is within the authority of the program authorization where the priority is used, applicants may propose to include tutoring services as part of their projects.

Changes: None.

Comments: Some commenters recommended highlighting approaches for providing evidence-based literacy outside of regular school time, with one commenter suggesting a new subpart focused on literacy-rich environments beyond the school day, including local community-based and faith-based afterschool and summer settings.

Discussion: The Department agrees that efforts to implement evidence-based literacy may occur outside of the regular school day. If it is within the authority of the program authorization where the priority is used, applicants may propose services that are provided outside of the regular school day as part of their projects.

Changes: None.

Comments: Some commenters suggested that the Department highlight the importance of access to books and school libraries. Commenters described how access to a variety of books fosters a love for reading, and that school libraries are important for ensuring that all students have access to books.

Discussion: The Department agrees that access to books is important for literacy instruction and for fostering a love of reading. We note that, if it is within the authority of the program authorization where the priority is used, applicants may propose to include the purchase of books and support of libraries as part of their projects.

Changes: None.

Comments: One commenter recommended adding language to the priority that would explicitly allow for screen-free tools and devices as instructional options. The commenter's suggested language is intended to ensure that non-screen tools are not excluded due to the method of delivery, while maintaining fidelity to rigorous evidence standards.

Discussion: The Department thanks the commenter for this point. Many states have undertaken programs or enacted policies which aim to reduce the screen time of students in the classroom. The priority does not dictate the medium of the tools and devices used in schools and applicants may propose approaches that they consider the most appropriate for their projects consistent with available evidence.

Changes: None.

Comments: Numerous commenters advocated for the role of parents and families in literacy, including through family engagement in literacy programs and family literacy programs, including approaches to focusing on literacy at home.

Discussion: The Department appreciates the commenters' advocacy for the central role of parents and families in learning. We agree that families are their children's first teachers and that engaging with families is very important for improving education. We also agree that evidence-based approaches to literacy may include appropriate family literacy programs. Finally, we note that family engagement is explicitly addressed in Priority 2.

Changes: None.

Comments: Some commenters suggested additions of approaches to literacy instruction. For example, a commenter advocated for adding ''motivation'' and ''volume of reading'' to the literacy definition. Another commenter suggested the definition be expanded to include world languages. Other commenters recommended adding to the literacy definition such areas as writing and written expression, mathematical literacy and financial literacy, and digital, media, and news literacy. Another commenter advocated the definition clarify how multitiered systems of support can be used to improve literacy across subject areas.

Discussion: The Department appreciates these suggestions. We agree that writing and oral language are essential components of evidence-based literacy instruction. We also think it is relevant to include sign language for students who use American sign language. However, we believe the other suggestions of commenters extend beyond the core elements of literacy, as identified by the National Reading Panel and codified in the ESEA, and may be better considered as supplementary rather than foundational. We note that, if these topics or activities are within the authority of the program authorization where the priority is used, applicants may propose to include them as part of their projects.

Changes: We revised the text of the definition of ''evidence-based literacy instruction'' to include writing and oral language. We also revised the text to include sign language for students who use American Sign Language.

Comments: Numerous commenters emphasized the importance of educator preparation and professional development, including coaching, to support teachers as strong literacy and reading practitioners. Several commenters expressed support for IDEA Part D personnel preparation programs as part of this work. Two commenters specified the importance of enhancing educators' use of data to inform literacy instruction. Another commenter advocated for the role of educators as ''leading the design and implementation of instructional strategies,'' while ''educational agencies may lead the identification of instructional strategies.''

Discussion: The Department appreciates the commenters' points about the connection between literacy and educator preparation. We note that, if it is within the authority of the program authorization where the priority is used, applicants may propose to include activities related to educator preparation as part of their projects.

Changes: None.

Comments: One commenter recommended adding speech-language pathologists and audiologists in advancing evidence-based literacy.

Discussion: The Department appreciates the commenters' points about the connection between literacy, speech-language pathologists, and audiologists. We note that, if it is within the authority of the program authorization where the priority is used, applicants may propose to include speech-language pathologists and audiologists as part of their projects.

Changes: None.

Comments: One commenter expressed an interest in working with the Department to promote functional literacy through the development of resources on the role of occupational therapy in improving academic achievement, as well as participation in school, community, and society.

Discussion: The Department appreciates the commenter's points about the connection between literacy and occupational therapists. We note that, if it is within the authority of the program authorization where this priority is used, applicants may propose to include occupational therapists as part of their projects.

Changes: None.

Comments: Several commenters expressed concerns that the priority is too narrowly focused. One commenter felt that the role of background knowledge, metalinguistic awareness, writing, English language development, and developing literacy in multiple languages are key elements of reading instruction that are not addressed in the evidence-based literacy framework. One commenter urged the Department to focus on the comprehensiveness of the definition, as the literacy pillars cannot be taught in isolation. Several commenters recommended revising the definition of evidence-based literacy instruction to add language development and the building of background knowledge given the different needs of learners to support comprehension. The commenters suggested that writing development, assessment, and intervention are other components of evidence-based literacy instruction that the Secretary should consider. One commenter said that the Science of Reading is outdated and needs to be updated.

Discussion: We agree with the importance of a comprehensive approach to literacy instruction and note that the priority is drafted to involve all of the pillars in combination to emphasize the ways they are interconnected. We also agree that writing, and oral and sign language, are essential components of evidence-based literacy instruction. We note that, if it is within the authority of the program authorization where the priority and definition are being used, applicants may propose to include other elements related to literacy that are supportive of the core definition.

Changes: As noted elsewhere, we revised the text of the definition of ''evidence-based literacy instruction'' to include writing and oral language. We also revised the text to include sign language for students who use American Sign Language.

Comments: Several commenters advocated for funds used to invest in high-quality instructional materials with one advocating specifically for high-quality instructional materials adaptable for ''diverse learners,'' including students with disabilities.

Discussion: The Department appreciates the commenters' points about the connection between literacy and high-quality instructional materials. If it is within the authority of the program authorization where the priority and definitions are used, applicants may propose utilizing high-quality instructional materials that can be adaptable to the needs of the students as part of their projects.

Changes: None.

Comments: Some commenters supported adding an emphasis on differentiated instruction, including offering specific language to incorporate differentiating instruction. One commenter advocated for the importance of annual testing to inform interventions for students based on their needs. Another commenter suggested consideration of whether to prioritize students who are at the bottom quartile of literacy achievement results. A commenter advocated for supporting all students, with a focus on those students farthest behind in literacy. One commenter recommended rewriting the priority to focus on students with the most need and accelerating learning, without contributing to tracking or remedial courses, and using technology.

Discussion: This priority will allow applicants to utilize strong or moderate evidence to provide literacy instruction to students and training to teachers with the goal of improving literacy outcomes for all students. If it is within the authority of the program authorization where the priority is used, applicants may propose to incorporate differentiated instruction or apply it to different programs when serving different groups, as part of their projects.

Changes: None.

Comments: One commenter made a general comment to ask the Department to do more to have States require evidence-based literacy. Another commenter advocated for standardized approaches to literacy described in the priority, with the Department requiring all States to follow the priority. Another commenter noted that the priority ''would allow for States to have specific requirements around what is allowable with Federal funds and the ability to reject activities districts request to implement that might be literacy focused but not evidence based,'' and did not express support or opposition.

Discussion: As the Department works to return education to the States, it appreciates the comments regarding State implementation and oversight of literacy initiatives. This priority is designed to support the use of strong or moderate evidence in literacy instruction and professional development. However, the Department does not intend to impose new requirements on States or mandate a standardized approach. Instead, it provides a framework to encourage evidence-based literacy practices while preserving State flexibility to align implementation with local policies, needs, and program goals.

Changes: None.

Comments: One commenter encouraged the Department to ensure a focus on rural areas in Priority 1.

Discussion: Priority 1 is not focused on any specific type of program, entity, or geographic area. However, we note that the Department already has a priority available under EDGAR (34 CFR 75.227) to prioritize rural areas, if appropriate for a given grant competition. As such, the Department does not need to include a focus on rural areas in this priority because the authority already exists.

Changes: None.

Comments: One commenter expressed support for the definitions of ''evidence-based'' and ''evidence framework'' as proposed. Some commenters expressed support for the inclusion of a definition of evidence and advocated for using the definitions in the ESEA or the What Works Clearinghouse (WWC). One comment representative of multiple organizations argued that broad reliance on the WWC is troublesome due to its lack of transparency in its policies and guidelines, stating that conclusions in their reports can be misleading and potentially damaging to program developers, and ultimately students.

One commenter noted the importance of certified, trustworthy researchers and reviewers of studies, and said that due to limited WWC capacity, evidence reviews must be done by third party organizations doing WWC training. Another commenter expressed support for funding evidence-based solutions and advocated for specific definitions for ''evidence-based program'' and ''evidence-building program.'' One commenter applauded the focus on proven literacy interventions and recommended widening the evidence definition to include ''promising evidence'' and ''demonstrates a rationale.'' The commenter also stated that the Science of Reading would not be considered an evidence-based practice in Priority 1. Another commenter recommended that the Department advise States to reference multiple evidence-validation resources, beyond curriculum alignment tools, to ensure subgrantees meet the rigorous criteria defined in this priority.

Discussion: We appreciate the comments that addressed the evidence definitions. We note that the definitions in the notice are aligned with ESEA and decline to introduce a new definition in the interest of consistency with statutory language and clarity for the education community. In a future notice, we anticipate proposing changes to EDGAR to align with the definitions of evidence in this priority.

