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

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

NUCLEAR REGULATORY COMMISSION

10 CFR Part 50

[NRC–2025–0032]

Regulatory Guide: Emergency Response Planning and Preparedness for Nuclear Power Reactors

AGENCY: Nuclear Regulatory Commission.

ACTION: Final guide; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing Revision 7 to Regulatory Guide (RG) RG–1.101, ''Emergency Response Planning and Preparedness for Nuclear Power Reactors.'' This revision updates the list of NRC-developed and NRC-endorsed guidance documents acceptable to meet the regulatory requirements for emergency response planning and preparedness. This revision also provides generic guidance for maintaining regulatory compliance for alert and notification systems (ANS) when making significant design changes, as well as provides guidance on a method to justify a 24-month frequency for emergency plan reviews.

DATES: Revision 7 to RG 1.101 is available on September 25, 2025.

ADDRESSES: Please refer to Docket ID NRC–2025–0032 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking Website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2025–0032. Address questions about Docket IDs in *Regulations.gov* to Bridget Curran; telephone: 301–415–1003; email: *Bridget.Curran@nrc.gov*. For technical questions, contact the individual(s) listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at *https://www.nrc.gov/reading-rm/adams.html*. To begin the search, select ''Begin ADAMS Public Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, at 301–415–4737, or by email to *PDR.Resource@nrc.gov*. The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document.
- *NRC's PDR:* The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to *PDR.Resource@nrc.gov* or call 1–800–397–4209 or 301–415–4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

Revision 7 to RG 1.101 and the regulatory analysis may be found in ADAMS under Accession Nos. ML25065A240 and ML24019A196, respectively.

Regulatory guides are not copyrighted, and NRC approval is not required to reproduce them.

FOR FURTHER INFORMATION CONTACT: Cindy Rosales-Cooper, Office of Nuclear Security and Incident Response, telephone: 301–287–9500; email: *Cindy.Rosales-Cooper@nrc.gov,* and Stanley Gardocki, Office of Nuclear Regulatory Research, telephone: 301–415–1067; email: *Stanley.Gardocki@nrc.gov*. Both are staff of the U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

SUPPLEMENTARY INFORMATION:

I. Discussion

The NRC is issuing a revision in the NRC's ''Regulatory Guide'' series. This series was developed to describe methods that are acceptable to the NRC staff for implementing specific parts of the agency's regulations, to explain techniques that the staff uses in evaluating specific issues or postulated events, and to describe information that the staff needs in its review of applications for permits and licenses.

The proposed Revision 7 to RG 1.101 was issued with a temporary identification of Draft Regulatory Guide, DG–1423. The NRC is issuing Revision 7 of RG 1.101 to endorse and update guidance that is available to licensees and applicants on methods acceptable to the staff for complying with the NRC's regulations for emergency response plans and preparedness at nuclear power reactors in section 50.47 of title 10 of the *Code of Federal Regulations* (10 CFR), ''Emergency plans,'' and appendix E, ''Emergency Planning and Preparedness for Production and Utilization Facilities,'' to 10 CFR part 50, ''Domestic Licensing of Production and Utilization Facilities.'' This revision endorses Nuclear Energy Institute (NEI) white paper, ''Enabling a Remote Response by Members of an Emergency Response Organization,'' Revision 1, issued September 2024, and NEI 99–01, Revision 7, ''Development of Emergency Action Levels for Non-Passive Reactors,'' issued September 2024. In addition, this revision of RG 1.101 provides guidance for maintaining compliance with ANS requirements when making significant ANS design changes and clarifies the continued use of Revision 0 of the NEI white paper, ''Implementing a 24-Month Frequency for Emergency Preparedness Program Reviews,'' issued November 2019.

II. Additional Information

The NRC published a notice of the availability of DG–1423 in the **Federal Register** on March 10, 2025 (90 FR 11591) for a 30-day public comment period. The public comment period closed on April 9, 2025. Public comments on DG–1423 and the staff responses to the public comments are available in ADAMS under Accession No. ML25065A246.

III. Congressional Review Act

This RG is a rule as defined in the Congressional Review Act (5 U.S.C. 801–808). However, the Office of Management and Budget has not found it to be a major rule as defined in the Congressional Review Act.

IV. Backfitting, Forward Fitting, and Issue Finality

Issuance of RG 1.101 does not constitute backfitting as defined in 10 CFR 50.109, ''Backfitting,'' and as described in NRC Management Directive (MD) 8.4, ''Management of Backfitting, Forward Fitting, Issue Finality, and Information Requests''; constitute forward fitting as that term is defined

and described in MD 8.4; or affect the issue finality of any approval issued under 10 CFR part 52, ''Licenses, Certifications, and Approvals for Nuclear Power Plants.'' As explained in Revision 7 of RG 1.101, applicants and licensees generally are not required to comply with the positions in the RG.

V. Submitting Suggestions for Improvement of Regulatory Guides

A member of the public may, at any time, submit suggestions to the NRC for improvement of existing RGs or for the development of new RGs. Suggestions can be submitted on the NRC's public website at *https://www.nrc.gov/reading-rm/doc-collections/reg-guides/contactus.html.* Suggestions will be considered in future updates and enhancements to the ''Regulatory Guide'' series.

VI. Executive Order (E.O.) 12866

The Office of Information and Regulatory Affairs determined that RG 1.101 Revision 7, is not a significant regulatory action under E.O. 12866.

Dated: September 23, 2025.

For the Nuclear Regulatory Commission.

Meraj Rahimi,

Chief, Regulatory Guide and Programs Management Branch, Division of Engineering, Office of Nuclear Regulatory Research.

[FR Doc. 2025–18633 Filed 9–24–25; 8:45 am]

BILLING CODE 7590–01–P

CONSUMER FINANCIAL PROTECTION BUREAU

12 CFR Part 1091

[Docket No. CFPB–2025–0013]

RIN 3170–AB34

Procedures for Supervisory Designation Proceedings

AGENCY: Consumer Financial Protection Bureau.

ACTION: Final rule.

SUMMARY: The Consumer Financial Protection Bureau (CFPB or Bureau) is rescinding the amendments it adopted in April 2022, November 2022, and April 2024, to the Procedures for Supervisory Designation Proceedings, with the exception of some limited process adjustments.

DATES: This final rule is effective October 27, 2025.

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

SUPPLEMENTARY INFORMATION:

I. Background

The Consumer Financial Protection Act of 2010 (CFPA) established the Bureau. Section 1024(a)(1)(C) of the CFPA authorizes the Bureau to supervise a nonbank covered person that the Bureau ''has reasonable cause to determine, by order, after notice to the covered person and a reasonable opportunity for such covered person to respond . . . is engaging, or has engaged, in conduct that poses risks to consumers with regard to the offering or provision of consumer financial products or services.'' [1]

In 2013, the CFPB issued procedures to govern these supervisory designation proceedings (2013 rule).[2] Under the 2013 rule, information regarding the proceedings was treated as confidential supervisory information and not publicly disclosed. The process under the 2013 rule began when the ''initiating official'' from the Bureau's supervision function served a notice of reasonable cause on the respondent. The respondent had an opportunity to submit a written response. The respondent could then provide a ''supplemental oral response'' before the Associate Director of the Division of Supervision, Enforcement, and Fair Lending (Associate Director of SEFL), in which the initiating official also participated alongside the respondent. The Associate Director of SEFL then formulated a recommended determination to the Director of the Bureau (the Director) about whether to designate the respondent. After considering the recommended determination, the Director made a final determination, which like other information about the proceeding was confidential supervisory information. It was also possible for a respondent to elect to voluntarily consent to supervision, as an alternative to this contested process.

In April 2022, November 2022, and April 2024, the Bureau issued a series of rules (collectively, the 2022–2024 rules) that amended the 2013 rule.[3] Most significantly, the new rules enabled the Director to publicly release the Director's final decisions and orders designating respondents for supervision. The Bureau also removed the role of the Associate Director of SEFL from the process, citing an internal reorganization that abolished that position, and instead specified that the Director would preside over the proceeding without receiving a recommended determination. The Bureau also made various other changes.

In May 2025, the Bureau issued a notice of proposed rulemaking that requested public comment on rescinding the 2022–2024 rules and restoring the 2013 rule.[4] The Bureau received eight comments.[5] After considering the comments, the Bureau has decided to rescind the 2022–2024 rules, except that the Bureau is retaining some limited process adjustments that were contained in the 2024 rule.

II. Legal Authority

Section 1024(b)(7) of the CFPA authorizes the CFPB to ''prescribe rules to facilitate supervision'' of the nonbank covered persons described in section 1024(a), as well as to facilitate ''assessment and detection of risks to consumers.'' [6] Additionally, section 1022(b)(1) provides, in relevant part, that the CFPB Director ''may prescribe rules . . . as may be necessary or appropriate to enable the Bureau to administer and carry out the purposes and objectives of the Federal consumer financial laws, and to prevent evasions thereof.'' [7] The CFPB issues this rule based on its authority under section 1024(b)(7) and section 1022(b)(1).

III. Discussion

A. Public Release of Decisions and Orders

Proposed Rule

The proposed rule explained that the Bureau has particular concerns about the manner in which the 2022–2024 rules provided for public release of decisions and orders. If an entity consents to supervisory designation, under the procedures as amended there is no decision or order issued by the Director that is eligible for public release. However, if it exercises its statutory right to contest designation, that choice may ultimately result in a public decision and order asserting that the entity ''is engaging, or has engaged, in conduct that poses risks to

[1] 12 U.S.C. 5514(a)(1)(C). The Bureau must base such reasonable-cause determinations on complaints collected by the Bureau under 12 U.S.C. 5493(b)(3), or on information collected from other sources. *Id.*

[2] 78 FR 40352 (July 3, 2013); *see also* 85 FR 75194 (Nov. 24, 2020) (updating certain cross-references).

[3] 87 FR 25397 (Apr. 29, 2022); 87 FR 70703 (Nov. 21, 2022); 89 FR 30259 (Apr. 23, 2024).

[4] 90 FR 20401 (proposed May 14, 2025).

[5] The comments are available at *https://www.regulations.gov/document/CFPB-2025-0013-0001/comment.*

[6] 12 U.S.C. 5514(b)(7).

[7] 12 U.S.C. 5512(b)(1).

consumers.'' [8] Because businesses are concerned about their public reputations, this procedural disparity may put inappropriate pressure on entities to consent to designation, even when they have good arguments that designation is unwarranted. The Bureau also requested comment on the impact of public release on supervised entities and the supervisory process. With respect to other changes made by the amendments, the Bureau's preliminary view subject to considering comments is that they were largely unnecessary.

Comments

A trade association representing the U.S. business community, a trade association of financial technology firms, and a trade association whose members include installment lenders submitted comments opposing any public release of decisions and orders. Accordingly, they supported the Bureau's proposed rescission. All three of these trade associations cited unfair reputational harm from public release. Two associations identified a risk to competition, because firms that contest designation may be competitively disadvantaged by a public order compared to firms that consent to designation and so are not the focus of a public order. Also, if a published order raises concerns about a particular type of product, competitors may be more hesitant to enter into the market and risk being labeled as an entity whose products pose a risk to consumers. The same two associations also argued that public release is inconsistent with supervisory confidentiality and harms the supervisory relationship between the Bureau and the entity.[9]

Two trade associations representing the banking industry submitted a comment opposing public release of decisions and orders, but instead recommended public release of the names of designated nonbank entities. These two associations argued that supervisory confidentiality is important because it encourages candid communication between an entity's management, an entity's board of directors, and the supervising agency. Public release discourages entities from fully and freely responding to a potential designation because information shared in the response could be included in a published decision and order. The associations also argued that, because decisions and orders are issued at a preliminary stage before the Bureau's supervisory examination, there will be uncertainty about whether the Bureau would ultimately find that the conduct described in the decision and order violates the law. This uncertainty could discourage conduct that the Bureau ultimately would not deem illegal, including innovative ways of designing and delivering financial services. According to the two banking trade associations, by instead publishing a list of designated nonbank entities, the Bureau would provide transparency to the public and to other market participants about which nonbanks are subject to Bureau supervision, without causing the harms from publishing decisions and orders.

Two consumer advocacy organizations, an individual commenter, and an anonymous commenter favored public release and opposed the proposed rescission. According to one organization, the current procedure helps the market, other financial firms, and the public better understand why the Bureau chose to proceed with a risk-designation for that nonbank, in a way that protects confidential information, trade secrets, and other sensitive private information. According to another organization, without transparency, the public cannot meaningfully evaluate whether the Bureau is fulfilling its mandate, and it would also deny consumers access to information about conduct by entities that could be important to their financial well-being. The organization argued that the current system does not unfairly penalize entities that contest designation because a decision and order is the product of a formal administrative process. If the Bureau nevertheless changes the current system, this organization argued that it should consider the following alternatives: offering clearer guidance on the threshold for public disclosure; allowing limited redactions to protect sensitive information in specific circumstances; or providing additional due process protections for entities facing public orders. An individual commenter argued that withholding decisions and orders from publication would obscure the Bureau's statutory work from the public and invite litigation by advocates of public disclosure against the Bureau. Finally, an anonymous commenter argued that the public has a right to know which entities are being supervised and why; that the possibility of public disclosure should not be viewed as coercive but as a natural consequence of engaging in a public regulatory process; and that there is no evidence that the current rules have caused harm.

Final Rule

After considering the comments, the Bureau is restoring the 2013 rule's treatment of decisions and orders in supervisory designation proceedings as confidential supervisory information. As the proposed rule explained, the 2022–2024 rules can create a strong incentive for respondents to consent to designation in order to avoid a public decision and order discussing alleged risks to consumers from respondents, even in situations where a respondent may have meritorious responses to the initiating official's notice of reasonable cause. In the Bureau's experience, the financial services industry is highly focused on reputational concerns. The public interest is not served if the Bureau designated entities that ought not be designated but accede to designation out of fear of reputational harm. The Bureau notes that this harm could still arise if the Bureau publishes a list of designated nonbank entities, as the banking industry commenters advocated, and the reputational impact might even be greater because the reasons for the Bureau's designations would be unclear to the public and subject to speculation.

The Bureau's concern about reputational pressure leading to unmeritorious designations is not outweighed by interests in disclosure. A supervisory designation proceeding has a limited purpose of answering the threshold question of whether or not an entity should be subject to supervision, based on limited evidentiary material, because the Bureau has not yet engaged in supervision of the entity. Its purpose is not to guide the substantive conduct of other market participants or consumers, and so the Bureau does not accept comments arguing that the Bureau should publish decisions and orders for those purposes. The Bureau does recognize that the April 2022 and November 2022 rules placed weight on a different benefit of public release, which was transparency about Bureau decisionmaking. However, the Bureau is concerned that the redactions to decisions and orders that are necessary to protect the confidentiality of future Bureau supervisory activity, personal privacy, and commercial information can risk rendering the redacted decisions and orders potentially misleading to readers, by leaving an incomplete impression of the basis for

[8] 12 U.S.C. 5514(a)(1)(C).

[9] One association also requested that the Bureau codify a provision that states that the Bureau will not publish decisions and orders. The Bureau notes that, because of § 1091.115(c) of the proposed and final rules, the Bureau is required to treat decisions and orders as confidential supervisory information under the Bureau's confidentiality rules, and the Bureau does not consider any further amendment on this subject to be necessary.

the designation.[10] Separately, because the large majority of respondents have historically voluntarily consented, the ability of the public to use decisions and orders from the minority of contested cases to understand the Bureau's supervision program is limited. Overall, the Bureau believes that the harm from publication outweighs the benefits.

Finally, the Bureau recognizes that the April 2022 and November 2022 rules invoked the parties' ability to cite published decisions and orders from past proceedings as a benefit of public release, promoting consistency and predictability. However, the Bureau has concluded that a better means of ensuring consistency and predictability is a rulemaking in which all stakeholders can provide public comments, to better define the legal standard applicable to supervisory designation proceedings. The Bureau has separately published a notice of proposed rulemaking to consider such a rule.[11]

B. Other Issues

The proposed rule stated that, with respect to other changes made by the 2022–2024 rules, the Bureau's preliminary view subject to considering comments was that they were largely unnecessary. Commenters did not provide specific comments on these other changes made by the 2022–2024 rules.

The final rule rescinds the 2022–2024 rules and reinstates the 2013 rule, with the following limited adjustments. The 2024 rule removed the role of the Associate Director of SEFL in providing a recommended determination before the Director makes a final determination, on the grounds that position no longer existed at the Bureau due to a 2024 reorganization. This final rule reinstates recommended determinations, to be made by a ''recommending official'' designated by the Director.[12] The Bureau believes that a recommended determination will enhance the Bureau's deliberative process by providing the Director with additional analysis.

The Bureau is also retaining the following process adjustments made by the 2024 rule: (a) a provision authorizing the initiating official to file a written reply to the respondent's written response, which helps provide the respondent with fair notice of points the initiating official might subsequently raise orally during the ''supplemental oral response''; [13] (b) an option for the recommending official to direct that the supplemental oral response be conducted by video, as a third alternative alongside telephonic and in-person options under the 2013 rule; [14] (c) provisions that codify the possibility of additional supplemental briefing from the parties, which can help ensure that the recommending official and Director have full information and that respondents have a fair opportunity to respond to new issues; [15] (d) simplification of the provisions governing the mechanics of voluntary consent agreements, which led to some confusion under the 2013 rule; [16] and (e) a nomenclature update to the definition of ''initiating official,'' in order to reflect a 2024 reorganization that replaced the two former ''Assistant Directors for Supervision'' with the ''Supervision Director.'' [17] Unlike other changes made the 2022–2024 rules, the Bureau believes these limited changes simplify and clarify the process, and contribute to a more fair and effective process.

The Bureau is not retaining any of the other changes made by the 2024 rules, including: changes to the elements in a notice of reasonable cause; a provision stating that notices of reasonable cause can be withdrawn; changes regarding time limits, word limits, and methods of service; provisions governing proceedings with multiple respondents; and issue exhaustion provisions. The Bureau concludes that these provisions either added unnecessary complexity to the procedures or in some cases were unnecessary because they were implicit in the 2013 rule.

IV. Section 1022(b)(2) Analysis

In developing this rule, the Bureau has considered its benefits, costs, and impacts in a manner consistent with section 1022(b)(2)(A) of the CFPA.[18] In addition, the Bureau has consulted with the prudential regulators and the Federal Trade Commission, including regarding consistency of the rule with any prudential, market, or systemic objectives administered by those agencies, in a manner consistent with section 1022(b)(2)(B) of the CFPA.[19]

There are generally limited data with which to quantify potential costs, benefits, and impacts of the final rule. The Bureau has conducted a limited number of supervisory designation proceedings under the existing rules, but the Bureau does not have quantitative data regarding the costs to respondents or other impacts of those proceedings. The Bureau also lacks comprehensive data that would allow quantification of any reputational costs associated with potential publication of a supervisory designation order or to assess costs associated with how such a public release may impact the supervisory process. Commenters also did not provide quantitative data in their comments.

In light of these data limitations, the analysis below generally provides a qualitative discussion of the benefits, costs and impacts of the final rule. General economic principles and the Bureau's experience and expertise in consumer financial markets, together with the limited data that are available, provide insight into these benefits, costs, and impacts.

In evaluating the benefits, costs, and impacts of the final rule, the Bureau considers the impacts against a baseline that includes the legal and procedural framework that currently exists regarding supervisory designation proceedings for nonbank covered persons; that is, the existing regulation as amended by the 2022–2024 rules.

The final rule would apply to covered persons as defined in the CFPA, which are generally entities that engage in offering or providing a consumer financial product or service. There is a large population of firms potentially affected by this final rule.[20] The Bureau does not currently have access to comprehensive data on the number of nonbank covered persons that may be subject to supervisory authority. To establish an estimate of the population of nonbank covered entities potentially subject to the final rule, the Bureau uses

[10] The November 2022 rule predicted that redactions about the entity's potential violations of law and potential compliance management deficiencies, which are necessary to protect the confidentiality of future supervisory activity at the entity, would not be needed in most decisions and orders. 87 FR at 70704. However, this has not been the Bureau's experience in practice.

[11] 90 FR 41520 (proposed Aug. 26, 2025).

[12] 12 CFR 1091.108 *and generally* pt. 1091, subpt. B.

[13] 12 CFR 1091.105(f).

[14] 12 CFR 1091.103(a)(2)(iii), 1091.105(b)(3), 1091.106(b)(1).

[15] 12 CFR 1091.108(g) 1091.109(f).

[16] 12 CFR 1091.103(b), 1091.110.

[17] 12 CFR 1091.102.

[18] 12 U.S.C. 5512(b)(2)(A).

[19] 12 U.S.C. 5512(b)(2)(B). In order to inform the rulemaking more fully the Bureau performed the described analysis and consultations.

[20] The procedures in the existing 12 CFR part 1091 are only to assess whether a nonbank covered person will be made subject to the Bureau's supervisory authority based on a determination under section 1024(a)(1)(C) of the CFPA, 12 U.S.C. 5514(a)(1)(C). In general, there is no reason to make a determination under section 1024(a)(1)(C) with respect to a nonbank covered entity subject to the Bureau's supervisory authority under some other provision of section 1024(a) of the CFPA, 12 U.S.C. 5514(a). However, this is possible. Therefore, the Bureau does not exclude from its analysis nonbank covered entities that may be subject to supervision under a separate provision of section 1024(a).

publicly available data from the 2022 Economic Census (the most recent version currently available), which provides counts of firms by North American Industry Classification System (NAICS) industry codes.[21] Based on the 2022 Economic Census data for NAICS codes that align with financial services,[22] the Bureau estimates there are approximately 154,430 entities in these covered industries. It should also be noted that this estimate does not include other nonbank covered entities not categorized in one of the enumerated industries, *e.g.,* if consumer financial services are not their primary business activity. To date, the Bureau has exercised its supervisory authority under 12 CFR part 1091 over fewer than 20 covered entities.[23]

The final rule makes two major changes relative to the existing regulation in the procedure for designating covered entities for supervision.[24] First, it reinstates recommended determinations, to be made by a ''recommending official'' designated by the Director,[25] which was formerly performed by the Associate Director of SEFL. The 2024 amendment eliminated the role of the Associate Director of SEFL in supervisory designation proceedings, on the grounds that the position no longer existed at the Bureau due to a 2024 reorganization.

The final rule reinstates a role for a recommending official, who is the recipient of any written response, reply, and supplemental oral response, may request a supplemental briefing, and drafts a recommended determination for the Director. After this, the Director considers the materials and recommended determination and may request a supplemental briefing or consult with decisional employees, and makes a final determination to accept, modify, or reject the recommending official's recommendation.

Relative to the 2024 rule, the final rule could extend the timeline of the supervisory designation process in contested proceedings given that both the recommending official and Director must consider the matter. Under both the 2024 rule and the final rule, a respondent who opts for contested proceedings would provide a written response and have the option to request a supplemental oral response. After this, under the final rule the recommending official may request a supplemental briefing and, after the recommending official makes their recommendation to the Director, the Director may request a supplemental briefing. In contrast, under the 2024 rule, after the optional supplemental oral response, only the Director may request a supplemental briefing. There is a possibility that, under the final rule, the recommending official might request some supplemental briefing from the respondent that the Director would not have chosen to request as sole decisionmaker under the 2024 rule, if the recommending official has a different perspective than the Director about what information should be considered. To the extent respondents are asked to prepare additional supplemental briefing, that could hypothetically represent an increase in cost for the respondent, although the Bureau does not have reason to think that increased supplemental briefing will be common. If it arises, the additional supplemental briefing could contribute to enhancing the Bureau's decisionmaking as noted below, which could ultimately benefit respondents.

The final rule could increase the information available to respondents, since it requires both a recommended determination and a final determination and associated rationale be made available to the respondent. This could increase respondents' insight into the Bureau's decision-making process, which could benefit respondents insofar as it clarifies the risk assessment the Bureau undertakes in supervisory designation procedures.[26]

The final rule would provide the Director with additional analysis from the recommending official prior to making a final determination.[27] In some cases, as noted above, the recommending official's analysis may be informed by supplemental briefing that the Director would not have requested if the Director were the sole decisionmaker. But the Bureau also believes a recommended determination will be beneficial when there is no supplemental briefing. The Bureau believes that a recommended determination will enhance the Bureau's deliberative process. Mandating the consultation of at least one other employee could have an ambiguous impact on covered persons in contested proceedings. The recommending official and Director could have different interpretations of the evidence which may affect whether the Director finds a reasonable basis for a supervisory designation, depending on the particulars of the case. It is possible that in situations where the evidence presented for supervisory designation is not clear cut, mandating the Director to consider at least one other official's analysis may increase the likelihood of designation in cases where conduct poses risks to consumers while also decreasing the likelihood of designation in cases where no risk exists, which would generally benefit both consumers and covered persons; that is, it may decrease the probability of both ''false positives'' and ''false negatives'' in the supervisory designation process. It should be noted, however, that under the current and final rule the Director may consult with other decisional employees in coming to a final determination.

The second major change is the elimination of the power for the Director to determine whether to publicly release a supervisory designation order. At the time of the 2022–2024 rules, the Bureau believed that publication of orders may benefit covered persons by allowing both respondents and the Bureau to rely on reasoning in prior public orders as precedent in future contested proceedings and also provide insight into the Bureau's decision-making process and risk assessments. The Bureau believed this may benefit covered persons and consumers by reducing uncertainty around the decision-making process and risk

[21] U.S. Census Bureau, ''2022 Economic Census,'' *https://www.census.gov/programs-surveys/economic-census/year.2022.html* (accessed August 18, 2025).

[22] The relevant NAICS codes examined are 5222 (Nondepository credit intermediation); 5223 (Activities related to credit intermediation); 523940 (Portfolio management and investment advice); 532112 (Passenger car leasing); 532120 (Truck, utility trailer, and recreational vehicle rental and leasing); 5313 (Activities related to real estate); 561450 (Consumer reporting); and 561440 (Debt collection). Four-digit industry codes are used for broad industries that are likely to be entirely made up of firms that are subject to this rule whereas six-digit industry codes are used for narrower industries when the broad classification is likely to include firms not subject to this rule.

[23] The Bureau's designations of Google Payment Corp., which formerly provided a peer-to-peer payment product, and World Acceptance Corp., which is an installment lender, have been publicly disclosed.

[24] Separately, the Bureau is considering amending 12 CFR 1091 to explicitly address the meaning of ''risks to consumers,'' *see* 90 FR 41520 (proposed Aug. 26, 2025).

[25] 12 CFR 1091.108 *and generally* pt. 1091, subpt. B.

[26] Due to the second major change outlined below, the rescission of the Director's option to publish a version of orders after contested proceedings, these benefits would be limited to only the respondent and not other covered persons.

[27] Under the current rule, the Director has the option to consult with decisional employees, an option the Director retains under the new rule. The new rule mandates that the designated recommending official submit a recommendation and associated reasoning to the Director for consideration. In both scenarios, the Director ultimately retains the power to accept, reject, or modify any recommendations the Director may receive.

assessment the Bureau undertakes. The Bureau is also aware of arguments from public comments that orders may benefit consumers by providing information regarding particular potentially harmful practices by covered persons that arguably could inform consumer behavior, although that was not the intended purpose of publication and as discussed below this potential benefit is likely limited. To the extent the above effects materialized as benefits of the 2022–2024 rules, they would be costs of this rule.

The Bureau now believes that the above benefits are limited. There have only been two published orders under the 2022 rules, offering limited insight to the public into the decision-making process and risk assessment undertaken by the Bureau.[28] Additionally, there is a risk that the redactions to decisions and orders that are necessary to protect the confidentiality of future Bureau supervisory activity, personal privacy, and commercial information can risk rendering the redacted decisions and orders potentially misleading to readers, reducing the value of publication. Moreover, as emphasized by the Bureau in the November 2022 rule,[29] the finding of reasonable cause in a supervisory designation proceeding does not mean there has been any wrongdoing on the part of respondents. If consumers interpret published orders as evidence of wrongdoing or a higher likelihood of wrongdoing, then publishing orders may result in reputational costs for respondents which could lead them to enter into consent agreements even if they have a reasonable probability of a finding of no reasonable cause for designation after contested proceedings or could lead them to avoid entering into a consumer finance product market altogether.[30] It is also possible that publishing orders may result in respondents being less candid in their responses to the Notice of Reasonable Cause.[31]

Ultimately, due to the limited number of times the Bureau has initiated supervisory designation proceedings, the limited number of public orders, and the lack of data on costs associated with contested hearing, reputational costs, supervisory costs and how they are affected by relations between the Bureau and covered persons, and benefits associated with a public record of orders, the Bureau is unable to quantify the relevant benefits and costs associated with the proposed rule to a reasonable degree of certainty. Although not quantifiable, as discussed earlier in this preamble, the Bureau's judgment is that the harm from publication is more compelling as a policy matter than the benefits.

This final rule will not have an impact on insured depository institutions or insured credit unions with $10 billion or less in assets as described in section 1026(a) of the CFPA.[32] Nor will the final rule have a unique impact on rural consumers.

V. Executive Order 12866

The Office of Information and Regulatory Affairs within the Office of Management and Budget (OMB) has determined that this action is not a ''significant regulatory action'' under Executive Order 12866, as amended.[33]

VI. Other Regulatory Requirements

This is a rule of agency organization, procedure, or practice, and, therefore, exempt from the notice-and-comment rulemaking requirements of the Administrative Procedure Act.[34] However, the Bureau accepted comments on the rule and is issuing this rule after considering those comments.

Because no notice of proposed rulemaking is required, the Regulatory Flexibility Act does not require an initial or final regulatory flexibility analysis.[35] Moreover, the Bureau's Director certifies that this rule will not have a significant economic impact on a substantial number of small entities. Therefore, an analysis is also not required on that basis.[36] This is because the number of entities that will be subject to supervisory designation proceedings is small, and within that group the number that would be small entities is likely to be either none or in the single digits each year, representing a very small fraction of small entities in the relevant consumer finance markets.

The Bureau has determined that this rule does not contain any new or substantively revised information collection requirements that would require approval by OMB under the Paperwork Reduction Act.[37]

In an abundance of caution, pursuant to the Congressional Review Act,[38] the Bureau will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to the rule taking effect. OMB has designated this rule as not a ''major rule'' as defined by 5 U.S.C. 804(2).

List of Subjects in 12 CFR Part 1091

Administrative practice and procedure, Consumer protection, Credit, Trade practices.

Authority and Issuance

■ As discussed above, the Bureau revises 12 CFR part 1091 to read as follows:

PART 1091—PROCEDURES FOR SUPERVISORY DESIGNATION PROCEEDINGS

Sec.

Subpart A—General

1091.100 Scope and purpose.
1091.101 Definitions.

[28] 12 CFR 1091 proceedings have been initiated a limited number of times, and fewer than ten percent of orders have been published because the remainder were entered by consent.

[29] See 87 FR at 70703.

[30] The ability for respondents to enter a consent agreement under the current rule mitigates this effect to a degree. Consider a simple setting where firms enter a market if expected net benefits of entry, *b,* exceed expected costs associated with a supervisory designation process being started, $q(\min\{p(s+c)+k,s\})$, where q is the probability the Bureau begins 1091 proceedings, p is the probability reasonable cause is found in contested proceedings, s is the cost of supervision which is assumed to be the same after reasonable cause is found in contested proceedings or after a consent agreement is entered, c is reputational cost associated with a public order, and k is the cost of entering into contested proceedings. Firms that will be induced to enter a market by the proposed rule eliminating costs c would have an expected net benefit of entering into a market $q(ps+k) \leq b \leq q\min\{p(s+c)+k,s\}$. That is, their expected benefits must exceed the expected costs associated with contested proceedings under the new rule but be less than the minimum of expected costs associated with contested proceedings under the new rule and the expected costs associated with supervision after a consent agreement. This model makes many simplifying assumptions, but the intuition here is that firms with expected benefits that exceed expected supervisory costs but are less than expected costs associated with contested proceedings under the current rule are not marginal firms when considering entry, since they may already opt for a consent agreement to avoid any expected reputational costs.

[31] Note that this effect is likely mitigated by provisions in the current rule that prohibit publication of any materials that are exempt from disclosure by 5 U.S.C. 552(b)(4) or (b)(6).

[32] 12 U.S.C. 5516(a).

[33] Section 3(f) of Executive Order 12866 defines a ''significant regulatory action'' as any regulatory action that is likely to result in a rule that may: (1) have an annual effect on the economy of $100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; (2) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; (3) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) raise novel legal or policy issues arising out of legal mandates, or the President's priorities.

[34] 5 U.S.C. 553(b).

[35] 5 U.S.C. 603, 604.

[36] 5 U.S.C. 605(b).

[37] 44 U.S.C. 3501–3521.

[38] 5 U.S.C. 801 *et seq.*

Subpart B—Determination and Voluntary Consent Procedures

1091.102 Issuance of Notice of Reasonable Cause.
1091.103 Contents of Notice.
1091.104 Service of Notice.
1091.105 Response.
1091.106 Supplemental oral response.
1091.107 Manner of filing and serving papers.
1091.108 Recommended determination.
1091.109 Determination by the Director.
1091.110 Voluntary consent to Bureau's authority.
1091.111 Notice and response included in adjudication proceeding otherwise brought by the Bureau.
1091.112 No limitation on relief sought in civil action or administrative adjudication.

Subpart C—Post-Determination Procedures

1091.113 Petition for termination of order.

Subpart D—Time Limits and Deadlines

1091.114 Construction of time limits.
1091.115 Change of time limits and confidentiality of proceedings.

Authority: 12 U.S.C. 5512(b)(1), 5514(a)(1)(C), 5514(b)(7).

Subpart A—General

§ 1091.100 Scope and purpose.

This part sets forth procedures to implement section 1024(a)(1)(C) of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010, Public Law 111–203 (12 U.S.C. 5514(a)(1)(C)) (Dodd-Frank Act), and establishes rules to facilitate the Bureau's supervisory authority over certain nonbank covered persons pursuant to section 1024(b)(7) of the Dodd-Frank Act (12 U.S.C. 5514(b)(7)).

§ 1091.101 Definitions.

For the purposes of this part, the following definitions apply:

Bureau means the Consumer Financial Protection Bureau.

Consumer means an individual or an agent, trustee, or representative acting on behalf of an individual.

Consumer financial product or service means any financial product or service, as defined in 12 U.S.C. 5481(15), that is described in one or more categories under:

(1) 12 U.S.C. 5481(15) and is offered or provided for use by consumers primarily for personal, family, or household purposes; or

(2) Clause (i), (iii), (ix), or (x) of 12 U.S.C. 5481(15)(A) and is delivered, offered, or provided in connection with a consumer financial product or service referred to in paragraph (1) of this definition.

Decisional employee means any employee of the Bureau who has not engaged in:

(1) Assisting the initiating official in either determining whether to issue a Notice of Reasonable Cause, or presenting the initiating official's position in support of a Notice of Reasonable Cause, either in writing or in a supplemental oral response, to the recommending official; or

(2) Assisting the recommending official in the preparation of a recommended determination.

Director means the Director of the Bureau or his or her designee. If there is no Director, the term shall mean a person authorized to perform the functions of the Director under this part, or his or her designee.

Executive Secretary means the Executive Secretary of the Bureau.

Initiating official means the Supervision Director or another Bureau employee designated by the Director to initiate proceedings under this part.

Nonbank covered person means, except for persons described in 12 U.S.C. 5515(a) and 5516(a):

(1) Any person that engages in offering or providing a consumer financial product or service; and

(2) Any affiliate of a person described in paragraph (1) of this definition if such affiliate acts as a service provider to such person.

Notice of Reasonable Cause and Notice mean a Notice issued under § 1091.102.

Person means an individual, partnership, company, corporation, association (incorporated or unincorporated), trust, estate, cooperative organization, or other entity.

Recommending official means an employee designated by the Director to make a recommended determination under this part.

Respondent means a person who has been issued a Notice of Reasonable Cause under § 1091.102.

Response means the response to a Notice of Reasonable Cause filed by a respondent with the recommending official under § 1091.105.

Subpart B—Determination and Voluntary Consent Procedures

§ 1091.102 Issuance of Notice of Reasonable Cause.

(a) An initiating official is authorized to issue a Notice of Reasonable Cause to a person stating that the Bureau may have reasonable cause to determine that the respondent is a nonbank covered person that is engaging, or has engaged, in conduct that poses risks to consumers with regard to the offering or provision of consumer financial products or services.

(b) A Notice of Reasonable Cause shall be based on:

(1) Complaints collected through the system under 12 U.S.C. 5493(b)(3); or

(2) Information from other sources.

(c) Except as provided in § 1091.111, a Notice of Reasonable Cause shall contain the information set forth in § 1091.103, and be served on respondent as described in § 1091.104.

§ 1091.103 Contents of Notice.

(a) A Notice of Reasonable Cause shall contain the following:

(1) A description of the basis for the assertion that the Bureau may have reasonable cause to determine that a respondent is a nonbank covered person that is engaging, or has engaged, in conduct that poses risks to consumers with regard to the offering or provision of consumer financial products or services, including a summary of the documents, records, or other items relied on by the initiating official to issue a Notice. Such summary will be consistent with the protection of sensitive information, including compliance with Federal privacy law and whistleblower protections; and

(2) A statement informing a respondent that:

(i) A respondent may file with the recommending official a written response to a Notice of Reasonable Cause no later than 30 days after the Notice is served on the respondent;

(ii) The written response shall include the elements addressed in § 1091.105(b);

(iii) A respondent may request in its written response to a Notice an opportunity to present a supplemental oral response to the recommending official as set forth in § 1091.106, including its preference that the supplemental oral response be by telephone, by video conference, or in person at the Bureau's headquarters in Washington, DC;

(iv) A failure timely to file a response to a Notice shall constitute a waiver of a respondent's right to respond, and may result in a default determination by the Director, based on the Notice, that a respondent is a nonbank covered person that is engaging, or has engaged, in conduct that poses risks to consumers with regard to the offering or provision of consumer financial products or services and the issuance of a decision and order subjecting a respondent to the Bureau's supervisory authority pursuant to 12 U.S.C. 5514(a)(1)(C);

(v) The recommending official shall serve a respondent with a notice of the date and time of a supplemental oral response, if a respondent has requested the opportunity to present a supplemental oral response, within 14

days of the recommending official's receipt of a timely-filed response;

(vi) If a respondent has not requested the opportunity to present a supplemental oral response, the recommending official shall, not later than 45 days after receiving a timely-filed response, or not later than 45 days after the service of a Notice of Reasonable Cause when a respondent fails to file a timely response, provide a recommended determination to the Director including either a proposed decision and order subjecting a respondent to the Bureau's supervisory authority pursuant to 12 U.S.C. 5514(a)(1)(C), or a proposed notification that the Bureau has determined not to subject a respondent to the Bureau's supervisory authority at that time, pursuant to § 1091.108; and

(vii) In connection with a proceeding under this part, including a petition for termination under § 1091.113, all documents, records or other items submitted by a respondent to the Bureau, all documents prepared by, or on behalf of, or for the use of the Bureau, and any communications between the Bureau and a person, shall be deemed confidential supervisory information under 12 CFR 1070.2(i).

(b) A Notice shall be accompanied by a proposed consent agreement under § 1091.110.

(c) Nothing in this section shall be construed as requiring the Bureau to produce any documents or other information to a respondent other than as set forth in this section.

§ 1091.104 Service of Notice.

(a) A Notice of Reasonable Cause shall be served on a respondent as follows:

(1) *To individuals.* A Notice shall be served on a respondent that is a natural person by delivering a copy of the Notice to the individual or to an agent authorized by appointment or by law to receive such a Notice. Delivery, for purposes of this paragraph, means handing a copy of a Notice to the individual; or leaving a copy at the individual's office with a clerk or other person in charge thereof; or leaving a copy at the individual's dwelling house or usual place of abode with some person of suitable age and discretion then residing therein; or sending a copy of a Notice addressed to the individual through the U.S. Postal Service by Registered Mail, Certified Mail or Express Mail delivery, or by third-party commercial carrier, for overnight delivery and obtaining a confirmation of receipt.

(2) *To corporations or entities.* Notice shall be served on a person other than an individual by delivering a copy of a Notice to an officer, managing or general agent, or any other agent authorized by appointment or law to receive such a Notice, by any method specified in paragraph (a)(1) of this section.

(3) *Upon persons registered with the Bureau.* In addition to any other method of service specified in paragraph (a)(1) or (2) of this section, Notice may be served on a person registered with the Bureau by sending a copy of a Notice addressed to the most recent business address shown on the person's registration form by U.S. Postal Service Certified, Registered, or Express Mail and obtaining a confirmation of receipt or attempted delivery.

(4) *Upon persons in a foreign country.* Notice may be served on a person in a foreign country by any method specified in paragraph (a)(1) or (2) of this section, or by any other method reasonably calculated to give notice, provided that the method of service used is not prohibited by the law of the foreign country.

(5) *Record of service.* The Bureau shall maintain a record of service of a Notice on a respondent, identifying the party given Notice, the method of service, the date of service, the address to which service was made, and the person who made service. If service is made in person, the certificate of service shall state, if available, the name of the individual to whom a Notice was given. If service is made by U.S. Postal Service Registered Mail, Certified Mail, or Express Mail, the Bureau shall maintain the confirmation of receipt or attempted delivery.

(6) *Waiver of service.* In lieu of service as set forth in paragraph (a)(1) or (2) of this section, a person may be provided a copy of a Notice by First Class Mail or other reliable means if a written waiver of service is obtained from the person to be served. In the case of a respondent that is not a natural person, a written waiver may be provided by an officer, managing or general member, or partner authorized to represent the respondent.

(b) The initiating official shall promptly submit a copy of a Notice and a copy of the certificate of service to the recommending official.

§ 1091.105 Response.

(a) *Timing.* Within 30 days of service of a Notice, a respondent shall file any response with the recommending official according to the instructions set forth in a Notice.

(b) *Content of the response.* (1) The response shall set forth the basis for a respondent's contention that the respondent is not a nonbank covered person that is engaging, or has engaged, in conduct that poses risks to consumers with regard to the offering or provision of consumer financial products or services.

(2) The response shall include all documents, records, or other evidence a respondent wishes to use to support the arguments or assertions set forth in the response.

(3) Any request to present a supplemental oral response, including the respondent's preference that the supplemental oral response be by telephone, by video conference, or in person at the Bureau's headquarters in Washington, DC, must be included in the response. A respondent's failure to request to present a supplemental oral response shall constitute a waiver of the opportunity to present a supplemental oral response.

(4) A response shall include an affidavit or declaration, made by the individual respondent if a natural person, or, if a corporate or other entity that is not a natural person, by an officer, managing or general member, or partner authorized to represent the respondent, affirming that the response is true and accurate and does not contain any omissions that would cause the response to be materially misleading.

(5) Notwithstanding any other provisions of this paragraph (b), a respondent may respond to a Notice of Reasonable Cause by voluntarily consenting to the Bureau's authority to supervise the respondent under 12 U.S.C. 5514 by completing and executing the consent agreement form provided to the respondent with a Notice of Reasonable Cause in accordance with § 1091.103(b).

(c) *Default.* Failure of a respondent to file a response within the time period set forth in paragraph (a) of this section shall constitute a waiver of the respondent's right to respond, and shall, based on the Notice, authorize the recommending official, without further notice to the respondent, to issue a proposed decision and order as provided in § 1091.108(c)(1) and the Director to issue a decision and order as provided in § 1091.109(a)(1).

(d) *Waiver.* A respondent shall be deemed to have waived the right, at any future stage of the recommending official's or the Director's consideration of a matter, and in any petition for judicial review of an order issued pursuant to § 1091.109(a)(1), to rely on any argument, record, document, or other information that the respondent does not raise or include in its response.

(e) *No discovery.* There shall be no discovery in connection with a response.

(f) *Reply by initiating official.* If the respondent files a written response, within 21 days the initiating official may file a reply with the recommending official and serve it on the respondent.

§ 1091.106 Supplemental oral response.

(a) A respondent may request in a response under § 1091.105 the opportunity to present to the recommending official a supplemental oral response in support of a respondent's assertion that the respondent is not a nonbank covered person that is engaging, or has engaged, in conduct that poses risks to consumers with regard to the offering or provision of consumer financial products or services.

(b) The conduct of a supplemental oral response shall be subject to the following procedures:

(1) The recommending official will determine whether the supplemental oral response will be by telephone, by video conference, or in person at the Bureau's headquarters in Washington, DC, after considering the preference of the respondent stated in the written response;

(2) The recommending official may impose any limitations on the conduct of a supplemental oral response, including but not limited to establishing a time limit for the presentation of a supplemental oral response, and limiting the subjects to be addressed in a supplemental oral response;

(3) There shall be no discovery permitted or witnesses called in connection with a supplemental oral response;

(4) If a respondent is a corporate or other entity, and not a natural person, the respondent shall be represented in any supplemental oral response by:

(i) An officer, managing or general member, or partner authorized to represent the respondent; or

(ii) An attorney in good standing of the bar of the highest court of any State.

(5) If a respondent is a natural person, the respondent shall be represented in any supplemental oral response by:

(i) Himself or herself; or

(ii) An attorney in good standing of the bar of the highest court of any State.

(6) The recommending official shall cause an audio recording of a supplemental oral response to be made by a court reporter. A respondent may purchase a copy or transcript of the recording at the respondent's own expense.

(c) The initiating official may participate in any supplemental oral response conducted under this section.

(d) The Associate Director shall serve on a respondent, within 14 days after the Associate Director receives the respondent's timely-filed response requesting a supplemental oral response, a notice setting forth the date, time, and general information relating to the conduct of a supplemental oral response. The date of a supplemental oral response shall be scheduled not less than ten days after the date the respondent is served with the notice of supplemental oral response.

(e) The notice of supplemental oral response shall be served on a respondent pursuant to § 1091.107.

(f) The recommending official shall send a copy of the notice of supplemental oral response to the initiating official.

(g) A respondent's failure to participate in a supplemental oral response scheduled by the recommending official shall constitute the respondent's waiver of the opportunity to present a supplemental oral response.

§ 1091.107 Manner of filing and serving papers.

Unless otherwise specified by the recommending official or Director, a respondent shall file the response and any other paper with the Executive Secretary at the mailing or electronic address provided by the Bureau, and the initiating official, recommending official, and Director shall serve any paper, other than a Notice as set forth in § 1091.104, on a respondent, by:

(a) Electronic transmission upon any condition specified by the recommending official or Director; or

(b) Any of the following methods if a respondent demonstrates electronic filing is not practicable and the recommending official or Director permits:

(1) Personal delivery;

(2) Delivery through a reliable commercial courier service or overnight delivery service; or

(3) Mailing the papers by U.S. Postal Service First Class, Registered, Certified, or Express Mail.

§ 1091.108 Recommended determination.

(a) If a respondent did not voluntarily consent to the Bureau's supervision authority, and did not request the opportunity to present a supplemental oral response, not later than 45 days after receipt of a timely-filed response, or not later than 45 days after the service of a Notice of Reasonable Cause when a respondent fails to file a timely response, the recommending official shall make a recommended determination whether there is reasonable cause for the Bureau to determine that the respondent is a nonbank covered person that is engaging, or has engaged, in conduct that poses risks to consumers with regard to the offering or provision of consumer financial products or services which should result in an order subjecting the respondent to the Bureau's authority under 12 U.S.C. 5514(a)(1)(C).

(b) If a respondent did request the opportunity to present a supplemental oral response, not later than 90 days after service of a Notice of Reasonable Cause, the recommending official shall make a recommended determination whether there is reasonable cause for the Bureau to determine that the respondent is a nonbank covered person that is engaging, or has engaged, in conduct that poses risks to consumers with regard to the offering or provision of consumer financial products or services which should result in an order subjecting the respondent to the Bureau's authority under 12 U.S.C. 5514(a)(1)(C).

(c) Upon making the recommended determination described in paragraph (a) or (b) of this section, the recommending official shall submit to the Director either:

(1) A proposed decision and order that would subject a respondent to the Bureau's supervisory authority pursuant to 12 U.S.C. 5514(a)(1)(C) if adopted by the Director; or

(2) A proposed notification that a respondent should not be subjected to the Bureau's supervisory authority under 12 U.S.C. 5514(a)(1)(C) based on the proceedings. Such a notification shall have no precedential effect and shall not prevent the issuance of another Notice of Reasonable Cause pursuant to either § 1091.102, or the procedures set forth in § 1091.111, at any time, or from issuance of a decision and order based on another Notice recommending that a respondent be subject to the Bureau's authority pursuant to either of those sections.

(d) Any proposed decision and order issued by the recommending official pursuant to paragraph (c)(1) of this section shall set forth:

(1) A statement that the recommending official has preliminarily determined based on reasonable cause that a respondent is a nonbank covered person that is engaging, or has engaged, in conduct that poses risks to consumers with regard to the offering or provision of consumer financial products or services;

(2) The basis for the recommending official's determination; and

(3) A proposed order directing that, pursuant to this determination, as of a specified date a respondent shall be

subject to the Bureau's supervisory authority under 12 U.S.C. 5514.

(e) The recommending official shall include with the recommended determination submitted to the Director copies of the following:

(1) The Notice of Reasonable Cause;

(2) The record of service of a Notice of Reasonable Cause;

(3) A respondent's response and any documents, records, or other items filed with the written response;

(4) Any document, record, or other item considered by the recommending official to be material in making a recommended determination; and

(5) An audio recording of a supplemental oral response, if a supplemental oral response was conducted, and/or a transcript if a transcript was prepared at a respondent's request or if requested by the Director.

(f) The requirement that the recommending official provide to the Director the items described in paragraph (e) of this section shall confer no substantive rights on a respondent and any omission of an item may be cured by the recommending official to the extent applicable.

(g) *Supplemental briefing.* The recommending official may, at any time before making a recommended determination, request that the respondent and initiating official provide any supplemental briefing that the recommending official considers appropriate.

§ 1091.109 Determination by the Director.

(a) Not later than 45 days after receipt of the recommending official's recommended determination, the Director shall, after considering the recommended determination and all documents, records, and other items submitted therewith by the recommending official, make a determination either adopting without revision, modifying, or rejecting the recommended determination, and shall issue to respondent, with copies to the recommending official and the initiating official:

(1) A decision and order subjecting the respondent to the Bureau's supervisory authority pursuant to 12 U.S.C. 5514(a)(1)(C); or

(2) A notification that the Director has determined that the respondent is not subject to the Bureau's supervisory authority under 12 U.S.C. 5514(a)(1)(C) as a result of the proceedings. Such notification shall have no precedential effect and shall not prevent the issuance of another Notice of Reasonable Cause pursuant to either § 1091.102, or the procedures set forth in § 1091.111, at any time, or the issuance of an order based on another Notice subjecting the respondent to the Bureau's authority pursuant to either of those sections.

(b) Any decision and order issued by the Director pursuant to paragraph (a)(1) of this section shall include:

(1) A statement that the Director adopts the recommending official's proposed decision and order without revision as the Director's decision and order, or that the Director rejects or modifies the recommending official's proposed determination for reasons set forth by the Director;

(2) A statement that the Director has determined that the Bureau has reasonable cause to determine that a respondent is a nonbank covered person that is engaging, or has engaged, in conduct that poses risks to consumers with regard to the offering or provision of consumer financial products or services;

(3) The basis for the Director's determination, which may be an adoption of the basis set forth in the recommending official's proposed decision;

(4) An order directing that, pursuant to this determination, as of a specified date a respondent shall be subject to the Bureau's supervisory authority under 12 U.S.C. 5514 and informing a respondent that the respondent may petition for termination of the Bureau's supervisory authority no sooner than two years from the date of the order, and no more than annually thereafter; and

(5) A copy of the recommended determination issued by the recommending official.

(c) Only decisional employees may advise and assist the Director in the consideration and disposition of a proceeding under this part.

(d) A decision and order issued pursuant to paragraph (a)(1) of this section shall constitute final agency action under 5 U.S.C. 704.

(e) Any item required to be served on a respondent under this section shall be served pursuant to § 1091.107.

(f) The Director may, at any time before making a determination, request that the respondent and initiating official provide any supplemental briefing that the Director considers appropriate.

§ 1091.110 Voluntary consent to Bureau's authority.

(a) At any time, a person and the initiating official may enter into a consent agreement by which the person voluntarily consents to the Bureau's supervisory authority under 12 U.S.C. 5514. The consent agreement shall constitute an order authorized by 12 U.S.C. 5514(a)(1)(C).

(b) A consent agreement under this section does not constitute an admission that a person is a nonbank covered person that is engaging, or has engaged, in conduct that poses risks to consumers with regard to the offering or provision of consumer financial products or services.

(c) A consent agreement may specify a period of time that the person will be subject to the Bureau's authority under 12 U.S.C. 5514. If the consent agreement specifies a period of time, it shall not be eligible for a petition for termination pursuant to § 1091.113. If the consent agreement does not specify a period of time, the consent agreement will continue until terminated pursuant to § 1091.113.

(d) A consent agreement under this section shall state that the person waives any right to judicial review of the consent agreement.

(e) The initiating official encloses a proposed consent agreement with the Notice of Reasonable Cause under § 1091.103(b).

§ 1091.111 Notice and response included in adjudication proceeding otherwise brought by the Bureau.

(a) Notwithstanding §§ 1091.102 through 1091.106, the Bureau may, in its discretion, provide the notice and opportunity to respond required by 12 U.S.C. 5514(a)(1)(C) in a notice of charges otherwise brought by the Bureau pursuant to 12 CFR 1081.200 and the adjudication proceedings pursuant to part 1081. Also, a person may agree to submit to the Bureau's supervisory authority under 12 U.S.C. 5514(a)(1)(C) as part of a consent order entered into in connection with an adjudication proceeding or civil action.

(b) If the Bureau chooses to proceed in the manner described in paragraph (a) of this section, it shall so indicate in the notice of charges, and any order of the Director resulting from the notice of charges shall constitute the order referred to in 12 U.S.C. 5514(a)(1)(C).

(c) If the Bureau proceeds pursuant to paragraph (a) of this section, the provisions of §§ 1091.101 through 1091.110, and §§ 1091.113 through 1091.115 will be inapplicable to such proceeding.

§ 1091.112 No limitation on relief sought in civil action or administrative adjudication.

Nothing in this part shall be construed to limit the relief the Bureau may seek in any civil action or administrative adjudication, including but not limited to, seeking an order to have a person deemed subject to the

Bureau's supervisory authority under 12 U.S.C. 5514, including for the reasons set forth in 12 U.S.C. 5514(a)(1)(C).

Subpart C—Post-Determination Procedures

§ 1091.113 Petition for termination of order.

(a) Any person subject to an order issued pursuant to § 1091.109(a)(1) may, no sooner than two years after issuance of such an order and no more frequently than annually thereafter, petition the Director for termination of the order.

(b) A petition for termination submitted pursuant to paragraph (a) of this section shall set forth the reasons supporting termination of the order, including any actions taken by a respondent since issuance of the order to address the conduct that led to issuance of the order, and may include any supporting information or evidence that the petitioner believes is relevant to the Director's determination of the matter.

(c) A petition for termination shall be filed by the petitioner with the Executive Secretary at the mailing or electronic address provided by the Bureau.

(d) The Director shall, promptly upon receipt of a petition for termination, send a copy of the same to the initiating official.

(1) The initiating official may, within 30 days of his or her receipt of a copy of a petition for termination, file with the Director a response to the petition stating whether the initiating official recommends that the order be terminated, or modified, or that the petition for termination be denied and the basis for such recommendation.

(2) The initiating official shall serve a copy of the response to a petition for termination on the petitioner pursuant to § 1091.107 at the time of filing it with the Director.

(e) Not later than 90 days after submission of a petition under paragraph (a) of this section, the Director shall issue a written decision either terminating or modifying the order, or denying the petition. If the Director modifies the order or denies the petition, the Director shall explain the basis for his or her decision with respect to the petition and send the written decision to the petitioner and the initiating official.

(1) The Director shall serve the written decision on a petition for termination of order on a respondent pursuant to § 1091.107.

(2) The Director shall send a copy of the written decision on a petition for termination of order to the recommending official and initiating official promptly upon issuing the written decision.

(3) The decision of the Director made pursuant to this paragraph (e) shall constitute final agency action under 5 U.S.C. 704.

Subpart D—Time Limits and Deadlines

§ 1091.114 Construction of time limits.

(a) *General rule.* In computing any period of time prescribed by this part, or by order of the recommending official or Director, the date of the act or event that commences the designated period of time is not included. The last day so computed is included unless it is a Saturday, Sunday, or Federal holiday as set forth in 5 U.S.C. 6103(a). When the last day is a Saturday, Sunday, or Federal holiday, the period runs until the end of the next day that is not a Saturday, Sunday, or Federal holiday. Intermediate Saturdays, Sundays, and Federal holidays are included in the computation of time, except when the time period within which an act is to be performed is ten days or less, not including any additional time allowed for in paragraph (c) of this section.

(b) *Filing or service of papers.* Filing and service are deemed to be effective:

(1) In the case of personal service or same day commercial courier delivery, upon actual receipt by the person served;

(2) In the case of overnight commercial delivery service, U.S. Postal Service Express Mail delivery, or First Class, Registered, or Certified Mail, upon deposit in or delivery to an appropriate point of collection; or

(3) In the case of electronic transmission, including email, upon transmission.

(c) *Calculation of time for service and filing of responsive papers.* Whenever a time limit is measured by a prescribed period from the service of any notice or paper, the applicable time limits are calculated as follows:

(1) If service is made by U.S. Postal Service First Class, Registered, or Certified Mail, add three calendar days to the prescribed period;

(2) If service is made by Express Mail or overnight delivery service, add one calendar day to the prescribed period; or

(3) If service is made by electronic transmission, add one calendar day to the prescribed period.

§ 1091.115 Change of time limits and confidentiality of proceedings.

(a) Except as otherwise provided by law, the recommending official until the issuance of a recommended determination, or the Director at any time thereafter, at their respective discretion, may extend the time limits prescribed by this part or by any notice or order issued pursuant to this part. Any request for an extension of a time limit by a respondent must be for good cause shown, in writing, and filed with the recommending official or Director, as appropriate. The mere filing of a written request for an extension does not alleviate a respondent of the obligation to meet an applicable time limit absent written confirmation that an extension has been granted.

(b) Deadlines for action by the initiating official, recommending official, or the Director established in this part confer no substantive rights on respondents.

(c) In connection with a proceeding under this part, including a petition for termination under § 1091.113, all documents, records or other items submitted by a respondent to the Bureau, all documents prepared by, or on behalf of, or for the use of the Bureau, and any communications between the Bureau and a person, shall be deemed confidential supervisory information under 12 CFR 1070.2(i).

Russell Vought,

Acting Director, Consumer Financial Protection Bureau.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 1

[Docket No. FDA–2011–N–0179]

RIN 0910–AI75

Prior Notice: Adding Requirement To Submit Mail Tracking Number for Articles of Food Arriving by International Mail and Timeframe for Post-Refusal and Post-Hold Submissions

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA, the Agency, or we) is issuing a final rule to amend its prior notice regulation to add a requirement that prior notice and food facility registration information be submitted within a certain timeframe after certain notices of refusal or hold have been issued (''post-refusal'' and ''post-hold'' submission) or responses to

requests for FDA review have been issued and beginning October 1, 2026, add a requirement that the prior notice for articles of food arriving by international mail include the name of the mail service and a mail tracking number. The rule will also finalize certain technical changes, including those that reflect expanded capabilities of the Automated Broker Interface/Automated Commercial Environment/International Trade Data System (ABI/ACE/ITDS) and the Prior Notice Systems Interface (PNSI). These amendments will improve program efficiency and better enable FDA to protect the U.S. food supply and public health.

DATES: This rule is effective October 27, 2025.

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

FOR FURTHER INFORMATION CONTACT:

With regard to the final rule: Christopher Henderson, Office of Inspections and Investigations, Food and Drug Administration, 12420 Parklawn Dr., Rockville, MD 20852, 240–402–8186, *Christopher.Henderson@fda.hhs.gov.*

Regarding the information collection: 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.*

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I. Executive Summary

A. Purpose of the Final Rule

FDA is issuing a final rule to amend the prior notice regulation as follows: (1) amend § 1.281(b)(10) (21 CFR 1.281(b)(10)) to add a requirement, beginning October 1, 2026, for people submitting prior notice for articles of food arriving by international mail to provide the name of the mail service and the mail tracking number; [1] (2) amend § 1.283 (21 CFR 1.283) to add a requirement that prior notice be submitted within 10 calendar days from the date a notice of refusal or hold was issued or 10 calendar days from the date the response to a request for FDA review under § 1.283(d) was issued; (3) amend § 1.285 (21 CFR 1.285) to add a requirement that Food Facility Registration (FFR) be submitted within 30 calendar days from the date a notice of refusal or hold was issued or 30 calendar days from the date the response to a request for FDA review under § 1.285(j) was issued; and (4) make certain technical amendments.

To effectively carry out its responsibility to detect food articles offered for import that are adulterated or pose a public health risk, FDA must be able to identify and inspect food items that are imported by international mail. Receiving the name of the mail service and a mail tracking number for articles of food arriving by international mail will enable FDA to better coordinate with the U.S. Postal Service (USPS), U.S. Customs and Border Protection (CBP), and other Agencies to track and inspect articles that have been identified as a possible bioterrorism risk. Currently, FDA does not receive the name of the mail service or tracking numbers for articles of food arriving by international mail. This makes it difficult for FDA to stop articles from being delivered to U.S. recipients that FDA believes pose a bioterrorism risk. Having the name of the mail service and tracking numbers for articles of food arriving by international mail will help FDA better plan its operations and stop such articles from being delivered.

Many foods are regularly imported by international mail, and in FDA's experience, these foods can present similar risks to the U.S. food supply as other imported foods. Further, based on FDA's experience at international mail facilities, people are increasingly using the mail system to import foods, including foods that could pose a significant risk to public health. The use of the mail system to import foods highlights the need for FDA to have the name of the mail service and tracking number to adequately monitor, inspect, and refuse or hold specific food shipments.

Additionally, requiring a reasonable timeframe for post-refusal and post-hold submissions of prior notice and FFR may reduce the amount of time articles subject to refusal or holds are held at ports of entry, thus reducing associated monetary charges. It will also enable FDA to utilize its resources more effectively by delineating the post-refusal and post-hold submission timeframe. Without a date by which such submissions must be made, FDA has spent long periods of time (*e.g.,* weeks and months) reviewing multiple replacement non-compliant prior notice or registration submissions.

In addition, the final rule amends § 1.280(a)(2) (21 CFR 1.280(a)(2)) to remove the requirement that prior notice of foods arriving by international mail be submitted exclusively through FDA PNSI. This amendment enables prior notice for food arriving by international mail to be submitted through the PNSI or through the U.S. CBP ABI/ACE/ITDS. Further, § 1.281(a)(5)(iv), (b)(4)(iv), and (c)(5)(iv) are amended to cross-reference product coding requirements for infant formula under § 106.80 (21 CFR 106.80). These regulations currently cross-reference § 106.90 (21 CFR 106.90) when referring to lot or code number requirements for infant formula. Section 106.90 establishes requirements related to current good manufacturing practice, while § 106.80 establishes product coding requirements for infant formula. Therefore, § 1.281(a)(5)(iv), (b)(4)(iv), and (c)(5)(iv) are amended to refer to § 106.80 instead of § 106.90.

[1] Note that FDA generally intends to exercise enforcement discretion when there is no prior notice if the food is offered for import for non-commercial purposes with a non-commercial shipper. See Compliance Policy Guide ''Sec. 110.310 Prior Notice of Imported Food Under the Public Health Security and Bioterrorism Preparedness and Response Act of 2002,'' announced in the **Federal Register** on May 6, 2009 (74 FR 20955).

B. Summary of the Major Provisions of the Final Rule

This final rule amends §§ 1.281(b)(10), 1.283(a)(6) and (c), 1.285(g) and (i), and 1.280(a)(2). Currently, § 1.281(b)(10), which applies to articles arriving by international mail, requires only the submission of the anticipated date of mailing. This rule amends § 1.281(b)(10) to include an additional requirement, beginning October 1, 2026, to submit the name of the mail service and mail tracking number in the prior notice to FDA for food articles arriving by international mail.

Sections 1.283(a)(6) and (c) and 1.285(g) and (i), with few exceptions and if other requirements are met, require an article of food that has been refused under section 801(m) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 381(m)) (no prior notice or inaccurate prior notice) or held under section 801(l) of the FD&C Act (importation from unregistered foreign facility that is required to register) to be treated as general order merchandise under CBP regulations if no prior notice is submitted or resubmitted, prior notice is not adequate, or no registration is provided. However, these sections do not provide a timeframe within which such submissions must be made. This final rule amends § 1.283(c)(1) and (2) to require submission or resubmission of prior notice within 10 calendar days from the date the notice of refusal was issued or 10 calendar days from the date the response to a request for FDA review under § 1.283(d) was issued. We believe that 10 days is an appropriate timeframe because it allows sufficient time to submit or resubmit prior notice if necessary.

In addition, the final rule amends § 1.285(i)(1) to require submission of a valid FFR within 30 calendar days from the date a notice of hold was issued or 30 calendar days from the date the response to a request for FDA review under § 1.285(j) was issued. We believe that 30 days is an appropriate timeframe because it allows time to obtain the information needed to submit a valid registration. If a prior notice is not submitted or resubmitted, or a registration is not provided within the required timeframe, these changes will require the article to be dealt with as set forth in CBP regulations relating to general order merchandise. Unless otherwise agreed to by CBP and FDA, the article may only be sold for export or destroyed.

This final rule removes the requirement that only the FDA PNSI be used for the submission of prior notice for articles of food arriving by international mail and amends § 1.280(a)(2) to allow prior notice of articles of food imported or offered for import by international mail to be submitted through the FDA PNSI or the ABI/ACE/ITDS.

Finally, this final rule amends § 1.281(a)(5)(iv), (b)(4)(iv), and (c)(5)(iv) to refer to § 106.80 instead of § 106.90.

C. Legal Authority

Section 801(m) of the FD&C Act directs FDA to issue regulations requiring prior notice to FDA of an article of food that is imported or offered for import into the United States for the purpose of enabling such article to be inspected at ports of entry into the United States. Section 801(l) of the FD&C Act requires that an article of food that is imported or offered for import into the United States and that is from a foreign facility for which a registration has not been submitted to FDA under section 415 of the FD&C Act (21 U.S.C. 350d) be held at the port of entry for the article until the foreign facility is so registered. Additionally, section 701(b) of the FD&C Act (21 U.S.C. 371(b)) authorizes FDA and CBP to prescribe regulations for the efficient enforcement of section 801 of the FD&C Act.[2]

D. Costs and Benefits

We estimate the costs of the final rule, as accrued to submitters or transmitters of prior notices to read and understand the rule, and to gather and provide international mail tracking information, to be negligible. Therefore, this final rule will not significantly increase costs to small entities. See the Economic Analysis of Impacts for a detailed cost and benefit analysis.

II. Table of Abbreviations/Commonly Used Acronyms in This Document

Abbreviation	What it means
ABI	Automated Broker Interface.
ACE	Automated Commercial Environment.
CBP	U.S. Customs and Border Protection.
CDC	Centers for Disease Control and Prevention.
CPG	Compliance Policy Guide.
DUNS	Dun & Bradstreet Data Universal Numbering System.
FDA	Food and Drug Administration.
FD&C Act	Federal Food, Drug, and Cosmetic Act.
FFR Number	Food Facility Registration Number.
FSMA	FDA Food Safety Modernization Act.
ITDS	International Trade Data System.
OMB	Office of Management and Budget.
PNSI	Prior Notice System Interface.
UFI	Unique Facility Identifier.
USPS	U.S. Postal Service.

III. Background

A. Introduction

FDA is issuing a final rule to amend the prior notice regulation in 21 CFR part 1, subpart I, as follows: (1) amend § 1.281(b)(10) to add a requirement, beginning October 1, 2026, to provide the name of the mail service and mail tracking number for articles of food imported or offered for import by international mail; [3] (2) amend § 1.283(c) to require submission or resubmission of prior notice within 10 calendar days from the date the notice

[2] In 2003, the U.S. Treasury Department transferred to the Department of Homeland Security its regulatory authority relating to the requirements for prior notice. See Department of Treasury Order No. 100–16.

[3] The prior notice regulation specifies that ''international mail'' means foreign national mail services and does not include express consignment operators or carriers or other private delivery services unless such service is operating under contract as an agent or extension of a foreign mail service (21 CFR 1.276(b)(8)).

of refusal under section 801(m) of the FD&C Act was issued or 10 calendar days from the date the response to a request for FDA review under § 1.283(d) was issued; (3) amend § 1.285(i) to require submission of FFR within 30 calendar days from the date the notice of hold under section 801(l) of the FD&C Act was issued or 30 calendar days from the date the response to a request for FDA review under § 1.285(j) was issued; (4) amend § 1.280(a)(2) to remove the requirement that articles of food imported or offered for import by international mail, and other transaction types that cannot be made through ACE,[4] be submitted through FDA PNSI; and (5) amend § 1.281(a)(5)(iv), (b)(4)(iv), and (c)(5)(iv) to cross-reference § 106.80 instead of § 106.90. Section 307 of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (the Bioterrorism Act) (Pub. L. 107–188) added section 801(m) to the FD&C Act and requires FDA to establish regulations requiring the submission of prior notice of food that is imported or offered for import into the United States.

B. Need for the Regulation

The information in a prior notice enables FDA to target import inspections more effectively, thereby helping to protect our nation's food supply against terrorist acts and other public health emergencies. FDA regulations require that specific information about articles of food imported or offered for import into the United States be submitted in advance of arrival of the food.

Currently, FDA does not require submission of the name of the international mail service or the mail tracking number for food articles imported by international mail; therefore, FDA has limited ability to track or locate the movement of food articles imported by international mail, which could pose a public health risk. Receiving the name of the mail service and the mail tracking number for food articles imported by international mail will assist FDA in conducting investigations and surveillance operations in response to a food-related emergency. Access to the name of the mail service and the tracking number will also enable FDA to act quickly to identify the affected food articles and prevent contamination of the food supply. It will also help to improve emergency response time, as FDA and other agencies will be better equipped to identify, alert, and secure those facilities or entities that could be potentially impacted by a bioterrorism incident. Requiring the submission of this information will bolster FDA's efforts to prevent violative and potentially dangerous food shipments from entering the United States at international mail facilities, and will also help FDA to track, identify, inspect, and contain such shipments. With this information available, FDA will be able to better utilize its resources and plan its operations, given its knowledge of the movement, location, and time of the food's arrival to the U.S. port of entry.

Providing the name of the international mail service and the tracking number in the prior notice will also enable FDA to effectively coordinate a quicker response with other agencies in the event of any suspected act of bioterrorism or public health emergency. For instance, if FDA receives information indicating that a particular international mail package contains a food article that could be affected by a bioterrorist incident or other food-related public health emergency, FDA alerts CBP and USPS about the food article and the potential risk it may pose. Knowing the tracking number of that suspected contaminated food and the mail service will help FDA, CBP, and USPS to track the origin and location of the international mail. The mail package can then be more easily identified and separated from other foods or incoming mail to safely conduct inspection to determine the degree of risk the article of food poses. This will enable FDA to more swiftly prevent the article of food from entering the U.S. food supply chain.

Moreover, articles of food imported or offered for import without a prior notice or with inadequate prior notice are subject to refusal of admission or hold under section 801(m) of the FD&C Act. Articles of food imported or offered for import from an unregistered foreign food facility that is required to register are subject to being held under section 801(l) of the FD&C Act. If an article of food is refused admission under section 801(m) or held under section 801(l), certain persons may submit a request, within five calendar days of the refusal or hold, asking FDA to review whether the article is subject to the prior notice requirements, whether the information submitted in a prior notice is complete and accurate, or whether the facility associated with the article is subject to FFR requirements (§§ 1.283(d) and 1.285(j)). FDA will review and respond within five calendar days of receiving the review request (§§ 1.283(d) and 1.285(j)). Submitters or transmitters can also attempt to come into compliance by submitting or resubmitting prior notice after refusal of admission (§ 1.283(c)), or by obtaining and providing a registration number for post-hold submissions (§ 1.285(i)). Requests for review under §§ 1.283(d) and 1.285(j) may not be used to submit or resubmit prior notice or obtain a registration number.

Currently, FDA regulations do not require a timeframe within which an article of food must be brought into compliance by submitting or resubmitting prior notice or submitting a registration number if the article of food is refused or held. As a result, when articles of food are refused or held under section 801(m)(1) or section 801(l) of the FD&C Act, they may be refused or held for several weeks while submitters or transmitters resubmit multiple replacement non-compliant prior notice or registration submissions to be reviewed by FDA. Setting a timeline for submission or resubmission of prior notice or registration following a hold or refusal will help to reduce the amount of time and resources FDA spends on processing post-hold or post-refusal resubmissions and may reduce cost to importers by decreasing the amount of demurrage charges (*i.e.,* monetary charges due to a failure of goods to leave the port).

C. History of the Rulemaking

The Bioterrorism Act amended the FD&C Act and created the requirement that FDA receive certain information about imported foods before their arrival in the United States. On February 3, 2003, FDA, and the Department of Treasury (U.S. Customs Service) [5] issued a joint notice of proposed rulemaking (68 FR 5428) requiring submission to FDA of prior notice of human and animal food that is imported or offered for import into the United States. On October 10, 2003, FDA issued an interim final rule (68 FR 58974) that required the submission to FDA of prior notice of food, including animal food, that is imported or offered for import into the United States. In 2008, 2011, and 2017, FDA finalized and issued amendments to the prior notice regulation (see 73 FR 66294, November 7, 2008, as amended at 76 FR 25542, May 5, 2011; 82 FR 15627, March 30, 2017) to further improve the implementation of the prior notice

[4] There are no longer any transaction types that cannot be made through ACE.

[5] In March 2003, U.S. Customs Service was subsumed by the newly formed CBP (see Homeland Security Act of 2002, Public Law 107–296 (2002)) (*https://www.cbp.gov/about/history#:~:text=On%20March%201%2C%202003%2C%20U.S.,boundaries%20and%20ports%20of%20entry).*

requirement. On November 1, 2023, FDA published a proposed rule entitled ''Prior Notice: Adding Requirement to Submit Mail Tracking Number for Articles of Food Arriving by International Mail and Timeframe for Post-Refusal and Post-Hold Submissions'' (proposed rule) (88 FR 74939).

For articles not arriving by international mail, the prior notice rule requires the submission of anticipated arrival information and planned shipment information to provide FDA with information necessary for planning examinations and communicating with CBP for enforcement and examination purposes (see § 1.281(a)(11) and (17), 68 FR 58974 at 59009 and 59011). Further, FDA requires the identification of the carrier because the information is necessary to enable FDA and CBP to identify the appropriate article of food for inspection or holding when the food arrives in the United States (see § 1.281(a)(16), 68 FR 58974 at 59011). The 2008 final rule added the ability, under § 1.281(a)(11), to submit the tracking number for food articles arriving by express consignment operator or carrier, as part of the anticipated arrival information of the food or planned shipment information (73 FR 66294 at 66297). In the 2017 amendment to the prior notice regulation, we removed certain limitations regarding the submission of a tracking number (82 FR 15627 at 15628). In doing so, we reiterated the importance of the tracking number to learn the information that FDA needs to make entry determinations, such as port, date, and time of arrival. In the 2017 amendment, we also eliminated some requirements for submitting prior notice due to the expanded capabilities of ACE, such as the requirement to submit articles that have been refused under section 801(m)(1) of the FD&C Act or subpart I in FDA PNSI. ACE can now accommodate this type of entry and others it previously could not, such as articles of food arriving through international mail and baggage entries. The amendments described in this final rule will further align the prior notice regulation with requirements that exist for food not arriving by international mail and better reflect ACE's expanded capabilities.

In addition, in the 2003 interim final rule, we stated that under § 1.283(a)(6), if no prior notice, correction (*i.e.,* prior notice resubmission), or request for FDA review is submitted in a timely fashion, following a refusal under section 801(m) of the FD&C Act, the food will be dealt with as set forth in CBP regulations relating to general order merchandise, except that it may only be sold for export or destroyed as agreed to by CBP and FDA (68 FR 58974 at 59020 and 59021). Similarly, we stated that under § 1.285(g), if an article of food is placed under hold under section 801(l) of the FD&C Act and no registration or request for FDA review is submitted in a timely fashion, the food will be dealt with as set forth in CBP regulations relating to general order merchandise, except that it may only be sold for export or destroyed as agreed to by CBP and FDA (68 FR 58974 at 59076).

In the 2008 final rule, we made a minor change in the text of § 1.283(a)(6) by replacing the phrase, ''in a timely fashion,'' with the phrase, ''in accordance with paragraph (d) [of § 1.283],'' to clarify that the timeliness of a request for FDA review is found at § 1.283(d); we made a similar change in § 1.285(g) (73 FR 66294 at 66370). These changes require requests for FDA review under §§ 1.283(d) and 1.285(j) to be submitted within five calendar days of the refusal or hold and remove the requirement that post-refusal and post-hold submissions be submitted in a timely fashion or be subject to any timeframe. However, §§ 1.283(a)(6) and 1.285(g) state that, if an article of food is refused or held under section 801(m) or 801(l) of the FD&C Act, and no prior notice is submitted or resubmitted, or no registration is provided, the food must be dealt with as set forth in CBP regulations relating to general order merchandise.

It is difficult for FDA to administer these provisions without a requirement for when the prior notice must be submitted or resubmitted or for when registration must be provided. There is currently no uniform and predictable date by which such submissions must be made before the article is treated as CBP general order merchandise. As such, there have been instances where articles are refused or held for prolonged periods of time (*e.g.,* weeks and months) while submitters or transmitters submit multiple replacement non-compliant prior notice or registration submissions that must be reviewed by FDA. This is not an effective use of FDA resources and personnel and can lead to the accumulation of large demurrage charges for those articles that are subject to hold or refusal. This final rule amends these provisions by imposing a timeframe for post-refusal and post-hold submissions.

D. Summary of Comments to the Proposed Rule

Most of the comments we received on the proposed rule are generally supportive of our proposed amendments to §§ 1.280, 1.281, 1.283, and 1.285. Many comments agree that these amendments to the prior notice regulation will help FDA and other agencies improve food safety and increase consumer confidence in imported food arriving through international mail. Comments agree that requiring only the anticipated date of mailing for international mail provides limited information for effective tracking. They state that requiring submitters of prior notice for articles of food arriving by international mail to provide the name of the mail service and the mail tracking number is a positive step towards improving the safety of imported food and that these proposed amendments align with the evolving landscape of international trade and the increasing use of the mail system to import various food products. Comments further note that agencies such as FDA having the name of the mail service and tracking number allows for real-time and specific tracking ability that can be more effectively utilized to mitigate potential risks, and that the practical utility of the information is likely to enable a faster and more proactive response.

Regarding the proposal to require specific timeframes for submitting prior notice and FFR following a notice of refusal or hold, multiple comments believe that imposing the timeframes is a sensible approach. Some comments state that the proposed 10-calendar day timeframe for prior notice and the 30-calendar day timeframe for FFR strikes a balance between FDA's regulatory process and providing submitters with a reasonable timeframe. They add that this not only facilitates a quicker response to potential risks but also aligns with the need for efficient resource utilization. One comment says that the 30-calendar day timeframe for post-hold registration may not be sufficient due to several procedures needed to complete an FDA food facility registration. The comment suggests that a 45-calendar day or 60-calendar day timeframe would better accommodate the potential need to obtain the unique facility identifier (UFI) to complete the FDA FFR process. The comment bases its estimation of time on how long it could take to obtain a Dun & Bradstreet Data Universal Numbering System (DUNS) number since that number serves as the UFI. One comment asks how the proposed amendments would impact laboratory samples of tea or coffee for analysis that are sent to the United States by a courier mailing service. Another comment commends

FDA's collaboration with the USPS and CBP and recommends expanding its collaboration to include the Centers for Disease Control and Prevention (CDC) and other Federal agencies.

IV. Legal Authority

We are issuing this final rule under section 801(m) of the FD&C Act, which directs FDA to implement a regulation requiring prior notification to FDA of food that is imported or offered for import into the United States; section 801(l) of the FD&C Act, which requires that a food article being imported or offered for import into the United States that is from a foreign facility for which a registration has not been submitted under section 415 of the FD&C Act be held at the port of entry until the foreign facility is so registered; and section 701(b) of the FD&C Act, which authorizes FDA and CBP to jointly issue regulations for the efficient enforcement of section 801 of the FD&C Act.

In the 2003 interim final rule, we stated that the planned shipment information is necessary to ensure the effective enforcement of section 801(m) of the FD&C Act (68 FR 58974 at 59012). The tracking information is considered part of the planned shipment information as it is currently allowed to be submitted under § 1.281(a)(17). In both the 2003 and 2008 final rules, we explained that certain information not explicitly mentioned in section 801(m) of the FD&C Act is required for the efficient enforcement of the Bioterrorism Act (68 FR 58974 at 59001 and 73 FR 66294 at 66340). We determine that, for articles of food arriving by international mail, the name of the mail service and the mail tracking number is necessary for the efficient enforcement of section 801(m) of the FD&C Act. Additionally, we determine that imposing a timeframe on post-refusal and post-hold submissions of prior notice and FFR is necessary for the efficient enforcement of sections 801(m) and 801(l) of the FD&C Act.

V. Comments on the Proposed Rule and FDA Response

A. Introduction

We received five comment submissions on the proposed rule by the close of the comment period, each containing one or more comments on one or more issues. We received comments from regulatory specialists representing industry, food and consumer safety advocates, a trade association, and other individuals. After considering these comments, we are revising the proposed provisions in §§ 1.283(c) and 1.285(i) to require the clock for the 10 calendar days for submission of post-refusal prior notice and the clock for the 30 calendar days for submission of post-hold registration to start from the date FDA issues the response to a request for FDA review under §§ 1.283(d) or 1.285(j), respectively, for those that file a request for review. In addition, we are delaying the requirements to submit the name of mail service and tracking number until October 1, 2026, to allow for adequate time for the PNSI and ACE systems to become ready to receive such information.

We describe and respond to the comments in sections B through E of this document. We have numbered each comment and response to help distinguish between different comments. We have grouped similar comments together under the same number, and, in some cases, we have separated different issues discussed in the same comment and designated them as distinct comments for purposes of our responses. The number assigned to each comment or comment topic is purely for organizational purposes and does not signify the comment's value or importance or the order in which comments were received.

B. General Comments and FDA Response

(*Comment 1*): Multiple comments express support for the proposed rule change to § 1.281. They state that requiring the international mail prior notice submitter to provide the name of the mail service and the tracking number, in addition to the already provided anticipated date of mailing, is a commonsense action that would improve food safety and increase consumer confidence in their food deliveries. One comment supports the overarching goals of the proposed rule to enhance FDA's ability to monitor and regulate imported food effectively. The comment believes that the current requirement under § 1.281(b)(10) provides limited information for effective tracking and that the proposed amendments demonstrate a thoughtful approach to adapting regulatory frameworks to evolving trends in international trade and technological capabilities. The comment suggests, given the gravity of a bioterrorist event, that leveraging CDC and other agencies dedicated to protecting public health may help to bolster compliance with the regulation. It suggests that FDA should consider expanding its collaboration to other agencies not mentioned in the proposed rule preamble.

(*Response 1*): We agree that requiring the submitter to provide the name of the mail service and the tracking number, in addition to the already provided anticipated date of mailing, will help FDA and other agencies to improve food safety and may increase consumer confidence in food importation through international mail. We further agree that our final rule, which amends § 1.281(b), will provide additional information to help FDA to effectively track and inspect articles of food arriving by international mail and that the amendments in the rule will help to bolster efficient regulatory oversight of imported food, improve food safety, and mitigate public health risk. Regarding the prior notice and FFR requirements for articles of food imported by international mail, FDA most often collaborates with CBP and USPS. However, FDA collaborates with multiple federal and state entities, including CDC, to facilitate its regulatory oversight and enforcement obligations related to food.

(*Comment 2*): One comment asks whether samples for laboratory analysis shipped through a courier mail service from around the world would be subject to the requirement to submit an international mail tracking number.

(*Response 2*): The final rule to require prior notice submission of an international mail tracking number applies to shipments of articles of food arriving by international mail. International mail means foreign national mail services. International mail does not include express consignment operators, carriers, or other private delivery services, unless such service is operating under contract as an agent or extension of a foreign mail service (§ 1.276(b)(8) (21 CFR 1.276(b)(8))).

Regarding prior notice requirements for laboratory samples, as stated in the 2008 Prior Notice final rule, many samples of food are ''articles of food imported or offered for import,'' as stated in section 801(m) of the FD&C Act. If, however, the samples are items that are in such early stages of research and development that they cannot yet be considered food under § 1.276(b)(5), they would not be subject to prior notice requirements. In addition, if the sample is in a form that is not an article of food, then prior notice requirements would not apply. But where a sample is food, as defined under prior notice, the sample is not excluded from the final rule even if it is imported or offered for import for quality assurance, research or analysis purposes only, not for human or animal consumption, and not for resale (73 FR 66294 at 66315). However, as discussed in the Prior Notice final

rule compliance policy guide (CPG),[6] FDA and CBP may consider not taking any regulatory action when there is no prior notice and the food is a sample not intended for human or animal consumption.

(*Comment 3*): One comment expresses concern about placing a hold on perishable food and asks if FDA would reimburse shippers for spoiled food, given that consumers may often find it not to be worthwhile to pursue a claim in small claims court for spoiled food.

(*Response 3*): Neither FDA nor CBP are liable for transportation, storage, or other expenses resulting from refusal or any hold (§§ 1.283(a)(4) and 1.285(e)). However, FDA has procedures in place to prioritize and expedite the review of emergency and perishable shipments (see generally FDA's Investigation Operations Manual, Chapter 6, Imports). In addition, FDA has a process for holding food arriving by international mail. If an article of food arrives by international mail with inadequate prior notice or the prior notice confirmation number is not affixed as required, the parcel will be held by CBP for 72 hours for FDA inspection and disposition. If FDA refuses the article under section 801(m)(1) of the FD&C Act and there is a return address, the parcel may be returned to sender marked ''No Prior Notice—FDA Refused.'' If the article is refused and there is no return address or FDA determines that the article of food in the parcel appears to present a hazard, FDA may dispose of or destroy the parcel (§ 1.283(e)).

As it pertains to this final rule, the comment does not specify any perceived effect that the rule will have on the time that articles of food are held. As we stated in the proposed rule, we believe that the rule may reduce the amount of time articles subject to refusal or holds are held at ports of entry, thus reducing associated monetary charges (88 FR 74939 at 74940). We note that any potential legal dispute between private parties arising from a hold on a food shipment is outside the scope of this rule.

(*Comment 4*): One comment believes the proposed requirements to submit the name of the mail service and tracking number would not be a concern since the information should be readily available to submitters or transmitters, but asks that the requirements not be implemented until the relevant information technology systems are updated and able to accept the newly required information.

(*Response 4*): We agree that the name of the mail service and mail tracking number should be readily available to submitters or transmitters, and we did not receive comments that indicate otherwise. Our research indicates that a tracking number is available for international mail in most major countries that export food to the United States. Therefore, we are finalizing the requirements to submit the name of the mail service and tracking number for articles arriving by international mail in § 1.281(b)(10).

In response to the comment, and to provide adequate time for PNSI and ACE to be updated to accommodate the newly required information, we are delaying the requirements to submit the name of the mail service and the tracking number for articles of food arriving by international mail until October 1, 2026. If we receive information to indicate that PNSI and/or ACE will not be ready to receive the name of the mail service and tracking number by October 1, 2026, we will consider the appropriate means to address this, including whether the temporary exercise of enforcement discretion for the requirements to submit the name of the mail service and tracking number would be appropriate until the time that PNSI and ACE can receive such information.

C. Comments on Proposal To Require Post-Refusal and Post-Hold Submissions of Registration Within 30 Calendar Days and FDA Response (Proposed § 1.285(i)(1))

FDA sought comment on whether 30 calendar days from the date the notice of hold was issued would be an appropriate timeframe to require for post-hold registration submission or if a different timeframe would be more appropriate.

(*Comment 5*): One comment opines that the 30-calendar day period strikes a balance between the regulatory process and providing submitters with a reasonable timeframe. Another comment expresses concern about the proposed amendment that requires that a valid FFR number be obtained and submitted to the Agency within 30 calendar days. The comment suggests that 30 calendar days is not enough time to obtain and submit a valid facility registration number, considering the amount of time it could take to file a request for review by FDA, receive a response of the review decision, and submit the required information, if necessary. The comment contends that FDA failed to account for the time necessary for a firm to obtain a UFI, if needed. The comment explains that, currently, a DUNS number assigned by Dun & Bradstreet serves as the UFI. The comment claims that, because a food facility cannot complete the facility registration process until the DUNS number has been assigned, it may not be possible for a firm to provide the registration information within 30 calendar days according to the Dun & Bradstreet website, which states that it may take up to 30 business days to obtain a new DUNS number.[7] The comment further contends that given the fact that the key step in the registration process is not under the firm's control, the timeframe should be extended to 45 or 60 calendar days to allow firms that do not currently have a DUNS number to be able to obtain a DUNS number and complete the FFR process.

(*Response 5*): We disagree that the required timeframe should be extended to 45 or 60 calendar days from the date a notice of hold was issued and believe that 30 calendar days is a sufficient timeframe to submit a post-hold FDA food facility registration in most cases. Additionally, we considered the timeframe between when a request for FDA review is filed and when FDA issues a review decision and have revised our proposal so that the 30-calendar day timeframe for those who file a request for FDA review will start from the time FDA issues a review decision. As the comment explains, the process of completing FFR involves obtaining a UFI. Domestic and foreign facilities are required to submit a UFI recognized as acceptable by FDA as part of FFR (21 CFR 1.232(a)(2)). The UFI currently recognized as acceptable by FDA is a DUNS number, which is a unique nine-digit number assigned and managed by Dun & Bradstreet. After a DUNS number is obtained and submitted to FDA, FDA will verify the accuracy of the UFI and that the facility-specific address associated with the UFI is the same address associated with the registration (see 21 CFR 1.231(a)(3)). If there are no discrepancies between the FFR system and the DUNS data, the FFR system will automatically accept and issue an FFR number (*i.e.,* on the same day).

Regarding comments' contention that a DUNS number may take up to 30 business days to obtain, the recent data we received from Dun & Bradstreet on the length of time it takes to process and issue a DUNS number indicates that the vast majority of DUNS applications (97.3 percent in recent months) are completed, and a DUNS number is

[6] CPG Sec.110.301 Prior Notice of Imported Food Under the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (May 2009).

[7] See *https://www.dnb.com/duns/get-a-duns.html.*

issued, in less than 10 business days, and even more (99.69 percent) are completed in less than 20 business days. For example, from September 1, 2023, to February 29, 2024, 97.3 percent of global applications for a DUNS number were completed in less than 10 business days, and 99.69 percent of DUNS applications were completed in less than 20 business days of submitting the application. From March 2021 to March 2023, 71.31 percent of global applications were completed in less than 10 business days, and 95.70 percent were completed in less than 20 business days. This trend reflects an increase in the average amount of global applications completed in less than 10 or 20 business days. Moreover, the data show that, from September 2023 to February 2024, 99.81 percent of DUNS applications were completed in less than 30 days. Based on this information, we do not believe that extending the timeline to submit registration (such as by 15 or 30 days, as suggested by the comment) is necessary. The trend in recent years is that DUNS applications are completed in less time and the vast majority are completed in less than 30 days. For these reasons, we have determined that the 30 calendar-day timeframe for a post-hold submission of an FFR number is sufficient and we decline to extend the timeframe to submit registration beyond 30 days. Therefore, we are finalizing the rule as proposed, requiring a timeframe of 30 calendar days for a post-hold submission of an FFR number.

However, the comment also mentions that the 30-day timeframe is not enough time to obtain and submit a valid FFR number, considering the amount of time it could take to file a request for review by FDA, receive a response of the review decision, and submit the required information, if necessary. We recognize that the process for requesting FDA review of a hold under § 1.285(j) may impact the ability to meet the timeframes for submitting a post-hold submission under § 1.285(i). For example, if a submitter or transmitter requests FDA review of a hold under § 1.285(j), receives a response of the review decision, and then must obtain a DUNS number to complete the FFR process, the submitter or transmitter may not be able to meet the 30-day timeframe as proposed, which would start the clock from the date a notice of hold was issued. Therefore, we are revising the rule by adding language in § 1.285(i) to clarify that the clock for the 30-day timeframe will start from the date the response to a request for FDA review under § 1.285(j) is issued, for those that file a request for review.

D. Comments on Proposal To Require Post-Refusal and Post-Hold Submissions of Prior Notice Within 10 Calendar Days and FDA Response (Proposed § 1.283(c))

FDA sought comment on whether 10 calendar days from the date the notice of refusal or hold was issued would be an appropriate timeframe to require for post-refusal and post-hold prior notice resubmission, or if a different timeframe would be more appropriate.

(*Comment 6*): The comments we received on this proposal were supportive. Comments think that the timeframe is reasonable and strikes a balance between the regulatory process and providing the submitter with a reasonable timeframe. We did not receive comments that disagreed or raised issues with this proposed amendment.

(*Response 6*): We agree that 10 calendar days is an appropriate timeframe to require for post-refusal and post-hold resubmission of prior notice. However, similar to the process for requesting FDA review of a hold under § 1.285(j), we also recognize that the process for requesting FDA review of a hold under § 1.283(d) may impact the ability to meet the timeframe for submitting a post-refusal submission under § 1.283(c). For example, a submitter or transmitter may request review of a hold under § 1.283(d), receive a response of the review decision, and then need to obtain additional information to complete prior notice submission. Accordingly, and for consistency with § 1.285(i), we revised the language in § 1.283(c) to clarify that the clock for the 10-day timeframe will start from the date the response to a request for FDA review is issued, for those that file a request for review.

VI. Effective Date

This final rule will become effective 30 days after the date of publication in the **Federal Register**.

VII. Economic Analysis of Impacts

A. Introduction

We have examined the impacts of the final rule under Executive Order 12866, Executive Order 13563, Executive Order 14192, the Regulatory Flexibility Act (5 U.S.C. 601–612), the Congressional Review Act/Small Business Regulatory Enforcement Fairness Act (5 U.S.C. 801, Pub. L. 104–121), and the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4).

Executive Orders 12866 and 13563 direct us to assess all benefits and costs of available regulatory alternatives and, when regulation is necessary, to select regulatory approaches that maximize net benefits. Rules are ''significant'' under Executive Order 12866 Section 3(f)(1) if they ''have an annual effect on the economy of $100 million or more; or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities.'' The Office of Information and Regulatory Affairs (OIRA) has determined that this final rule is not a significant regulatory action under Executive Order 12866.

Executive Order 14192 requires that any new incremental costs associated with certain significant regulatory actions ''shall, to the extent permitted by law, be offset by the elimination of existing costs associated with at least 10 prior regulations.'' This final rule is not an Executive Order 14192 regulatory action because this rule is not significant under Executive Order 12866.

Because this rule is not likely to result in an annual effect on the economy of $100 million or more or to meet other criteria specified in the Congressional Review Act/Small Business Regulatory Enforcement Fairness Act, OIRA has determined that this rule does not fall within the scope of 5 U.S.C. 804(2).

The Regulatory Flexibility Act requires us to analyze regulatory options that would minimize any significant impact of a rule on small entities. Because the change to prior notice requirements will not significantly increase costs to small entities, we certify that the final rule will not have a significant economic impact on a substantial number of small entities.

The Unfunded Mandates Reform Act of 1995 (Section 202(a)) requires us to prepare a written statement, which includes estimates of anticipated impacts, before issuing ''any rule that includes any Federal mandate that may result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of $100,000,000 or more (adjusted annually for inflation) in any one year.'' The current threshold after adjustment for inflation is $187 million, using the most current (2024) Implicit Price Deflator for the Gross Domestic Product. This final rule will not result in an expenditure in any year that meets or exceeds this amount.

B. Summary of Benefits, Costs, and Transfers

This rule would amend existing prior notice regulation to require the submission of the name of the mail

service and tracking number for food articles imported using international mail. The rule would also require transmitters to resubmit prior notice within 10 calendar days from the date a notice of refusal or hold is issued or 10 calendar days from the date the response to a request for FDA review is issued, and to submit FFR within 30 calendar days from the date a notice of refusal or hold is issued or 30 days from the date the response to a request for FDA review is issued. The rule also makes other technical changes.

To estimate costs and benefits associated with the rule, we assume that the appropriate baseline is the state of the world with current prior notice regulation. We then compare the likely impacts of the rule against this baseline. The costs of the rule accrue to submitters or transmitters of prior notices for reading and understanding the rule and the additional time needed to gather and provide the tracking information. When annualized over a period of 10 years, we estimate these costs range from approximately $0.04 million to $0.44 million at a 3 percent rate of discount. At a 7 percent rate of discount, these costs range from approximately $0.04 million to $0.43 million. Our primary annualized estimates are approximately $0.24 million at both the 3 and 7 percent rates of discount.

We estimate benefits in the form of cost-savings which accrue to transmitters of prior notices and to FDA. These cost-savings range in annualized value from approximately $0.03 million to $0.14 million at the 3 and 7 percent rates of discount. The primary annualized value for both discount rates is $0.07 million. These estimates are summarized in table 1. Other benefits, and resulting impacts on social welfare, are highly uncertain. These benefits may include improvements in public health from a decreased incidence in outbreaks of foodborne illness or bioterrorism events. However, because it is difficult to forecast the likelihood and magnitude of such events, we do not quantify their benefits.

TABLE 1—SUMMARY OF BENEFITS, COSTS, AND DISTRIBUTIONAL EFFECTS OF THE RULE

Category	Primary estimate	Low estimate	High estimate	Units			Notes
				Year dollars	Discount rate (%)	Period covered (years)	
Benefits:							
Annualized Monetized $millions/year	$0.07	$0.03	$0.14	2023	7	10	
	0.07	0.03	0.14	2023	3	10	
Annualized Quantified					7		
					3		
Qualitative	Unquantified improvements to public health from better surveillance						
Costs:							
Annualized Monetized millions/year	0.24	0.04	0.43	2023	7	10	
	0.24	0.04	0.44	2023	3	10	
Annualized Quantified					7		
					3		
Qualitative							
Transfers:							
Federal Annualized Monetized millions/year					7		
					3		
From/To	From:			To:			
Other Annualized Monetized millions/year					7		
					3		
From/To	From:			To:			
Effects:							
State, Local or Tribal Government: None							
Small Business: None							
Wages:							
Growth:							

In line with Executive Order 14192, in table 2 we estimate present and annualized values of costs, cost savings, and net costs over a perpetual time horizon. We estimate that this rule will generate $0.16 million in annualized net costs at a 7 percent discount rate, discounted relative to year 2024, over a perpetual time horizon.

TABLE 2—EXECUTIVE ORDER 14192 SUMMARY TABLE

[Millions of 2024 dollars, discounted over a perpetual time horizon relative to year 2024 at a 7 percent discount rate]

	Primary estimate	Low estimate	High estimate
Present Value of Costs	$3.40	$0.40	$6.41
Present Value of Cost Savings	1.05	0.53	2.10
Present Value of Net Costs	2.35	(0.12)	4.31
Annualized Costs	0.24	0.03	0.45
Annualized Cost Savings	0.07	0.04	0.15

TABLE 2—EXECUTIVE ORDER 14192 SUMMARY TABLE—Continued

[Millions of 2024 dollars, discounted over a perpetual time horizon relative to year 2024 at a 7 percent discount rate]

	Primary estimate	Low estimate	High estimate
Annualized Net Costs	0.16	(0.01)	0.30

Note: Values in parentheses denote net negative costs (*i.e.,* net cost savings).

We have developed an Economic Analysis of Impacts that assesses the impacts of the final rule (Ref. 1). The full analysis of economic impacts is available in the docket for this final rule (FDA–2011–N–0179) and at *https://www.fda.gov/about-fda/economics-staff/regulatory-impact-analyses-ria.*

VIII. Analysis of Environmental Impact

We have determined under 21 CFR 25.30(h) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

IX. Paperwork Reduction Act of 1995

This final rule contains information collection provisions that 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 title, description, and respondent description of the information collection provisions are shown in the following paragraphs with an estimate of the annual reporting burden. Included in the estimate is the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing each collection of information.

Title: Prior Notice of Imported Food Under the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (0910–0923)

Description: FDA is amending its regulation governing notification requirements for articles of food being imported or offered for import into the United States and is making corresponding changes to the information collection. Specifically, we are revising the data elements required in prior notice notifications under section 801(m) of the FD&C Act to include mail service name and mail tracking number.

FDA intends to use the information to better identify, track, contain, and inspect articles of food sent through international mail that it has reason to believe present a bioterrorism threat or public health concern. We believe having the name of the mail service and the mail tracking number will improve our ability to identify and prevent such food articles from entering the U.S. food supply, as well as reduce challenges associated with locating articles without this information.

Description of Respondents: Persons submitting prior notice for articles of food imported or offered for import into the United States.

Burden: FDA estimates the burden of this collection of information as follows:

TABLE 3—ESTIMATED ANNUAL REPORTING BURDEN

21 CFR Section	Number of respondents	Average number of responses per respondent	Total annual responses	Average burden per response	Total annual hours
1.281(b)(10)—Information Included in Prior Notice					
One-Time Burden	5,460	1	5,460	0.5 (30 minutes)	2,730
Recurring Burden		143	780,780	0.07 (4 minutes)	54,655
Total					57,385

Based on 2021 fiscal year data from our Online Reporting Analysis Decision Support System, we estimate that 26,200 persons submit prior notice through PNSI. We assume 5,460, or roughly 20 percent, are importing or offering for import articles of food by international mail. The requirement to submit tracking information applies only to persons importing or offering for import articles of food by international mail. The number of prior notices for international mail entries per respondent per year ranges from 1 to approximately 5,000. The average number of prior notice submissions for international mail entries per person per year is approximately 143. Of the more than 18 million prior notices received by FDA per year, approximately 780,780 are identified as ''mail.''

We estimate a one-time average burden of 30 minutes per respondent to learn the new requirement and coordinate with mail services to establish best practices for receiving and providing the information. In addition to the one-time burden, we estimate an average recurring annual burden of 4 minutes per prior notice mail submission. The one-time total burden for all the 5,460 respondents totals 2,730, and the recurring burden amounts to 54,655 hours. Therefore, we estimate the total annual burden to be 57,385 hours.

Although FDA received comments on the proposed rule, none were responsive to the four collection of information topics solicited. Therefore, the estimated PRA burden for this final rule is the same as the estimated burden in the proposed rule. For clarity, we have reformatted the burden chart in this final rule. The updated format differs from the proposed rule by breaking out burden estimates by activity. These revisions do not alter the nature of the information being collected.

The information collection provisions in this final rule have been submitted to OMB for review as required by section 3507(d) of the PRA.

Before the effective date of this final rule, FDA will publish a notice in the **Federal Register** announcing OMB's decision to approve, modify, or disapprove the information collection provisions in this final rule. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it

displays a currently valid OMB control number.

X. Federalism

We have analyzed this final rule in accordance with the principles set forth in Executive Order 13132. We have determined that the rule does not contain policies that have substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. Accordingly, we conclude that the rule does not contain policies that have federalism implications as defined in the Executive Order and, consequently, a federalism summary impact statement is not required.

XI. Consultation and Coordination With Indian Tribal Governments

We have analyzed this rule in accordance with the principles set forth in Executive Order 13175. We have determined that the rule does not contain policies that have substantial direct effects on one or more Indian Tribes, on the relationship between the Federal Government and Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes. Accordingly, we conclude that the rule does not contain policies that have tribal implications as defined in the Executive Order and, consequently, a tribal summary impact statement is not required.

XII. Reference

The following reference is on display at the Dockets Management Staff (see **ADDRESSES**) and is available for viewing by interested persons between 9 a.m. and 4 p.m., Monday through Friday; it is also available electronically at *https://www.regulations.gov.* Although FDA verified the website address in this document, please note that websites are subject to change over time.

1. Final Regulatory Impact Analysis, Adding Requirement to Submit Mail Tracking Number for Articles of Food Arriving by International Mail and Timeframe for Post-refusal and Post-hold Submissions; available at *https://www.fda.gov/about-fda/reports/economic-impact-analyses-fda-regulations.*

List of Subjects in 21 CFR Part 1

Cosmetics, Drugs, Exports, Food labeling, Imports, Labeling, Reporting and recordkeeping requirements.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, FDA amends 21 CFR part 1 as follows:

PART 1—GENERAL ENFORCEMENT REGULATIONS

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

Authority: 15 U.S.C. 1333, 1453, 1454, 1455, 4402; 19 U.S.C. 1490, 1491; 21 U.S.C. 321, 331, 332, 333, 334, 335a, 342, 343, 350c, 350d, 350j, 352, 355, 360b, 360ccc, 360ccc–1, 360ccc–2, 362, 371, 374, 381, 382, 384a, 387, 387a, 387c, 393, and 2223; 42 U.S.C. 216, 241, 243, 262, 264, 271.

■ 2. In § 1.280 revise paragraph (a)(2) to read as follows:

§ 1.280 How must you submit prior notice?

(a) * * *

(2) The FDA Prior Notice System Interface (FDA PNSI) at *https://www.access.fda.gov/.*

* * * * *

■ 3. In § 1.281 revise paragraphs (a)(5)(iv), (b)(4)(iv), (b)(10) and (11), and (c)(5)(iv) to read as follows:

§ 1.281 What information must be in a prior notice?

(a) * * *

(5) * * *

(iv) The lot or code numbers or other identifier of the food if required by the Act or FDA regulations, *e.g.,* low-acid canned foods, by § 113.60(c) of this chapter; acidified foods, by § 114.80(b) of this chapter; and infant formula, by § 106.80 of this chapter;

* * * * *

(b) * * *

(4) * * *

(iv) The lot or code numbers or other identifier of the food if required by the Act or FDA regulations, *e.g.,* low-acid canned foods, by § 113.60(c) of this chapter; acidified foods, by § 114.80(b) of this chapter; and infant formula, by § 106.80 of this chapter;

* * * * *

(10) The anticipated date of mailing, and beginning October 1, 2026, the name of the mail service and the mail tracking number;

(11) The name and address of the U.S. recipient; and

* * * * *

(c) * * *

(5) * * *

(iv) The lot or code numbers or other identifier of the food if required by the Act or FDA regulations, *e.g.,* low-acid canned foods, by § 113.60(c) of this chapter; acidified foods, by § 114.80(b) of this chapter; and infant formula, by § 106.80 of this chapter;

* * * * *

■ 4. In § 1.283 revise paragraphs (a)(6) and (c)(1) and (2) to read as follows:

§ 1.283 What happens to food that is imported or offered for import without adequate prior notice?

(a) * * *

(6) *No post-refusal submission or request for review.* If an article of food is refused under section 801(m)(1) of the Act and no prior notice is submitted or resubmitted in accordance with paragraph (c) of this section, no request for FDA review is submitted in accordance with paragraph (d) of this section, or export has not occurred in accordance with paragraph (a)(5) of this section, the article of food shall be dealt with as set forth in CBP regulations relating to general order merchandise (19 CFR part 127), except that, unless otherwise agreed to by CBP and FDA, the article may only be sold for export or destroyed.

* * * * *

(c) * * *

(1) If an article of food is refused under paragraph (a)(1)(i) of this section (no prior notice) and the food is not exported, prior notice must be submitted in accordance with §§ 1.280 and 1.281(c) within 10 calendar days from the date the notice of refusal was issued or 10 calendar days from the date the response to a request for FDA review under paragraph (d) of this section was issued.

(2) If an article of food is refused under paragraph (a)(1)(ii) of this section (inaccurate prior notice) and the food is not exported, the prior notice should be canceled in accordance with § 1.282 and you must resubmit prior notice in accordance with §§ 1.280 and 1.281(c) within 10 calendar days from the date the notice of refusal was issued or 10 calendar days from the date the response to a request for FDA review under paragraph (d) of this section was issued.

* * * * *

■ 5. In § 1.285 revise paragraphs (g) and (i)(1) to read as follows:

§ 1.285 What happens to food that is imported or offered for import from unregistered facilities that are required to register under subpart H of this part?

* * * * *

(g) *No registration or request for review.* If an article of food is placed under hold under section 801(l) of the Act and no registration number is submitted in accordance with paragraph (i) of this section, or no request for FDA review is submitted in accordance with paragraph (j) of this section, or export has not occurred in accordance with paragraph (f) of this section, the food shall be dealt with as set forth in CBP regulations relating to general order merchandise (19 CFR part 127). Unless

otherwise agreed to by CBP and FDA, the article may only be sold for export or destroyed.

* * * * *

(i) * * *

(1) To resolve a hold, if an article of food is held under paragraph (b) of this section because it is from a foreign facility that is not registered, the facility must be registered, and a valid registration number must be obtained and submitted to the FDA Division of Food Defense Targeting within 30 calendar days from the date the notice of hold was issued or 30 calendar days from the date the response to a request for FDA review under paragraph (j) of this section was issued.

* * * * *

Robert F. Kennedy, Jr.,

Secretary, Department of Health and Human Services.

[FR Doc. 2025–18655 Filed 9–24–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF THE INTERIOR

Bureau of Ocean Energy Management

30 CFR Part 551

[Docket ID: BOEM–2025–0038]

RIN 1010–AE34

Rescission of Expired 1-Year Grace Period for Data Extensions; Corrections

AGENCY: Bureau of Ocean Energy Management, Interior.

ACTION: Correcting amendments.

SUMMARY: On August 12, 2025, the Bureau of Ocean Energy Management (BOEM) published a final rule that removed reference to an expired grace period for data extensions. Some of the language from this section was inadvertently erased. This document corrects the final regulations.

DATES: Effective on September 25, 2025.

FOR FURTHER INFORMATION CONTACT: Jennifer Jones, Office of Regulatory Affairs, BOEM, 1849 C Street NW, Washington, DC 20240, at email address *jennifer.jones@boem.gov,* or at telephone number (202) 571–8664.

SUPPLEMENTARY INFORMATION: On August 12, 2025, BOEM published a final rule in the **Federal Register** (90 FR 38705) that modified paragraph (b)(2) of § 551.14. Paragraphs (b)(2)(i) through (viii), which list the required components of the application for reprocessed data term extensions, were inadvertently and unintentionally left out of the final rule text. This document corrects the final regulations to restore those paragraphs.

List of Subjects in 30 CFR Part 551

Freedom of information, Oil and gas exploration, Reporting and recordkeeping requirements, Research.

This action by the Assistant Secretary is taken herein pursuant to an existing delegation of authority.

Jacob Tyner,

Deputy Assistant Secretary, Land and Minerals Management.

Accordingly, 30 CFR part 551 is corrected by making the following correcting amendments:

PART 551—GEOLOGICAL AND GEOPHYSICAL (G&G) EXPLORATIONS OF THE OUTER CONTINENTAL SHELF

■ 1. The authority citation for part 551 continues to read as follows:

Authority: Section 104, Public Law 97–451, 96 Stat. 2451 (30 U.S.C. 1714), Public Law 109–432, Div C, Title I, 120 Stat. 3000; 30 U.S.C. 1751; 31 U.S.C. 9701; 43 U.S.C. 1334; 33 U.S.C. 2704, 2716; E.O. 12777, as amended; 43 U.S.C. 1331 *et seq.,* 43 U.S.C. 1337.

■ 2. Amend § 551.14 by revising paragraph (b)(2) to read as follows:

§ 551.14 Protecting and disclosing data and information submitted to BOEM under a permit

* * * * *

(b) * * *

(2) Permittees and third parties may apply to BOEM for an extension of the 25-year proprietary term for geophysical information reprocessed 20 or more years after BOEM issued the germane permit. You must submit the application to BOEM within 90 days after completion of the reprocessing. Filing locations are listed in § 551.5(d). Your application must include:

(i) Name and address of the permittee or third party;

(ii) Product name;

(iii) Identification of the geophysical information area;

(iv) Identification of originating permit number and date;

(v) Description of reprocessing performed;

(vi) Identification of the date of completion of reprocessing the geophysical information;

(vii) Certification that the product meets the definition of processed geophysical information and that all other information in the application is accurate; and

(viii) Signature and date.

* * * * *

[FR Doc. 2025–18561 Filed 9–24–25; 8:45 am]

BILLING CODE 4340–98–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

31 CFR Part 569

Amendment to the Syria-Related Sanctions Regulations

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Final rule.

SUMMARY: The Department of the Treasury's Office of Foreign Assets Control (OFAC) is changing the heading of the Syria-Related Sanctions Regulations to the Promoting Accountability for Assad and Regional Stabilization Sanctions Regulations and amending the renamed regulations to implement a January 15, 2025 Syria-related Executive order and a June 30, 2025 Syria-related Executive order.

DATES: This rule is effective September 25, 2025.

FOR FURTHER INFORMATION CONTACT: OFAC: Assistant Director for Regulatory Affairs, 202–622–4855; or *https://ofac.treasury.gov/contact-ofac.*

SUPPLEMENTARY INFORMATION:

Electronic Availability

This document and additional information concerning OFAC are available on OFAC's website: *https://ofac.treasury.gov.*

Background

On June 5, 2020, OFAC issued the Syria-Related Sanctions Regulations, 31 CFR part 569 (85 FR 34510, June 5, 2020) (the ''Regulations''), to implement Executive Order (E.O.) 13894 of October 14, 2019, ''Blocking Property and Suspending Entry of Certain Persons Contributing to the Situation in Syria'' (84 FR 55851, October 17, 2019), pursuant to authorities delegated to the Secretary of the Treasury in E.O. 13894. In E.O. 13894, the President determined that the situation in and in relation to Syria, and in particular certain actions by the Government of Türkiye to conduct a military offensive in northeast Syria, undermined the campaign to defeat the Islamic State of Iraq and Syria (''ISIS''), endangered civilians, and further threatened to undermine the peace, security, and stability in the region, and thereby constituted an unusual and extraordinary threat to the national security and foreign policy of

the United States, and declared a national emergency to deal with that threat.

On January 15, 2025, the President, invoking the authority of, *inter alia,* the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), issued E.O. 14142 of January 15, 2025, ''Taking Additional Steps with Respect to the Situation in Syria'' (90 FR 6709, January 17, 2025). In E.O. 14142, the President amended E.O. 13894 to account for changing circumstances on the ground in Syria by removing references to the Government of Türkiye or the Turkish economy.

On June 30, 2025, the President issued E.O. 14312 of June 30, 2025, ''Providing for the Revocation of Syria Sanctions'' (90 FR 29395, July 3, 2025) to, among other objectives, remove sanctions on Syria without providing relief to ISIS or other terrorist organizations, human rights abusers, those linked to chemical weapons or proliferation-related activities, or other persons that threaten the peace, security, or stability of the United States, Syria, and its neighbors. In E.O. 14312, the President found that the circumstances that gave rise to the actions taken in the Executive orders imposing sanctions on Syria pursuant to the national emergency declared in E.O. 13338, related to the policies and actions of the former regime of Bashar al-Assad, had been transformed by developments over the six months preceding June 30, 2025, including the positive actions taken by the new Syrian government under President Ahmed al-Sharaa, and terminated, effective July 1, 2025, the national emergency underpinning the Syrian Sanctions Regulations, 31 CFR part 542 (70 FR 17201, April 5, 2005). As a result, OFAC removed the Syrian Sanctions Regulations from the Code of Federal Regulations on August 26, 2025.

Section 4(a) of E.O. 14312 expands the scope of the national emergency declared in E.O. 13894, as amended in and relied on for additional steps taken in E.O. 14142, and further amends E.O. 13894 (''E.O. 13894, as further amended'') to address the threat posed by, and to maintain sanctions against, perpetrators of war crimes and human rights violations and abuses, and the proliferation of narcotics trafficking networks in and in relation to Syria during the former regime of Bashar al-Assad and by those associated with it. Accordingly, certain persons previously sanctioned under E.O.s that were revoked by E.O. 14312 have been redesignated under E.O. 13894, as further amended. These persons are therefore subject to sanctions pursuant to the Regulations.

Section 4(b) of E.O. 14312 also amends E.O. 13606 of April 22, 2012, ''Blocking the Property and Suspending Entry into the United States of Certain Persons With Respect to Grave Human Rights Abuses by the Governments of Iran and Syria Via Information Technology'' (77 FR 24571, April 24, 2012), to remove reference to the national emergency declared in E.O. 13338 of May 11, 2004, ''Blocking Property of Certain Persons and Prohibiting the Export of Certain Goods to Syria'' (69 FR 26751, May 13, 2004) and instead invoke the national emergency declared in E.O. 13894, as further amended. As a result, certain persons designated in relation to Syria under E.O. 13606 are also subject to sanctions pursuant to the Regulations.

Current Regulatory Action

OFAC is now amending the Regulations to implement provisions of E.O. 13894, as further amended. OFAC is amending the Regulations to add E.O. 14142, E.O. 14312, and E.O. 13606 to the authorities citation. Additionally, OFAC is amending the authorities section by adding the following statutes: the Syria Human Rights Accountability Act of 2012 (22 U.S.C 8791 *et seq.,* Pub. L. 112–158, Title VII, sec. 705, 126 Stat. 1268); Section 234 of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9528(a)); the Caesar Syria Civilian Protection Act of 2019 (22 U.S.C. 8791 note, Pub. L. 116–92, Div. F, Title LXXIV, 133 Stat. 2290); and the Illicit Captagon Trafficking Suppression Act of 2023 (50 U.S.C. 1701 note, Pub. L. 118–50, div. P, 138 Stat. 992). These statutes will be fully integrated into a more comprehensive set of regulations at a future date.

Furthermore, OFAC is renaming the Syria-Related Sanctions Regulations as the Promoting Accountability for Assad and Regional Stabilization Sanctions Regulations to reflect the expanded scope of the national emergency set forth in E.O. 13894, as further amended. In addition to renaming the Regulations, OFAC is modifying the program tag used to identify the names of persons added to OFAC's Specially Designated Nationals and Blocked Persons List (SDN List) pursuant to E.O. 13894, or pursuant to any further Executive orders issued pursuant to the national emergency declared in E.O. 13894, including those persons redesignated under E.O. 13894, as further amended. OFAC is also adding new program tags to identify the names of persons added to the SDN List pursuant to E.O. 13606 and certain other statutory authorities. Finally, OFAC is updating appendix A to provide the regulated public the text of E.O. 13894, as further amended.

The Regulations remain in abbreviated form at this time for the purpose of providing immediate guidance to the public. OFAC intends to supplement this part 569 with a more comprehensive set of regulations, which may include additional interpretive guidance and definitions, general licenses, and other regulatory provisions.

Public Participation

Because the Regulations involve a foreign affairs function, the provisions of E.O. 12866 of September 30, 1993, ''Regulatory Planning and Review'' (58 FR 51735, October 4, 1993), as amended, and the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking, opportunity for public participation, and delay in effective date, as well as the provisions of E.O. 14192 of January 31, 2025, ''Unleashing Prosperity Through Deregulation'' (90 FR 6065, February 6, 2025) and E.O. 14219 of February 19, 2025, ''Ensuring Lawful Governance and Implementing the President's 'Department of Government Efficiency' Deregulatory Initiative'' (90 FR 10583, February 25, 2025) are inapplicable. Because no notice of proposed rulemaking is required for this rule, the Regulatory Flexibility Act (5 U.S.C. 601–612) does not apply.

Executive Order 14294

Section 5 of E.O. 14294 of May 9, 2025, ''Fighting Overcriminalization in Federal Regulations'' (90 FR 20367, May 14, 2025) directs that all future notices of proposed rulemaking (NPRMs) and final rules published in the **Federal Register**, the violation of which may constitute criminal regulatory offenses, should include a statement identifying that the rule or proposed rule is a criminal regulatory offense and the authorizing statute. E.O. 14294 directs agencies to draft this statement in consultation with the Department of Justice.

E.O. 14294 further directs that the regulatory text of all NPRMs and final rules with criminal consequences published in the **Federal Register** after May 9, 2025 should explicitly state a mens rea requirement for each element of a criminal regulatory offense, accompanied by citations to the relevant provisions of the authorizing statute.

Willful violations of the regulations set forth in this final rule may be subject to criminal penalties pursuant to 50 U.S.C. 1705 and regulations promulgated thereunder. The statutory

authority for criminal liability requires a *mens rea* of willfulness as an element pursuant to 50 U.S.C. 1705(c). In drafting this statement, OFAC has consulted with the Department of Justice.

Paperwork Reduction Act

The collections of information related to the Regulations are contained in 31 CFR part 501 (the ''Reporting, Procedures and Penalties Regulations''). Pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), those collections of information have been approved by the Office of Management and Budget under control number 1505–0164. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid control number.

List of Subjects in 31 CFR Part 569

Administrative practice and procedure, Banks, Banking, Blocking of assets, Credit, Foreign trade, Penalties, Reporting and recordkeeping requirements, Sanctions, Services, Syria.

For the reasons set forth in the preamble, OFAC amends 31 CFR part 569 as follows:

PART 569—PROMOTING ACCOUNTABILITY FOR ASSAD AND REGIONAL STABILIZATION SANCTIONS REGULATIONS

■ 1. Revise the heading of part 569 to read as set forth above.

■ 2. The authority citation for part 569 is revised to read as follows:

Authority: 3 U.S.C. 301; 31 U.S.C. 321(b); 50 U.S.C. 1601 *et seq.,* 1701 *et seq.;* 28 U.S.C. 2461 note (Pub. L. 101–410, 104 Stat. 890, as amended); 22 U.S.C. 8791 *et seq.* (Pub. L. 112–158, Title VII, sec. 705, 126 Stat. 1268); 22 U.S.C. 8791 note (Pub. L. 116–92, Div. F, Title LXXIV, 133 Stat. 2291); 22 U.S.C. 9528(a); 50 U.S.C. 1701 note (Pub. L. 118–50, div. P, 138 Stat. 992); E.O. 13606, 77 FR 24571, 3 CFR 2012 Comp., p. 243, E.O. 13894, 84 FR 55851, 3 CFR, 2019 Comp., p. 382, E.O. 14142, 90 FR 6709, E.O. 14312, 90 FR 29395.

Subpart B—Prohibitions

■ 3. Revise and republish Note 1, Note 2, and Note 4 to § 569.201 to read as follows:

* * * * *

Note 1 to § 569.201. The names of persons designated or identified as blocked pursuant to E.O. 13894, E.O. 13606, or any further Executive orders issued pursuant to the national emergency declared in E.O 13894, whose property and interests in property therefore are blocked pursuant to this section, are published in the **Federal Register** and incorporated into OFAC's Specially Designated Nationals and Blocked Persons List (SDN List) using the following identifiers: for E.O. 13894: ''[PAARSSR–EO13894]''; for E.O. 13606: ''[HRIT–SY]''; and for any further Executive orders issued pursuant to the national emergency declared in 13894: using the identifier formulation ''[PAARSSR–E.O.[E.O. number pursuant to which the person's property and interests in property are blocked]].'' The names of persons designated or identified as blocked pursuant to the Caesar Syria Civilian Protection Act of 2019 (''Caesar Act''), whose property and interests in property therefore are blocked pursuant to this section, are published in the **Federal Register** and incorporated into the SDN List with the identifier ''[SYRIA–CAESAR].'' Certain transactions with persons blocked pursuant to this section may result in the imposition of secondary sanctions pursuant to the Caesar Act, and therefore such blocked persons' entries on the SDN List will be updated to include the descriptive prefix text ''Secondary sanctions risk:'', followed by information about the applicable secondary sanctions authority. The SDN List is accessible through the following page on OFAC's website: *www.treasury.gov/sdn.* Additional information pertaining to the SDN List can be found in appendix A to this chapter. See § 569.406 concerning entities that may not be listed on the SDN List but whose property and interests in property are nevertheless blocked pursuant to this section.

Note 2 to § 569.201. Section 203 of the of the International Emergency Economic Powers Act (50 U.S.C. 1702) authorizes the blocking of property and interests in property of a person during the pendency of an investigation. Except as described in note 3 to this section, the names of persons whose property and interests in property are blocked pending investigation pursuant to this section are published in the **Federal Register** and incorporated into the SDN List using the following identifiers: for E.O. 13894: ''[BPI–PAARSSR–EO13894]''; for E.O. 13606: ''[BPI–HRIT–SY]''; for the Caesar Syria Civilian Protection Act of 2019: ''[BPI–CAESAR]''; or for any further Executive orders issued pursuant to the national emergency declared in E.O. 13894: using the identifier formulation ''[BPI–PAARSSR–EO[E.O. number pursuant to which the person's property and interests in property are blocked pending investigation]].''

* * * * *

Note 4 to § 569.201. The names of persons determined by the Secretary of State to meet the criteria for the imposition of non-blocking sanctions pursuant to E.O. 13894, or any further Executive orders issued pursuant to the national emergency declared in E.O. 13894, will be incorporated into a data file containing OFAC's Consolidated Non-SDN data and will also be provided in a human readable format on the following page on OFAC's website: *www.treasury.gov/cons.* These listings will include specific information on the sanctions imposed on such persons pursuant to E.O. 13894, or any further Executive orders issued pursuant to the national emergency declared in E.O. 13894. However, for any persons determined to meet the criteria for the imposition of blocking sanctions pursuant to E.O. 13894, or any further Executive orders issued pursuant to the national emergency declared in E.O. 13894, where the Secretary of State chooses to impose the blocking sanctions described in E.O. 13894, or any further Executive orders issued pursuant to the national emergency declared in E.O. 13894, such persons' names will instead be incorporated into OFAC's SDN List using the identifier ''[PAARSSR–EO[E.O. number pursuant to which the person's property and interests in property are blocked]]''. The names of persons determined to meet the criteria for the imposition of sanctions pursuant to E.O. 13894, or any further Executive orders issued pursuant to the national emergency declared in E.O. 13894, will be published in the **Federal Register** along with the applicable sanctions that have been imposed on such persons under that section.

* * * * *

Subpart E—Licenses, Authorizations, and Statements of Licensing Policy

§ 569.501 [Amended]

■ 4. Amend § 569.501 by removing ''Syria-related sanctions page'' and adding in its place ''Promoting Accountability for Assad and Regional Stabilization Sanctions page''.

Subpart H—Procedures

■ 5. Revise and republish § 569.802 to read as follows:

§ 569.802 Delegation of certain authorities of the Secretary of the Treasury.

Any action that the Secretary of the Treasury is authorized to take pursuant to Executive Order 13894 of October 14, 2019 (E.O. 13894), and any further Executive orders relating to the national emergency declared therein, and any action that the Secretary of the Treasury is authorized to take pursuant to the Presidential Memorandum of October 9, 2012: Delegation of Certain Functions and Authorities under the Iran Threat Reduction and Syria Human Rights Act of 2012; the Presidential Memorandum of September 29, 2017: Memorandum on Delegation of Certain Functions and Authorities Under the Countering America's Adversaries Through Sanctions Act of 2017, the Ukraine Freedom Support Act of 2014, and the Support for the Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014; the Presidential Memorandum of March 31, 2020: Delegation of Certain Functions and Authorities Under the National Defense Authorization Act for Fiscal Year 2020; or the Presidential Memorandum of September 13, 2024: Delegation of Certain Sanctions-Related Authorities Under Public Law 118–50, may be taken by the Director of OFAC or by any other

person to whom the Secretary of the Treasury has delegated authority so to act.

■ 6. Appendix A is revised to read as follows:

Appendix A to Part 569—Executive Order 13894, as Further Amended Executive Order 13894 of October 14, 2019, as Further Amended by Executive Order 14142 of January 15, 2025 and Executive Order 14312 of June 30, 2025 Blocking Property and Suspending Entry of Certain Persons Contributing to the Situation in Syria

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.*) (NEA), section 212(f) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1182(f)), and section 301 of title 3, United States Code,

I, DONALD J. TRUMP, President of the United States of America, find that the situation in and in relation to Syria undermines the campaign to defeat the Islamic State of Iraq and Syria, or ISIS, endangers civilians, and further threatens to undermine the peace, security, and stability in the region, and thereby constitutes an unusual and extraordinary threat to the national security and foreign policy of the United States. I hereby declare a national emergency to deal with that threat. I hereby determine and order:

Section 1. (a) All property and interests in property that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of any United States person of the following persons are blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in:

(i) any person determined by the Secretary of the Treasury, in consultation with the Secretary of State:

(A) to be responsible for or complicit in, or to have directly or indirectly engaged in, or attempted to engage in, any of the following in or in relation to Syria:

(1) actions or policies that further threaten the peace, security, stability, or territorial integrity of Syria; or

(2) the commission of serious human rights abuse;

(B) to be a former government official of the former regime of Bashar al-Assad or a person who acted for or on behalf of such an official;

(C) to have engaged in, or attempted to engage in, activities or transactions that have materially contributed to, or pose a significant risk of materially contributing to, the illicit production and international illicit proliferation of captagon;

(D) to be responsible for or complicit in, to have directly or indirectly engaged in, or to be responsible for ordering, controlling, or otherwise directing, instances in which a United States national ((i) as defined in 8 U.S.C. 1101(a)(22) or 8 U.S.C. 1408, or (ii) a lawful permanent resident with significant ties to the United States) went missing in Syria during the former regime of Bashar al-Assad;

(E) to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of,

(1) the former regime of Bashar al-Assad;

(2) any activity described in subsections (a)(i)(A)–(a)(i)(D) of this section; or

(3) any person whose property and interests in property are blocked pursuant to this order;

(F) to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to this order; or

(G) to be an adult family member of a person designated under subsections (a)(i)(A)–(a)(i)(D) of this section.

(b) The prohibitions in subsection (a) of this section apply except to the extent provided by statutes, or in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted before the date of this order.

Sec. 2. (a) The Secretary of State, in consultation with the Secretary of the Treasury and other officials of the United States Government as appropriate, is hereby authorized to impose on a foreign person any of the sanctions described in subsections (b) and (c) of this section, upon determining that the person, on or after the date of this order:

(i) is responsible for or complicit in, has directly or indirectly engaged in, or attempted to engage in, or financed the obstruction, disruption, or prevention of efforts to promote a Syria that is stable, unified, and at peace with itself and its neighbors, including:

(A) the convening and conduct of a credible and inclusive Syrian-led constitutional process;

(B) the preparation for and conduct of supervised elections, pursuant to the new constitution, that are free and fair and to the highest international standards of transparency and accountability; or

(C) the development of a Syrian government that is representative and reflects the will of the Syrian people;

(ii) is an adult family member of a person designated under subsection (a)(i) of this section; or

(iii) is responsible for or complicit in, or has directly or indirectly engaged in, or attempted to engage in, the expropriation of property, including real property, for personal gain or political purposes in Syria.

(b) When the Secretary of State, in accordance with the terms of subsection (a) of this section, has determined that a person meets any of the criteria described in that subsection and has selected one or more of the sanctions set forth below to impose on that person, the heads of relevant departments and agencies, in consultation with the Secretary of State, as appropriate, shall ensure that the following actions are taken where necessary to implement the sanctions selected by the Secretary of State:

(i) agencies shall not procure, or enter into a contract for the procurement of, any goods or services from the sanctioned person; or

(ii) the Secretary of State shall direct the denial of a visa to, and the Secretary of Homeland Security shall exclude from the United States, any alien that the Secretary of State determines is a corporate officer or principal of, or a shareholder with a controlling interest in, a sanctioned person.

(c) When the Secretary of State, in accordance with the terms of subsection (a) of this section, has determined that a person meets any of the criteria described in that subsection and has selected one or more of the sanctions set forth below to impose on that person, the Secretary of the Treasury, in consultation with the Secretary of State, shall take the following actions where necessary to implement the sanctions selected by the Secretary of State:

(i) prohibit any United States financial institution that is a U.S. person from making loans or providing credits to the sanctioned person totaling more than $10,000,000 in any 12-month period, unless such person is engaged in activities to relieve human suffering and the loans or credits are provided for such activities;

(ii) prohibit any transactions in foreign exchange that are subject to the jurisdiction of the United States and in which the sanctioned person has any interest;

(iii) prohibit any transfers of credit or payments between banking institutions or by, through, or to any banking institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve any interest of the sanctioned person;

(iv) block all property and interests in property that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of any United States person of the sanctioned person, and provide that such property and interests in property may not be transferred, paid, exported, withdrawn, or otherwise dealt in;

(v) prohibit any United States person from investing in or purchasing significant amounts of equity or debt instruments of the sanctioned person;

(vi) restrict or prohibit imports of goods, technology, or services, directly or indirectly, into the United States from the sanctioned person; or

(vii) impose on the principal executive officer or officers, or persons performing similar functions and with similar authorities, of the sanctioned person the sanctions described in subsections (c)(i)–(c)(vi) of this section, as selected by the Secretary of State.

(d) The prohibitions in subsections (b) and (c) of this section apply except to the extent provided by statutes, or in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted before the date of this order.

Sec. 3. (a) The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to impose on a foreign financial institution the sanctions described

in subsection (b) of this section upon determining that the foreign financial institution knowingly conducted or facilitated any significant financial transaction for or on behalf of any person whose property and interests in property are blocked pursuant to section 1 of this order.

(b) With respect to any foreign financial institution determined by the Secretary of the Treasury, in accordance with this section, to meet the criteria set forth in subsection (a) of this section, the Secretary of the Treasury may prohibit the opening, and prohibit or impose strict conditions on the maintaining, in the United States of a correspondent account or a payable-through account by such foreign financial institution.

(c) The prohibitions in subsection (b) of this section apply except to the extent provided by statutes, or in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted before the date of this order.

Sec. 4. The unrestricted immigrant and nonimmigrant entry into the United States of aliens determined to meet one or more of the criteria in subsection 1(a) or 2(a) of this order, or aliens for which the sanctions under subsection 2(b)(ii) have been selected, would be detrimental to the interests of the United States, and the entry of such persons into the United States, as immigrants or nonimmigrants, is hereby suspended, except where the Secretary of State determines that the entry of the person into the United States would not be contrary to the interests of the United States, including when the Secretary so determines, based on a recommendation of the Attorney General, that the person's entry would further important United States law enforcement objectives. In exercising this responsibility, the Secretary of State shall consult the Secretary of Homeland Security on matters related to admissibility or inadmissibility within the authority of the Secretary of Homeland Security. Such persons shall be treated in the same manner as persons covered by section 1 of Proclamation 8693 of July 24, 2011 (Suspension of Entry of Aliens Subject to United Nations Security Council Travel Bans and International Emergency Economic Powers Act Sanctions). The Secretary of State shall have the responsibility for implementing this section pursuant to such conditions and procedures as the Secretary has established or may establish pursuant to Proclamation 8693.

Sec. 5. I hereby determine that the making of donations of the types of articles specified in section 203(b)(2) of IEEPA (50 U.S.C. 1702(b)(2)) by, to, or for the benefit of any person whose property and interests in property are blocked pursuant to section 1 of this order would seriously impair my ability to deal with the national emergency declared in this order, and I hereby prohibit such donations as provided by section 1 of this order.

Sec. 6. The prohibitions in sections 1 and 2 of this order include:

(a) the making of any contribution or provision of funds, goods, or services by, to, or for the benefit of any person whose property and interests in property are blocked pursuant to this order; and

(b) the receipt of any contribution or provision of funds, goods, or services from any such person.

Sec. 7. (a) Any transaction that evades or avoids, has the purpose of evading or avoiding, causes a violation of, or attempts to violate any of the prohibitions set forth in this order is prohibited.

(b) Any conspiracy formed to violate any of the prohibitions set forth in this order is prohibited.

Sec. 8. For the purposes of this order:

(a) The term ''entity'' means a partnership, association, trust, joint venture, corporation, group, subgroup, or other organization;

(b) the term ''foreign financial institution'' means any foreign entity that is engaged in the business of accepting deposits, making, granting, transferring, holding, or brokering loans or credits, or purchasing or selling foreign exchange, securities, commodity futures or options, or procuring purchasers and sellers thereof, as principal or agent. The term includes depository institutions, banks, savings banks, money service businesses, trust companies, securities brokers and dealers, commodity futures and options brokers and dealers, forward contract and foreign exchange merchants, securities and commodities exchanges, clearing corporations, investment companies, employee benefit plans, dealers in precious metals, stones, or jewels, and holding companies, affiliates, or subsidiaries of any of the foregoing. The term does not include the international financial institutions identified in 22 U.S.C. 262r(c)(2), the International Fund for Agricultural Development, the North American Development Bank, or any other international financial institution so notified by the Secretary of the Treasury;

(c) the term ''knowingly,'' with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result;

(d) the term ''person'' means an individual or entity;

(e) the term ''United States person'' or ''U.S. person'' means any United States citizen, permanent resident alien, entity organized under the laws of the United States or any jurisdiction within the United States (including foreign branches), or any person in the United States; and

Sec. 9. For those persons whose property and interests in property are blocked pursuant to this order who might have a constitutional presence in the United States, I find that because of the ability to transfer funds or other assets instantaneously, prior notice to such persons of measures to be taken pursuant to this order would render those measures ineffectual. I therefore determine that for these measures to be effective in addressing the national emergency declared in this order, there need be no prior notice of a listing or determination made pursuant to this order.

Sec. 10. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to carry out the purposes of this order. The Secretary of the Treasury may, consistent with applicable law, redelegate any of these functions within the Department of the Treasury. All departments and agencies of the United States shall take all appropriate measures within their authority to implement this order.

Sec. 11. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to submit the recurring and final reports to the Congress on the national emergency declared in this order, consistent with section 401(c) of the NEA (50 U.S.C. 1641(c)), and section 204(c) of IEEPA (50 U.S.C. 1703(c)).

Sec. 12. (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.

Bradley T. Smith,

Director, Office of Foreign Assets Control. Department of the Treasury.

[FR Doc. 2025–18618 Filed 9–24–25; 8:45 am]

BILLING CODE 4810–AL–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2025–0850]

RIN 1625–AA00

Safety Zone; Chesapeake Bay, Baltimore, MD

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for navigable waters of the Chesapeake Bay within 500 yards of the M/V W–SAPPHIRE. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards created by the presence of explosive cargo on board the vessel. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port, Sector Maryland-National Capital Region (NCR) (COTP), or a designated representative.

DATES: This rule is effective without actual notice from September 25, 2025 through December 31, 2025. For the purposes of enforcement, actual notice will be used from September 22, 2025, until September 25, 2025.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *https://www.regulations.gov,* type USCG–2025–0850 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 on this rule, call or email Mr. Charles Bullock, Sector Maryland-NCR, Waterways Management Division, U.S. Coast Guard: telephone 410–365–8125, email *Charles.D.Bullock@uscg.mil*.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of the Port, Sector Maryland-National Capital Region
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of proposed rulemaking
§ Section
U.S.C. United States Code

II. Background and Authority

At approximately 6:30 p.m. on August 18, 2025, the M/V W–SAPPHIRE experienced an explosion in cargo hold #2. See 90 FR 41506 (Aug. 26, 2025). The vessel will be transiting and anchoring in the Chesapeake Bay with explosive cargo onboard. The Coast Guard is establishing this safety zone to protect personnel, vessels, and the marine environment in these navigable waters from the potential hazards arising from the presence of the ship's explosive cargo. No vessel or person is permitted to enter the safety zone without obtaining permission from the COTP or a designated representative.

The Coast Guard is issuing this temporary rule under the authority in 5 U.S.C. 553(b)(B). This statutory provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because immediate action is necessary to mitigate risks associated with moving a vessel with explosive cargo onboard. It is impracticable to publish an NPRM because we must establish this safety zone as soon as possible.

Also, under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Delaying the effective date of this rule would be impracticable and contrary to the public interest because immediate action is necessary to ensure the safety of vessels and persons on these navigable waters during the movement of a vessel with explosive cargo onboard.

III. Discussion of the Rule

This rule establishes a 500-yard radius, temporary safety zone around M/V W–SAPPHIRE on September 22, 2025 through December 31, 2025. Enforcement may end sooner upon the safe departure or repair of the vessel. The safety zone will cover all navigable waters within 500 yards of the vessel when at anchor or transiting the Chesapeake Bay. This rule will prohibit persons or vessels from entering this zone unless specifically authorized by the COTP or a designated representative.

The COTP or a designated representative may forbid and control the movement of all vessels in the zone. When hailed or signaled by an official patrol vessel, a vessel shall come to an immediate stop and comply with the directions given. Failure to do so may result in expulsion from the zone, citation for failure to comply, or both.

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 analysis provisions of the Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, do not apply to rules that are not subject to notice and comment. Because the Coast Guard has, for good cause, waived the notice and comment requirement that would otherwise apply to this rulemaking, the Regulatory Flexibility Act's flexibility analysis provisions do not apply here.

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 described 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 a safety zone. It is categorically excluded from further review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A Record of Environmental Consideration

supporting this determination is available in the docket.

List of Subjects in 33 CFR Part 165

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

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

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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

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

■ 2. Add § 165.T05–0850 to read as follows:

§ 165.T05–0850 Safety Zone; Chesapeake Bay, Baltimore, MD.

(a) *Location.* The following area is a safety zone: All navigable waters encompassing a 500-yard radius around the M/V W SAPPHIRE while the vessel is in the Chesapeake Bay.

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

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

(2) To seek permission to enter, contact the COTP or the COTP's representative by telephone number 410–576–2693 or on Marine Band Radio VHF–FM channel 16 (156.8 MHz). Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) *Enforcement periods.* This section will be enforced from September 22, 2025 until December 31, 2025, or earlier upon the safe departure or repair of the vessel.

Dated: September 22, 2025.

Patrick C. Burkett,

Captain, U.S. Coast Guard, Captain of the Port, Sector Maryland-National Capital Region.

[FR Doc. 2025–18634 Filed 9–24–25; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 1

[Docket No. VA–2024–VHA–0015]

RIN 2900–AS11

Privacy Act of 1974; Implementation

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

SUMMARY: The Department of Veterans Affairs (VA) adopts as final, with one technical change, a proposed rule to amend its regulations governing the confidentiality and release of VA records subject to the Privacy Act of 1974. This rulemaking exempts portions of the new ''Law Enforcement Officer Evaluations (LEO Evals)—VA'' (216VA10) system of records from certain provisions of the Privacy Act of 1974 to prevent compromising the objectivity and fairness of the testing and evaluation process.

DATES: This rule is effective October 27, 2025.

FOR FURTHER INFORMATION CONTACT: Stephania Griffin, Veterans Health Administration, (704) 245–2492.

SUPPLEMENTARY INFORMATION: On July 25, 2024, VA published a proposed rule in the **Federal Register** (89 FR 60337) to revise its regulations by adding an exemption to its current list of Privacy Act exemptions in new paragraph (f) of 38 Code of Federal Regulations (CFR) 1.582. Immediately proceeding the proposed rulemaking, VA provided notice in the **Federal Register** (89 FR 59970) on July 24, 2024, that it was establishing a new system of records titled ''Law Enforcement Officer Evaluations (LEO Evals)—VA (216VA10).'' Information in this new system of records would be used to document the records of VA police officer candidates and VA police officers undergoing psychological evaluations for hire or annually after hire.

The Privacy Act of 1974, codified at section 552a of title 5, United States Code (U.S.C.), governs the means by which the U.S. Government collects, maintains, uses, and disseminates personally identifiable information. Consistent with section 552a(k)(6), which allows an agency to exempt testing or examination materials used solely to determine individual qualifications for appointment or promotion in the Federal service the disclosure of which would compromise the objectivity or fairness of the testing or examination process, VA would exempt portions of the ''LEO Evals'' system of records from the accounting, access, and administrative provisions of the Privacy Act to preserve the integrity of the examination or testing process.

VA provided a 60-day comment period, which ended on September 23, 2024. VA received one supportive comment on the proposed rule, and we thank the commenter for their comment. Based on the rationale set forth in the proposed rule, VA now adopts the proposed rule as final with the technical change as described below.

Technical Change Not Based on Comments

In the amendatory language for the proposed rule, VA stated the authority citation for 38 CFR part 1 would remain unchanged as 38 U.S.C. 5101, and as noted in specific sections. However, the correct authority citation for 38 CFR part 1 is 38 U.S.C. 501, which is VA's general rulemaking authority. Previous rulemakings intended to change authority citations for specific regulations, but inadvertently made changes to the authority citation for the entire part. Therefore, VA will make a technical change to revise the authority citation for 38 CFR part 1 along with this final rulemaking.

Executive Orders 12866, 13563, and 14192

VA examined the impact of this rulemaking as required by Executive Orders 12866 (Sept. 30, 1993) and 13563 (Jan. 18, 2011), which direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. The Office of Information and Regulatory Affairs has determined that this rulemaking is not a significant regulatory action under Executive Order 12866, as supplemented by Executive Order 13563. This final rule is not an Executive Order 14192 regulatory action because this rule is not significant under Executive Order 12866.

Economic Impact: There are no costs or savings associated with this final rule. VA determined that rulemaking was required to implement this exemption under the Privacy Act, consistent with 5 U.S.C. 552a(k). While this final rule has no associated costs, the exemption claimed will ensure objectivity and fairness in the psychological evaluation and testing process for VA police officers.

Regulatory Flexibility Act

The Secretary hereby certifies that this final rule would not have a significant economic impact on a substantial number of small entities as

they are defined in the Regulatory Flexibility Act (5 U.S.C. 601–612). The factual basis for this certification is based on the fact that the Privacy Act primarily affects individuals and not entities, and the final rule will impose no duties or obligations on small entities. Therefore, under 5 U.S.C. 605(b), the initial and final regulatory flexibility analysis requirements of 5 U.S.C. 603 and 604 do not apply.

Unfunded Mandates

This final rule 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 (adjusted annually for inflation) in any one year.

Paperwork Reduction Act

This final rule contains no provisions constituting a collection of information under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521).

Congressional Review Act

Pursuant to Subtitle E of the Small Business Regulatory Enforcement Fairness Act of 1996 (known as the Congressional Review Act) (5 U.S.C. 801 *et seq.*), the Office of Information and Regulatory Affairs determined this rule does not meet the criteria for a ''major rule'' under 5 U.S.C. 804(2).

List of Subjects in 38 CFR Part 1

Administrative practice and procedure, Archives and records, Government employees, Privacy, Reporting and recordkeeping requirements, Security measures.

Signing Authority

Douglas A. Collins, Secretary of Veterans Affairs, approved this document on September 23, 2025, and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs.

Taylor N. Mattson,

Alternate Federal Register Liaison Officer, Department of Veterans Affairs.

For the reasons stated in the preamble, the Department of Veterans Affairs amends 38 CFR part 1 as set forth below:

PART 1—GENERAL PROVISIONS

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

Authority: 38 U.S.C. 501, and as noted in specific sections.

■ 2. Amend § 1.582 by adding paragraph (f) to read as follows:

§ 1.582 Exemptions.

* * * * *

(f) *Exemption of Law Enforcement Officer Evaluation Records.* VA provides limited access to Law Enforcement Officer Evaluations (LEO Evals)—VA (216VA10).

(1) Records contained in this system of records are exempted pursuant to the provisions of 5 U.S.C. 552a(k)(6) from 5 U.S.C. 552a(c)(3), (d)(1) through (4), (e)(1), (e)(4)(G) through (I), and (f).

(2) These exemptions apply to the extent that information in this system of records is subject to exemption pursuant to 5 U.S.C. 552a(k)(6) because they relate to testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal service, the disclosure of which could compromise the objectivity or fairness of the testing or examination process.

* * * * *

[FR Doc. 2025–18663 Filed 9–24–25; 8:45 am]

BILLING CODE 8320–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R03–OAR–2024–0581; FRL–12329–02–R3]

Air Plan Approval; West Virginia; 2024 Amendments to West Virginia's Ambient Air Quality Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving a state implementation plan (SIP) revision submitted by the State of West Virginia. This revision updates West Virginia's incorporation by reference (IBR) of EPA's national ambient air quality standards (NAAQS) and the associated monitoring reference and equivalent methods. EPA is approving these revisions to the West Virginia SIP in accordance with the requirements of the Clean Air Act (CAA).

DATES: This final rule is effective on October 27, 2025.

ADDRESSES: EPA has established a docket for this action under Docket ID Number EPA–R03–OAR–2024–0581. All documents in the docket are listed on the website. Although listed in the index, some information is not publicly available, *e.g.,* confidential business information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available through *www.regulations.gov* **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

FOR FURTHER INFORMATION CONTACT: Bryan Cashman, Planning & Implementation Branch (3AD30), Air & Radiation Division, U.S. Environmental Protection Agency, Region III, Four Penn Center, 1600 John F. Kennedy Boulevard, Philadelphia, Pennsylvania 19103. The telephone number is (215) 814–2012. Mr. Cashman can also be reached via electronic mail at *Cashman.Bryan@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

On July 1, 2024, the West Virginia Department of Environmental Protection (WVDEP) submitted a revision to its SIP pertaining to the amendments of Legislative Rule, 45 Code of State Rule (CSR) Ambient Air Quality Standards. The SIP submittal updates West Virginia's IBR of the NAAQS promulgated by the EPA and found at 40 Code of Federal Regulations (CFR) part 50 and ambient air monitoring reference methods and equivalent methods promulgated by the EPA and found at 40 CFR part 53 into West Virginia's legislative rules.

II. Summary of SIP Revision and the EPA Analysis

The WVDEP has historically chosen to incorporate by reference the NAAQS, found at 40 CFR part 50, and the associated Federal ambient air monitoring reference methods and equivalent methods for these NAAQS found at 40 CFR part 53. When incorporating by reference these Federal regulations, WVDEP has specified that it is incorporating by reference these regulations as they existed on a certain date. The IBR of the NAAQS that is currently approved in the West Virginia SIP incorporates by reference 40 CFR parts 50 and 53 as they existed on June 1, 2023. West Virginia's July 1, 2024 SIP revision updates the State's IBR of the primary and secondary NAAQS and the ambient air monitoring reference and equivalent methods, found in 40 CFR parts 50 and 53, respectively, as of June 1, 2023. This revision also incorporates by reference the ambient air monitoring reference methods and equivalent

methods promulgated by the EPA under 40 CFR part 53.

The amendments to the legislative rule include changes to section 45–8–1 (General) and 45–8–3 (Adoption of Standards). The amendments alphabetize the criteria pollutants list in the scope (1.1), update the filing and effective dates (1.3, 1.4) and update West Virginia's IBR of the primary and secondary NAAQS and the ambient air monitoring reference and equivalent methods from June 1, 2022 to June 1, 2023 (1.6, 3.1, 3.2). West Virginia is incorporating the Federal rules in 40 CFR parts 50 and 53 as they existed on June 1, 2023 into sections 45–8–1 and 45–8–3.

III. EPA's Response to Comments Received

The EPA received one comment in response to the NPRM, which is available in the docket for this action. The comment was outside the scope of this rulemaking. As such, the comment does not require a response by the EPA.

IV. Final Action

The EPA is approving the West Virginia SIP revision of July 1, 2024 updating the IBR of the EPA's NAAQS and associated ambient air monitoring reference methods and equivalent methods.

V. Incorporation by Reference

In this document, the EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is finalizing the incorporation by reference 45CSR8, as effective on June 1, 2024, as described in section II of this preamble. The EPA has made, and will continue to make, these materials generally available through *www.regulations.gov* and at the EPA Region III Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information). Therefore, these materials have been approved by the EPA for inclusion in the SIP, have been incorporated by reference by EPA into that plan, are fully federally enforceable under sections 110 and 113 of the CAA as of the effective date of the final rulemaking of EPA's approval, and will be incorporated by reference in the next update to the SIP compilation.[1]

VI. Statutory and Executive Order Reviews

A. General Requirements

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Clean Air Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because SIP actions are exempt from review under Executive Order 12866:
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a state program;
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act.

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction. In those areas of Indian country, the rule does not have Tribal implications and will not impose substantial direct costs on Tribal governments or preempt Tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

This action is subject to the Congressional Review Act, and the EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by November 24, 2025. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Amy Van Blarcom-Lackey,
Regional Administrator, Region III.

For the reasons stated in the preamble, the EPA amends 40 CFR part 52 as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart XX—West Virginia

■ 2. In § 52.2520, the table in paragraph (c) entitled ''EPA-Approved Regulations in the West Virginia SIP'' is amended by revising the entries ''Section 45–8–1'', ''Section 45–8–2'', ''Section 45–8–3'' and ''Section 45–8–4'' under the heading ''[45 CSR] Series 8 Ambient Air Quality Standards'' to read as follows:

§ 52.2520 Identification of plan.

* * * * *

(c) * * *

[1] 62 FR 27968 (May 22, 1997).