We know that organizations in addition to the WWC may be well-positioned to classify evidence as moderate or strong, so have included the option to have external organizations verify the rigor of evidence cited in grant applications.

We will not be including ''promising evidence'' or ''demonstrates a rationale,'' because the body of evidence related to literacy supports a moderate or strong level of evidence, and we want the highest standard of content being used to help our students read.

Changes: None.

Comments: One comment representative of multiple organizations noted strong concerns with the WWC, and cited a report focused on how the WWC could be improved. The comment noted concerns about the negative impacts the budget cuts will have on the Institute for Education Sciences (IES) research and its ability to make the proposed changes to the WWC. The comment also provided a link to a guide to evidence for the Department's consideration.

Discussion: We appreciate commenters sharing concerns regarding the WWC. We acknowledge that other organizations may also be well-positioned to assess the rigor of evidence. As such, we have included the option for external organizations to verify the strength of evidence presented in grant applications in this priority.

Changes: None.

Comments: Two commenters expressed support for IES and recommended linking to IES resources in the priority.

Discussion: The Department appreciates the commenters' points related to IES as it relates to this priority. The Administration is focused on reforming and improving IES.

Changes: None.

Comments: Some commenters expressed concerns about evidence-based interventions being expensive, with one commenter saying that evidence-based strategies are likely most used by entities with more funding, under the Federal Education Innovation and Research program. Another commenter made a related point, suggesting that the Department emphasize that public support, including grant funding, is vital to help evidence-informed innovations reach scale.

Discussion: We appreciate the commenters' feedback. We believe maintaining a focus on moderate or strong evidence is critical to improving literacy outcomes for students. This notice finalizes definitions related to evidence to address some of these concerns.

Changes: None.

Comments: Another commenter urged the Department to prioritize funding for initiatives that have demonstrated measurable success in improving literacy outcomes for students, particularly in urban and rural school districts for both public and charter schools.

Discussion: We appreciate this comment. The priority will continue to focus on evidence-based literacy instruction that is supported by strong or moderate evidence because those approaches are the ones that have demonstrated measurable success and we want the highest standard of content being used to help our students read.

Changes: None.

Comments: Some commenters made suggestions related to sharing information about lessons learned. One commenter made recommendations related to data-sharing, rapid evaluation, and collaboration between product providers and researchers. The commenter suggested using funding to encourage use of evidence-based practices to publicly report results, including through clearinghouses, technical assistance, and capacity building.

Discussion: We agree with the importance of disseminating results of education programs, whether done by the Department or by other entities ensuring high-quality evidence materials. Several of the EDGAR selection criteria that can be used in any grant competition focus on sharing information about projects with the education community, and we may use those as appropriate for the purpose of the program. In addition, unless an exception applies, the Department requires all grantees to openly license materials developed with grant funds, and we encourage applicants to consider effective dissemination strategies for sharing what they learn from their projects.

Changes: None.

Priority 2: Expanding Education Choice

Comment: Multiple commenters expressed support for Priority 2 and the focus on expanding education choice, with many discussing the importance of having options available based on student interest, supporting parents as key decisionmakers, and ensuring that all students have access to quality schools regardless of income or geography. Some commenters highlighted the importance of offering flexible educational options for part-time students. Multiple commenters expressed support for the priority's focus on work-based learning and allowing high school students to earn college credits through participation in dual enrollment programs, which a few commenters specifically highlighted as accessible options for rural students. Some commenters specifically highlighted the importance of high impact tutoring, including one commenter who suggested an even greater emphasis on this strategy. One commenter offered support for the priority's inclusion of language supporting tax credit scholarship programs, educational savings accounts, and related options as areas of particular support, as well as support for State-level efforts to promote educational choice. Another commenter highlighted microschools and interest-based online courses as promising models that can be supported with expanded choice; this commenter also advocated for outcomes-based financing as a tool to support access to career-aligned training programs.

Discussion: We agree that this priority, and its focus on providing families and individuals with access to quality educational options, is important to best meet their unique needs. This priority can be adopted across a wide range of Department programs and offers applicants a wide range of options to develop strategies that increase educational choice and promote high-quality learning opportunities.

Changes: None.

Comments: Multiple commenters, including some commenters that support the public school choice components of the priority, expressed opposition to the aspects of the priority that could encourage applicants to propose strategies to encourage students to enroll in private schools. Many commenters noted that encouraging private school enrollment through voucher programs or other strategies diverts funding from public schools without generating proportional cost reductions in such schools.

Discussion: We are dedicated to ensuring families have access to high-quality educational options, and that families should have the freedom to select the best school for their children. Our commitment is to provide families with choices and equip them with the necessary information and tools to make these crucial decisions.

We believe that promoting education freedom supports public schools. Additionally, this priority will be implemented in programs that enhance the program statute, rather than replacing Federal statutory requirements, and must align with the specific language of each program where applicable.

Changes: None.

Comments: Commenters raised concerns that encouraging private school enrollment does not primarily benefit the students who need the most help, such as: low-income students because they cannot afford to pay the difference between the private school tuition price and the amount of the voucher; students with disabilities and English learners because private schools do not need to abide by the same civil rights requirements as public schools, nor afford protections and services such as those provided under IDEA or 504; students in rural areas because transportation and broadband access limit access to private schools; LGBTQ+ students and families, with some commenters sharing evidence that private schools practice exclusionary or discriminatory practices towards LGBTQ+ individuals; and students from religious minorities, as many private schools offer sectarian education and exclude students or limit the practice of other faiths.

Discussion: This priority is designed to increase access to educational choice for all students and allows parents to make informed decisions, choosing the best learning environment for their children. Depending on the program, this priority can be used as a tool for the Department to incentivize proposals that provide families with greater educational choice, whether that be through expanding charter schools, disseminating information on innovative school models, or providing families with resources to make the best education decisions for their learners. Education choice improves student outcomes and enables families to pursue an excellent education for their learners regardless of where they live.

This priority will be used to complement the applicable program statute and will not replace statutory requirements under the ESEA, IDEA, or other laws and must be consistent with all applicable Federal and State laws. The Department's Office for Civil Rights (OCR) enforces students' antidiscrimination protections.

Changes: None.

Comments: Some commenters shared concerns that there was limited evidence of the effectiveness of private school expansion efforts such as voucher programs, that private schools may have negative effects on communities such as increased racial segregation and isolation, and that private schools were not subject to the same accountability as public schools, risking waste and corruption.

Discussion: We appreciate the comments about the current evidence on educational choice. Parents best know their children and what they need to succeed. At its core, education choice provides parents the opportunity to select the best education option to meet their students' unique needs. This priority is designed to support this crucial work.

The evidence related to school choice indicates that it is connected to improved parent and student satisfaction and other positive outcomes. An analysis of a specific set of voucher programs found that they can be a cost-effective use of public funding for education.[1] The study found that private school voucher programs were generally at least as effective as traditional public schools at improving math and reading scores and cost the government less.

As the body of evidence supporting the benefits of education choice continues to grow, the Department is committed to prioritizing innovative choice models and expanding the evidence base for education choice. EDGAR provides the Department with the authority to add an evidence priority to any competition, and the Department will consider those decisions and their connection to these priorities as appropriate.

Changes: None.

Comments: Multiple commenters discussed the inclusion of charter schools within the priority, with mixed feedback from commenters. Several commenters shared support for the inclusion of charter schools within the priority, highlighting the importance of public charter schools in providing high-quality choice where schools are accountable to Federal laws and regulations. Multiple commenters shared concerns with the inclusion of charter schools within the priority, citing insufficient evidence of the impact of charter schools on student outcomes; concerns that some charter schools may participate in exclusionary practices, including for students with disabilities and English learners; and that charter school expansion could divert resources from public schools. Another commenter recommended that the Department focus on the Charter Schools Program authorized under ESEA as the primary driver of charter school expansion, noting its robust protections for students with disabilities; and another recommended that the Department focus more on expanding choice programs within existing public schools over expansion of public charter schools.

Discussion: Charter schools play a foundational role in this Administration's priority of empowering parents with educational options and are a key lever to improving student outcomes and increasing the number of high-quality educational choices available to our Nation's students and families. The inclusion of charter schools within this priority is intended to support continued expansion and enhancement of charter school programs, through a focus on areas such as replicating or expanding successful charter school models and supporting the successful operation of schools through technical assistance. This priority builds upon the Administration's support for the Federal Charter Schools Program authorized through the ESEA and is designed to provide additional opportunities to prioritize and strengthen charter school programs. The Administration appreciates the feedback on the role and impact of charter schools and believes that the continued inclusion of these elements within the priority is critical to its successful implementation and responsive to calls to ensure that all students have access to high-quality education options.

Changes: None.

Comments: One commenter specifically identified support for the

[1] Shakeel, M.D., Anderson, K.P., and Wolf, P.J. (2017). The Justice Is Worth the Squeeze: A Cost-Effectiveness Analysis of the Experimental Evidence on Private School Vouchers across the Globe. Paper presented at the Spring 2017 conference of the Society for Research on Educational Effectiveness.

long-term planning for charter schools enabled under Priority 2 (a)(ii).

Discussion: The Department appreciates the support of this element of the priority. Thoughtful, strategic planning is essential to the success and sustainability of charter schools.

Changes: None.