State citation [Chapter 16–20 or 45 CSR]	Title/subject	State effective date	EPA approval date	Additional explanation/ citation at 40 CFR 52.2565 (Docket No.)
*	*	*	*	*
[45 CSR] Series 8 Ambient Air Quality Standards				
Section 45–8–1	General	6/1/24	9/25/2025, 90 FR [INSERT **FEDERAL REGISTER** PAGE WHERE THE DOCUMENT BEGINS].	2024–0581
Section 45–8–2	Definitions	6/1/24	9/25/2025, 90 FR [INSERT **FEDERAL REGISTER** PAGE WHERE THE DOCUMENT BEGINS].	2024–0581
Section 45–8–3	Adoption of Standards	6/1/24	9/25/2025, 90 FR [INSERT **FEDERAL REGISTER** PAGE WHERE THE DOCUMENT BEGINS].	2024–0581
Section 45–8–4	Inconsistency Between Rules	6/1/24	9/25/2025, 90 FR [INSERT **FEDERAL REGISTER** PAGE WHERE THE DOCUMENT BEGINS].	2024–0581
*	*	*	*	*

* * * * *

[FR Doc. 2025–18611 Filed 9–24–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2024–0587; FRL–12483–02–R9]

Finding of Failure To Attain the 1997 8-Hour Ozone Standards; California; San Joaquin Valley

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final determination.

SUMMARY: The Environmental Protection Agency (EPA) has determined that the San Joaquin Valley, California area failed to attain the 1997 8-hour ozone national ambient air quality standard (NAAQS) by its June 15, 2024 ''Extreme'' area attainment date. This determination is based on quality-assured and certified ambient air quality monitoring data from 2021 through 2023. As a result of this determination, the State of California is required to implement nonattainment contingency measures and the stationary source fee program required under Clean Air Act (CAA) section 185.

DATES: This determination is effective on October 27, 2025.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA–R09–OAR–2024–0587. All documents in the docket are listed on the *https://www.regulations.gov* website. Although listed in the index, some information is not publicly available, *e.g.,* Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available through *https://www.regulations.gov,* or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information. If you need assistance in a language other than English or if you are a person with a disability who needs a reasonable accommodation at no cost to you, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: Laura Lawrence, EPA Region IX, 75 Hawthorne St., San Francisco, CA 94105: phone: (415) 972–3407; email: *lawrence.laura@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document, ''we,'' ''us,'' and ''our'' refer to the EPA.

Table of Contents

I. Background
II. Public Comments and EPA Responses
III. EPA Action
IV. Statutory and Executive Order Reviews

I. Background

On July 10, 2025, the EPA proposed to determine that the San Joaquin Valley area failed to attain the 1997 8-hour ozone NAAQS by its applicable attainment date.[1] Our proposed determination was based on three years of quality-assured and certified ambient air quality monitoring data for the 2021 to 2023 monitoring period.[2]

In 1997, the EPA revised the NAAQS for ozone to set the acceptable level of ozone in the ambient air at 0.08 ppm, averaged over an 8-hour period.[3] The EPA tightened the 8-hour ozone NAAQS in 2008 and tightened the 8-hour ozone NAAQS further in 2015, but this determination applies only to the 1997 8-hour ozone NAAQS.[4] The EPA revoked the 1997 8-hour ozone NAAQS effective April 6, 2015;[5] however, to comply with anti-backsliding requirements of the Act, areas designated nonattainment at the time that the 1997 8-hour ozone NAAQS was revoked remain subject to certain requirements based on their classification at the time of revocation, including requirements related to nonattainment contingency measures under CAA sections 172(c)(9) and 182(c)(9) and, for ''Severe'' and ''Extreme'' areas, major source fee programs under CAA section 185.[6] The EPA's determination that an area failed to attain by its attainment date, which is made under CAA section 301 and consistent with section 181(b)(2), triggers these anti-backsliding requirements. *See South Coast Air Quality Mgmt. Dist.* v. *EPA,* 882 F.3d

[1] 90 FR 30607.

[2] An area is considered to have attained the 1997 8-hour ozone standard if there are no violations of the standard, as determined in accordance with 40 CFR 50.10, based on three consecutive years of complete, quality-assured, and certified monitoring data. A violation occurs when the ambient ozone air quality monitoring data show that the 3-year average of the annual fourth highest daily maximum 8-hour average ozone concentrations at an ozone monitor is greater than 0.08 ppm. Due to rounding and truncation conventions, the computed 3-year average ozone concentration of 0.085 ppm is the smallest value that is greater than 0.08 ppm.

[3] 62 FR 38856 (July 18, 1997). We refer to the ozone NAAQS established by the EPA in 1997 as the ''1997 8-hour ozone NAAQS'' or ''1997 8-hour ozone standard.''

[4] 73 FR 16436 (March 27, 2008) (referred to as the ''2008 ozone NAAQS''). The EPA further tightened the 8-hour ozone NAAQS at 80 FR 65292 (October 26, 2015) (referred to as the ''2015 ozone NAAQS'').

[5] 80 FR 12264 (March 6, 2015).

[6] 40 CFR 51.1100(o).

1138, 1147 (D.C. Cir. 2018) (''*South Coast II*'').

The area designated as the San Joaquin Valley area consists of San Joaquin, Stanislaus, Merced, Madera, Fresno, Tulare, and Kings counties, and the western portion of Kern County. The area stretches over 250 miles from north to south, averages a width of 80 miles, and encompasses over 23,000 square miles. It is partially enclosed by the Coast Mountain range to the west, the Tehachapi Mountains to the south, and the Sierra Nevada range to the east.[7] The population of the San Joaquin Valley area is over 4.3 million people.[8]

The San Joaquin Valley area, excluding areas of Indian country,[9] lies within the jurisdiction of the San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD or ''District''). Under California law, SJVUAPCD is responsible for adopting and implementing stationary source rules in the San Joaquin Valley, such as the fee program rules required under CAA section 185, while the California Air Resources Board (CARB) adopts and implements consumer products and mobile source rules subject to the requirements of CAA section 209. CARB submits District and State rules to the EPA for approval into the state implementation plan (SIP).

Our proposed determination provides additional background information on the effects of exposure to elevated levels of ground level ozone, the designation and classification of the San Joaquin Valley under the CAA for the 1997 ozone NAAQS, and the statutory and regulatory provisions that apply to determinations of attainment. It also describes our review of the air quality monitoring data on which we based our proposed determination that the area failed to attain the 1997 ozone NAAQS by the applicable attainment date.

II. Public Comments and EPA Responses

Our July 10, 2025 proposed determination provided a 30-day public comment period that closed on August 11, 2025. During this period, we received three comment letters. The comment letters are included in the docket for this action. Our summary of the comments and our responses are as follows:

Comment 1: An anonymous commenter asserts that the EPA's proposed determination underscores the chronic difficulty in controlling ozone precursors in a region with high population vulnerability, intense industrial and agricultural activity, and significant climate exposure. The commenter observes that warming temperatures driven by elevated carbon dioxide (CO_2) accelerate photochemical reactions, lengthen the ozone season, and reduce the effectiveness of existing controls. The commenter urges the EPA to recognize the amplifying role of CO_2-driven climate effects on ozone nonattainment, particularly in climate-sensitive regions like California's Central Valley; to encourage California and local air districts to integrate greenhouse gas (GHG) mitigation strategies into ozone planning; and to promote transparency in SIP updates and future planning by requiring or recommending that CO_2 co-emissions from major sources be disclosed and evaluated.

Response 1: The EPA acknowledges the points made by the commenter, but notes that none of the statements or arguments are adverse to the action being undertaken here, and therefore they do not argue for a changed outcome within the present action. The commenter's comments do not address the EPA's rationale for the proposed determination of failure to attain and are outside the scope of this action.

Comment 2: The District describes the many challenges facing the San Joaquin Valley in meeting the NAAQS, but it also notes the progress in reducing ambient concentrations over the past 20 years, both in terms of lower design values and reduced areas subject to violations of the standard, through the adoption and implementation of various state and local control measures and strategies. The District also acknowledges that additional progress is needed and cites the critical need for continued coordination with CARB and the EPA to reduce sources of emissions in the San Joaquin Valley, especially mobile sources that make up a significant portion of the Valley's emissions.

Response 2: The EPA acknowledges the points made by the District, but we also note that none of the statements or arguments are adverse to the action being undertaken here, and they therefore do not argue for a changed outcome within the present action. The District's comments do not address the EPA's rationale for the proposed determination of failure to attain and are outside the scope of this action.

Comment 3: The Committee for a Better Arvin, Medical Advocates for Healthy Air, and Sierra Club (''Air Advocates'') support the proposed determination of failure to attain the 1997 ozone NAAQS by the applicable attainment date in San Joaquin Valley. The Air Advocates note that, while the proposed determination is based on the design value for the 2021–2023 period, the design value for the 2022–2024 period for the San Joaquin Valley area continues to fail to attain the 1997 ozone NAAQS.

Response 3: While, as Air Advocates notes, the determination of failure to attain the 1997 ozone NAAQS in the San Joaquin Valley is based on the three-year (calendar) period (in this case, 2021–2023) prior to the June 15, 2024 attainment date, the EPA acknowledges that the San Joaquin Valley area continues to fail to attain based on a design value of 0.088 ppm for the 2022–2024 period.[10]

III. EPA Action

Pursuant to CAA section 301 and consistent with CAA section 181(b)(2), and after considering comments received, the EPA is finalizing its determination that the San Joaquin Valley failed to attain the 1997 8-hour ozone NAAQS by its June 15, 2024 attainment date, based on quality-assured and certified ambient air quality monitoring data from 2021 through 2023. The EPA is determining that this area failed to attain by the applicable attainment date solely for purposes of triggering applicable anti-backsliding requirements.[11] For Extreme areas, applicable requirements triggered upon a finding that an area failed to attain by the attainment date are nonattainment contingency measures and CAA section 185 fee programs.

[7] For a precise definition of the boundaries of the San Joaquin Valley area for the 1997 8-hour ozone NAAQS, see 40 CFR 81.305.

[8] SJVUAPCD, *2022 Plan for the 2015 8-Hour Ozone Standard (December 15, 2022),* p. 2–7.

[9] ''Indian country'' as defined at 18 U.S.C. 1151 refers to: ''(a) all land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation, (b) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state, and (c) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same.''

[10] EPA, 2024 Design Values Reports, ''Ozone Design Values, 2024,'' excel spreadsheet, updated May 28, 2025. For comparison, the highest design value consistent with a finding of attainment for the 1997 ozone NAAQS is 0.084 ppm. See 40 CFR 50.10; and 40 CFR part 50, appendix I, section 2.3.

[11] In this instance, the final determination of failure to attain the 1997 8-hour ozone standard in the San Joaquin Valley by the applicable attainment date triggers CARB's Smog Check Contingency Measure in the Valley and the District's Rule 3171 (''Federally Mandated Ozone Nonattainment Fee—1997 8-Hour Standard''). The EPA approved CARB's Smog Check Contingency Measure at 89 FR 56222 (July 9, 2024). CARB submitted District Rule 3171 to the EPA as a SIP revision on January 10, 2024, but the EPA has not yet taken action on it.

IV. Statutory and Executive Order Reviews

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

A. Executive Order 12866: Regulatory Planning and Review, and Executive Order 13563: Improving Regulation and Regulatory Review

This action is not a significant regulatory action and was therefore not submitted to the Office of Management and Budget (OMB) for review.

B. Executive Order 14192: Unleashing Prosperity Through Deregulation

Executive Order 14192 does not apply because actions that make determinations consistent with CAA section 181(b)(2) are exempted from review under Executive Order 12866.

C. Paperwork Reduction Act (PRA)

This action does not impose an information collection burden under the PRA because this action does not impose additional requirements beyond those imposed by state law.

D. Regulatory Flexibility Act (RFA)

I certify that this action will not have a significant economic impact on a substantial number of small entities under the RFA. This action will not impose any requirements on small entities beyond those imposed by state law.

E. Unfunded Mandates Reform Act (UMRA)

This action does not impose additional requirements beyond those imposed by state law. Accordingly, no additional costs to state, local, or Tribal governments, or to the private sector, will result from this action.

F. Executive Order 13132: Federalism

This action does not have federalism implications. It will not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government.

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

This action does not have Tribal implications, as specified in Executive Order 13175, because the obligations discussed herein do not apply to Indian Tribes and thus, this action will not impose substantial direct costs on Tribal governments or preempt Tribal law. Thus, Executive Order 13175 does not apply to this action. Nonetheless, the EPA is notifying the Tribes within the San Joaquin Valley ozone area of the final determination.

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

The EPA interprets Executive Order 13045 as applying only to those regulatory actions that concern environmental health or safety risks that the EPA has reason to believe may disproportionately affect children, per the definition of ''covered regulatory action'' in section 2–202 of the Executive Order. This action is not subject to Executive Order 13045 because it does not concern an environmental health risk or safety risk.

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

This action is not subject to Executive Order 13211 because it is not a significant regulatory action under Executive Order 12866.

J. National Technology Transfer and Advancement Act (NTTAA)

Section 12(d) of the NTTAA directs the EPA to use voluntary consensus standards in its regulatory activities unless to do so would be inconsistent with applicable law or otherwise impractical. The EPA believes that this action is not subject to the requirements of section 12(d) of the NTTAA because application of those requirements would be inconsistent with the CAA.

K. Congressional Review Act (CRA)

This action is not a rule and is therefore not subject to the CRA. The action is an informal adjudication dealing with the application of specific facts to preestablished discernible criteria.

L. Judicial Review

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by November 24, 2025. Filing a petition for reconsideration by the Administrator of this action does not affect the finality of this action for the purposes of judicial review, nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of this action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Nitrogen oxides, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: September 11, 2025.

Michael Martucci,

Acting Regional Administrator, Region IX.

For the reasons stated in the preamble, part 52, chapter 1, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart F—California

■ 2. Section 52.282 is amended by adding paragraph (p) to read as follows:

§ 52.282 Control strategy and regulations: Ozone.

* * * * *

(p) *Determination of Failure to Attain the 1997 8-Hour Ozone NAAQS.* The EPA has determined that, as of October 27, 2025, the San Joaquin Valley Area Extreme 8-hour ozone nonattainment area did not attain the 1997 8-hour ozone NAAQS by the applicable attainment date of June 15, 2024. This determination bears on the area's obligations with respect to the 1997 eight-hour ozone standard anti-backsliding requirements whose implementation is triggered by a determination of failure to attain by the applicable attainment date: section 172(c)(9) contingency measures for failure to attain and sections 182(d)(3) and 185 major stationary source fee programs.

[FR Doc. 2025–18636 Filed 9–24–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R03–OAR–2025–0133; FRL–11841–02–R3]

Air Plan Approval; Delaware; Motor Vehicle Inspection and Maintenance Program Certification

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving a state implementation plan (SIP) revision submitted by the State of Delaware. The SIP revision addresses Clean Air Act (CAA) requirements for the enactment of a Basic vehicle emissions inspection and maintenance (I/M) program for the Delaware portion (*i.e.,* New Castle County) of the Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE Nonattainment Area (Philadelphia NAA) for the 2015 8-hour ozone national ambient air quality standards (NAAQS).

DATES: This final rule is effective on October 27, 2025.

ADDRESSES: The EPA has established a docket for this action under Docket ID Number EPA–R03–OAR–2025–0133. All documents in the docket are listed on the *www.regulations.gov* website. Although listed in the index, some information is not publicly available, *e.g.,* confidential business information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available through *www.regulations.gov*, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

FOR FURTHER INFORMATION CONTACT: Adam Lewis, Planning & Implementation Branch (3AD30), Air & Radiation Division, U.S. Environmental Protection Agency, Region III, 1600 John F. Kennedy Boulevard, Philadelphia, Pennsylvania 19103. The telephone number is (215) 814–2026. Mr. Adam Lewis can also be reached via electronic mail at *Lewis.Adam@epa.gov*.

SUPPLEMENTARY INFORMATION:

I. Background

On June 11, 2025 (90 FR 24554), the EPA published a notice of proposed rulemaking (NPRM) for the State of Delaware. In the NPRM, the EPA proposed approval of a formal SIP revision, ''Basic Performance Standard Certification for New Castle County Inspection and Maintenance Program'' (Basic I/M Certification SIP), that was submitted by Delaware on February 14, 2024. The Basic I/M Certification SIP was submitted to satisfy the applicable CAA requirements for the New Castle County portion of the Philadelphia NAA for the 2015 8-hour ozone NAAQS. This Basic I/M certification SIP revision was submitted prior to the reclassification of the Philadelphia NAA from Moderate to Serious nonattainment for the 2015 8-hour ozone NAAQS (89 FR 61025, July 30, 2024). CAA section 182(c)(3) requires states with areas designated as Serious or above to submit SIP revisions that provide for the implementation of an Enhanced I/M program in certain urbanized areas of the NAA. As noted in the NPRM, that requirement will be addressed at a later date.

On October 7, 2022, the EPA determined that the Philadelphia NAA failed to attain the 2015 ozone NAAQS by its August 3, 2021 attainment date and reclassified the area from Marginal to Moderate nonattainment.[1] The requirements for a Moderate ozone nonattainment area include a Basic vehicle I/M program. CAA section 182(b)(4). The Basic I/M requirements are further articulated in the EPA's I/M Rule at 40 Code of Federal Regulations (CFR) part 51, subpart S.[2] The Federal performance standards [3] for a Basic I/M program are outlined in 40 CFR 51.352. Consistent with the I/M Rule, areas with existing I/M programs need to conduct and submit a performance standard modeling analysis as well as make any necessary program revisions as part of their Moderate area SIP submissions to ensure that I/M programs are operating at or above the Basic I/M performance standard level for the 2015 8-hour ozone NAAQS. These areas may determine through the performance standard modeling analysis that an existing SIP-approved program would meet the performance standard for purposes of the 2015 ozone NAAQS without modification. In this case, the state could submit a SIP revision with the associated performance modeling and a written statement certifying their determination in lieu of submitting revised regulations.[4]

II. Summary of SIP Revision and EPA's Analysis

Delaware submitted the February 14, 2024, SIP revision to address this Basic I/M program requirement for the Delaware portion of the 2015 ozone Philadelphia NAA as required for the Moderate classification. Due to more stringent nonattainment classifications under previous ozone NAAQS and Delaware's inclusion as part of the Ozone Transport Region (OTR),[5] Delaware previously established and continues to implement an Alternate Low Enhanced I/M program in New Castle County and Kent County.[6] The EPA recently approved (via a final rule published November 4, 2024, 89 FR 87500) updates to Delaware's prior approved I/M SIP that were submitted in March 2023.[7] This previous I/M program revision included regulatory updates made between the inception of Delaware's current Alternate Low Enhanced I/M program and March 2023. In approving this March 2023 SIP revision, the EPA's November 2024 action determined that the current I/M program in New Castle County (and Kent County) met the applicable CAA requirements for an Alternate Low Enhanced I/M program, a more stringent standard than a Basic program for which Delaware now seeks certification. Delaware's Alternate Low Enhanced I/M program (applicable to the Kent and New Castle Counties) was originally codified at Delaware Code Title 7, Regulation 31.[8]

Pursuant to the February 14, 2024, SIP submittal, the EPA concurs with the State's determination that the Delaware I/M program for New Castle County (within the 2015 Ozone Philadelphia NAA) meets the applicable performance standard and requirements for a Basic I/M program. Further details of Delaware's Alternate Low Enhanced I/M program, the February 14, 2024 SIP submittal, and the rationale for the EPA's proposed (and now final) action are explained in the NPRM and will not be restated here.

III. EPA's Response to Comments Received

The EPA's June 11, 2025 NPRM (90 FR 24554) opened a 30-day public comment period, which closed on July 11, 2025. The EPA received one anonymous comment that is generally supportive of enforcement and strengthening of the NAAQS. The comment provides no further

[1] 87 FR 60897 (October 7, 2022).

[2] See 40 CFR 51.350(a) for nonattainment area population I/M criteria applicability.

[3] An I/M performance standard is a collection of program design elements which defines a benchmark program to which a state's proposed I/M program is compared in terms of its potential to reduce emissions of the ozone precursors, nitrogen oxides (NO_X) and volatile organic compounds (VOCs).

[4] See section II.E of the October 7, 2022 final rule (87 FR 60897, 60906) and the April 13, 2022 proposal (87 FR 21842).

[5] The Philadelphia-Wilmington-Trenton NAA was previously classified as severe nonattainment under the now revoked 1979 ozone NAAQS. CAA Section 184(b)(1)(A) provides that an area within a state in an ozone transport region and with a metropolitan statistical area population of 100,000 or more must implement an enhanced I/M program.

[6] See 40 CFR 51.351(g) for the Alternate Low Enhanced Performance Standard.

[7] See 89 FR 87500 (November 4, 2024) and 89 FR 66295 (August 15, 2024) for these actions and a summary of the Delaware specific CAA requirements for I/M Programs, additional background on the Ozone NAAQS, and resulting Delaware Area Ozone Nonattainment Designation.

[8] Recodified by the State as 7 DE Admin. Code 1131 in 2012.

explanation or context as to the relevancy to this action. Therefore, the EPA is not responding to this comment.

IV. Final Action

The EPA is approving the Basic I/M Certification SIP submitted by Delaware on February 14, 2024 for the New Castle County Portion of the Philadelphia NAA for the 2015 8-hour ozone NAAQS as satisfying the applicable CAA requirements.

V. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Clean Air Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by State law. For that reason, this action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because SIP actions are exempt from review under Executive Order 12866;
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a state program;
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act.

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction. In those areas of Indian country, the rule does not have Tribal implications and will not impose substantial direct costs on Tribal governments or preempt Tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

This action is subject to the Congressional Review Act, and the EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by November 24, 2025. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Amy Van Blarcom-Lackey,

Regional Administrator, Region III.

For the reasons stated in the preamble, the EPA amends 40 CFR part 52 as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart I—Delaware

■ 2. In § 52.420, the table in paragraph (e) is amended by adding the entry ''Basic vehicle emission inspection and maintenance (I/M) program requirement certification for the 2015 ozone national ambient air quality standard'' at the end of the table to read as follows:

§ 52.420 Identification of plan.

* * * * *

(e) * * *

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
* *	*	*	*	* *
Basic vehicle emission inspection and maintenance (I/M) program requirement certification for the 2015 ozone national ambient air quality standard.	Delaware's portion of the Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE 2015 ozone NAAQS nonattainment area (*i.e.*, New Castle County).	2/14/2024	9/25/2025, 90 FR [INSERT **Federal Register** PAGE WHERE THE DOCUMENT BEGINS].	Certification that Delaware's previously approved regulation at 7 DE 1131 meets the requirement for a basic I/M program in a moderate ozone nonattainment area in the Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE area for the 2015 ozone NAAQS.

[FR Doc. 2025–18626 Filed 9–24–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R10–OAR–2024–0541; FRL–12449–02–R10]

Air Plan Approval; Washington; Regional Haze State Implementation Plan for the Second Implementation Period

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving the regional haze State implementation plan (SIP) revision, submitted by Washington on January 28, 2022, to address applicable requirements under the Clean Air Act (CAA) and the EPA's Regional Haze Rule (RHR) for the regional haze program's second implementation period.

DATES: This final rule is effective October 27, 2025.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA–R10–OAR–2024–0541. All documents in the docket are listed on the *https://www.regulations.gov* website. Although listed in the index, some information is not publicly available, *e.g.,* Confidential Business Information or other information the disclosure of which is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available at *https://www.regulations.gov,* or please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

FOR FURTHER INFORMATION CONTACT: Jeff Hunt, EPA Region 10, 1200 Sixth Avenue, Suite 155, Seattle, WA 98101, at (206) 553–0256 or *hunt.jeff@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document, wherever ''we'' or ''our'' is used, it means the EPA.

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I. What is being addressed in this document?

The EPA is approving a SIP revision submitted by the State of Washington to the EPA on January 28, 2022, addressing the Regional Haze Rule (RHR) requirements for the regional haze program's second implementation period. As required by section 169A of the CAA, the RHR calls for state and Federal agencies to work together to improve visibility in 156 national parks and wilderness areas. The RHR requires the states, in coordination with the EPA, the Federal Land Managers (FLMs), and other interested parties, to develop and implement air quality protection plans to reduce the pollution that causes visibility impairment in mandatory Class I Federal areas (Class I areas). Visibility impairing pollutants include fine and coarse particulate matter (*e.g.* sulfates, nitrates, organic carbon, elemental carbon, and soil dust) and their precursors (*e.g.,* sulfur dioxide, oxides of nitrogen, and, in some cases, volatile organic compounds and ammonia). As discussed in further detail in our proposed action published on July 24, 2025 (90 FR 34792), in this document, and in the accompanying Response to Comments (RTC) document, the EPA finds that Washington submitted a SIP revision that meets all RHR requirements for the second implementation period. Washington's SIP revision, the proposed action, and the accompanying RTC document may be found in the docket for this action.

II. Summary of the Proposed Action and the EPA's Reasons for This Final Action

A. Summary of the Proposed Action

On January 28, 2022, Washington submitted a SIP revision to address its regional haze obligations for the second implementation period (2018–2028). Washington made this revision to satisfy the requirements of the CAA's regional haze program pursuant to CAA sections 169A and 169B and 40 Code of Federal Regulations (CFR) 51.308.

On July 24, 2025, the EPA proposed to approve Washington's 2022 SIP revision (90 FR 34792). Specifically, the EPA proposed to approve Washington's 2022 SIP revision as satisfying the requirements of 40 CFR 51.308(f)(1): calculations of baseline, current, and natural visibility conditions, progress to date, and the uniform rate of progress; 40 CFR 51.308(f)(2): long-term strategy; 40 CFR 51.308(f)(3): reasonable progress goals; 40 CFR 51.308(f)(4): reasonably attributable visibility impairment; 40 CFR 51.308(f)(5) and 40 CFR 51.308(g): progress report requirements; 40 CFR 51.308(f)(6): monitoring strategy and other implementation plan requirements; and 40 CFR 51.308(i): FLM consultation. Our public comment period closed on August 25, 2025. We received 5 comments, the full text of which may be found in the docket for this action.

Our July 2025 proposed action provided background on the requirements of the CAA and RHR, a summary of Washington's regional haze SIP revision and related EPA actions, and the EPA's rationale for its proposed action. That background and rationale will not be restated here.

B. Reasons for This Final Action

In this final action, the EPA is affirming that it is now the Agency's policy that, where visibility conditions for a Class I area impacted by a state are below the uniform rate of progress (URP) and the state has considered the four statutory factors, the state will have presumptively demonstrated reasonable progress for the second implementation period for that Class I area. The EPA acknowledges that this final action reflects a change in policy as to how the URP should be used in the evaluation of regional haze second implementation period SIP revisions but believes that this policy better aligns with the purpose of the statute and RHR: achieving ''reasonable'' progress towards natural visibility.

As described in the final rule approving West Virginia's regional haze plan, the EPA has discretion and authority to change its policy.[1] In *FCC* v. *Fox Television Stations, Inc.,* the U.S. Supreme Court plainly stated that an agency is free to change a prior policy and ''need not demonstrate . . . that the reasons for the new policy are better than the reasons for the old one; it suffices that the new policy is permissible under the statute, that there are good reasons for it, and that the agency believes it to be better.'' 566 U.S. 502, 515 (2009) (referencing Motor *Vehicle Mfrs. Ass'n of United States, Inc.* v. *State Farm Mut. Auto. Ins. Co.,* 463 U.S. 29 (1983)). *See also Perez* v. *Mortgage Bankers Assn.,* 135 S. Ct. 1199 (2015).

The Class I areas impacted by emissions from Washington are all below the 2028 URP, and Washington's SIP revision demonstrated that the state took into consideration the four reasonable progress factors listed in CAA section 169A(g)(1)[2] with respect to

[1] 90 FR 29737 (August 6, 2025).

[2] The four statutory factors required to be taken into consideration in determining reasonable

an adequate number of emissions sources. Thus, the EPA has determined that Washington's SIP revision is fully approvable under the Agency's new policy. Indeed, we think this policy better aligns with the statutory goal because it recognizes the considerable improvements in visibility impairment that have been made by a wide variety of state and Federal programs in recent decades.

In developing the regulations required by CAA section 169A(b), the EPA established the concept of the URP for each Class I area. The URP is determined by drawing a straight line from the measured 2000–2004 baseline conditions (in deciviews) for the 20% most impaired days at each Class I area to the estimated natural conditions (in deciviews) for the 20% most impaired days in 2064. From this calculation, a URP value can be calculated for each year between 2004 and 2064. The EPA developed the URP to address the diverse concerns of Eastern and Western states and account for the varying levels of visibility impairment in Class I areas around the country while ensuring an equitable approach nationwide. For each Class I area, states must calculate the URP for the end of each implementation period (*e.g.,* in 2028 for the second implementation period).[3] 40 CFR 51.308(f)(1)(vi)(A). States may also adjust the URP to account for impacts from anthropogenic sources outside the United States and/or impacts from certain wildland prescribed fires. 40 CFR 51.308(f)(1)(vi)(B). Then, for each Class I area, states must compare the reasonable progress goal (RPG) for the 20% most impaired days to the URP for the end of the implementation period. If the RPG is above the URP, then an additional ''robust demonstration'' requirement is triggered for each state that contributes to that Class I area. 40 CFR 51.308(f)(3)(ii)(B).

In the 2017 RHR Revisions, the EPA addressed the role of the URP as it relates to a state's development of its second implementation period SIP (82 FR 3078, January 10, 2017). Specifically, in response to comments suggesting that the URP should be considered a ''safe harbor'' that relieve states of any obligation to consider the four statutory factors, the EPA explained that the URP was not intended to be such a safe harbor (82 FR 3078, January 10, 2017, at page 3099). ''Some commenters stated a desire for corresponding rule text dealing with situations where RPGs are equal to (''on'') or better than (''below'') the URP or glidepath. Several commenters stated that the URP or glidepath should be a ''safe harbor,'' opining that states should be permitted to analyze whether projected visibility conditions for the end of the implementation period will be on or below the glidepath based on on-the-books or on-the-way control measures, and that in such cases a four-factor analysis should not be required.'' *Id.*

Other comments indicated a similar approach, such as ''a somewhat narrower entrance to a 'safe harbor,' by suggesting that if current visibility conditions are already below the end-of-planning-period point on the URP line, a four-factor analysis should not be required.'' *Id.* The EPA stated in its response that we did not agree with either of these recommendations. ''The CAA requires that each SIP revision contain long-term strategies for making reasonable progress, and that in determining reasonable progress states must consider the four statutory factors. Treating the URP as a safe harbor would be inconsistent with the statutory requirement that states assess the potential to make further reasonable progress towards natural visibility goal in every implementation period.'' *Id.*

Importantly, the EPA's recently adopted policy does not make the URP a safe harbor. The policy merely creates a presumption that the State's second implementation period SIP is making reasonable progress for a Class I area if the state has taken into consideration the four statutory factors of CAA section 169A(g)(1) and that area is below the URP. As discussed in our proposed action, the Class I areas impacted by emissions from Washington are all below the 2028 URP, and Washington's SIP revision demonstrated that the state took into consideration the four reasonable progress factors listed in CAA section 169A(g)(1)[4] with respect to an adequate number of emissions sources. Thus, the EPA has determined that Washington's SIP revision is fully approvable under the Agency's new policy. This is consistent with the CAA and RHR.

III. Public Comments and EPA Responses

The public comment period on our proposed action closed on August 25, 2025. During the public comment period, we received 5 comments. The commenters were: a coalition of conservation groups,[5] the Mid-Atlantic/Northeast Visibility Union (MANEVU),[6] the Power Generators Air Coalition,[7] a coalition of park advocates,[8] and one anonymous member of the public.[9] The full text of the comments received may be found in the docket for this action, at *https://www.regulations.gov.* The accompanying RTC document, which is also included in the docket for this action, provides detailed responses to all significant comments received.

IV. Final Action

For the reasons stated in our July 24, 2025, proposed action, in the accompanying RTC document, and in this document, we are approving Washington's 2022 SIP revision. Specifically, we are approving the following aspects of Washington's 2022 SIP revision relating to CAA section 169A:

- Calculations of baseline, current, and natural visibility conditions, progress to date, and uniform rate of progress (40 CFR 51.308(f)(1));
- Long-term strategy (40 CFR 51.308(f)(2));
- Reasonable progress goals (40 CFR 51.308(f)(3));
- Reasonably attributable visibility impairment (40 CFR 51.308(f)(4));
- Progress report requirements (40 CFR 51.308(f)(5) and 40 CFR 51.308(g));
- Monitoring strategy and other implementation plan requirements (40 CFR 51.308(f)(6)); and
- FLM consultation (40 CFR 51.308(i)).

We are also finalizing our proposed determination to update certain outdated provisions in the Washington

progress are: the costs of compliance, the time necessary for compliance, and the energy and non-air quality environmental impacts of compliance, and the remaining useful life of any existing source subject to such requirements. CAA section 169(g)(1).

[3] We note that RPGs are a regulatory construct that we developed to address the statutory mandate in CAA section 169B(e)(1), which required our regulations to include ''criteria for measuring 'reasonable progress' toward the national goal.'' Under 40 CFR 51.308(f)(3)(ii), RPGs measure the progress that is projected to be achieved by the control measures a state has determined are necessary to make reasonable progress. Consistent with the 1999 RHR, the RPGs are unenforceable, though they create a benchmark that allows for analytical comparisons to the URP and mid-implementation-period course corrections if necessary (82 FR 3078, January 10, 2017, at pages 3091–92).

[4] The four statutory factors required to be taken into consideration in determining reasonable progress are: the costs of compliance, the time necessary for compliance, and the energy and non-air quality environmental impacts of compliance, and the remaining useful life of any existing source subject to such requirements. CAA section 169(g)(1).

[5] Letter dated August 25, 2025, from the Coalition to Protect America's National Parks, the National Parks Conservation Association, the North Cascades Conservation Council, the Olympic Park Advocates, the Puget Soundkeeper and the Sierra Club.

[6] Letter dated August 25, 2025, from MANEVU.

[7] Letter dated August 25, 2025, from the Power Generators Air Coalition.

[8] Letter dated August 25, 2025, signed by 160 individuals.

[9] Submitted via *Regulations.gov.*

SIP. As part of the regional haze SIP for the first implementation period, the EPA approved Administrative Order No. 7837, Revision 1, for the Alcoa Intalco Works facility located in Ferndale, Washington (79 FR 33438, June 11, 2014). In the same action, the EPA promulgated Federal implementation plan (FIP) requirements under 40 CFR 52.2500 *Best available retrofit technology requirements for the Intalco Aluminum Corporation (Intalco Works) primary aluminum plant—Better than BART Alternative* and 40 CFR 52.2502 *Best available retrofit technology requirements for the Alcoa Inc.—Wenatchee Works primary aluminum smelter*. Our proposed action explained that the two Alcoa aluminum smelters in Washington have both permanently closed with termination of the operating permits.[10] Therefore, we are removing from incorporation by reference in 40 CFR 52.2470(d), Administrative Order No. 7837, Revision 1, for the Alcoa Intalco Works in Ferndale. We are also removing the FIP requirements for both closed facilities in 40 CFR 52.2500 and 52.2502, and we are revising cross references to these provisions in 40 CFR 40 CFR 52.2470(e) and 52.2498(c).

V. Incorporation by Reference

In this document, the EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, we are removing the incorporation by reference of source-specific provisions for the Alcoa Intalco Works facility located in Ferndale, Washington, as described in section IV. of this preamble and set forth in the amendments to 40 CFR part 52 in this document. The EPA has made, and will continue to make, incorporation by reference materials generally available through *https://www.regulations.gov* and at the EPA Region 10 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information). Therefore, revisions to the materials incorporated by reference have been approved by the EPA for inclusion in the SIP, have been incorporated by reference by the EPA into that plan, are fully federally enforceable under sections 110 and 113 of the CAA as of the effective date of the final rule of the EPA's approval, and will be incorporated by reference in the next update to the SIP compilation.[11]

[10] 90 FR 34792 (July 24, 2025), at pages 34806 and 34812.

[11] 62 FR 27968 (May 22, 1997).

VI. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP revision that complies with the provisions of the CAA and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP revisions, the EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because SIP actions are exempt from review under Executive Order 12866;
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a state program;
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act.

In addition, this action is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction. In those areas of Indian country, the rule does not have Tribal implications and will not impose substantial direct costs on Tribal Governments or preempt Tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). Nevertheless, we provided an opportunity for consultation to all Tribes in Washington in letters dated June 27, 2022, included in the docket for this action.

This action is subject to the Congressional Review Act, and the EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by November 24, 2025. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. See section 307(b)(2).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: September 15, 2025.

Emma Pokon,

Regional Administrator, Region 10.

For the reasons set forth in the preamble, the EPA amends 40 CFR part 52 as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart WW—Washington

■ 2. In § 52.2470:
■ a. Amend the table in paragraph (d) by removing the entry for ''Alcoa Intalco Works''; and
■ b. Amend table 2 in paragraph (e), under the heading ''Visibility and Regional Haze Plans'', by:
■ i. Revising the entry ''Regional Haze SIP''; and
■ ii. Adding an entry for ''Washington Regional Haze SIP Revision for the Second Implementation Period (2018–2028)'' immediately after the entry for ''Regional Haze Progress Report''.

The revision and addition read as follows:

§ 52.2470 Identification of plan.

* * * * *

(e) * * *

TABLE 2—ATTAINMENT, MAINTENANCE, AND OTHER PLANS

Name of SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Explanations
*	*	*	*	*
Visibility and Regional Haze Plans				
*	*	*	*	*
Regional Haze SIP	Statewide	12/22/10	6/11/14, 79 FR 33438	The Regional Haze SIP including those provisions relating to BART incorporated by reference in § 52.2470 'Identification of plan' with the exception of the BART provisions that are replaced with a BART FIP in § 52.2498 Visibility protection and § 52.2501 Best available retrofit technology (BART) requirement for the Tesoro Refining and Marketing Company oil refinery—Better than BART Alternative.
*	*	*	*	*
Washington Regional Haze SIP Revision for the Second Implementation Period (2018–2028).	Statewide	1/28/22	9/25/25, 90 FR [INSERT **Federal Register** PAGE WHERE THE DOCUMENT BEGINS].	
*	*	*	*	*

■ 3. In § 52.2498, revise paragraph (c) to read as follows:

§ 52.2498 Visibility protection.

* * * * *

(c) The requirements of sections 169A and 169B of the Clean Air Act are not met because the plan does not include approvable provisions for protection of visibility in mandatory Class I Federal areas, specifically the Best Available Retrofit Technology (BART) requirement for regional haze visibility impairment (§ 51.308(e)). The EPA BART requirements are found in § 52.2501.

§§ 52.2500 and 52.2502 [Removed and Reserved]

■ 4. Remove and reserve §§ 52.2500 and 52.2502.

[FR Doc. 2025–18599 Filed 9–24–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52, 62, and 70

[EPA–R07–OAR–2025–0289; FRL–12821–02–R7]

Air Plan Approval; Missouri; Definitions and Common Reference Tables

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking final action to approve revisions to the State Implementation Plan (SIP) for the State of Missouri related to Definitions and Common Reference Tables used in Missouri rules. EPA has also previously approved this rule as part of the air planning and permitting program. Some of the definitions are associated with those programs, even though many of the definitions pertain only to the SIP. These revisions do not impact the stringency of the SIP or have an adverse effect on air quality. The EPA's final approval of this rule revision is being done in accordance with the requirements of the Clean Air Act (CAA).

DATES: This final rule is effective on October 27, 2025.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA–R07–OAR–2025–0289. All documents in the docket are listed on the *https://www.regulations.gov* website. Although listed in the index, some information is not publicly available, *i.e.,* Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available through *https://www.regulations.gov* or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional information.

FOR FURTHER INFORMATION CONTACT: Steven Brown Environmental Protection Agency, Region 7 Office, Air Quality Planning Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219; telephone number: (913) 551–7718; email address: *brown.steven@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document ''we,'' ''us,'' and ''our'' refer to EPA.

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I. What is being addressed in this document?
II. Have the requirements for approval of a SIP revision been met?
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IV. What action is the EPA taking?
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I. What is being addressed in this document?

The EPA is approving a SIP revision submitted by the State of Missouri on July 15, 2024. The revisions are to Title 10, Division 10 of the Code of State Regulations (CSR), 10 CSR 10–6.020 ''Definitions and Common Reference Tables.'' The purpose of the state regulation is to provide definitions of key words and expressions used in Missouri rules for Chapters 1–6 statewide and provides common reference tables. The amendments to this rule add definitions and remove obsolete definitions since the last rule, either because the definitions have been added into an associated applicable rule, the terms are already defined in statute, or the applicable rule has been rescinded. Additionally, the list of Hazardous Air Pollutants and Exempt Volatile Organic Compounds is updated to match the current lists dictated in the CAA section 112(b)(1) and 40 CFR 51.100(s), respectively. These revisions meet the requirements of the CAA, do not impact the stringency of the SIP, and do not adversely impact air quality. The full text of the rule revisions as well as the EPA's analysis of the revisions can be found in the technical support document (TSD) included in this docket.

II. Have the requirements for approval of a SIP revision been met?

The State's submission has met the public notice requirements for SIP submissions in accordance with 40 CFR 51.102. The submission also satisfied the completeness criteria of 40 CFR part 51, appendix V. The State provided public notice on this SIP revision from November 1, 2023, to December 14, 2023, and held a public hearing on December 7, 2023. Missouri received two comments during the comment period on 10 CSR 10–6.020. Missouri responded to all comments and revised the rule based on public comments prior to submitting to the EPA, as noted in the State submission included in the docket for this action. As explained above and in more detail in the technical support document, which is part of this docket, the revision meets the substantive SIP requirements of the CAA, including section 110 and implementing regulations.

III. The EPA's Response to Comments

The public comment period on the EPA's proposed rule opened June 27, 2025, the date of its publication in the **Federal Register** and closed on July 28, 2025 (90 FR 27496). During this period, the EPA received two non-substantive comments from two separate anonymous commenters.

IV. What action is the EPA taking?

The EPA is taking final action to amend the Missouri SIP by approving the State's request to revise 10 CSR 10–6.020 ''Definitions and Common Reference Tables.'' This final action approves these amendments as part of the SIP, 111(d), and Title V programs even though many of the definitions only pertain to SIPs.

V. Incorporation by Reference

In this document, the EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is finalizing the incorporation by reference of the Missouri rule 10 CSR 10–6.020 discussed in section I. of this preamble and as set forth below in the amendments to 40 CFR part 52. The purpose of this state regulation is to provide definitions of key words and expressions used in Missouri rules for Chapters 1–6 statewide and provides common reference tables. The EPA has made, and will continue to make, these materials generally available through *https://www.regulations.gov* and at the EPA Region 7 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

Therefore, these materials have been approved by the EPA for inclusion in the State Implementation Plan, have been incorporated by reference by the EPA into that plan, are fully federally enforceable under sections 110 and 113 of the CAA as of the effective date of the final rulemaking of the EPA's approval, and will be incorporated by reference in the next update to the SIP compilation.[1]

VI. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because SIP actions are exempt from review under Executive Order 12866;
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a state program;
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA.

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction. In those areas of Indian country, the rule does not have Tribal implications and will not impose substantial direct costs on Tribal governments or preempt Tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

This action is subject to the Congressional Review Act (CRA), and the EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by November 24, 2025. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the

[1] 62 FR 27968, May 22, 1997.

purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements (see section 307(b)(2)).

List of Subjects

40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

40 CFR Part 62

Environmental protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations, Reporting and recordkeeping requirements.

40 CFR Part 70

Environmental protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations, Operating permits, Reporting and recordkeeping requirements.

Dated: September 9, 2025.

James Macy,

Regional Administrator, Region 7.

For the reasons stated in the preamble, the EPA amends 40 CFR parts 52, 62, and 70 as set forth below:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart AA—Missouri

■ 2. In § 52.1320, the table in paragraph (c) is amended by revising the entry ''10–6.020'' to read as follows:

§ 52.1320 Identification of plan.

* * * * *

(c) * * *

EPA-APPROVED MISSOURI REGULATIONS

Missouri citation	Title	State effective date	EPA approval date	Explanation
Missouri Department of Natural Resources				
.				
*	*	*	*	*
Chapter 6—Air Quality Standards, Definitions, Sampling and Reference Methods, and Air Pollution Control Regulations for the State of Missouri				
.				
*	*	*	*	*
10–6.020	Definitions and Common Reference Tables	5/30/2024	9/25/2025, 90 FR [insert **Federal Register** page where the document begins].	
*	*	*	*	*

* * * * *

PART 62—APPROVAL AND PROMULGATION OF STATE PLANS FOR DESIGNATED FACILITIES AND POLLUTANTS

■ 3. The authority citation for part 62 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart AA—Missouri

■ 4. Section 62.6350 is amended by revising paragraph (b)(6) to read as follows:

§ 62.6350 Identification of plan.

* * * * *

(b) * * *

(6) A revision to Missouri's 111(d) plan to incorporate state regulation 10 CSR 10–6.020 Definitions and Common Reference Tables was state effective May 20, 2024. The effective date of the amended plan is November 24, 2025.

* * * * *

PART 70—STATE OPERATING PERMIT PROGRAMS

■ 5. The authority citation for part 70 continues to read as follows:

Authority: 42 U.S.C. 7401, *et seq.*

■ 6. Appendix A to part 70 is amended by revising paragraph (cc) under ''Missouri'' to read as follows:

Appendix A to Part 70—Approval Status of State and Local Operating Permits Programs

* * * * *

Missouri

* * * * *

(cc) The Missouri Department of Natural Resources submitted revisions to Missouri rule 10 CSR 10–6.020, ''Definitions and Common Reference Tables'' on July 15, 2024. The state effective date is May 20, 2024. This revision is effective November 24, 2025.

* * * * *

[FR Doc. 2025–18568 Filed 9–24–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 81

[EPA–R09–OAR–2024–0611; FRL–12521–02–R9]

Air Plan Approval; California; San Joaquin Valley 1-Hour Ozone Area; Maintenance Plan and Redesignation Request

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking final action to approve the ''2023 Maintenance Plan

and Redesignation Request for the Revoked 1-Hour Ozone Standard'' (''San Joaquin Valley Maintenance Plan'' or ''Plan'') as a revision to the state implementation plan (SIP) for the State of California. The San Joaquin Valley Maintenance Plan includes, among other elements, an emissions inventory consistent with attainment and contingency provisions. The EPA is also finalizing its finding that the State of California's request to redesignate the San Joaquin Valley area from nonattainment to attainment for the revoked 1979 1-hour national ambient air quality standard (NAAQS or ''standard'') for ozone (''1979 ozone NAAQS,'' ''1-hour ozone NAAQS,'' or ''1-hour ozone standard'') meets all the Clean Air Act (CAA or ''the Act'') criteria for redesignation. Therefore, the EPA is terminating all anti-backsliding obligations for the San Joaquin Valley area for the revoked 1-hour ozone NAAQS.

DATES: This action will be effective on October 27, 2025.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA–R09–OAR–2024–0611. All documents in the docket are listed on the *https://www.regulations.gov* website. Although listed in the index, some information is not publicly available, *e.g.,* Confidential Business Information or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available through *https://www.regulations.gov,* or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information. If you need assistance in a language other than English or if you are a person with a disability who needs a reasonable accommodation at no cost to you, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: Andrew Ledezma, EPA Region IX, 75 Hawthorne St., San Francisco, CA 94105. By phone: (415) 972–3985 or by email at *Ledezma.Andrew@epa.gov*.

SUPPLEMENTARY INFORMATION: Throughout this document, ''we,'' ''us,'' and ''our'' refer to the EPA.

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I. Summary of Proposed Action
II. Public Comments and EPA Responses
III. Final Action
IV. Statutory and Executive Order Reviews

I. Summary of Proposed Action

On June 23, 2025, under CAA section 110(k)(3), the EPA proposed to approve the San Joaquin Valley Maintenance Plan submitted by the California Air Resources Board (CARB) on July 21, 2023, as a revision to the California SIP.[1] Consistent with the requirements in CAA section 175A and EPA guidance,[2] we proposed to find that the San Joaquin Valley Maintenance Plan adequately addressed the required elements of a maintenance plan: an emissions inventory, a maintenance demonstration, a commitment to maintain an air quality monitoring network, verification of continued attainment, and a contingency plan.

In our proposed action, we also proposed to find that California's redesignation request meets all five criteria for redesignation in CAA section 107(d)(3)(E) for the 1-hour ozone NAAQS. We proposed to find that the San Joaquin Valley area meets the criteria in CAA section 107(d)(3)(E) based on the following: the San Joaquin Valley area attained the 1979 ozone NAAQS based on the 2021–2023 period of quality-assured, certified, and complete ozone data; the applicable portions of the California SIP are fully approved; the improvement in air quality is due to permanent and enforceable emissions reductions; California has met all requirements applicable to the San Joaquin Valley area with respect to section 110 and part D of the CAA; and based on our proposed approval as described above, the San Joaquin Valley Maintenance Plan meets the requirements for maintenance plans under section 175A of the CAA. Therefore, California has met the criteria for redesignation under CAA section 107(d)(3)(E) for the San Joaquin Valley area with respect to the 1979 ozone NAAQS.

Although CAA section 107(d)(3) applies explicitly only to revisions of area designations and the designations for this area have been revoked along with the NAAQS, the EPA's view is that, consistent with the U.S. Court of Appeals for the District of Columbia Circuit's findings in *South Coast Air Quality Management District* v. *EPA (''South Coast II'')*,[3] satisfaction of the statutory redesignation criteria permits the termination of any remaining anti-backsliding obligations for the San Joaquin Valley area as to the revoked 1979 ozone NAAQS. Therefore, we proposed to terminate anti-backsliding obligations, identified at 40 CFR 51.1100(o), for the San Joaquin Valley area associated with the 1-hour ozone NAAQS and to revise the table in 40 CFR part 81 to reflect the status of applicable anti-backsliding obligations in the San Joaquin Valley area for the revoked 1979 ozone NAAQS.

Our proposed rulemaking has a detailed discussion of the background for this action, our procedural and substantive review of the San Joaquin Valley Maintenance Plan, and our rationale for terminating anti-backsliding obligations for the San Joaquin Valley area associated with the 1-hour ozone NAAQS.

II. Public Comments and EPA Responses

Our June 23, 2025 proposed rulemaking provided a 30-day public comment period that closed on July 22, 2025. During this period, we received comment letters from two organizations and one anonymous commenter. CARB and the San Joaquin Valley Unified Air Pollution Control District (''SJVUAPCD'') submitted letters supporting the EPA's proposed action.[4] The anonymous commenter submitted a comment objecting to our proposed action. In the following paragraphs, we will summarize the comment objecting to our proposed action and provide our response.

The anonymous commenter states the EPA's regulations should be updated to address new sources of environmental issues, such as wildfires and changes in the ozone. The commenter states that this implementation plan should be revised to address outdated EPA standards and to ensure citizens are protected.

We acknowledge the comment; however, it fails to assert or explain how the EPA's approval of the San Joaquin Valley Maintenance Plan and finding that the redesignation request meets all criteria in CAA section 107(d)(3)(E) is erroneous or otherwise inconsistent with the CAA, applicable regulations, or other authorities. We also note that the San Joaquin Valley area remains in nonattainment for several more recent and more stringent ozone standards, which requires the development and implementation of state implementation plans to reduce ozone concentrations in the San Joaquin Valley area to levels the

[1] 90 FR 26469 (June 23, 2025).

[2] See memorandum dated September 4, 1992, from John Calcagni, Director, Air Quality Management Division, Office of Air Quality Planning and Standards, EPA, Subject: ''Procedures for Processing Requests to Redesignate Areas to Attainment.''

[3] 882 F.3d 1138 (D.C. Cir. 2018).

[4] Letter dated July 22, 2025, from Edie Chang, Deputy Executive Officer, CARB to Joshua F.W. Cook, Regional Administrator, EPA Region IX; and letter dated July 23, 2025, from Emily Kneeland, Director of Air Quality Planning, SJVUACPD.

EPA has determined are protective of human health. As such, the comment does not require further response in order to finalize the action as proposed.

III. Final Action

Under CAA section 110(k)(3), and for reasons set forth in our June 23, 2025 proposed rule, the EPA is taking final action to approve the San Joaquin Valley Maintenance Plan submittal as a revision to the California SIP. The EPA finds that the maintenance demonstration showing the area will continue to maintain the 1979 ozone NAAQS for 10 years beyond redesignation, the contingency provisions describing the actions that SJVUAPCD and CARB will take in the event of a future monitored violation, and the other elements of the San Joaquin Valley Maintenance Plan meet all applicable requirements for maintenance plans and related contingency provisions in CAA section 175A.

We are also determining that all five of the redesignation criteria at CAA section 107(d)(3)(E) for the San Joaquin Valley area have been met for the standard. We are terminating the anti-backsliding obligations for the San Joaquin Valley area with respect to the revoked 1-hour ozone NAAQS. Consistent with the *South Coast II* decision, anti-backsliding obligations for the revoked ozone standard may be terminated when the redesignation criteria for that standard are met.

IV. Statutory and Executive Order Reviews

Under the Clean Air Act, redesignation of a nonattainment area to attainment and the accompanying approval of a maintenance plan under section 107(d)(3)(E) are actions that affect the status of a geographical area and do not impose any additional regulatory requirements on sources beyond those imposed by the SIP and applicable Federal rules. Redesignation to attainment does not in and of itself create any new requirements but rather results in the applicability of less stringent requirements contained in the CAA for areas that have been redesignated to attainment. While we are not in this action redesignating any areas to attainment, we are approving the state's demonstration that all five redesignation criteria have been met. Similar to a redesignation, the termination of anti-backsliding obligations in this action does not impose any new requirements.

With regard to the SIP approval portions of this action, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. Accordingly, these actions merely approve a SIP revision and redesignation request as meeting Federal requirements and do not impose additional requirements beyond those imposed by state law. For these reasons, these actions:

- Is not a ''significant regulatory action'' subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- Is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because SIP actions are exempt from review under Executive Order 12866;
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a state program;
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction. In those areas of Indian country, the rule does not have Tribal implications and will not impose substantial direct costs on Tribal governments or preempt Tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

This action is subject to the Congressional Review Act, and the EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by November 24, 2025. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review, nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects

40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Nitrogen dioxide, Particulate Matter, Sulfur Dioxide, Reporting and recordkeeping requirements, Volatile organic compounds.

40 CFR Part 81

Environmental protection, Air pollution control, Carbon monoxide, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Authority: 42 U.S.C. 7401 *et seq.*

Dated: September 11, 2025.

Michael Martucci,

Acting Regional Administrator, Region IX.

For the reasons stated in the preamble, the EPA amends 40 CFR parts 52 and 81 as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart F—California

■ 2. In § 52.220a, in paragraph (e), amend table 8 by adding an entry for ''2023 Maintenance Plan and Redesignation Request for the Revoked 1-Hour Ozone Standard'' after the entry for ''Letter from David Warner, Deputy Air Pollution Control Officer, San Joaquin Valley Unified APCD, to Gerardo C. Rios, Chief, Air Permits Office, EPA Region IX, dated June 26, 2014.''

§ 52.220a Identification of plan—in part. (e) * * *

* * * * *

Name of SIP provision	Applicable geographic area	State submittal date	EPA approval date	Explanation
*	*	*	*	*
2023 Maintenance Plan and Redesignation Request for the Revoked 1-Hour Ozone Standard.	San Joaquin Valley	July 21, 2023	9/25/2025, 90 FR [INSERT **FEDERAL REGISTER** PAGE WHERE THE DOCUMENT BEGINS].	Submitted on July 21, 2023, as an attachment to a letter of the same date.
*	*	*	*	*

* * * * *

PART 81—DESIGNATION OF AREAS FOR AIR QUALITY PLANNING PURPOSES

■ 3. The authority citation for part 81 continues to read as follows:

Authority: 42 U.S.C 7401 *et seq.*

Subpart C—Section 107 Attainment Status Designations

■ 4. In § 81.305 amend the table, ''California—Ozone (1-Hour Standard),'' by:

■ a. Revising the entry for ''San Joaquin Valley Area''; and

■ b. Adding footnote ''7''.

The revisions and additions read as follows:

§ 81.305 California.

* * * * *

CALIFORNIA—OZONE

[1-Hour standard] [4]

Designated area	Designation		Classification	
	Date [1]	Type	Date [1]	Type
*	*	*	*	*
San Joaquin Valley Area:				
Fresno County	10/27/2025	(7)		
Kern County (part). That portion of Kern County that lies west and north of a line described below:	10/27/2025	(7)		
Beginning at the Kern-Los Angeles County boundary and running north and east along the northwest boundary of the Rancho La Pliebre Land Grant to the point of intersection with the range line common to Range 16 West and Range 17 West, San Bernardino Base and Meridian; north along the range line to the point of intersection with the Rancho El Tejon Land Grant boundary; then southeast, northeast, and northwest along the boundary of the Rancho El Tejon Grant to the northwest corner of Section 3, Township 11 North, Range 17 West; then west 1.2 miles; then north to the Rancho El Tejon Land Grant boundary; then northwest along the Rancho El Tejon line to the southeast corner of Section 34, Township 32 South, Range 30 East, Mount Diablo Base and Meridian; then north to the northwest corner of Section 35, Township 31 South, Range 30 East; then northeast along the boundary of the Rancho El Tejon Land Grant to the southwest corner of Section 18, Township 31 South, Range 31 East; then east to the southeast corner of Section 13, Township 31 South, Range 31 East; then north along the range line common to Range 31 East and Range 32 East, Mount Diablo Base and Meridian, to the northwest corner of Section 6, Township 29 South, Range 32 East; then east to the southwest corner of Section 31, Township 28 South, Range 32 East; then north along the range line common to Range 31 East and Range 32 East to the northwest corner of Section 6, Township 28 South, Range 32 East, then west to the southeast corner of Section 36, Township 27 South, Range 31 East, then north along the range line common to Range 31 East and Range 32 East to the Kern-Tulare County boundary:				
Kings County	9/25/2025	(7)		
Madera County	10/27/2025	(7)		
Merced County	10/27/2025	(7)		
San Joaquin County	10/27/2025	(7)		
Stanislaus County	10/27/2025	(7)		
Tulare County	10/27/2025	(7)		
*	*	*	*	*

[1] This date is October 18, 2000 unless otherwise noted.

* * * * * * *

[4] The 1-hour ozone standard is revoked effective June 15, 2005 for all areas in California. The Monterey Bay, San Diego, and Santa Barbara-Santa Maria-Lompoc areas are maintenance areas for the 1-hour NAAQS for purposes of 40 CFR part 51 subpart X.

* * * * * * *

[7] The San Joaquin Valley Area was designated and classified as ''Extreme'' nonattainment on April 16, 2004 and was so designated and classified when the 1-hour ozone standard, designations and classifications were revoked. The area has since attained the 1-hour ozone standard and met all the Clean Air Act criteria for redesignation. All 1-hour ozone standard anti-backsliding obligations for the area are terminated effective October 27, 2025.

* * * * *

[FR Doc. 2025–18637 Filed 9–24–25; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Part 3800

[Docket No. BLM–2025–0021; A2407–014–004–065516; #O2412–014–004–047181.1]

RIN 1004–AF37

Rescission of Regulations Regarding Operations Conducted Under Notices for Mining Claims

AGENCY: Bureau of Land Management, Interior.

ACTION: Direct final rule; request for comments.

SUMMARY: This direct final rule rescinds a portion of Bureau of Land Management (BLM) regulations that address Mining Claims Under the General Mining Laws—Surface Management—Operations Conducted Under Notices—Does this subpart apply to my existing notice-level operations.

DATES: The final rule is effective on November 24, 2025, unless significant adverse comments are received by October 27, 2025. If significant adverse comments are received, notice will be published in the **Federal Register** before the effective date either withdrawing the rule or issuing a new final rule that responds to significant adverse comments.

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

- *Federal eRulemaking Portal: https://www.regulations.gov.* In the Search box, enter the Docket Number ''BLM–2025–0021'' and click the ''Search'' button. Follow the instructions at this website.
- *Mail, personal, or messenger delivery:* U.S. Department of the Interior, Director (630), Bureau of Land Management, 1849 C St. NW, Room 5646, Washington, DC 20240, Attention: 1004–AF37.

FOR FURTHER INFORMATION CONTACT: Kirk Rentmeister, National Mining Law Program Lead, telephone: 775–435–5514; email: *krentmei@blm.gov.* Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

For a summary of the final rule, please see the abstract description of the document in Docket Number BLM–2025–0021 on *www.regulations.gov.*

SUPPLEMENTARY INFORMATION: The Federal regulations implementing section 302(b) of the Federal Land Policy and Management Act, 43 U.S.C. 1732(b), and the Federal mining laws on public lands, other than wilderness study areas, are contained in 43 CFR part 3809. These regulations manage public lands in a manner that allows for development of minerals that are subject to the mining laws while preventing unnecessary or undue degradation. Upon reviewing these regulations, the Department of the Interior (Department) has determined that paragraphs (b) through (d) of 43 CFR 3809.300 should be rescinded due to obsolescence resulting from the passage of time. The content of existing paragraph (a) of 43 CFR 3809.300 will become the entire remaining section. Obsolete provisions of existing paragraph (a) are also similarly removed for clarity.

The Department has determined that this reason, independently and alone, justifies rescission of 43 CFR 3809.300(b) through (d). The Department has no interest in maintaining a rule that is obsolete.

The Department is issuing this rule as a direct final rule. Although the Administrative Procedure Act (APA, 5 U.S.C. 551 through 559) generally requires agencies to engage in notice and comment rulemaking, section 553 of the APA provides an exception when the agency ''for good cause finds'' that notice and comment are ''impracticable, unnecessary, or contrary to the public interest.'' Id. The Department has determined that notice and comment are unnecessary because this rule is noncontroversial; of a minor, technical nature; involves little agency discretion; and is unlikely to receive any significant adverse comments. Significant adverse comments are those that oppose the rescission of the rule and raise, alone or in combination, (1) reasons why the rescission of the rule is inappropriate, including challenges to the rescission's underlying premise; or (2) serious unintended consequences of the rescission. A comment recommending an addition to the rule will not be considered significant and adverse unless the comment explains how this direct final rule would be ineffective without the addition.

Procedural Matters

Executive Order (E.O.) 12866—Regulatory Planning and Review and E.O. 13563—Improving Regulation and Regulatory Review

E.O. 12866 provides that the Office of Information and Regulatory Affairs (OIRA) in the Office of Management and Budget (OMB) will review all significant rules. OIRA has determined that this rule is not significant.

E.O. 13563 reaffirms the principles of E.O. 12866, while calling for improvements in the Nation's regulatory system to promote predictability, reduce uncertainty, and use the best, most innovative, and least burdensome tools for achieving regulatory ends. E.O. 13563 directs agencies to consider regulatory approaches that reduce burdens and maintain flexibility and freedom of choice for the public where these approaches are relevant, feasible, and consistent with regulatory objectives. E.O. 13563 emphasizes further that agencies must base regulations on the best available science and that the rulemaking process must allow for public participation and an open exchange of ideas. The Department developed this rule in a manner consistent with these requirements.

Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA, 5 U.S.C. 601 through 612) requires an agency to prepare a regulatory flexibility analysis for all rules unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. The RFA applies only to rules for which an agency is required to first publish a proposed rule. *See* 5 U.S.C. 603(a) and 604(a). As the Department is not required to publish a notice of proposed rulemaking for this direct final rule, the RFA does not apply.

Congressional Review Act

This rule is not a major rule under the Congressional Review Act, 5 U.S.C. 804(2). Specifically, the direct final rule: (a) will not have an annual effect on the economy of $100 million or more; (b)

will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; and (c) will not have significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets.

Unfunded Mandates Reform Act

This rule does not impose an unfunded mandate on State, local, or Tribal governments, or the private sector, of more than $100 million per year. The rule does not have a significant or unique effect on State, local, or Tribal governments, or the private sector. The rule merely revises the Federal regulations to remove an obsolete provision that is no longer used. Therefore, a statement containing the information required by the Unfunded Mandates Reform Act (2 U.S.C. 1531 *et seq.*) is not required.

E.O. 12630—Governmental Actions and Interference With Constitutionally Protected Property Rights

This rule does not result in a taking of private property or otherwise have regulatory takings implications under E.O. 12630. The rule rescinds an obsolete regulatory provision. Therefore, the rule will not result in private property being taken for public use without just compensation. A takings implication assessment is therefore not required.

E.O. 13132—Federalism

Under the criteria of section 1 of E.O. 13132, this rule does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement. This rule 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. A federalism summary impact statement is not required.

E.O. 12988—Civil Justice Reform

This direct final rule complies with the requirements of E.O. 12988. Among other things, this rule:

(a) Meets the criteria of section 3(a) requiring that all regulations be reviewed to eliminate errors and ambiguity and be written to minimize litigation;

(b) Meets the criteria of section 3(b)(2) requiring that all regulations be written in clear language and contain clear legal standards.

E.O. 13175—Consultation and Coordination With Indian Tribal Governments

The Department of the Interior strives to strengthen its government-to-government relationship with Indian Tribes through a commitment to consultation with Tribes and recognition of their right to self-governance and Tribal sovereignty. The Department evaluated this direct final rule under E.O. 13175 and the Department's consultation policies and determined that it has no substantial, direct effects on federally recognized Indian Tribes and that consultation under the Department's Tribal consultation policies is not required. The rule merely revises the Federal regulations to remove unnecessary regulatory language.

Paperwork Reduction Act

OMB previously approved the information collection activities contained in the existing regulations and assigned OMB Control Number 1004–0194. This rule does not impose any new or materially revised information collection requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), and a submission to the Office of Management and Budget under the Paperwork Reduction Act is not required.

National Environmental Policy Act

This direct final rule does not constitute a major Federal action significantly affecting the quality of the human environment. A detailed statement under the National Environmental Policy Act (NEPA, 42 U.S.C. 4321 *et seq.*) is not required because this rule is covered by a categorical exclusion applicable to regulatory functions ''that are of an administrative, financial, legal, technical, or procedural nature.'' 43 CFR 46.210(i). In addition, the Department has determined that this rule does not involve any of the extraordinary circumstances listed in 43 CFR 46.215 that would require further analysis under NEPA.

E.O. 13211—Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use

This direct final rule is not a significant energy action as defined in E.O. 13211. Therefore, a statement of energy effects is not required.

List of Subjects in 43 CFR Part 3800

Administrative practice and procedure, Environmental protection, Intergovernmental relations, Mines, Public lands—mineral resources, Reporting and recordkeeping requirements, Surety bonds, Wilderness areas.

Jacob Tyner,

Deputy Assistant Secretary, Land and Minerals Management.

For the reasons stated in the preamble, the Bureau of Land Management amends 43 CFR part 3800 as follows:

PART 3800—MINING CLAIMS UNDER THE GENERAL MINING LAWS

Subpart 3809—Surface Management

■ 1. The authority citation for subpart 3809 continues to read as follows:

Authority: 16 U.S.C. 1280; 30 U.S.C. 22; 30 U.S.C. 612; 43 U.S.C. 1201; and 43 U.S.C. 1732, 1733, 1740, 1781, and 1782.

■ 2. Revise § 3809.300 to read as follows:

§ 3809.300 Does this subpart apply to my existing notice-level operations?

If your notice was complete before January 20, 2001, and you are the operator identified in the notice on file with BLM on January 20, 2001, then you may conduct operations under the terms of your existing notice and the regulations in effect immediately before January 20, 2001. You may extend your notice under § 3809.333. BLM may require a modification under § 3809.331(a)(1). See § 3809.503 for financial guarantee requirements applicable to notices.

[FR Doc. 2025–18595 Filed 9–24–25; 8:45 am]

BILLING CODE 4331–29–P

Proposed Rules

Federal Register
Vol. 90, No. 184
Thursday, September 25, 2025

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

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

7 CFR Parts 271 and 278

[Docket No. FNS–2025–0018]

RIN 0584–AF12

Updated Staple Food Stocking Standards for Retailers in the Supplemental Nutrition Assistance Program

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

ACTION: Notice of proposed rulemaking.

SUMMARY: In response to section 765 of the Consolidated Appropriation Act of 2017 and subsequently enacted appropriations, this rule proposes to codify a new framework for determining distinct staple food varieties and accessory foods (such as snacks, desserts, and foods meant to complement or supplement meals, which do not themselves count as staple foods) for purposes of meeting the staple food requirements for retailer participation in the Supplemental Nutrition Assistance Program (SNAP). The rulemaking is necessary to implement the codified stocking requirements of the Agricultural Act of 2014, which increased the minimum number of staple food varieties and perishables SNAP retailers must carry. A summary of this notice of proposed rulemaking is posted on *regulations.gov* at *https://www.regulations.gov/docket/FNS-2025-0018.*

DATES: Comments must be received by November 24, 2025.

ADDRESSES: The Food and Nutrition Service (FNS), USDA, invites interested persons to submit comments on this proposed rule. Comments may be submitted by one of the following methods:

- *Federal e-Rulemaking Portal: Go to http://www.regulations.gov.* Preferred method; follow the online instructions for submitting comments on docket FNS–2025–0018 or enter ''RIN 0584–AF12'' and click the ''Search'' button. Follow the instructions at this website.
- *Mail:* Comments should be addressed to SNAP Retailer Policy Division, Food and Nutrition Service, USDA, 1320 Braddock Place, Alexandria, Virginia 22314.

All comments submitted in response to this rulemaking will be included in the record and will be made available to the public. Please be advised that the substance of the comments and the identity of the individuals or entities submitting the comments will be subject to public disclosure. FNS will make the comments publicly available on the internet via: *http://www.regulations.gov*. We encourage commenters to include supporting facts, research, and evidence in their comments. When doing so, commenters are encouraged to provide citations to the published materials referenced, including active hyperlinks. Likewise, commenters who reference materials which have not been published are encouraged to upload relevant data collection instruments, data sets, and detailed findings as a part of their comment. Providing such citations and documentation will assist us in analyzing the comments.

FOR FURTHER INFORMATION CONTACT: James C. Miller, Administrator, Food and Nutrition Service, at (703) 305–2060, or *James.Miller@usda.gov* with a subject line of ''RIN 0584–AF12''.

SUPPLEMENTARY INFORMATION:

Background

The Agricultural Act of 2014 (2014 Farm Bill) amended the Food and Nutrition Act of 2008 (herein referred to as ''the Act'') to increase the number of staple food varieties that certain SNAP authorized retail food stores must have available on a continuous basis in each of four staple food categories. The standards were increased from requiring a minimum of three (3) varieties to seven (7) varieties in each of the four (4) staple food categories and increased the number of varieties that must be perishable from one (1) variety in each of two (2) different staple food categories to one (1) variety in each of three (3) different staple food categories.

The Department promulgated regulations to implement the increased breadth of stock requirements in the final rule, ''Enhancing Retailer Standards in the Supplemental Nutrition Assistance Program (SNAP)'' (81 FR 90675), published on December 15, 2016 (the ''2016 final rule''). That rule also outlined what constituted a variety in all four staple food categories. However, after the regulations were finalized, section 765 of the Consolidated Appropriations Act of 2017 and provisions in subsequent appropriations acts have in effect prohibited the Department from implementing, administering, or enforcing the retailer ''Breadth of Stock'' and ''Variety'' provisions of the 2016 final rule until the Department makes regulatory modifications to the definition of ''variety'' that would increase the number of food items that count as acceptable staple food varieties for purposes of SNAP retailer eligibility. To meet this directive, the Department published a proposed rule, ''Providing Regulatory Flexibility for Retailers in the Supplemental Nutrition Assistance Program (SNAP)'' (84 FR 13555) on April 5, 2019. An overwhelming majority of the almost 9,000 comments received were opposed to the provisions as arbitrary and confusing and many argued the provisions would impact SNAP households' access to a variety of healthy food options and make it easier for fraud-prone retailers that do not primarily sell food to enter the program. Additionally, the 2019 proposed rule did not incorporate specific criteria described in the preamble into proposed regulatory text. Supportive comments, from retail food stores and industry groups, generally advocated for more flexibility overall. For these reasons, and because of the length of time that has passed since comments were received, the Department is issuing this new proposed rule to solicit fresh comments on a new proposed framework to determine distinct staple food varieties that would be codified in regulatory text. The Department also proposes to add and codify food categories that count as accessory foods, which are generally considered snacks or dessert foods or are meant to complement or supplement meals. Accessory foods do not count towards meeting the staple food stocking or sales requirements for retailer eligibility. While the ''Accessory Food Items'' provision of the 2016 final rule did go into effect, the specific criteria that determined what qualifies as an accessory food were not incorporated

into regulatory text but were, instead, implemented through agency guidance Retailer Policy Management Division Policy Memo 2020–05 and SNAP Accessory Foods List. USDA is now proposing to codify, with modifications, these two guidance documents. This proposed rule does not modify any other provisions or components of the 2016 final rule.

Breadth of Stock

In order to be eligible to participate in SNAP, a retail food store must meet either Criterion A (staple food stock) or Criterion B (staple food sales) requirements under SNAP regulations at 7 CFR 278.1(b)(1)(ii) and (iii), respectively. Most stores are authorized under Criterion A, which requires a minimum breadth of staple food stock in each of the four staple food categories, which are (1) meat, poultry, or fish; (2) dairy; (3) bread or cereals; and (4) vegetables or fruits. Specialty food stores, such as butcher shops or fruit and vegetable stands, are typically authorized under Criterion B, which requires that at least 50 percent of a store's gross sales be for staple foods in at least one staple food category. Currently, (pursuant to the conditions of Section 765 of the 2017 appropriations language Act and the repeated conditions in subsequent appropriations language) stores authorized under Criterion A must carry at least three (3) varieties of staple foods in each of the four (4) staple food categories where at least one (1) variety in at least two (2) staple food categories is perishable. For each variety, stores must carry at least three (3) stocking units. Upon finalization of a new staple food variety framework through this rulemaking, the SNAP retailer stocking requirements in Section 3(o) of the Act would also go into effect because the conditions of the appropriations language will have been satisfied. Those stocking requirements, which have already been codified at 7 CFR 278.1(b)(1)(ii) but not enforced, would require SNAP retailers to stock seven (7) varieties of staple foods in each of the four (4) staple food categories, of which at least one (1) variety in each of three (3) different staple food categories is perishable. The requirement to carry at least three (3) stocking units for each variety, as currently implemented and codified in regulations, will remain the same. The increased number of staple food varieties required under Criterion A is non-discretionary. While this proposed rule would not make any changes to the minimum breadth of stock stores are required to carry, this part of the previously codified standards would be implemented for the first time upon publication of a final rule under this rulemaking.

Definitions of Accessory Food, Prepared Food, Retail Food Store, and Staple Food

The Department proposes to remove the discussion of accessory foods, variety, and main ingredient from the ''Staple Food'' definition at 7 CFR 271.2 for greater clarity. Instead of addressing all four terms in one definition, this proposed rule would add a separate definition for ''Accessory Food.'' The definition of main ingredient and the expanded frameworks for staple food varieties and accessory foods would be codified separately at 7 CFR 278.1(b). In line with the current Dietary Guidelines for Americans (DGA), 2020–2025, the definition of ''Staple Food'' at 7 CFR 271.2 would indicate that the meat, poultry, or fish staple food category would be referred to as the protein category to be inclusive of high protein plant-based food—and it will be referred to as, simply, the protein category through the remainder of this proposed rule. Similarly, the bread or cereals category would be referred to as the grains category to be inclusive of other grain-based food products—and it will be referred to as, simply, the grains category through the remainder of this proposed rule. The current definition of ''Staple Food'' already accounts for plant-based options for both the protein and the dairy categories. The proposed changes to streamline the definition of ''Staple Food'' would not result in any substantive changes to the definition or to existing staple food categories as currently defined.

To prevent inconsistency, the Department also proposes to remove the discussion of criteria A and B and prepared food from the definition of ''Retailer Food Store'' in 7 CFR 271.2, Criterion B is currently outlined in 7 CFR 278.1(b)(iii). Criterion A would be outlined in greater detail at 7 CFR 278.1(b)(ii), and a separate definition for ''Prepared Food'' would be added to 7 CFR 271.2 through this proposed rulemaking.

Finally, the Department proposes to move out of the ''Retail Food Store'' definition, the criteria for determining which co-located businesses are evaluated as a single firm for purposes of determining retailer eligibility. Instead, the provision would be added as new subparagraph at 7 CFR 278.1(b)(8). The proposed reorganization of provisions currently included as part of the ''Retail Food Store'' definition would not result in any substantive regulatory changes.

Application of Criterion A

Reorganization

For purposes of greater clarity and readability, as well as to incorporate a more detailed framework for determining distinct staple food varieties when assessing SNAP retailer eligibility, the Department proposes to reorganize 7 CFR 278.1(b)(1). Specifically, this rule proposes to remove redundancy in subparagraph (A) of 7 CFR 278.1(b)(1)(i) and break up subparagraph (A) of 7 CFR 278.1(b)(1)(ii) to address, in separate subparagraphs, the staple food stocking standards and the requirement to display the required stock for sale on a continuous basis. This action does not make any substantive changes to the current regulations. While this proposed reorganization highlights the statutory increases in the required number of varieties in each staple food category, those non-discretionary standards were already codified by the 2016 final rule, though these requirements have never been enforced due to Section 765 of the 2017 Consolidated Appropriations Act and the repeated conditions in subsequent appropriations language. If this rule were to be finalized as proposed, it is the Department's view that the requirements of this appropriations language would have been met and thus would negate the need for continuation of this appropriations language.

Staple Food Varieties

In this rulemaking, the Department is faced with balancing several competing interests, including ensuring that SNAP retailers carry a larger variety food options, that retailer food stores can easily understand the requirements, that the requirements can be operationalized in an efficient and cost-effective manner, and that the variety framework does not undercut Congress' intent to make the stocking standards more rigorous so that unscrupulous retailers are not able to gain entry into SNAP for the sole purpose of defrauding the program (H.R. Rep No. 113–333, 2014). In a December 2018 report, SNAP: Actions Needed to Better Measure and Address Retailer Trafficking, the General Accountability Office (GAO) reiterated its 2006 finding that the minimal requirements for the amount of food that retailers must stock could allow retailers more likely to traffic SNAP benefits (*i.e.,* referring to the illegal exchange of SNAP benefits for cash or consideration other than eligible food) into the program. It is with all these interests in mind that the Department proposes a modified

framework for distinguishing food items that would count as distinct varieties. As a result, the Department believes that the new approach described below is superior to the 2016 construct precisely because it more effectively balances all the competing interests.

Specifically, the Department proposes to codify the framework for determining distinct varieties at 7 CFR 278.1(b)(1)(ii)(C). In general, this proposed rule would maintain the overall current framework but proposes two new groups of distinct varieties for operational simplification and to give more weight to traditional staple food products. The Department believes that this approach is superior to the 2016 structure because it will provide more options for retailers to meet the variety requirements under this new staple food framework than under the 2016 framework.

To date, the criteria for determining which foods count as distinct staple food varieties (different types of food within a staple food category) have existed only in agency guidance and have generally been defined based on the type of food (by each different plant or animal) or the main ingredient of the food product. For the protein and vegetables or fruits staple food categories, this generally means that different types of food—regardless of brand, packaging, flavoring, style or cut, etc.—count as one distinct variety. For example, all types of apples fall within one variety separate from all types of oranges, just as all forms of chicken fall within one variety separate from all forms of beef. For the dairy and grains categories, this generally means that different types of products—even those that have the same main ingredient—are distinct varieties. For example, yogurt is a distinct variety from cheddar cheese, even if they both have milk as the main ingredient; and bread is a distinct variety from pasta, even if they both have wheat as the main ingredient. More recently, FNS has counted plant-based dairy alternatives as distinct dairy varieties from the traditional mammal-based varieties for each different type of plant the product is made from (*e.g.,* almond milk is a separate variety from soy milk and both are separate varieties from cow's milk) and counted dairy products from different mammals as distinct traditional dairy varieties (*e.g.,* cow milk is a separate variety from goat milk). For multi-ingredient food products, long-standing agency policy has determined variety and category by the main ingredient, defined as the first listed ingredient after water, stock, or broth. For example, if a can of beef stew has beef as its main ingredient, it counts as a beef variety in the protein category.

With the non-discretionary increase in the number of varieties SNAP retailers will be required to stock in each staple food category, retailer stakeholders have expressed concern with being able to meet the new standards, particularly for the dairy and the protein categories. An analysis of 121,294 SNAP-authorized small format retail food stores (which represent 64% of all SNAP-authorized small retailers, or 45% of all SNAP-authorized retailers) determined that, in terms of meeting the higher number of staple food varieties required by the 2014 Farm Bill, 81% of the small stores already stocked enough grains and 83% already stocked enough fruits and vegetables, while only 63% already stocked enough protein and only 52% already stocked enough dairy.

Staple Food Subgroups 1 and 2

In general, the more varieties that are subdivided based on main ingredient or other factors (such as dairy or meat fat content, whole or refined grains, and cheese firmness), the more difficult the system becomes to operationalize and the more costly it becomes for FNS to identify and document the distinct varieties. It can also become more confusing for retail food stores, making it difficult for them to meet the stocking standards simply because they do not understand the requirements. Currently, FNS employs a contractor to take photos of store aisles to get a sense of the overall store inventory, but not individual items or their ingredients. When retailers are at the margin of eligibility, and the availability of certain inventory is not clear or needed information is not on the front of the packaging, follow-up store visits or documentation requests are required to determine whether the store has sufficient stock. Such situations increase the time it takes for a retailer to become authorized. To make the variety criteria more straightforward and minimize the need to identify the main ingredient for basic food products, the Department proposes to establish two separate subgroups of staple food varieties.

In group 1 under 7 CFR 278.1(b)(1)(ii)(C)(*1*), the specific types of raw food identified, without any other ingredients, would count as separate varieties from multi-ingredient food products with the same main ingredient. The purpose of this group is to promote the stocking of basic staple food essentials needed for the home preparation of meals rather than counting such essentials as the same variety as multi-ingredient, processed foods with the same main ingredient. The Department proposes to include the following three types of food in group 1:

- Grain-Based Flour;
- Raw Grains; and
- Dry Beans, Peas, or Lentils.

For example, as part of group 1, the following foods, which currently count as just one variety, would be separate varieties under the proposed framework:

- Cornmeal and ears of corn or a product with corn as the main ingredient;
- A bag of uncooked rice and canned soup with rice as the main ingredient; and
- A bag of dry beans and canned cooked beans.

All dry beans, all dry peas, and all dry lentils, regardless of the kind of bean, pea, or lentil, each would count as one distinct variety, for a total of 3 possible varieties, separate from any multi-ingredient product with beans, peas, or lentils as the main ingredient. The same construct would apply to each kind of grain for grain-based flour and raw grain. Therefore, instead of a bag of raw rice, rice flour, and a frozen grain bowl with rice counting as one rice variety as is currently the case, each of those items would count as its own distinct variety under the proposed framework. The same would apply for each different type (*e.g.,* oats, barley, wheat etc.).

In group 2, under 7 CFR 278.1(b)(1)(ii)(C)(*2*), the specific types of food identified would count as only one distinct variety, regardless of different main ingredients or coming from different animals or plants. The purpose of this group is to make the process of identifying distinct varieties as simple and intuitive as possible for both FNS and retailers while still meeting the intent of the program to provide SNAP households with access to a broad range of staple food varieties to meet their nutritional needs. This framework is currently being applied through longstanding practice to specific dairy and grains products as indicated in agency guidance, SNAP Staple Foods. Through this rulemaking, the Department proposes to codify the framework and the specific products for which it applies. This rule also proposes to count additional dairy subproducts as distinct varieties and count tofu/tempeh as a distinct variety of protein. At the same time, the current practice of subdividing bread by various forms (such as bagels, sliced bread, tortillas, pita, etc.) would be eliminated. The Department proposes to include the following 17 different types of food products in group 2:

- Eggs
- Bread
- Pasta/Noodles
- Breakfast Cereals/Foods
- Perishable Liquid Milk
- Shelf-Stable Liquid Milk
- Dried or Powdered Milk
- Fermented or Cultured Dairy Beverages
- Yogurt (non-liquid)
- Butter
- Cream (separate from butter)
- Cheese
- Perishable Meat, Poultry, or Fish (for each different kind of animal)
- Shelf-Stable Meat, Poultry, or Fish (for each different kind of animal)
- Tofu/Tempeh
- Infant Formula
- Infant Cereal

Unlike the foods in group 1, most of the foods in group 2 are available in multiple forms, with a wide array of main ingredients. As a result, the main ingredient of many food products listed in group 2 cannot be easily determined by just looking at the product or even knowing what kind of product it is. Breakfast cereals, for instance, may each have a different grain (such as corn, oat, or wheat) as the main ingredient. Under the proposed framework, all breakfast cereals would fall within one variety, regardless of the grain from which they are made. The same construct would apply to all the food products in group 2, greatly simplifying the process for determining if a retail food store meets the standards for Criterion A.

The Department is aware that the proposal to no longer subdivide bread by its form (*e.g.,* rolls, baguette, sliced bread) may be controversial. However, the Department has concluded that counting each form of bread as a distinct variety is not practical given the need to categorize a large number of possibilities. Allowing a retailer to meet the stocking requirement for the grain category with just bread also subverts the purpose to require retail food stores authorized under Criterion A to carry a broader variety of staple foods in each staple food group. By separating out certain foods as distinct varieties through the combination of food items identified in both groups 1 and 2, the Department would be replacing those varieties with other, more basic varieties of grains which are easier to distinguish and are commonly stocked in retailer food stores of various types and sizes. For example, under the new proposed framework, rice products could be counted in as many as three distinct varieties: rice flour, rice grain, and any other product with rice as the main ingredient. Currently, all these products count as only one ''rice'' variety. By singling out these specific food products, the new variety framework would not only make it easier for FNS to determine retailer eligibility, but it would also make it easier for retailer food stores to more accurately determine if they meet the stocking requirements before deciding to move forward with applying for authorization.

Plant-Based or Grain Alternatives to Dairy Products

Plant-based alternatives are currently recognized as distinct varieties from the traditional dairy products for which they are a substitute. Under 7 CFR 278.1(b)(1)(ii)(C)(*3*)(*i*), the Department would maintain this provision but proposes to limit the number of plant-based alternatives that may count towards the dairy category to three. Current policy does not limit the number of plant-based dairy alternatives that a single retail food store may count towards meeting the staple food stocking requirements in the dairy category. For example, having sufficient units of almond milk, oat milk, and soy milk is enough to meet the current dairy stocking requirement. Yet, the DGA states that, other than fortified soy milk, no other plant-based dairy alternative contains the nutritional content to meet the dietary recommendations for dairy. This proposed change would help ensure that SNAP retailers carry a variety of milk, yogurt, and cheeses rather than meeting the standard through multiple varieties of plant-based milks.

Under 7 CFR 278.1(b)(1)(ii)(C)(*3*)(ii), the Department proposes to move several high protein plant foods from the vegetable or fruit category, for which almost all retail food stores already carry a sufficient number of varieties, to the protein category. Under this proposed rule, the following types of foods would count as protein: nuts and seeds, beans, peas, and lentils. This proposed change would not only add more protein varieties, but it would also properly encourage retail food stores to carry plant-based proteins and help meet the nutritional needs of SNAP households through high-fiber protein sources, particularly for individuals with plant-based diets. The Department does not propose limiting the number of plant-based varieties that may count in the protein category because the DGA includes a broad group of foods from both animal and plant sources in the protein category, which can help individuals meet the protein dietary recommendations.

Appropriations Directive

In accordance with enacted appropriations directing USDA to increase the number of items that qualify as acceptable varieties in each staple food category the proposed variety framework would create several more varieties in the protein, dairy, and grains categories than existed in the 2016 final rule. The vegetables or fruits category already includes numerous possible varieties—significantly more than any other staple food category. Furthermore, 83 percent of currently authorized small format stores already stock enough fruits and vegetables. Any further attempts to subdivide existing vegetable or fruit varieties would add unwarranted complexity to a category that, up to this point, has always been the most straightforward. Therefore, the Department does not propose any changes to the vegetables or fruits staple food category. However, because there has been some confusion as to whether pre-cut fruits and vegetables were considered prepared food for retailer authorization purposes, the Department would like to take this opportunity to clarify that cold pre-cut fruits and vegetables intended for home consumption count as a staple food in the vegetable and fruits category. Therefore, bags of sliced apples or broccoli florets continue to count as a staple food. In addition, the Department is proposing to codify, with modification, the definition of ''Prepared Foods'' in current agency guidance, ''Retailer Eligibility-Prepared Foods and Heated Foods,'' to allow cold pre-cut food intended for home consumption, even if cut by the retailer on the premises of the firm, to count as staple food as long as the retailer has not otherwise prepared the food for immediate consumption. This means that a bag of shredded lettuce to prepare a salad at home, regardless of whether the lettuce was shredded on the premises of the store, counts as a staple food. Shredded lettuce and other cold cut fruits or vegetables from a salad bar from which the customer must prepare their own salad by serving themselves would also count as staple food. However, if the retailer serves, mixes, and/or otherwise prepares the ingredients of the salad for the customer, even if cold, then the salad would continue to be considered prepared food that does not count towards meeting the SNAP staple food stocking or sales requirements.

As discussed earlier, carrying enough varieties in the protein and dairy categories has historically presented the biggest challenge for small format retail

food stores when it comes to meeting the staple food stocking standards for SNAP authorization followed by the grains category. Therefore, the Department would like to specifically address the additional varieties the new proposed framework would create in each of those three staple food categories in comparison to the 2016 final rule. We note that the number of different groupings of varieties indicated does not reflect the total number of possible distinct varieties under that staple food category. For example, although the protein category has seven categories of varieties, there are numerous possible distinct varieties under the single ''perishable meat, poultry, or fish'' category because each kind of animal (*e.g.,* cow, pig, lamb, turkey, chicken, trout, flounder) represents a separate variety, all of which would be impossible to fully identify or count.

Protein Category

The Department is proposing to subdivide protein into the following seven groupings of varieties:

- Perishable meat, poultry, or fish, including fresh or frozen versions for each different kind of animal;
- Shelf-stable meat, poultry, or fish for each different kind of animal;
- Eggs;
- Nuts/seeds;
- Raw beans, peas, or lentils, each of which would count as a distinct protein variety;
- Cooked (*e.g.,* canned) beans,
- Peas, or lentils and multi-ingredient products with beans, peas, or lentils as the main ingredient; and
- Tofu/tempeh, together, would be a distinct variety from all other types of proteins and any other pea product as the main ingredient.

As with the 2016 final rule, this rule would add nuts/seeds as well as beans, peas, or lentils to the varieties FNS currently counts in the protein category, adding an additional 4 possible protein varieties—(1) nuts/seeds; (2) beans; (3) peas; and (4) lentils. In addition, this rule would add the last four varieties listed above to the varieties established by the 2016 final rule, allowing for numerous additional possibilities for each type of shelf-stable meat, poultry or fish, as well as three additional varieties each for beans, peas, or lentils in its raw form, and one additional variety for tofu/tempeh, which would be separate from any other product with soybeans or other peas as the main ingredient.

Dairy Category

The Department proposes to subdivide dairy into twelve distinct categories:

- Perishable liquid milk (such as whole milk, 2% milk, 1% milk, skim milk, etc.) for each different type of mammal;
- Shelf-stable liquid milk, such as canned evaporated or condensed milk and boxed milk;
- Cheese;
- Yogurt (non-liquid);
- Butter;
- Infant formula;
- Cream (other than butter, which would continue to be its own separate variety), such as heavy cream, sour cream, and half and half;
- Fermented or cultured dairy beverages, such as kefir, buttermilk, and yogurt-based drinks;
- Dried milk, such as milk powder; and
- Plant-based alternative (for up to three different dairy products listed above).

Current agency guidance counts all milk products, other than the first five products listed above, as one single ''milk'' variety. Under the 2016 final rule, cheese was further subdivided into soft cheese and hard/firm cheese, and milk was further subdivided into perishable and shelf-stable milk, adding two additional dairy varieties.

In agency guidance issued in April 2023, Criterion A—Stocking Requirements for Retailers: Dairy, FNS made dairy products distinct varieties for each different type of mammal (*e.g.,* cow milk, sheep milk, goat milk) to make the distinctions for mammal milk more similar to that for plant-based dairy alternatives. Prior to this policy change in 2023, milk was one variety, regardless of the mammal it came from, while plant-based dairy alternatives were counted as separate varieties for each different kind of plant it was made from (*e.g.,* soy milk, coconut milk, rice milk). However, such distinctions for mammal-based milk have proven to be difficult to operationalize. Feta cheese, for instance, can be made from various kinds of milk either by itself or in combination, including goat milk, sheep milk, and cow milk, making it almost impossible to determine the dairy variety without looking at the ingredients list. While the proposed framework would eliminate this recently added distinction for dairy products by mammal for the types of products listed in group 2, the four additional dairy varieties under the proposed framework are common types of dairy products that most retail food stores carry. Not only is it less likely for small format retail food stores to carry most of these products for any mammal other than cow, essentially making the distinction by mammal immaterial, it would streamline the retailer approval process by eliminating the need to identify which type of mammal milk is the main ingredient of each of those products. Under the proposed framework liquid perishable milk would continue to count as distinct varieties for each type of mammal.

In this rule, the Department proposes to carry over the 2016 provision of making shelf-stable dairy a distinct variety from perishable dairy. However, for the reasons stated above, the Department has reconsidered counting soft cheese and hard/firm cheese as two separate varieties and distinguishing dairy products, other than liquid milk, by mammal or, in the case of plant-based alternatives, by main ingredient as the 2016 final rule had. Instead, this proposed rule would add three different distinct dairy varieties in the form of cream, fermented or cultured dairy beverages, and dried milk. Therefore, cream and fermented beverages would count as a distinct variety from milk or yogurt, and dried milk would count as a distinct variety from liquid shelf-stable milk. The operational difficulties of determining which animal a product is made from or the main ingredient of a plant-based alternative, which include numerous possibilities, would impose an undue burden on the agency as discussed earlier. The Department is also proposing these changes based on retailer industry feedback indicating that counting plant-based dairy alternatives and dairy made from mammals other than cows as distinct varieties would not significantly assist small-format stores in meeting the increased SNAP stocking requirements in the dairy category since such products are note widely in demand by customers of small-format stores.

Grains Category

The Department proposes to subdivide grains into six distinct categories:

- Raw Grains for each different type of grain;
- Flour (grain-based) for each different type of grain;
- Bread;
- Pasta/Noodles;
- Breakfast Cereals/Foods (such as a box of corn flakes, frozen waffles, or pancake mix); and
- Infant Cereal.

For the grains category, the 2016 final rule subdivided bread into five varieties based on the bread form. The five

varieties included bread, bagels, buns/rolls, English muffins, and pitas for each type of grain. The Department believes that such categorization introduces too much confusion as to which category a particular bread form falls under. For example, it is unclear how tortillas or croissants would be categorized. Likewise, it is unclear how cornbread or matzo bread would be categorized. Also, determining the grain each bread is made of would present significant operational challenges for a construct that is counter to the Congressional intent to require a greater range of different types of food in each staple food category.

Under this rule, the Department now proposes to count all bread as one variety, regardless of form or the grain from which it is made. However, for each type of grain, the Department proposes to count raw grain as a separate variety from any other product with that grain as the main ingredient and to count flour as a separate variety from the raw grain or any other product made with the same gain. Raw grains and flour, which are not only generally more easily identifiable on account of having the grain clearly indicated on the front of the package, are also important components for the preparation of numerous foods.

Finally, the Department proposes to combine both the cold and ''hot'' cereal varieties with the baking mix variety included in the 2016 final rule. However, the category would be expanded to include other breakfast foods, such pre-made frozen/cold waffles, pancakes, etc. With the introduction of raw grains and flour as distinct varieties for each type of grain, the Department believes that having three separate varieties for breakfast foods is not only unnecessary but would add unwarranted complexity by requiring varieties to be based on whether it is intended to be eaten hot or cold as well as whether it is ready-to-eat or not. Also, the Department believes that having a baking mix variety would not, in most cases, add additional possibilities. Baking mixes for dessert foods (such as cakes, brownies, cookies, etc.) would be considered accessory foods that do not count towards the staple food stocking requirements even if the main ingredient is flour. Also, any baking mix that has an accessory food as the main ingredients would also be an accessory food. Therefore, having a separate baking mix variety would give the false impression that any baking mix counts as a separate variety in the grains category, leading to both retailer confusion and operational ambiguity.

In the end, the Department has determined that the addition of raw grains and flour for each type of grain more than makes up for the removal of the of other distinct grain varieties while staying true Congressional intent. Under 7 CFR 278.1(b)(1)(ii)(C)(*4*)–(*5*), the Department proposes to codify existing long-standing policy. Current policy prohibits counting a food product in more than one staple food category. Current policy also does not count a single type of food that is packaged differently as distinct varieties. For example, chicken wings and chicken breasts are both currently counted as one ''chicken'' variety. Similarly, ground beef and chuck roast are both currently counted as one ''beef'' variety. A single type of food that is prepared differently is also not currently counted as separate varieties. For example, whole fresh tomatoes, 100% tomato juice, and tomato sauce all currently count as one ''tomato'' variety. Similarly, pork loin and pork hotdogs are both currently counted as one ''pork'' variety. Different flavorings also do not currently count as distinct varieties. For example, chocolate milk and plain milk both currently count as one ''milk'' variety. Finally, different kinds of the same type of food also do not count as distinct varieties. For example, brown rice, wild rice, and white rice all currently count as one ''rice'' variety. Similarly, mandarin oranges, tangerines, and navel oranges all count as one ''orange'' variety. These current policies would remain unchanged in this proposed rule.

Under 7 CFR 278.1(b)(1)(ii)(C)(*6*), the Department proposes to also codify the long-standing definition of ''main ingredient'' currently used to determine the staple food category and variety of a food product with multiple ingredients. ''Main ingredient'' is currently defined as the first listed ingredient unless the first ingredient is water, stock, or broth. If the first ingredient is water, stock, or broth, the next ingredient is considered the main ingredient for determining the variety of staple food or whether it is an accessory food. This definition is based on the Food and Drug Administration requirement that ingredients be listed from highest to lowest quantity by weight in the ingredients list on the product's label (21 CFR 101.4). The definition would remain unchanged in this proposed rule.

Accessory Food

In accordance with section 3(q)(2) of the Act, and as currently codified at 7 CFR 271.2 (definition of ''Staple Food'') and 7 CFR 278.1(b)(1)(ii)(C), accessory foods do not count towards meeting the retailer staple food stocking or sales requirements discussed above. The current definition of ''Staple Food'' at 7 CFR 271.2 also defines accessory foods as foods that are generally considered snacks or desserts and/or are meant to complement or supplement meals and provides several illustrative examples for each of the two groups. Agency guidance, SNAP Accessory Foods List (March 5, 2018), provides several more examples and states that any food product that is not specifically identified as an accessory food in agency guidance shall be considered a staple food. In an effort to further the purpose of the program to provide low-income households access to nutritious food essential to health and well-being, as well as to meet the intent of Congress to reduce fraud at retail stores by requiring more rigorous staple food stocking standards, the Department is taking this opportunity to update the current accessory foods list and to codify it through this proposed rulemaking.

Under this proposed rule, the Department would separate the current list of accessory foods by creating a third group; edible items primarily used as part of the food preparation process. Most of the foods that would be listed under this group are already included in the current accessory foods list under one of the other two existing groups. Additional specific examples would be added for clarity and consistency, including yeast, starch, broth, stock and gelatin. These items are subproducts of currently listed items and considered accessory foods under long-standing agency practice. This clarification would also be consistent with the definition of ''main ingredient,'' which is the first ingredient listed in the ingredient list of food product after broth, stock, or water. Water is already explicitly identified as an accessory food, as is bouillon. These proposed changes would not have any material impact on current practice.

The Department also proposes adding three new groups of foods to the accessory food list. The proposed new groups are:

- Snack bars, including but not limited to, protein, granola, and baked bars. Such food products are not generally eaten as a meal, but as a snack between meals. Furthermore, because multi-ingredient food products are categorized by the main ingredient, snack bars may fall under any one of the four staple food categories. This makes it difficult to categorize snack bars by looking at the package itself and leads to counterintuitive classification, such

as a protein bar that has whey as the main ingredient counting as a staple food in the dairy category.

• Jerky, other than whole-muscle meat jerky, including but not limited to beef jerky and plant-based jerky. While jerky is rich in protein, non-whole muscle jerky is also typically eaten as a snack between meals. Counting jerky as a staple food also allows stores to meet the protein staple food category by merely stocking jerky sticks of different animals, such as beef jerky, turkey jerky, and pork jerky, which are currently counted as three separate protein varieties. This classification of jerky does not further the purposes of the program or the intent of Congress for SNAP retailers to be required to carry a broader variety of foods in each staple food category. Changing jerky to an accessory food may also compel SNAP retailers to stock alternative food varieties that would count under the protein staple food category.

• Cheese or fruit dips and spreads, including but not limited to, cheese sprays, jams, jelly, marmalade, preserves and compote. Cheese or fruit dips and spreads are meant to complement or supplement a meal, which the Act explicitly identifies as a category of accessory foods. In addition, cheese dips and spreads are highly processed cheeses made with less real cheese and more additives. Similarly, fruit spreads tend to be high in sugar content, which is not foundational to a balanced diet.

The Department recognizes that many individuals may occasionally or frequently eat some of these food products as meal replacements. These proposed changes, however, would not prevent households from purchasing these food items with SNAP benefits. All accessory foods, while not counted as staple foods for retailer eligibility purposes, are generally eligible for SNAP purchase.[1]

Procedural Matters

Executive Orders 12866 and 13563

Under Executive Order 12866, as amended, agencies must assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, select regulatory approaches that maximize net benefits. The Office of Management and Budget's (OMB) Office of Information and Regulatory Affairs (OIRA) determines whether a regulatory action is significant as defined by Executive Order 12866 and, therefore, subject to OMB review.

This proposed rule has been determined to be significant under Executive Order 12866 and was reviewed by OMB. The Regulatory Impact Analysis (RIA) for this rulemaking was published as part of the docket in Supporting Documents on *www.regulations.gov.* A summary of the RIA follows. This proposed rule, if finalized as proposed, is expected to be an E.O. 14192 regulatory action.

Regulatory Impact Analysis

Need for Action: In response to section 765 of the Consolidated Appropriation Act of 2017 and corresponding sections in subsequent enacted appropriations, the United States Department of Agriculture (the Department) Food and Nutrition Service (FNS) proposes to revise the Supplemental Nutrition Assistance Program (SNAP) regulations at sections 271 and 278 to codify a new framework for determining distinct varieties of staple foods for purposes of assessing retail food store eligibility to participate in SNAP. The rulemaking is necessary to implement the enhanced stocking requirements of the Agricultural Act of 2014 (2014 Farm Bill), which increased the minimum number of varieties SNAP retail food stores must carry in each staple food category from three (3) to seven (7) as well as the minimum number of varieties that must be perishable from one variety in each of two (2) different staple food categories to one variety in each of three (3) different staple food categories. This rule would also update and codify the existing criteria for accessory foods (snacks, desserts, and foods meant to complement or supplement meals), which are not counted as staple foods for purposes of meeting the staple food stocking or sales requirements for SNAP retailer eligibility. This proposed rule will primarily affect small SNAP-authorized retailers (convenience stores, small grocery stores, and combination stores) who are currently authorized under Criterion A.

Benefits: The proposed rule will increase the variety of staple food products offered for sale at SNAP-authorized firms, which will help to ensure that SNAP households have access to healthier foods on a continuous basis.

Costs: The Department has estimated the proposed rule's total cost to the Federal Government as approximately $4 million in fiscal year (FY) 2027, and to incur no further costs after implementation. The cost to currently authorized retailers is estimated to be approximately $55 million in the first year and about $2 million per year over the following four years.

Initial Regulatory Flexibility Act

Under the Regulatory Flexibility Act (RFA) (5 U.S.C. 601–612) (as amended by the Small Business Regulatory Enforcement Fairness Act (SBREFA) of 1996; 5 U.S.C. 601 *et seq.*), agencies must prepare and make available for public comment a regulatory flexibility analysis that describes the effect of the rule on small entities (*i.e.,* small businesses, small organizations, and small government jurisdictions). FNS believes the rule would not present a significant economic impact to a substantial number of small businesses. Although the number of stores impacted is large, we estimate that the cost to those small businesses of the changes in this rule would be nominal, on average about $262 in the first year and $374 over five years for those stores that need additional varieties to comply with this rule. USDA welcomes comment on any factors that that might be specific to the impacts of the proposed rule on small businesses, and potential data sources to quantify such impacts.

Unfunded Mandates Reform Act

This proposed rule does not contain Federal mandates (under the regulatory provisions of Title II of the UMRA) for State, local and Tribal governments, or the private sector of $100 million or more in any one year. Thus, the rule is not subject to the requirements of sections 202 and 205 of the UMRA.

Executive Order 13175

Executive Order 13175 requires Federal agencies to consult and coordinate with Tribes on a government-to-government basis on policies that have Tribal implications, including regulations, legislative comments or proposed legislation, and other policy statements or actions that have substantial direct effects on one or more Indian Tribes, on the relationship between the Federal Government and Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes.

This rule may contain policies that require consultation. USDA will have a consultation before the issuing of the final rule and at a point where Tribal feedback can be incorporated into the final rule. FNS will work with the Office of Tribal Relations to ensure meaningful consultation is provided.

[1] With approval by the Secretary for a demonstration project waiver, authorized by Section 17 of the Act, States may restrict the purchase of certain foods with SNAP benefits. For additional information, see *https://www.fns.usda.gov/snap/waivers/foodrestriction.*

Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (44 U.S.C. Chap. 35; 5 CFR 1320) requires the Office of Management and Budget (OMB) approve all collections of information by a Federal agency before they can be implemented. Respondents are not required to respond to any collection of information unless it displays a current valid OMB control number.

In accordance with the Paperwork Reduction Act of 1995, this proposed rule will contain information collections that are subject to review and approval by the Office of Management and Budget; therefore, FNS is submitting for public comment the changes in the information collection burden that would result from adoption of the proposals in the rule.

Comments on this proposed rule must be received by November 24, 2025. Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, including use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Title: SNAP—Store Applications.

OMB Control Number: 0584–0008.

Expiration Date: 4/30/2027.

Type of Request: Revision of a currently approved collection.

Abstract: This rule proposes to revise the SNAP regulations to codify a new framework for determining distinct varieties of staple foods for purposes of assessing retail food store eligibility to participate in SNAP. To assist authorized retailers with the implementation of this rule, the Department intends to provide written notice to all authorized retailers outlining the changes to staple food stocking requirements. Additionally, the Department may consider new guidance for authorized retailers that further outlines these changes. Finally, the Department anticipates that currently authorized retailers may need to order additional stock to come into compliance with the regulations. These activities are considered one-time burden. There is no additional ongoing burden associated with this information collection. The Department intends to revise the currently approved information collection for SNAP—Store Applications (OMB Control Number 0584–0008, expiration 4/30/2027) to include the burden associated with these activities while seeking a three-year renewal for the OMB control number.

One Time Reporting Burden Estimates for Proposed Rule

Respondents: Businesses, For Profit.

Estimated Number of Respondents: 269,217. As of April 30, 2025, there were 269, 217 SNAP-authorized retailers. Under this proposed rule, each authorized retailer would review the written notice of changes to SNAP staple food stocking requirements, review written guidance aligning with the rule, and make any changes to current stock, as necessary.

Estimated Number of Responses: 269,217. Each authorized retailer would be expected to review the written notice and guidance and update store stock, if necessary, one time.

Estimated Number of Responses per Respondent: 1.

Estimated Total Annual Burden on Respondents: The estimated total one-time burden for authorized retailers reviewing the notice and guidance and updating stock is 1,126,167.85 hours.

Revised Reporting Burden for 0584–0008, Including Proposed Rule Estimates

Respondents: Business.

Estimated Number of Respondents: 324,925.

Estimated Number of Responses: 394,102.

Estimated Number of Responses per Respondent: 1.212.

Estimated Total Annual Burden on Respondents: 1,126,167.85.

Respondent category (affected public)	Type of respondents (optional)	Burden activity	Estimated number of respondents	Responses per respondent (Col. H/F)	Total annual responses (Col. F × G)	Estimated hours per response (Col. J/H)	Estimated total burden hours (Col. H × I)	Wage Rate	Total annualized cost of respondent burden (J * L)	Previously approved burden hours	Difference due to adjustments	Differences due to program changes
Businesses, For Profit.	SNAP Authorized Retailers.	Reviewing notice, reviewing guidance, and updating stock.	269,217.00	1.00	269,217.00	4.00	1,076,868.00	$49.89	$53,724,944.52	0	0	1076868.00
Total Start-up Reporting Burden			269,217.00	1.00	269,217.00	4.00	1,076,868.00	49.89	53,724,944.52	0.00	0.00	1076868.00
Currently Approved Reporting Burden in 0584–0008			*55,708.00*	*2.2*	*124,885.00*	*0.395*	*49,299.85*	.....	*2,427,716.84*	*49,299.90*	*0.00*	*0*
Grand Total Reporting Burden in 0584–0008			324,925.00	1.2129014	394,102.00	2.8575543	1,126,167.85	.....	56,152,661.36	49299.9	0	985064.00

*Additional information is available in the Supporting Statement and Excel chart.

E-Government Act Compliance

The Department is committed to complying with the E-Government Act, 2002 to promote the use of the internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes.

Executive Order 13132; Federalism Summary Impact Statement

The proposed rule does not impact States or local governments, so FNS anticipates that this rule will not have implications for federalism. Therefore, under Section 6(b) of the Executive Order, a federalism summary is not required. States and local governments are invited to comment if they believe a federalism summary is necessary.

Executive Order 12372

Executive Order 12372 requires Federal agencies to engage in intergovernmental consultation with State and local officials when involved in Federal financial assistance programs and direct Federal development. SNAP is listed in the Catalog of Federal Domestic Assistance under No. 10.551. For the reasons set forth in this proposed rule, Department of Agriculture Programs and Activities Excluded from Executive Order 12372 (48 FR 29115, June 24, 1983), this Program is excluded from the scope of Executive Order 12372.

Executive Order 12988, Civil Justice Reform

This proposed rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule is intended to have preemptive effects with respect to any State or local laws, regulations, or policies that conflict with its provisions or that would otherwise impede its full implementation. This rule is not intended to have retroactive effects. Prior to any judicial challenge to the provisions of the final rule or the application of its provisions, all applicable administrative procedures must be exhausted.

Civil Rights Impact Analysis

FNS has reviewed this proposed rule in accordance with Departmental Regulations 4300–4, ''Civil Rights Impact Analysis'' and 1512–1, ''Regulatory Decision Making Requirements'' to identify and address any major civil rights impacts the proposed rule might have on minorities, women, persons with disabilities, or other protected classes. FNS does not collect data from retail food stores regarding any of the protected classes under Title VI of the Civil Rights Act of 1964, and FNS specifically prohibits retailers that participate in SNAP from engaging in actions that discriminate based on race, color, national origin, sex, age, disability, religion, or political belief. After careful review, FNS has determined that the intent of this proposed rule is not to have an adverse impact on any retail food store owners or SNAP recipients belonging to protected classes and would not limit equal access to retailer participation. The rule concerns only those retail food stores participating in SNAP that would not meet the increased staple food stocking requirements necessary for SNAP authorization that were mandated by the 2014 Farm Bill and codified in the 2016 final rule. The proposed regulatory changes are intended to make the staple food stocking standards more intuitive so that those retail stores, which are primarily small format retailers, are better able to understand and meet the enhanced stocking requirements of the 2016 final rule. For retailers with limited English proficiency, FNS will ensure that all retailers are made aware of FNS telephonic translation services offered upon request.

List of Subjects

7 CFR Part 271

Food stamps, Grant programs—Social programs, Reporting and recordkeeping requirements.

7 CFR Part 278

Banks, banking, Food stamps, Grant programs—social programs, Penalties, Reporting and recordkeeping requirements, Surety bonds.

Accordingly, 7 CFR parts 271 and 278 are proposed to be amended as follows:

■ 1. The authority citation for parts 271 and 278 continues to read as follows:

Authority: 7 U.S.C. 2011–2036.

PART 271—GENERAL INFORMATION AND DEFINITIONS

■ 2. In § 271.2:

■ a. Add definitions for *Accessory food* and *Prepared food* in alphabetical order;

■ b. Revise subparagraph (1) of the definition of *Retail food store;* and

■ c. Revise the definition of *Staple food.*

The additions and revisions read as follows:

§ 271.2 Definitions.

* * * * *

Accessory food means food that is generally considered a snack food or dessert, food that is meant to complement or supplement meals, or food used primarily in the meal preparation process as listed at § 278.1(b)(7). Accessory foods are not defined by package size and shall not be considered staple foods for purposes of meeting retail food store staple food stocking or sales requirements for SNAP participation.

* * * * *

Prepared Food means hot or cold food or beverages ready for immediate consumption that are assembled, cooked, mixed, or otherwise made ready for immediate consumption by the retailer on the premises of the firm, except for bread that otherwise counts as staple food. This definition also includes hot or cold food or beverages intended for onsite consumption regardless of whether it is assembled, cooked, mixed, or otherwise made by the retailer. Prepared food does not include food that is only cut or sliced on the premises of the firm, but which is not otherwise made ready for immediate consumption by the retailer or intended for onsite consumption. Prepared foods shall not be considered staple foods for purposes of § 278.1(b).

* * * * *

Retail food store means:

(1) An establishment or house-to-house trade route that sells food for home preparation and consumption and meets the criteria as set forth in § 278.1(b).

* * * * *

Staple food means food intended for home preparation and consumption, excluding accessory foods, in each of the following four categories: (1) protein, including plant-based sources; (2) grains; (3) vegetables or fruits; and (4) dairy, including plant-based alternatives.

* * * * *

PART 278—PARTICIPATION OF RETAIL FOOD STORES, WHOLESALE FOOD CONCERNS AND INSURED FINANCIAL INSTITUTIONS

■ 3. In § 278.1:

■ a. Revise subparagraph (b)(1)(i)(A);

■ b. Revise subparagraph (b)(1)(ii); and

■ c. Redesignate subparagraph (b)(7) as subparagraph (b)(9) and add new subparagraphs (b)(7) and (b)(8).

The revisions and additions read as follows:

§ 278.1 Approval of retail food stores and wholesale food concerns.

* * * * *

(b) * * *

(1) * * *

(i) * * *

(A) An establishment or house-to-house trade route shall normally be

considered to have food business of a nature and extent that will effectuate the purposes of the program if it sells food for home preparation and consumption and meets either Criterion A or B of this paragraph.

* * * * *

(ii) Application of Criterion A.

(A) Stocking Standards. To qualify under Criterion A, retail food stores shall offer for sale no fewer than:

(1) Seven (7) distinct varieties of staple food items in each of the four staple food categories, as defined under § 271.2 of this chapter, for a minimum of 28 distinct staple food varieties;

(2) Three (3) stocking units of each qualifying staple food variety, for a minimum of 84 stocking units; and

(3) One (1) variety of perishable foods in three different staple food categories so that a minimum of three (3) of the 28 varieties and nine (9) of the 84 stocking units are perishable.

(B) Offer on a Continuous Basis. Retail food stores must offer the qualifying staple food items for sale on a continuous basis, as evidenced by displaying the items for sale in a public area on any given day of operation.

(1) If a retail food store does not meet the stocking requirements at the time of an FNS store visit, the store may provide documentation that it ordered and/or received the required stock no more than 21 calendar days prior to the date of the store visit. Documentation may include, but is not limited to, invoices and receipts.

(2) Failure to provide documentation related to stock may result in denial or withdrawal of authorization. Failure to cooperate with FNS store visits shall result in the denial or withdrawal of authorization.

(C) Distinct Staple Food Varieties. Foods within the same staple food category that differ by type (*e.g.,* apple vs. orange), the kind of animal from which the staple food is derived (*e.g.,* cow vs. chicken), or by raw or main ingredient are considered distinct staple food varieties. Multi-ingredient foods are categorized based on the food's main ingredient. The main ingredient of a multi-ingredient food is the first ingredient other than water, broth, or stock listed on the ingredient list.

(1) The following foods are considered distinct staple food varieties from foods of the same type or kind, and from foods with the same raw or main ingredient:

(i) Dry Beans, Peas, and Lentils (with no other ingredients and each counting as only one staple food variety regardless of the number of dry bean, dry pea, or dry lentil types offered);

(ii) Raw Grains (*e.g.,* rice and barley with no other ingredients); and

(iii) Flour (made from raw grains with no other ingredients;

(2) The following foods are considered only one distinct staple food variety regardless of type, kind, or raw or main ingredient (*e.g.,* rice noodles are the same variety as wheat noodles):

(i) Eggs;

(ii) Perishable Meat, Poultry, or Fish (for each different kind of animal)

(iii) Shelf-Stable Meat, Poultry, or Fish (for each different kind of animal)

(iv) Tofu/Tempeh;

(v) Bread;

(vi) Pasta/Noodles;

(vii) Breakfast Cereals/Foods;

(viii) Perishable Liquid Milk;

(ix) Shelf-stable Liquid Milk;

(x) Cream (other than butter);

(xi) Fermented/Cultured Dairy Beverages;

(xii) Dried/Powdered Milk;

(xiii) Cheese;

(xiv) Yogurt (non-liquid);

(xv) Butter;

(xvi) Infant Formula; and

(xvii) Infant Cereal.

(3) Plant-Based or Grain Alternatives.

(i) Plant-based dairy alternatives shall be considered distinct dairy staple food varieties from the traditional variety for which they are a substitute and may count for up to three (3) varieties as long as the main ingredient is not an accessory food.

(ii) Nuts/seeds, beans, peas, and lentils shall count in the protein category.

(4) No food product can count as a variety in more than one staple food category.

(5) Unless specified under subparagraphs (b)(1)(ii)(C)(*1*) or (*2*) of this section, the following are not considered distinct staple food varieties:

(i) Different brands, flavorings, packaging, or preparation, such as, but not limited to: different cuts of meat, juiced versus whole fruits, processed or cooked meat versus raw meat, chocolate versus plain milk, etc.

(ii) Different kinds of the same type of food, such as, but not limited to: brown and white rice, pinto and kidney beans, granny smith and gala apples, whole and skim milk, etc.

* * * * *

(7) *Accessory Foods.* Accessory foods as defined at § 271.2 of this chapter do not count as staple foods for purposes of retail food store eligibility and include:

(i) Snack and Dessert Food Items.

(A) Chips and other finger snacks, including but not limited to, potato, corn, wheat, tortilla, pita, vegetable, and fruit chips, crisps, sticks, and straws; onion ring snacks; corn nuts; snack and trail mixes (other than those containing only nuts); crackers; pork rinds; pretzels; pre-popped or un-popped popcorn; and cheese puffs or curls.

(B) Baked, gelatin, and pudding desserts, including but not limited to, doughnuts, brownies, cupcakes, cookies, snack cakes, muffins, pastries, sweet rolls, pies, cakes, churros, scones, pudding, and any packaged mixes intended to create any of the aforementioned products;

(C) Frozen snacks and desserts, including but not limited to, ice cream, ice milk, frozen yogurt, custard, whipped cream, sherbet, sorbet, gelato, granita, Italian ices, frozen carbonated beverages, snow cones, and ice pops;

(D) Candy and chocolate, including but not limited to, mints, chocolate chips, marshmallow, gum, toffee, brittle, fudge, marzipan, nougat, and candy bars;

(E) Snack bars, including but not limited to, protein, granola bars, and baked bars; and

(F) Jerky, other than whole-muscle meat jerky, including but not limited to beef jerky and plant-based jerky.

(ii) Food Items that Complement or Supplement Meals.

(A) Carbonated and uncarbonated beverages (except milk, plant-based milk alternatives, and 100% fruit or vegetable juice), including but not limited to, soda pop, sports or energy drinks, iced tea, tea bags, fruit punch, mixers for alcoholic beverages, shake powder/mixes, and water;

(B) Condiments, including but not limited to, ketchup, mayonnaise, mustard, salad dressing, hot sauce, vinegar, relish, horseradish, chutney, salsa, and soy sauce;

(C) Cheese or fruit dips and spreads, including but not limited to, cheese sprays, jams, jelly, marmalade, preserves, and compote;

(D) Sweeteners, including but not limited to, sugar, honey, maple syrup, aspartame, molasses, high fructose corn syrup, and any other natural or artificial sweeteners;

(iii) Edible items primarily used as part of the food preparation process.

(A) Extracts, including vanilla and other flavor extracts;

(B) Powdered, dried, and extracted spices or seasonings;

(C) Baking soda, baking powder, yeast, and starch;

(D) Vegetable oil, olive oil, shortening, lard, safflower oil, and any other solid or liquid cooking oils or fats (except butter and butter substitutes);

(E) Broth, stock, gelatin, and bouillon;

(F) Edible but non-caloric and non-digestible food products, including but

not limited to, monosodium glutamate, sodium nitrate, olestra, and any other food additives.

(iv) Any food product with a main ingredient (*i.e.,* the first ingredient other than water, broth, or stock listed on the ingredient list) that appears on this list as an accessory food item except infant formula.

(8) Separate businesses that operate under one roof are considered a single firm for purposes of determining eligibility to participate as a SNAP retail food store if both businesses:

(i) Share the same ownership in whole or in part;

(ii) Sell similar foods; and

(iii) Share inventory.

* * * * *

James C. Miller,

Administrator.

[FR Doc. 2025–18624 Filed 9–24–25; 8:45 am]

BILLING CODE P

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 985

[Doc. No. AMS–SC–24–0069]

Spearmint Oil Produced in the Far West; Salable Quantities and Allotment Percentages for the 2025–2026 Marketing Year

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule.

SUMMARY: This proposed rule would implement a recommendation from the Far West Spearmint Oil Administrative Committee (Committee) to establish salable quantities and allotment percentages for Class 1 (Scotch) and Class 3 (Native) spearmint oil produced in Washington, Idaho, and Oregon and parts of Nevada and Utah (Far West) for the 2025–2026 marketing year.

DATES: Comments must be received by October 27, 2025.

ADDRESSES: Interested persons are invited to submit written comments concerning this proposed rule. Comments can be sent to the Docket Clerk, Market Development Division, Specialty Crops Program, AMS, USDA, 1400 Independence Avenue SW, STOP 0237, Washington, DC 20250–0237. Comments can also be submitted to the Docket Clerk electronically by Email: *MarketingOrderComment@usda.gov* or via the internet at: *https://www.regulations.gov.* Comments should reference the document number and the date and page number of this issue of the **Federal Register**. Comments submitted in response to this proposed rule will be included in the record and will be made available to the public and can be viewed at: *https://www.regulations.gov.* Please be advised that the identity of the individuals or entities submitting the comments will be made public on the internet at the address provided above.

FOR FURTHER INFORMATION CONTACT: Joshua R. Wilde, Marketing Specialist, or Barry Broadbent, Chief, Northwest Region Branch, Market Development Division, Specialty Crops Program, AMS, USDA; Telephone: (503) 326–2724, or Email: *Joshua.R.Wilde@usda.gov* or *Barry.Broadbent@usda.gov.*

Small businesses may request information on complying with this regulation by contacting Antoinette Carter, Market Development Division, Specialty Crops Program, AMS, USDA, 1400 Independence Avenue SW, STOP 0237, Washington, DC 20250–0237; Telephone: (202) 720–8085, or Email: *Antoinette.Carter@usda.gov.*

SUPPLEMENTARY INFORMATION: This action, pursuant to 5 U.S.C. 553, proposes to amend regulations issued to carry out a marketing order as defined in 7 CFR 900.2(j). This proposed rule is issued under Marketing Order No. 985, as amended (7 CFR part 985), regulating the handling of spearmint oil produced in the Far West. Part 985 (referred to as the ''Order'') is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), hereinafter referred to as the ''Act.'' The Committee locally administers the Order and comprises spearmint oil producers operating within the area of production, and a public member.

The Agricultural Marketing Service (AMS) is issuing this proposed rule in conformance with Executive Order 12866, as amended by Executive Order 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, distributive impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, reducing costs, harmonizing rules, and promoting flexibility. This action falls within a category of regulatory actions that the Office of Management and Budget (OMB) exempted from Executive Order 12866 review.

This proposed rule has been reviewed under Executive Order 13175—Consultation and Coordination with Indian Tribal Governments, which requires federal agencies to consider whether their rulemaking actions would have tribal implications. AMS has determined that this rule is unlikely to have substantial direct effects on one or more Indian tribes, on the relationship between the federal government and Indian tribes, or on the distribution of power and responsibilities between the federal government and Indian tribes.

This proposed rule has been reviewed under Executive Order 12988—Civil Justice Reform. This rule is not intended to have retroactive effect. Under the Order now in effect, salable quantities and allotment percentages have been established for both classes of spearmint oil produced in the Far West. This proposed rule increases the quantity of Native Spearmint oil produced in the Far West that handlers may purchase from, or handle on behalf of, producers during the 2025–2026 marketing year, which began on June 1, 2025.

The Act provides that administrative proceedings must be exhausted before parties may file suit in court. Under section 608c(15)(A) of the Act, any handler subject to an order may file with the U.S. Department of Agriculture (USDA) a petition stating that the order, any provision of the order, or any obligation imposed in connection with the order, is not in accordance with law and request a modification of the order or to be exempted therefrom. Such handler is afforded the opportunity for a hearing on the petition. After the hearing, USDA would rule on the petition. The Act provides that the district court of the United States in any district in which the handler is an inhabitant, or has his or her principal place of business, has jurisdiction to review USDA's ruling on the petition, provided an action is filed not later than 20 days after the date of the entry of the ruling.

Pursuant to the requirements in § 985.50 of the Order, the Committee meets each year to consider supply and demand of spearmint oil and to adopt a marketing policy for the ensuing marketing year. In determining such marketing policy, the Committee considers several factors, including, but not limited to, the current and projected supply of oil, estimated future demand, production costs, and producer prices for both Class 1 (Scotch) and Class 3 (Native) spearmint oil. Input from spearmint oil handlers and producers are considered as well.

Pursuant to the provisions in § 985.51, when the Committee's marketing policy considerations indicate a need to establish or to maintain stable market

conditions through volume regulation, the Committee subsequently recommends to AMS the establishment of a salable quantity and allotment percentage for such class or classes of oil for the upcoming marketing year. Recommendations for volume control are intended to ensure market requirements for Far West spearmint oil are satisfied and orderly marketing conditions are maintained.

Salable quantity represents the total quantity of each class of oil (Class 1, commonly referred to as ''Scotch'', or Class 3, commonly referred to as ''Native'') which handlers may purchase from, or handle on behalf of, producers during a given marketing year. The allotment percentage for each class of spearmint oil is the salable quantity for that class of oil divided by the total of all producers' allotment base for the same class of oil. A producer's allotment base is their calculated share of the spearmint oil market based on a statistical representation of their past spearmint production and sales. To account for changes in production and demand over time, the Committee periodically reviews and adjusts each producer's allotment base in accordance with a formula prescribed by the Committee and approved by AMS. Each producer's annual allotment of the salable quantity is calculated by multiplying their respective allotment base for each class of spearmint oil by the allotment percentage for that class of spearmint oil. The total allotment base is revised each year on June 1 to account for producer allotment base being lost as a result of the ''bona fide effort'' production provision of § 985.53(e) and additional base made available pursuant to the provisions of § 985.153.

Salable quantities and allotment percentages are established at levels intended to maintain orderly marketing conditions while also ensuring that markets are adequately supplied. Further, Committee recommendations for volume control are made in advance of the upcoming marketing year in which the regulations are to be effective, thereby allowing producers ample time to adjust their production decisions accordingly.

The Committee met on October 9, 2024, to consider its marketing policy for the 2025–2026 marketing year. At that meeting, the Committee determined that, based on the current market and supply conditions, volume regulation for both classes of oil would be necessary. The Committee unanimously recommended, with a vote of eight in favor and none opposed, a salable quantity and allotment percentage for Scotch spearmint oil of 808,656 pounds and 35 percent, respectively. In addition, the Committee also unanimously recommended a salable quantity and allotment percentage for Native spearmint oil of 1,028,670 pounds and 39 percent, respectively.

This proposed action would establish the amount of Scotch and Native spearmint oil that handlers may purchase from, or handle on behalf of, producers during the 2025–2026 marketing year, which began on June 1, 2025. Salable quantities and allotment percentages have been in effect each season since the Order's inception in 1980.

Scotch Spearmint Oil

The Committee recommended a Scotch spearmint oil salable quantity of 808,656 pounds and an allotment percentage of 35 percent for the 2025–2026 marketing year. The proposed salable quantity of 808,656 pounds is 145,008 pounds greater than the salable quantity of 663,648 pounds established for the 2024–2025 marketing year. The recommended 35 percent allotment percentage for the 2025–2026 marketing year is six percent more than the 29 percent in effect the previous marketing year.

The total allotment base for the coming marketing year is estimated to be 2,310,445 pounds. This figure represents a one-percent increase over the revised 2024–2025 marketing year total allotment base of 2,287,569 pounds. The proposed salable quantity (808,656 pounds) is the product of total allotment base (2,310,445 pounds) times the proposed allotment percentage (35 percent).

The Committee considered several factors in making its recommendation, including the current and projected future supply, estimated future demand, production costs, and producer prices. The Committee's recommendation also accounts for the established acreage of Scotch spearmint, consumer demand, existing carry-in, reserve pool volume, and production in competing markets.

According to the Committee, as costs of production have increased and spearmint oil prices have lagged behind inflation, many producers have forgone new plantings of Scotch spearmint. This has resulted in a significant decline in production of Scotch spearmint oil in recent years. Production has decreased from 498,332 pounds produced in 2020 to an estimated 257,943 pounds of Scotch spearmint production in 2024.

Industry reports indicate that trade demand for Far West Scotch spearmint oil, which had been declining in recent years, has begun to stabilize. Sales of Far West Scotch spearmint oil declined from a high of 1,060,232 pounds during the 2014–2015 marketing year to a low of 488,484 pounds in the 2020–2021 marketing year. Sales of Far West Scotch spearmint oil totaled 549,323 pounds during the 2023–2024 marketing year, the last full year of available data. The Committee indicates that production of Scotch spearmint oil in competing markets, most notably by Canadian producers, continues to exert downward pressure on trade demand for Scotch spearmint oil from the Far West.

Given the anticipated market conditions for the coming year, the Committee estimates that Scotch spearmint oil trade demand for the 2025–2026 marketing year will be 645,000 pounds, which is 23,000 pounds greater than the Committee's estimate for the prior year and 64,568 pounds greater than the 5-year moving sales average of 580,432 pounds. Should the proposed volume regulation levels prove to be insufficient to adequately supply the market, the Committee has the authority to recommend intra-seasonal increases of the salable quantity and allotment percentage, as it has in previous marketing years.

The Committee calculated the minimum salable quantity of Scotch spearmint oil that would be required during the 2025–2026 marketing year (619,120 pounds) by subtracting the estimated salable carry-in on June 1, 2025, (25,880 pounds) from the estimated trade demand (645,000 pounds). This minimum salable quantity represents the estimated minimum amount of Scotch spearmint oil that would be needed to satisfy estimated trade demand for the coming year. To ensure that the market would be fully supplied, the Committee recommended a 2025–2026 marketing year salable quantity of 808,656 pounds. The recommended salable quantity, combined with an estimated 25,880 pounds of salable carry-in from the previous year, would yield a total available supply of 834,536 pounds of Scotch spearmint oil for the 2025–2026 marketing year.

Salable carry-in is the primary measure of excess spearmint oil supply under the Order, as it represents overproduction in prior years that is currently available to the market without restriction. Under volume regulation, spearmint oil that is designated as salable continues to be available to the market until it is sold and may be marketed at any time at the discretion of the owner.

The Committee estimated that there would be 25,880 pounds of salable carry-in of Scotch spearmint oil on June 1, 2025. At the recommended salable

quantity, the Committee projects that salable carry-in would increase to 189,536 pounds at the beginning of the 2026–2027 marketing year if current market conditions are maintained. This level would be greater than the quantity that the Committee generally considers favorable (150,000 pounds). However, the Committee believes that, given the current economic conditions in the Scotch spearmint oil industry, some Scotch spearmint oil producers may not produce their full annual allotment for the 2025–2026 marketing year. Therefore, the Committee anticipates that the actual quantity of Scotch spearmint oil carried into the 2026–2027 marketing year will be less than the quantity calculated above (189,536 pounds).

Spearmint oil held in reserve is oil that has been produced in excess of a producer's annual allotment, either in the current marketing year or in prior years, and is restricted from freely entering the market. After December 1 of each marketing year, reserve pool oil is not available to the market in the current marketing year without an increase in the salable quantity and allotment percentage. The Order does include provision for reserve oil to be released for limited market development projects, with approval of the Secretary, but this provision is rarely utilized.

Oil held in the reserve pool is another indicator of excess supply. Scotch spearmint oil held in reserve was 30,487 pounds as of May 31, 2024, up from 14,095 pounds as of May 31, 2023. This quantity of reserve pool oil should be an adequate buffer to supply the market, if necessary, should the industry experience an unexpected increase in demand.

The Committee recommended an allotment percentage of 35 percent for the 2025–2026 marketing year for Scotch spearmint oil. During its October 9, 2024, meeting, the Committee calculated an initial allotment percentage by dividing the minimum required salable quantity (619,120 pounds) by the total estimated allotment base (2,310,445 pounds), resulting in 26.8 percent. However, producers and handlers at the meeting indicated that the computed percentage (26.8 percent) might not adequately satisfy potential 2025–2026 marketing year Scotch spearmint oil market demand and may also result in a less than desirable carry-in for the subsequent marketing year. After deliberation, the Committee recommended an allotment percentage of 35 percent. The total estimated allotment base (2,310,445 pounds) for the 2025–2026 marketing year, multiplied by the recommended allotment percentage (35 percent), yields 808,656 pounds, which is the recommended salable quantity for the 2025–2026 marketing year.

The 2025–2026 marketing year computational data for the Committee's recommendation is detailed below.

(A) *Estimated carry-in of Scotch spearmint oil on June 1, 2025: 25,880 pounds.* This figure is the difference between the 2024–2025 marketing year total available supply of 647,880 pounds and the estimated carry-in. The Committee, initially estimated the production year at 600,000 and then revised the 2024–2025 marketing year estimated trade demand to 622,000 pounds.

(B) *Estimated trade demand of Scotch spearmint oil for the 2025–2026 marketing year: 645,000 pounds.* This figure was established at the Committee meeting held on October 9, 2024.

(C) *Minimum salable quantity of Scotch spearmint oil required from the 2025–2026 marketing year production: 619,120 pounds.* This figure is the difference between the estimated 2025–2026 marketing year trade demand (645,000 pounds) and the estimated carry-in on June 1, 2025 (25,880 pounds). This salable quantity represents the minimum amount of Scotch spearmint oil that would be needed to satisfy estimated demand for the coming year.

(D) *Total estimated Scotch spearmint oil allotment base for the 2025–2026 marketing year: 2,310,445 pounds.* This figure represents a one-percent increase over the 2024–2025 marketing year total actual allotment base of 2,287,569 pounds, as prescribed by § 985.53(d). The one-percent increase equals 22,876 pounds. This total estimated allotment base is revised each year on June 1 in accordance with § 985.53(e).

(E) *Computed Scotch spearmint oil allotment percentage for the 2025–2026 marketing year: 26.8 percent.* This percentage is computed by dividing the minimum required salable quantity (619,120) by the total estimated allotment base (2,310,445 pounds).

(F) *Recommended Scotch spearmint oil allotment percentage for the 2025–2026 marketing year: 35 percent.* This is the Committee's recommendation and is based on the computed allotment percentage, (26.8 percent) and input from producers and handlers at the October 9, 2024, meeting. The recommended 35 percent allotment percentage reflects the Committee's belief that the computed percentage (26.8 percent) may not adequately supply the anticipated 2025–2026 marketing year Scotch spearmint oil market demand.

(G) *Recommended Scotch spearmint oil salable quantity for the 2025–2026 marketing year: 808,656 pounds.* This figure is the product of the recommended salable allotment percentage (35 percent) and the total estimated allotment base (2,310,445 pounds) for the 2025–2026 marketing year.

(H) *Estimated total available supply of Scotch spearmint oil for the 2025–2026 marketing year: 834,536 pounds.* This figure is the sum of the 2025–2026 marketing year recommended salable quantity (808,656 pounds) and the estimated carry-in on June 1, 2025 (25,880 pounds).

For the reasons stated above, the Committee believes that the recommended salable quantity and allotment percentage would adequately satisfy trade demand, would result in a reasonable carry-in for the following year, and would contribute to the orderly marketing of Scotch spearmint oil.

Native Spearmint Oil

The Committee recommended a Native spearmint oil salable quantity of 1,028,670 pounds and an allotment percentage of 39 percent for the 2025–2026 marketing year. These figures are, respectively, 349,690 pounds and 13 percentage points greater than the levels initially established for the 2024–2025 marketing year. The Committee utilized handlers' estimated trade demand of Native spearmint oil for the coming year, historical and current Native spearmint oil production, inventory statistics, and international market data obtained from consultants for the spearmint oil industry to arrive at these recommendations.

The Committee anticipated that 2024 Native spearmint oil production would total 987,947 pounds, down from the Committee's previous year's production of 1,015,570 pounds. Committee records indicate that spearmint-producing acres in the Far West declined from a recent high of 9,013 acres in 2019 to 6,106 acres of Native spearmint production in 2024.

Sales of Native spearmint oil have been trending downward since the 2020–2021 marketing year, declining from 1,332,260 pounds during the 2020–2021 marketing year to 987,041 pounds for the 2023–2024 marketing year, the last full year for which data is available. The Committee expects demand to remain fairly stable, estimating trade demand for Native spearmint oil at 1,087,500 pounds for the 2025–2026 marketing year, an increase of 87,500 pounds from the Committee's estimated trade demand of

1,000,000 pounds for the 2024–2025 marketing year.

The Committee anticipated that 173,974 pounds of salable Native spearmint oil from prior years would be carried into the 2025–2026 marketing year. This amount is down from the 447,520 pounds of salable oil carried into the 2024–2025 marketing year and slightly above the level that the Committee generally considers favorable (150,000 pounds).

The Committee estimates that there will be 1,336,505 pounds of Native spearmint oil in the reserve pool at the beginning of the 2025–2026 marketing year. Native reserve pool oil has been fairly stable over the past several marketing years. The reserve pool declined from 1,219,122 pounds at the start of the 2021–2022 marketing year to a recent-low of 1,026,336 pounds to begin the 2023–2024 marketing year. However, the estimated 1,336,505 pounds that the Committee projected to be held in the reserve pool to begin the 2025–2026 marketing year represents a 20-year high and reflects the Committee's previous efforts to reduce year-over-year salable carry-in by establishing a relatively low salable quantity for Native spearmint oil for the 2024–2025 marketing year.

The Committee expects end users of Native spearmint oil to continue to rely on Far West production as their primary source of high-quality Native spearmint oil. However, increases in domestic production of Native spearmint from regions outside of the Far West production area has created additional competition for market share. For example, there were fewer than 2,000 acres of Native spearmint production in the U.S. Midwest region in 2016, compared with over 10,000 acres of Native spearmint oil production in the Far West. However, the Committee's 2024 estimates indicate that Far West acreage has declined to approximately 6,106 acres, compared to Native spearmint producing acreage of around 3,000 acres in the Midwest. This situation has contributed to declining trade demand for Far West Native spearmint oil and led to downward pressure on producer prices.

Given the anticipated market conditions for the coming year, the Committee estimated the 2025–2026 marketing year Native spearmint oil trade demand to be 1,087,500 pounds. This figure is based on input provided by producers at six production area meetings held in September and October 2024, as well as estimates provided by handlers and other meeting participants at the October 9, 2024, Committee meeting. This figure represents an increase of 87,500 pounds from the previous year's estimated trade demand for the 2024–2025 marketing year. The average estimated trade demand for Native spearmint oil derived from the production area meetings was 1,072,917 pounds, whereas the handlers' estimates ranged from 1,000,000 to 1,200,000 pounds. The quantity marketed over the most recent full marketing year, 2023–2024, was 987,041 pounds.

The estimated June 1, 2025, carry-in of 173,974 pounds of Native spearmint oil, plus the recommended 2025–2026 marketing year salable quantity of 1,028,670 pounds, would result in an estimated total available supply of 1,202,644 pounds of Native spearmint oil during the 2025–2026 marketing year. With the corresponding estimated trade demand of 1,087,500 pounds, the Committee projects that 115,144 pounds of salable oil will be carried into the 2026–2027 marketing year. The Committee estimated there would be 1,336,505 pounds of Native spearmint oil held in the reserve pool at the beginning of the 2025–2026 marketing year. Should the proposed volume regulation levels prove insufficient to adequately supply the market, the Committee has the authority to recommend an intra-seasonal increase to the salable quantity and allotment percentage to satisfy that demand.

The Committee recommended a Native spearmint oil allotment percentage of 39 percent for the 2025–2026 marketing year. During its October 9, 2024, meeting, the Committee calculated an initial allotment percentage of 34.6 percent by dividing the minimum required salable quantity to satisfy estimated trade demand (913,526 pounds) by the total allotment base (2,637,615 pounds). However, producers and handlers at the meeting expressed concern that the computed percentage of 34.6 percent may not adequately supply the potential 2025–2026 marketing year Native spearmint oil market demand. Further, it could result in a less than adequate carry-in for the subsequent marketing year. After deliberation, the Committee increased its allotment percentage recommendation to 39 percent. The total estimated Native spearmint oil allotment base (2,637,615 pounds) multiplied by the recommended salable allotment percentage (39 percent) yields 1,028,670 pounds, the recommended Native spearmint oil salable quantity for the 2025–2026 marketing year.

The 2025–2026 marketing year computational data for the Committee's recommendation is further outlined below.

(A) *Estimated carry-in of Native spearmint oil on June 1, 2025: 173,974 pounds.* This figure is the difference between the estimated 2024–2025 marketing year total available supply of 1,173,974 pounds and the revised 2024–2025 marketing year estimated trade demand of 1,000,000 pounds.

(B) *Estimated trade demand of Native spearmint oil for the 2025–2026 marketing year: 1,087,500 pounds.* This estimate was established by the Committee at its October 9, 2024, meeting.

(C) *Minimum salable quantity of Native spearmint oil required from the 2025–2026 marketing year production: 913,526 pounds.* This figure is the difference between the 2025–2026 marketing year estimated trade demand (1,087,500 pounds) and the estimated carry-in on June 1, 2025 (173,974 pounds). This is the minimum amount of Native spearmint oil that the Committee believes would be required to meet the anticipated 2025–2026 marketing year trade demand.

(D) *Total estimated allotment base of Native spearmint oil for the 2025–2065 marketing year: 2,637,615 pounds.* This figure represents a one-percent increase over the 2024–2025 marketing year actual total allotment base of 2,611,500 pounds as prescribed in § 985.53(d). The one-percent increase equals 26,115 pounds of oil. This estimate is revised each year on June 1, to adjust for the bona fide effort production provisions of § 985.53(e).

(E) *Computed Native spearmint oil allotment percentage for the 2025–2026 marketing year: 34.6 percent.* This percentage is calculated by dividing the required minimum salable quantity (913,526 pounds) by the total estimated allotment base (2,637,615 pounds) for the 2025–2026 marketing year.

(F) *Recommended Native spearmint oil allotment percentage for the 2025–2026 marketing year: 39 percent.* This is the Committee's recommendation based on the computed allotment percentage (34.6 percent) and input from producers and handlers at the October 9, 2024, meeting. The recommended 39 percent allotment percentage is also based on the Committee's belief that the computed percentage (34.6 percent) may not adequately supply the potential market for Native spearmint oil in the 2025–2026 marketing year or allow for sufficient salable Native spearmint oil to be carried into the beginning of the 2025–2026 marketing year.

(G) *Recommended Native spearmint oil 2025–2026 marketing year salable quantity: 1,028,670 pounds.* This figure is the product of the recommended allotment percentage (39 percent) and

the total estimated allotment base (2,637,615 pounds).

(H) *Estimated available supply of Native spearmint oil for the 2025–2026 marketing year: 1,202,644 pounds.* This figure is the sum of the 2025–2026 marketing year recommended salable quantity (1,028,670 pounds) and the estimated carry-in on June 1, 2025 (173,974 pounds). This amount could be increased, as needed, through an intra-seasonal increase in the salable quantity and allotment percentage.

The Committee's recommended Scotch and Native spearmint oil salable quantities and allotment percentages of 808,656 pounds and 35 percent, and 1,028,670 pounds and 39 percent, respectively, would match the available supply of each class of spearmint oil to the estimated demand of each, thus avoiding extreme fluctuations in inventories and prices. This proposed rule is similar to regulations issued in prior seasons.

The salable quantities in this proposed rule are not expected to cause a shortage of either class of spearmint oil. Any unanticipated or additional market demand for either class of spearmint oil which may develop during the marketing year could be satisfied by an intra-seasonal increase in the salable quantity and corresponding allotment percentage. The Order contains a provision in § 985.51 for intra-seasonal increases to allow the Committee the flexibility to respond quickly to changing market conditions.

Under volume regulation, producers who produce more than their annual allotments during the marketing year may transfer such excess spearmint oil to producers who have produced less than their annual allotment. In addition, on December 1 of each year, producers who have not transferred their excess spearmint oil to other producers must place their excess spearmint oil production into the reserve pool to be released in future marketing years. Each producer controls the disposition of their respective reserve pool spearmint oil, in accordance with market needs and the Order's volume regulation provisions, and under the Committee's oversight.

In conjunction with the issuance of this proposed rule, AMS has reviewed the Committee's marketing policy statement for the 2025–2026 marketing year. The Committee's marketing policy statement, a requirement whenever the Committee recommends volume regulation, meets the requirements of §§ 985.50 and 985.51.

The establishment of the proposed salable quantities and allotment percentages would allow for anticipated market needs. In determining anticipated market needs, the Committee considered historical sales, as well as changes and trends in production and demand. This proposal would also provide producers with information regarding the amount of spearmint oil that should be produced for the 2025–2026 and subsequent marketing years to meet anticipated market demand.

Initial Regulatory Flexibility Analysis

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA) (5 U.S.C. 601–612), AMS has considered the economic impact of this proposed rule on small entities. Accordingly, AMS has prepared this initial regulatory flexibility analysis.

The purpose of the RFA is to fit regulatory actions to the scale of businesses subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Act, and the rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their own behalf.

There are approximately 39 producers of Scotch spearmint oil and 89 producers of Native spearmint oil operating within the regulated production area. In addition, there are approximately 6 spearmint oil handlers (both Scotch and Native spearmint) subject to regulation under the Order. Small agricultural service firms are defined by the Small Business Administration (SBA) as those having annual receipts of equal to or less than $34 million (Postharvest Crop Activities, NAICS code 11514). Small agricultural producers of spearmint oil are defined as those having annual receipts of equal to or less than $2.5 million (All Other Miscellaneous Crop Farming, NAICS code 111998) (13 CFR 121.201).

The National Agricultural Statistics Service (NASS) reported that the 2023 U.S. season average spearmint oil producer price per pound was $18.40. Spearmint oil utilization for the 2023–2024 marketing year, as reported by the Committee, was 549,323 pounds and 987,041 pounds for Scotch and Native spearmint oil, respectively, for a total of 1,536,364 pounds. Multiplying $18.40 per pound by 2023–2024 marketing year spearmint oil utilization of 1,536,364 pounds yields a crop value estimate of about $28.3 million.

Given the accounting requirements for the volume regulation provisions of the Order, the Committee maintains accurate records of each producer's production and sales. Using the $18.40 average spearmint oil price and Committee production data for each producer, the Committee estimates that 38 of the 39 Scotch spearmint oil producers and all of the 89 Native spearmint oil producers could be classified as small entities under the SBA definition.

There is no third-party or governmental entity that collects and reports spearmint oil prices received by spearmint oil handlers. However, the Committee estimates an average spearmint oil handling markup at approximately 20 percent of the price received by producers. Twenty percent of the 2023 producer price ($18.40) is $3.68, which results in a handler Free on Board (f.o.b.) price per pound estimate of $22.08 ($18.40 + $3.68).

Multiplying this estimated handler f.o.b. price by the 2023–2024 marketing year total spearmint oil utilization of 1,536,364 pounds results in an estimated handler-level spearmint oil value of $33.9 million. Dividing this figure by the number of handlers (6) yields estimated average annual handler receipts of about $5.7 million, which is well below the $34.0 million SBA threshold for small agricultural service firms.

Furthermore, using confidential data compiled by the Committee on the pounds of spearmint oil handled by each handler and the abovementioned estimated handler price per pound, the Committee reported that it is not likely that any of the six handlers had 2023–2024 marketing year spearmint oil sales that exceeded SBA's threshold.

Therefore, in view of the foregoing, the majority of producers of spearmint oil may be classified as small entities, and all of the handlers of spearmint oil may be classified as small entities.

This proposed rule would establish the quantity of spearmint oil produced in the Far West, by class, which handlers may purchase from, or handle on behalf of, producers during the 2025–2026 marketing year. The Committee recommended this proposed action to help maintain stability in the spearmint oil market by matching supply to estimated demand, thereby avoiding extreme fluctuations in supplies and prices. Establishing quantities that may be purchased from or handled on behalf of producers during the marketing year through volume regulation allows producers to coordinate their spearmint oil production with the expected market demand. Authority for this proposal is provided in §§ 985.50, 985.51, and 985.52 of the Order.

The Committee estimates the total trade demand for the 2025–2026 marketing year for both classes of oil at 1,732,500 pounds. In addition, the Committee expected that the combined salable carry-in for both classes of spearmint oil would be 199,854 pounds. As such, the combined required salable quantity for the 2025–2026 marketing year is estimated to be 1,532,646 pounds (1,732,500 pounds trade demand, less 199,854 pounds carry-in). Under volume regulation, total sales of spearmint oil by producers for the 2025–2026 marketing year would be held to 2,037,180 pounds (the recommended salable quantity for both classes of spearmint oil of 1,837,326 pounds plus 199,854 of carry-in).

This total available supply of 2,037,180 pounds should be more than adequate to supply the 1,732,500 pounds of anticipated total trade demand for spearmint oil. In addition, as of May 31, 2024, the total reserve pool for both classes of spearmint oil stood at 1,100,011 pounds. That quantity was expected to increase over the course of the 2024–2025 marketing year, with Committee reserve pool estimates totaling 1,366,992 pounds on May 31, 2025. Should trade demand increase unexpectedly during the 2025–2026 marketing year, reserve pool spearmint oil could be released into the market to supply that increase in demand.

The recommended allotment percentages, upon which 2025–2026 marketing year annual producer allotments are based, are 35 percent for Scotch spearmint oil and 39 percent for Native spearmint oil. Without volume regulation, producers would not be held to these allotment levels and would be able to sell unrestricted quantities of spearmint oil.

The AMS econometric model used to evaluate the Far West spearmint oil market estimated that the season average producer price per pound (for both classes of spearmint oil) would decline about $2.78 per pound without volume regulation. The surplus situation for the spearmint oil market that would exist without volume regulation in the 2025–2026 marketing year also would likely dampen prospects for improved producer prices in future years because of the excessive buildup in stocks.

In addition, spearmint oil prices would likely fluctuate with greater amplitude in the absence of volume regulation. The coefficient of variation, or CV (a standard measure of variability), of Far West spearmint oil producer prices for the period 1980–2022 (the years in which the Order has been in effect, and for which NASS data is available), is 24 percent, compared to 49 percent for the 20-year period (1960–1979) immediately prior to the establishment of the Order. Since higher CV values correspond to greater variability, this is an indicator of the price-stabilizing impact of the Order.

The use of volume regulation allows the industry to fully supply spearmint oil markets while avoiding the negative consequences of over-supplying these markets. The use of volume regulation is believed to have little or no effect on consumer prices of products containing spearmint oil and would not result in fewer retail sales of such products.

The Committee discussed alternatives to the recommendations contained in this rule for both classes of spearmint oil. The Committee rejected the idea of not regulating volume for either class of spearmint oil because of the severe, price-depressing effects that are more likely to occur without volume regulation. The Committee also discussed and considered salable quantities and allotment percentages that were above and below the levels that were eventually recommended for both classes of spearmint oil. Ultimately, the action recommended by the Committee was to increase the allotment percentage and salable quantity for both Scotch spearmint oil and Native spearmint oil from the levels established for the 2024–2025 marketing year.