Comments: Some commenters provided specific suggestions on the language related to technical assistance for charter schools within Priority 2 (a)(iii). A few commenters shared recommendations to expand this technical assistance to also include charter school authorizers and States, and several suggested that this technical assistance should include a focus on how to provide equitable access for students with disabilities, with one commenter also specifically referencing students with autism.

Discussion: The Department appreciates the feedback from commenters on this element of the priority and agrees that it may be helpful to the goal of supporting charter schools to support technical assistance to other entities, including States or authorizers, as these groups are critical to charter school expansion. The Department also appreciates many commenters' focus on providing opportunities to students with disabilities and ensuring compliance with IDEA and agrees that this could also be a relevant topic of technical assistance, but notes that the priority as written already provides applicants the flexibility to propose projects providing support connected to this topic and does not feel that specifying it as an option is necessary.

Changes: Priority 2 (a)(iii) is updated to indicate that technical assistance can be provided to States, authorizers, or other relevant parties supporting charter schools, in addition to charter school operators.

Comments: A few commenters provided input on the proposed focus areas for charter schools under Priority 2 (a)(i). One commenter suggested that the Department should not identify suggested focus areas and instead allow the field to innovate, or to keep potential focus areas as invitational priorities only. Several commenters opposed the inclusion of classical education and patriotic education among the list of proposed topic areas, with concerns including that the areas were vague and needed definition, lacked evidence of their effectiveness, or that their inclusion may violate prohibitions on the Department's involvement related to specific curricula or programs of instruction. Specifically, for patriotic education, one commenter raised concerns that this topic area may stifle coverage of Black history and experience and create a hostile environment for students. Other commenters discussed the proposed focus area under (a)(i)(4) on charter schools to serve students with disabilities or special needs, with one commenter opposing this focus area, and one urging the Department to prioritize transparency, monitoring, and accountability for such schools. Another commenter opposed using the phrase "students with special needs" in this section as it is not a defined term in law.

Discussion: The Department appreciates the feedback from commenters on the proposed focus areas for charter schools. The Department notes that we do not establish or identify the type of priority (Absolute, Competitive Preference, or Invitational) through an NFP but separately in each Notice Inviting Applications in which the priority is used. Additionally, the language of the priority allows for the focus on schools with a "record of improving students' academic achievement," not only the specific focus areas listed in (a)(i).

The Department appreciates the feedback on the inclusion of classical education, patriotic education, and models serving students with disabilities, but disagrees with the concerns raised by commenters. The Department believes that including these as topic areas is responsive to innovation occurring within charter schools. Many charter schools with such focus areas as classical education and serving students with disabilities have been opened and the Department intends to continue to support such innovation from the field.

Further, the Department views patriotic education models as a critical tool to support citizenship competency and informed patriotism, rooted in a recognition of the value of America's foundational principles and ideals, and an accurate and honest account of American history. The Department plans on defining patriotic education in an upcoming notice and wants to provide the public the opportunity to comment on the potential definition. For this notice, the Department prefers to allow charter schools flexibility in the models they propose under this element of the priority. The Department, does, however, agree to amend the language in Priority 2 (a)(i)(4) to reference only students with disabilities.

Changes: Priority 2 (a)(i)(4) has been amended to remove the reference to students with special needs.

Comments: Several commenters suggested additional forms of public school choice to incorporate within Priority 2. Multiple commenters encouraged the Department to explicitly mention magnet schools in the priority, noting that such schools are key to expanding education choice. One commenter also recommended that the Department include controlled choice, interdistrict transfer, and dual language immersion public charter schools as options under the priority.

Discussion: We appreciate these suggestions. While we view magnet schools as an allowable option under (a) of this priority, we agree that their prominence as an educational choice model in the public school system warrants explicit reference. Regarding the other suggestions, we prefer to focus the text of the priority on core choice options that can be integrated across a wide range of programs and do not think additional changes are needed.

Changes: Priority 2 (a) has been revised to include reference to magnet schools.

Comments: Several commenters suggested additional options to include in Priority 2 as options to advance educational choice. One commenter recommended that the Department add an option for projects or proposals to expand access to high-quality afterschool and summer learning to the priority, noting that these programs are critical elements of the school choice landscape. Another commenter recommended that the Department include projects or proposals to expand access to high-quality, proficiency-based language education taught by a certified language educator and to those supporting students working towards a Seal of Biliteracy, citing evidence around workforce needs and employability skills as rationale.

Discussion: Thank you for these suggestions. We recognize the value of high-quality afterschool and summer learning programs, as well as proficiency-based language education. We want to focus Priority 2 on core choice options that can be integrated across a wide range of programs and note that after-school and summer learning programs can be included in applicant proposals if they are allowable within the authority of the program authorization where the priority is used. This approach allows for broader applicability and ensures that the priority supports education choice in a scalable way.

Changes: None.

Comments: Some commenters highlighted the importance of ensuring that information is communicated in ways that English learners can understand in order to expand education choice for all families.

Discussion: While this priority does not specifically highlight communication strategies for parents of English learners, applicants may propose activities that ensure information is accessible and understandable to all families, including English learners, as part of their efforts to expand education choice. The Department notes, when communicating with parents whose English is limited about their child's education, public schools must comply with applicable laws.

Changes: None.

Comments: Some commenters raised concerns that the priority threatened the separation of Church and State by allocating Federal dollars to sectarian schools. One commenter recommended expanding educational choice to include Christian schools recognized by reputable accrediting organizations.

Discussion: We believe that families should choose the educational experience that is best for their children. The priority does not change any existing laws regarding public school funding as it relates to religious schools.

Changes: None.

Comments: Several commenters discussed the inclusion of home-based education programs in the priority. One of these commenters shared support for policies to advance home-based education if there are requirements in place for data collection and reporting. Another commenter supported the inclusion and recommended that the Department explicitly mention individuals pursuing home-based education in the Commonwealth of Northern Mariana Islands in Priority 2 (f) to ensure that these communities receive support in this area. One commenter said that the Department should provide technical assistance to parents who are or are interested in homeschooling their children. Several commenters opposed any policies that would leverage Federal grant funds to advance home-based education, citing concerns around diverting funds from public schools and accountability.

Discussion: We believe that families are best equipped to make decisions about the educational settings that will help their children thrive. We consider technical assistance for parents about homeschooling to be an allowable option under (f) of this priority. Applicants may propose activities to develop resources with students who are home schooled in mind, and those resources may have benefits beyond those attending school in other settings as well. For example, families who choose home schooling may create cooperatives that leverage learning resources in their community or online. These learning resources may also be for use by students who attend school in other settings as enrichment resources. Regarding concerns about diverting funds from public schools, the Department notes that the vast majority of public school funding comes from State and local governments. For the allocation of Federal dollars, we believe that promoting choice options, such as home-based education, complements the public school system and fosters healthy competition, ultimately benefiting all educational options.

Changes: None.

Comments: One commenter expressed strong support for the dual enrollment option in Priority 2 and encouraged the Department to make changes to support instructional quality in dual enrollment programs. More specifically, the commenter provided feedback about professional development for high school dual enrollment instructors, collaborative models between secondary and post-secondary institutions, funding for research-practice partnerships, and instructional alignment as a criterion in evaluating programs.

Discussion: The Department appreciates the commenter's suggestions as it relates to dual enrollment. We note that, if these activities are within the authority of the program authorization where this priority is used, applicants may propose to include them as part of their projects. Therefore, we do not believe changes to the priority are necessary.

Changes: None.

Comments: Several commenters urged the Department to continue funding adult education and Career and Technical Education (CTE) programs at current levels. One commenter said that this priority ignores the importance of adult education and also said that such programs are underfunded.

Discussion: We appreciate these comments. Comments about funding for specific programs are outside the scope of this notice. The Department is focusing these Federal priorities on addressing the urgent challenges highlighted by the abysmal NAEP scores in literacy, empowering parents and families, and returning education to the States. Therefore, we decline at this time to add adult education to this priority.

Changes: None.

Comments: A few commenters recommended that the Department encourage or require applicants responding to Priority 2 to propose projects that meet certain evidence thresholds. One commenter recommended that the Department require projects to use strong or moderate evidence, similar to the levels of evidence required in Priority 1. Another commenter recommended that applicants use evidence-based practices or a logic model in their projects and engage in data collection.

Discussion: The Department appreciates the commenters' interest in evidence-based practices. EDGAR provides the Department with the authority to add an evidence priority to any competition, and the Department will consider those decisions and their connection to these priorities as appropriate.

Changes: None.

Comments: Several commenters discussed the connection between transportation and education choice, noting the importance of transportation as an enabling factor for taking advantage of school choice, as well as acknowledging how a lack of transportation options can serve as a barrier to choice for some students, particularly those in rural communities. One commenter recommended that the Department add language to Priority 2 to address transportation explicitly, with specific recommendations to encourage States and organizations to allow transportation expenses as a permitted use of scholarship or tax-credit funds and to support innovation in transportation solutions. Another commenter recommended that the Department invest in transportation infrastructure to support access to educational options.

Discussion: The Department appreciates the commenters' perspective on transportation as an aspect of education choice. If it is allowable within the authority of the program where the education choice priority is being used, applicants may propose to include activities that use funds for transportation as part of their projects.

Changes: None.

Comments: Several commenters provided specific feedback on the priority related to access for students with disabilities. A few commenters recommended that the Department require projects disseminating information on choice programs involving private schools ensure that parents understand what rights they may waive when attending private schools. Several commenters also recommended that the Department require private schools that participate in educational choice programs to enroll and provide services to students with disabilities that are aligned with requirements in Federal laws such as IDEA.