As noted earlier, the Committee's recommendation to establish salable quantities and allotment percentages for both classes of spearmint oil was made after careful consideration of all available information including: (1) The estimated quantity of salable oil of each class held by producers and handlers; (2) the estimated demand for each class of oil; (3) the prospective production of each class of oil; (4) the total of allotment bases of each class of oil for the current marketing year and the estimated total of allotment bases of each class for the ensuing marketing year; (5) the quantity of reserve oil, by class, in storage; (6) producer prices of oil, including prices for each class of oil; and (7) general market conditions for each class of oil, including whether the estimated season average price to producers is likely to exceed parity.

Based on its review, the Committee believes that the salable quantities and allotment percentages recommended would achieve the objectives sought. The Committee also believes that, should there be no volume regulation in effect for the upcoming marketing year, the Far West spearmint oil industry would return to the pronounced cyclical price patterns that occurred prior to the promulgation of the Order. As previously stated, annual salable quantities and allotment percentages have been issued for both classes of spearmint oil since the Order's inception. The salable quantities and allotment percentages proposed herein are expected to facilitate the goal of maintaining orderly marketing conditions for Far West spearmint oil for the 2025–2026 and future marketing years.

This proposed rule would establish the salable quantities and allotment percentages for Scotch and Native spearmint oil produced in the Far West during the 2025–2026 marketing year. Costs to producers and handlers, large and small, resulting from this proposal are expected to be offset by the benefits derived from a more stable market and increased returns. The benefits of this proposed rule are expected to be equally available to all producers and handlers regardless of their size.

The Committee's meeting was widely publicized throughout the spearmint oil industry and all interested persons were invited to attend the meeting and participate in Committee deliberations on all issues. Like all Committee meetings, the October 9, 2024, meeting was a public meeting and all entities, both large and small, were able to express views on this issue. Finally, interested persons are invited to submit comments on this proposed rule, including the regulatory and informational impacts of this action on small businesses.

In accordance with the Paperwork Reduction Act of 1995, (44 U.S.C. Chapter 35), the Order's information collection requirements have been previously approved by OMB and assigned OMB No. 0581–0178, Vegetable and Specialty Crops. No changes in those requirements would be necessary as a result of this proposed rule. Should any changes become necessary, they would be submitted to OMB for approval.

This proposed rule would not impose any additional reporting or recordkeeping requirements on either small or large Far West spearmint oil handlers. As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies.

AMS is committed to complying with the E-Government Act, to promote the use of the internet and other information technologies to provide increased opportunities for citizen

access to Government information and services, and for other purposes.

AMS has not identified any relevant Federal rules that duplicate, overlap, or conflict with this proposed rule.

A small business guide on complying with fruit, vegetable, and specialty crop marketing agreements and orders may be viewed at: *https://www.ams.usda.gov/rules-regulations/moa/small-businesses.* Any questions about the compliance guide should be sent to Antoinette Carter at the previously mentioned address in the **FOR FURTHER INFORMATION CONTACT** section.

After consideration of all relevant material presented, including the information and recommendations submitted by the Committee and other available information, USDA has determined that this proposed rule is consistent with and would effectuate the purposes of the Act.

A 30-day comment period is provided to allow interested persons to respond to this proposed rule. All written comments timely received will be considered before a final determination is made on this rule.

List of Subjects in 7 CFR Part 985

Marketing agreements, Oils and fats, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, the Agriculture Marketing Service proposes to amend 7 CFR part 985 as follows:

PART 985—MARKETING ORDER REGULATING THE HANDLING OF SPEARMINT OIL PRODUCED IN THE FAR WEST

■ 1. The authority citation for 7 CFR part 985 continues to read as follows:

Authority: 7 U.S.C. 601–674.

■ 2. Add § 985.235 to read as follows:

§ 985.235 Salable quantities and allotment percentages—2025–2026 marketing year.

The salable quantity and allotment percentage for each class of spearmint oil during the marketing year beginning on June 1, 2025, shall be as follows:

(a) Class 1 (Scotch) oil—a salable quantity of 808,656 pounds and an allotment percentage of 35 percent.

(b) Class 3 (Native) oil—a salable quantity of 1,028,670 pounds and an allotment percentage of 39 percent.

Erin Morris,

Administrator, Agricultural Marketing Service.

[FR Doc. 2025–18566 Filed 9–24–25; 8:45 am]

BILLING CODE P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–0199; Project Identifier MCAI–2024–00332–T]

RIN 2120–AA64

Airworthiness Directives; Airbus Canada Limited Partnership (Type Certificate Previously Held by C Series Aircraft Limited Partnership (CSALP); Bombardier, Inc.) Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Supplemental notice of proposed rulemaking (SNPRM).

SUMMARY: The FAA is revising a notice of proposed rulemaking (NPRM) that would have applied to certain Airbus Canada Limited Partnership Model BD–500–1A10 and BD–500–1A11 airplanes. This action revises the NPRM by adding a requirement to re-identify the ceiling panel liners. The FAA is proposing this airworthiness directive (AD) to address the unsafe condition on these products. Since these actions would impose an additional burden over those in the NPRM, the FAA is requesting comments on this SNPRM.

DATES: The FAA must receive comments on this SNPRM by November 10, 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–2025–0199; 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 SNPRM, 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 Transport Canada material identified in this proposed AD, contact Transport Canada, Transport Canada National Aircraft Certification, 159 Cleopatra Drive, Nepean, Ontario K1A 0N5, Canada; telephone 888–663–3639; email *TC.AirworthinessDirectives-Consignesdenavigabilite.TC@tc.gc.ca*. You may find this material on the Transport Canada website at *tc.canada.ca/en/aviation*. It is also available at regulations.gov under Docket No. FAA–2025–0199.
- 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: Brenda L. Buitrago, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 516–288–7368; email: *Brenda.L.Buitrago.Perez@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–2025–0199; Project Identifier MCAI–2024–00332–T'' at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

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

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 SNPRM 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 SNPRM, 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 SNPRM. Submissions containing CBI should be sent to Brenda L. Buitrago, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 516–288–7368; email: *Brenda.L.Buitrago.Perez@faa.gov*. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

The FAA issued an NPRM to amend 14 CFR part 39 by adding an AD that would have applied to certain Airbus Canada Limited Partnership Model BD–500–1A10 and BD–500–1A11 airplanes. The NPRM was published in the **Federal Register** on February 13, 2025 (90 FR 9526). The NPRM was prompted by AD CF–2024–21, dated June 20, 2024 (Transport Canada AD CF–2024–21), issued by Transport Canada, which is the aviation authority for Canada. Transport Canada AD CF–2024–21 states that environmental control system (ECS) ducts, located on forward and aft cargo compartment ceiling panels, having part numbers (P/Ns) D761189–105, D761189–501, and D762232–509, have been manufactured using material APF1180–7781, which replaced discontinued legacy material Solvay L591PG–7781. The material change to APF1180–7781 was done without changing the ECS duct part number. Subsequent certification testing of the ECS ducts made using material APF1180–7781 failed flammability test requirements. These noncompliant ECS ducts may have been installed on certain affected airplanes during production. Noncompliant ECS ducts could result in the inability to contain a fire within the cargo compartment, which could result in an uncontrolled fire.

In the NPRM, the FAA proposed to require inspecting the affected ECS ducts and, as applicable, installing a fire-resistant sleeve assembly over any non-compliant ECS duct, and prohibit the installation of ECS ducts as replacement parts under certain conditions.

Actions Since the NPRM Was Issued

Since the FAA issued the NPRM, Transport Canada superseded Transport Canada AD CF–2024–21 and issued Transport Canada AD CF–2025–10, dated February 27, 2025 (Transport Canada AD CF–2025–10) (also referred to as the MCAI), to correct an unsafe condition for all Airbus Canada Limited Partnership Model BD–500–1A10 and BD–500–1A11 airplanes. The MCAI states that since Transport Canada AD CF–2024–21 was issued, Airbus Canada revised the instructions in their service information to include a requirement to identify the ceiling panel liners to ensure configuration control.

The FAA is proposing this AD to address noncompliant ECS ducts that could cause an inability to contain a fire within the cargo compartment. The unsafe condition, if not addressed, could result in an uncontrolled fire.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2025–0199.

Comments

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

The FAA received additional comments from Delta Air Lines (Delta). The following presents the comments received on the NPRM and the FAA's response to each comment.

Request To Reference Transport Canada AD CF–2025–10

Delta requested that the proposed AD be updated to incorporate Transport Canada AD CF–2025–10, which supersedes Transport Canada AD CF–2024–21 and requires additional identification of the ceiling panel liners in affected cargo compartments for airplanes that already incorporated corrective actions. Delta added that Transport Canada AD CF–2025–10 updates the definition of the applicable service information to reference revision 3.

The FAA agrees. As previously stated, the FAA has revised this proposed AD to reference Transport Canada AD CF–2025–10.

Request for a 60-Day Grace Period

Delta requested the inclusion of a 60-day grace period in paragraph (h) of the proposed AD. Delta stated the requested 60-day grace period is intended to address Delta aircraft that would be approaching/exceeding the 9,350 total flight hours compliance time when the FAA AD is published. Delta stated it owns three aircraft that need to accomplish the modification required by the proposed AD, and that without a grace period, those aircraft would be grounded. Delta noted that it found many issues with the service information that needed to be reconciled, and a 60-day grace period would allow adequate time to schedule the aircraft into a hanger and to procure parts and materials.

The FAA agrees with the commenter's request for a grace period, but has determined that a 30 day grace period will allow operators adequate time to plan and procure parts and materials. The FAA has added paragraph (h)(3) of this proposed AD to provide a 30-day grace period.

Request To Address Discrepancies in Service Information

Delta requested the FAA add exceptions to paragraph (h) of the proposed AD to address discrepancies in the related service information. Delta stated paragraph (g) of the proposed AD mandates accomplishing the instructions of Airbus Canada Limited Partnership Service Bulletin BD500–501003 Issue 001, or later revisions, and Safran Service Bulletin F493000–50–06, as a corrective action for the related unsafe condition. Delta stated that it discovered four discrepancies in the instructions of Safran Service Bulletin F493000–50–06 Revision 1, dated October 31, 2024. Delta suggested wording to address each of the following discrepancies:

Instructions to drill holes for inserts that are placed before instructions to mark and identify locations for those inserts.

A guidance note that could be moved to a different location to help guide maintenance personnel.

Instructions related to the installation of masking tape and inserts that could be done in a different order.

Missing instructions to drill holes for installing a sleeve assembly.

The FAA partially agrees with the commenter's request. Regarding the position of the note, the FAA clarifies that the note is guidance material, not mandatory, and may be deviated from, including applying that guidance after a different step in the referenced material. Therefore, no change to this proposed AD is needed regarding the note. For the commenter's other requests, the FAA has added paragraphs (h)(4) through (6) of this proposed AD to address the discrepancies.

Request To Confirm Intent To Allow Use of Later Revisions of Service Information

Delta requested the FAA include an acknowledgement in the preamble of the proposed AD to state the FAA intends to allow the use of later revisions of the service information specified in Transport Canada AD CF–2024–21. Delta stated it discovered errors that prompted Airbus to initiate two service bulletin revisions and

operators should use later revisions of the service information to comply with the proposed AD.

The FAA confirms that it intends to allow the use of applicable later service bulletins revisions to comply with the requirements of this proposed AD. This proposed AD refers to Transport Canada AD CF–2025–10 as the appropriate source of service information for accomplishing the required actions. Transport Canada AD CF–2025–10 specifies acceptance of the use of later-approved revisions of the referenced Airbus Canada Limited Partnership service bulletin for compliance. Therefore, applicable later-approved service bulletin revisions are acceptable. The FAA has not changed the proposed AD regarding this request.

Request To Address Reporting Requirement

Delta requested a statement be added to paragraph (h) of the proposed AD to addresses the reporting requirement in Airbus Canada Limited Partnership Service Bulletin BD500–501003 Issue No. 003, dated December 18, 2024, or later revisions. Delta noted the service bulletin requires the submission of a data sheet to the Airbus customer response center for analysis. Delta stated the collection of ECS duct lot numbers does not provide public benefit or utility towards creating project scope or determining terminating action. Delta requested that the FAA revise paragraph (h) of the proposed AD to state that reporting is not required.

The FAA agrees with the commenter's request. The FAA has added paragraph (i) of this proposed AD to specify that reporting to the manufacturer is not required, and redesignated subsequent paragraphs accordingly.

Material Incorporated by Reference Under 1 CFR Part 51

Transport Canada AD CF–2025–10 specifies procedures for inspecting to determine the lot numbers of affected ECS ducts, installing a fire-resistant sleeve assembly over any non-compliant ECS duct, and reidentifying the ceiling panel liners in the cargo compartments. Transport Canada AD CF–2025–10 also prohibits the installation of ECS ducts as replacement parts under certain conditions. This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA's Determination

These products have been approved by the civil aviation authority of another country and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, that authority has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA is issuing this SNPRM after determining that the unsafe condition described previously is likely to exist or develop in other products of the same type design.

Certain changes described above expand the scope of the NPRM. As a result, it is necessary to reopen the comment period to provide additional opportunity for the public to comment on this SNPRM.

Proposed AD Requirements in This SNPRM

This proposed AD would require accomplishing the actions specified in Transport Canada AD CF–2025–10 described previously, except for any differences identified as exceptions in the regulatory text of this proposed AD.

Explanation of Required Compliance Information

In the FAA's ongoing efforts to improve the efficiency of the AD process, the FAA developed a process to use some civil aviation authority (CAA) ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating this process with manufacturers and CAAs. As a result, the FAA proposes to incorporate Transport Canada AD CF–2025–10 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with Transport Canada AD CF–2025–10 in its entirety through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Material required by Transport Canada AD CF–2025–10 for compliance will be available at *regulations.gov* under Docket No. FAA–2025–0199 after the FAA final rule is published.

Costs of Compliance

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

ESTIMATED COSTS FOR REQUIRED ACTIONS

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
12 work-hours × $85 per hour = $1,020	$0	$1,020	$11,220

The FAA estimates the following costs to do any necessary on-condition actions that would be required based on the results of any required actions. The FAA has no way of determining the number of aircraft that might need these on-condition actions:

ESTIMATED COSTS OF ON-CONDITION ACTIONS

Labor cost	Parts cost	Cost per product
2 work-hours × $85 per hour = $170	$4,840	$5,010

The FAA has included all known costs in its cost estimate. According to the manufacturer, however, some or all of the costs of this proposed AD may be covered under warranty, thereby reducing the cost impact on affected operators.

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:

Airbus Canada Limited Partnership (Type Certificate Previously Held by C Series Aircraft Limited Partnership (CSALP); Bombardier, Inc.): Docket No. FAA–2025–0199; Project Identifier MCAI–2024–00332–T.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by November 10, 2025.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all Airbus Canada Limited Partnership Model BD–500–1A10 and BD–500–1A11 airplanes, certificated in any category.

(d) Subject

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

(e) Unsafe Condition

This AD was prompted by certification testing that found that environmental control system (ECS) ducts manufactured using material APF1180–7781 failed the flammability test requirements established for compliance. The FAA is issuing this AD to address noncompliant ECS ducts that could cause an inability to contain a fire within the cargo compartment. The unsafe condition, if not addressed, could result in an uncontrolled fire.

(f) Compliance

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

(g) Requirements

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, Transport Canada AD CF–2025–10, dated February 27, 2025 (Transport Canada AD CF–2025–10).

(h) Exception to Transport Canada AD CF–2025–10

(1) Where Transport Canada AD CF–2025–10 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where Transport Canada AD CF–2025–10 refers to June 20, 2024 (the effective date of Transport Canada AD CF–2024–21), this AD requires using the effective date of this AD.

(3) Where the first paragraph under Part 1 of Transport Canada AD CF–2025–10 specifies a compliance time for the inspection and retrofit, for this AD the compliance time is at the later of the times specified in paragraphs (h)(3)(i) or (ii) of this AD:

(i) Prior to the accumulation of 9,350 total flight hours or within 60 months after the effective date of this AD, whichever occurs first.

(ii) Within 30 days after the effective date of this AD.

(4) Where the Safran material referenced in Transport Canada AD CF–2025–10 specifies to drill holes, this AD allows identifying and marking the new locations for the inserts prior to drilling the holes.

(5) Where the Safran material referenced in Transport Canada AD CF–2025–10 specifies accomplishing step 3.D.(8) after accomplishing steps 3.D.(6) and 3.D.(7), this AD allows accomplishing step 3.D.(8) concurrently with or after step 3.D.(5).

(6) Where the Safran material referenced in Transport Canada AD CF–2025–10 specifies ''mark the holes position'', for this AD replace that text with ''mark the holes position and drill the holes''.

(7) Where the second paragraph under Part II of Transport Canada AD CF–2025–10 specifies ''The use of the Accomplishment Instructions of Safran Cabin Service Bulletin F493000–50–06 as contained within Airbus Canada SB BD500–501003 Issue 001, dated 21 December 2023, or Issue 002, dated November 15, 2024, prior to the effective date of this AD, also meet the intent of Part II of this AD'', this AD requires replacing that text with ''The use of the Accomplishment Instructions of Safran Cabin Service Bulletin F493000–50–06 as contained within Airbus Canada SB BD500–501003 Issue 001, dated 21 December 2023, or Issue 002, dated November 15, 2024, prior to the effective date of this AD, also meet the intent of Part II of this AD, provided the ceiling panel liners in the cargo compartments have been re-identified in accordance with the procedure in Section 3 of Part B of the Accomplishment Instructions of the ACLP SB.''

(i) No Reporting Requirement

Although the material referenced in Transport Canada AD CF–2025–10 specifies to submit certain information to the manufacturer, this AD does not include that requirement.

(j) Additional AD Provisions

The following provisions also apply to this AD:

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

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

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

(k) Additional Information

For more information about this AD, contact Brenda L. Buitrago, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 516–288–7368; email: *Brenda.L.Buitrago.Perez@faa.gov*.

(l) Material Incorporated by Reference

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

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

(i) Transport Canada AD CF–2025–10, dated February 27, 2025.

(ii) [Reserved]

(3) For Transport Canada material identified in this AD, contact Transport Canada, Transport Canada National Aircraft Certification, 159 Cleopatra Drive, Nepean, Ontario K1A 0N5, Canada; telephone 888–663–3639; email *TC.AirworthinessDirectives-Consignesdenavigabilite.TC@tc.gc.ca*; website *tc.canada.ca/en/aviation*.

(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 23, 2025.

Peter A. White,

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

[FR Doc. 2025–18606 Filed 9–24–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF STATE

22 CFR Part 54

[Public Notice 11632]

RIN 1400–AE37

Passports; Procedures for Passport Couriers

AGENCY: Department of State.

ACTION: Supplemental notice of proposed rulemaking.

SUMMARY: The Department of State (the Department) establishes rules for the registration program and hand delivery procedures for courier companies used by applicants to transport their passport applications, and U.S. passports issued to them, to and from participating passport agencies. This supplemental notice of proposed rulemaking, along with the original notice of proposed rulemaking (NPRM), is intended to continue the program that was established by prior policy, to maintain vigilance over the security of the passport application process, to require companies to register with the Department prior to providing hand delivery services to certain applicants for U.S. passports, and to follow a uniform set of hand delivery procedures.

DATES: Written comments must be received on or before November 24, 2025.

ADDRESSES: Interested parties may submit comments to the Department by any of the following methods:

Visit the Regulations.gov website at: http://www.regulations.gov and search for the Regulatory Information Number (RIN) 1400–AE37 or docket number DOS–2025–0170.

Mail (paper, disk, or CD–ROM): Office of Adjudication, Passport Services, U.S. Department of State, 44132 Mercure Circle, P.O. Box 1227, Sterling, VA 20166–1227, ATTN: Courier Regulation.

Email: ca-courierreg@state.gov. You must include the RIN (1400–AE37) in the subject line of your message.

All comments should include the commenter's name, the organization the commenter represents, if applicable, and the commenter's address. If the Department is unable to read your comment for any reason, and cannot contact you for clarification, the Department may not be able to consider your comment. After the conclusion of the comment period, the Department anticipates publishing a Final Rule (in which it will address relevant comments) as expeditiously as possible.

FOR FURTHER INFORMATION CONTACT: Colin Walle, Passport Services, Office of Program Management and Operational Support, (202) 485–8800, *ca-courierreg@state.gov*. You must include AE37 in the subject line.

SUPPLEMENTARY INFORMATION: The Department published a NPRM, with a request for comments, proposing provisions of a new Part 54 of Title 22 of the Code of Federal Regulations. 85 FR 73244. The rule was proposed to formalize procedures for private domestic courier companies that applicants use to transport their passport applications and issued passports to and from domestic passport agencies. The Department received 52 comments in response to the NPRM.

Subsequent to the publication of the proposed rule, it was determined that two additional provisions needed to be proposed for the new Part 54, namely §§ 54.20(d) and 54.30(c)(18) and (19). Those provisions are discussed after the analysis of comments. The Department is seeking comment on these provisions.

Compliance With the 2025 NDAA

With regard to authority for the domestic courier program, the Department notes that Section 7507 of Public Law 118–159 (2025 National Defense Authorization Act, 2025 NDAA) provides Congressional recognition of the hand-carry courier service and calls upon the Secretary of State to take certain steps to strengthen the program. While the original NPRM preceded the 2025 NDAA, this rulemaking is the foundation on which the Department will be able to fulfill Congress' express direction in Public Law 118–159 to take steps as may be necessary to facilitate an increase in couriers, increase the number of slots, and facilitate public awareness of couriers. This rulemaking is just part of the Department's response to this direction. This rulemaking is necessary to put in place a formal, reliable regulatory structure upon which the Department can build and improve its courier program, consistent with comments and feedback the Department has received from couriers, not only in response to this rulemaking, but also through outreach.

The Department has been accepting passport applications from couriers for decades before it issued the *National Hand-Carry Procedures for Passport Applications and Completed Passports* (the Handbook) in 2007. Under the 2007 Handbook, there was no enforceable way to discourage companies from holding on to slots over multiple years, a practice that has ensured those companies on the lengthy waiting list for registrations cannot move any closer to the front of the line. This rulemaking, with its requirement that every company re-register every year and which permits the Department to cancel registrations for failure to use allotted slots, ensures that there will be a turnover in registered companies. Also, through the registration requirements contained in this rulemaking, the Department expects the number of couriers in operation and the number of slots in use to increase, as slots are expected to be better distributed based on actual use.

One of the arguments put forward in public comments in response to the NPRM was a suggestion that the Department expand the courier program to include situations not involving ''urgent'' travel (*i.e.,* within the next 14 days). This was not part of the Congressional direction, and the Department declines to implement this suggestion. Those on urgent travel might not have the time to process their

passports, and the courier companies provide a service in such cases. Those not needing urgent processing are able to submit their documents (and if necessary, appear at a passport acceptance facility) personally.

If this rulemaking is finalized, the Department intends to collect and provide information regarding currently registered couriers on its website, *travel.state.gov,* to facilitate public awareness of the courier program.

The Department welcomes comments and suggestions relating to the Department's compliance with the 2025 NDAA, especially actions the Department can consider to facilitate an increase in the number of certified hand-carry courier companies or an increase in the daily maximum number of passport agency meeting slots available to courier companies.

Analysis of Comments

The proposed rule was published for comments on November 17, 2020. The comment period closed on January 19, 2021, and the Department received 52 comments.

Comment: The Department should publish registered courier companies on its website (9 comments received).

The Department plans to publish information on the National Courier Program on the Passport pages of its website, *Travel.State.Gov*. The information will include:

1. A list of courier companies registered at each passport agency for the calendar year. The list will note any companies that are temporarily banned from participation in the Program due to an infraction of the regulation. Companies permanently banned will be promptly removed from the list.

2. A link to the final rule/regulation for customers to reference if desired.

Comment: Concern with the provision that a courier company employee cannot drop-off passport applications or retrieve completed passports for more than one courier company (12 comments received).

There will be no restriction on the number of companies that an individual runner can be employed by in the final rule. Comments received by the Department also indicate that some respondents believed that they could only have one employee drop off passport applications or pick up completed applications. This is inaccurate. A courier company may designate as many employees as they wish to perform this function.

Comment: Seek clarification on the provision that courier companies not permitted to sell their slots to other courier companies (5 comments received).

Courier companies do not have ownership of slots and therefore are not permitted to sell them to other courier companies or entities. This means that a registered courier company cannot accept a payment from another courier company (registered or unregistered) to submit a passport application or applications on its behalf. This provision is intended to ensure that customers know the company they paid to provide the hand-delivery service is the company that actually performs the service. Customers may select a company based upon reputation, reviews on social media, complaints made to the Better Business Bureau, etc. Additionally, this provision reduces the exposure of sensitive documents containing personally identifiable information that customers submit with their application package.

Comment: Do not have a lottery or first-come system for annual registration (3 comments received).

It is important to the Department that all courier companies wishing to register at a passport agency have an equal opportunity to do so. The number of companies that can be registered at any given time is based upon available agency resources and the number of appointments allotted to customers who wish to apply in person at an agency without needing to pay any additional fees for a courier company to hand deliver their application. Historically, most courier companies have maintained their registrations which has left many un-registered courier companies on a waiting list for several years. By having a registration that is only valid for one year and conducting an annual open season for companies to register, all companies will have an equal chance to register at one or more passport agencies.

Comment: The necessity for company/employee registration (5 comments received).

It is critical for the Department to require courier companies and their employees to be registered at passport agencies to hand deliver passport applications and retrieve issued passports. This helps to ensure that, to the best of our knowledge, companies are legitimate businesses that are registered to conduct business in the state or locality where they are seeking registration at a passport agency. Company registrations allow the Department to allocate sufficient resources to serve customers with immediate travel plans who are required to apply in person at a passport agency or have their application hand delivered through a registered company. The data that will be collected from courier company owners and their employees serves as a measure to mitigate instances of mishandling of customers' sensitive personal information or worse, and to ensure accountability of the companies that participate in the Program.

Comment: The accuracy of the Department's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used.

Three companies submitted comments on the proposed regulation regarding the burden of information collection. Two of the companies accept the Department's estimate of the administrative costs but expressed concerns about additional financial and logistical impacts if changes are introduced. The third company emphasized the benefits of data collection for validating courier companies but opposed restrictions that could hinder operational efficiency and compliance with health standards. The Department notes that the changes serve the public interest by ensuring that the proposed regulation enhances the integrity, security, and efficiency of the Hand Carry Program, which protects processes like passport delivery that involve sensitive applicant data. The Department believes that the methodology used to estimate the burden is valid and reflects a balanced approach to achieving program goals without imposing undue hardship. The proposed restrictions are intended to streamline operations, enhance security, and ensure the program operates effectively and responsibly in the best interest of the public.

Comment: How to minimize the burden of the collection of information on those who are to respond, including using appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Two companies supported the introduction of electronically submitting registration documents in a way to protect employee information.

Comment: The document states that an applicant using our services needs proof of needing a visa, or proof of travel in 14 days or less. We respectfully suggest that in the interest of simplicity and flexibility this limit might generally be extended to travel within 60 or perhaps even 90 days as there are a multitude of reasons applicants may present with legitimate need of a passport to be expedited besides traveling within 14 days, e.g., due to

need of and ever burgeoning processing times for a foreign visa or as often as not a series thereof.

The Courier Program was created for U.S. citizens who need a passport urgently because they are traveling imminently. These individuals might not be able to apply in person at a passport agency. If travel is further out in the future and not urgent, individuals are able to submit their documentation and, if necessary, appear in person at a passport acceptance facility. While the Department acknowledges the Congressional directive to facilitate the registration of new courier companies to process urgent passports, the Department as a policy matter does not intend to extend the courier program to process passports that are not needed urgently.

Comment: There is discussion of the DS–82 ''*expiring*'' *after 5 days of execution same as historically for sealed DS–11 applications. We certainly appreciate the presumably added security considerations associated with the current time constraint for the DS–11 and would suggest no change rather that registered companies simply continue to juggle their daily/weekly submissions accordingly; however, in consideration of this necessary* ''*prioritization*'' *and the inherently limited total number of slots allowed in a given day or week for each registered company we would respectfully suggest that the period of validity of the DS–82 be allowed to run perhaps at least 30 days after being signed and dated.*

There is no higher priority for Passport Services than ensuring the integrity and security of passports and passport applications. Since 2007 the Department has implemented a five-day expiration for both DS–11 and DS–82 courier applications, as stated in Section II.D.16 of the National Hand Carry Procedures. As a common practice, couriers are expected to collect applications immediately before they file them; furthermore, because all courier cases are expedited, there should be no reason for a company to maintain possession of an application for longer than five days. Members of the public who rely on couriers deserve and expect such services to be performed expeditiously and dependably, consistent with the Department's need to ensure the integrity and security of passport applications.

Comment: We believe there is an opportunity to expand the program to the National Passport Processing center for unlimited 3-day expedited processing; similar to what the Passport Office accomplished with the unlimited adult renewal lockbox. This level of processing could be funded by the proposed slot registration fee or a small fee per submission to the National Passport Center.

Passport Services has fourteen (14) agencies that accept passport applications hand-carried by registered companies on behalf of applicants. Also, registered courier companies are allowed to submit expedited renewals directly to our lockbox for no charge. The Passport Services cost of service model is directly associated with processing and production of a passport. We do not offer opportunities to circumvent our process nor establish any charging fees. Those fees would directly be incurred by the applicant.

Comment: Not all courier companies were notified by the Department of the publishing of the proposed rule in the Federal Register (4 comments).

If a document is published in the *Federal Register*, that constitutes sufficient notice of that document to the public.

Comment: Several commenters submitted remarks about the inability to submit applications to passport agencies during the pandemic and the effects on courier companies (4 comments).

Due to limited resources and agencies being temporarily closed during the COVID–19 pandemic, the courier program was suspended. Fortunately, that is no longer the case. We are offering the same number of total courier slots as we did pre-pandemic. Additionally, according to April 2023 data, out of all courier slots offered nationwide, only 58.61% of slots were utilized.

Comment: I have been working within the courier program for the last several years and welcome a voice at the table on the passport program in Denver/Aurora. We feel strongly that the program works great but could use a fresh look at the location specific details, as while we see great turnaround times, the process around what is necessary to submit is very different from other states. We feel that the changes that should take place at the agency is consistent in how documents are submitted. That way, they can easily be moved around each location, assisting couriers who may have a few spots in various states to communicate these needs so that no one has different information or a PAA does not have to decipher the requirements based on their geographical location.

The requirements for submission will be consistent throughout all agencies under this regulation, with detailed requirements spelled out in the hand carry procedures referenced in subsection 54.21(g). Each agency is required to follow strict procedures when accepting applications in order to maintain the integrity of Passport submissions.

Comment: We recommend that the Department establish a nationwide registration process for courier companies, allowing the courier companies to register once with the Department and select those passport agencies with whom the courier company plans to do business within a single application. This alternative, which reduces the burdens on private industry, must be considered by the Department and is consistent with Executive Order 12866 that requires the Department to design its regulations ''*in the most cost-effective manner to achieve the regulatory objective.*''

This is addressed in subsection 54.22, read in light of the definition of ''registration to provide hand delivery service'' at subsection 54.11(h). The Department will implement a registration process that is more centralized and efficient, pursuant to which all courier companies will be required to register with Passport Services annually, but which also recognizes and accommodates the unique needs and circumstances of individual companies and passport agencies. The registration process will be largely online, with further details to be provided in the hand carry procedures referenced in subsection 54.21(g). The Department expects this process to run more efficiently and with less burden to companies than the current manual registration process. Registration will be on a first-come, first-served basis, until the maximum number of registered companies at a passport agency has been reached. A company's rank order at each agency will be determined according to the date and time that a company's complete registration submission is received by the Department. The Department will not process any incomplete submission, nor will it retain partial documents.

Comment: We encourage the Department to amend the Proposed Rules to ensure that the procedures adequately address the critical needs of the airline industry, reduce the burdens on industry, and ensure facilitation of the passport process to meet the Department's objectives. During the pandemic, the Department created a program dedicated to flight crews to address their special needs and process passports for them quickly.

The Department of State recognizes the need for timely passport services for the airline industry. The industry

traditionally used couriers or requested same day ''will call'' service at agency counters. During the pandemic, the Department eliminated walk-in counter service at passport agencies and reduced services by couriers. At that time, the Department established a new process for airline flight crews to receive expedited service by mail by submitting additional documentation about their work requirements. The streamlined mail-in procedures are serving the needs of airlines and do not require flight crews to travel to a passport agency or center for service.

Airlines may resume the use of registered couriers under the procedures specified in the regulation. Meanwhile, the Department encourages the continued use of streamlined mail-in procedures. Airlines may employ non-registered third-party passport and visa expeditors to assist airline employees with assembly of their applications, to track applications, or to follow up on issues with applications sent through the mail-in procedures.

Comments regarding the registration process once the rule is final (3 comments).

The Department will notify courier companies and conduct public outreach in the form of a virtual meeting to be held in advance of the new annual registration requirements going into effect under the proposed regulation. Information on how to register and to complete necessary forms will be posted on *travel.state.gov.* A new Hand Carry Policy will also be distributed to all couriers explaining in detail the steps to the new registration.

In addition, the Department schedules virtual meetings with courier companies in the five regions in September and October annually. The annual meeting allows Passport Services to communicate with couriers on new updates or changes. The new registration process would be discussed extensively along with registration instructions being sent via email to all potential registered couriers. The meeting is also an opportunity for couriers to ask questions or express any concerns.

Additional Questions for Comment

As part of the NPRM, the Department of State solicited comment on allowing for distribution of slots amongst couriers via annual auctioning, permit trading, or other market-based solutions, for how it will allocate slots via this program. Specifically, the Department sought comment regarding:

- Should the Department charge a fee on a per-registration or per-slot basis? If so, the Department would rely on its Cost of Service Model to estimate the costs of this service and set the fee, but the Department seeks further comment regarding any additional considerations that could bear on where such a fee would be set?
- How should slots be allocated to passport courier firms? Are you aware of other allocation systems?

The Department did not receive any actionable suggestions in response to the above questions. Those who referenced the questions left it to the Department to decide and five respondents noted that a fee charged for registration or per slot would result in companies raising the service fees for customers. Five respondents were not opposed to a nominal charge to register. One commenter responded: *We understand that there is no easy answer to this question, as each current courier, big or small would appreciate the opportunity to maintain the same level of or increased the number of slots. As this change would have a profound impact on all companies in the Hand-Carry Program, we recommend further dialogue from the Department of State so an equitable resolution can be reached which benefits all groups, as well as, maintain the level of service provided by the Department of State. Our hope is that a decision is not made unless data has been gathered, research achieved and an open dialogue has occurred, where all voices can be heard.*

Two respondents stated that courier companies should have an unlimited number of slots while five other companies wanted an increase in the number of slots. Another courier company commented: *Our only suggestion is to increase or standardize the number of slots each agency allots to help us with the increasing demands of passports. Based on the courier company being held to application preparation standards and reviews, we think that the Passport Agency should want to increase the usage of our process to reduce the number of application errors.*

Passport agencies' resources are utilized to serve customers who apply in person at a passport agency, to process applications of customers who apply at a passport acceptance facility or renew through the mail, and to process applications submitted by registered courier companies. The priority is to serve customers with urgent travel who apply in person. Passport agencies assign resources to each of these workflows based upon historical data and demand projections to best meet the needs of U.S citizens, particularly those with immediate travel. The total number of slots established is based upon available resources and workload. The passport agency must be able to simultaneously provide continued and uninterrupted service to applicants who are not utilizing hand delivery services.

New Proposed Provisions

In Subpart A, Requirements for Courier Companies, the Department proposes the addition of paragraph (d) to § 54.20, Courier company registration. (The proposed paragraph (d) in the NPRM will become paragraph (e)). The new text is as follows:

(d) Courier companies must register all company employees who hand deliver passport applications and documents to a passport agency and retrieve issued passports.

This provision explicitly includes the overarching requirement that individuals employed by courier companies be registered. This requirement would give Passport Services greater visibility and oversight of those who provide hand-carry services by ensuring that the Department can readily identify individuals who are authorized to transport and deliver passport applications and to retrieve issued passports at a given agency. The registration of courier employees by Passport Services thus provides customers with greater security and assurance as to who is in possession of their documents and passports at all times, as well as greater protection against the potential for fraud and malfeasance.

Passport Services has experienced over the years a number of instances of lost passport applications, passports and citizenship documents. A key aspect of the agreement to employ a registered courier with registered employees is that the courier company itself will securely handle (and be responsible for) all of a customer's documents—including passports, application forms, citizenship certificates and other documents containing private personal information—from the start of the application process to its conclusion. For years, applicants have complained about being unaware of who actually has their documents and how they were lost. Since 2014, Passport Services has tracked all courier incidents and violations which helped drive this decision.

Additionally, in Subpart C, Courier Company and Employee Conduct, the Department proposes a new provision in § 54.30, Requirements for registered courier companies and employees, consisting of new subparagraphs (c)(18)

and (c)(19) which would read as follows:

(c) While the Department may exercise discretion in assessing penalties for each violation, examples of violations which may trigger penalties ranging from a written warning to a permanent ban include but are not limited to:

* * * * *

(18) *Obtaining appointments.* Obtaining appointments is strictly prohibited, because appointments at passport agencies and centers remain, as always, strictly reserved for the public to make use of. ''Obtaining'' is defined as any courier company/employee that directly or indirectly acquires, holds or otherwise secures access to an ''in person appointment'' at a passport agency and/or center. Such violations merit a response up to and including immediate cancellation of the Company's and employee's registration, which will be effective when notice is given in writing to the Company.

(19*) Selling appointments.* Selling appointments is strictly prohibited. ''Selling'' is defined as any courier company/employee that obtains an ''in person appointment'' at a passport agency and/or center and directly or indirectly furnishes the appointment to an individual in exchange for payment. Such violations merit a response up to and including immediate cancellation of the Company's and employee's registration, which will be effective when notice is given in writing to the Company.

Passport agencies and centers that work with couriers have dedicated offices and submissions workstreams only for couriers. Unfortunately, Passport Services has had experiences with couriers, who in order to circumvent their set daily submissions, have attempted to obtain appointments through our dedicated line for the general public. In addition to detracting from the public's ability to access passport services freely and directly, once obtained these companies would also charge citizens for an appointment slot. During the COVID pandemic, complaints about these practices rose to the level that Passport Services' system became back-logged. The Department will not tolerate this conduct. The Department provides a dedicated channel and workstream process for couriers. One of Passport Services' key priorities while providing this dedicated channel has been to avoid detracting from the resources and level of service devoted to meeting the general public's travel needs, including the ability to obtain in-person appointments at passport agencies and centers. Courier companies who go outside of the dedicated channels and processes for couriers by obtaining appointments detract from the public's ability to access passport services directly.

The proposed rules in Part 54 do not convey any property rights on a courier company. Therefore, obtaining an appointment or selling or attempting to sell a company's appointment is improper and may result in penalties.

Regulatory Findings

Administrative Procedure Act

The Department published this rulemaking as a proposed rule and provided 60 days for public comment. The Department is providing an additional 60 days for public comment on this supplemental NPRM.

Regulatory Flexibility Act/Executive Order 13272: Small Business Impacts

The Department certifies that this rule will not have a significant economic impact on a substantial number of small entities as defined in 5 U.S.C. 601(6), as the rule affects approximately 220 companies participating in the Department's passport hand delivery program for couriers. Please refer to the Regulatory Flexibility Act analysis in the NPRM. The Department will continue to accept comment on that analysis.

Unfunded Mandates Reform Act of 1995

This final rule will not result in the expenditure by state, local, and tribal governments, in the aggregate, or by the private sector, of $100 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 Act of 1995, 2 U.S.C. 1501–1504.

Executive Orders 12866 and 13563

The Office of Information and Regulatory Affairs has designated this Supplemental NPRM as non-significant regulatory action under Executive Order 12866.

The Department estimates that there are approximately 220 registered courier companies and that there are approximately 800 employees of registered courier companies who are permitted to provide hand-carry services at passport agencies that participate in the National Hand Carry Program. Please refer to the E.O. 12866 analysis in the NPRM, 85 FR 73247.

Executive Order 12372 and 13132—Federalism

This rule 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 regulation.

Executive Order 13175—Consultation and Coordination With Indian Tribal Governments

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

Paperwork Reduction Act

The information collection contained in this rule is pursuant to the Paperwork Reduction Act, 44 U.S.C. Chapter 35, and, if approved, will be assigned an OMB Control Number. In the NPRM, the Department published its 60-day notice for the Passport Hand Delivery Program for Couriers information collection, related to proposed Department forms DS–5338, Courier Company Registration Form, and DS–5539, Courier Employee Registration Form. Although the 60 days provided for comment on this new information collection has already run, the Department will accept additional comments on this collection for 60 days (see **DATES** section on Page 1 of this notice). Should this rulemaking be finalized, the Department will provide a 30-day notice at that time.

List of Subjects in 22 CFR Part 54

Passports, Administrative practice and procedure.

Accordingly, for the reasons stated in the preamble, 22 CFR part 54 is proposed to be added as follows:

PART 54—PROCEDURES FOR REGISTERED COURIERS

Subpart A—General.

54.10 Purpose.
54.11 Definitions.

Subpart B—Requirements for courier companies.

54.20 Courier company registration.
54.21 Submitting applications to a participating passport agency.
54.22 Allocation of slots.

Subpart C—Courier company and employee conduct.

54.30 Requirements for registered courier companies and employees.
54.31 Administrative review of restrictive actions.

Authority: 22 U.S.C. 2651a; 22 U.S.C. 211a, 213; 22 U.S.C. 2670; E.O. 11295, 31 FR 10603 (1966).

Subpart A—General

§ 54.10 Purpose.

To facilitate the processing of passport applications and promote fair and efficient use of Department of State (the Department) resources, this part establishes certain procedures for courier companies used by applicants residing in the continental United States at participating domestic passport agencies to hand deliver their passport applications and obtain issued passports.

§ 54.11 Definitions.

For the purposes of this part, the following definitions apply:

(a) *Categorical limits* refer to the restrictions on slot service type. The Department may alter categorical limits at each passport agency at its discretion, consistent with the provisions of § 54.22.

(b) *Courier company* refers to a private-sector entity that charges a passport applicant a service fee for hand delivering his or her passport application to a domestic U.S. passport agency and retrieving the completed passport and/or related documents on behalf of the applicant. The service fee charged by a courier company is in addition to the passport fees collected by the Department of State for processing a passport application.

(c) *Customer* refers to any passport applicant for whom a courier company provides hand delivery services.

(d) *Employee* refers to any individual who, under the usual common law rules applicable in determining the employer-employee relationship, has the status of an employee, as well as any individual who performs services for remuneration, for a courier company.

(e) *Hand delivery services* refers to the written authorization given by an applicant to a courier company to deliver a passport application to the Department for processing, to correspond with the Department about the passport application, and to retrieve an issued passport and supporting documentation on behalf of the applicant.

(f) *National Courier Program* refers to those domestic passport agencies that permit courier companies to hand-deliver passport applications and retrieve completed passports at their agencies, courier companies and employees who are registered at participating domestic passport agencies, and the requirements and procedures that must be followed in order for a registered courier company to hand deliver passport applications and retrieve completed passports at a passport agency.

(g) *Owner* refers to a corporation, S corporation, partnership, and association, as well as a natural person who owns a courier company.

(h) *Registration to provide hand delivery services* refers to the written permission given by the Department to a courier company to perform hand delivery services for passport applicants at a participating domestic passport agency or agencies.

(i) *Slot(s)* refers to the daily maximum number of passport applications by service type (*i.e.,* Same-Day, Two-Day, Three-Day, and Expedited Mail-Outs) that the Department permits a courier company to hand deliver at a passport agency. A slot is a privilege; it does not constitute property and the courier company to which it is temporarily allocated does not obtain a protected property interest. Slots may be granted, withdrawn, or reallocated by the Department at its discretion consistent with the provisions of § 54.22.

(j) *Wait list* refers to the list maintained by the Department that ranks the order of courier companies that applied to register with the Department pursuant to § 54.20 but did not receive slots.

Subpart B—Requirements for courier companies

§ 54.20 Courier company registration.

(a) A list of passport agencies participating in the Department's National Courier Program will be provided on the Department's website, *travel.state.gov*. This list is subject to change at the Department's discretion.

(b) The Department will determine which passport agencies will participate and the number of courier companies that may be registered at any given time on an annual basis, consistent with § 54.22. A courier company that does not receive registration in a calendar year may be placed on a wait list in rank order, based on the time and date the Department received the courier company's registration documents.

(c) Only courier companies that are registered at a passport agency may hand deliver passport applications and pick up issued passports and/or related documents on behalf of the applicants. Non-registered courier companies are prohibited from hand delivering passport applications to a passport agency.

(d) Courier companies must register all company employees who hand deliver passport applications and documents to a passport agency and retrieve issued passports and/or related documents.

(e) To register, a courier company must submit a registration package to the Department that includes:

(1) Courier company and employee identifying information;

(2) A certification that the courier company owner:

(i) does not have a record of either a federal or state felony conviction, or a misdemeanor conviction for embezzlement, identity theft, misappropriation, document fraud, or dishonesty in carrying out a responsibility involving public trust;

(ii) is not currently under indictment for a felony or a misdemeanor for embezzlement, identify theft, misappropriation, document fraud, or dishonesty in carrying out a responsibility involving public trust;

(3) Certifications that each employee performing hand-carry services:

(i) is legally authorized to work in the United States;

(ii) does not have a record of either a federal or state felony conviction, or a misdemeanor conviction for embezzlement, identity theft, misappropriation, document fraud, or dishonesty in carrying out a responsibility involving public trust;

(iii) is not currently under indictment for a felony, or a misdemeanor for embezzlement, identify theft, misappropriation, document fraud, or dishonesty in carrying out a responsibility involving public trust; and

(4) Certifications that each courier company:

(i) is enrolled in the Department of Homeland Security's E-Verify System;

(ii) provides notice in writing to each customer as to whether or not the courier company maintains liability insurance that would cover losses to customers resulting from action or inaction on the part of courier company owners or employees.

(5) Courier companies must also certify that the company maintains a Drug Free Workplace by:

(i) Publishing a statement notifying its employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the company's workplace, and specifying the actions that will be taken against

employees for violations of such prohibition;

(iii) Establishing an ongoing drug-free awareness program to inform its employees about—

(A) The dangers of drug abuse in the work place;

(B) The company's policy of maintaining a drug-free workplace;

(C) Any available drug counseling, rehabilitation, and employee assistance programs; and

(D) The penalties that may be imposed upon employees for drug abuse violations in the workplace.

(iv) Providing all employees with a copy of the statement required by (5)(i) of this section;

(v) Notifying its employees in writing about—

(A) The company's policy of maintaining a drug-free workplace;

(B) Any available drug counseling, rehabilitation, and employee assistance programs; and

(C) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(vi) Notifying all employees in writing, that as a condition of employment, the employee will—

(A) Abide by the terms of the statement required by (5)(i) of this section; and

(B) Notify the employer in writing of the employee's conviction under a criminal drug statute for a violation occurring in the workplace no later than five days after such conviction;

(vii) Notifying the Department in writing within ten days after receiving notice of an employee's conviction under a criminal drug statute for a violation occurring in the workplace. The notice shall include the position title of the employee;

(viii) Within 30 days after receiving notice under (5)(v) of this section of a conviction, taking one of the following actions with respect to any employee who is convicted of a drug abuse violation occurring in the workplace:

(A) Taking appropriate personnel action against such employee, up to and including termination; or

(B) Requiring such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.

(6) A copy of proof of the company's registration with the city or state, such as a valid business tax certificate or license, issued by the competent state or city authority, as appropriate, where each passport agency at which the company wishes to register with is located. For example, if a company wishes to register at the San Francisco Passport Agency, the company must submit a valid San Francisco Business Registration Certificate.

(i) The Department will only allow the company name listed on the business tax certificate or license, including the ''doing business as'' (DBA) name when appropriate, to register.

(ii) The owner(s) listed on these documents must match the owner(s) listed on the courier company's registration.

(f) The Department will not register a courier company with outstanding judgments that were based on illegal business practices, or a courier company that is owned or operated by an individual who has owned or operated a courier company that was permanently banned from hand delivering passport applications to a passport agency.

(g) A courier company must notify the Department in writing and within 14 calendar days of any changes to the responses provided on or in support of company or employee registrations, including changes in ownership, acquisition, merger, or ''doing business as'' (DBA) name, as well as company and employee eligibility certifications. The successor courier company must resubmit a new registration package, including employee certifications, under the new courier company's name. Slots are not a property interest and are not transferrable. Courier companies and employees must remain eligible to participate in the Department's National Courier Program at all times.

(h) The Department may in its discretion cancel the registration of any registered courier company that fails to submit a completed passport application, using their allotted slots, within 30 consecutive calendar days. The cancellation is effective the day the Department sends written notification to the courier company.

§ 54.21 Submitting applications to a participating passport agency.

(a) A courier company must be registered at each participating passport agency where it performs hand delivery services. Courier companies that attempt to hand deliver passport applications at a passport agency where they are not registered are subject to permanent ban from participation in the Department's National Courier Program, at the Department's discretion.

(b) Each passport application hand delivered to a participating passport agency by a registered courier company must include:

(i) a letter of authorization permitting the registered courier company to deliver the passport application, correspond with the Department about the passport application, and retrieve the issued passport and associated documents.

(ii) documentation showing that the passport applicant is departing the United States within 14 calendar days or needs a passport within four weeks to obtain a foreign visa.

(c) When picking up passports and supporting documentation at the passport agency, courier company employees must show valid government-issued photo identification.

(d) Courier companies must return undeliverable passports and supporting documentation within 14 calendar days of pick-up to the passport agency that issued the passports.

(e) A courier company must notify applicants within 24 hours of becoming aware of any passports and/or passport applications that are damaged, lost, or stolen while in the courier company's possession.

(f) A courier company must not make, accept, maintain, or submit copies of passports, passport applications, or supporting documentation, except as provided in procedures established by the Department described in subsection (g).

(g) In addition to these regulations, the Department may establish hand delivery procedures for registered couriers that are consistent with the requirements contained in this part. Courier companies and their employees that fail to follow these procedures may be subject to the penalties described in § 54.30. The Department will provide these procedures in writing to registered courier companies, and send written notification to registered courier companies of any updates to these procedures at least 30 calendar days in advance of implementing changes.

§ 54.22 Annual company registration and allocation of slots.

(a) The Department will determine the total number of slots available to courier companies and establish categorical limits.

(b) During the annual registration period, company owners must submit a DS–5538 for themselves and a DS–5539 form for each designated employee with all requested information and supporting documentation. Registration will be on a first-come, first-served basis, until the maximum number of registered companies at a passport agency has been reached. A company's rank order will be determined according to the date and time that the Department

received a company's complete registration submission. The Department will not process any incomplete submission nor will it retain partial documents.

(c) Slots will be distributed equally among registered courier companies.

(d) The Department will, at least once per year, reassess workload, resources, slot allocation, slot usage, the number of registered courier companies, and the number of wait-listed courier companies to determine whether slots or categorical limits should be increased, decreased, or redistributed. The Department will send written notice to affected courier companies of any changes to the courier company's slot allocation or categorical limits at least 30 calendar days in advance of implementing such changes.

(e) If additional slots become available, they will be allocated to courier companies in the order dictated by the wait list. Wait-listed courier companies must confirm they will accept the available slots and send written notice to the Department of any updates to their registration submissions within 30 calendar days. Wait-listed courier companies will not be permitted to perform hand delivery services until their registration is updated and acknowledged by the Department in writing. Wait-listed courier companies that fail to provide such documentation in the required timeframe will forfeit the available slots, and the Department will then make the slots available to the next courier company on the wait list.

(f) If no courier companies are on a wait list, any additional slots that become available at a passport agency will be distributed among courier companies registered at the passport agency according to their date of registration, with the oldest registered courier company receiving slots first.

(g) Courier companies that submit more applications than their allocated slots or categorical limits permit, or otherwise attempt to circumvent their submission maximums in any way, may face restrictions in their registration, as provided in § 54.30.

Subpart C—Courier company and employee conduct

§ 54.30 Requirements for registered courier companies and employees.

(a) Courier companies are responsible for their employees' conduct and for ensuring that their employees do not violate the rules set forth in this part or the Department's hand delivery procedures for registered couriers described in subsection 54.21(g). Courier companies must immediately report any employee conduct that violates this part or the Department's hand delivery procedures for registered couriers described in subsection 54.21(g) to the Department. Failure to do so may result in penalties in accordance with this section.

(b) Failure to follow any of the requirements of this part or the Department's hand delivery procedures for registered couriers described in subsection 54.21(g) may result in the courier company and/or employee receiving a warning, suspension, cancellation of registration, or permanent ban from the Department's National Courier Program. Where a particular action arises, which in the Department's view, compromises the integrity of the program, passport application, or issued passport in a manner not described in this document, the Department will take action at its discretion. The Department will notify the courier company and/or employee of relevant penalties in writing. The notification will set forth the specific reasons for the penalty and the procedures for review available under § 54.31.

(c) While the Department may exercise discretion in assessing penalties for each violation, examples of violations which may trigger penalties ranging from a written warning to a permanent ban include but are not limited to:

(1) *Failing to abide by submission, pick-up, or waiting room conduct requirements*—Failing to abide by any of the submission or pick-up requirements outlined in this part or the Department's hand delivery procedures for registered couriers described in subsection 54.21(g).

(2) *Copying passport applications*—Making copies of and/or faxing passport applications or supporting materials, except as provided in the Department's hand delivery procedures for registered couriers described in subsection 54.21(g).

(3) *Submitting courier company checks that cannot be cashed*—Submitting a courier company check that is returned for any reason.

(4) *Attempting to circumvent slot or categorical limits*—Attempting to circumvent or bypass slot or categorical limits by any means.

(5) *Selling or swapping slots*—Attempting to sell or swap slots between courier companies.

(6) *Providing misleading information regarding a courier company's relationship with the Department*—Implying, misrepresenting, or misleading in speech, print, electronic, or any other form of communication, a courier company's relationship or status with a particular passport agency or the Department. A courier company may state that it is ''registered'' at a particular passport agency, but may not state that it is ''authorized'' or ''approved by'' the U.S. government, the Department, or a particular passport agency. Use of the Department official seal (or the Great Seal of the United States, the obverse of which is depicted on the covers of U.S. passports) is strictly prohibited.

(7) *Providing misleading information regarding a courier company's ability to expedite applications or issue passports*—Implying, misrepresenting, or misleading in speech, print, electronic, or any other form of communication, that the courier company is able to have an applicant's passport processed more quickly than if the applicant applied directly at a passport agency; or that the courier company executes, adjudicates, or prints passports. All applicants receive the same timeliness of service by the Department based on the urgency of travel needs.

(8) *Returning undeliverable passports and supporting documentation to a passport agency after 14 days*—Failing to return undeliverable passport(s) and supporting documentation within 14 calendar days of pickup to the passport agency that issued the passport when the applicant cannot be located.

(9) *Leaving passport application materials or passports unattended*—Losing control of passport applications, passports, correspondence, or supporting documentation while such documents are in the custody of a courier company.

(10) *Failing to protect an applicant's personal information*—Compromising the privacy and integrity of an applicant's personal information, including but not limited to selling an applicant's personal information to a third party, sharing it with a third party, or buying it from a third party; and/or failure to notify an applicant that his or her personal information has been lost, stolen, or possibly compromised.

(11) *Tampering with passport application materials*—Tampering with a passport application or misrepresenting facts pertaining to an application. This includes, but is not limited to:

a. Signing a passport application, a supporting document, or a letter of authorization on behalf of another individual;

b. Providing any other false information affecting passport application processing or issuance, including a fake itinerary;

c. Opening a sealed envelope containing an executed passport application; or

d. Providing a photo of an individual other than the applicant.

(12) *Depositing applicant funds into account*—Depositing funds intended for the Department or any passport agency into a business or personal account.

(13) *Retaining an application five days after its execution or signature*—Failing to timely submit passport applications to a passport agency after an applicant's personal appearance before a passport acceptance agent in accordance with 22 CFR 51.21(a), or after the applicant signs a renewal passport application in accordance with 22 CFR 51.21(b).

(14) *Executing an application*—Executing a passport application for an applicant.

(15) *Coaching fraudulent information*—Coaching applicants to provide fraudulent or misleading information on or in support of a passport application. This includes, but is not limited to:

i. Knowingly directing an individual to engage fraudulent notarial services or to produce a fake travel itinerary; and/or

ii. Coaching an individual to make a fraudulent statement on any document submitted to a passport agency or sign a document submitted with a passport application on behalf of another individual.

(16) *Failure to report changes in ownership*—Failing to report changes in ownership of a courier company. This includes continuing to do business under the name and registration of the previous courier company or owner without notifying the Department.

(17) *Providing false information on a registration form/failure to report material changes*—Submitting false or misleading information or failing to report material changes to responses provided on or in support of a courier company or employee registration form.

(18) *Obtaining appointments*—Obtaining appointments is strictly prohibited, because appointments at passport agencies and centers remain, as always, strictly reserved for the public to make use of. ''Obtaining'' is defined as any courier company/employee that directly or indirectly acquires, holds or otherwise secures access to an ''in person appointment'' at a passport agency and/or center. Such violations may result in immediate cancellation of the Company's and employee's registration, which will be effective when notice is given in writing to the Company.

(19) *Selling appointments*—Selling appointments is strictly prohibited. ''Selling'' is defined as any courier company/employee that obtains an ''in person appointment'' at a passport agency and/or center and directly or indirectly furnishes the appointment to an individual in exchange for payment. Such violations may result in immediate cancellation of the Company's and employee's registration, which will be effective when notice is given in writing to the Company.

§ 54.31 Administrative review of restrictive actions.

(a) A courier company and/or employee whose registration has been suspended, cancelled, or permanently banned may send a written request for an administrative review to the Department within 14 calendar days of receipt of the notice of such restrictive action. The request must include a written, sworn statement or declaration submitted under penalty of perjury, describing the events at issue and providing reasons that the courier company and/or employee believes it/he/she should not be found in violation of the requirements of this part and/or the Department's hand delivery procedures for registered couriers described in subsection 54.21(g).

(b) Upon examining the materials provided by the courier company and/or employee and the relevant documentation of the incident forwarded by the passport agency, a review board consisting of at least three members of the Department will submit a written recommendation to the Managing Director for Passport Issuance Operations. After reviewing the request for an administrative review and the recommendation of the review board, the Managing Director for Passport Issuance Operations will decide whether to uphold the suspension, cancellation, or permanent ban of the courier company's and/or employee's registration to provide hand delivery services.

(c) The Department will promptly notify the courier company and/or employee of the decision in writing. If the decision upholds the Department's action, the notification will contain the reasons for the decision. The decision is final and not subject to further administrative review.

Courtney M. Massey,

Acting Deputy Assistant Secretary for Passport Services, Department of State.

[FR Doc. 2025–18567 Filed 9–24–25; 8:45 am]

BILLING CODE 4710–06–P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Part 1910, 1915, 1917, 1918, 1926, and 1928

[Docket No. OSHA–2021–0009]

RIN 1218–AD39

Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Proposed rule; extension of post-hearing comment period.

SUMMARY: OSHA held an informal public hearing on its proposed standard for Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings from June 16 through July 2, 2025. The period to submit post-hearing comments is extended by 30 days until October 30, 2025, to allow individuals and organizations who filed a timely Notice of Intention to Appear (NOITA) at the hearing additional time to file evidence and data relevant to the proceeding, including written responses to questions asked during hearing proceedings, as well as final written briefs.

DATES: The post-hearing comment period that was set by the presiding administrative law judge on July 2, 2025, is extended. Post-hearing comments from individuals and organizations who filed a timely NOITA at the hearing must be submitted by October 30, 2025.

ADDRESSES:

Submission of comments: Individuals and organizations who filed a timely NOITA may submit comments and attachments, identified by Docket No. OSHA–2021–0009, electronically at *http://www.regulations.gov,* which is the Federal e-Rulemaking Portal. Follow the instructions online for making electronic submissions. The Federal eRulemaking Portal at *www.regulations.gov* is the only way to submit post-hearing comments.

Instructions: All submissions must include the agency's name and the docket number for this rulemaking (Docket No. OSHA–2021–0009). All comments, including any personal information you provide, are placed in the public docket without change and may be made available online at *http://www.regulations.gov.* Therefore, OSHA cautions commenters about submitting information they do not want made available to the public, or submitting materials that contain personal information (either about themselves or

others), such as Social Security Numbers and birthdates.

Docket: To read or download comments or other material in the docket, go to Docket No. OSHA–2021–0009 at *www.regulations.gov.* All comments and submissions are listed in the *www.regulations.gov* index; however, some information (*e.g.,* copyrighted material) is not publicly available to read or download through that website. All comments and submissions, including copyrighted material, are available for inspection through the OSHA Docket Office. Documents submitted to the docket by OSHA or stakeholders are assigned document identification numbers (Document ID) for easy identification and retrieval. The full Document ID is the docket number plus a unique four or five-digit code. OSHA identified supporting information in the NPRM by author name and publication year, when appropriate. This information can be used to search for a supporting document in the docket at *www.regulations.gov.* Contact the OSHA Docket Office at 202–693–2350 (TTY number: 877–889–5627) for assistance in locating docket submissions.

FOR FURTHER INFORMATION CONTACT:

For press inquiries: Contact Frank Meilinger, Director, OSHA Office of Communications, Occupational Safety and Health Administration; telephone: (202) 693–1999; email: *meilinger.francis2@dol.gov.*

General information and technical inquiries: Contact Andrew Levinson, Director, OSHA Directorate of Standards and Guidance; telephone: (202) 693–1950; email: *osha.dsg@dol.gov.*

SUPPLEMENTARY INFORMATION: On August 30, 2024, OSHA published in the **Federal Register** a Notice of Proposed Rulemaking (NPRM) for Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings. The proposed standard would apply to all employers conducting outdoor and indoor work in all general industry, construction, maritime, and agriculture sectors where OSHA has jurisdiction. The standard would clarify employer obligations and the steps necessary to effectively protect employees from hazardous heat.

OSHA held an informal public hearing on the proposed standard from June 16 through July 2, 2025. At the close of that hearing, the presiding administrative law judge set the post-hearing comment period for 90 days, until September 30, 2025. The purpose of the post-hearing comment period is to allow individuals and organizations who filed a timely NOITA at the hearing to file evidence and data relevant to the proceeding, including written responses to questions asked during hearing proceedings, as well as final written briefs. On September 9, 2025, counsel for the Coalition for Workplace Safety (CWS) filed a request for a 90-day extension of the post-hearing comment period. Document ID OSHA–2021–0009–25568.

Upon consideration of the request, the chief administrative law judge granted an extension of 30 days of the post-hearing comment period. Document ID OSHA–2021–0009–25570. See 29 CFR 1911.16(g). Accordingly, individuals and organizations who filed a timely NOITA may submit post-hearing comments until October 30, 2025.

Authority and Signature

This document was prepared under the direction of Amanda Laihow, Acting Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Avenue NW, Washington, DC 20210. It is issued under the authority of sections 4, 6, and 8 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 653, 655, 657); 5 U.S.C. 553; Secretary of Labor's Order No. 7–2025 (90 FR 27878); and 29 CFR part 1911.

Signed at Washington, DC, on September 23, 2025.

Amanda Laihow,

Acting Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2025–18670 Filed 9–24–25; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF EDUCATION

34 CFR Part 75

[Docket ID ED–2025–OS–0679]

Proposed Priority and Definitions—Secretary's Supplemental Priority and Definitions on Career Pathways and Workforce Readiness

AGENCY: U.S. Department of Education.

ACTION: Proposed priority and definitions.

SUMMARY: The Secretary proposes one additional priority 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 the entire priority for a grant program or a particular competition or use one or more of the priority's component parts. This priority and definitions augment the initial set of three Secretary's Supplemental Priorities on Evidence-Based Literacy, Educational Choice, and Returning Education to the States published as final priorities on September 9, 2025 (90 FR 43514), the Secretary's Supplemental Priority on Artificial Intelligence published as a proposed priority on July 21, 2025 (90 FR 34203), and the Secretary's Supplemental Priority on Promoting Patriotic Education published as a proposed priority on September 17, 2025 (90 FR 44788). In addition, this priority complements the additional Secretary's Supplemental Priority and Definitions on Meaningful Learning Opportunities published as a proposed priority elsewhere in this issue of the **Federal Register**.

DATES: We must receive your comments on or before October 27, 2025.

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

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

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

SUPPLEMENTARY INFORMATION:

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

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

In instances where individual submissions appear to be duplicates or near duplicates of comments prepared

as part of a writing campaign, the Department may choose to post to *Regulations.gov* one representative sample comment along with the total comment count for that campaign. The Department will consider these comments along with all other comments received. In instances where individual submissions are bundled together (submitted as a single document or packaged together), the Department will post all of the substantive comments included in the submissions along with the total comment count for that document or package to *Regulations.gov*. Comments containing personal threats will not be posted to *Regulations.gov* and may be referred to the appropriate authorities.

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

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

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

Program Authority: 20 U.S.C. 1221e–3, 3474, and 29 U.S.C. 3101.

Proposed Priority: This document contains one proposed priority.

Proposed Priority: Expanding Career Pathways and Workforce Readiness

Background: At the U.S. Department of Education, prioritizing access to demand-driven career pathways and workforce preparedness is essential for equipping students with the knowledge and skills necessary to thrive in a dynamic and evolving economy. Education should ensure learning pathways are designed to enable students to master competencies that are aligned with high-growth, high-wage, and high-demand careers. This goal is most effectively achieved by integrating career exploration, career readiness, technical education, and work-based learning opportunities into the K–12 general and special education setting. A modern education system must realize that its primary customers are students and their families, followed by the employers who will hire them. Moreover, it must prepare students not only for academic success, but also for active participation in sectors of the economy shaped by technological advancement, innovation, and industrial renewal.

For decades, the dominant ''college for all'' narrative has led to a narrow focus that often leaves students with degrees and debt but limited job prospects. With only half of bachelor's degree graduates working in fields that require a bachelor's degree,[1] there is a growing need to elevate competency-based pathways that are rigorous, respected, and responsive to real-world demands.

Existing federal funding in this area should therefore shift to ensuring that all students have access to a wide range of high-quality education pathways that meet the needs of a rapidly changing economy. By expanding the range of options so that a broader array of education providers can access existing funding in a manner that aligns outcomes with the demands of today's workforce, the government can foster both economic mobility for students and sustained competitiveness for the nation.

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

(a) Support workforce development programs that are aligned with State priorities. This may include one or more of the following:

(i) Activities aligned to State and local workforce priorities.

(ii) Activities that support alignment of workforce activities across State agencies that support workforce development (*e.g.,* education, higher education, workforce transformation, job and family services, vocational rehabilitation services including pre-employment transition services and transition services, etc.).

(iii) Activities that support States in identifying in-demand and high-value industry-recognized credentials and/or re-evaluating existing lists of credentials.

(iv) Providing support for the skilled trades.

(v) Developing industry-led sector partnerships.

(vi) Promoting the attainment by individuals of an in-demand and high-value industry-recognized postsecondary credential.

(vii) Providing work-based learning opportunities (*e.g.,* internships, externships, pre-apprenticeships, and registered apprenticeships) for which a student receives wages, academic credit, or both.

(viii) Expanding the availability of pre-apprenticeships and registered apprenticeships, including through dual or concurrent enrollment (as defined in 20 U.S.C. 7801(15)), by doing one or more of the following:

(1) Supporting apprenticeship intermediaries.

(2) Creating pre-apprenticeships.

(3) Creating new registered apprenticeships to include apprenticeships for in-school and out-of-school youth.

(4) Providing technical assistance for states to create new registered apprenticeships to include apprenticeships for in-school and out-of-school youth.

(b) Provide career and/or college exploration and advising opportunities to promote greater awareness of the range of postsecondary educational and career options.

(c) Provide opportunities for students to use financial tools to compare the cost and benefits of the career options and educational pathways they are considering, including the long-term impact of taking out student loans on their financial security, including likely entry and mid-career earnings in fields selected by students as compared to entry and mid-career earnings in high wage, high growth, and high demand occupations in each of the career clusters.

(d) Support the development of talent marketplaces (including credential registries, skills-based job description generators, and learning and employment records) that connect employers, students, and jobseekers by converting job descriptions and learning assertions into discrete, industry-recognized competencies.

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

[1] Burning Glass Institute and Strada Institute for the Future of Work, Talent Disrupted: Underemployment, College Graduates, and the Way Forward, 2024 (*https://static1.squarespace.com/static/6197797102be715f55c0e0a1/t/65d62ebce0cf8f07e3d6e006/1708535486302/Talent+Disrupted+02212024.pdf*).

that meet the priority (34 CFR 75.105(c)(3)).

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

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

Proposed Definitions

Background: The Secretary proposes the following definitions for use in any Department discretionary grant program in which the proposed priority is used.

Credential Registry, with respect to a component of a Talent Marketplace, means a digital repository and database, maintained by a State or State Workforce Agency, as defined at 29 U.S.C. 3225a(a)(8).

In-demand Industry Sector or Occupation, as defined in section 3(23) of the Workforce Innovation and Opportunity Act (WIOA), means (i) an industry sector that has a substantial current or potential impact (including through jobs that lead to economic self-sufficiency and opportunities for advancement) on the State, regional, or local economy, as appropriate, and that contributes to the growth or stability of other supporting businesses, or the growth of other industry sectors; or (ii) an occupation that currently has or is projected to have a number of positions (including positions that lead to economic self-sufficiency and opportunities for advancement) in an industry sector so as to have a significant impact on the State, regional, or local economy, as appropriate.

Learning and Employment Record - The term ''Learning and Employment Record,'' with respect to a Talent Marketplace, means a digital tool maintained by a State or State Workforce Agency, as defined at 29 U.S.C. 3225a(a)(8).

Recognized Postsecondary Credential means 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 WIOA.

Skills-Based Job Description Generator—The term ''Skills-Based Job Description Generator,'' with respect to a Talent Marketplace, means a digital tool, maintained by a State or a State Workforce Agency, as defined at 29 U.S.C. 3225a(a)(8).

Talent marketplace means a digital, interconnected system of technologies maintained by a State or State Workforce Agency, as defined at 29 U.S.C. 3225a(a)(8), that

(a) is publicly available;

(b) includes an integrated:

(i) Learning and Employment Record;

(ii) Credential Registry; and

(iii) Skill-Based Job Description generator;

(c) utilizes artificial intelligence to enable students and jobseekers, employers, and education and training providers to transform, transcribe, and transact earned learning assertions, job descriptions, and degree and non-degree credentials into discrete competency statements; and

(d) may be curated into interoperable individual records of achievement and learning and employment recommendations

Work-based learning is used in accordance with 20 U.S.C. 2302(55), to mean sustained interactions with industry or community professionals in real workplace settings, to the extent practicable, or simulated environments at an educational institution that foster in-depth, firsthand engagement with the tasks required in a given career field, that are aligned to curriculum and instruction.

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

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

Executive Orders 12866, 13563, and 14192

Regulatory Impact Analysis

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

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

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

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

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

Application submission and participation in competitive grant programs that might use this proposed priority and definitions is voluntary. We believe, based on the Department's administrative experience, that entities preparing an application would not need to expend more resources than they otherwise would have in the absence of this proposed priority. Therefore, any potential costs to applicants would be de minimis. Moreover, because the costs of carrying out activities would be paid for with program funds, the costs of implementation would not be a burden for any eligible applicants that earn a grant award, including small entities. We invite the public to comment on this discussion of estimated costs and benefits. We are specifically interested in high quality comments supported with quantitative data.

Intergovernmental Review: This action is subject to Executive Order 12372 and the regulations in 34 CFR part 79. This document provides early notification of our specific plans and actions for this program.

Regulatory Flexibility Act Certification

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

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

Paperwork Reduction Act

The proposed priority and definitions do not contain information collection requirements or affect any 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.

[FR Doc. 2025–18639 Filed 9–24–25; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

34 CFR Part 75

[Docket ID ED–2025–OS–0680]

Proposed Priority and Definitions—Secretary's Supplemental Priority and Definitions on Meaningful Learning Opportunities

AGENCY: U.S. Department of Education.

ACTION: Proposed priority and definitions.

SUMMARY: The Secretary proposes one additional priority 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 the entire priority for a grant program or a particular competition or use one or more of the priority's component parts. This priority and definitions augment the initial set of three Secretary's Supplemental Priorities on Evidence-Based Literacy, Educational Choice, and Returning Education to the States published as final priorities on September 9, 2025 (90 FR 43514), the Secretary's Supplemental Priority on Artificial Intelligence published as a proposed priority on July 21, 2025 (90 FR 34203), and the Secretary's Supplemental Priority on Promoting Patriotic Education published as a proposed priority on September 17, 2025 (90 FR 44788). In addition, this priority complements the additional Secretary's Supplemental Priority and Definitions on Career Pathways and Workforce Readiness published as a proposed priority elsewhere in this issue of the **Federal Register**.

DATES: We must receive your comments on or before October 27, 2025.

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

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

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

SUPPLEMENTARY INFORMATION:

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

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

In instances where individual submissions appear to be duplicates or near duplicates of comments prepared as part of a writing campaign, the Department may choose to post to *Regulations.gov* one representative sample comment along with the total comment count for that campaign. The Department will consider these comments along with all other comments received. In instances where individual submissions are bundled together (submitted as a single document or packaged together), the Department will post all of the substantive comments included in the submissions along with the total comment count for that document or package to *Regulations.gov*. Comments containing personal threats will not be posted to *Regulations.gov* and may be referred to the appropriate authorities.

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

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

Assistance to Individuals with Disabilities in Reviewing the Rulemaking Record: On request, we will provide an appropriate accommodation or auxiliary aid to an individual with a

disability who needs assistance to review the comments or other documents in the public rulemaking record for this document. If you want to schedule an appointment for this type of accommodation or auxiliary aid, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

Program Authority: 20 U.S.C. 1221e–3, 3474.

Proposed Priority: This document contains one proposed priority.

Proposed Priority: Supporting Meaningful Learning Opportunities for Students.

Background: Recent disappointing National Assessment of Educational Progress (NAEP) results highlight the need for a renewed focus on academic rigor and achievement.[1] These results demonstrate that education priorities have too often shifted away from what matters most: equipping students with the essential skills and knowledge for success required to be contributing members of a free society. Instead of focusing on improving student outcomes and providing meaningful learning opportunities for students, the Biden Administration wasted billions of dollars in discretionary grant funding on harmful ideological programming when our students needed academic support the most.

This Administration seeks to ensure that education programs and initiatives provide all students with access to rigorous, relevant, and engaging learning experiences. This proposed priority emphasizes the importance of designing meaningful learning experiences that promote strong core instruction, personalized and relevant learning opportunities, and support deep understanding of foundational subject areas. This priority is intended to guide the development and implementation of strategies that prepare students for success in an increasingly complex, interconnected and technology-rich world and ensure all students are prepared for employment, enrollment, enlistment, or entrepreneurship.

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

(a) Strengthen core instruction through one or more of the following:

(i) Improving mathematics instruction to promote student achievement through one or more of the following priority areas:

(1) Assisting states in developing comprehensive statewide plans to raise mathematics achievement that align with mathematics instruction based on strong, moderate, or promising evidence (as defined in 34 CFR 77.1);

(2) Selecting, adopting, and/or implementing high-quality instructional materials in mathematics;

(3) Developing and implementing pathways to accelerate conceptual understanding of mathematics or advanced mathematics coursework, including strategies like automatic enrollment that encourage participation in such pathways;

(4) Developing and implementing strategies that provide opportunities for the early identification and support for students struggling with foundational and developmental mathematics concepts;

(5) Developing and implementing strategies for the identification of gifted and talented students, including strategies for students to access higher grade-level and/or advanced placement in mathematics;

(6) Offering high-quality professional development based on strong, moderate, or promising evidence (as defined in 34 CFR 77.1) in mathematics for educators; or

(7) Integrating explicit and systematic teaching strategies for mathematics or programming to build subject matter expertise for mathematics into preservice training for general or special education educators.

(ii) Providing or expanding access to high-quality instructional materials in one or more of the following subjects:

(1) A science, technology, engineering, or mathematics (STEM) discipline, including computer science;

(2) English Language Arts; or

(3) Social Studies.

(iii) Providing or expanding access to training on implementing high-quality instructional materials in one or more of the following subjects:

(1) A STEM discipline, including computer science;

(2) English Language Arts; or

(3) Social Studies.