Focusing on other elements of Priority 2, one commenter recommended that the Department revise (g) on dual and concurrent enrollment programs to support access for students with disabilities by providing funding to hire counselors and for high impact tutoring.

Another commenter discussed the importance of having choice available to young learners with disabilities and recommended that resources be used to strengthen and support public early intervention and education services. This commenter also encouraged the Department to ensure choice initiatives consider inclusion as an evidence-based practice and promote the importance of holistic, developmentally appropriate practices.

Discussion: Education choice empowers all families and students, including those with disabilities, to select the educational environment that best meets their needs. The priority language supports the dissemination of information for all education choice options for students, including information about the rights of students with disabilities, and allows applicants to propose the most effective methods of communication and topics in order to reach and support the specific students and families they intend to serve. We decline to add additional requirements as the context may vary based on a particular competition or program.

This priority can be utilized in any discretionary grant competition, including those that focus on young learners with disabilities. The Department may also use selection factors related to evidence-based practices from EDGAR.

Changes: None.

Comments: One commenter discussed the role of parents as key decision-makers in IDEA Part C Early Intervention Programs and recommended that the Department recognize and maintain the parent role as a key decisionmaker in early intervention within Federal priorities.

Discussion: The Department agrees with the central role of parents and families as decision-makers. Any use of this priority in a particular program would be in addition to the core requirements and elements of the underlying program, which would also be true in programs authorized under the IDEA.

Changes: None.

Comments: Multiple commenters expressed concern about the impact that the priority would have on Tribal education, including concerns that the priority could direct funding away from Tribal schools. One commenter suggested that the Department require Tribal consultation anytime this priority is used in programs that impact Tribal communities.

This commenter further suggested that the Department ask applicants to describe how the proposed curricular models ''demonstrate cultural relevance and alignment with State or Tribal academic standards, particularly in schools serving significant numbers of Native students,'' and ensure that Tribal Education Departments can apply for funding to develop Tribal choice models. One commenter recommended that the Administration affirm its commitment an Executive Order or Presidential memorandum.

Discussion: The priority does not change any specific funding levels for programs at the Department. This priority can be used in any discretionary grant competition, including those that focus on Native populations. Proposing executive orders or presidential memorandums are outside of the scope of this notice.

Changes: None.

Comments: One commenter recommended that Priority 2 (h) on high-impact tutoring be revised to add language encouraging projects or proposals that use aspiring teachers as tutors, create pathways for tutors to receive credentials such as paraprofessional and PK–12 educator licenses, or offer both PK–12 students and tutors additional work-based learning opportunities. Another commenter supported the inclusion of high-impact tutoring and recommended that the Department ensure that such efforts are adapted to local context, supported by data, and implemented with fidelity.

Discussion: We appreciate the commenters' suggestions to explicitly connect high-impact tutoring to supporting teacher pathways by encouraging the use of aspiring teachers as tutors as well as the suggestions of strategies to strengthen tutoring programs. We note that, if it is within the authority of the program authorization where the priority is used, applicants may propose to include these activities as part of their projects.

Changes: None.

Comments: A few commenters provided suggestions for how Priority 2 (j) could be revised to strengthen workforce pipelines and address shortages for teachers, related service providers, and other in-demand professions. Specifically, one commenter recommended that elements (iii–v) focused on pre-apprenticeships, apprenticeships, and work-based learning explicitly reference education occupations. Another commenter recommended that the Department ensure that apprenticeship opportunities under Priority 2 (j)(iv) are explicitly available to a wide range of fields, including audiology and speech-language pathology. One commenter also recommended that the Department promote teacher apprenticeship structures that allow teacher apprentices to serve as the teacher of record as part of high-quality, non-traditional programs. Finally, one commenter recommended that the Department revise Priority 2 (j) to include an option for skilled trades education.

Discussion: We share the commenters' interest in strengthening the educator pipeline; we note that as written, the language in 2 (j) would allow applicants to propose strategies to expand educational choice in ways that address workforce shortages, including teacher shortages, in their communities. The Department believes that States and localities are best positioned to identify workforce shortage areas.

Changes: None.

Comments: None.

Discussion: We note that the Notice of Proposed Priorities and Definitions included a misnumbering in Priority 2 (j)(i)–(v).

Changes: We have revised Priority 2 (j) such that ''work-based learning'' is now paragraph (v) and the ''shortened time-to-degree models'' is now paragraph (vi).

Comments: One commenter recommended that the Department revise Priority 2 (j) to include an option for ''youth apprenticeships'' distinct from pre-apprenticeships and apprenticeships. Another commenter recommended that projects targeted to the high school or postsecondary level under (j) include a focus on hands-on learning experiences.

Discussion: We thank the commenter for suggesting the addition of youth apprenticeships. We agree that the skills and training provided through apprenticeship pathways should be available as an option to our nation's youth and have revised Priority 2 (j)(iv) to make this clear.

Changes: We have changed Priority 2 (j)(iv) to ''Registered Apprenticeships'' and noted that they include apprenticeships for in-school and out-of-school youth.

Comments: One commenter recommended that the Department explicitly include alternative educator preparation and pathway programs within the priority, with specific suggestions to incorporate references to these programs in part (k) on part-time coursework and career preparation. This commenter suggested that the Department include a definition for ''high-quality alternative educator training and support program'' in connection with these proposed revisions.

Discussion: We thank the commenter for this recommendation. We note that, if it is within the authority of the program authorization where the priority is used, applicants may propose to describe their alternative educator preparation and pathways programs as part of their projects. Therefore, in order to ensure that the priority is structured in a way that can accommodate this and other approaches to providing greater flexibility around coursework and career preparation, we decline to make this change.

Changes: None.

Comments: One commenter recommended that the Department add a new section to Priority 2 focused on expanding access to career navigation that would prioritize cross-system collaboration to engage participants in a process leading to quality jobs and sustainable career pathways.

Discussion: We share the commenter's interest in leveraging Department grant programs to expand access to career navigation systems. We note that, in a separate Notice of Proposed Priority, the Department is proposing a Secretary's Supplemental Priority on Career Pathways and Workforce Readiness. We welcome comments on this proposed priority and anticipate using it in grant programs to encourage applicants to propose strategies to assist students in making informed education and career decisions.

Changes: None.

Comments: One commenter recommended that the Department replace the term ''competency-based education'' in Priority 2 (j)(ii) with ''personalized competency-based learning'' and suggested a definition for this term.

Discussion: We appreciate this comment and proposed definition. We agree, depending on the program in which the priority is used, that personalized learning may be allowable under ''competency-based education''. For this reason, we do not think a revision to the priority is necessary.

Changes: None.

Comments: One commenter recommended amending Priority 2 (a)(i)(1) to add AI and data science to the description of STEM.

Discussion: The Department appreciates this commenter's suggestion and shares the commenter's interest in integrating AI into education. We note that the current priority language specifically mentions ''computer science'' and the proposed definition of computer science explicitly identifies AI as a key area of focus. In addition, we note that the Department has separately published a Notice of Proposed Priority and Definitions proposing a new Secretary's Supplemental Priority on Advancing Artificial Intelligence in Education (90 FR 34203). We anticipate that priority language, when finalized, will provide the Department with additional flexibility to advance AI education, including in charter schools by combining with Priority 2.

Changes: None.

Comments: Another commenter supported the priority to expand research and evaluation of education choice policy and provided specific recommendations to explicitly incorporate language into the final policy priorities that promotes transparency in assignment mechanisms and encourages the development and deployment of innovative, AI-supported digital tools for family engagement in school choice and education savings account programs.

Discussion: We appreciate these suggestions. As noted above, the Department has separately published a Notice of Proposed Priority proposing a new Secretary's Supplemental Priority on Advancing Artificial Intelligence in Education (90 FR 34203). We anticipate that priority language, when finalized, will provide the Department with additional flexibility to advance AI education. Additionally, we note that, if it is within the program authority where the priority is used, applicants may propose these types of activities as part of their project.

Changes: None.

Comments: One commenter recommended a definition for the term ''industry-recognized credential,'' used under Priority 2 (g).

Discussion: We thank this commenter for the suggestion and agree that adding a definition to provide clarity is helpful to applicants.

Changes: We are adding a definition from the Workforce Innovation and Opportunity Act of ''Recognized Postsecondary Credential'' to the Definitions section. Where ''industry-recognized credential'' is used, we are inserting ''postsecondary'' between ''recognized'' and ''credential.''

Comments: One commenter suggested that the priority's emphasis on short-term, workforce-aligned credentials should not supplant access to broad, high-quality, affordable postsecondary education, and asserted that studies warn that shortened or non-degree programs often result in lower earnings and reinforce occupational stratification for marginalized groups unless paired with strong quality, transfer, and mobility assurances.

Discussion: While we appreciate the commenter's feedback, the Department believes it is important to promote choice options, such as shortened time-to-degree models in addition to other options. Parents and youth are best positioned to make decisions about their education and future.

Changes: None.

Priority 3: Returning Education to the States

Comments: As described in the general summary of comments, several commenters offered support for Priority 3. Several commenters offered support for themes presented in the background of the priority. Commenters agreed, for example, that States and local decision-makers have a better understanding of their students and families and are better suited to make decisions on their behalf, that resources can be deployed more effectively at the local level under this priority, and that the priority expands opportunities for families. One commenter shared that States are best positioned to design responsive, student-centered systems. One commenter supported the priority and noted that they do not agree with Federal agencies receiving funding for education or disability relief programs. Many offered nuanced support, noting they agree with the concept of States determining what works best for their communities, and offered concerns or considerations that are summarized elsewhere in this section.