(iv) Creating competency-based instructional models that provide timely and actionable insights for students, parents, and educators.

(v) Creating strategic staffing models, instructional leadership roles, or developing models for teacher advancement that incentivize high-performing educators with opportunities and leverage their time, resources, and talent in innovative ways to better support student learning and achievement.

(vi) Planning or implementing a new school day schedule to allow more opportunities for meaningful learning.

(b) Expand high-quality interventions or accelerated learning supports for students based on strong, moderate or promising evidence (as defined in 34 CFR 77.1) aimed at improving student outcomes through one or more of the following priority areas:

(i) Providing remedial or accelerated learning opportunities focused on individualized, differentiated, and scaffolded supports for students to access grade-level (or above grade-level) content;

(ii) Identifying and implementing strategies for delivering effective personalized supports to all students;

(iii) Supporting states in defining, implementing, or improving statewide tiered educational frameworks that meet the varied needs of students;

(iv) Implementing, expanding, or scaling high-impact tutoring programs that occur during the regular school day, are aligned with practices based on strong, moderate, or promising evidence (as defined in 34 CFR 77.1) to accelerate student learning in literacy and mathematics, which may include innovative delivery models or approaches, such as outcomes-based contracting, artificial intelligence (AI), technology-enabled platforms, or strategic partnerships and staffing; or

(v) Leveraging outcomes-based contracting or grantmaking to improve student achievement.

(c) Provide career-connected learning through one or more of the following priority areas:

(i) Career and academic advising and mentorship opportunities for all students;

(ii) Integrating career-connected and work-based learning into K–12 education, including approaches to help all students connect core academic instruction with real-world career skills and foster career awareness, exploration, and advising throughout their education journey; or

(iii) Supporting vocational rehabilitation for students with disabilities (pre-employment transition services and transition services); or

(iv) Supporting States in developing, piloting, or scaling statewide plans for career-connected learning.

(d) Advance innovative assessment models through one or more of the following priority areas:

(i) Supporting the development, implementation, and scaling of new or innovative assessment models that accurately and fairly measure all student's learning and progress, including competency- and mastery-based assessments;

(ii) Supporting the development, implementation, and scaling of assessment models that provide timely and useful information to educators,

[1] *National Assessment of Educational Progress (NAEP). https://www.nationsreportcard.gov/.*

students, and families to address student learning needs;

(iii) Encouraging the use of adaptive technologies for assessments;

(iv) Developing a clear methodology for early identification and subsequent ongoing support of students at-risk, students with disabilities, or gifted and talented students; or

(v) Supporting states to re-envision state assessment systems through research activities, planning, piloting, and/or scaling new or innovative assessment models.

(e) Supporting parents in providing meaningful at-home learning, which could include providing resources, educational materials, and access to learning platforms to support student learning needs.

Types of Priorities:

When inviting applications for a competition using one or more priorities, we designate the type of each priority as absolute, competitive preference, or invitational through a notice in the **Federal Register**. The effect of each type of priority follows:

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

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

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

Proposed Definitions:

Background: The Secretary proposes the following definitions for use in any Department discretionary grant program in which the proposed priority is 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 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.

High-quality instructional materials (HQIM) means standards-aligned, content-rich instructional tools that provide a coherent scope and sequence for grade-level academic content. HQIM provide a full suite of resources for teachers, students, and families—including lesson plans, instructional units, and embedded formative assessments. HQIM utilize evidence-based instructional strategies and provide implementation supports for educators to ensure the learning needs of all students are met.

Strategic Staffing means a team-based approach to school staffing that replaces the traditional one-teacher, one-classroom model. In this model, at least two professional educators share responsibility for a common roster of students during the same blocks of time in the school day. Teamed educators have differentiated roles and distributed expertise, allowing for flexible student grouping, more effective use of instructional time, and expanded career entry and advancement opportunities.

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

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

Executive Orders 12866, 13563, and 14192

Regulatory Impact Analysis

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

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

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

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

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

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

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

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

Regulatory Flexibility Act Certification:

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

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

Paperwork Reduction Act

The proposed priority and definitions do not contain information collection requirements or affect any 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.

[FR Doc. 2025–18640 Filed 9–24–25; 8:45 am]

BILLING CODE 4000–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R10–OAR–2025–0181, FRL–12873–01–R10]

Air Plan Approval; Oregon; 2024 Vehicle Inspection Program Updates

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) proposes to approve revisions to the Oregon State Implementation Plan (SIP) submitted by the Oregon Department of Environmental Quality on April 3, 2025. The SIP revision updates rules for the Vehicle Inspection Program (VIP) which is applicable in the Portland and Medford areas, and includes a demonstration that the requested revisions will not interfere with attainment or maintenance of any national ambient air quality standard (NAAQS) or with any other applicable requirement of the Clean Air Act (CAA or Act).

DATES: Comments must be received on or before October 27, 2025.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R10–OAR–2025–0181 at *https://www.regulations.gov.* Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *regulations.gov.* The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.* on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *https://www.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: Tess Bloom, EPA Region 10, 1200 6th Ave., Seattle, WA 98101, at (206) 553–6362, or *bloom.tess@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document, wherever ''we,'' ''us,'' or ''our'' is used, it is intended to refer to the EPA.

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I. Background
II. Evaluation of Revisions
III. Proposed Action
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I. Background

Each state has a SIP containing the control measures and strategies used to attain and maintain the NAAQS established by the EPA for the criteria pollutants (carbon monoxide, lead, nitrogen dioxide, ozone, particulate matter, sulfur dioxide). The SIP contains elements such as air pollution control regulations, emission inventories, attainment demonstrations, and enforcement mechanisms. Section 110 of the CAA requires each state to periodically revise its SIP. As a result, the SIP is a living compilation of regulatory and non-regulatory elements that are updated to address Federal requirements and changing air quality issues in the state.

The Oregon SIP includes VIP program rules for the Portland and Medford areas to maintain compliance with the NAAQS. The Portland area is part of the Portland-Vancouver air quality maintenance area (AQMA) for ozone (62 FR 27204, May 19, 1997). Medford, Oregon is a maintenance area for CO (67 FR 48388, July 24, 2002). The Oregon Department of Environmental Quality (DEQ) implements and enforces the Oregon SIP through rules set out in the Oregon Administrative Rules. Chapter 340, Division 256—Motor Vehicles includes the provisions for Oregon's VIP. The vehicle testing schedule for the VIP coincides with the dates for vehicle registration generally, as a vehicle owner residing within the testing boundary must obtain a certificate of compliance before renewing their vehicle's registration. The Oregon legislature passed a bill in 2001 that changed the initial registration period for new vehicles from two years to four years (2001 HB 2132), which can be found in Oregon's statute, ORS 803.415. In 2004, DEQ completed a rulemaking to update the VIP rules to reflect this change. After the initial four-year registration period, vehicle registration must be renewed, and receive a passing emissions test, every two years. Although the initial four-year exemption has been in effect since 2004, explicit rule language prescribing that a vehicle is not required to obtain a certificate of compliance that the

vehicle emissions controls are adequately maintained during this period was not previously included in the SIP. This SIP revision includes that update as well as other minor changes to the VIP rules.

II. Evaluation of Revisions

A. Summary of Rule Changes

DEQ revised the Oregon Administrative Rules (OAR) section 340–256–0010 to include non-substantiative changes including the addition of definitions for ''fleet participant,'' ''host participant,'' ''test equipment,'' and ''VIP.'' Some definitions in this section were renumbered to accommodate the new definitions. DEQ revised OAR 340–256–0300 to describe the scope of rules through 340–256–0471, where it previously only extended to 340–256–0465. OAR 340–256–0466 through 340–256–0471 are new, non-SIP approved state rules that relate to criteria for remote on-board diagnostic (OBD) test equipment and requirements for participation in Oregon's remote OBD testing program.

DEQ added a new provision under OAR 340–256–0300(4) to make explicit that new vehicles are exempt from on-board diagnostic (OBD) test requirements of the VIP program contained in OAR 340–256–0355 until January 1st of the calendar year that is four years after a vehicle's designated model year. DEQ also revised OAR 340–256–0370 to clarify the Oregon vehicle inspection boundary, outside of which vehicles that are temporarily operating qualify for a temporary exemption from the vehicle testing requirement. Because the exemption only applies to vehicles that will be operating outside the inspection program's target areas, the EPA does not believe Oregon's minor clarifying changes to the exemption will result in impacts to the ambient air within these areas. Lastly, DEQ amended OAR 340–256–0465 to remove the word ''licensing'' in the title, to state that electronic vehicle test results be transferred to ''DEQ online computer servers,'' and requirement (3), ''meeting additional fleet operations specifications as DEQ prescribes,'' is removed.

B. Vehicle Emission Trends in Oregon State

The April 3, 2025, Oregon SIP revision includes an evaluation of projected changes in mobile source emissions that may be caused by the change in the vehicle inspection requirement from two to four years following a new vehicle's model year. The analysis focuses on the emissions of carbon monoxide (CO), nitrogen oxides (NOx), volatile organic compounds (VOCs),[1] and fine particulate matter ($PM_{2.5}$).[2] DEQ used the EPA's Motor Vehicle Emission Simulator (MOVES) model, version 4.0.1, to assess emissions for a typical day. MOVES 4.0.1 was the most recent version of MOVES available at the time work on this SIP began. The modeling demonstration in the SIP submittal compares vehicle emissions with the testing exemption for the first four model years to a baseline exemption of the first two model years based on vehicle data for 2023. DEQ chose to use a two-year exemption as a baseline because in the Portland and Medford areas, vehicles receive an emissions test on a biennial schedule.[3] Additionally, although the four-year testing exemption has already been in effect since 2004, only the biennial testing schedule was made explicit in the SIP. Therefore, modeling completed by DEQ is consistent with what is currently approved into the SIP.

The EPA reviewed the on-road modeling performed by the DEQ. Based on this modeling, motor vehicle emissions in the four impacted Oregon Counties are generally projected to decrease even with the exemption from emissions testing for the first four model years after a vehicle is new. This continued decrease in emissions, despite increases in vehicle miles travelled (VMT),[4] are the result of fleet turnover, with old vehicles being replaced with new vehicles that meet more stringent engine standards. The downward trend of emissions from on-road sources is reflected in the EPA's 2020 National Emissions Inventory (NEI) and Trends Report. Specifically, the NEI Tool found on the 2020 NEI website [5] demonstrates that from 2008 until 2020, criteria pollutant emissions from on-road mobile sources in Oregon steadily decreased. This included a decrease in VOCs, NO_X, CO emission, and $PM_{2.5}$ emissions. Table 1 below includes data from the NEI tool that illustrates the change in light-duty, non-diesel, on-road vehicle emissions from 2008 until 2020.

TABLE 1—CHANGE IN ON-ROAD, NON-DIESEL, LIGHT-DUTY EMISSIONS IN OREGON

Pollutant	2008 Emissions (tons)	2011 Emissions (tons)	2014 Emissions (tons)	2017 Emissions (tons)	2020 Emissions (tons)
CO	471,154	408,167	357,552	265,810	213,816
NO_X	48,536	53,032	45,646	32,571	22,208
VOCs	37,753	39,561	34,414	27,699	21,244
$PM_{2.5}$	1,259	1,037	837	738	460

In sum, emissions are anticipated to continue decreasing into the future as the fleet turns over, despite projected increases in vehicle miles of travel in these areas.

C. Monitoring Values and Attainment Status for Areas in Oregon

All areas in the State of Oregon, with the exception of Klamath Falls which is primarily impacted by residential wood heating emissions rather than on-road emissions,[6] are either designated as attainment/unclassifiable, unclassifiable, or attainment for the NAAQS.[7] Areas are designated as

[1] Both nitrogen oxides and volatile organic compounds are precursors to the formation of ozone and fine particulate matter.

[2] Fine particulate matter, also known as $PM_{2.5}$, refers to tiny particles and droplets in the air that are 2.5 micrometers or less in diameter. Particulate matter that is less than 10 micrometers in diameter (PM_{10}) was not analyzed due to on-road sources contributing a small percentage to the overall PM_{10} concentrations.

[3] The final rule by the EPA, ''Approval and Promulgation of State Implementation Plans; Oregon,'' published on September 9, 1994, includes more information about the EPA's approval of Oregon's inspections of motor vehicles on a biennial schedule.

[4] The report released by the Oregon Department of Transportation, ''2024 Statewide Congestion Overview,'' contains more information about vehicle miles travelled trends in Oregon.

[5] *https://storymaps.arcgis.com/stories/d7d730f974c6474190b142a49ae8d3bd/.*

[6] See 81 FR 36178 (June 6, 2016).

[7] For a review of the National Ambient Air Quality Standards, averaging time, and form, please visit *https://www.epa.gov/criteria-air-pollutants/naaqs-table/*. For a review of current and historical designations in the State of Oregon by criteria pollutant, please visit *https://www.epa.gov/green-book/*.

attainment/unclassifiable when the design value shows it is below the NAAQS for the criteria pollutant in question. Areas are designated unclassifiable when there is insufficient data for either an attainment/unclassifiable or a nonattainment classification. Areas designated attainment have been redesignated to attainment with an approved maintenance plan. Designations are based on design values, which are calculated from monitoring data. The EPA most recently approved Oregon DEQ's annual monitoring network plan on May 16, 2025.

DEQ assessed air quality design values for ozone, CO, and $PM_{2.5}$ in the four inspection and maintenance (I/M) counties as part of this submittal. The design values included in this submittal were based on 2000–2023 data for ozone and CO, and 1998–2023 data for $PM_{2.5}$, which represented the most recently available data when the SIP was developed and submitted. Design values for ozone were below the NAAQS, besides elevated design values from 2017 to 2019 due to an increase in VOCs as a result of wildfires.[8] Design values for CO were well below the NAAQS, except for a wildfire event in 2020 which caused an exceedance.[9] $PM_{2.5}$ was also below the NAAQS for all years shown.

Additionally, as previously stated, the first four model years exemption from testing has already been in effect under state law since 2004 and all counties within the Portland-Vancouver maintenance area (Clackamas, Multnomah, and Washington) have been in attainment with the NAAQS since at least 2004. Medford is located in Jackson County, which has also been in attainment with the NAAQS since 2004.

D. Clean Air Act Section 110(l)

Section 110(l) of the CAA provides that the Administrator shall not approve a revision of a plan if the revision would interfere with any applicable requirement concerning attainment and reasonable further progress or any other applicable requirement of the CAA.

As stated above, all areas within the State are designated attainment for all NAAQS, except for Klamath Falls, and concentrations of all relevant criteria pollutants are far below their respective NAAQS. These areas are attaining with current on-road emission levels and the four-year exemption. In addition, on-road emissions will continue to decrease as older vehicles are replaced with newer, lower-emitting vehicles, despite expected population growth. Based on this evaluation of Oregon's submittal, the EPA has determined that the revisions to Oregon's VIP program will not interfere with attainment or maintenance of the NAAQS and, therefore, this SIP revision is consistent with CAA section 110(l).

III. Proposed Action

We propose to approve into the Oregon SIP the submitted revisions to the Division 256 ''Motor Vehicles'' regulations, State effective January 10, 2025:

- OAR 340–256–0010 *Definitions,* specifying definitions for the motor vehicle program;
- OAR 340–256–0300 *Emission Control System Inspection: Scope,* specifying requirements under the vehicle inspection program;
- OAR 340–256–0370 *Emission Control System Inspection: Renewal of Registration for Light-duty Motor Vehicles and Heavy-duty Gasoline Motor Vehicles Temporarily Operating Outside of the Oregon Vehicle Inspection Boundaries,* specifying temporary geographic exemptions under the program; and
- OAR 340–256–0465 *Emission Control System Inspection: Test Equipment Licensing Criteria for OBD Test Program,* specifying requirements for On-Board Diagnostics.

These rules were submitted to the EPA by DEQ on April 3, 2025. Based on the demonstration provided by DEQ, we propose to approve these rule revisions.

IV. Incorporation by Reference

In this document, we are proposing to include in a final rule, regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is proposing to incorporate by reference the provisions described in section III of this document. The EPA has made, and will continue to make, these documents generally available through *https://www.regulations.gov* and at the EPA Region 10 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

V. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves State law as meeting Federal requirements and does not impose additional requirements beyond those imposed by State law. For that reason, this action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because SIP actions are exempt from review under Executive Order 12866;
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a state program;
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA.

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping

[8] More information about the monitoring data, including contributions from wildfire emissions from 2017 to 2019, can be found in the 2019 Oregon Air Quality Monitoring Annual Report, which is included in the docket for this action.

[9] More information about 2020 monitoring data can be found in the 2020 Oregon Air Quality Monitoring Annual Report, which is included in the docket for this action.

requirements, Sulfur oxides, Volatile organic compounds.

Authority: 42 U.S.C. 7401 *et seq.*

Dated: September 15, 2025.

Emma Pokon,

Regional Administrator, Region 10.

[FR Doc. 2025–18629 Filed 9–24–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R05–OAR–2025–0232; FRL–12930–01–R5]

Air Plan Approval; Ohio; Volatile Organic Compounds RFD Beaufort

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve a May 2, 2025, State Implementation Plan (SIP) submittal from the Ohio Environmental Protection Agency (Ohio EPA). The SIP submittal consists of an alternate control technology emission limit of 5.9 pounds of volatile organic compounds per gallon (lbs VOC/gallon) for RFD Beaufort, Inc.'s life raft manufacturing plant at 1420 Wolf Creek Trail, Wadsworth, Ohio. This limit applies to the facility's nylon reinforced polyurethane adhesive process. The limitation is established through the Ohio SIP for control of emissions of volatile organic compounds (VOCs) from stationary sources and is listed as an enforceable condition in the facility's operating permit, issued by Ohio EPA on March 25, 2025.

DATES: Comments must be received on or before October 27, 2025.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R05–OAR–2025–0232 at *https://www.regulations.gov,* or via email to *langman.michael@epa.gov.* For comments submitted at *Regulations.gov*, follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from the docket. EPA may publish any comment received to its public docket. Do not submit to EPA's docket at *https://www.regulations.gov* any information you consider to be Confidential Business Information (CBI), Proprietary Business Information (PBI), or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI, PBI, or multimedia submissions, and general guidance on making effective comments, please visit *https://www.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: Tyler Salamasick, Air and Radiation Division (AR18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886–6206, *salamasick.tyler@epa.gov.* The EPA Region 5 office is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays.

SUPPLEMENTARY INFORMATION: Throughout this document whenever ''we,'' ''us,'' or ''our'' is used, we mean EPA.

I. What is the background for this action?

On May 2, 2025, Ohio EPA requested concurrence and approval of a director-approved VOC alternate control technology emissions limitation for adhesive use at RFD Beaufort's life raft manufacturing plant located at 1420 Wolf Creek Trail, Wadsworth, Ohio. The Ohio SIP contains VOC emission control requirements for adhesives under Ohio Administrative Code (OAC) rule 3745–21–28.

RFD Beaufort contends that the potentially applicable category for its polyurethane coated nylon fabric adhesive process was ''sheet-applied rubber installation'' with a corresponding VOC content limit of 7.1 lbs VOC/gal (minus water and exempt solvents). Ohio EPA reviewed the definition of ''sheet-applied rubber installation'' in OAC rule 3745–21–01(II)(46) and determined that this was not an appropriate category for this application and that the facility needs an alternate limit. Ohio is proposing to add a new source-specific limit rather than applying the general ''adhesive to substrate'' limitation. Additional information regarding Ohio's review can be found in the May 2, 2025, supplemental information submitted with the alternate control requirements request.

RFD Beaufort's current adhesive has a VOC content of 5.92 lbs VOC/gal (minus water and exempt solvents). RFD Beaufort reviewed other adhesive options and asserts that no other adhesive has passed the performance specifications required for life-saving devices. RFD Beaufort evaluated alternative controls and determined that it is not technically or economically feasible to install controls on these processes.

OAC rule 3745–21–28(C)(4) allows for an alternative category to be established if EPA approves the alternative limitation as a revision to the Ohio SIP. Ohio EPA requests that EPA approve portions of the Final Permit-to-Install and Operate (P0127562), issued to RFD Beaufort on March 25, 2025, as a revision to the SIP to make them federally enforceable and fulfill the requirements of OAC rule 3745–21–28(C)(4). The requested portions include permit condition C.1.b)(1)c., which establishes the adhesive material VOC limit, and condition C.1.b)(2)c., which establishes associated monitoring, recordkeeping and reporting requirements.[1]

Ohio EPA provided an opportunity for public comment on the draft permit and opened a public comment period, which closed on February 14, 2025. Ohio EPA did not receive any comments on the alternate limit. The final March 25, 2025, Permit-to-Install and Operate (P0127562) is included with Ohio's SIP submittal and as part of the docket for this rulemaking action.

II. What is EPA's analysis of the source-specific VOC limit?

EPA reviewed Ohio's assessment of the RFD Beaufort alternative controls and agrees with their determination that it is not technically or economically feasible to install added controls on these processes as demonstrated by their actual emissions. An alternative emissions limitation is appropriate for RFD Beaufort. The facility's process is unique and does not clearly fall under one of the specific limits listed in Ohio's rules. A source specific limit would reasonably limit emissions from their process. This new limit would be consistent with their current adhesive, which has a VOC content of 5.92 lbs VOC/gal (minus water and exempt solvents). The permit conditions, which EPA proposes to approve into Ohio's SIP, impose a limit of 5.9 lbs VOC/gal

[1] On August 7, 2025, Ohio EPA provided EPA with additional clarification stating that it submitted a typo requesting EPA approve emission unit condition C.2.b)(2)c. into the SIP. Instead, Ohio EPA requests that EPA approve emission unit condition C.1.b)(2)c. in permit no. P0127562.

on RFD Beaufort along with relevant monitoring, recordkeeping, and reporting requirements.[2]

This SIP revision does not include the relaxation of any existing requirements. EPA determines that this revision, if approved, will not interfere with any Clean Air Act (CAA) applicable requirement as required by CAA section 110(l). The alternate control technology emissions limitation for RFD Beaufort in OAC rule 3745–21–28 is a limit established under the rule consistent with the current VOC content of the coating utilized by the facility.

III. What action is EPA taking?

EPA is proposing to approve the alternative emissions limitation for Emission Unit Group 1: R001, R002, R003, R004, R005, R006, R007, R008, R009, R010 by approving permit conditions C.1.b)(1)c. and C.1.b)(2)c. into the Ohio SIP as listed in the March 25, 2025, final permit to install and operate (P0127562).

IV. Incorporation by Reference

In this rulemaking, EPA is proposing to include in a final EPA rule regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, EPA is proposing to incorporate by reference Ohio Division of Air Pollution Control Permit-to-Install for RFD Beaufort (Facility ID 1652080002), issued on March 25, 2025, as described in section III of this preamble. EPA has made, and will continue to make, these documents generally available through *www.regulations.gov* and at the EPA Region 5 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

V. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve State choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves State law as meeting Federal requirements and does not impose additional requirements beyond those imposed by State law. For that reason, this action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because SIP actions are exempt from review under Executive Order 12866;
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a State program;
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA.

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction. In those areas of Indian country, the rulemaking does not have Tribal implications and will not impose substantial direct costs on Tribal governments or preempt Tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Ozone, Volatile organic compounds.

Dated: September 15, 2025.

Anne Vogel,

Regional Administrator, Region 5.

[FR Doc. 2025–18652 Filed 9–24–25; 8:45 am]

BILLING CODE 6560–50–P

[2] Ohio's VOC limitation standards in OAC rule 3745–21–28 are calculated to two significant digits. RFD Beaufort's adhesive VOC content of 5.92 lbs VOC/gal would comply with a 5.9 lbs VOC/gal limit.

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R03–OAR–2025–0225; FRL–12836–01–R3]

Air Plan Approval; Virginia; Revision to the Regulatory Definition of Volatile Organic Compound

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve a state implementation plan (SIP) revision (Revision A23) submitted by the Commonwealth of Virginia. This revision pertains to an amendment made to the definition of volatile organic compound (VOC) in the Virginia Administrative Code (VAC) to align with the EPA's regulatory definition of VOC. The EPA is approving this revision to update the definition of VOC in the Virginia SIP.

DATES: Written comments must be received on or before October 27, 2025.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R03–OAR–2025–0225 at *www.regulations.gov,* or via email to *gordon.mike@epa.gov.* For comments submitted at *Regulations.gov,* follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov.* For either manner of submission, the EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be confidential business information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *www.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: Sarah McCabe, Planning &

Implementation Branch (3AD30), Air & Radiation Division, U.S. Environmental Protection Agency, Region III, 1600 John F. Kennedy Boulevard, Philadelphia, Pennsylvania 19103. The telephone number is (215) 814–5786. Ms. McCabe can also be reached via electronic mail at *mccabe.sarah@epa.gov.*

SUPPLEMENTARY INFORMATION: On December 20, 2024, the Commonwealth of Virginia, through the Virginia Department of Environmental Quality (VADEQ), submitted a revision to its SIP (Revision A23). Revision A23 requests to update the definition of VOC in the Virginia SIP (9 VAC 5–10–20 (General Definitions)). Specifically, this amendment adds *trans*-1,1,1,4,4,4-hexafluorobut-2-ene (also known as and hereafter referred to as HFO–1336mzz(E); Chemical Abstracts Service [CAS] number: 66711–86–2) as a compound excluded from the regulatory definition of VOC to align with the EPA's February 8, 2023 (88 FR 8226) final rule updating the EPA's regulatory definition of VOC in 40 CFR 51.100(s). The EPA's rulemaking added HFO–1336mzz(E) to the list of compounds excluded from the EPA's regulatory definition of VOC.

I. Background

VOCs are organic compounds of carbon that, in the presence of sunlight, react with sources of oxygen molecules, such as nitrogen oxides (NO_X) and carbon monoxide (CO), in the atmosphere to produce tropospheric ozone, commonly known as smog. Common sources that may emit VOCs include paints, coatings, housekeeping and maintenance products, and building and furnishing materials. Outdoor emissions of VOCs are regulated by the EPA primarily to prevent the formation of ozone.

VOCs have different levels of volatility, depending on the compound, and react at different rates to produce varying amounts of ozone. VOCs that are non-reactive or of negligible reactivity to form ozone react slowly and/or form less ozone; therefore, reducing their emissions has limited effects on local or regional ozone pollution. Section 302(s) of the CAA specifies that the EPA has the authority to define the meaning of VOC and what compounds shall be treated as VOCs for regulatory purposes. It is the EPA's policy that organic compounds with a negligible level of reactivity should be excluded from the regulatory definition of VOC in order to focus control efforts on compounds that significantly affect ozone concentrations. The regulatory definition of VOC as well as a list of compounds that are designated by the EPA as negligibly reactive can be found at 40 CFR 51.100(s).

Virginia has amended the definition of VOC to match EPA actions multiple times in their SIP. On August 1, 2016, EPA promulgated a final rule revising the regulatory definition of VOC in 40 CFR 51.100(s) to add HFE–347pcf2 to the list of compounds excluded from the regulatory definition of VOC (81 FR 50330). This action was based on the EPA's consideration of the compound's negligible reactivity and low contribution to ozone as well as the low likelihood of risk to human health or the environment. The EPA's rationale for this action is explained in more detail in the final rule for this action. *See* 81 FR 50330 (August 1, 2016). On March 13, 2018, the EPA approved revisions to the Virginia SIP, excluding HFE–347pcf2 from the regulatory definition of VOC and removing recordkeeping and reporting requirements for t-butyl acetate. These revisions matched actions EPA had previously taken. *See* 83 FR 10788.

On November 30, 2016, the Chemours Company submitted a petition to the EPA requesting that *trans*-1,1,1,4,4,4-hexafluorobut-2-ene (HFO–1336mzz(E)) be exempted from the Federal regulatory definition of VOC. If it can be demonstrated that a particular VOC is ''negligibly reactive'' that is, if it can be shown that a VOC is not as reactive and therefore does not have a significant effect on ground-level (tropospheric) or upper-level (stratospheric) ozone, then the EPA may remove that compound from the definition of VOC. The petition was based on the argument that HFO–1336mzz(E) has low reactivity and may be used in a variety of applications in foam expansion or blowing agents where it has significant performance and energy-saving advantages.

After scientific review and public comment, the EPA took final action on February 8, 2023, to respond to the petition by exempting HFO–1336mzz(E) from the Federal regulatory definition of VOC in 40 CFR 51.100(s) (88 FR 8226, February 8, 2023). This action was based on consideration of the compound's low contribution to tropospheric ozone and the low likelihood of risk to human health or the environment, including stratospheric ozone depletion and toxicity. This delisting became effective on April 10, 2023.

II. Summary of SIP Revision and EPA Analysis

On December 20, 2024, VADEQ submitted Revision A23, a SIP revision amending the definition of VOC in 9 VAC 5–10–20 (General Definitions). VADEQ submitted this revision to align with the EPA's current regulatory definition of VOC in 40 CFR 51.100(s) and add HFO–1336mzz(E) to the list of compounds excluded from the regulatory definition of VOC. The Virginia State Air Pollution Control Board adopted the revision on September 13, 2023, the revision was published in the Virginia Register of Regulations on February 26, 2024, and the revision became effective on April 11, 2024.

In this action, the EPA is proposing that Virginia's amendment to the definition of VOC in 9 VAC 5–10–20 is in accordance with the EPA's regulatory changes to the definition of VOC in 40 CFR 51.100(s) and are therefore approvable for the Virginia SIP in accordance with CAA section 110. On February 8, 2023, the EPA made the determination that HFO–1336mzz(E) is of negligible reactivity and therefore has low contributions to tropospheric ozone as well as a low likelihood of risk to public health or the environment (88 FR 8226). Removing this compound from the definition of VOC in the Virginia SIP will not interfere with attainment of any NAAQS, reasonable further progress, or any other requirement of the CAA, as explained in EPA's rationale in the final rule for that action (88 FR 8226, February 8, 2023). The addition of HFO–1336mzz(E) to the list of compounds excluded from the regulatory definition of VOC is in accordance with CAA section 110(l).

III. Proposed Action

The EPA is proposing to approve Revision A23, submitted on December 20, 2024 by VADEQ, as a revision to the Virginia SIP, because the submission meets the requirements of CAA section 110. Revision A23 adds HFO–1336mzz(E) to the list of compounds excluded from the regulatory definition of VOC in 9 VAC 5–10–20. The EPA is soliciting public comments on the issues discussed in this proposed rulemaking. These comments will be considered before taking final action.

IV. General Information Pertaining to SIP Submittals From the Commonwealth of Virginia

In 1995, Virginia adopted legislation that provides, subject to certain conditions, for an environmental assessment (audit) ''privilege'' for voluntary compliance evaluations performed by a regulated entity. The legislation further addresses the relative burden of proof for parties either asserting the privilege or seeking disclosure of documents for which the

privilege is claimed. Virginia's legislation also provides, subject to certain conditions, for a penalty waiver for violations of environmental laws when a regulated entity discovers such violations pursuant to a voluntary compliance evaluation and voluntarily discloses such violations to the Commonwealth and takes prompt and appropriate measures to remedy the violations. Virginia's Voluntary Environmental Assessment Privilege Law, Va. Code Sec. 10.1–1198, provides a privilege that protects from disclosure documents and information about the content of those documents that are the product of a voluntary environmental assessment. The Privilege Law does not extend to documents or information that: (1) are generated or developed before the commencement of a voluntary environmental assessment; (2) are prepared independently of the assessment process; (3) demonstrate a clear, imminent and substantial danger to the public health or environment; or (4) are required by law.

On January 12, 1998, the Commonwealth of Virginia Office of the Attorney General provided a legal opinion that states that the Privilege law, Va. Code Sec. 10.1–1198, precludes granting a privilege to documents and information ''required by law,'' including documents and information ''required by Federal law to maintain program delegation, authorization or approval,'' since Virginia must ''enforce Federally authorized environmental programs in a manner that is no less stringent than their Federal counterparts. . . .'' The opinion concludes that ''[r]egarding § 10.1–1198, therefore, documents or other information needed for civil or criminal enforcement under one of these programs could not be privileged because such documents and information are essential to pursuing enforcement in a manner required by Federal law to maintain program delegation, authorization or approval.''

Virginia's Immunity law, Va. Code Sec. 10.1–1199, provides that ''[t]o the extent consistent with requirements imposed by Federal law,'' any person making a voluntary disclosure of information to a state agency regarding a violation of an environmental statute, regulation, permit, or administrative order is granted immunity from administrative or civil penalty. The Attorney General's January 12, 1998 opinion states that the quoted language renders this statute inapplicable to enforcement of any Federally authorized programs, since ''no immunity could be afforded from administrative, civil, or criminal penalties because granting such immunity would not be consistent with Federal law, which is one of the criteria for immunity.''

Therefore, the EPA has determined that Virginia's Privilege and Immunity statutes will not preclude the Commonwealth from enforcing its program consistent with the Federal requirements. In any event, because the EPA has also determined that a state audit privilege and immunity law can affect only state enforcement and cannot have any impact on Federal enforcement authorities, the EPA may at any time invoke its authority under the CAA, including, for example, sections 113, 167, 205, 211 or 213, to enforce the requirements or prohibitions of the state plan, independently of any state enforcement effort. In addition, citizen enforcement under section 304 of the CAA is likewise unaffected by this, or any, state audit privilege or immunity law.

V. Incorporation by Reference

In this document, the EPA is proposing to include in a final EPA rule regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is proposing to incorporate by reference the revisions to Virginia Administrative Code 9 VAC 5–10–20 as described in section II of this document. The EPA has made, and will continue to make, these materials generally available through *www.regulations.gov* and at the EPA Region III Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

VI. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Clean Air Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by State law. For that reason, this action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because SIP actions are exempt from review under Executive Order 12866:
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a state program;
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act.

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction. In those areas of Indian country, the rulemaking does not have Tribal implications and will not impose substantial direct costs on Tribal governments or preempt Tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Amy Van Blarcom-Lackey,

Regional Administrator, Region III.

[FR Doc. 2025–18635 Filed 9–24–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 81

[EPA–R05–OAR–2024–0378; FRL–12933–01–R5]

Air Plan Approval; Indiana; Huntington County 2010 Sulfur Dioxide Redesignation and Maintenance Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to find that Huntington Township, Indiana (referred to in this proposed rule as the Huntington County, Indiana area) is attaining the 2010 sulfur dioxide (SO_2) National Ambient Air Quality Standard (NAAQS) and to propose approval of Indiana's request to redesignate the area to attainment for the 2010 SO_2 NAAQS, because the request meets the statutory requirements for redesignation under the Clean Air Act (CAA). EPA is also proposing to approve Indiana's maintenance plan for the area, which, once approved, will become part of Indiana's federally enforceable State Implementation Plan (SIP).

DATES: Comments must be received on or before October 27, 2025.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R05–OAR–2024–0378 at *https://www.regulations.gov,* or via email to *arra.sarah@epa.gov.* For comments submitted at *Regulations.gov*, follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from the docket. EPA may publish any comment received to its public docket. Do not submit to EPA's docket at *https://www.regulations.gov* any information you consider to be Confidential Business Information (CBI), Proprietary Business Information (PBI), or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI, PBI, or multimedia submissions, and general guidance on making effective comments, please visit *https://www.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: Abigail Teener, Air and Radiation Division (AR–18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353–7314, *teener.abigail@epa.gov.* The EPA Region 5 office is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays.

SUPPLEMENTARY INFORMATION:

I. Background and Redesignation Requirements

On June 22, 2010 (75 FR 35520), EPA published a new SO_2 NAAQS of 75 parts per billion (ppb), which is met at an ambient air quality monitoring site (or in the case of dispersion modeling, at an ambient air quality receptor location) when the 3-year average of the annual 99th percentile of daily maximum 1-hour average concentrations does not exceed 75 ppb, as determined in accordance with appendix T of 40 CFR part 50.

On January 9, 2018 (83 FR 1098), EPA designated Huntington Township, a partial area of Huntington County, Indiana, as nonattainment for the 2010 SO_2 NAAQS with an effective date of April 9, 2018, based on air quality modeling information which showed that Isolatek International (Isolatek), formerly known as U.S. Mineral Wool, may have been contributing to violations of the 2010 SO_2 NAAQS. Section 191 of the CAA directs States to submit a SIP for an area designated as nonattainment for the 2010 SO_2 NAAQS to EPA within 18 months of the effective date of the designation. The SIP must demonstrate that the State will achieve the NAAQS for the nonattainment area as expeditiously as practicable, but no later than five years from the effective date of designation.

On November 6, 2023, Indiana submitted Commissioner's Order 2023–Air–01, containing SO_2 emission limits for Isolatek, along with a revision to the Indiana SIP that provides for attainment of the 2010 SO_2 NAAQS in the Huntington County area. The revision included an Attainment Demonstration, Reasonably Available Control Measures/Reasonably Available Control Technology (RACM/RACT) requirements, Reasonable Further Progress (RFP) provisions, Contingency Measures, Emissions Inventories for the 2017 Base Year and 2023 Attainment Year, and NSR Certification. On February 12, 2024, Indiana submitted a supplemental SIP revision including Commissioner's Order 2023–Air–02, effective March 1, 2024, which revised Commissioner's Order 2023–Air–01 and established compliance requirements for the SO_2 emission limits. Commissioner's Order 2023–Air–02 is included as attachment C of Indiana's July 30, 2024, redesignation request.

On August 14, 2025 (90 FR 39130), EPA approved Indiana's plan for attaining the 2010 SO_2 NAAQS for the Huntington County area and for meeting other nonattainment area planning requirements of CAA sections 110, 172, 179 and 192. EPA approved Indiana's demonstration that these requirements provide for attainment of the 2010 SO_2 NAAQS in Huntington County and that Indiana had satisfied the other applicable requirements for nonattainment areas.

II. Evaluation of Indiana's Redesignation Request and Maintenance Plan

On July 30, 2024, Indiana submitted a redesignation request and maintenance plan for the Huntington County nonattainment area for the 2010 SO_2 NAAQS, and on September 17, 2024, submitted supplemental information.

Under section 107(d)(3)(E) of the CAA, EPA may promulgate a redesignation of a nonattainment area provided that:

1. EPA has determined that the area has attained the NAAQS;

2. EPA has fully approved the applicable implementation plan for the area under section 110(k) of the CAA;

3. EPA has determined that improvement in air quality is due to permanent and enforceable reductions in emissions resulting from implementation of the applicable implementation plan and applicable Federal air pollution control regulations and other permanent and enforceable reductions;

4. EPA has fully approved a maintenance plan for the area under section 175A of the CAA; and

5. The State containing such area has met all requirements applicable to the area under section 110 of the CAA and part D.

EPA's evaluation of Indiana's redesignation request and maintenance plan was based on consideration of the five redesignation criteria provided under CAA section 107(d)(3)(E) and is described in the remainder of this section.

A. Criterion (1)—The Huntington County SO_2 Nonattainment Area Has Attained the 2010 SO_2 NAAQS

CAA section 107(d)(3)(E)(i) requires EPA to determine that an area has attained the applicable NAAQS in order for EPA to redesignate the area from nonattainment to attainment. If dispersion modeling is used to make this determination, an area is attaining the 2010 SO_2 NAAQS when the modeled concentration is at or below the one-hour SO_2 NAAQS of 196.4 micrograms per cubic meter (or 75 ppb).

As detailed in EPA's April 23, 2014, *Guidance for 1-Hour SO_2 Nonattainment Area SIP Submissions* (''April 2014 SO_2 Guidance''), there are generally two methods available to support an attainment determination. The first component relies on air quality monitoring data. For SO_2, any available monitoring data would need to indicate that all monitors in the affected area are meeting the standard in 40 CFR 50.17. The second component relies on air quality modeling data. If there are no air quality monitors in the area, a further analysis using air quality dispersion modeling will generally be needed to estimate SO_2 concentrations throughout the nonattainment area to demonstrate that the entire area is attaining the applicable NAAQS, based on current actual emissions or the fully implemented control strategy.[1]

The April 2014 SO_2 Guidance states that EPA may make determinations of attainment based on the modeling, using allowable emissions, from the attainment demonstrations for the applicable SIP for the affected area. Attainment demonstrations for the 2010 SO_2 NAAQS should demonstrate future attainment and maintenance of the NAAQS in the entire area designated as nonattainment (*i.e.,* not just at the violating monitor) by using air quality dispersion modeling (*see* appendix W to 40 CFR part 51) to show that the mix of sources and enforceable control measures and emission rates in an identified area will not lead to a violation of the 2010 SO_2 NAAQS. For a short-term (*i.e.,* 1-hour) standard, EPA believes that dispersion modeling, using allowable emissions and addressing stationary sources in the affected area (and in some cases those sources located outside the nonattainment area which may affect attainment in the area) is technically appropriate, efficient and effective in demonstrating attainment in nonattainment areas because it takes into consideration combinations of meteorological and emission source operating conditions that may contribute to peak ground-level concentrations of SO_2.

As there is no approved SO_2 monitoring network in the Huntington County area, Indiana's redesignation request relies upon the air dispersion modeling analysis conducted while developing its attainment demonstration for the Huntington County area to show that the area is attaining the SO_2 NAAQS. A more in-depth discussion of EPA's modeling requirements and Indiana's modeling analysis may be found in EPA's proposed attainment plan approval (90 FR 25968, June 18, 2025) and Indiana's modeling report, which is included as attachment D of Indiana's July 30, 2024, redesignation request.

Indiana's modeling analysis confirmed that the primary source of SO_2 emissions in the Huntington County area is Isolatek. Therefore, Indiana's modeled demonstration of attainment of the SO_2 NAAQS relies on Isolatek meeting the permanent and enforceable SO_2 emission limits established in Commissioner's Order 2023–Air–02. Commissioner's Order 2023–Air–02 includes limits of 160.0 pounds per hour (lbs/hr) of SO_2 combined for Cupola units EU #1 and EU #2, exhausting to shared Stack #1, and 20.0 lbs/hr of SO_2 combined for blow chambers EU #3 and EU #4, exhausting to Screen Houses CE #3 and CE #4, which exhaust to Stack #3 at Isolatek.

Indiana's modeling demonstrates that the one-hour average hourly SO_2 emission limits contained in Commissioner's Order 2023–Air–02 yield a maximum SO_2 concentration of 195.9 micrograms per cubic meter, which is below the 2010 SO_2 NAAQS level of 75 ppb (or 196.4 micrograms per cubic meter). EPA approved Commissioner's Order 2023–Air–02 as part of Indiana's Huntington County attainment plan on August 14, 2025 (90 FR 39130).

The April 2014 SO_2 Guidance states that a demonstration that the control strategy in the SIP has been fully implemented is relevant when making an attainment determination based on modeling. Construction for the control measures selected at Isolatek, including increasing the cupola stack height, enclosing screenhouses, and building a new elevated stack, was completed in November 2022. Indiana's attainment plan for the Huntington County area includes Commissioner's Order 2023–Air–02, which established a compliance date of March 1, 2024, for the emission limits included in the plan. On September 17, 2024, Indiana supplemented its July 30, 2024, redesignation request with a report containing results from stack testing at Isolatek to demonstrate that the facility is complying with the SO_2 emission limits set forth in the order.

Indiana's modeling analysis is discussed in detail in EPA's proposed approval of Indiana's attainment plan for the Huntington County area (90 FR 25968, June 18, 2025). In this action, EPA proposes to find that this modeling analysis demonstrates that the Huntington County area has attained the 2010 SO_2 NAAQS.

B. Criterion (2) and Criterion (5)—Indiana Has Met All Applicable Requirements Under CAA Section 110 and Part D of the CAA, and EPA Has Fully Approved the Applicable Implementation Plan Under CAA Section 110(k)

In order for EPA to redesignate a nonattainment area to attainment under a NAAQS, the State must have met all applicable requirements (CAA section 107(d)(3)(E)(v)), and EPA must have fully approved the applicable implementation plan (CAA section 107(d)(3)(E)(ii)). EPA's long-standing interpretation of the CAA is that not every requirement under CAA section 110 and part D are applicable for purposes of CAA section 107(d)(3)(E)(ii) and (v). EPA's interpretation of the statute limiting evaluation of section 110 and part D requirements to only those that are applicable for purposes of redesignation was first articulated shortly after the passage of the 1990 CAA Amendments in Agency guidance documents and has been consistently applied in notice-and-comment redesignation actions over the last three decades.

Many of the section 110 elements that are unrelated to an area's SO_2 attainment status are not applicable requirements for purposes of redesignation. The area will still be subject to these requirements after the area is redesignated to attainment of the 2010 SO_2 NAAQS. For example, the CAA section 110(a)(2)(D) interstate transport requirements for a State are not linked with a nonattainment area's designation and classification in that State and continue to apply to States regardless of the designation status of areas within that State. Even though many of the section 110 requirements are not applicable for purposes of redesignation, EPA in any case approved Indiana's section 110

[1] EPA's *Guidance for 1-Hour Sulfur Dioxide (SO_2) Nonattainment Area State Implementation Plans (SIP) Submissions* can be found at *https://www.epa.gov/so2-pollution/guidance-1-hour-sulfur-dioxide-so2-nonattainment-area-state-implementation-plans-sip.*

infrastructure SIP for the 2010 SO_2 NAAQS on August 14, 2015 (80 FR 48733).

EPA proposes to determine that Indiana has met, and EPA has fully approved, those part D requirements that are applicable for purposes of redesignation. Part D is comprised of the general nonattainment area plan requirements in subpart 1 (section 172) as well as pollutant-specific subparts, including section 191 (in subpart 5), which applies to areas designated nonattainment for SO_2. While some nonattainment planning requirements are not applicable for purposes of CAA section 107(d)(3)(E)(ii) and (v) for areas that are attaining the NAAQS, Indiana has in any case submitted a complete attainment plan for the Huntington County area, including emissions inventories, RACT/RACM, RFP, and contingency measures, and has therefore met Part D requirements.

On August 14, 2025 (90 FR 39130), EPA fully approved a revision to Indiana's SIP intended to provide for attainment of the 2010 SO_2 NAAQS for the Huntington County area, including one-hour SO_2 emission limits and associated requirements for Isolatek set forth in Commissioner's Order 2023–Air–02 and described above in the Criteria 1 section of this notice. Indiana's program for NSR will address emissions from potential new sources in the area (94 FR 24837, October 7, 1994).

Section 176(c) of the CAA requires States to establish criteria and procedures to ensure that federally supported or funded projects conform to the air quality planning goals in the applicable SIP. The requirement to determine conformity applies to transportation plans, programs, and projects that are developed, funded, or approved under title 23 of the United States Code (U.S.C.) or the Federal Transit Act (49 U.S.C. 1601) (transportation conformity) as well as to all other federally supported or funded projects (general conformity). State transportation conformity SIP revisions must be consistent with Federal conformity regulations relating to consultation, enforcement, and enforceability that EPA promulgated pursuant to its authority under the CAA. EPA's longstanding interpretation of the CAA is that because CAA section 176(c) conformity requirements continue to apply after areas are redesignated to attainment, meeting those requirements is not a prerequisite to redesignating an area. In addition, based on EPA's April 2014 SO_2 Guidance, transportation conformity only applies to SO_2 SIPs if transportation-related emissions of SO_2 as a precursor are a significant contributor to a fine particulate matter ($PM_{2.5}$) nonattainment problem or if the SIP has established an approved or adequate budget for such emissions as part of the attainment or maintenance strategy, neither of which applies to the Huntington County area. EPA concluded that highway and transit vehicles are not significant sources of SO_2 in this area. As a result, transportation conformity determinations are not required in the Huntington County SO_2 maintenance area. Therefore, transportation plans, improvement programs, and projects are presumed to conform to applicable implementation plans for SO_2. EPA approved Indiana's general conformity SIP revision on January 14, 1998 (63 FR 2146). This SIP revision adopted the Federal general conformity rules set forth at 40 CFR part 51, subpart W.

Based on the above findings, EPA is proposing to find that Indiana has met the applicable requirements of section 110 and part D of title I of the CAA for purposes of the redesignation of the Huntington County nonattainment area. Furthermore, EPA has fully approved a revision to Indiana's applicable SIP that provides for attainment of the 2010 SO_2 NAAQS for the Huntington County area.

C. Criterion (3)—The Air Quality Improvement in the Huntington County SO_2 Nonattainment Area Is Due to Permanent and Enforceable Emission Reductions

To redesignate an area from nonattainment to attainment, section 107(d)(3)(E)(iii) of the CAA requires EPA to determine that the air quality improvement in the area is due to permanent and enforceable reductions in emissions resulting from the implementation of the SIP and applicable Federal air pollution control regulations and other permanent and enforceable emission reductions.

As described in the Criterion 1 section above, Indiana's modeling analysis confirmed that the primary source of SO_2 emissions in the Huntington County area is Isolatek. Therefore, Indiana evaluated control options and established emission limits for Isolatek. Construction of the relevant control projects was completed in November 2022, and Indiana submitted Commissioner's Order 2023–Air–02 containing permanent and enforceable SO_2 emission limits for Isolatek as part of its Huntington County attainment plan.

Commissioner's Order 2023–Air–02, included as attachment C to Indiana's July 30, 2024, redesignation request, establishes a compliance date of March 1, 2024, for the emission limits included in the Huntington County attainment plan and specifies that Isolatek must incorporate reporting and recordkeeping requirements into its part 70 operating permit within 90 days of EPA's approval of Indiana's attainment plan for the Huntington County area. On September 17, 2024, Indiana submitted stack testing to demonstrate that Isolatek is complying with the SO_2 emission limits set forth in Commissioner's Order 2023–Air–02. On August 14, 2025 (90 FR 39130), EPA approved Commissioner's Order 2023–Air–02 as part of Indiana's Huntington County attainment plan.

The modeling that Indiana's attainment plan relies upon includes the emission limits for Isolatek and shows attainment of the 2010 SO_2 NAAQS throughout the Huntington County area. EPA is proposing to find, consistent with the approval of the State's attainment plan, that the modeling results demonstrate attainment and continued maintenance of the 2010 SO_2 NAAQS and that the air quality improvement in the Huntington County nonattainment area is due to permanent and enforceable reductions in emissions.

D. Criterion (4)—The Huntington County SO_2 Nonattainment Area Has a Fully Approved Maintenance Plan Pursuant to Section 175A

To redesignate an area from nonattainment to attainment, section 107(d)(3)(E)(iv) of the CAA requires EPA to determine that the area has a fully approved maintenance plan pursuant to section 175A of the CAA. Section 175A of the CAA sets forth the elements of a maintenance plan for areas seeking redesignation from nonattainment to attainment. Under section 175A, the maintenance plan must demonstrate continued attainment of the NAAQS for at least 10 years after EPA approves a redesignation to attainment. Eight years after the redesignation, the State must submit a revised maintenance plan which demonstrates that attainment of the NAAQS will continue for an additional 10 years beyond the initial 10-year maintenance period. To address the possibility of future NAAQS violations, the maintenance plan must contain contingency measures, as EPA deems necessary, to ensure prompt correction of any future NAAQS violation.

Specifically, the maintenance plan should address five requirements: an attainment emissions inventory, a maintenance demonstration, a commitment for continued air quality monitoring, a process for verification of continued attainment, and a contingency plan. EPA is proposing to

determine that Indiana's July 30, 2024, redesignation request contains a maintenance plan that includes all the necessary components, which Indiana has committed to review eight years after the redesignation. EPA is further proposing to approve the maintenance plan as part of Indiana's federally enforceable SIP.

As a part of a State's maintenance plan, the air agency should develop an attainment emissions inventory to identify the level of emissions in the affected area which is sufficient to attain and maintain the SO_2 NAAQS.[2] In its redesignation request, Indiana provided an emissions inventory for SO_2 in the nonattainment area for 2023, the first year after construction of the relevant emissions control projects at Isolatek was completed. Total SO_2 emissions in the Huntington County area for the 2023 attainment year are 792 tons, including 788 tons from Isolatek, which was calculated using the maximum allowable hourly emission limits established in Commissioner's Order 2023–Air–02. This level of emissions, as shown in Indiana's attainment demonstration, is sufficient to maintain the NAAQS, and Indiana submitted a stack testing report on September 17, 2024, to demonstrate that Isolatek is in compliance with the emission limits set forth in Commissioner's Order 2023–Air–02. The modeling that Indiana relied upon for its redesignation request for the Huntington County area, based on SO_2 emission limits set forth in Commissioner's Order 2023–Air–02, resulted in a design value of 195.9 micrograms per cubic meter, below the SO_2 NAAQS of 75 ppb (or 196.4 micrograms per cubic meter). Indiana's modeling report is included as attachment D of its July 30, 2024, redesignation request.

EPA's ''Procedures for Processing Requests to Redesignate Areas to Attainment'' (Calcagni Memo) [3] describes two ways for a State to demonstrate maintenance of the NAAQS following the redesignation of the area: (1) the State can show that future emissions of a pollutant will not exceed the level of the attainment inventory, or (2) the State can provide modeling to show that the future mix of sources and emission rates will not cause a violation of the NAAQS. In both instances, the demonstration should be for a period of 10 years following the redesignation. Furthermore, where modeling is relied upon to demonstrate maintenance, the plan should contain a summary of air quality concentrations expected to result from control measures implemented. Indiana's maintenance demonstration consists of the attainment plan air quality modeling analysis showing that the emission limits now in effect in the Huntington County area will provide for attainment of the 2010 SO_2 NAAQS. The permanent and enforceable SO_2 emission limits described above ensure that the area emissions will be equal to or less than the emission levels that were evaluated in the air quality modeling analysis, and Indiana's enforceable emission requirements will ensure that the Huntington County area SO_2 emission limits are met continuously. Indiana's redesignation request contains an emissions inventory for 2035, the maintenance year, which does not show any increases in maximum allowable emissions from the attainment year. Additionally, Indiana has a fully approved NSR program (94 FR 24837, October 7, 1994), including requirements to assess the impacts of any plans to construct or resume operations of an emission unit on maintaining NAAQS attainment.

For verification of continued attainment, Indiana commits to periodically reevaluate the modeling assumptions and input data used in its Huntington County attainment plan. As there is no approved SO_2 monitoring network to characterize air quality in the Huntington County area, Indiana commits to examine Isolatek's annual emissions as part of Indiana's annual assessment for ongoing data requirements for the 2010 SO_2 NAAQS. Indiana has the legal authority, necessary resources, and structural components to implement and enforce all measures needed to attain and maintain the 2010 SO_2 NAAQS.

Section 175A(d) of the CAA provides that a maintenance plan must contain contingency provisions that will promptly correct any violation of the 2010 SO_2 NAAQS after the area is redesignated to attainment (Calcagni Memo). The maintenance plan should identify the contingency measures to be adopted, a schedule and procedure for adoption and implementation, and a time limit for action by the State. A State should also identify specific indicators to be used to determine when the contingency measures need to be implemented. The maintenance plan must also include a requirement that a State will implement all measures with respect to control of the pollutant that were contained in the SIP before redesignation of the area to attainment in accordance with section 175A(d). Unlike CAA section 172(c)(9), section l75A of the CAA does not explicitly require that contingency measures must take effect without further action by the air agency for the maintenance plan to be approved. However, if this action is finalized, the contingency plan would become an enforceable part of the SIP and should ensure that contingency measures are adopted and implemented as expeditiously as practicable once they are triggered.[4]

In the ''General Preamble for the Implementation of Title I of the Clean Air Act Amendments of 1990,'' published on April 16, 1992 (57 FR 13498), EPA provides further discussion of contingency measures for SO_2. This guidance states that in many cases, attainment revolves around compliance of a single source or a small set of sources with emission limits shown to provide for attainment. Although this guidance applies to contingency measures under section 172(c)(9), EPA applies a similar policy with respect to contingency measures for SO_2 required in maintenance plans under section 175A(d). The requirement to submit contingency measures in accordance with section 175A of the CAA can be adequately addressed for SO_2 by the operation of a comprehensive enforcement program,[5] which can quickly identify and address sources that might be causing exceedances of the NAAQS.

Indiana's enforcement program is active and capable of prompt action to remedy compliance issues. Indiana commits to undertake aggressive follow-up to ensure compliance with and enforcement of all rules related to SO_2 emissions in the Huntington County area, including Commissioner's Order 2023–Air–02, which EPA approved as part of Indiana's Huntington County attainment plan (90 FR 39130, August 14, 2025). Indiana has the authority to expeditiously adopt, implement, and enforce any subsequent emission control measures deemed necessary to correct any future SO_2 violations. Indiana commits to adopting and implementing such corrective actions as necessary to address violations of the 2010 SO_2 NAAQS. Based on the foregoing, EPA proposes to find that Indiana has addressed the contingency measure requirement.

EPA is proposing to find that Indiana's maintenance plan adequately addresses the five basic components of a maintenance plan necessary to maintain the SO_2 NAAQS in the

[2] *See* April 2014 SO_2 Guidance, page 66.

[3] Calcagni, John, Director, Air Quality Management Division, EPA Office of Air Quality Planning and Standards, ''Procedures for Processing Requests to Redesignate Areas to Attainment,'' September 4, 1992.

[4] *See* April 2014 SO_2 Guidance, page 74.

[5] *See* April 2014 SO_2 Guidance, page 41–42.

Huntington County nonattainment area. Therefore, EPA proposes to find that the redesignation and maintenance plan SIP revision submitted by Indiana for the 2010 SO_2 Huntington County nonattainment area meets the requirements of section 175A of the CAA and proposes to approve this plan as part of Indiana's federally enforceable SIP.

III. What action is EPA taking?

EPA is proposing to redesignate the Huntington County area from nonattainment to attainment for the 2010 SO_2 NAAQS in accordance with Indiana's July 30, 2024, request. EPA has determined that the area is attaining the 2010 SO_2 NAAQS and that the improvement in air quality is due to permanent and enforceable SO_2 emission reductions in the area. EPA is also proposing to approve Indiana's maintenance plan, which is designed to ensure that the area will continue to maintain attainment of the 2010 SO_2 NAAQS. Once approved, the maintenance plan will become a part of Indiana's federally enforceable SIP.

IV. Statutory and Executive Order Reviews

Redesignation of an area to attainment and the accompanying approval of a maintenance plan under CAA sections 107 and 175A are actions that affect the status of a geographical area and do not impose any additional regulatory requirements on sources beyond those imposed by State law. A redesignation to attainment does not in and of itself create any new requirements but rather results in the applicability of requirements contained in the CAA for areas that have been redesignated to attainment. Moreover, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve State choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves State law as meeting Federal requirements and does not impose additional requirements beyond those imposed by State law.

A. Executive Order 12866: Regulatory Planning and Review

This action is not a significant regulatory action and was therefore not submitted to the Office of Management and Budget (OMB) for review.

B. Executive Order 14192: Unleashing Prosperity Through Deregulation

This action is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because SIP approval and redesignation actions under the CAA are exempt from review under Executive Order 12866.

C. Paperwork Reduction Act

This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

D. Regulatory Flexibility Act

This action merely approves State law as meeting Federal requirements and imposes no additional requirements beyond those imposed by State law. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

E. Unfunded Mandates Reform Act (UMRA)

This action does not contain any unfunded mandate as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments. This action does not impose additional requirements beyond those imposed by State law. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, will result from this action.

F. Executive Order 13132: Federalism

This action does not have federalism implications. It will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

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

Executive Order 13175 (65 FR 67249, November 9, 2000), requires EPA to develop an accountable process to ensure ''meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications.'' This rule does not have Tribal implications, as specified in Executive Order 13175. It will not have substantial direct effects on Tribal governments. Thus, Executive Order 13175 does not apply to this rule.

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

This action is not subject to Executive Order 13045 because it is not 3(f)(1) significant as defined in Executive Order 12866, and because EPA does not believe the environmental health or safety risks addressed by this action present a disproportionate risk to children because it does not establish an environmental standard intended to mitigate health or safety risks.

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

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

J. National Technology Transfer Advancement Act

This rulemaking does not involve technical standards.

List of Subjects

40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Reporting and recordkeeping requirements, Sulfur oxides.

40 CFR Part 81

Environmental protection, Air pollution control, National parks, Wilderness areas.

Dated: September 15, 2025.

Anne Vogel,

Regional Administrator, Region 5.

[FR Doc. 2025–18594 Filed 9–24–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 81

[EPA–R08–OAR–2025–0001; FRL–12971–01–R8]

Utah; Northern Wasatch Front; 2015 8-Hour Ozone Nonattainment Area Boundary Expansion and Applicability of Certain Clean Air Act Requirements

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve a request to expand the boundary for the Northern Wasatch Front (NWF) 2015 8-hour ozone national ambient air quality

standard (NAAQS) nonattainment area (NAA). The request was submitted by the State of Utah on February 27, 2023. The newly expanded portion of the NWF NAA will have the same classification as the original NWF NAA under the 2015 ozone NAAQS and all applicable Clean Air Act (CAA) requirements will become applicable to the newly designated portion upon the effective date of the final action. The EPA is taking this action pursuant to the CAA.

DATES: Written comments must be received on or before October 27, 2025.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R08–OAR–2025–0001, to the Federal Rulemaking Portal: *https://www.regulations.gov*. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *https://www.regulations.gov*. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *https://www.epa.gov/dockets/commenting-epa-dockets*.

Docket: All documents in the docket are listed in the *https://www.regulations.gov* index. Although listed in the index, some information is not publicly available, *e.g.,* CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available electronically in *https://www.regulations.gov*. Please email or call the person listed in the **FOR FURTHER INFORMATION CONTACT** section if you need to make alternative arrangements for access to the docket.

FOR FURTHER INFORMATION CONTACT: Amanda Brimmer, Air and Radiation Division, EPA, Region 8, Mailcode 8ARD–AQ–R, 1595 Wynkoop Street, Denver, Colorado 80202–1129, telephone number: (303) 312–6323, email address: *brimmer.amanda@epa.gov*.

SUPPLEMENTARY INFORMATION: Throughout this document wherever ''we,'' ''us,'' or ''our'' is used, we mean the EPA.

I. Background

On October 26, 2015, the EPA revised the national standards for ground-level ozone, promulgating identical primary and secondary ozone standards that specified an 8-hour ozone level of 0.070 parts per million (ppm).[1] In a separate action, the EPA assigned classification thresholds and attainment dates based on each NAA's monitored ozone levels.[2] Consistent with CAA section 181(a), the EPA established attainment dates based on nonattainment classification; with the attainment date for Marginal areas as August 3, 2021 and Moderate areas as August 3, 2024.

Upon promulgation of the revised 2015 ozone NAAQS, the State of Utah submitted initial designations to the EPA based on monitored air quality data from 2013–2015 and recommended that Salt Lake and Davis Counties, and portions of Weber and Tooele Counties be designated as nonattainment. The EPA did not modify the State's initial designation and, effective August 3, 2018, the EPA designated the NWF as a Marginal NAA.[3]

On October 7, 2022, the EPA determined that the NWF did not attain the NAAQS by the Marginal attainment date, and the area was subsequently reclassified by operation of law to a Moderate NAA.[4] A State Implementation Plan (SIP) outlines how states will implement controls to satisfy statutory and regulatory requirements under the 2015 ozone NAAQS and demonstrate how the area will attain the ozone standard by the attainment date. The submission deadline for a majority of the required ozone SIP elements was established as January 1, 2023 for Moderate ozone NAA's. The EPA's implementing regulations at 40 Code of Federal Regulations (CFR) 51.1308–51.1315 address ozone SIP requirements including attainment demonstrations, Reasonable Further Progress (RFP) and associated milestone demonstrations, reasonably available control technology (RACT), reasonably available control measures (RACM), major nonattainment new source review, emission inventories, the timing of required SIP submissions, and compliance with emission control measures in the SIP.

In 2020 and 2021, the State of Utah submitted Marginal SIP elements to the EPA, which were approved in 2021 and 2022 respectively.[5] On December 12, 2024, Utah submitted a Moderate ozone SIP to meet CAA section 182(b) and which was deemed complete by operation of law on June 12, 2025.[6] The EPA is currently reviewing the submitted Moderate SIP elements and will be acting on them in future actions.

In December 2024, the NWF NAA was reclassified to Serious by operation of law due to an EPA finding of failure to attain by the Moderate attainment date. That action reclassified the area to Serious by operation of law with an effective date of January 8, 2025.[7] However, the Final Rule was stayed by the 10th Circuit Court of Appeals in April 2025 due to petitions for review that were filed by the State of Utah and the Utah Petroleum Association (UPA) and the EPA is currently in the process of reconsidering the final action.[8] The practical implication of this judicial stay is that the NWF NAA is currently classified as Moderate as of the date of this proposal. The stay will be lifted pending EPA concluding its reconsideration. In the event the classification of Serious is retained, the NWF would again be subject to Serious Area planning requirements consistent with CAA section 182(c). The classification and applicable requirements for the current NAA will also apply to the newly redesignated area, if this proposal is finalized.

II. Utah's Submittal

The State's modeling efforts associated with the Moderate SIP development for the 2015 ozone NAAQS showed that large amounts of nitrogen oxides (NO_X) and volatile organic compound (VOC) emissions from a source located upwind of the NAA, namely US Magnesium LLC (US Magnesium), was directly impacting high ozone levels within the NWF NAA. Located in Tooele County on the southwestern edge of the Great Salt Lake, US Magnesium has significant amounts of precursor emissions that contribute to both ozone and fine

[1] National Ambient Air Quality Standards for Ozone, 80 FR 65452 (Oct. 26, 2015).

[2] *See* 83 FR 10376 (May 8, 2018).

[3] *See* 83 FR 25776 (Jun. 4, 2018), including Docket ID No.'EPA–HQ–OAR–2017–0548–0148', titled, ''EPA's preliminary response to Utah's recommendations and information about EPA's approach for completing designations for the revised ozone standards''.

[4] *See* 87 FR 60897 (Oct. 7, 2022).

[5] *See* 86 FR 35405 (Jul. 6, 2021) and 87 FR 24275 (Apr. 25, 2022).

[6] 40 CFR part 51, appendix V, section 1.1.2.

[7] *See* 89 FR 97545 (Dec. 9, 2024).

[8] *See State of Utah and UPA* v. *U.S. Environmental Protection Agency*, No. 25–9519 (10th Cir. 2025).

particulate matter ($PM_{2.5}$) formation along the Wasatch Front in addition to also producing halogen emissions which further increase ozone formation.[9]

On February 27, 2023, the State of Utah submitted a request to the EPA to expand the NAA boundary of the NWF to include the US Magnesium facility.[10] US Magnesium was initially omitted from the NWF NAA based on the State's recommendation that the ozone nonattainment boundary be identical to the 2006 24-hour $PM_{2.5}$ nonattainment boundary for Davis, Salt Lake, Tooele, and Weber Counties.[11] This recommendation was based on assessing the impact of emissions during the winter months since that is when the Salt Lake City region tends to experience $PM_{2.5}$ exceedances. As detailed in the State's 2023 boundary expansion request and associated analysis, this point source has likely been contributing to elevated ozone levels in the NWF.[12] The State determined that tighter emission controls on its highest emitting units will benefit the NWF and therefore submitted to the EPA the NAA boundary expansion request.[13]

III. EPA Evaluation

When the Governor of any State, on the Governor's own motion, submits a revised designation of areas in the state designated as nonattainment, attainment, or unclassifiable, the Administrator shall act on such designations in accordance with the procedures under section 107(d)(3)(D). In its request to expand the boundary of the NWF, the State of Utah conducted a five-factor analysis, which evaluated emissions, air quality data, meteorology, jurisdictional boundaries, and geography/topography. This analysis concluded that, ''emissions from US Magnesium extend to nearly the entire Wasatch Front with plumes emitted from the plant observed across a wide sector of the populated regions of the valleys, and that secondary chemistry from these plumes result in a 10–20% increase in $PM_{2.5}$ in the urban regions of the valleys as well as an increase of up to 10% in ozone formation due to the production of additional oxidants.'' [14] Additionally, preliminary modeling by the State of Utah found increases in summertime ozone concentrations at a number of monitoring sites in the NAA downwind of US Magnesium due to halogens emissions, which, ''clearly show that uncontrolled emissions from within the proposed new boundary are regularly transported to the current NAA, and directly contribute to the area's air quality challenges''.[15]

The EPA supports the State's conclusion and concurs with the State's request to include additional townships and US Magnesium within the NWF ozone NAA for the 2015 ozone NAAQS. Utah's full technical analysis is provided in Utah's supporting documentation titled, ''Request for Adjustment of the Northern Wasatch Front Nonattainment Area Boundary for the 2015 8-hour Ozone National Ambient Air Quality Standard''. The EPA's review supporting our proposed action is discussed in an accompanying Technical Support Document (TSD).[16] Both documents are available in the docket for this action (see *https://www.regulations.gov,* Docket ID No. EPA–R08–OAR–2025–0001).

IV. Proposed Action

The EPA is proposing to approve Utah's boundary expansion request for the NWF 2015 8-hour ozone NAAQS NAA under section 107(d)(3)(D) of the CAA. The request was submitted on February 27, 2023. This proposed action will expand the boundary of the existing Moderate NAA and does not create any new NAA's. Upon finalization of this rule, the Moderate area classification and August 3, 2024 attainment date will apply to the entirety of the newly expanded NWF Moderate NAA per 40 CFR 51.1303.

Specifically, the State is requesting to add 12 additional western townships in Tooele County into the ozone NAA.[17] Upon the effective date of the boundary expansion, source emissions from these new townships within the NAA, including from US Magnesium, will need to be included in a revised 2017 base year emissions inventory. Emission reductions that occurred after the 2017 base year, and that are the result of federally enforceable controls, can be credited in the State's Moderate ozone SIP. US Magnesium, and any other sources that are determined to be major stationary sources based on the area's nonattainment classification and annual emissions of NO_X and/or VOC, will be required to apply for a CAA Title V permit, conduct a RACT analysis, and adhere to applicable New Source Review offsets.[18] More information on the initial designation process for $PM_{2.5}$ and ozone is discussed in the accompanying TSD for this proposal.

As a result of being in nonattainment for a criteria pollutant, including ozone, the CAA requires specific elements be developed and submitted to the EPA for approval. Deadlines for ozone SIP elements are set forth in 40 CFR 51.1402. To satisfy CAA requirements for the requested new portion of the NAA, the EPA is proposing to require revisions for certain Marginal and Moderate SIP elements as outlined in table 1. A detailed discussion and rationale for the proposed Marginal and Moderate area SIP revisions is below, including discussion about each element, what is required, and the EPA's rationale for proposing whether to require the State to update each element to reflect the new portion of the

[9] *See* UDAQ, Supporting Documentation, Request for Adjustment of the Northern Wasatch Front Nonattainment Area Boundary for the 2015 8-hour Ozone National Ambient Air Quality Standard, Feb. 27, 2023.

[10] *See* letter dated Feb. 27, 2023 from Utah Governor Spencer Cox to EPA R8 Administrator KC Becker and *see* accompanying attachment titled, ''Request for Adjustment of the Northern Wasatch Front Nonattainment Area Boundary for the 2015 8-hour Ozone National Ambient Air Quality Standard''.

[11] Utah, Area Designation Recommendation for the 2006 $PM_{2.5}$ NAAQS, Dec. 18, 2007, *https://www3.epa.gov/pmdesignations/2006standards/rec/letters/08_UT_rec_a1.pdf,* pg. 30.

[12] *See* Footnote # 9.

[13] *See* Footnote # 9, pg. 5.

[14] *See* Footnote # 9, pg. 5.

[15] *See* Footnote # 9, pg. 5, and appendix B, Environ. Sci. Technol. 2023, 57, 5, 1870–1881, Carrie Womack, Wyndom Chace, Siyuan Wang, Munkh Baasandorj, Dorothy Fibiger, Lexie Goldberger, Ben Lee, Colin Harkins, Duseong Jo, John Lin, Brian McDonald, Erin McDuffie, Ale Franchin, Ann Middlebrook, Alexander Moravek, Jennifer Murphy, J. Andrew Neuman, Joel Thornton, Patrick Veres, Steve Brown; Mid-latitude ozone depletion and air quality impacts from industrial halogen emissions: aircraft measurements in the Great Salt Lake Basin (2022), *https://doi.org/10.1021/acs.est.2c05376.* Halogens were measured as part of a 4-week ground- and aircraft-based field intensive aircraft measurement campaign in Salt Lake City, Utah in 2017.

[16] EPA, TSD, NWF, Utah: Air Quality State Implementation Plans; Approvals and Promulgations; 2015 8-Hour Ozone Nonattainment Area Requirements; Boundary Expansion; Determination Regarding Applicability of Certain Clean Air Act Requirements.

[17] Specifically, this will include Townships 1 North Range 6–8 West, Townships 2 North Range 6–8 West, Townships 3 North Range 7–8 West, and Townships 1–4 South Range 8 West. Further, EPA is correcting an error related to Township 4 South Range 7 West. This should read, ''All sections within Township 4 South Range 7 West except for section 31'', as first divisions 29, 30, and 32 do not exist in this Township and first division 31 continues to be omitted from the NWF ozone NAA due to being Indian Country.

[18] *See* CAA section 172(c)(5), CAA section 182(b)(2), and appendix S to part 51, Title 40—Emission Offset Interpretative Ruling. Specifically, Title V permits are requirements under the CAA for all large sources (''major'' sources) and a limited number of smaller sources (called ''area'' sources, ''minor'' sources, or ''non-major'' sources). These permits are legally-enforceable documents that include pollution control requirements from federal or state regulations that apply to a source. Most are issued by state or local agencies (''Clean Air Act part 70'' permits); a small number are issued by the EPA (''Clean Air Act part 71'' permits). Most are issued by state or local agencies (''Clean Air Act part 70'' permits); a small number are issued by the EPA (''Clean Air Act part 71'' permits).

NAA. The elements proposed to be resubmitted are based on the EPA's determination of whether the addition of new territory to the NAA would have any impact on already submitted Marginal and Moderate SIP elements. Some elements do not need resubmission as the elements are not affected by the inclusion of new sources in the expanded NAA boundary area. Elements such as emissions inventories and the implementation of reasonably available control technologies will need to be resubmitted to include new sources in the expanded NAA boundary area and are therefore required to be addressed for the new portion of the NAA. The EPA's proposal to require revisions for some, but not all submitted SIP elements is not an indication of the EPA's determination of approvability of said elements or the Agency's intention to approve or disapprove any specific element. Approval of submitted Moderate SIP elements for the NWF will be addressed in future **Federal Register** documents and actions.

Given the deadlines for Marginal and Moderate SIP elements are years in the past, EPA is proposing to set the deadline for applicable Marginal and Moderate SIP revisions for the new portion of the NAA as 12 months after the effective date of this rule but are taking comments on an alternative timeline.

TABLE 1—REQUIRED MARGINAL AND MODERATE SIP ELEMENTS

SIP elements [CAA requirement]	Required to be updated for new portion of NAA?
Marginal Nonattainment Areas:	
Base year emissions inventory [section 172(c)(3); section 182(a)(1); 40 CFR 51.1315(b)]	Yes [1]
Certified Nonattainment New Source Review (NNSR) [section 172(c)(5); section 182(a)(4); 40 CFR 51.1314]	No [2]
Emissions Statement [section 182(a)(3)(B)]	No [2]
Moderate Nonattainment Areas:	
Baseline emissions inventory [section 182(b)(1)(B); 40 CFR 51.1310(b)]	Yes
15% Rate of Progress (ROP)/Reasonable Further Progress (RFP) [section 172(c)(2); section 182(b)(1)(A); 40 CFR 51.1310(a)]	Yes
Major Source Reasonably Available Control Technology (RACT) for newly designated major sources [section 182(b)(2)(C); 40 CFR 51.1312(b)]	Yes
Non-major source Control Techniques Guidelines (CTG) RACT [section 182(b)(2)(A)–(B); 40 CFR 51.1312(a)]	Yes
Modeled attainment demonstration [section 182(b)(1); 40 CFR 51.1308(a)–(c)]	No
Reasonably Available Control Measures [section 172(c)(1); 40 CFR 51.1308(d); 40 CFR 51.1312(c)]	No
Contingency measures [section 172(c)(9)]	No
Motor vehicle inspection and maintenance (I/M) program [section 182(b)(4); 40 CFR 51.372(b)(2)]	No
Moderate New Source Review (NSR) Offsets [section 182(b)(5)]	No [2]

[1] *See* 86 FR 35405 (Jul. 6, 2021).
[2] *See* 87 FR 24275 (Apr. 25, 2022).

A. Marginal Area SIP Elements

1. Element Needing Updates Due to Revised NAA Boundary

Base Year Emissions Inventory

The State of Utah was required to submit a 2017 base year inventory as defined by § 51.1300(p), to meet the emissions inventory requirement of CAA section 182(a)(1), no later than 24 months after the effective date of designation. The State met this requirement for the initial Marginal NAA, which was approved by the EPA July 2021.[19] As proposed, for the expanded area, the State will need to, submit a revised comprehensive, accurate, 2017 base year inventory of actual emissions from all sources of the relevant pollutants to include additional NO_X and VOC emissions for the new portion of the NAA.[20] The EPA is proposing that this element be due 12 months from the effective date of the final rule expanding the NWF NAA.

2. Elements Not Needing Updates Due to Revised NAA Boundary

a. Certified NNSR

The State of Utah was required to submit a NNSR plan no later than 36 months after the effective date of the area's designation of nonattainment for the 2015 ozone NAAQS. The State's NNSR plan requires permits for the construction and operation of new or modified major stationary sources anywhere in the NAA, and sets emission offset thresholds in accordance with 40 CFR 51.1314. The State met this requirement for the initial Marginal NAA, which was approved by the EPA April 2022.[21] As proposed, this requirement will not need to be resubmitted as the approved State regulation applies to all NAA's and classifications and will therefore apply to the new portion of the boundary upon finalization of the expansion.

b. Emissions Statement Rule

The State of Utah was required to implement an emissions statement rule in its Marginal NAA's that requires the owner or operator of each stationary source of NO_X or VOCs to provide the State with an annual statement showing the actual emissions from the source.[22] The State met this requirement, which was approved by the EPA April 2022.[23] As proposed, this requirement will not need to be resubmitted as the approved State regulation applies to all NAA's and will therefore apply to the new portion of the boundary upon finalization of the expansion.

B. Moderate Area SIP Elements

1. Elements Needing Updates Due to Revised NAA Boundary

a. Baseline Emissions Inventory for Reasonable Further Progress Plans

For Moderate ozone NAA's, a baseline emissions inventory is required to be submitted to the EPA, under the provisions of the Air Emissions Reporting Rule (AERR), to demonstrate compliance with the ROP/RFP requirement (see section IV.B.1.b below).[24] The emission values included in the inventory required by this section shall be actual ozone season day

[19] *See* 86 FR 35405.
[20] *See* 40 CFR part 51, subpart A.
[21] *See* 87 FR 24275.
[22] *See* 87 FR 24275.
[23] *See* 87 FR 24275.
[24] *See* Footnote # 20.

emissions as defined by § 51.1300(q). The State submitted a SIP revision in 2024 to meet this requirement for the original Moderate NAA. However, as proposed, for the expanded area, the State will need to submit a revised, comprehensive, accurate, 2017 base year inventory of actual emissions from all sources of the relevant pollutants to include additional NO_X and VOC emissions for the new portion of the NAA. It is presumed that this element can be submitted for purposes of meeting both this requirement and the revised 2017 base year emissions inventory requirement (see section IV.A.1 above). The EPA is proposing that this element be due 12 months from the effective date of the final rule expanding the NWF NAA.

b. 15% ROP/RFP

Per CAA section 182(b)(1)(A)(i) and 40 CFR 51.1310(a)(4), under the 2015 ozone NAAQS, Moderate NAA's must show a 15% reduction in emissions in 6 years starting from a 2017 base year through the 2023 Moderate area attainment year. The State submitted a SIP revision in 2024 to meet this requirement for the original Moderate NAA. However, as proposed, the State will need to submit a revised ROP plan to the EPA due to an adjusted base year inventory as well as to take SIP credit for emission reductions from SIP measures implemented in the newly expanded area. The EPA is proposing that this element be due 12 months from the effective date of the final rule expanding the NWF NAA.

c. RACT for Newly Designated Major Sources

For purposes of determining whether a source is a major stationary source as defined in CAA section 182(b)(2) and section 182(f), the amount of VOC and NO_X emissions are to be considered separately.[25] For the NWF NAA, Utah submitted a SIP revision in 2024 to meet this requirement for the original Moderate NAA. However, Utah has identified one stationary source, US Magnesium, that will become a major source for NO_X and VOC as part of the boundary request and Utah will need to complete a RACT analysis for this source. Utah will also need to determine if any other sources in the new portion of the NAA exceed the Moderate NAA threshold for major sources, and conduct a RACT analysis if any are identified. The CAA requires that RACT be implemented as expeditiously as practicable, but no later than January 1 of the fifth year after the effective date of designation.[26] Given that this date is now in the past, the EPA is proposing that implementation of RACT for newly determined major sources under 40 CFR 51.1312(b) be due 12 months from the effective date of the final rule expanding the NWF NAA.

d. Non-Major Source CTG RACT

CTG RACT is required for Moderate and above ozone NAA's. The State submitted a SIP revision in 2024 to meet this requirement for the original Moderate NAA. However, as proposed, the State will need to reevaluate all CTGs for which it submitted a negative declaration and either reconfirm that CTGs listed are still accurate for the expanded NWF NAA or provide analysis for any emission sources in the newly added area that are subject to a CTG that was previously on the negative declarations list. Per 40 CFR 51.1312(a)(3)(iii), Utah shall provide for implementation of CTG RACT as expeditiously as practicable, but no later than January 1 of the third year after the associated SIP submission deadline or the deadline established by the Administrator in the final action issuing the CTG. Given both dates are now in the past, the EPA is proposing that the deadline for implementation of CTG RACT for sources located within the new portion of the NWF NAA be 12 months from the effective date of the final rule expanding the NWF NAA.

2. Elements Not Needing Updates Due to Revised NAA Boundary

a. Modeled Attainment Demonstration

The State of Utah was required to submit an attainment demonstration that provides for reductions in emissions of VOCs and NO_X as necessary to attain the 2015 ozone NAAQS by the Moderate area attainment date of August 3, 2024.[27] The State submitted a SIP revision in 2024 to meet this requirement for the original Moderate NAA. Due to the Moderate attainment date being in the past, the EPA does not see a rational need for a revised modeled attainment demonstration. This is because emissions from the new area were already included in the regional modeling domain and would not change the outcome regarding whether the area was able to model attainment for the 2023 ozone season. Therefore, the EPA is proposing that this Moderate area SIP element does not need to be revised and resubmitted for the NWF NAA.

b. RACM

For each NAA required to submit an attainment demonstration under 40 CFR 51.1308(a) and (b), Utah needs to submit a SIP revision demonstrating that it has adopted all RACM necessary to demonstrate attainment as expeditiously as practicable and to meet any RFP requirements.[28] The goal of this SIP requirement is to identify feasible control measures that will advance attainment.[29] Utah submitted a SIP revision in 2024 to meet this requirement for the original Moderate NAA. Similar to the rationale given for the modeled attainment demonstration in section IV.B.2.a above, since the Moderate attainment date is in the past, requiring the State to submit a RACM analysis for the new portion of the NAA to demonstrate whether any new strategies could advance attainment by one year (*i.e.,* by summer 2022) is illogical and impossible. Therefore, the EPA is proposing that this Moderate area SIP element does not be revised and resubmitted for the NWF NAA.

c. Contingency Measures

This element is required under CAA section 172(c)(9) and is intended to provide for the implementation of specific measures to be undertaken if the area fails to make ROP/RFP or to attain the NAAQS by the attainment date. Such measures shall be included in the plan revision as contingency measures to take effect in any such case without further action by the State or the Administrator. The State submitted a SIP revision in 2024 to meet this requirement. Since contingency measures only need apply ''within'' the NAA, the EPA is proposing that this Moderate area SIP element does not be revised and resubmitted for the NWF NAA.

d. Motor Vehicle I/M Program

I/M programs are required for certain urbanized NAA's classified as Moderate and above based on criteria detailed in the CAA and the federal I/M rule at 40 CFR part 51, subpart S. The CAA establishes two performance levels of I/M programs: ''Basic'' and ''Enhanced'' I/M. Moderate ozone NAA's are to implement Basic I/M in any 1990 Census-defined urbanized areas with a population of 200,000 or more. The

[25] Per CAA section 302(j)/42 U.S.C. 7602(j), '' Except as otherwise expressly provided, the terms ''major stationary source'' and ''major emitting facility'' mean any stationary facility or source of air pollutants which directly emits, or has the potential to emit, one hundred tons per year or more of any air pollutant (including any major emitting facility or source of fugitive emissions of any such pollutant, as determined by rule by the Administrator).''

[26] *See* 83 FR 25776.

[27] *See* 40 CFR 51.1308(a).

[28] *See* 40 CFR 51.1308(d).

[29] *See* 40 CFR 51.1312(c).

State submitted a SIP revision in 2024 to meet this requirement and as a Moderate ozone NAA, the NWF is currently operating Basic I/M programs in all areas that meet the urbanized population criteria.

Pursuant to 40 CFR 51.350(a)(6), if the boundaries of a Moderate ozone NAA are changed, Basic I/M shall be implemented in any additional urbanized areas with a population of 200,000 or more. Since the new territory being proposed for addition to the NWF NAA is rural (and below the population threshold), the EPA is proposing that this Moderate area SIP element does not be revised and resubmitted for the NWF NAA.[30]

e. NSR Offsets

For purposes of satisfying the emission offset requirements of CAA section 182(b)(5), the ratio of total emission reductions of VOCs to total increased emissions of such air pollutant shall be at least 1.15 to 1 for Moderate NAA's. The State's Marginal SIP submittal demonstrated that this requirement is being met and will continue to be met for all possible NAA's and classifications were this area or any new area to be reclassified to a higher classification in the future.[31] The EPA approved regulation applies to any and all current and future ozone NAA's, including the new portion of the boundary upon finalization of the expansion. Therefore, the EPA is proposing that this Moderate area SIP element does not be revised and resubmitted for the NWF NAA.

V. Statutory Authority and Procedural Requirements

State of Utah, section 19–2–104 of the Utah Code gives the Utah Air Quality Board the authority to promulgate rules ''regarding the control, abatement, and prevention of air pollution from all sources and the establishment of the maximum quantity of air pollutants that may be emitted by an air pollutant source.'' The Utah Division of Air Quality (UDAQ) develops, prepares, and submits SIPs to the Utah Air Quality Board for consideration and promulgation. UDAQ is the primary State agency responsible for the development and implementation of SIPs once they are approved by the Utah Air Quality Board, and associated administrative rules, as required by the CAA.

The statutory authority for the requested NAA boundary expansion is provided by the CAA, as amended (42 United States Code (U.S.C.) 7401, *et seq.*). For areas seeking to change the boundary of an already designated NAA, CAA section 107(d)(3)(D) states, ''The Governor of any state may, on the Governor's own motion, submit to the Administrator a revised designation of any area or portion thereof within the State. Within 18 months of receipt of a complete state redesignation submittal, the Administrator shall approve or deny such redesignation. The submission of a redesignation by a Governor shall not affect the effectiveness or enforceability of the applicable implementation plan for the State.'' The State was not required to take public comment on the requested boundary expansion.

The EPA is soliciting public comments on the issues discussed in this proposed rule (see **DATES** section). We will accept comments from the public on this proposal for the next 30 days and will consider comments before taking final action. CAA section 107(d)(1)(B)(ii) lays out a particular process when the EPA disagrees with a state's recommended designations. Because the EPA is agreeing with the State of Utah's recommended boundary expansion and is proposing to approve the State's request, the EPA did not send a 120-day letter to the State prior to this proposed action. Under CAA section 107(d)(2)(B), the EPA is not required to provide an Administrative Procedure Act public comment period for designation actions, however, public comment is being accepted as part of this proposal.

VI. Statutory and Executive Order Reviews

A. Executive Order 12866: Regulatory Planning and Review

This action is not a significant regulatory action as defined in Executive Order 12866 and was therefore not subject to a requirement for Executive Order 12866 review.

B. Executive Order 14192: Unleashing Prosperity Through Deregulation

This action is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because NAA boundary revision actions under the CAA are exempt from review under Executive Order 12866.

C. Paperwork Reduction Act

This proposed rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

D. Regulatory Flexibility Act

This action merely approves state law as meeting Federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

E. Unfunded Mandates Reform Act (UMRA)

This action does not contain any unfunded mandate as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments. This action does not impose additional requirements beyond those imposed by state law. Accordingly, no additional costs to State, local, or Tribal governments, or to the private sector, will result from this action.

F. Executive Order 13132: Federalism

This action does not have federalism implications. It will not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government.

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

Executive Order 13175 (65 FR 67249, November 9, 2000), requires EPA to develop an accountable process to ensure ''meaningful and timely input by Tribal officials in the development of regulatory policies that have Tribal implications.'' This proposed rule does not have Tribal implications, as specified in Executive Order 13175. It will not have substantial direct effects on Tribal governments. Thus, Executive Order 13175 does not apply to this rule.

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

This action is not subject to Executive Order 13045 because it is not 3(f)(1) significant as defined in Executive Order 12866, and because EPA does not believe the environmental health or safety risks addressed by this action present a disproportionate risk to children because it approves a state program.

[30] Based on the 2020 United State Census, Tooele County's population is 72,700, with 200 people (or 0.2% of the total population) being added to the NWF ozone NAA. Source: ArcGIS—U.S. Census Bureau, *https://services.arcgis.com/P3ePLMYs2RVChkJx/arcgis/rest/services/USA_Census_Populated_Places/FeatureServer,* accessed 8/12/25.

[31] *See* 87 FR 24275. This SIP element was approved by EPA in April 2022.

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

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

J. National Technology Transfer Advancement Act

This rulemaking does not involve technical standards.

List of Subjects in 40 CFR Part 81

Environmental protection, Administrative practice and procedure, Air pollution control, Designations and classifications, Intergovernmental relations, Nitrogen oxides, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Authority: 42 U.S.C. 7401, *et seq.*

Dated: September 16, 2025.

Cyrus M. Western,

Regional Administrator, Region 8.

[FR Doc. 2025–18569 Filed 9–24–25; 8:45 am]

BILLING CODE 6560–50–P

Notices

Federal Register
Vol. 90, No. 184
Thursday, September 25, 2025

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

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, *Public Law 104–13.* Comments are requested regarding; whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments regarding this information collection received by [Month] [Date], 2025 will be considered. Written comments and recommendations for the proposed 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. An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Animal and Plant Health Inspection Service

Title: Study of Human Behavior and Attitudes Linked to Human-Deer Transmission of SARS–CoV–2.

OMB Control Number: 0579–NEW.

Summary of Collection: Under the Act of March 2, 1931 (7 U.S.C. 8351), the Secretary of Agriculture is authorized to conduct a program of wildlife services with respect to injurious animal species and take any action the Secretary considers necessary in conducting the program. Additionally, the Secretary of Agriculture is authorized to conduct activities to control nuisance mammals and birds (except for urban rodent control) and those mammals and bird species that are reservoirs for zoonotic disease. This authority has been delegated to the Animal and Plant Health Inspection Service (APHIS) Wildlife Services (WS). Two responsibilities of the Deputy Administrator of WS are to assist Federal, State, local, and foreign agencies and individuals regarding wildlife damage and control and conduct research to develop wildlife damage management methods (7 CFR 371.6).

Need and Use of the Information: APHIS has established a cooperative agreement with the University of Minnesota to conduct a survey among members of the public in five States (Illinois, Minnesota, New York, Pennsylvania, and Tennessee) that would measure values, beliefs, attitudes, and behaviors associated with humans' interactions with white-tailed deer (WTD).

Data collected, analyzed, and interpreted from the Study of Human Behavior and Attitudes Linked to Human-Deer Transmission of SARS–CoV–2 will be disseminated to a variety of constituents, including the APHIS WS and open access or subscription-based journals. Additionally, all data and metadata collected and used in peer-reviewed publications will be made publicly accessible in a data repository per the USDA Departmental Regulation 1020–006.

The University of Minnesota will use the data collected to:

- Quantify the relative risk of ecological and socio-ecological factors in spillover and persistence of SCV2 in WTD;
- Identify human behaviors that pose the highest risk of spillover-spillback and potential management points;
- Make recommendations for improving surveillance design for risk-based surveillance and rapid detection of disease emergence (new strains and SCV2 geographic hotspots and WTD population reservoirs);
- Develop a methodology for quantifying risk of SCV2 emergence across individual, population, and landscape scales, and for integrating data across these scales to provide a more comprehensive risk assessment and surveillance design application; and
- Make recommendations on intervention strategies that can be used by management agencies to reduce the risk of transmission among humans, WTD, and other animals.

Description of Respondents: Individuals or Households.

Number of Respondents: 60,000.

Frequency of Responses: Reporting: On occasion.

Total Burden Hours: 7,868.

Rachelle Ragland-Greene,

Departmental Information Collection Clearance Officer.

[FR Doc. 2025–18588 Filed 9–24–25; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13. Comments are requested regarding; whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments regarding this information collection received by October 27, 2025 will be considered. Written comments and recommendations for the proposed 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. An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Food and Nutrition Service

Title: Waivers and State Plans (WiSP).

OMB Control Number: 0584–NEW.

Summary of Collection: This is a new information collection for the Waivers and State Plans (WiSP) application. WiSP will allow State agencies to request Program waivers and submit State Plans to the U.S. Department of Agriculture (USDA) Food and Nutrition Service (FNS), FNS staff to manage data provided within the application, and covers the gathering and maintenance of all supporting data from each State agency. The Waivers and State Plans (WiSP) application will support the following USDA programs and be available to all participating State agencies in each program: Special Supplemental Nutrition Program for Woman, Infants, and Children (WIC); Farmers Market Nutrition Program (FMNP); and Seniors Farmers Market Nutrition Program (SFMNP).

The purpose of *(1) WIC* is to provide supplemental foods, nutrition education, and health care referrals to low income, nutritionally at-risk pregnant, breastfeeding and postpartum women, infants, and children up to age five. The WIC program is authorized by the Child Nutrition Act (CNA) of 1966 (see Appendix A), as amended. WIC currently operates through a Federal/State partnership in which USDA FNS provides grants to State agencies in 50 U.S. States, 6 U.S. Territories, and 32 Indian Tribal Organizations (ITOs). The WIC program requirements are specified in Section 17 of the CNA and WIC regulations at 7 CFR part 246 (see Appendix B).

(2) FMNP is designed to provide fresh, unprepared, locally grown fruits and vegetables to WIC participants and expand awareness, use of, and sales at farmers markets. FMNP currently operates through a Federal/State partnership in which FNS provides grants to State agencies in 39 U.S. States, 3 U.S. Territories, and 8 ITOs. FMNP requirements are specified in Section 17(m)(8) of the CNA and FMNP regulations at 7 CFR part 248 (see Appendix C) and WIC Farmer's Market Nutrition Act of 1992 (see Appendix D).

(3) SFMNP is designed to provide low-income seniors with access to locally grown fruits, vegetables, honey, and herbs and support the development of new and additional farmers markets, roadside stands, and community supported agricultural programs. SFMNP currently operates through a Federal/State partnership in which FNS provides grants in 45 U.S. States, 3 U.S. Territories, and 8 ITOs. SFMNP requirements are specified in the Farm Security and Rural Investment Act of 2002, as amended, (see Appendix E) and SFMNP regulations at 7 CFR part 249 (see Appendix F).

Need and Use of the Information: State agencies are required to submit State plans annually per the guidelines of the respective programs, as an application or prerequisite to the receipt of federal funds from FNS.

Each program has one or more designated checklists that cover different program requirements. FMNP and SFMNP optionally allow for some programs to be combined into a single, consolidated State plan checklist. The new application will support each program's individual checklists, and allowable, consolidated checklists.

Description of Respondents: State, Local, or Tribal Government.

Number of Respondents: 194.

Frequency of Responses: Reporting: As Needed.

Total Burden Hours: 18,844.

Rachelle Ragland-Greene,

Departmental Information Collection Clearance Officer.

[FR Doc. 2025–18591 Filed 9–24–25; 8:45 am]

BILLING CODE 3410–30–P

DEPARTMENT OF COMMERCE

International Trade Administration

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket No. 250923–0156]

RIN 0625–XC058

Implementing Certain Tariff-Related Elements of the U.S.-EU Framework on an Agreement on Reciprocal, Fair, and Balanced Trade

AGENCY: International Trade Administration, U.S. Department of Commerce, and the Office of the United States Trade Representative.

ACTION: Notice.

SUMMARY: On August 21, 2025, the United States and the European Union announced agreement on a Framework on an Agreement on Reciprocal, Fair, and Balanced Trade (Framework Agreement). On September 5, 2025, President Trump issued Executive Order 14346, Modifying the Scope of Reciprocal Tariffs and Establishing Procedures for Implementing Trade and Security Agreements, finding that it is necessary and appropriate to implement the tariff modifications described in that Framework Agreement. Executive Order 14346 also directed and authorized the Secretary of Commerce and the United States Trade Representative to take the necessary and appropriate steps to implement any current or forthcoming trade and security framework agreements between a foreign trading partner and the United States. This notice amends the Harmonized Tariff Schedule of the United States to implement the elements of the Framework Agreement that adjust tariffs on certain articles that are products of the European Union, including automobiles and automobile parts subject to tariffs under Proclamation 10908, Adjusting Imports of Automobiles and Automobile Parts Into the United States, as amended, and unavailable natural resources (including cork), all aircraft and aircraft parts, and generic pharmaceuticals and their ingredients and chemical precursors.

DATES: This notice is effective September 25, 2025. The Harmonized Tariff Schedule of the United States modifications set out in the Annex II to this notice are effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time (i) on September 1, 2025, as to the modifications to the reciprocal tariffs and to other tariffs

imposed on aircraft and aircraft parts set forth in Annex II (Part B), and (ii) on August 1, 2025, as to the modifications to tariffs imposed under Proclamation 10908, as amended, for automobiles and automobile parts as set forth in Annex II (Part A).

FOR FURTHER INFORMATION CONTACT: Emily Davis, Director for Public Affairs, International Trade Administration, U.S. Department of Commerce, 202–482–3809, *Emily.Davis@trade.gov*; Michael Rogers, Deputy Assistant U.S. Trade Representative for the EU, Office of the U.S. Trade Representative, 202–395–3320, *Michael.A.Rogers@ustr.eop.gov*.

SUPPLEMENTARY INFORMATION:

I. Background

On August 21, 2025, the United States and the European Union (EU) announced that they had agreed on a Framework on an Agreement on Reciprocal, Fair, and Balanced Trade (Framework Agreement) (*https://www.whitehouse.gov/briefings-statements/2025/08/joint-statement-on-a-united-states-european-union-framework-on-an-agreement-on-reciprocal-fair-and-balanced-trade/*). The Framework Agreement represents a concrete demonstration of the United States and EU's commitment to fair, balanced, and mutually beneficial trade and investment. The Framework Agreement reflects acknowledgement by the EU of the concerns of the United States and our joint determination to resolve trade imbalances and unleash the full potential of our combined economic power.

The Framework Agreement provides that the United States will apply only the most-favored nation (MFN) tariff to certain goods of the EU including unavailable natural resources (including cork), all aircraft and aircraft parts, and generic pharmaceuticals and their ingredients and chemical precursors. The Framework Agreement also provides that the United States will take certain steps to reduce the tariffs on automobiles and automobile parts that are products of the EU when the EU formally introduces the necessary legislative proposal to enact the EU tariff reductions called for by the Framework Agreement.

In Executive Order 14346, President Trump determined that it is necessary and appropriate to take steps contemplated in certain current and forthcoming trade and security framework agreements between a foreign trading partner and the United States and that any modification of tariffs required to implement such framework agreements is necessary and appropriate to deal with 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 Trade Deficits 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. In Executive Order 14346, President Trump also determined that it is necessary and appropriate to implement the tariff modifications described in the Framework Agreement and that such modifications are necessary and appropriate to deal with the national emergency declared in Executive Order 14257 and to reduce or eliminate the threat to national security found in Proclamation 9888.

Executive Order 14346 also directed and authorized the Secretary of Commerce (Secretary) and the United States Trade Representative (Trade Representative) to determine whether the United States must take any action to implement a framework agreement and whether any condition or conditions to such action have occurred or will occur, and to take the necessary and appropriate actions to implement a framework agreement. It also directed and authorized the Secretary, the Secretary of Homeland Security, and the Trade Representative to take all necessary action to implement and effectuate that order and any actions taken under section 3 or section 4 of that order to employ all powers granted to the President as may be necessary to do so. That Executive Order also authorized the Secretary and the Trade Representative, in consultation with the Commissioner of U.S. Customs and Border Protection (CBP) and the Chair of the United States International Trade Commission (USITC), to determine whether modifications to the Harmonized Tariff Schedule of the United States (HTSUS) are necessary to effectuate that order and to make such modifications through notice in the **Federal Register**.

Consistent with Executive Order 14346, including the Potential Tariff Adjustments for Aligned Partners (PTAAP) Annex appended thereto, in order to implement certain tariff-related elements of the Framework Agreement, the Secretary and the Trade Representative have determined that products of the European Union contained in the PTAAP Annex and provided in Annex I to this notice shall be exempted from the reciprocal tariff imposed by Executive Order 14257, as amended. Aircraft and aircraft parts shall also be exempted from the tariffs imposed by Proclamation 9704, as amended; Proclamation 9705, as amended; and Proclamation 10962. Accordingly, the HTSUS is modified as provided for in Annex II (Part B) to this notice with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after September 1, 2025.

The Secretary and the Trade Representative have also determined that the EU has formally introduced the necessary legislative proposal to enact the tariff reductions called for by the Framework Agreement. Accordingly, the Secretary and the Trade Representative, in consultation with USITC and CBP, are amending the HTSUS to remove tariffs imposed on automobiles and automobile parts under Proclamation 10908 (Adjusting Imports of Automobiles and Automobile Parts Into the United States), as amended (Proclamation 10908), with respect to products of the EU if the MFN tariff on such articles is 15 percent *ad valorem* or higher; if the MFN tariff on an article subject to Proclamation 10908 is lower than 15 percent *ad valorem,* the tariff imposed under Proclamation 10908 is reduced to result in a combined tariff rate of fifteen percent *ad valorem* (comprised of the MFN tariff and the reduced tariff imposed under Proclamation 10908). In accordance with the Framework Agreement, the HTSUS is modified as set forth in Annex II (Part A); these tariff reductions are effective for goods entered for consumption, or withdrawn from warehouse for consumption, on or after August 1, 2025.

Executive Order 14346 provides that the Secretary and Trade Representative, in consultation with other officials, are to continue to monitor the conditions underlying the national emergency declared in Executive Order 14257, update the President on the status of these conditions, inform the President of any circumstance that, in their opinion, might indicate the need for further action, and recommend additional action that, in their opinion, will more effectively deal with that emergency. Accordingly, the list of

products contained in the Annexes to this notice may be amended.

William Kimmitt,

Under Secretary for International Trade, United States Department of Commerce.

Jennifer Thornton,

General Counsel, Office of the United States Trade Representative.

Annex I

Note: All products of the European Union that are properly classified in the provisions of the Harmonized Tariff Schedule of the United States (HTSUS) and adhere to the identified scope limitations that are listed in this Annex are exempted from duties imposed by Executive Order 14257, as amended. The product descriptions that are contained in this Annex are provided for informational purposes only, do not supersede the text of the HTSUS, and are not intended to delimit in any way the scope of the action, except as specified below. Only items that are properly classified in the listed provisions of the HTSUS and adhere to the identified scope limitations are eligible to be exempted from the tariff action imposed by Executive Order 14257, as amended. Any questions regarding the scope of particular HTSUS provisions should be referred to U.S. Customs and Border Protection. In the product descriptions, the abbreviation ''nesoi'' means ''not elsewhere specified or included''.

Notes on certain HTSUS provisions for which only a portion of the provision is covered in this Annex, as provided in the ''Scope Limitations'' column:

- A subheading marked with ''Ex'' is defined and limited by the product description.
- A subheading marked with ''Aircraft'' includes only articles of civil aircraft (all aircraft other than military aircraft); their engines, parts, and components; their other parts, components, and subassemblies; and ground flight simulators and their parts and components, that otherwise meet the criteria of General Note 6 of HTSUS, regardless of whether a product is entered under a provision for which the rate of duty ''Free (C)'' appears in the ''Special'' sub-column.
- A subheading marked with ''Pharma'' includes only non-patented articles for use in pharmaceutical applications.

HTSUS	Description	Scope limitations
0711.90.30	Capers, provisionally preserved but unsuitable in that state for immediate consumption.	
0810.50.00	Kiwi fruit, fresh.	
0904.22.20	Paprika, crushed or ground.	
0910.20.00	Saffron.	
2504.10.10	Natural graphite, crystalline flake (not including flake dust).	
2504.10.50	Natural graphite in powder or flakes (other than crystalline flake).	
2504.90.00	Natural graphite, other than in powder or in flakes.	
2511.10.10	Natural barium sulfate (barytes), ground.	
2511.10.50	Natural barium sulfate (barytes), not ground.	
2519.10.00	Natural magnesium carbonate (magnesite).	
2519.90.10	Fused magnesia; dead-burned (sintered) magnesia, whether or not containing small quantities of other oxides added before sintering.	
2519.90.20	Caustic calcined magnesite.	
2524.90.00	Asbestos other than crocidolite.	
2529.21.00	Fluorspar, containing by weight 97% or less of calcium fluoride.	
2529.22.00	Fluorspar, containing by weight more than 97% of calcium fluoride.	
2530.20.10	Kieserite.	
2530.20.20	Epsom salts (natural magnesium sulfates).	
2530.90.10	Natural cryolite; natural chiolite.	
2530.90.20	Natural micaceous iron oxides.	
2530.90.80	Other mineral substances, nesoi.	
2602.00.00	Manganese ores and concentrates including ferruginous manganese ores and concentrates with manganese content over 20% calculated on dry weight.	
2604.00.00	Nickel ores and concentrates.	
2605.00.00	Cobalt ores and concentrates.	
2606.00.00	Aluminum ores and concentrates.	
2608.00.00	Zinc ores and concentrates.	
2609.00.00	Tin ores and concentrates.	
2610.00.00	Chromium ores and concentrates.	
2611.00.30	Tungsten ores.	
2611.00.60	Tungsten concentrates.	
2612.20.00	Thorium ores and concentrates.	
2613.90.00	Molybdenum ores and concentrates, not roasted.	
2614.00.30	Synthetic rutile.	
2614.00.60	Titanium ores and concentrates, other than synthetic rutile.	
2615.90.30	Synthetic tantalum-niobium concentrates.	
2615.90.60	Niobium, tantalum or vanadium ores and concentrates, nesoi.	
2616.10.00	Silver ores and concentrates.	
2617.10.00	Antimony ores and concentrates.	
2620.99.50	Slag (other than from the manufacture of iron or steel) containing over 40% titanium, and which if containing over 2% by weight of copper, lead, or zinc is not to be treated for the recovery thereof.	
2801.20.00	Iodine.	
2804.10.00	Hydrogen	Pharma.
2804.29.00	Rare gases, other than argon	Pharma.
2804.30.00	Nitrogen	Pharma.
2804.50.00	Boron; tellurium	Pharma.
2804.80.00	Arsenic.	
2804.90.00	Selenium.	
2805.19.10	Strontium.	
2805.19.20	Barium	Pharma.
2805.19.90	Alkali metals, other than sodium.	
2805.30.00	Rare-earth metals, scandium and yttrium, whether or not intermixed or interalloyed.	
2806.10.00	Hydrogen chloride (Hydrochloric acid)	Pharma.
2807.00.00	Sulfuric acid; oleum	Pharma.

HTSUS	Description	Scope limitations
2809.20.00	Phosphoric acid and polyphosphoric acids	Pharma.
2811.11.00	Hydrogen fluoride (Hydrofluoric acid).	
2811.12.00	Hydrogen cyanide	Pharma.
2811.19.10	Arsenic acid.	
2811.22.50	Silicon dioxide, other than synthetic silica gel	Pharma.
2811.29.10	Arsenic trioxide.	
2811.29.20	Selenium dioxide.	
2812.12.00	Phosphorus oxychloride	Pharma.
2812.19.00	Other chlorides and chloride oxides	Pharma.
2813.90.10	Arsenic sulfides.	
2814.10.00	Anhydrous ammonia	Pharma.
2814.20.00	Ammonia in aqueous solution	Pharma.
2815.11.00	Sodium hydroxide (Caustic soda), solid	Pharma.
2815.12.00	Sodium hydroxide (Caustic soda), in aqueous solution (Soda lye or liquid soda)	Pharma.
2815.20.00	Potassium hydroxide (Caustic potash)	Pharma.
2815.30.00	Peroxides of sodium or potassium	Pharma.
2816.10.00	Hydroxide and peroxide of magnesium.	
2816.40.10	Oxides, hydroxides and peroxides of strontium.	
2816.40.20	Oxides, hydroxides and peroxides of barium.	
2817.00.00	Zinc oxide; zinc peroxide.	
2818.10.10	Artificial corundum, crude.	
2818.10.20	Artificial corundum, in grains, or ground, pulverized or refined.	
2818.20.00	Aluminum oxide, other than artificial corundum.	
2820.10.00	Manganese dioxide.	
2821.10.00	Iron oxides and hydroxides.	
2821.20.00	Earth colors containing 70% or more by weight of combined iron evaluated as Fe2O3.	
2822.00.00	Cobalt oxides and hydroxides; commercial cobalt oxides.	
2823.00.00	Titanium oxides.	
2825.10.00	Hydrazine and hydroxylamine and their inorganic salts	Pharma.
2825.20.00	Lithium oxide and hydroxide	Pharma.
2825.40.00	Nickel oxides and hydroxides.	
2825.60.00	Germanium oxides and zirconium dioxide.	
2825.80.00	Antimony oxides.	
2825.90.15	Niobium oxide.	
2825.90.30	Tungsten oxides.	
2825.90.90	Other inorganic bases; other metal oxides, hydroxides and peroxides, nesoi.	
2826.12.00	Fluorides of aluminum.	
2826.30.00	Sodium hexafluoroaluminate (Synthetic cryolite).	
2826.90.90	Other complex fluorine salts, nesoi.	
2827.31.00	Magnesium chloride.	
2827.39.45	Barium chloride.	
2827.39.60	Cobalt chlorides.	
2827.39.65	Zinc chloride	Pharma.
2827.39.90	Chlorides, nesoi	Pharma.
2827.59.51	Other bromides and bromide oxides, other than ammonium, calcium or zinc.	
2827.60.20	Iodide and iodide oxide of potassium	Pharma.
2827.60.51	Iodides and iodide oxides, other than of calcium, copper or potassium	Pharma.
2832.10.00	Sodium sulfites	Pharma.
2832.30.10	Sodium thiosulfate	Pharma.
2833.11.50	Disodium sulfate, other than crude	Pharma.
2833.19.00	Sodium sulfates, other than disodium sulfate	Pharma.
2833.21.00	Magnesium sulfate	Pharma.
2833.22.00	Aluminum sulfate	Pharma.
2833.24.00	Nickel sulfate.	
2833.27.00	Barium sulfate.	
2833.29.10	Cobalt sulfate.	
2833.29.45	Zinc sulfate.	
2833.29.51	Other sulfates nesoi.	
2834.10.10	Sodium nitrite	Pharma.
2834.21.00	Potassium nitrate.	
2834.29.20	Strontium nitrate.	
2834.29.51	Nitrates, nesoi.	
2835.22.00	Mono- or disodium phosphates	Pharma.
2835.24.00	Potassium phosphate	Pharma.
2836.20.00	Disodium carbonate	Pharma.
2836.30.00	Sodium hydrogencarbonate (Sodium bicarbonate)	Pharma.
2836.40.20	Potassium hydrogencarbonate (Potassium bicarbonate)	Pharma.
2836.60.00	Barium carbonate.	
2836.91.00	Lithium carbonates.	
2836.92.00	Strontium carbonate.	
2836.99.10	Cobalt carbonates.	
2836.99.50	Carbonates nesoi, and peroxocarbonates (percarbonates).	
2837.20.51	Complex cyanides, excluding potassium ferricyanide	Pharma.
2841.80.00	Tungstates (wolframates).	

HTSUS	Description	Scope limitations
2841.90.20	Ammonium perrhenate.	
2841.90.40	Aluminates	Pharma.
2842.10.00	Double or complex silicates	Pharma.
2842.90.90	Salts of inorganic acids or peroxoacids nesoi, excluding azides	Pharma.
2843.29.01	Silver compounds, other than silver nitrate	Pharma.
2843.30.00	Gold compounds	Pharma.
2843.90.00	Inorganic or organic compounds of precious metals, excluding those of silver and gold; amalgams of precious metals.	Pharma.
2844.41.00	Tritium and its compounds, alloys, dispersions, ceramic products and mixtures thereof	Pharma.
2844.42.00	Actinium, californium, curium, einsteinium, gadolinium, polonium, radium, uranium and their compounds, alloys, dispersions, ceramic products and mixtures.	Pharma.
2844.43.00	Other radioactive elements, isotopes, compounds, nesoi; alloys, dispersions, ceramic products and mixtures thereof.	Pharma.
2844.44.00	Radioactive residues	Pharma.
2845.20.00	Boron enriched in boron-10 and its compounds	Pharma.
2845.30.00	Lithium enriched in lithium-6 and its compounds	Pharma.
2845.90.01	Isotopes not in heading 2844 and their compounds other than boron, lithium and helium	Pharma.
2846.10.00	Cerium compounds.	
2846.90.20	Mixtures of rare-earth oxides or of rare-earth chlorides	Pharma.
2846.90.40	Yttrium-bearing materials and compounds containing by weight more than 19% but less than 85% yttrium oxide equivalent.	Pharma.
2846.90.80	Compounds, inorganic or organic, of rare-earth metals, of yttrium or of scandium, or of mixtures of these metals, nesoi.	
2847.00.00	Hydrogen peroxide, whether or not solidified with urea	Pharma.
2849.20.10	Silicon carbide, crude.	
2849.20.20	Silicon carbide, in grains, or ground, pulverized or refined.	
2849.90.30	Tungsten carbide.	
2850.00.50	Hydrides, nitrides, azides, silicides and borides other than of calcium, titanium, tungsten or vanadium	Pharma.
2853.10.00	Cyanogen chloride (Chlorocyan)	Pharma.
2853.90.10	Phosphor copper containing more than 15% by weight of phosphorus, excluding ferrosphosphorus	Pharma.
2853.90.50	Phosphides, whether or not chemically defined, excluding ferrophosphorus, of other metals or of nonmetals.	Pharma.
2853.90.90	Other phosphides, excluding ferrophosphorous, nesoi	Pharma.
2901.10.40	Saturated acyclic hydrocarbon (not ethane, butane, n-pentane or isopentane), derived in whole or in part from petroleum, shale oil or natural gas.	Pharma.
2902.19.00	Cyclanic hydrocarbons (except cyclohexane), cyclenic hydrocarbons and cycloterpenes	Pharma.
2902.90.30	Alkylbenzenes and polyalkylbenzenes	Pharma.
2903.12.00	Dichloromethane (Methylene chloride)	Pharma.
2903.13.00	Chloroform (Trichloromethane)	Pharma.
2903.22.00	Trichloroethylene	Pharma.
2903.41.10	Trifluoromethane (HFC-23)	Pharma.
2903.42.10	Difluoromethane (HFC-32)	Pharma.
2903.43.10	Fluoromethane (HFC-41), 1,2-difluoroethane (HFC-152) and 1,1-difluoroethane (HFC-152-a)	Pharma.
2903.44.10	Pentafluoroethane (HFC-125), 1,1,1-trifluoroethane (HFC-142a) and 1,1,2-trifluoroethane (HFC-143)	Pharma.
2903.45.10	1,2,1,2-Tetrafluoroethane (HFC-134a) and 1,1,2,2-tetrafluoroethane (HFC-134)	Pharma.
2903.46.10	HFC-227ea, HFC-236cb, HFC-236ea or HFC-236fa	Pharma.
2903.47.10	1,1,1,3,3-Pentafluoropropane (HFC-245fa) and 1,1,2,2,3-pentafluoropropane (HFC-245ca)	Pharma.
2903.48.00	1,1,1,3,3-Pentafluorobutane (HFC-365mfc) and 1,1,1,2,2,3,4,5,5,5-decafluoropentane (HFC-4310mee)	Pharma.
2903.49.00	Other saturated fluorinated derivatives of acyclic hydrocarbons, nesoi	Pharma.
2903.51.10	2,3,3,3-Tetrafluoropropene (HFO-1234yf), 1,3,3,3-tetrafluoropropene (HFO-1234ze) and (Z)-1,1,1,4,4,4-hexafluoro-2-butene (HFO-1336mzz).	Pharma.
2903.59.10	1,1,3,3,3-Pentafluoro-2-(trifluoromethyl)-prop-1-ene	Pharma.
2903.59.90	Other unsaturated fluorinated derivatives of acyclic hydrocarbons	Pharma.
2903.69.10	Acetylene tetrabromide; alkyl bromides, other than methyl bromide (bromomethane); methylene dibromide; and vinyl bromide.	Pharma.
2903.69.90	Other brominated or iodinated derivatives of acyclic hydrocarbons	Pharma.
2903.71.01	Chlorodifluoromethane (HCFC-22)	Pharma.
2903.77.00	Other acyclic hydrocarbon derivatives, perhalogenated only with fluorine and chlorine	Pharma.
2903.78.00	Other perhalogenated acyclic hydrocarbon derivatives, nesoi	Pharma.
2903.79.90	Other halogenated derivatives of acyclic hydrocarbons containing two or more different halogens, nesoi	Pharma.
2903.81.00	1,2,3,4,5,6-Hexachlorocyclohexane (HCH (ISO)), including lindane (ISO, INN)	Pharma.
2903.89.15	Halogenated products derived in whole or in part from benzene or other aromatic hydrocarbons, described in additional U.S. note 3 to section VI.	Pharma.
2903.89.20	Halogenated derivatives derived in whole or in part from benzene or other aromatic hydrocarbons, nesoi.	Pharma.
2903.89.70	Other halogenated derivatives of cyclanic, cyclenic or cycloterpenic hydrocarbons not derived from benzene or other aromatic hydrocarbons.	Pharma.
2903.92.00	Hexachlorobenzene (ISO) and DDT (clofenotane (INN), (1,1,1-trichloro-2,2-bis(p-chlorophenyl)ethane)	Pharma.
2903.93.00	Halogenated derivatives of aromatic hydrocarbons, pentachlorobenzene	Pharma.
2903.94.00	Halogenated derivatives of aromatic hydrocarbons, hexabromobiphenyls	Pharma.
2903.99.20	Benzyl chloride (a-Chlorotoluene); Benzotrichloride (a, a, a-Trichlorotoluene)	Pharma.
2903.99.80	Other halogenated derivatives of aromatic hydrocarbons, nesoi	Pharma.
2904.10.32	Aromatic derivatives of hydrocarbons containing only sulfo groups, their salts and ethyl esters, described in additional U.S. note 3 to section VI.	Pharma.

HTSUS	Description	Scope limitations
2904.10.50	Nonaromatic derivatives of hydrocarbons containing only sulfo groups, their salts and ethyl esters, nesoi.	Pharma.
2904.20.10	p-Nitrotoluene	Pharma.
2904.20.15	p-Nitro-o-xylene	Pharma.
2904.20.20	Trinitrotoluene	Pharma.
2904.20.30	5-tert-Butyl-2,4,6-trinitro-m-xylene (Musk xylol) and other artificial musks	Pharma.
2904.20.35	Nitrated benzene, nitrated toluene (except p-nitrotoluene) or nitrated naphthalene	Pharma.
2904.20.40	Aromatic derivatives of hydrocarbons containing only nitro or only nitroso groups, described in additional U.S. note 3 to section VI.	Pharma.
2904.20.45	Aromatic derivatives of hydrocarbons containing only nitro or only nitroso groups, nesoi	Pharma.
2904.20.50	Nonaromatic derivatives of hydrocarbons containing only nitro or only nitroso groups, nesoi	Pharma.
2904.99.04	Monochloromononitrobenzenes; o-nitrochlorobenzene; p-nitrochlorobenzene	Pharma.
2904.99.08	Monochloromononitrobenzenes nesoi	Pharma.
2904.99.15	4-Chloro-3-nitro-a,a,a-trifluorotoluene; 2-Chloro-5-nitro-a,a,a-trifluorotoluene; and 4-Chloro-3,5-dinitro-a,a,a-trifluorotoluene.	Pharma.
2904.99.20	Nitrotoluenesulfonic acids	Pharma.
2904.99.30	1-Bromo-2-nitrobenzene; 1,2-Dichloro-4-nitrobenzene and o-Fluoronitrobenzene	Pharma.
2904.99.35	4,4′-Dinitrostilbene-2,2′-disulfonic acid	Pharma.
2904.99.40	Sulfonated, nitrated or nitrosated derivatives of aromatic products described in additional U.S. note 3 to section VI.	Pharma.
2904.99.47	Other sulfonated, nitrated or nitrosated derivatives of aromatic hydrocarbons excluding aromatic products described in additional U.S. note 3 to section VI.	Pharma.
2904.99.50	Nonaromatic sulfonated, nitrated or nitrosated derivatives of hydrocarbons, nesoi	Pharma.
2905.11.20	Methanol (Methyl alcohol), other than imported only for use in producing synthetic natural gas (SNG) or for direct use as fuel.	Pharma.
2905.12.00	Propan-1-ol (Propyl alcohol) and Propan-2-ol (isopropyl alcohol)	Pharma.
2905.13.00	Butan-1-ol (n-Butyl alcohol)	Pharma.
2905.19.10	Pentanol (Amyl alcohol) and isomers thereof	Pharma.
2905.19.90	Saturated monohydric alcohols, nesoi	Pharma.
2905.22.10	Geraniol	Pharma.
2905.22.20	Isophytol	Pharma.
2905.22.50	Acyclic terpene alcohols, other than geraniol and isophytol	Pharma.
2905.29.90	Unsaturated monohydric alcohols, other than allyl alcohol or acyclic terpene alcohols	Pharma.
2905.31.00	Ethylene glycol (Ethanediol)	Pharma.
2905.32.00	Propylene glycol (Propane-1,2-diol)	Pharma.
2905.39.90	Dihydric alcohols (diols), nesoi	Pharma.
2905.49.20	Esters of glycerol formed with the acids of heading 2904	Pharma.
2905.49.50	Polyhydric alcohols, nesoi	Pharma.
2905.51.00	Ethchlorvynol (INN)	Pharma.
2905.59.10	Halogenated, sulfonated, nitrated or nitrosated derivatives of monohydric alcohols	Pharma.
2905.59.90	Halogenated, sulfonated, nitrated or nitrosated derivatives of acyclic alcohols, nesoi	Pharma.
2906.11.00	Menthol	Pharma.
2906.19.50	Other cyclanic, cyclenic or cycloterpenic alcohols and their halogenated, sulfonated, nitrated or nitrosated derivatives.	Pharma.
2906.29.60	Other aromatic alcohols and their halogenated, sulfonated, nitrated or nitrosated derivatives	Pharma.
2907.11.00	Phenol (Hydroxybenzene) and its salts	Pharma.
2907.19.10	Alkylcresols	Pharma.
2907.19.20	Alkylphenols	Pharma.
2907.19.40	Thymol	Pharma.
2907.19.80	Other monophenols	Pharma.
2907.29.90	Other polyphenols, nesoi	Pharma.
2908.19.10	6-Chloro-m-cresol [OH=1]; m-chlorophenol; and chlorothymol	Pharma.
2908.19.35	Derivatives of phenols or phenol-alcohols containing only halogen substituents and their salts described in additional U.S. note 3 to section VI.	Pharma.
2908.19.60	Other halogenated, sulfonated, nitrated or nitrosated derivatives of phenol or phenol-alcohols	Pharma.
2908.99.12	Derivatives nesoi, of phenols or phenol-alcohols containing only sulfo groups, their salts and esters, described in additional U.S. note 3 to section VI.	Pharma.
2908.99.15	Derivatives of phenol or phenol-alcohols containing only sulfo groups, their salts and esters, nesoi	Pharma.
2908.99.25	Nitrophenols, except p-nitrophenol	Pharma.
2909.11.00	Diethyl ether	Pharma.
2909.19.18	Ethers of acyclic monohydric alcohols and their derivatives, nesoi	Pharma.
2909.19.60	Ethers of polyhydric alcohols and their halogenated, sulfonated, nitrated or nitrosated derivatives, nesoi	Pharma.
2909.20.00	Cyclanic, cyclenic or cycloterpenic ethers and their halogenated, sulfonated, nitrated or nitrosated derivatives.	Pharma.
2909.30.40	Aromatic ethers and their halogenated, sulfonated, nitrated or nitrosated derivatives, nesoi, described in additional U.S. note 3 to section VI.	Pharma.
2909.30.60	Other aromatic ethers and their halogenated, sulfonated, nitrated, or nitrosated derivatives, nesoi	Pharma.
2909.49.05	Guaifenesin	Pharma.
2909.49.10	Other aromatic ether-alcohols, their halogenated, sulfonated, nitrated or nitrosated derivatives described in additional U.S. note 3 to section VI.	Pharma.
2909.49.15	Aromatic ether-alcohols and their halogenated, sulfonated, nitrated or nitrosated derivatives, nesoi	Pharma.
2909.49.20	Nonaromatic glycerol ethers	Pharma.
2909.49.60	Other non-aromatic ether-alcohols and their halogenated, sulfonated, nitrated or nitrosated derivatives	Pharma.
2909.50.20	Guaiacol and its derivatives	Pharma.

HTSUS	Description	Scope limitations
2909.50.40	Odoriferous or flavoring compounds of ether-phenols, ether-alcohol-phenols and their halogenated, sulfonated, nitrated or nitrosated derivatives.	Pharma.
2909.50.45	Ether-phenols, ether-alcohol-phenols and their halogenated, sulfonated, nitrated or nitrosated derivatives nesoi, described in additional U.S. note 3 to section VI.	Pharma.
2909.50.50	Ether-phenols, ether-alcohol-phenols and their halogenated, sulfonated, nitrated or nitrosated derivatives, nesoi.	Pharma.
2910.10.00	Oxirane (Ethylene oxide)	Pharma.
2910.30.00	1-Chloro-2,3-epoxypropane (Epichlorohydrin)	Pharma.
2910.40.00	Dieldrin	Pharma.
2910.50.00	Endrin	Pharma.
2910.90.10	Butylene oxide	Pharma.
2910.90.20	Aromatic epoxides, epoxyalcohols, epoxyphenols and epoxyethers, with a three-membered ring, and their derivatives, nesoi.	Pharma.
2910.90.91	Other nonaromatic epoxides, epoxyalcohols and epoxyethers, with a three-membered ring, and their halogenated, sulfonated, nitrated or nitrosated derivatives.	Pharma.
2911.00.10	1,1-Bis(1-methylethoxy)cyclohexane	Pharma.
2911.00.50	Acetals and hemiacetals, whether or not with other oxygen function, and their halogenated, sulfonated, nitrated or nitrosated derivatives.	Pharma.
2912.19.50	Acyclic aldehydes without other oxygen function, nesoi	Pharma.
2912.29.60	Other cyclic aldehydes without other oxygen function	Pharma.
2912.49.26	Other aromatic aldehyde-alcohols, aldehyde-ethers, aldehyde-phenols and aldehydes with other oxygen function.	Pharma.
2912.60.00	Paraformaldehyde	Pharma.
2914.11.10	Acetone, derived in whole or in part from cumene	Pharma.
2914.19.00	Acyclic ketones without other oxygen function, nesoi	Pharma.
2914.29.30	Natural camphor	Pharma.
2914.29.50	Cyclanic, cyclenic or cycloterpenic ketones without other oxygen function, nesoi	Pharma.
2914.39.90	Aromatic ketones without other oxygen function, nesoi	Pharma.
2914.40.40	Aromatic ketone-alcohols and ketone-aldehydes, nesoi	Pharma.
2914.40.90	Nonaromatic ketone-alcohols and ketone-aldehydes, nesoi	Pharma.
2914.50.10	5-Benzoyl-4-hydroxy-2-methoxy-benzenesulfonic acid	Pharma.
2914.50.30	Aromatic ketone-phenols and ketones with other oxygen function	Pharma.
2914.50.50	Nonaromatic ketone-phenols and ketones with other oxygen function	Pharma.
2914.62.00	Coenzyme Q10 (ubidecarenone (INN)	Pharma.
2914.69.21	Quinone drugs	Pharma.
2914.69.90	Quinones, nesoi	Pharma.
2914.71.00	Halogenated, sulfonated, nitrated or nitrosated derivatives: chlordecone (ISO)	Pharma.
2914.79.10	2,3-dichloro-1,4-naphthoquinone and other artificial musks	Pharma.
2914.79.40	Other halogenated, sulfonated, nitrated or nitrosated derivatives of aromatic ketones and quinones whether or not with other oxygen function.	Pharma.
2914.79.60	1-Chloro-5-hexanone	Pharma.
2914.79.90	Other halogenated, sulfonated, nitrated or nitrosated derivatives of nonaromatic ketones and quinones whether or not with other oxygen function.	Pharma.
2915.21.00	Acetic acid	Pharma.
2915.24.00	Acetic anhydride	Pharma.
2915.29.30	Cobalt acetates	Pharma.
2915.29.50	Other salts of acetic acid	Pharma.
2915.32.00	Vinyl acetate	Pharma.
2915.36.00	Dinoseb (ISO) acetate	Pharma.
2915.39.10	Benzyl acetate	Pharma.
2915.39.31	Aromatic esters of acetic acid, described in additional U.S. note 3 to section VI	Pharma.
2915.39.35	Aromatic esters of acetic acid, nesoi	Pharma.
2915.39.40	Linalyl acetate	Pharma.
2915.39.45	Odoriferous or flavoring compounds of nonaromatic esters of acetic acid, nesoi	Pharma.
2915.39.47	Acetates of polyhydric alcohols or of polyhydric alcohol ethers	Pharma.
2915.39.70	Isobutyl acetate	Pharma.
2915.39.90	Other non-aromatic esters of acetic acid	Pharma.
2915.40.10	Chloroacetic acids	Pharma.
2915.40.20	Aromatic salts and esters of chlorocetic acids, described in additional U.S. note 3 to section VI	Pharma.
2915.40.30	Aromatic salts and esters of chlorocetic acids, nesoi	Pharma.
2915.40.50	Nonaromatic salts and esters of chlorocetic acids, nesoi	Pharma.
2915.50.20	Aromatic salts and esters of propionic acid	Pharma.
2915.90.10	Fatty acids of animal or vegetable origin, nesoi	Pharma.
2915.90.14	Valproic acid	Pharma.
2915.90.18	Saturated acyclic monocarboxylic acids, nesoi	Pharma.
2915.90.20	Aromatic anhydrides, halides, peroxides and peroxyacids, of saturated acyclic monocarboxylic acids, and their derivatives, nesoi.	Pharma.
2915.90.50	Nonaromatic anhydrides, halides, peroxides and peroxyacids, of saturated acyclic monocarboxylic acids, and their derivatives, nesoi.	Pharma.
2916.16.00	Binapacryl (ISO)	Pharma.
2916.19.30	Unsaturated acyclic monocarboxylic acids, nesoi	Pharma.
2916.19.50	Unsaturated acyclic monocarboxylic acid anhydrides, halides, peroxides, peroxyacids and their derivatives, nesoi.	Pharma.

HTSUS	Description	Scope limitations
2916.20.50	Cyclanic, cyclenic or cycloterpenic monocarboxylic acids, their anhydrides, halides, peroxides, peroxyacids and their derivatives.	Pharma.
2916.31.30	Benzoic acid esters, except odoriferous or flavoring compounds, described in additional U.S. note 3 to section VI.	Pharma.
2916.31.50	Benzoic acid esters, nesoi	Pharma.
2916.39.15	Ibuprofen	Pharma.
2916.39.17	2,2-Dichlorophenylacetic acid ethyl ester and m-toluic acid	Pharma.
2916.39.46	Aromatic monocarboxylic acids, their anhydrides, halides, peroxides, peroxyacids and their derivatives, described in additional U.S. note 3 to section VI.	Pharma.
2916.39.79	Other aromatic monocarboxylic acids, their anhydrides, halides, peroxides, peroxyacids and their derivatives.	Pharma.
2917.13.00	Azelaic acid, sebacic acid, their salts and esters	Pharma.
2917.19.10	Ferrous fumarate	Pharma.
2917.19.15	Fumaric acid, derived in whole or in part from aromatic hydrocarbons	Pharma.
2917.19.17	Fumaric acid except derived in whole or in part from aromatic hydrocarbons	Pharma.
2917.19.20	Specified acyclic polycarboxylic acids and their derivatives, described in additional U.S. note 3 to section VI.	Pharma.
2917.19.23	Maleic acid	Pharma.
2917.19.27	Succinic acid, glutaric acid, and their derivatives, and derivatives of adipic, fumeric and maleic acids, nesoi.	Pharma.
2917.19.30	Ethylene brassylate	Pharma.
2917.19.35	Malonic acid	Pharma.
2917.19.40	Acyclic polycarboxylic acids, derived from aromatic hydrocarbons, and their derivatives, nesoi	Pharma.
2917.19.70	Acyclic polycarboxylic acids and their derivatives (excluding plasticizers)	Pharma.
2917.20.00	Cyclanic, cyclenic or cycloterpenic polycarboxylic acids, their anhydrides, halides, peroxides, peroxyacids and their derivatives.	Pharma.
2917.34.01	Esters of orthophthalic acid, nesoi	Pharma.
2917.37.00	Dimethyl terephthalate	Pharma.
2917.39.30	Aromatic polycarboxylic acids, their anhydrides, halides, peroxides, peroxyacids and their derivatives nesoi, described in additional U.S. note 3 to section VI.	Pharma.
2918.11.51	Salts and esters of lactic acid	Pharma.
2918.12.00	Tartaric acid	Pharma.
2918.13.50	Salts and esters of tartaric acid, nesoi	Pharma.
2918.14.00	Citric acid	Pharma.
2918.16.50	Salts and esters of gluconic acid	Pharma.
2918.18.00	Chlorobenzilate (ISO)	Pharma.
2918.19.15	Phenylglycolic (Mandelic) acid salts and esters	Pharma.
2918.19.20	Aromatic carboxylic acids with alcohol function, without other oxygen functions, and their derivatives, described in additional U.S. note 3 to section VI.	Pharma.
2918.19.31	Aromatic carboxylic acids with alcohol function, without other oxygen functions, and their derivatives, nesoi.	Pharma.
2918.19.60	Malic acid	Pharma.
2918.19.90	Nonaromatic carboxylic acids with alcohol function, without other oxygen function, and their derivatives, nesoi.	Pharma.
2918.21.10	Salicylic acid and its salts, suitable for medicinal use	Pharma.
2918.22.10	O-Acetylsalicylic acid (Aspirin)	Pharma.
2918.22.50	Salts and esters of O-acetylsalicylic acid	Pharma.
2918.23.10	Salol (Phenyl salicylate) suitable for medicinal use	Pharma.
2918.23.30	Esters of salicylic acid and their salts, described in additional U.S. note 3 to section VI	Pharma.
2918.23.50	Esters of salicylic acid and their salts, nesoi	Pharma.
2918.29.20	Gentisic acid; and Hydroxycinnamic acid and its salts	Pharma.
2918.29.22	p-Hydroxybenzoic acid	Pharma.
2918.29.65	Carboxylic acids with phenol function but without other oxygen function, described in additional U.S. note 3 to section VI.	Pharma.
2918.29.75	Other carboxylic acids with phenol function but without other oxygen function and their derivatives (excluding goods of additional U.S. note 3 to section VI).	Pharma.
2918.30.10	1-Formylphenylacetic acid, methyl ester	Pharma.
2918.30.15	2-Chloro-4,5-difluoro-beta-oxobenzenepropanoic acid, ethyl ester; and Ethyl 2-keto-4-phenylbutanoate	Pharma.
2918.30.25	Aromatic carboxylic acids with aldehyde or ketone function but without other oxygen function and their derivatives described in additional U.S. note 3 to section VI, nesoi.	Pharma.
2918.30.30	Aromatic carboxylic acids with aldehyde or ketone function but without other oxygen function, and their derivatives, nesoi.	Pharma.
2918.30.70	Dimethyl acetyl succinate; Oxalacetic acid diethyl ester, sodium salt; 4,4,4-Trifluoro-3-oxobutanoic acid, both ethyl and methyl ester versions.	Pharma.
2918.30.90	Non-aromatic carboxylic acids with aldehyde or ketone function but without other oxygen function, their anhydrides, halides, peroxides, peroxyacids and their derivatives.	Pharma.
2918.99.05	p-Anisic acid; clofibrate and 3-phenoxybenzoic acid	Pharma.
2918.99.30	Aromatic drugs derived from carboxylic acids with additional oxygen function, and their derivatives, nesoi.	Pharma.
2918.99.43	Aromatic carboxylic acids with additional oxygen function and their anhydrides, halides, peroxides, peroxyacids and their derivatives, described in additional U.S. note 3 to section VI, nesoi.	Pharma.
2918.99.47	Other aromatic carboxylic acids with additional oxygen function and their anhydrides, halides, peroxides, peroxyacids and their derivatives (excluding goods described in additional U.S. note 3 to section VI).	Pharma.

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2918.99.50	Nonaromatic carboxylic acids with additional oxygen function, and their derivatives, nesoi	Pharma.
2919.10.00	Tris(2,3-dibromopropyl phosphate)	Pharma.
2919.90.30	Aromatic phosphoric esters and their salts, including lactophosphates, and their derivatives, not used as plasticizers.	Pharma.
2919.90.50	Nonaromatic phosphoric esters and their salts, including lactophosphates, and their derivatives	Pharma.
2920.19.40	Other aromatic thiophosphoric esters (phosphorothioates), their salts and their halogenated, sulfonated, nitrated or nitrosated derivatives.	Pharma.
2920.19.50	Nonaromatic phosphorothioates, their salts and their halogenated, sulfonated, nitrated or nitrosated derivatives, nesoi.	Pharma.
2920.21.00	Dimethyl phosphite	Pharma.
2920.22.00	Diethyl phosphite	Pharma.
2920.23.00	Trimethyl phosphite	Pharma.
2920.24.00	Triethyl phosphite	Pharma.
2920.29.00	Other phosphite esters, their salts and their halogenated, sulfonated, nitrated or nitrosated derivatives ..	Pharma.
2920.30.00	Endosulfan (ISO)	Pharma.
2920.90.20	Aromatic esters of other inorganic acids (excluding hydrogen halides), their salts and their derivatives, nesoi.	Pharma.
2920.90.51	Nonaromatic esters of inorganic acids of nonmetals, their salts and derivatives, excluding esters of hydrogen halides, nesoi.	Pharma.
2921.11.00	Methylamine, di- or trimethylamine, and their salts	Pharma.
2921.14.00	2-(N,N,-Diisopropylamino)ethyl chloride hydrochloride	Pharma.
2921.19.11	Mono- and triethylamines; mono-, di-, and tri(propyl- and butyl-) monoamines; salts of any of the foregoing.	Pharma.
2921.19.61	N,N-Dialkyl (methyl, ethyl, N-Propyl or Isopropyl)-2-Chloroethylamines and their protonated salts; Acyclic monoamines and their derivatives, nesoi.	Pharma.
2921.29.00	Acyclic polyamines, their derivatives and salts, other than ethylenediamine or hexamethylenediamine and their salts.	Pharma.
2921.30.10	Cyclanic, cyclenic or cycloterpenic mono- or polyamines, derivatives and salts, from any aromatic compound described in additional U.S. note 3 to section VI.	Pharma.
2921.30.30	Cyclanic, cyclenic, cycloterpenic mono- or polyamines and their derivatives and salts, derived from any aromatic compound (excluding goods described in additional U.S. note 3 to section VI).	Pharma.
2921.30.50	Cyclanic, cyclenic or cycloterpenic mono- or polyamines, and their derivatives and salts, derived from any nonaromatic compounds.	Pharma.
2921.41.10	Aniline	Pharma.
2921.41.20	Aniline salts	Pharma.
2921.42.65	Aniline derivatives and their salts thereof, described in additional U.S. note 3 to section VI	Pharma.
2921.42.90	Other aniline derivatives and their salts	Pharma.
2921.43.40	Toluidines and their derivatives and salts thereof, described in additional U.S. note 3 to section VI	Pharma.
2921.45.60	Aromatic monoamines and their derivatives and salts thereof, described in additional U.S. note 3 to section VI, nesoi.	Pharma.
2921.45.90	Aromatic monoamines and their derivatives and salts thereof nesoi	Pharma.
2921.46.00	Amfetamine (INN), benzfetamine (INN), dexamfetamine (INN), etilamfetamine (INN), and other specified INNs; salts thereof.	Pharma.
2921.49.38	Aromatic monoamine antidepressants, tranquilizers and other psychotherapeutic agents, nesoi	Pharma.
2921.49.43	Aromatic monoamine drugs, nesoi	Pharma.
2921.49.45	Aromatic monoamines and their derivatives and salts thereof nesoi, described in additional U.S. note 3 to section VI.	Pharma.
2921.49.50	Aromatic monoamines and their derivatives and salts thereof, nesoi	Pharma.
2921.59.40	Aromatic polyamines and their derivatives and salts thereof, described in additional U.S. note 3 to section VI.	Pharma.
2921.59.80	Aromatic polyamines and their derivatives and salts thereof nesoi	Pharma.
2922.11.00	Monoethanolamine and its salts	Pharma.
2922.12.00	Diethanolamine and its salts	Pharma.
2922.14.00	Dextropropoxyphene (INN) and its salts	Pharma.
2922.15.00	Triethanolamine	Pharma.
2922.16.00	Diethylammonium perfluorooctane sulfonate	Pharma.
2922.17.00	Methyldiethanolamine and ethyldiethanolamine	Pharma.
2922.18.00	2-(N,N-Diisopropylamino)ethanol	Pharma.
2922.19.09	Aromatic amino-alcohols drugs, their ethers and esters, other than those containing more than one kind of oxygen function, and their salts thereof; nesoi.	Pharma.
2922.19.20	4,4′-Bis(dimethylamino)benzhydrol (Michler's hydrol) and other specified aromatic amino-alcohols, their ethers and esters, and salts thereof.	Pharma.
2922.19.33	N1-(2-Hydroxyethyl-2-nitro-1,4-phenylendiamine; N1,N4,N4-tris(2-hydroxyethyl)-2-nitro-1,4-phenylenediamine; and other specified chemicals.	Pharma.
2922.19.60	Aromatic amino-alcohols, their ethers and esters, other than those containing more than one oxygen function, described in additional U.S. note 3 to section VI.	Pharma.
2922.19.70	Other aromatic amino-alcohols, their ethers and esters, other than those containing more than one oxygen function (excluding goods described in additional U.S. note 3 to section VI).	Pharma.
2922.19.90	Salts of triethanolamine	Pharma.
2922.19.96	Amino-alcohols, other than those containing more than one kind of oxygen function, their ethers and esters and salts thereof, nesoi.	Pharma.
2922.21.10	1-Amino-8-hydroxy-3,6-naphthalenedisulfonic acid; and other specified aminohydroxynaphthalenesulfonic acids and their salts.	Pharma.
2922.21.25	1-Amino-8-hydroxy-4,6-naphthalenedisulfonic acid, monosodium salts	Pharma.

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2922.21.40	Aminohydroxynaphthalene sulfonic acids and their salts, described in additional U.S. note 3 to section VI.	Pharma.
2922.21.50	Aminohydroxynaphthalene sulfonic acids and their salts, nesoi	Pharma.
2922.29.03	o-Anisidine; p-anisidine; and p-phenetidine	Pharma.
2922.29.06	m-Nitro-p-anisidine and m-nitro-o-anisidine as fast color bases	Pharma.
2922.29.08	m-Nitro-p-anisidine and m-nitro-o-anisidine, nesoi	Pharma.
2922.29.10	2-Amino-6-chloro-4-nitrophenol and other specified amino-naphthols and amino-phenols, their ethers and esters; salts thereof.	Pharma.
2922.29.13	o-Aminophenol; and 2,2-bis-[4-(4-aminophenoxy)phenyl]propane	Pharma.
2922.29.15	m-Diethylaminophenol; m-dimethylaminophenol; 3-ethylamino-p-cresol; and 5-methoxy-m-phenylenediamine.	Pharma.
2922.29.20	4-Chloro-2,5-dimethoxyaniline; and 2,4-dimethoxyaniline	Pharma.
2922.29.26	Amino-naphthols and other amino-phenols and their derivatives used as fast color bases	Pharma.
2922.29.27	Drugs of amino-naphthols and -phenols, their ethers and esters, except those containing more than one oxygen function, and salts thereof, nesoi.	Pharma.
2922.29.29	Photographic chemicals of amino-naphthols and -phenols, their ethers and esters, except those containing more than one oxygen function, and salts thereof, nesoi.	Pharma.
2922.29.61	Amino-naphthols and other amino-phenols and their derivatives, described in additional U.S. note 3 to section VI.	Pharma.
2922.29.81	Amino-naphthols and other amino-phenols, their ethers and esters (not containing more than one oxygen function), and salts thereof, nesoi.	Pharma.
2922.31.00	Amfepramone (INN), methadone (INN) and normethadone (INN), and salts thereof	Pharma.
2922.39.05	1-Amino-2,4-dibromoanthraquinone and 2-Amino-5-chlorobenzophenone	Pharma.
2922.39.10	2′-Aminoacetophenone and other specified aromatic amino-aldehydes, -ketones and -quinones, other than those with more than one oxygen function.	Pharma.
2922.39.14	2-Aminoanthraquinone	Pharma.
2922.39.17	1-Aminoanthraquinone	Pharma.
2922.39.25	Aromatic amino-aldehydes, -ketones and -quinones, other than those with more than one oxygen function, and salts thereof, described in additional U.S. note 3 to section VI.	Pharma.
2922.39.45	Aromatic amino-aldehydes, -ketones and -quinones, other than those with more than one oxygen function, and salts thereof, nesoi.	Pharma.
2922.39.50	Nonaromatic amino-aldehydes, -ketones and -quinones, other than those with more than one kind of oxygen function, and salts thereof, nesoi.	Pharma.
2922.41.00	Lysine and its esters and salts thereof	Pharma.
2922.42.10	Monosodium glutamate	Pharma.
2922.42.50	Glutamic acid and its salts, other than monosodium glutamate	Pharma.
2922.43.10	Anthranilic acid and its salts, described in additional U.S. note 3 to section VI	Pharma.
2922.43.50	Anthranilic acid and its salts, nesoi	Pharma.
2922.44.00	Tildine (INN) and its salts	Pharma.
2922.49.05	(R)-a-Aminobenzeneacetic acid; and 2-amino-3-chlorobenzoic acid, methyl ester	Pharma.
2922.49.10	m-Aminobenzoic acid, technical; and other specified aromatic amino-acids and their esters, except those with more than one oxygen function.	Pharma.
2922.49.26	Aromatic amino-acids drugs and their esters, not containing more than one kind of oxygen function, nesoi.	Pharma.
2922.49.30	Aromatic amino-acids and their esters, excluding those with more than one oxygen function, and their salts, described in additional U.S. note 3 to section VI.	Pharma.
2922.49.37	Aromatic amino-acids and their esters, not containing more than one oxygen function (excluding goods described in additional U.S. note 3 to section VI), nesoi.	Pharma.
2922.49.43	Glycine (aminoacetic acid)	Pharma.
2922.49.49	Nonaromatic amino-acids, other than those containing more than one oxygen function, other than glycine.	Pharma.
2922.49.60	3-Aminocrotonic acid, methyl ester; and (R)-a-amino-1,4-cyclohexadiene-1-acetic acid	Pharma.
2922.49.80	Non-aromatic esters of amino-acids, other than those containing more than one oxygen function, and salts thereof.	Pharma.
2922.50.07	3,4-Diaminophenetole dihydrogen sulfate, 2-nitro-5-[(2,3-dihydroxy)propoxy]-N-methylaniline and other specified aromatic chemicals.	Pharma.
2922.50.10	Specified aromatic amino-alcohol-phenols, amino-acid-phenols and other amino-compounds with oxygen function.	Pharma.
2922.50.11	Salts of d(underscored)-(-)-p-Hydroxyphenylglycine	Pharma.
2922.50.13	Isoetharine hydrochloride and other specified aromatic drugs of amino-compounds with oxygen function	Pharma.
2922.50.14	Other aromatic cardiovascular drugs of amino-compounds with oxygen function	Pharma.
2922.50.17	Aromatic dermatological agents and local anesthetics of amino-compounds with oxygen function	Pharma.
2922.50.19	Aromatic guaiacol derivatives of amino-compounds with oxygen function	Pharma.
2922.50.25	Aromatic drugs of amino-compounds with oxygen function, nesoi	Pharma.
2922.50.35	Aromatic amino-alcohol-phenols, amino-acid-phenols and other amino-compounds with oxygen function described in additional U.S. note 3 to section VI.	Pharma.
2922.50.40	Aromatic amino-alcohol-phenols, amino-acid-phenols and other amino-compounds with oxygen function, nesoi.	Pharma.
2922.50.50	Nonaromatic amino-alcohol-phenols, amino-acid-phenols and other amino-compounds with oxygen function.	Pharma.
2923.10.00	Choline and its salts	Pharma.
2923.20.10	Purified egg phospholipids, pharmaceutical grade meeting requirements of the U.S. FDA, for use in intravenous fat emulsion.	Pharma.
2923.20.20	Lecithins and other phosphoaminolipids, nesoi	Pharma.