Discussion: Thank you to all the commenters who expressed support for Priority 3 and its focus on returning education to States. We continue to believe that States, rather than the Federal government, are best positioned to lead in education. Because States and local governments are closer to the students they service, it is crucial that the Department empower States to create opportunities through policies that are more responsive, effective, and aligned with the unique needs of their communities.

Comments: Several commenters generally opposed or expressed concern with Priority 3. Some felt that the priority was connected to the Administration's goal to close the Department of Education and disagreed with the use of the priority to achieve that goal. Commenters also disagreed with moving oversight of IDEA to another agency.

Commenters were concerned that closure of the Department will negatively impact public education. Many expressed support for various functions that the Department performs, such as providing and overseeing funding for specific groups of students (*e.g.,* students who qualify for services under Title I of the ESEA and IDEA), enforcing students' rights and protections, conducting research and evaluation, ensuring accountability and transparency of State education systems and setting minimum expectations, and providing technical assistance to States, especially underperforming and underfunded States. Many commenters are concerned that closure of the Department will lead to fewer student protections under applicable laws, especially for specific groups of students, such as LGBTQ+ students, students of color, students with disabilities, and those traditionally underserved.

Many commenters provided feedback that the Department should continue to carry out its core functions, with multiple requesting restoration of Department staff, specifically staff from OCR and IES. Several commenters stated that the authority to close or dismantle the Department lies with Congress.

Many commenters disagreed with or questioned the background for the priority presented in the Notice of Proposed Priorities and Definitions claiming that it is misleading because it gives the impression that States do not already control most of education. They argued that the Department's role is limited and that most education-related decisions, such as curriculum choices, educational standards and testing, graduation requirements, teacher certification requirements, personnel, and funding are already made at the State and local levels. One commenter said that the Department's oversight role will be more important if greater authority is given to States. One commenter requested a correction to the preamble to clarify the Department's already limited role in State and local education decisions.

Several commenters stated that Federal education structures have yielded benefits and gave specific examples. One commenter cited data related to, for example, increased graduation rates, including for Black and Hispanic students, decreased gaps in performance between student populations, and an increase in the percentage of students with disabilities attending schools with students in the general population.

One commenter said that dismantling the Department would limit the Administration's ability to achieve its evidence-based literacy and educational choice goals.

Discussion: This priority is for use in currently authorized discretionary grants programs or programs that may be authorized in the future where Congress has appropriated funds and the authorizing statutes permit doing so. It is a means of addressing the most urgent needs of students and families. The text of the background that is being addressed in the comments provides context to the priorities but is not text that can be utilized in any grant competition as it is not part of the final priority. Therefore, we are not making any changes in response to comments about the background.

The Department agrees that the Federal government's role in education is limited and is issuing Priority 3 to improve educational outcomes by reducing the administrative burden of Federal grants and empowering States to take the lead in shaping education policy. As this priority may only be used in currently authorized discretionary grant programs or programs that may be authorized in the future, we do not agree that it will undermine current functions of the Department. States understand their communities best and we remain committed, through this effort and others, to return greater authority over educational decisions to States and local communities.

Comments about the Department's closure and the closure's potential impact on current Department functions and funding are outside the scope of this priority. This priority does not relieve the Federal government of its responsibilities to enforce student protections under civil rights and other laws.

Changes: None.

Comments: Regarding the rights of children and families, several commenters stated that the Department's role in enforcing civil rights and ensuring equitable access emerged from States not adequately fulfilling these responsibilities and therefore, it is important for the Department to continue this enforcement. Several commenters questioned whether the priority, by granting funding to States, abandons the Department's responsibility in protecting and enforcing civil rights and questioned how the Department will ensure that States comply with Federal laws such as Title VI, Title IX, IDEA, and Section 504 of the Rehabilitation Act. Many commenters are concerned about protections and equal access to education for specific student populations, including students with disabilities, English learners, LGBTQ+ students, and migratory students. Two commenters suggested addressing how the Department will provide guidance to and oversight of States to ensure compliance with Federal laws, including how they will ensure that all students have equal access to education. Two commenters proposed conditioning the receipt of Federal funds on State compliance with civil rights statutes. Many suggested the Department must continue its role in protecting student rights.

Discussion: The Department notes that these comments, which speak to legal obligations, are outside of the scope of this notice. These priorities are related to the Department's discretionary grant programs. This priority can only be used in competitions where States are already eligible applicants. This Administration has shown steadfast commitment to ensuring grantees follow civil rights laws. Grantees must, as a condition of receiving funds under our programs, commit to adhering to all Federal civil rights and other laws, including the laws mentioned by commenters.

Changes: None.

Comments: Many commenters stated that the priority is overly limiting in its focus on State-level entities. Multiple commenters argued that it is Congress' responsibility to determine eligibility. Another commenter noted that State-level entities are already eligible entities in some Federal discretionary grant programs and that the Department should continue to ensure that all key stakeholders, not just State-level and Tribal entities, are eligible entities.

Some commenters said that focusing on States could negatively affect local communities, students, and families. These commenters noted, for example, that some States may not apply for specific programs thereby removing educational opportunities from students in those States, that States may not focus the funds on areas with the greatest needs, that routing funding through States may not be an efficient approach, and that other types of entities might be better poised to implement specific projects and proposals depending on the program. One commenter recommended striking, at a minimum, subsection (f) of the priority. The commenter expressed concern that allowing Governors or chief State education officials to identify specific entities runs the risk of politicization, exclusion, or statutorily ineligible entities being included.

Several commenters said that the priority, despite the stated purpose, would reduce local authority and control and further exacerbate inequities between small, rural and high-poverty districts, and other districts. One commenter suggested revising the priority to ensure that high-poverty, rural, and small districts are not negatively impacted by the priority. One commenter suggested that limiting grants to States runs counter to the Administration's position of limiting government interference.

Many commenters felt that limiting eligibility to State-level entities would prohibit effective non-profit organizations from applying for grants. Additionally, there were a large number of commenters representing Native Hawaiian and Native American stakeholders who opposed limiting the priority to State-level applicants for this reason. Many of these commenters suggested removing the priority or revising it to include non-profits, or a consortium of non-profits, in the list of eligible entities. These commenters noted, for example, the flexibility, cultural expertise, and impact that community-based organizations (*i.e.,* currently eligible entities), have had implementing projects in Native Hawaiian communities. Another commenter suggested clarifying that the priority, as written, would not apply to programs if the authorizing statute includes non-profits as an eligible entity. One commenter said Native Hawaiian Education program funds should not be distributed through the State.

For reasons such as these, commenters suggested broadening the priority to include non-profits, post-secondary institutions, local educational agencies, and locally driven community partnerships. One commenter also suggested targeting funds to communities that have been historically disadvantaged and that have a higher need population. Another group of commenters emphasized the important role Hispanic serving institutions play and encouraged prioritizing them within the current framework.

Discussion: We do not believe it is necessary to include other entities in this priority. The priority does not change funding levels or the eligible entities authorized in program statutes. These comments are outside the scope of this priority and the authority of the Department. This priority gives the Department the ability to focus on or incentivize State-level entities in discretionary grant programs where State-level entities are already eligible applicants and allows the Department to encourage State-level or State-coordinated projects where States are not themselves the grantee. While we appreciate commenters sharing their concerns about the focus on State-level entities, we do not believe such concerns outweigh the benefits of this priority. The 10th Amendment wisely reserved constitutional authority for education to the States in order to limit Federal overreach. Educational decisions should be made at the State level, where local needs, priorities, and circumstances can be better understood and addressed.

Changes: None.

Comments: Several commenters representing Tribal stakeholders appreciated the inclusion of Tribes in the list of eligible entities. Some requested adding Tribes to the title of the priority to emphasize their inclusion and to reinforce the relationship and role of Tribes.

Several commenters questioned if the priority, as written, delegates the Federal government's trust responsibility with Tribes to State-level entities and requested that the Department engage in meaningful Tribal consultation on matters. One commenter clarified that Tribes do not have the same responsibilities as States and, therefore, urged the Department to clarify the priority language so that it accurately reflects the arrangement between Tribes, States, and the Federal government in meeting students' needs. One commenter, in considering the potential for any transfer of authority, urged the Department not to compromise any Federal Indian education program and that funds should continue to flow directly to Tribal Education Departments.

Two commenters suggested requiring a partnership between State entities and Tribes. Another commenter suggested making a separate, permanent priority for Tribes.

Discussion: This priority is focused on returning education to the States and includes prioritizing various statewide entities and Tribes as potential grantees. It would not change the Federal government's trust responsibility with Tribes and, in fact, gives the Department additional ability to preference support for Tribes. While it is not practical to name every subcomponent of the priority in the priority's title, the title itself does not determine how the priority is used, and we hope commenters will nonetheless appreciate the additional emphasis on Tribes.

Changes: None.

Comments: One commenter suggested revising the title and the lead text of the priority to emphasize State innovation. The commenter also suggested requiring States to use evidence-based practices, tools, and programs in their projects or proposals. Specifically, the commenter recommended the term evidence-based as defined in the ESEA.

Discussion: The Department appreciates the feedback regarding State innovation. While the Department is committed to fostering innovation at the State level, it is dedicated to allowing States the flexibility to determine the most effective ways to implement programs within their own jurisdictions. In discretionary programs where the Department may consider it appropriate to require the use of evidence-based practices, we have the authority to incorporate evidence into competitive grant programs using factors in EDGAR.

Changes: None.

Comments: Several commenters supported the Department's role in helping States with research, evaluation, and sharing of best practices across States. Several commenters said that the Department should continue technical assistance investments and explained that these investments help States implement their programs and comply with Federal laws (possibly by adding specific examples, including the National Evaluation of Career and Technical Education, which was named by a commenter). One commenter requested that the Department maintain programs focused on technical assistance and building State capacity, particularly in areas of national concern such as cybersecurity and student privacy protection. One commenter said it would be inefficient for every State to engage in the same research and evaluation work. One commenter was concerned that it will be more difficult to learn from other States if the Department is no longer gathering data.

Discussion: This priority can be utilized in grant competitions in which State-level entities are already eligible applicants or where States can take on a greater role. As mentioned earlier, comments about funding and the authorization of programs are outside the scope of this priority and the authority of the Department.

Changes: None.

Comments: As noted in a previous section, several commenters said the Department plays an important role in ensuring accountability and transparency of State education systems. Other commenters noted that the Department's data, including performance data, is beneficial to education stakeholders. One commenter suggested the Department maintain requirements in their current form for annual State assessments and for each

State to have an accountability system, noting that such policies protect States from interest groups whose goal is to eliminate transparency; identify gaps between student populations; and require consequences when progress goals are not met. The commenter also emphasized that State accountability data are the only objective data and that parents rely on these data to make important school-related decisions. One commenter suggested deemphasizing national standardized tests in light of the shift to greater State authority.

Discussion: We appreciate the points about the importance of transparency and believe that prioritizing various State-level entities and Tribes as potential grantees would promote transparency at a level closer to students and families. We note that this priority does not alter any accountability requirements, and the Department will hold States or any other grantee accountable to requirements associated with the program(s) they are receiving funds to administer.

Changes: None.

Comments: Another commenter recommended the Department remove excessive accountability on public schools that do not also apply to private, parochial, co-ops, homeschools, and other variations of education.

Discussion: This comment is outside the scope of the proposed notice. As noted earlier, this priority does not alter any accountability requirements.

Changes: None.

Comments: Several commenters said it is the Department's responsibility to administer IDEA and support State and local implementation to meet the needs of students with disabilities, including requirements for infants and toddlers with disabilities. Several commenters provided examples related to identification, personnel, services, and protections that would be affected if IDEA funding, including IDEA Part D (National Activities), are not awarded or the Department is not available to provide oversight and technical assistance. One commenter said Priority 3 would undermine the Department's ability to fulfill its responsibilities under IDEA.

Discussion: This priority does not impact the Department's oversight role within IDEA and merely allows the Department to work more closely with States. Comments about funding for specific programs and any impact a potential future closure might have on current Department functions are outside the scope of this notice.

Changes: None.

Comments: Several commenters expressed concern that Priority 3 would result in decreases in overall Federal education funding. Others questioned whether focusing on State-level entities would eliminate or redirect funds away from existing Federal programs. Some commenters said that the intent of Federal funding is to supplement State and local funding to support the needs of specific students. Some suggested that combining funds into a block grant for States undermines and negates Congress' intention to focus on specific groups of students or specific high priority topics. Another suggested that combining funding for special needs students with other funding would result in programs that vary widely from State to State. One commenter said that elimination of a supplement/not supplant requirement for the funds would likely result in reduced school funding. One commenter disagreed with withholding funds if State priorities do not align with Federal priorities.

Discussion: Comments about funding are outside the scope of this notice. This priority is for use in currently authorized discretionary grant programs or programs that may be authorized in the future where Congress has appropriated funds and the authorizing statutes permit doing so.

This priority would elevate the role of States in programs where they are already eligible to apply. We believe this priority would leverage State capacity to improve educational opportunities.

Changes: None.

Comments: One commenter recommended providing State Medicaid agencies with specific guidance about reimbursement for school-based services. The commenter included suggestions for consideration.

Discussion: This comment is outside the scope of this notice.

Changes: None.

Comments: One commenter suggested building into the priority mechanisms for States to prioritize rural districts in competitions and to include separate funding allocations for rural, urban, and suburban areas.

Discussion: The Department has a priority available in EDGAR to prioritize rural areas, if appropriate for a given competition. As such, the Department does not need to include a focus on rural areas in this priority.

Changes: None.

Comments: One commenter recommended using the priority to support State or local efforts to more broadly utilize high-quality alternative certification initiatives to effectively address teacher shortages.

Discussion: We appreciate this comment. If it is within the authority of the program authorization where the priority is used, applicants may propose to include activities of this nature as part of their projects.

Changes: None.

Comments: One commenter suggested the priority establish a minimum counselor to student ratio as a means of protecting student mental health and ensuring academic success, while still providing State flexibility.

Discussion: This priority is intended to give States the flexibility they need to meet the needs in their States. We do not believe establishing a requirement of this specificity is appropriate given the goal of this priority.

Changes: None.

Comments: Several commenters had concerns about State-level infrastructure or capacity to successfully implement new programs under this priority. One commenter suggested prioritizing Federal support toward State-level data infrastructure to ensure that States are equipped to manage, safeguard, and use their data as more funds are transitioned to States. Another commenter suggested investing funds in building State-level capacity to carry out the work of the priority. Another commenter encouraged the Department to consider the administrative and financial impacts the priority will have on eligible entities and ensure they have the resources they need to implement programs successfully.

Two commenters are concerned that States do not have the capacity to take on the work the priority would require, with two commenters expressing specific concerns about under-resourced States and Tribal entities. These commenters suggested ensuring that Tribal entities and under-resources States receive technical assistance. One commenter noted, for example, that the State of Hawaii does not have the capacity to serve Native Hawaiians in all States even though the funds are intended for all Native Hawaiians. One commenter claimed that it is more efficient for the Department to enforce civil rights and compliance with IDEA than for State or local staff to do it.

Discussion: While the Department appreciates the comments, it is beneficial to keep the focus of the priority narrow to ensure that is has wide applicability across many different programs. As noted previously, this priority is intended for use in currently authorized discretionary grant programs or programs that may be authorized in the future where Congress has appropriated funds and the authorizing statutes permit doing so. The priority does not compel States to apply for any funding they are not able to expend with fidelity. Nevertheless, the Department will continue to uphold its oversight responsibilities for any entities that receive an award.

Changes: None.

Comments: Other commenters provided feedback about potential inappropriate political influence by States. For example, two commenters were concerned that greater State control could lead to inappropriate political or ideological influence in curriculum. One of the two commenters suggested curriculum decisions should instead be based in evidence and the other suggested the need for Federal oversight to ensure this influence does not transpire. One commenter noted, in enforcing civil rights and compliance with IDEA, that State and local staff are more vulnerable to political influences. Another commenter shared that the Federal government's role is important to ensure that local policies do not change regularly due to political changes.

One commenter cautioned against giving all funding to States given the disparities in the quality of education systems. The commenter recommended maintaining Parent and Training Information Centers as independent organizations that are not subject to the influence of outside factors such as State governments, noting that States may not act in the best interest of families. One commenter requested that the Department ensure that roles are clearly defined so that important programs are not unintentionally ended.

Discussion: We appreciate this feedback. The Department will continue to uphold requirements under Federal law. We continue to believe that States, rather than the Federal government, are best positioned to lead in education because they are closer to the students and families they serve.

Changes: None.

Final Priorities

The Secretary establishes the following priorities for use in any Department discretionary grant program.

Priority 1: Promoting Evidence-Based Literacy

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

(a) Advance, increase, or expand evidence-based literacy instruction (as defined in this notice), or

(b) Focus on evidence-based literacy instruction (as defined in this notice).

Priority 2: Expanding Education Choice

Projects or proposals that will do one or more of the following:

(a) Increase access to public charter schools and other innovative school models, such as public laboratory schools, magnet schools, public microschools, course-based choice, or regional academies, which may include one or more of the following:

(i) Efforts to expand or replicate existing charter schools that have a record of improving students' academic achievement or have a specific focus on one or more of the following:

(1) Science, technology, engineering, and mathematics (STEM), including computer science,

(2) Career and technical education,

(3) Evidence-based literacy instruction,

(4) Serving students with disabilities,

(5) Patriotic education, or

(6) Classical education.

(ii) Multi-year plans to create new charter schools.

(iii) Providing Technical Assistance to States, charter school authorizers, new or existing charter schools, or other relevant parties that support charter schools related to authorization, operation, construction, or other relevant areas, including navigating State and local statutes and regulations.

(iv) Opening opportunities for new or existing charter schools to access resources that are currently only available to, or primarily accessed by, district schools in their area.

(b) Expand access to K–12 school options through open enrollment or course-based choice.

(c) Support dissemination of information for all education choice options for students, including private school enrollment, education savings accounts, tax credit scholarships, home-based learning and homeschooling, learning pods and co-ops, public charter schools, and district public schools through open enrollment or course-based choice.

(d) Support State or local development or implementation of education savings accounts.

(e) Support dissemination of information about education savings accounts.

(f) Support families in educating students through home-based education programs, which may include one or more of the following:

(i) Support for online learning communities, or

(ii) Assistance with understanding of State and local requirements for homeschooling.

(g) Provide or expand access to dual or concurrent enrollment programs (as defined in 20 U.S.C. 7801(15)) or early college high schools (as defined in 20 U.S.C. 7801(17)) or other programs where secondary school students begin earning credit toward a postsecondary degree or industry-recognized postsecondary credential prior to high school graduation.

(h) Expand access to education services that accelerate learning such as high-impact tutoring.

(i) Expand access to military schools or academies.

(j) Expand access to one or more of the following at the high school or postsecondary level:

(i) Distance education,

(ii) Competency-based or skills-based education,

(iii) Pre-apprenticeships,

(iv) Registered Apprenticeships, including apprenticeships for in-school or out-of-school youth,

(v) Work-based learning, or

(vi) Shortened time-to-degree models.

(k) Expand access to part-time coursework and career preparation.

(l) Expand access to programs or coursework that lead to in-demand, industry-recognized postsecondary credentials.

Priority 3: Returning Education to the States

Projects or proposals that will be carried out by one or more of the following:

(a) State educational agencies (as defined in 20 U.S.C. 7801(49)),

(b) Governors,

(c) State workforce development agencies or boards,

(d) State vocational rehabilitation agencies,

(e) State higher education agencies (as defined in 20 U.S.C. 1003(22),

(f) Entities identified, designated, or endorsed by a Governor or chief State education official for purposes of implementing the project or proposal,

(g) An Indian Tribe (as defined in 25 U.S.C. 5304(e)), Tribal organization (as defined in 25 U.S.C. 5304(l)), or Tribal educational agency (as defined in 20 U.S.C. 7452(b)(3)), or

(h) Consortia of the entities identified under this priority.

Types of Priorities

When inviting applications for a competition using one or more priorities, we designate the type of each priority as absolute, competitive preference, or invitational through a notice in the **Federal Register**. The effect of each type of priority follows:

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

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

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

Final Definitions

The Secretary establishes the following definitions for use in any Department discretionary grant program in which the final priorities are used.

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

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

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

Evidence framework means an approach to providing a determination about whether an activity, strategy, or intervention meets each aspect of the definition of strong evidence or moderate evidence (as defined in 20 U.S.C. 7801(21)(A)(i)(I–II)), as applicable.

(a) An evidence framework must include each of the following:

(i) Whether or not a study is an experimental study or quasi-experimental design study;

(ii) Whether or not a study shows a positive, statistically significant effect on student outcomes or other relevant outcomes;

(iii) Whether or not a study uses outcome measures that demonstrate validity and reliability, that do not give an unfair advantage to participants in one condition over another, and that are measured consistently for the groups or participants that are being compared;

(iv) Whether or not a study design is otherwise of high quality, including whether it minimizes factors outside the intervention that could affect student or other relevant outcomes (confounds) and whether random assignment (if used) was done with integrity; and

(v) Whether or not study implementation and analysis is appropriate, including whether groups or participants being compared demonstrate baseline equivalence on key individual and other relevant characteristics, whether differences in baseline equivalence are statistically controlled, and by considering the impact on the validity of the study of any changes to the sample over time.

(b) An evidence framework may be implemented or verified by one or more of the following:

(i) An organization with relevant expertise that has demonstrated to the Department that it has a rigorous, transparent (*i.e.,* publicly accessible) process for determining each aspect identified in (a);

(ii) By peer reviewers with statistical expertise who apply an evidence framework consistent with each aspect identified in (a) in reviewing support for an applicant's assertion that relevant information is strong evidence or moderate evidence, as applicable; or

(iii) By the Department or peer reviewers with statistical expertise who affirm an applicant's assertion that relevant information is strong evidence or moderate evidence because it is supported by study ratings included in the What Works Clearinghouse in one or more of:

(1) a practice guide;

(2) an intervention report; or

(3) individual studies otherwise assessed to meet strong evidence or moderate evidence.

Evidence-based literacy instruction means literacy instruction that relates to explicit, systematic and intentional instruction in phonological awareness, phonic decoding, oral and sign language, vocabulary, language structure, reading fluency, reading comprehension, and writing; promotes knowledge-rich materials; and is backed by one or more of the following, as supported by an evidence framework (as defined in this notice):

(a) strong evidence, meaning an activity, strategy, or intervention that demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on at least one well-designed and well-implemented experimental study (strong evidence as defined in 20 U.S.C. 7801(21)(A)(i)(I)) or

(b) moderate evidence, meaning an activity, strategy, or intervention that demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on at least one well-designed and well-implemented quasi-experimental study (moderate evidence as defined in 20 U.S.C. 7801(21)(A)(i)(II)).

Note: In any discretionary grant program competition in which the definition of ''evidence-based literacy instruction'' is used as proposed, the Secretary may use the entire definition or one or more of the subparts of the definition that are most relevant for the grant program competition.

Experimental study means a study that is designed to compare outcomes between two groups (such as students) that are otherwise equivalent except for their assignment to either a treatment group receiving an activity, strategy, intervention, process, product, practice, or policy as compared with a control group that does not. Experimental studies can support claims of strong evidence. Randomized controlled trials and single-case design studies are specific types of experimental studies that meet this definition.

Recognized postsecondary credential means a credential consisting of an industry-recognized certificate or certification, a certificate of completion of an apprenticeship, a license recognized by the State involved or Federal Government, or an associate or baccalaureate degree, as defined in section 3(53) of the Workforce Innovation and Opportunity Act.

Quasi-experimental design study means a study using a design that attempts to approximate an experimental study by identifying a comparison group that is similar to the treatment group in important respects. Cross-sectional group designs, comparative interrupted time series, difference-in-difference designs, and growth curve designs are specific types of quasi-experimental studies that meet this definition. This type of study can meet the definition of moderate evidence but not strong evidence.

Executive Orders 12866, 13563, and 14192

Regulatory Impact Analysis: This regulatory action is not a significant regulatory action subject to review by the Office of Management and Budget under section 3(f) of Executive Order 12866. These priorities are not considered an ''Executive Order 14192 regulatory action.'' We have also reviewed this regulatory action under Executive Order 13563. We are issuing the priorities and definitions only on a reasoned determination that their benefits would justify their minimal costs. The Department believes that this regulatory action is consistent with the principles in Executive Order 13563. We also have determined that this regulatory action would not unduly interfere with State, local, and Tribal governments in the exercise of their governmental functions. In accordance with these Executive Orders, the Department has assessed the potential costs and benefits, both quantitative and qualitative, of this regulatory action. The potential costs are those resulting from statutory requirements and those we have determined are necessary for administering the Department's programs and activities.

Discussion of Costs and Benefits: The priorities and definitions would impose no or minimal costs on entities that receive discretionary grant award funds from the Department. Additionally, the benefits of implementing the priorities and definitions outweigh any associated costs, to the extent these de minimis costs even exist, because the priorities and definitions would result in higher quality grant application submissions. Application submission and participation in competitive grant programs that might use the priorities and definitions is voluntary. We believe, based on the Department's administrative experience, that entities preparing an application would not need to expend more resources than they otherwise would have in the absence of these priorities and definitions. Because the costs of carrying out activities would be paid for with program funds, the costs of implementation would not be a burden for any eligible applicants that earn a grant award, including small entities.

Intergovernmental Review: This action is subject to Executive Order 12372 and the regulations in 34 CFR part 79. This document provides early notification of our specific plans and actions for this program.

Regulatory Flexibility Act Certification: This section considers the effects that the final regulations may have on small entities in the educational sector as required by the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.* The Secretary certifies that this regulatory action would not have a substantial economic impact on a substantial number of small entities. The U.S. Small Business Administration Size Standards define proprietary institutions as small businesses if they are independently owned and operated, are not dominant in their field of operation, and have total annual revenue below $7,000,000. Nonprofit institutions are defined as small entities if they are independently owned and operated and not dominant in their field of operation. Public institutions are defined as small organizations if they are operated by a government overseeing a population below 50,000.

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

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

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

Linda McMahon,

Secretary of Education.

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Part III

The President

Executive Order 14345—Implementing the United States–Japan Agreement

Federal Register

Vol. 90, No. 172

Tuesday, September 9, 2025

Presidential Documents

Title 3—

The President

Executive Order 14345 of September 4, 2025

Implementing the United States–Japan Agreement

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), section 232 of the Trade Expansion Act of 1962, as amended (19 U.S.C. 1862) (section 232), section 604 of the Trade Act of 1974, as amended (19 U.S.C. 2483), and section 301 of title 3, United States Code, I hereby determine and order:

Section 1. *Background.* On July 22, 2025, I announced a framework agreement between the United States and Japan (Agreement), which lays the foundation for a new era of United States-Japan trade relations grounded in principles of reciprocity and our shared national interests. The Agreement establishes a tariff framework that levels the playing field for American producers and accounts for American national security needs. In my judgment, the Agreement is necessary and appropriate to address the national emergency declared in Executive Order 14257 of April 2, 2025 (Regulating Imports With a Reciprocal Tariff To Rectify Trade Practices That Contribute to Large and Persistent Annual United States Goods Trade Deficits), as amended, and to reduce or eliminate the threats to national security found in Proclamation 9704 of March 8, 2018 (Adjusting Imports of Aluminum Into the United States), as amended; Proclamation 9705 of March 8, 2018 (Adjusting Imports of Steel Into the United States), as amended; Proclamation 9888 of May 17, 2019 (Adjusting Imports of Automobiles and Automobile Parts Into the United States), as amended; and Proclamation 10962 of July 30, 2025 (Adjusting Imports of Copper Into the United States). The Agreement will reduce the United States trade deficit, boost the economy of the United States, and address the consequences of the United States trade deficit, including by strengthening the manufacturing and defense industrial base of the United States.

Under the Agreement, the United States will apply a baseline 15 percent tariff on nearly all Japanese imports entering the United States, alongside separate sector-specific treatment for automobiles and automobile parts; aerospace products; generic pharmaceuticals; and natural resources that are not naturally available or produced in the United States. This new tariff framework, combined with expanded United States exports and investment-driven production, will help reduce the trade deficit with Japan and restore greater balance to the overall United States trade position.

Japan, meanwhile, will provide American manufacturing, aerospace, agriculture, food, energy, automobile, and industrial goods producers with breakthrough openings in market access across key sectors. Specifically, the Government of Japan is working toward an expedited implementation of a 75 percent increase of United States rice procurements within the Minimum Access rice scheme and purchases of United States agricultural goods, including corn, soybeans, fertilizer, bioethanol (including for sustainable aviation fuel), as well as other United States products, in amounts totaling $8 billion per year. The Government of Japan is also working to accept for sale in Japan United States-manufactured and United States-safety-certified passenger vehicles without additional testing. Separately, Japan will purchase United States-made commercial aircraft, as well as United States defense equipment.

Critically, unlike any other agreement in American history, the Government of Japan has agreed to invest $550 billion in the United States. These investments—which will be selected by the United States Government—will generate hundreds of thousands of United States jobs, expand domestic manufacturing, and secure American prosperity for generations.

In my judgment, I determine that the following actions are consistent with the national interest of the United States and are necessary and appropriate to address the national emergency declared in Executive Order 14257, as amended, and to reduce or eliminate the threats to national security found in Proclamation 9704, as amended; Proclamation 9705, as amended; Proclamation 9888, as amended; and Proclamation 10962.

Sec. 2. *General Tariffs.* (a) The additional *ad valorem* rate of duty applicable to products of Japan shall be determined by a product's current *ad valorem* (or *ad valorem* equivalent) rate of duty under column 1 of the Harmonized Tariff Schedule of the United States (HTSUS) (''Column 1 Duty Rate''). For a product of Japan with a Column 1 Duty Rate in the HTSUS that is less than 15 percent, the sum of its Column 1 Duty Rate and the additional *ad valorem* rate of duty pursuant to this order shall be 15 percent. For a product of Japan with a Column 1 Duty Rate that is at least 15 percent, the additional rate of duty pursuant to this order shall be zero percent. Treatment of specific or compound duty rates shall be identical to the treatment provided to products of the European Union as outlined in Executive Order 14326 of July 31, 2025 (Further Modifying the Reciprocal Tariff Rates). The duties described in this subsection shall apply in lieu of the additional *ad valorem* duties previously imposed on products of Japan under Executive Order 14257, as amended.

(b) Except as provided in subsection (a) of this section, the terms of Executive Order 14257, as amended, shall continue to apply to products of Japan.

(c) The Secretary of Commerce (Secretary), in consultation with the United States Trade Representative; the Secretary of Homeland Security, acting through the Commissioner of U.S. Customs and Border Protection (CBP); and the Chair of the United States International Trade Commission (ITC), shall determine whether modifications to the HTSUS are necessary or appropriate to effectuate this order and may make such modifications through notice in the *Federal Register*.

(d) The tariffs set forth in subsection (a) of this section shall apply retroactively to products of Japan entered for consumption or withdrawn from warehouse for consumption on or after 12:01 a.m. eastern daylight time on August 7, 2025. Any refunds shall be processed pursuant to applicable laws and CBP's standard procedures for such refunds.

(e) The Secretary may issue rules, regulations, guidance, and procedures to carry out the provisions of this section, including rules for determining what are ''products of Japan'' for purposes of this section.

Sec. 3. *Aerospace.* (a) With respect to products of Japan that fall under the World Trade Organization Agreement on Trade in Civil Aircraft, except for unmanned aircraft, the tariffs imposed through the following Presidential actions and subsequent amendments to those actions shall no longer apply, as of the date of publication of the *Federal Register* notice described in subsection (b) of this section:

(i) Executive Order 14257, as amended;

(ii) Proclamation 9704, as amended;

(iii) Proclamation 9705, as amended; and

(iv) Proclamation 10962.

(b) Within 7 days of the date of publication of this order in the *Federal Register,* the Secretary, in consultation with the Chair of the ITC and the Commissioner of CBP, shall publish a notice in the *Federal Register* modifying the HTSUS consistent with this section.

(c) The Secretary may issue rules, regulations, guidance, and procedures to carry out the provisions of this section, including rules for determining what are ''products of Japan'' for purposes of this section.

Sec. 4. *Automobiles and Automobile Parts.* (a) As of the date of publication of the *Federal Register* notice described in subsection (b) of this section, in lieu of the additional section 232 *ad valorem* duties imposed on products of Japan in Proclamation 10908 of March 26, 2025 (Adjusting Imports of Automobiles and Automobile Parts Into the United States), as amended, the additional *ad valorem* rate of duty applicable to an automobile or automobile part that is a product of Japan and subject to duties under Proclamation 10908, as amended, shall be determined by the product's Column 1 Duty Rate. For a product of Japan with a Column 1 Duty Rate that is less than 15 percent, the sum of its Column 1 Duty Rate and the additional automobile or automobile part section 232 *ad valorem* rate of duty pursuant to this order shall be 15 percent. For a product of Japan with a Column 1 Duty Rate that is at least 15 percent, the additional automobile or automobile part section 232 *ad valorem* rate of duty imposed shall be zero percent.

(b) Within 7 days of the date of publication of this order in the *Federal Register,* the Secretary, in consultation with the Chair of the ITC and the Commissioner of CBP, shall publish a notice in the *Federal Register* modifying the HTSUS consistent with this section.

(c) The Secretary may issue rules, regulations, guidance, and procedures to carry out the provisions of this section, including rules for determining whether automobiles and automobile parts are ''products of Japan'' for purposes of this section.

Sec. 5. *Products Not Subject to Reciprocal Tariffs.* (a) To implement the terms of the Agreement, the Secretary is authorized to modify the reciprocal tariff rate imposed under Executive Order 14257, as amended, to zero percent for products of Japan that are natural resources unavailable (or unavailable at sufficient scale to satisfy domestic demand) in the United States, generic pharmaceuticals, generic pharmaceutical ingredients, and generic pharmaceutical chemical precursors.

(b) In determining when and for which products to modify the reciprocal tariff rate to zero percent, the Secretary shall act in a manner consistent with the national interests of the United States; the purposes of this order; the need to deal with the national emergency declared in Executive Order 14257, as amended; and the need to reduce or eliminate the threats to national security that I found pursuant to section 232. The Secretary shall also consider factors he deems appropriate, including the scope and nature of the commitments of the Government of Japan under the Agreement; the scope and nature of the commitments of the United States under the Agreement; the actions taken by the Government of Japan to implement its commitments under the Agreement; and the actions taken by the United States to implement its commitments under the Agreement.

Sec. 6. *Monitoring and Modifications.* (a) The Secretary shall monitor the progress of Japan's implementation of its commitments under the Agreement and shall, from time to time, update me on the status of Japan's implementation.

(b) Should Japan fail to implement its commitments under the Agreement, I may modify this order as necessary to deal with the emergency declared in Executive Order 14257, as amended, and to reduce or eliminate the threats to national security found in Proclamation 9704, as amended; Proclamation 9705, as amended; Proclamation 9888, as amended; and Proclamation 10962.

Sec. 7. *Delegation.* (a) Consistent with applicable law, the Secretary and the Secretary of Homeland Security are directed and authorized to take all necessary actions to implement and effectuate this order—including through temporary suspension or amendment of regulations or through notices in the *Federal Register* and by adopting rules, regulations, or guidance—and to employ all powers granted to the President, including those granted by IEEPA and section 232, as may be necessary to implement and effectuate this order.

(b) The Secretary of Homeland Security, in consultation with the Chair of the ITC, shall determine whether additional modifications to the HTSUS are necessary to effectuate this order and may make such modifications through notice in the *Federal Register*. The Secretary of Homeland Security shall consult with any senior officials she deems appropriate.

(c) Consistent with applicable law, the Secretary and the Secretary of Homeland Security may, consistent with applicable law, redelegate any of these functions within their respective department or agency.

(d) All executive departments and agencies shall take all

appropriate measures within their authority to implement this order.

Sec. 8. *Interaction With Other Presidential Actions.* Any provision of previous proclamations and Executive Orders that is inconsistent with the actions directed in this order is superseded to the extent of such inconsistency.

Sec. 9. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

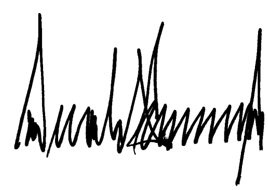
(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(d) The costs for publication of this order shall be borne by the Department of Commerce.



THE WHITE HOUSE,
September 4, 2025.

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Federal Register

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H.R. 2170/P.L. 119–35

To name the Department of Veterans Affairs community-based outpatient clinic in Toms River, New Jersey, the Leonard G. 'Bud' Lomell, VA Clinic, and for other purposes. (Sept. 5, 2025; 139 Stat. 490)

H.R. 2808/P.L. 119–36

Homebuyers Privacy Protection Act (Sept. 5, 2025; 139 Stat. 493)

Last List August 21, 2025

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