HTSUS	Description	Scope limitations
2923.30.00	Tetraethylammonium perfluorooctane sulfonate	Pharma.
2923.40.00	Didecylmethylammonium perfluorooctane sulfonate	Pharma.
2923.90.01	Quaternary ammonium salts and hydroxides, whether or not chemically defined, nesoi	Pharma.
2924.11.00	Meprobamate (INN)	Pharma.
2924.12.00	Fluoroacetamide (ISO), monocrotophos (ISO) and phosphamidon (ISO)	Pharma.
2924.19.11	Acyclic amides (including acyclic carbamates)	Pharma.
2924.19.80	Acyclic amide derivatives and salts thereof; nesoi	Pharma.
2924.21.16	Aromatic ureines and their derivatives, nesoi	Pharma.
2924.21.20	Aromatic ureines, their derivatives and salts thereof, described in additional U.S. note 3 to section VI ...	Pharma.
2924.21.45	Aromatic ureines, their derivatives and salts thereof, nesoi	Pharma.
2924.21.50	Nonaromatic ureines and their derivatives; and salts thereof	Pharma.
2924.23.70	2-Acetamidobenzoic acid salts described in additional U.S. note 3 to section VI	Pharma.
2924.23.75	2-Acetamidobenzoic acid salts, nesoi	Pharma.
2924.24.00	Ethinamate (INN)	Pharma.
2924.25.00	Alachlor (ISO)	Pharma.
2924.29.01	p-Acetanisidide; p-acetoacetatoluidide; 4′-amino-N-methylacetanilide; 2,5-dimethoxyacetanilide; and N-(7-hydroxy-1-naphthyl)acetamide.	Pharma.
2924.29.03	3,5-Dinitro-o-toluamide	Pharma.
2924.29.05	Biligrafin acid; 3,5-diacetamido-2,4,6-triiodobenzoic acid; and metrizoic acid	Pharma.
2924.29.10	Acetanilide; N-acetylsulfanilyl chloride; aspartame; and 2-methoxy-5-acetamino-N,N-bis(2-acetoxyethyl)aniline.	Pharma.
2924.29.23	4-Aminoacetanilide; 2-2-oxamidobis[ethyl-3-(3,5-di-tert-butyl-4-hydroxyphenyl)propionate]; and other specified cyclic amide chemicals.	Pharma.
2924.29.26	3-Aminomethoxybenzanilide	Pharma.
2924.29.28	N-[[(4-Chlorophenyl)amino]carbonyl]difluorobenzamide; and 3,5-dichloro-N-(1,1-dimethyl-2-propynyl)benzamide (pronamide).	Pharma.
2924.29.33	3-Hydroxy-2-naphthanilide; 3-hydroxy-2-naphtho-o-toluidide; 3-hydroxy-2-naphtho-o-anisidine; 3-hydroxy-2-naphtho-o-phenetidide; and other.	Pharma.
2924.29.57	Diethylaminoacetoxylidide (Lidocaine)	Pharma.
2924.29.62	Other aromatic cyclic amides and derivatives for use as drugs	Pharma.
2924.29.65	5-Bromoacetyl-2-salicylamide	Pharma.
2924.29.71	Aromatic cyclic amides and their derivatives, described in additional U.S. note 3 to section VI, nesoi	Pharma.
2924.29.77	Aromatic cyclic amides (including cyclic carbamates), their derivatives and salts thereof, nesoi	Pharma.
2924.29.80	2,2-Dimethylcyclopropylcarboxamide	Pharma.
2924.29.95	Other nonaromatic cyclic amides, their derivatives and salts thereof; nesoi	Pharma.
2925.12.00	Glutethimide (INN)	Pharma.
2925.19.42	Other aromatic imides, their derivatives and salts thereof; nesoi	Pharma.
2925.19.91	Other non-aromatic imides and their derivatives	Pharma.
2925.21.00	Chlordimeform (ISO)	Pharma.
2925.29.10	N′-(4-Chloro-o-tolyl)-N,N-dimethylformamidine; bunamidine hydrochloride; and pentamidine	Pharma.
2925.29.18	N,N′-Diphenylguanidine; 3-Dimethyl amino methyleneiminophenol hydrochloride; 1,3-Di-o-tolylguanidine; and N,N-Dimethyl-N′-[3-[[(methylamino) carbonyl]- oxy] phenyl] methanimidamide monohydro- chloride.	Pharma.
2925.29.20	Aromatic drugs of imines and their derivatives, nesoi	Pharma.
2925.29.60	Aromatic imines, their derivatives and salts thereof (excluding drugs), nesoi	Pharma.
2925.29.70	Tetramethylguanidine	Pharma.
2925.29.90	Non-aromatic imines, their derivatives and salts thereof	Pharma.
2926.30.10	Fenproporex (INN) and its salts	Pharma.
2926.40.00	a-Phenylacetoacetonitrile	Pharma.
2926.90.14	p-Chlorobenzonitrile and verapamil hydrochloride	Pharma.
2926.90.43	Aromatic nitrile-function compounds, nesoi, described in additional U.S. note 3 to section VI	Pharma.
2926.90.48	Aromatic nitrile-function compounds other than those products described in additional U.S. note 3 to section VI, nesoi.	Pharma.
2926.90.50	Nonaromatic nitrile-function compounds, nesoi	Pharma.
2927.00.40	Diazo-, azo- or azoxy-compounds, nesoi, described in additional U.S. note 3 to section VI	Pharma.
2927.00.50	Other diazo-, azo- or azoxy-compounds, nesoi	Pharma.
2928.00.10	Methyl ethyl ketoxime	Pharma.
2928.00.15	Phenylhydrazine	Pharma.
2928.00.25	Aromatic organic derivatives of hydrazine or of hydroxylamine	Pharma.
2928.00.30	Nonaromatic drugs of organic derivatives of hydrazine or of hydroxylamine, other than Methyl ethyl ketoxime.	Pharma.
2928.00.50	Nonaromatic organic derivatives of hydrazine or of hydroxylamine, nesoi	Pharma.
2929.90.05	2,2-Bis(4-cyanatophenyl)-1,1,1,3,3,3,-hexafluoropropane; 2,2-bis(4-cyanatophenyl)propane; 1,1-ethylidenebis(phenyl-4-cyanate); and 2 others.	Pharma.
2929.90.15	Other aromatic compounds with other nitrogen function, described in additional U.S. note 3 to section VI.	Pharma.
2929.90.20	Aromatic compounds with other nitrogen function, nesoi	Pharma.
2929.90.50	Nonaromatic compounds with other nitrogen functions, except isocyanates	Pharma.
2930.10.01	2-(N,N-Dimethylamino) ethanethiol	Pharma.
2930.20.20	Aromatic compounds of thiocarbamates and dithiocarbamates, excluding pesticides	Pharma.
2930.20.90	Other non-aromatic thiocarbamates and dithiocarbamates	Pharma.
2930.30.60	Thiuram mono-, di- or tetrasulfides, other than tetramethylthiuram monosulfide	Pharma.
2930.40.00	Methionine	Pharma.
2930.60.00	2-(N,N-Diethylamino)ethanethiol	Pharma.

HTSUS	Description	Scope limitations
2930.70.00	Bis(2-hydroxyethyl)sulfide (thiodiglycol (INN))	Pharma.
2930.90.29	Other aromatic organo-sulfur compounds (excluding pesticides)	Pharma.
2930.90.49	Nonaromatic organo-sulfur acids, nesoi	Pharma.
2930.90.92	Other non-aromatic organo-sulfur compounds	Pharma.
2931.41.00	Dimethyl methylphosphonate	Pharma.
2931.42.00	Dimethyl propylphosphonate	Pharma.
2931.43.00	Diethyl ethylphosphonate	Pharma.
2931.44.00	Methylphosphonic acid	Pharma.
2931.45.00	Salt of methylphosphonic acid and (aminoiminomethyl)urea (1:1)	Pharma.
2931.46.00	2,4,6-Tripropyl-1,3,5,2,4,6-trioxatriphosphinane 2,4,6-trioxide	Pharma.
2931.47.00	(5-Ethyl-2-methyl-2-oxido-1,3,2-dioxaphosphinan-5-yl) methyl methyl methylphosphonate	Pharma.
2931.48.00	3,9-Dimethyl-2,4,8,10-tetraoxa-3,9-diphosphaspiro [5.5] undecane 3,9-dioxide	Pharma.
2931.49.00	Other non-halogenated organo-phosphorous derivatives	Pharma.
2931.51.00	Methylphosphonic dichloride	Pharma.
2931.52.00	Propylphosphonic dichloride	Pharma.
2931.53.00	O-(3-chloropropyl) O-[4-nitro-3-(trifluoromethyl)phenyl] methylphosphonothionate	Pharma.
2931.54.00	Trichlorfon (ISO)	Pharma.
2931.59.00	Other halogenated organo-phosphorous derivatives	Pharma.
2931.90.22	Drugs of aromatic organo-inorganic compounds	Pharma.
2931.90.30	Aromatic organo-inorganic compounds, nesoi, described in additional U.S. note 3 to section VI	Pharma.
2931.90.60	Other aromatic organo-inorganic compounds (excluding products described in additional U.S. note 3 to section VI).	Pharma.
2931.90.90	Other non-aromatic organo-inorganic compounds	Pharma.
2932.11.00	Tetrahydrofuran	Pharma.
2932.14.00	Sucralose	Pharma.
2932.19.10	Aromatic heterocyclic compounds with oxygen hetero-atom(s) only, containing an unfused furan ring, nesoi.	Pharma.
2932.19.51	Nonaromatic compounds containing an unfused furan ring (whether or not hydrogenated) in the ring	Pharma.
2932.20.05	Coumarin, methylcoumarins and ethylcoumarins	Pharma.
2932.20.20	Aromatic drugs of lactones	Pharma.
2932.20.25	4-Hydroxycoumarin	Pharma.
2932.20.30	Aromatic lactones, nesoi, described in additional U.S. note 3 to section VI	Pharma.
2932.20.45	Aromatic lactones, nesoi	Pharma.
2932.20.50	Nonaromatic lactones	Pharma.
2932.95.00	Tetrahydrocannabinols (all isomers)	Pharma.
2932.99.04	2,2-Dimethyl-1,3-benzodioxol-4-yl methylcarbamate (Bendiocarb)	Pharma.
2932.99.08	2-Ethoxy-2,3-dihydro-3,3-dimethyl-5-benzofuranylmethanesulfonate	Pharma.
2932.99.21	Aromatic pesticides of heterocyclic compounds with oxygen hetero-atom(s) only, nesoi	Pharma.
2932.99.32	Benzofuran (Coumarone); and Dibenzofuran (Diphenylene oxide)	Pharma.
2932.99.35	2-Hydroxy-3-dibenzofurancarboxylic acid	Pharma.
2932.99.39	Benzointetrahydropyranyl ester; and Xanthen-9-one	Pharma.
2932.99.55	Bis-O-[(4-methylphenyl)methylene]-D-glucitol (Dimethylbenzylidene sorbitol); and Rhodamine 2C base	Pharma.
2932.99.61	Aromatic heterocyclic compounds with oxygen hetero-atom(s) only, described in additional U.S. note 3 to section VI, nesoi.	Pharma.
2932.99.70	Aromatic heterocyclic compounds with oxygen hetero-atom(s) only, nesoi	Pharma.
2932.99.90	Nonaromatic heterocyclic compounds with oxygen hetero-atom(s) only, nesoi	Pharma.
2933.11.00	Phenazone (Antipyrine) and its derivatives	Pharma.
2933.19.08	3-(5-Amino-3-methyl-1H-pyrazol-1-yl)benzenesulfonic acid; amino-J-pyrazolone; and another 12 specified chemicals.	Pharma.
2933.19.35	Aromatic or modified aromatic drugs of heterocyclic compounds with nitrogen hetero-atom(s) only, containing an unfused pyrazole ring.	Pharma.
2933.19.37	Aromatic or modified aromatic compounds, described in additional U.S. note 3 to section VI, containing an unfused pyrazole ring (whether or not hydrogenated) in the structure.	Pharma.
2933.19.43	Aromatic or modified aromatic compounds (excluding products described in additional U.S. note 3 to section VI), containing an unfused pyrazole ring in the structure.	Pharma.
2933.19.45	Nonaromatic drugs of heterocyclic compounds with nitrogen hetero-atom(s) only, containing an unfused pyrazole ring.	Pharma.
2933.19.90	Other compounds (excluding aromatic or modified aromatic compounds and drugs) containing an unfused pyrazole ring (whether or not hydrogenated) in the structure.	Pharma.
2933.21.00	Hydantoin and its derivatives	Pharma.
2933.29.05	1-[1-((4-Chloro-2-(trifluoromethyl)phenyl)imino)-2-propoxyethyl]-1H-imidazole (triflumizole); and ethylene thiourea.	Pharma.
2933.29.10	2-Phenylimidazole	Pharma.
2933.29.20	Aromatic or modified aromatic drugs of heterocyclic compounds with nitrogen hetero-atom(s) only, containing an unfused imidazole ring.	Pharma.
2933.29.35	Aromatic or modified aromatic goods, described in additional U.S. note 3 to section VI, containing an unfused imidazole ring (whether or not hydrogenated) in structure.	Pharma.
2933.29.43	Aromatic or modified aromatic goods containing an unfused imidazole ring (whether or not hydrogenated) in the structure (excluding products described in additional U.S. note 3 to section VI).	Pharma.
2933.29.45	Nonaromatic drugs of heterocyclic compounds with nitrogen hetero-atom(s) only, containing an unfused imidazole ring, nesoi.	Pharma.
2933.29.60	Imidazole	Pharma.
2933.29.90	Other compounds (excluding drugs, aromatic and modified aromatic compounds) containing an unfused imidazole ring (whether or not hydrogenated).	Pharma.

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2933.31.00	Pyridine and its salts	Pharma.
2933.33.01	Alfentanil (INN), anileridine (INN), bezitramide (INN), bromazepam (INN), difenoxin (INN), and other specified INNs; salts thereof.	Pharma.
2933.34.00	Other fentanyls and their derivatives, containing an unfused pyrazole ring	Pharma.
2933.35.00	3-Quinuclidinol	Pharma.
2933.36.00	4-Anilino-N-phenethylpiperidine (ANPP)	Pharma.
2933.37.00	N-Phenethyl-4-piperidone (NPP)	Pharma.
2933.39.08	1-(3-Sulfapropyl)pryidinium hydroxide; N,N-bis(2,2,6,6-tetramethyl-4-piperidinyl)-1,6-hexanediamine; and 5 other specified chemicals.	Pharma.
2933.39.10	Collidines, lutidines and picolines	Pharma.
2933.39.20	p-Chloro-2-benzylpyridine and other specified heterocyclic compounds, with nitrogen hetero-atom(s) only, containing an unfused pyridine ring.	Pharma.
2933.39.21	Fungicides of heterocyclic compounds with nitrogen hetero-atom(s) only, containing an unfused pyridine ring.	Pharma.
2933.39.23	o-Paraquat dichloride	Pharma.
2933.39.25	Herbicides nesoi, of heterocyclic compounds with nitrogen hetero-atom(s) only, containing an unfused pyridine ring.	Pharma.
2933.39.27	Pesticides nesoi, of heterocyclic compounds with nitrogen hetero-atom(s) only, containing an unfused pyridine ring.	Pharma.
2933.39.31	Psychotherapeutic agents of heterocyclic compounds with nitrogen hetero-atom(s) only, containing an unfused pyridine ring, nesoi.	Pharma.
2933.39.41	Drugs containing an unfused pyridine ring (whether or not hydrogenated) in the structure, nesoi	Pharma.
2933.39.61	Heterocyclic compounds with nitrogen hetero-atom(s) only, containing an unfused pyridine ring, described in additional U.S. note 3 to section VI.	Pharma.
2933.39.92	Heterocyclic compounds with nitrogen hetero-atom(s) only, containing an unfused pyridine ring, nesoi	Pharma.
2933.41.00	Levorphenol (INN) and its salts	Pharma.
2933.49.20	5-Chloro-7-iodo-8-quinolinol (Iodochlorhydroxyquin); Decoquinate; Diiodohydroxyquin; and Oxyquinoline sulfate.	Pharma.
2933.49.26	Drugs containing a quinoline or isoquinoline ring-system (whether or not hydrogenated), not further fused, nesoi.	Pharma.
2933.49.60	Products described in additional U.S. note 3 to section VI containing quinoline or isoquinoline ring-system (whether or not hydrogenated), not further fused.	Pharma.
2933.49.70	Heterocyclic compounds with nitrogen hetero-atom(s) only, containing a quinoline ring-system, not further fused, nesoi.	Pharma.
2933.53.00	Allobarbital (INN), amobarbital (INN), barbital (INN), butalbital (INN), butobarbital, and other specified INNs; salts thereof.	Pharma.
2933.54.00	Other derivatives of malonylurea (barbituric acid); salts thereof	Pharma.
2933.55.00	Loprazolam (INN), mecloqualone (INN), methaqualone (INN) and zipeprol (INN); salts thereof	Pharma.
2933.59.10	Aromatic or modified aromatic herbicides of heterocyclic compounds with nitrogen hetero-atom(s) only, containing a pyrimidine or piperazine ring.	Pharma.
2933.59.15	Aromatic or modified aromatic pesticides nesoi, of heterocyclic compounds with nitrogen hetero-atom(s) only, containing a pyrimidine or piperazine ring.	Pharma.
2933.59.18	Nonaromatic pesticides of heterocyclic compounds with nitrogen hetero-atom(s) only, containing a pyrimidine or piperazine ring, nesoi.	Pharma.
2933.59.21	Antihistamines, including those principally used as antinauseants	Pharma.
2933.59.22	Nicarbazin and trimethoprim	Pharma.
2933.59.36	Anti-infective agents nesoi, of heterocyclic compounds with nitrogen hetero-atom(s) only, containing a pyrimidine or piperazine ring.	Pharma.
2933.59.46	Psychotherapeutic agents of heterocyclic compounds with nitrogen hetero-atom(s) only, containing a pyrimidine or piperazine ring, nesoi.	Pharma.
2933.59.53	Other aromatic or modified aromatic drugs containing a pyrimidine ring (whether or not hydrogenated) or piperazine ring in the structure.	Pharma.
2933.59.59	Nonaromatic drugs of heterocyclic compounds nesoi, with nitrogen hetero-atom(s) only, containing a pyrimidine or piperazine ring.	Pharma.
2933.59.70	Aromatic heterocyclic compounds nesoi, with nitrogen hetero-atom(s) only, containing a pyrimidine or piperazine ring, described in additional U.S. note 3 to section VI.	Pharma.
2933.59.80	Aromatic or modified aromatic heterocyclic compounds nesoi, with nitrogen hetero-atom(s) only, containing a pyrimidine or piperazine ring.	Pharma.
2933.59.85	2-Amino-4-chloro-6-methoxypyrimidine; 2-amino-4,6-dimethoxypyrimidine; and 6-methyluracil	Pharma.
2933.59.95	Other (excluding aromatic or modified aromatic) compounds containing a pyrimidine ring (whether or not hydrogenated) or piperazine ring in the structure.	Pharma.
2933.69.50	Hexamethylenetetramine	Pharma.
2933.69.60	Other compounds containing an unfused triazine ring (whether or not hydrogenated) in the structure	Pharma.
2933.72.00	Clobazam (INN) and methyprylon (INN)	Pharma.
2933.79.04	2,4-Dihydro-3,6-diphenylpyrrolo-(3,4-C)pyrrole-1,4-dione	Pharma.
2933.79.08	Aromatic or modified aromatic lactams with nitrogen hetero-atoms only, described in additional U.S. note 3 to section VI.	Pharma.
2933.79.15	Aromatic or modified aromatic lactams, nesoi	Pharma.
2933.79.20	N-Methyl-2-pyrrolidone; and 2-pyrrolidone	Pharma.
2933.79.30	N-Vinyl-2-pyrrolidone, monomer	Pharma.
2933.79.40	12-Aminododecanoic acid lactam	Pharma.
2933.79.85	Aromatic or modified aromatic lactams with nitrogen hetero-atoms only, nesoi	Pharma.
2933.91.00	Alprazolam (INN), camazepam (INN), chlordiazepoxide (INN), clonazepam (INN), clorazepate, and other specified INNs; salts thereof.	Pharma.

HTSUS	Description	Scope limitations
2933.99.01	Butyl (R)-2-[4-(5-triflouromethyl-2-pyridinyloxy)phenoxy]propanoate	Pharma.
2933.99.02	2-[4-[(6-Chloro-2-quinoxalinyl)oxy]phenoxy]propionic acid, ethyl ester; and 1 other specified aromatic chemical.	Pharma.
2933.99.05	Acridine and indole	Pharma.
2933.99.06	a-Butyl-a-(4-chlorophenyl)-1H-1,2,4-triazole-1-propanenitrile (Mycolbutanil); and one other specified aromatic chemical.	Pharma.
2933.99.08	Acetoacetyl-5-aminobenzimidazolone; 1,3,3-Trimethyl-2-methyleneindoline; and two other specified aromatic chemicals.	Pharma.
2933.99.11	Carbazole	Pharma.
2933.99.12	6-Bromo-5-methyl-1H-imidazo-(4,5-b)pyridine; 2-sec-butyl-4-tert-butyl-6-(benzotriazol-2-yl)phenol; 2-methylindoline; and other specific.	Pharma.
2933.99.14	5-Amino-4-chloro-a-phenyl-3-pyridazinone	Pharma.
2933.99.16	o-Diquat dibromide (1,1-Ethylene-2,2-dipyridylium dibromide)	Pharma.
2933.99.17	Aromatic or modified aromatic insecticides with nitrogen hetero-atom(s) only, nesoi	Pharma.
2933.99.22	Other heterocyclic aromatic or modified aromatic pesticides with nitrogen hetero-atom(s) only, nesoi	Pharma.
2933.99.24	Aromatic or modified aromatic photographic chemicals with nitrogen hetero-atom(s) only	Pharma.
2933.99.26	Aromatic or modified aromatic antihistamines of heterocyclic compounds with nitrogen hetero-atom(s) only.	Pharma.
2933.99.42	Acriflavin; Acriflavin hydrochloride; Carbadox; Pyrazinamide	Pharma.
2933.99.46	Aromatic or modified aromatic anti-infective agents of heterocyclic compounds with nitrogen hetero-atom(s) only, nesoi.	Pharma.
2933.99.51	Hydralazine hydrochloride	Pharma.
2933.99.53	Aromatic or modified aromatic cardiovascular drugs of heterocyclic compounds with nitrogen hetero-atom(s) only, nesoi.	Pharma.
2933.99.55	Aromatic or modified aromatic analgesics and certain like affecting chemicals, of heterocyclic compounds with nitrogen hetero-atom(s) only.	Pharma.
2933.99.58	Droperidol; and Imipramine hydrochloride	Pharma.
2933.99.61	Aromatic or modified aromatic psychotherapeutic agents, affecting the central nervous system, of heterocyclic compounds with nitrogen hetero-atom(s) only, nesoi.	Pharma.
2933.99.65	Aromatic or modified aromatic anticonvulsants, hypnotics and sedatives, of heterocyclic compounds with nitrogen hetero-atom(s) only, nesoi.	Pharma.
2933.99.70	Aromatic or modified aromatic drugs affecting the central nervous system, of heterocyclic compounds with nitrogen atom(s) only, nesoi.	Pharma.
2933.99.75	Aromatic or modified aromatic drugs of heterocyclic compounds with nitrogen hetero-atom(s) only, nesoi.	Pharma.
2933.99.79	Aromatic or modified aromatic compounds with nitrogen hetero-atom(s) only, described in additional U.S. note 3 to section VI.	Pharma.
2933.99.82	Aromatic or modified aromatic compounds with nitrogen hetero-atom(s) only, excluding products described in additional U.S. note 3 to section VI, nesoi.	Pharma.
2933.99.85	3-Amino-1,2,4-triazole	Pharma.
2933.99.89	Hexamethyleneimine	Pharma.
2933.99.90	Nonaromatic drugs of heterocyclic compounds with nitrogen hetero-atom(s) only, nesoi	Pharma.
2933.99.97	Nonaromatic heterocyclic compounds with nitrogen hetero-atom(s) only, nesoi	Pharma.
2934.10.10	Aromatic or modified aromatic heterocyclic compounds containing an unfused thiazole ring, described in additional U.S. note 3 to section VI.	Pharma.
2934.10.20	Aromatic or modified aromatic heterocyclic compounds, nesoi, containing an unfused thiazole ring	Pharma.
2934.10.70	4,5-Dichloro-2-n-octyl-4-isothiazolin-3-one; thiothiamine hydrochloride; and 4 other specified chemicals	Pharma.
2934.10.90	Other (excluding aromatic or modified aromatic) compounds containing an unfused thiazole ring (whether or not hydrogenated) in the structure.	Pharma.
2934.20.40	Heterocyclic compounds containing a benzothiazole ring-system, not further fused, described in additional U.S. note 3 to section VI.	Pharma.
2934.20.80	Other compounds containing a benzothiazole ring system (whether or not hydrogenated), not further fused.	Pharma.
2934.30.18	Ethyl (1H-phenothiazin-2,4,1)carbamate	Pharma.
2934.30.23	Antidepressants, tranquilizers and other psychotherapeutic agents containing a phenothiazine ring-system, not further fused.	Pharma.
2934.30.27	Other drugs containing a phenothiazine ring system (whether or not hydrogenated), not further fused, nesoi.	Pharma.
2934.30.43	Products described in additional U.S. note 3 to section VI containing a phenothiazine ring system (whether or not hydrogenated), not further fused.	Pharma.
2934.30.50	Heterocyclic compounds containing a phenothiazine ring-system (whether or not hydrogenated), not further fused, nesoi.	Pharma.
2934.91.00	Aminorex (INN), brotizolam (INN), clotiazepam (INN), cloxazolam (INN), dextromoramide (INN), and other specified INNs; salts thereof.	Pharma.
2934.92.00	Other fentanyls and their derivatives, containing an unfused thiazole ring	Pharma.
2934.99.01	Mycophenolate mofetil	Pharma.
2934.99.03	2-Acetylbenzo(b)thiophene; and 2 other specified aromatic or modified aromatic compounds	Pharma.
2934.99.05	5-Amino-3-phenyl-1,2,4-thiadiazole(3-Phenyl-5-amino-1,2,4-thiadiazole); and 3 other specified aromatic/mod. aromatic heterocyclic compounds.	Pharma.
2934.99.06	7-Nitronaphth[1,2]oxadiazole-5-sulfonic acid and its salts	Pharma.
2934.99.07	Ethyl 2-[4-[(6-chloro-2-benzoxazoyl)oxy]phenoxy]propanoate (Fenoxaprop- ethyl)	Pharma.
2934.99.08	2,5-Diphenyloxazole	Pharma.
2934.99.09	1,2-Benzisothiazolin-3-one	Pharma.

HTSUS	Description	Scope limitations
2934.99.11	2-tert-Butyl-4-(2,4-dichloro-5-isopropoxyphenyl)-delta(squared)-1,3,4-oxadiazolin-5-one; Bentazon; Phosalone.	Pharma.
2934.99.12	Aromatic or modified aromatic fungicides of other heterocyclic compounds, nesoi	Pharma.
2934.99.15	Aromatic or modified aromatic herbicides of other heterocyclic compounds, nesoi	Pharma.
2934.99.16	Aromatic or modified aromatic insecticides of other heterocyclic compounds, nesoi	Pharma.
2934.99.18	Aromatic or modified aromatic pesticides nesoi, of other heterocyclic compounds, nesoi	Pharma.
2934.99.20	Aromatic or modified aromatic photographic chemicals of other heterocyclic compounds, nesoi	Pharma.
2934.99.30	Aromatic or modified aromatic drugs of other heterocyclic compounds, nesoi	Pharma.
2934.99.39	Aromatic or modified aromatic, other heterocyclic compounds, described in additional U.S. note 3 to section VI.	Pharma.
2934.99.44	Aromatic or modified aromatic, other heterocyclic compounds, nesoi	Pharma.
2934.99.47	Nonaromatic drugs of other heterocyclic compounds, nesoi	Pharma.
2934.99.70	Morpholinoethyl chloride hydrochloride; 2-Methyl-2,5-dioxo-1-oxa-2-phospholan; and (6R-trans)-7-Amino-3-methyl-8-oxo-5- thia-1-azabicyclo[4.2.0]-oct-2-ene-2- carboxylic acid.	Pharma.
2934.99.90	Nonaromatic other heterocyclic compounds, nesoi	Pharma.
2935.90.06	4-Amino-6-chloro-m-benzenedisulfonamide and Methyl-4-aminobenzenesulfonylcarbamate (Asulam)	Pharma.
2935.90.29	Acetylsulfaguanidine	Pharma.
2935.90.30	Sulfamethazine	Pharma.
2935.90.32	Acetylsulfisoxazole; Sulfacetamide, sodium; and Sulfamethazine, sodium	Pharma.
2935.90.33	Sulfathiazole and Sulfathiazole, sodium	Pharma.
2935.90.42	Salicylazosulfapyridine (Sulfasalazine); Sulfadiazine; Sulfaguanidine; Sulfamerizine; and Sulfapyridine	Pharma.
2935.90.48	Other sulfonamides used as anti-infective agents	Pharma.
2935.90.60	Other sulfonamide drugs (excluding anti-infective agents)	Pharma.
2935.90.75	Other sulfonamides (excluding fast color bases, fast color salts, and drugs) of products described in additional U.S. note 3 to section VI.	Pharma.
2935.90.95	Other sulfonamides, excluding fast color bases, fast color salts, and drugs and products described in additional U.S. note 3 to section VI.	Pharma.
2936.21.00	Vitamins A and their derivatives, unmixed, natural or synthesized	Pharma.
2936.22.00	Vitamin B1 (Thiamine) and its derivatives, unmixed, natural or synthesized	Pharma.
2936.23.00	Vitamin B2 (Riboflavin) and its derivatives, unmixed, natural or synthesized	Pharma.
2936.24.01	Vitamin B5 (D- or DL-Pantothenic acid) and its derivatives, unmixed, natural or synthesized	Pharma.
2936.25.00	Vitamin B6 (Pyridoxine and related compounds with Vitamin B6 activity) and its derivatives, unmixed, natural or synthesized.	Pharma.
2936.26.00	Vitamin B12 (Cyanocobalamin and related compounds with Vitamin B12 activity) and its derivatives, unmixed, natural or synthesized.	Pharma.
2936.27.00	Vitamin C (Ascorbic acid) and its derivatives, unmixed, natural or synthesized	Pharma.
2936.28.00	Vitamin E (Tocopherols and related compounds with Vitamin E activity) and its derivatives, unmixed, natural or synthesized.	Pharma.
2936.29.10	Folic acid and its derivatives, unmixed	Pharma.
2936.29.16	Niacin and niacinamide	Pharma.
2936.29.20	Aromatic or modified aromatic vitamins and their derivatives, nesoi	Pharma.
2936.29.50	Other vitamins and their derivatives, nesoi	Pharma.
2936.90.01	Vitamins or provitamins (including natural concentrates) and intermixtures of the foregoing, whether or not in any solvent.	Pharma.
2937.11.00	Somatotropin, its derivatives and structural analogues	Pharma.
2937.12.00	Insulin and its salts	Pharma.
2937.19.00	Polypeptide hormones, protein hormones and glycoprotein hormones, their derivatives and structural analogues, nesoi.	Pharma.
2937.21.00	Cortisone, hydrocortisone, prednisone (Dehydrocortisone) and prednisolone (Dehydrohydrocortisone)	Pharma.
2937.22.00	Halogenated derivatives of corticosteroidal hormones	Pharma.
2937.23.10	Estrogens and progestins obtained directly or indirectly from animal or vegetable materials	Pharma.
2937.23.25	Estradiol benzoate; and Estradiol cyclopentylpropionate (estradiol cypionate)	Pharma.
2937.23.50	Other estrogens and progestins not derived from animal or vegetable materials, nesoi	Pharma.
2937.29.10	Desonide; and Nandrolone phenpropionate	Pharma.
2937.29.90	Steroidal hormones, their derivatives and structural analogues, nesoi	Pharma.
2937.50.00	Prostaglandins, thromboxanes and leukotrienes, their derivatives and structural analogues	Pharma.
2937.90.05	Epinephrine	Pharma.
2937.90.10	Epinephrine hydrochloride	Pharma.
2937.90.20	Catecholamine hormones, their derivatives and structural analogues, nesoi	Pharma.
2937.90.40	l-Thyroxine(Levothyroxine), sodium	Pharma.
2937.90.45	Amino-acid derivatives of hormones and their derivatives, nesoi	Pharma.
2937.90.90	Other hormones, their derivatives and structural analogues, other steroid derivatives and structural analogue used primarily as hormones, nesoi.	Pharma.
2938.10.00	Rutoside (Rutin) and its derivatives	Pharma.
2938.90.00	Glycosides, natural or synthesized, and their salts, ethers, esters, and other derivatives other than rutoside and its derivatives.	Pharma.
2939.11.00	Concentrates of poppy straw; buprenorphine (INN), codeine, dihydrocodeine (INN), ethylmorphine, and other specified INNs; salts thereof.	Pharma.
2939.19.10	Papaverine and its salts	Pharma.
2939.19.20	Synthetic alkaloids of opium, their derivatives and salts thereof, nesoi	Pharma.
2939.19.50	Nonsynthetic alkaloids of opium, their derivatives and salts thereof, nesoi	Pharma.
2939.20.00	Alkaloids of cinchona, their derivatives and salts thereof, other than quinine and its salts	Pharma.
2939.30.00	Caffeine and its salts	Pharma.
2939.41.00	Ephedrine and its salts	Pharma.

HTSUS	Description	Scope limitations
2939.42.00	Pseudoephedrine and its salts	Pharma.
2939.43.00	Cathine (INN) and its salts	Pharma.
2939.44.00	Norephedrine and its salts	Pharma.
2939.45.00	Levometamfetamine, metamfetamine (INN), metamfetamine racemate and their salts	Pharma.
2939.49.03	Alkaloids of ephedra and their salts, other than ephedrine, pseudoephedrine, cathine, norephedrine, levometamfetamine and their salts.	Pharma.
2939.51.00	Fenetylline (INN) its salts	Pharma.
2939.59.00	Theophylline aminophylline (Theophylline-ethylenediamine), their derivatives and salts thereof, nesoi	Pharma.
2939.61.00	Ergometrine and its salts	Pharma.
2939.62.00	Ergotamine and its salts	Pharma.
2939.63.00	Lysergic acid and its salts	Pharma.
2939.69.00	Alkaloids of rye ergot, their derivatives and salts thereof, nesoi	Pharma.
2939.72.00	Cocaine, ecgonine; salts, esters and other derivatives thereof	Pharma.
2939.79.00	Vegetable alkaloids, natural or reproduced by synthesis, their salts and other derivatives, nesoi	Pharma.
2939.80.00	Other alkaloids, natural or reproduced by synthesis, and their salts, ethers, esters and other derivatives, nesoi.	Pharma.
2940.00.60	Other sugars, nesoi, excluding d-arabinose	Pharma.
2941.10.10	Ampicillin and its salts	Pharma.
2941.10.20	Penicillin G salts	Pharma.
2941.10.30	Carfecillin, sodium; cloxacillin, sodium; dicloxacillin, sodium; flucloxacillin (Floxacillin); and oxacillin, sodium.	Pharma.
2941.10.50	Penicillins and their derivatives nesoi, with a penicillanic acid structure; salts thereof	Pharma.
2941.20.50	Streptomycins and their derivatives; salts thereof, nesoi	Pharma.
2941.30.00	Tetracyclines and their derivatives; salts thereof	Pharma.
2941.40.00	Chloramphenicol and their derivatives; salts thereof	Pharma.
2941.50.00	Erythromycin and their derivatives; salts thereof	Pharma.
2941.90.10	Natural antibiotics, nesoi	Pharma.
2941.90.30	Antibiotics nesoi, aromatic or modified aromatic, other than natural	Pharma.
2941.90.50	Antibiotics nesoi, other than aromatic or modified aromatic antibiotics	Pharma.
2942.00.03	[2,2′-Thiobis(4-(1,1,3,3-tetramethyl-n-butyl)phenolato)(2,1)]-O,O′,S-s(1-butanamine), nickel II	Pharma.
2942.00.05	Aromatic or modified aromatic drugs of other organic compounds, nesoi	Pharma.
2942.00.10	Aromatic or modified aromatic organic compounds, nesoi, described in additional U.S. note 3 to section VI.	Pharma.
2942.00.35	Other aromatic or modified aromatic organic compounds (excluding products described in additional U.S. note 3 to section VI).	Pharma.
2942.00.50	Nonaromatic organic compounds, nesoi	Pharma.
3001.20.00	Extracts of glands or other organs or of their secretions for organotherapeutic uses	Pharma.
3001.90.01	Glands and other organs for organotherapeutic uses, dried, whether or not powdered	Pharma.
3002.12.00	Antisera and other blood fractions including human blood and fetal bovine serum	Pharma.
3002.13.00	Immunological products, unmixed, not put up in measured doses or in forms or packings for retail sale	Pharma.
3002.14.00	Immunological products, mixed, not put up in measured doses or in forms or packings for retail sale	Pharma.
3002.15.00	Immunological products, put up in measured doses or in forms or packings for retail sale	Pharma.
3002.41.00	Vaccines for human medicine	Pharma.
3002.42.00	Vaccines for veterinary medicine	Pharma.
3002.49.00	Toxins or cultures of micro-organisms (excluding yeasts)	Pharma.
3002.51.00	Cell therapy products	Pharma.
3002.59.00	Other cell cultures, other than cell therapy products	Pharma.
3002.90.10	Ferments, excluding yeasts	Pharma.
3002.90.52	Human blood; animal blood prepared for therapeutic, prophylactic, diagnostic uses; antisera; antiallergenic preparations nesoi and like products.	Pharma.
3003.10.00	Medicaments, containing penicillins or streptomycins, not dosage form and not packed for retail	Pharma.
3003.20.00	Medicaments containing antibiotics, nesoi, not dosage form and not packed for retail	Pharma.
3003.31.00	Medicaments containing insulin, not dosage form and not packed for retail	Pharma.
3003.39.10	Medicaments containing artificial mixtures of natural hormones, but not antibiotics, not dosage form and not packed for retail.	Pharma.
3003.39.50	Medicaments containing products of heading 2937, nesoi, but not antibiotics, not dosage form and not packed for retail.	Pharma.
3003.41.00	Medicaments containing ephedrine or its salts, not dosage form and not packed for retail	Pharma.
3003.42.00	Medicaments containing pseudoephedrine (INN) or its salts, not dosage form and not packed for retail	Pharma.
3003.43.00	Medicaments containing norephedrine or its salts, not dosage form and not packed for retail	Pharma.
3003.49.00	Other medicaments containing alkaloids or derivatives thereof, nesoi, not dosage form and not packed for retail.	Pharma.
3003.60.00	Other medicaments containing antimalarial active principles described in subheading note 2 to this chapter, not dosage form and not packed for retail.	Pharma.
3003.90.01	Other medicaments (excluding goods of heading 3002, 3005 or 3006) consisting of two or more constituents mixed together for therapeutic or prophylactic uses, not dosage form and not packed for retail.	Pharma.
3004.10.10	Medicaments containing penicillin G salts, in dosage form or packed for retail	Pharma.
3004.10.50	Medicaments containing penicillins or streptomycins, nesoi, in dosage form or packed for retail	Pharma.
3004.20.00	Medicaments containing antibiotics, nesoi, in dosage form or packed for retail	Pharma.
3004.31.00	Medicaments containing insulin, in dosage form or packed for retail	Pharma.
3004.32.00	Medicaments containing adrenal cortical hormones, in dosage form or packed for retail	Pharma.
3004.39.00	Medicaments containing products of heading 2937 nesoi, in dosage form or packed for retail	Pharma.
3004.41.00	Medicaments containing ephedrine or its salts, in dosage form or packed for retail	Pharma.

HTSUS	Description	Scope limitations
3004.42.00	Medicaments containing pseudoephedrine (INN) or its salts, in dosage form or packed for retail	Pharma.
3004.43.00	Medicaments containing norephedrine or its salts, in dosage form or packed for retail	Pharma.
3004.49.00	Other medicaments containing alkaloids or derivatives thereof, nesoi, in dosage form or packed for retail.	Pharma.
3004.50.10	Medicaments containing vitamin B2 synthesized from aromatic or modified aromatic compounds, in dosage form or packed for retail.	Pharma.
3004.50.20	Medicaments containing vitamin B12 synthesized from aromatic or modified aromatic compounds, in dosage form or packed for retail.	Pharma.
3004.50.30	Medicaments containing vitamin E synthesized from aromatic or modified aromatic compounds, in dosage form or packed for retail.	Pharma.
3004.50.40	Medicaments containing vitamins nesoi, synthesized from aromatic or modified aromatic compounds, in dosage form or packed for retail.	Pharma.
3004.50.50	Medicaments containing vitamins or other products of heading 2936, nesoi, in dosage form or packed for retail.	Pharma.
3004.60.00	Other medicaments containing antimalarial active principles described in subheading note 2 to this chapter, in dosage form or packed for retail.	Pharma.
3004.90.10	Medicaments containing antigens or hyaluronic acid or its sodium salt, nesoi, in dosage form or packed for retail.	Pharma.
3004.90.92	Medicaments nesoi, in dosage form or packed for retail	Pharma.
3006.30.10	Opacifying preparation for X-ray examination; diagnostic reagents designed to be administered to the patient; all containing antigens or antisera.	Pharma.
3006.30.50	Opacifying preparations for X-ray examinations; diagnostic reagents designed to be administered to the patient, nesoi.	Pharma.
3006.60.00	Chemical contraceptive preparations based on hormones or spermicides	Pharma.
3006.70.00	Gel preparations designed to be used in human/veterinary medicine as a lubricant in surgical operation, physical exam or coupling agent between body and medical instrument.	Pharma.
3006.92.00	Waste pharmaceuticals	Pharma.
3006.93.10	Placebos and blinded clinical trial kits, put up in measured doses, packaged with medicinal preparations.	Pharma.
3006.93.20	Placebos and blinded clinical trial kits, put up in measured doses, containing over 10% by dry weight of sugar.	Pharma.
3006.93.50	Placebos and blinded clinical trial kits, put up in measured doses, containing ingredients having nutritional value.	Pharma.
3006.93.60	Placebos and blinded clinical trial kits, put up in measured doses, in liquid form for oral intake	Pharma.
3006.93.80	Placebos and blinded clinical trial kits, put up in measured doses, containing other chemicals other than medicaments.	Pharma.
3104.20.00	Potassium chloride.	
3104.30.00	Potassium sulfate.	
3104.90.01	Mineral or chemical fertilizers, potassic, nesoi.	
3203.00.80	Coloring matter of vegetable or animal origin, nesoi	Pharma.
3204.13.60	Basic dyes and preparations based thereon, described in additional U.S note 3 to section VI	Pharma.
3204.13.80	Basic dyes and preparations based thereon, nesoi	Pharma.
3204.18.00	Carotenoid coloring matters and preparations based thereon	Pharma.
3204.90.00	Synthetic organic coloring matter or preparations based thereon, nesoi; synthetic organic products used as luminophores.	Pharma.
3206.11.00	Pigments and preparations based on titanium dioxide, containing 80 percent or more by weight of titanium dioxide calculated on the dry weight.	
3206.19.00	Pigments and preparations based on titanium dioxide, nesoi.	
3301.29.51	Essential oils other than those of citrus fruit, other, nesoi, for religious purposes only	Ex.
3401.30.10	Organic surface-active products for washing skin, in liquid or cream form, containing any aromatic or modified aromatic surface-active agent, put up for retail.	Pharma.
3402.42.10	Non-ionic organic surface-active agents, aromatic or modified aromatic	Pharma.
3402.42.20	Fatty substances of animal, vegetable or microbial origin; non-ionic organic surface-active agents, other than aromatic or modified aromatic.	Pharma.
3402.42.90	Non-ionic organic surface-active agents, other than fatty substances of animal, vegetable or microbial origin, other than aromatic or modified aromatic.	Pharma.
3402.50.11	Preparations of organic surface-active agents, put up for retail sale, containing any aromatic or modified aromatic surface-active agent.	Pharma.
3507.90.70	Enzymes and prepared enzymes, nesoi	Pharma.
3606.90.30	Ferrocerium and other pyrophoric alloys in all forms.	
3802.10.00	Activated carbon	Pharma.
3808.59.40	Disinfectants specified in subheading note 1 to chapter 38	Pharma.
3808.59.50	Pesticides, nesoi, specified in subheading note 1 to chapter 38	Pharma.
3808.61.50	Pesticides, nesoi, not exceeding 300g, specified in subheading note 2 to chapter 38	Pharma.
3808.94.10	Disinfectants, containing any aromatic or modified aromatic disinfectant	Pharma.
3808.94.50	Disinfectants not included in subheading note 1 of chapter 38, nesoi	Pharma.
3812.31.00	Mixtures of oligomers of 2,2,4-trimethyl-1,2-dihydroquinoline (TMQ)	Pharma.
3815.11.00	Supported catalysts with nickel or nickel compounds as the active substance	Pharma.
3815.12.00	Supported catalysts with precious metal or precious metal compounds as the active substance	Pharma.
3815.90.50	Reaction initiators, reaction accelerators and catalytic preparations, nesoi	Pharma.
3823.11.00	Stearic acid.	
3823.12.00	Oleic acid.	
3823.19.20	Industrial monocarboxylic fatty acids or acid oils from refining derived from coconut, palm-kernel, or palm oil.	

HTSUS	Description	Scope limitations
3823.70.40	Industrial fatty alcohols, other than oleyl, derived from fatty substances of animal or vegetable origin.	
3824.81.00	Chemical mixtures containing oxirane (ethylene oxide)	Pharma.
3824.82.10	Goods specified in subheading note 3 to chapter 38, containing PCBs, PCTs or PBBs, chlorinated but not otherwise halogenated, nesoi.	Pharma.
3824.82.90	Goods specified in subheading note 3 to chapter 38, containing PCBs, PCTs or PBBs, other than chlorinated only, nesoi.	Pharma.
3824.83.00	Containing tris(2,3-dibromopropyl) phosphate	Pharma.
3824.84.00	Other mixtures containing aldrin, camphechlor (toxaphene), chlordane, chlordecone, DDT (clofenatone), 1,1,1-trichloro-2,2-bis(p-chlorophenyl)ethane), dieldrin, endosulfan, endrin, heptachlor or mirex.	Pharma.
3824.85.00	Mixtures containing 1,2,3,4,5,6-hexachlorocyclohexane (HCH (ISO)), including lindane (ISO,INN)	Pharma.
3824.86.00	Mixtures containing pentachlorobenzene (ISO) or hexachlorobenzene (ISO)	Pharma.
3824.87.00	Mixtures containing perfluorooctane sulfonic acid, its salts, perfluorooctane sulfonamides, or perfluorooctane sulfonyl fluoride.	Pharma.
3824.88.00	Mixtures containing tetra-, penta-, hexa-, hepta-, or octabromodiphenyl ethers	Pharma.
3824.89.00	Mixtures containing short-chain chlorinated paraffins	Pharma.
3824.91.00	Mixtures consisting mainly of methylphosphonate etc.	Pharma.
3824.92.00	Polyglycol esters mixtures of methylphosphonic acid	Pharma.
3824.99.25	Mixtures of triphenyl sulfonium chloride, diphenyl (4-phenylthio)phenyl sulfonium chloride and (thiodi-4,1- phenylene)bis(diphenyl sulfonium) dichloride.	Pharma.
3824.99.29	Mixtures containing 5% or more by weight of one or more aromatic or modified aromatic substance, nesoi.	Pharma.
3824.99.49	Mixtures that are in whole or in part of hydrocarbons derived in whole or in part from petroleum, shale oil or natural gas.	Pharma.
3824.99.50	Mixtures chlorinated but not otherwise halogenated	Pharma.
3824.99.55	Mixtures of halogenated hydrocarbons, nesoi	Pharma.
3826.00.30	Biodiesel containing less than 70% petroleum or bituminous oil	Pharma.
3827.13.00	Mixtures containing carbon tetrachloride	Pharma.
3827.14.00	Mixtures containing methyl chloroform	Pharma.
3827.40.00	Mixtures containing bromomethane or bromochloromethane	Pharma.
3901.90.90	Polymers of ethylene, nesoi, in primary forms, other than elastomeric	Pharma.
3902.90.00	Polymers of propylene or of other olefins, nesoi, in primary forms	Pharma.
3904.61.00	Polytetrafluoroethylene (PTFE), in primary forms	Pharma.
3905.91.10	Copolymers of vinyl esters or other vinyls, in primary forms, containing by weight 50% or more of derivatives of vinyl acetate.	Pharma.
3905.91.50	Copolymers of vinyl esters or other vinyls, in primary forms, nesoi	Pharma.
3905.99.80	Polymers of vinyl esters or other vinyl polymers, in primary forms, nesoi	Pharma.
3906.90.50	Acrylic polymers (except plastics or elastomers), in primary forms, nesoi	Pharma.
3907.10.00	Polyacetals in primary forms	Pharma.
3907.21.00	Bis(polyoxyethylene) methylphosphonate	Pharma.
3907.70.00	Poly(lactic acid)	Pharma.
3908.10.00	Polyamide-6, -11, -12, -6,6, -6,9, -6,10 or -6,12 in primary form	Pharma.
3908.90.20	Bis(4-amino-3-methylcyclohexyl)methaneisophthalic acid-laurolactam copolymer	Pharma.
3909.10.00	Urea resins; thiourea resins	Pharma.
3909.40.00	Phenolic resins	Pharma.
3911.20.00	Poly(1,3-phenylene methylphosphonate)	Pharma.
3911.90.25	Thermoplastic polysulfides, polysulfones and other products specified in note 3 to chapter 39, containing aromatic monomer units or derived therefrom.	Pharma.
3911.90.45	Thermosetting polysulfides, polysulfones and other products specified in note 3 to chapter 39, containing aromatic monomer units or derived therefrom.	Pharma.
3911.90.91	Polysulfides, polysulfones and other products specified in note 3 to chapter 39, nesoi	Pharma.
3912.20.00	Cellulose nitrates (including collodions), in primary forms	Pharma.
3912.31.00	Carboxymethylcellulose and its salts	Pharma.
3912.39.00	Cellulose ethers, other than carboxymethylcellulose and its salts, in primary forms	Pharma.
3912.90.00	Cellulose and its chemical derivatives, nesoi, in primary forms	Pharma.
3913.90.20	Polysaccharides and their derivatives, nesoi, in primary forms	Pharma.
3913.90.50	Natural polymers and modified natural polymers, nesoi, in primary forms	Pharma.
3914.00.20	Cross-linked polyvinylbenzyltrimethylammonium chloride (Cholestyramine resin USP)	Pharma.
3914.00.60	Ion-exchangers based on polymers of headings 3901 to 3913, in primary forms, nesoi	Pharma.
3917.21.00	Tubes, pipes and hoses, rigid, of polymers of ethylene	Aircraft.
3917.22.00	Tubes, pipes and hoses, rigid, of polymers of propylene	Aircraft.
3917.23.00	Tubes, pipes and hoses, rigid, of polymers of vinyl chloride	Aircraft.
3917.29.00	Tubes, pipes and hoses, rigid, of other plastics nesoi	Aircraft.
3917.31.00	Flexible plastic tubes, pipes and hoses, having a minimum burst pressure of 27.6 MPa	Aircraft.
3917.33.00	Flexible plastic tubes, pipes and hoses, nesoi, with fittings, not reinforced or otherwise combined with other materials.	Aircraft.
3917.39.00	Flexible plastic tubes, pipes and hoses, nesoi	Aircraft.
3917.40.00	Fittings of plastics, for plastic tubes, pipes and hoses, nesoi	Aircraft.
3926.90.45	Gaskets, washers and other seals, of plastics	Aircraft.
3926.90.94	Cards, not punched, suitable for use as, or in making, jacquard cards; Jacquard cards and jacquard heads for power-driven weaving machines, and parts thereof; and transparent sheeting of plastics containing 30% or more by weight of lead.	Aircraft.
3926.90.96	Casing for bicycle derailleur cables; and casing for cable or inner wire for caliper and cantilever brakes, whether or not cut to length; of plastic.	Aircraft.
3926.90.99	Other articles of plastic, nesoi	Aircraft.

HTSUS	Description	Scope limitations
4008.29.20	Rods and profile shapes of vulcanized, noncellular rubber, other than hard rubber	Aircraft.
4009.12.00	Tubes, pipes and hoses of vulcanized rubber other than hard rubber, not reinforced or combined with other materials, with fittings.	Aircraft.
4009.22.00	Tubes, pipes and hoses of vulcanized rubber other than hard rubber, reinforced or combined only with metal, with fittings.	Aircraft.
4009.32.00	Tubes, pipes and hoses of vulcanized rubber other than hard rubber, reinforced or combined only with textile materials, with fittings.	Aircraft.
4009.42.00	Tubes, pipes and hoses of vulcanized rubber other than hard rubber, reinforced or combined with other materials nesoi, with fittings.	Aircraft.
4011.30.00	New pneumatic tires, of rubber, of a kind used on aircraft	Aircraft.
4012.13.00	Retreaded pneumatic tires, of rubber, of a kind used on aircraft	Aircraft.
4012.20.10	Used pneumatic tires of rubber, for aircraft	Aircraft.
4016.10.00	Articles of vulcanized cellular rubber other than hard rubber	Aircraft.
4016.93.50	Gaskets, washers and other seals, of noncellular vulcanized rubber other than hard rubber, not for use in automotive goods of chapter 87.	Aircraft.
4016.99.35	Articles made of noncellular vulcanized natural rubber, not used as vibration control goods in vehicles of headings 8701 through 8705, nesoi.	Aircraft.
4016.99.60	Articles of noncellular vulcanized synthetic rubber other than hard rubber	Aircraft.
4017.00.00	Hard rubber (for example, ebonite) in all forms, including waste and scrap; articles of hard rubber	Aircraft.
4501.10.00	Natural cork, raw or simply prepared.	
4501.90.20	Waste cork.	
4501.90.40	Crushed, granulated or ground cork.	
4502.00.00	Natural cork, debacked or roughly squared or in rectangular blocks, plates, sheets or strip (including sharp-edged blanks for corks or stoppers).	
4503.10.20	Corks and stoppers of natural cork, tapered and of a thickness (or length) greater than the maximum diameter, not over 19mm maximum diameter.	
4503.10.30	Corks and stoppers wholly of natural cork, tapered and of a thickness (or length) greater than the maximum diameter, over 19mm maximum diameter.	
4503.10.40	Corks and stoppers of natural cork, tapered and of a thickness (or length) greater than the maximum diameter, over 19mm maximum diameter, nesoi.	
4503.10.60	Corks and stoppers of natural cork, of a thickness (or length) not greater than the maximum diameter.	
4503.90.20	Disks, wafers and washers of natural cork.	
4503.90.40	Natural cork wallcoverings, backed with paper or otherwise reinforced.	
4503.90.60	Articles of natural cork, other than corks and stoppers.	
4504.10.10	Vulcanized sheets and slabs wholly of agglomerated ground or pulverized cork and rubber.	
4504.10.20	Insulation of compressed agglomerated cork, coated or not coated.	
4504.10.30	Floor coverings of agglomerated cork.	
4504.10.40	Agglomerated cork wallcoverings, backed with paper or otherwise reinforced.	
4504.10.45	Agglomerated cork stoppers, not tapered, wholly of cork, of a thickness (or length) greater than the maximum diameter.	
4504.10.47	Corks, stoppers, disks, wafers and washers of agglomerated cork, nesoi.	
4504.10.50	Blocks, plates, sheets and strip; tiles of any shape; solid cylinder; all the foregoing of cork; all the foregoing, nesoi.	
4504.90.00	Agglomerated cork and articles of cork, nesoi.	
4823.90.10	Articles of paper pulp, nesoi	Aircraft.
4823.90.20	Articles of papier-mâché, nesoi	Aircraft.
4823.90.31	Cards of paper or paperboard, nesoi, not punched, for punchcard machines, whether or not in strips	Aircraft.
4823.90.40	Frames or mounts for photographic slides of paper or paperboard	Aircraft.
4823.90.50	Hand fans of paper or paperboard	Aircraft.
4823.90.60	Gaskets, washers and other seals of coated paper or paperboard	Aircraft.
4823.90.67	Coated paper or paperboard, nesoi	Aircraft.
4823.90.70	Articles of cellulose wadding, nesoi	Aircraft.
4823.90.80	Gaskets, washers and other seals of paper, paperboard and webs of cellulose fibers, nesoi	Aircraft.
4823.90.86	Articles of paper pulp, paper, paperboard, cellulose wadding or webs of cellulose fibers, nesoi	Aircraft.
5004.00.00	Silk yarns (other than yarn spun from silk waste), not put up for retail sale.	
5005.00.00	Yarn spun from silk waste, not put up for retail sale.	
5006.00.10	Spun yarn, containing 85% or more by weight of silk, put up for retail sale; silkworm gut.	
5006.00.90	Spun silk yarn, containing less than 85% by weight of silk, put up for retail sale.	
5007.10.30	Woven fabrics of noil silk, containing 85% or more by weight of silk or silk waste.	
5007.10.60	Woven fabrics of noil silk, containing less than 85% by weight of silk or silk waste.	
5007.20.00	Woven fabrics containing 85% or more by weight of silk or silk waste, other than noil silk.	
5007.90.30	Woven silk fabrics, containing 85% or more by weight of silk or silk waste, nesoi.	
6812.80.90	Articles or mixtures of crocidolite, nesoi	Aircraft.
6812.99.10	Paper, millboard and felt of asbestos, other than crocidolite	Aircraft.
6812.99.20	Compressed asbestos (other than crocidolite) fiber jointing, in sheets or rolls	Aircraft.
6812.99.90	Articles of mixtures of or with a basis of asbestos, nesoi, other than crocidolite	Aircraft.
6813.20.00	Friction material and articles thereof, containing asbestos	Aircraft.
6813.81.00	Brake linings and pads not containing asbestos	Aircraft.
6813.89.00	Friction material and articles thereof with a basis of mineral substances (other than asbestos) or of cellulose, nesoi.	Aircraft.
7007.21.11	Laminated safety glass windshields, of size and shape suitable for incorporation in vehicles (other than for goods of headings 8701 through 8705), aircraft, spacecraft or vessels.	Aircraft.
7101.10.30	Natural pearls, graded and temporarily strung for convenience of transport.	
7101.10.60	Natural pearls, not strung, mounted or set.	

HTSUS	Description	Scope limitations
7102.10.00	Diamonds, unsorted, whether or not worked.	
7102.31.00	Nonindustrial diamonds, unworked or simply sawn, cleaved or bruted.	
7102.39.00	Nonindustrial diamonds, worked, but not mounted or set.	
7103.10.20	Precious stones (other than diamonds) and semiprecious stones, unworked.	
7103.10.40	Precious stones (other than diamonds) and semiprecious stones, simply sawn or roughly shaped.	
7103.91.00	Rubies, sapphires and emeralds, worked, whether or not graded, but not strung, mounted or set.	
7103.99.10	Precious or semiprecious stones, nesoi, cut but not set, suitable for use in the manufacture of jewelry.	
7103.99.50	Precious or semiprecious stones, nesoi, worked, whether or not graded, but not strung, mounted or set.	
7110.11.00	Platinum, unwrought or in powder form.	
7110.19.00	Platinum, in semimanufactured forms.	
7110.21.00	Palladium, unwrought or in powder form.	
7110.29.00	Palladium, in semimanufactured forms.	
7110.31.00	Rhodium, unwrought or in powder form.	
7110.39.00	Rhodium, in semimanufactured forms.	
7110.41.00	Iridium, osmium and ruthenium, unwrought or in powder form.	
7110.49.00	Iridium, osmium and ruthenium, in semimanufactured forms.	
7112.92.01	Platinum waste and scrap, including metal clad with platinum, excluding sweepings containing other precious metals, other than goods of heading 8549.	
7118.90.00	Coins, nesoi.	
7201.10.00	Nonalloy pig iron containing by weight 0.5% or less of phosphorus.	
7201.20.00	Nonalloy pig iron containing by weight more than 0.5% of phosphorus.	
7201.50.30	Alloy pig iron in blocks or other primary forms.	
7202.11.10	Ferromanganese containing by weight more than 2% but not more than 4% of carbon.	
7202.11.50	Ferromanganese containing by weight more than 4% of carbon.	
7202.19.10	Ferromanganese containing by weight not more than 1% of carbon.	
7202.19.50	Ferromanganese containing by weight more than 1% but not more than 2% of carbon.	
7202.30.00	Ferrosilicon manganese.	
7202.41.00	Ferrochromium containing by weight more than 4% of carbon.	
7202.49.10	Ferrochromium containing by weight more than 3% but not more than 4% of carbon.	
7202.49.50	Ferrochromium containing by weight 3% or less of carbon.	
7202.50.00	Ferrosilicon chromium.	
7202.60.00	Ferronickel.	
7202.80.00	Ferrotungsten and ferrosilicon tungsten.	
7202.91.00	Ferrotitanium and ferrosilicon titanium.	
7202.93.40	Ferroniobium containing by weight less than 0.02% of phosphorus or sulfur or less than 0.4% of silicon.	
7202.93.80	Ferroniobium, nesoi.	
7204.21.00	Stainless steel waste and scrap.	
7205.10.00	Pig iron, spiegeleisen, and iron or steel granules.	
7304.31.30	Iron (other than cast) or nonalloy steel, seamless, cold-drawn or cold-rolled, hollow bars with circular cross section.	Aircraft.
7304.31.60	Iron (other than cast) or nonalloy steel, seamless, cold-drawn or cold-rolled, tubes, pipes and hollow profiles, with circular cross section, nesoi.	Aircraft.
7304.39.00	Iron (other than cast) or nonalloy steel, seamless, not cold-drawn or cold-rolled, tubes, pipes and hollow profiles, with circular cross section, nesoi.	Aircraft.
7304.41.30	Stainless steel, seamless, cold-drawn or cold-rolled, tubes, pipes and hollow profiles, with circular cross section and external diameter of less than 19mm.	Aircraft.
7304.41.60	Stainless steel, seamless, cold-drawn or cold-rolled, tubes, pipes and hollow profiles, with circular cross section and external diameter of 19mm or more.	Aircraft.
7304.49.00	Stainless steel, seamless, not cold-drawn or cold-rolled, tubes, pipes and hollow profiles, with circular cross section.	Aircraft.
7304.51.10	Alloy steel (other than stainless), seamless, cold-drawn or cold-rolled, tubes, pipes and hollow profiles, with circular cross section, for manufacture of ball or roller bearings.	Aircraft.
7304.51.50	Alloy steel (other than stainless), seamless, cold-drawn or cold-rolled, tubes, pipes and hollow profiles, with circular cross section, nesoi.	Aircraft.
7304.59.10	Alloy steel (other than stainless), seamless, not old-drawn or cold-rolled, tubes, pipes and hollow profiles, with circular cross section, for manufacture of ball or roller bearings.	Aircraft.
7304.59.20	Alloy steel (other than stainless), seamless, not cold-drawn or cold-rolled, tubes, pipes and hollow profiles, with circular cross section, for boilers, heaters, etc..	Aircraft.
7304.59.60	Heat-resisting alloy steel (other than stainless), seamless, not cold-drawn or cold-rolled, tubes, pipes and hollow profiles, with circular cross section, nesoi.	Aircraft.
7304.59.80	Alloy steel (other than heat-resist or stainless), seamless, not cold-drawn or cold-rolled, tubes, pipes and hollow profiles, with circular cross section, nesoi.	Aircraft.
7304.90.10	Iron (other than cast) or nonalloy steel, seamless, tubes, pipes and hollow profiles, other than circular cross section, with wall thickness of 4 mm or more.	Aircraft.
7304.90.30	Alloy steel (other than stainless), seamless, tubes, pipes and hollow profiles, other than circular cross section, with wall thickness of 4 mm or more.	Aircraft.
7304.90.50	Iron (other than cast) or nonalloy steel, seamless, tubes, pipes and hollow profiles, other than circular cross section, with wall thickness of less than 4 mm.	Aircraft.
7304.90.70	Alloy steel (other than stainless), seamless, tubes, pipes and hollow profiles, other than circular cross section, with wall thickness of less than 4 mm.	Aircraft.
7306.30.10	Iron or nonalloy steel, welded, with circular cross section and external diameter of 406.4mm or less, tubes, pipes and hollow profiles, with wall thickness of less than 1.65 mm.	Aircraft.
7306.30.30	Nonalloy steel, welded, with circular cross-section and external diameter 406.4mm or less, tapered pipes and tubes, with wall thickness of 1.65 mm+, principally used as parts of illuminating articles.	Aircraft.

HTSUS	Description	Scope limitations
7306.30.50	Iron or nonalloy steel, welded, with circular cross section and external diameter of 406.4mm or less, pipes, tubes and hollow profiles, with wall thickness of 1.65 mm or more.	Aircraft.
7306.40.10	Stainless steel, welded, with circular cross section and external diameter of 406.4mm or less, tubes, pipes and hollow profiles, with wall thickness of less than 1.65 mm.	Aircraft.
7306.40.50	Stainless steel, welded, with circular cross section and external diameter of 406.4mm or less, tubes, pipes and hollow profiles, with wall thickness of 1.65 mm or more.	Aircraft.
7306.50.10	Alloy steel (other than stainless), welded, with circular cross section and external diameter of 406.4mm or less, tubes, pipes and hollow profiles, with wall thickness of less than 1.65 mm.	Aircraft.
7306.50.30	Alloy steel (other than stainless), welded, with circular cross section and external diameter 406.4mm or less, tapered pipes and tubes, with wall thickness of 1.65 mm or more, principally used as parts of illuminating articles.	Aircraft.
7306.50.50	Alloy steel (other than stainless), welded, with circular cross section and external diameter of 406.4mm or less, tubes, pipes and hollow profiles, with wall thickness of 1.65 mm or more.	Aircraft.
7306.61.10	Iron or nonalloy steel, welded, with square or rectangular cross section, tubes, pipes and hollow profiles, with wall thickness of 4 mm or more.	Aircraft.
7306.61.30	Alloy steel, welded, with square or rectangular cross section, tubes, pipes and hollow profiles, with wall thickness of 4 mm or more.	Aircraft.
7306.61.50	Iron or nonalloy steel, welded, with square or rectangular cross section, tubes, pipes and hollow profiles, with wall thickness of less than 4 mm.	Aircraft.
7306.61.70	Alloy steel, welded, with square or rectangular cross section, tubes, pipes and hollow profiles, with wall thickness of less than 4 mm.	Aircraft.
7306.69.10	Iron or nonalloy steel, welded, with other non-circular cross section, tubes, pipes and hollow profiles, with wall thickness of 4 mm or more.	Aircraft.
7306.69.30	Alloy steel, welded, with other non-circular cross-section, tubes, pipes and hollow profiles, with wall thickness of 4 mm or more.	Aircraft.
7306.69.50	Iron or nonalloy steel, welded, with other non-circular cross section, tubes, pipes and hollow profiles, with wall thickness of less than 4 mm.	Aircraft.
7306.69.70	Alloy steel, welded, with other non-circular cross section, tubes, pipes and hollow profiles, with wall thickness of less than 4 mm.	Aircraft.
7312.10.05	Stainless steel, stranded wire, not electrically insulated, fitted with fittings or made up into articles	Aircraft.
7312.10.10	Stainless steel, stranded wire, not electrically insulated, not fitted with fittings or made up into articles ...	Aircraft.
7312.10.20	Iron or steel (other than stainless), stranded wire, not electrically insulated, fitted with fittings or made up into articles.	Aircraft.
7312.10.30	Iron or steel (other than stainless), stranded wire, not electrically insulated, not fitted with fittings or made up into articles.	Aircraft.
7312.10.50	Stainless steel, ropes, cables and cordage (other than stranded wire), not electrically insulated, fitted with fittings or made up into articles.	Aircraft.
7312.10.60	Stainless steel, ropes, cables and cordage (other than stranded wire), not electrically insulated, not fitted with fittings or made up into articles.	Aircraft.
7312.10.70	Iron or steel (other than stainless), ropes, cables and cordage (other than stranded wire), not electrically insulated, fitted with fittings or made up into articles.	Aircraft.
7312.10.80	Iron or steel (other than stainless), ropes, cables and cordage, of brass plated wire (other than stranded wire), not electrically insulated, without fittings or articles.	Aircraft.
7312.10.90	Iron or steel (other than stainless), ropes, cables and cordage, other than of brass plate wire (other than stranded wire), not electrically insulated, without fittings or articles.	Aircraft.
7312.90.00	Iron or steel (other than stainless), plaited bands, slings and the like, not electrically insulated	Aircraft.
7322.90.00	Iron or steel, non-electrically heated air heaters and hot air distributors with motor driven fan or blower and parts thereof.	Aircraft.
7324.10.00	Stainless steel, sinks and wash basins	Aircraft.
7324.90.00	Iron or steel, sanitary ware (other than baths or stainless steel sinks and wash basins) and parts thereof.	Aircraft.
7326.20.00	Iron or steel, articles of wire, nesoi	Aircraft.
7413.00.90	Copper, stranded wire, cables, plaited bands and the like, not electrically insulated, fitted with fittings or made up into articles.	Aircraft.
7501.10.00	Nickel mattes.	
7502.10.00	Nickel (other than alloy), unwrought.	
7502.20.00	Nickel alloys, unwrought.	
7503.00.00	Nickel, waste and scrap.	
7504.00.00	Nickel, powders and flakes.	
7508.90.50	Nickel, articles of nesoi	Pharma.
7608.10.00	Aluminum (other than alloy), tubes and pipes	Aircraft.
7608.20.00	Aluminum alloy, tubes and pipes	Aircraft.
7901.11.00	Zinc (other than alloy), unwrought, containing 99.99% or more by weight of zinc.	
7901.12.10	Zinc (other than alloy), unwrought, casting-grade zinc, containing at least 97.5% but less than 99.99% by weight of zinc.	
7901.12.50	Zinc (other than alloy), unwrought, other than casting-grade zinc, containing at least 97.5% but less than 99.99% by weight of zinc.	
7901.20.00	Zinc alloy, unwrought.	
7902.00.00	Zinc, waste and scrap.	
7903.90.30	Zinc, powders.	
7907.00.60	Zinc, articles (other than for household, table or kitchen use), nesoi	Pharma.
8001.10.00	Tin (other than alloy), unwrought.	
8001.20.00	Tin alloy, unwrought.	
8002.00.00	Tin, waste and scrap.	

HTSUS	Description	Scope limitations
8007.00.50	Tin, articles nesoi	Pharma.
8101.10.00	Tungsten, powders.	
8101.97.00	Tungsten waste and scrap.	
8103.20.00	Tantalum, unwrought (including bars and rods obtained simply by sintering); tantalum powders.	
8103.30.00	Tantalum waste and scrap.	
8103.91.00	Tantalum, crucibles.	
8104.11.00	Magnesium, unwrought, containing at least 99.8% by weight of magnesium.	
8104.19.00	Magnesium, unwrought, nesoi.	
8104.20.00	Magnesium, waste and scrap.	
8104.30.00	Magnesium, raspings, turnings and granules graded according to size; magnesium powders.	
8104.90.00	Magnesium, articles nesoi.	
8105.20.30	Cobalt alloys, unwrought.	
8105.20.60	Cobalt (other than alloys), unwrought.	
8105.20.90	Cobalt, mattes and other intermediate products of cobalt metallurgy; cobalt powders.	
8105.30.00	Cobalt waste and scrap.	
8106.10.00	Bismuth (including waste and scrap) and articles thereof, containing more than 99.99% of bismuth by weight.	
8106.90.00	Bismuth (including waste and scrap) and articles thereof, containing 99.99% of bismuth or less, nesoi.	
8108.20.00	Titanium, unwrought; titanium powders.	
8108.30.00	Titanium waste and scrap.	
8108.90.60	Wrought titanium, nesoi	Aircraft.
8110.10.00	Antimony, unwrought; antimony powders.	
8110.20.00	Antimony waste and scrap.	
8110.90.00	Articles of antimony, nesoi.	
8111.00.47	Unwrought manganese flake containing at least 99.5% by weight of manganese.	
8111.00.49	Unwrought manganese, nesoi.	
8112.21.00	Chromium, unwrought; chromium powders.	
8112.22.00	Chromium waste and scrap.	
8112.41.10	Rhenium, waste and scrap.	
8112.41.50	Rhenium, unwrought; rhenium powders.	
8112.59.00	Articles of thallium, nesoi	Pharma.
8112.92.07	Waste and scrap of gallium, germanium, indium, niobium, or vanadium.	
8112.92.10	Gallium, unwrought; gallium powders.	
8112.92.30	Indium, unwrought; indium powders.	
8112.92.40	Niobium (columbium), unwrought; niobium powders.	
8112.92.60	Germanium, unwrought.	
8112.92.65	Germanium powder, wrought.	
8112.99.10	Germanium nesoi and articles thereof.	
8112.99.91	Articles of gallium, indium, or niobium, nesoi.	
8302.10.60	Iron or steel, aluminum, or zinc hinges and base metal parts thereof, not designed for motor vehicles ...	Aircraft.
8302.10.90	Base metal (other than iron or steel or aluminum or zinc) hinges and base metal parts thereof	Aircraft.
8302.20.00	Base metal castors and base metal parts thereof	Aircraft.
8302.42.30	Iron or steel, aluminum, or zinc mountings, fittings and similar articles, suitable for furniture, and base metal parts thereof.	Aircraft.
8302.42.60	Base metal (other than iron or steel or aluminum or zinc) mountings, fittings and similar articles, suitable for furniture, and base metal parts thereof.	Aircraft.
8302.49.40	Base metal harness, saddlery or riding-bridle hardware, not coated or plated with precious metal, and base metal parts thereof.	Aircraft.
8302.49.60	Iron or steel, aluminum, or zinc, mountings, fittings and similar articles nesoi, and base metal parts thereof.	Aircraft.
8302.49.80	Base metal (other than iron or steel or aluminum or zinc) mountings, fittings and similar articles nesoi, and base metal parts thereof.	Aircraft.
8302.60.30	Base metal automatic door closers	Aircraft.
8307.10.30	Iron or steel flexible tubing, with fittings	Aircraft.
8307.90.30	Base metal (other than iron or steel) flexible tubing, with fittings	Aircraft.
8407.10.00	Spark-ignition reciprocating or rotary internal combustion piston engines for use in aircraft	Aircraft.
8408.90.90	Compression-ignition internal-combustion piston engines, for machinery or equipment, nesoi	Aircraft.
8409.10.00	Parts for internal combustion aircraft engines	Aircraft.
8411.11.40	Aircraft turbojets of a thrust not exceeding 25 kN	Aircraft.
8411.11.80	Turbojets of a thrust not exceeding 25 kN, other than aircraft	Aircraft.
8411.12.40	Aircraft turbojets of a thrust exceeding 25 kN	Aircraft.
8411.12.80	Turbojets of a thrust exceeding 25 kN, other than aircraft	Aircraft.
8411.21.40	Aircraft turbopropellers of a power not exceeding 1,100 kW	Aircraft.
8411.21.80	Turbopropellers of a power not exceeding 1,100 kW, other than aircraft	Aircraft.
8411.22.40	Aircraft turbopropellers of a power exceeding 1,100 kW	Aircraft.
8411.22.80	Turbopropellers of a power exceeding 1,100 kW, other than aircraft	Aircraft.
8411.81.40	Aircraft gas turbines other than turbojets or turbopropellers, of a power not exceeding 5,000 kW	Aircraft.
8411.82.40	Aircraft gas turbines other than turbojets or turbopropellers, of a power exceeding 5,000 kW	Aircraft.
8411.91.10	Cast-iron parts of turbojets or turbopropellers, not advanced beyond cleaning, machined only for removal of fins, gates, sprues and risers, or to permit location in machinery.	Aircraft.
8411.91.90	Parts of turbojets or turbopropellers other than those of subheading 8411.91.10	Aircraft.
8411.99.10	Cast-iron parts of gas turbines nesoi, not advanced beyond cleaning, and machined for removal of fins, gates, sprues and risers.	Aircraft.
8411.99.90	Parts of gas turbines nesoi, other than those of subheading 8411.99.10	Aircraft.

HTSUS	Description	Scope limitations
8412.10.00	Reaction engines other than turbojets	Aircraft.
8412.21.00	Hydraulic power engines and motors, linear acting (cylinders)	Aircraft.
8412.29.40	Hydrojet engines for marine propulsion	Aircraft.
8412.29.80	Hydraulic power engines and motors, nesoi	Aircraft.
8412.31.00	Pneumatic power engines and motors, linear acting (cylinders)	Aircraft.
8412.39.00	Pneumatic power engines and motors, other than linear acting	Aircraft.
8412.80.10	Spring-operated and weight-operated motors	Aircraft.
8412.80.90	Engines and motors, nesoi (excluding motors of heading 8501)	Aircraft.
8412.90.90	Parts for engines of heading 8412 other than hydrojet engines for marine propulsion	Aircraft.
8413.19.00	Pumps for liquids fitted or designed to be fitted with a measuring device, nesoi	Aircraft.
8413.20.00	Hand pumps other than those of subheading 8413.11 or 8413.19, not fitted with a measuring device	Aircraft.
8413.30.10	Fuel-injection pumps for compression-ignition engines, not fitted with a measuring device	Aircraft.
8413.30.90	Fuel, lubricating or cooling medium pumps for internal-combustion piston engines, not fitted with a measuring device, nesoi.	Aircraft.
8413.50.00	Reciprocating positive displacement pumps for liquids, not fitted with a measuring device, nesoi	Aircraft.
8413.60.00	Rotary positive displacement pumps for liquids, not fitted with a measuring device, nesoi	Aircraft.
8413.70.10	Stock pumps imported for use with machines for making cellulosic pulp, paper or paperboard, not fitted with a measuring device.	Aircraft.
8413.70.20	Centrifugal pumps for liquids, not fitted with a measuring device, nesoi	Aircraft.
8413.81.00	Pumps for liquids, not fitted with a measuring device, nesoi	Aircraft.
8413.91.10	Parts of fuel-injection pumps for compression-ignition engines	Aircraft.
8413.91.20	Parts of stock pumps imported for use with machines for making cellulosic pulp, paper or paperboard ..	Aircraft.
8413.91.90	Parts of pumps, nesoi	Aircraft.
8414.10.00	Vacuum pumps	Aircraft.
8414.20.00	Hand-operated or foot-operated air pumps	Aircraft.
8414.30.40	Compressors of a kind used in refrigerating equipment (including air conditioning) not exceeding ¼ horsepower.	Aircraft.
8414.30.80	Compressors of a kind used in refrigerating equipment (including air conditioning) exceeding ¼ horsepower.	Aircraft.
8414.51.30	Ceiling fans for permanent installation, with a self-contained electric motor of an output not exceeding 125 W.	Aircraft.
8414.51.90	Table, floor, wall, window or roof fans, with a self-contained electric motor of an output not exceeding 125 W.	Aircraft.
8414.59.30	Turbocharger and supercharger fans	Aircraft.
8414.59.65	Other fans, nesoi	Aircraft.
8414.80.05	Turbocharger and supercharger air compressors	Aircraft.
8414.80.16	Air compressors, nesoi	Aircraft.
8414.80.20	Gas compressors, nesoi	Aircraft.
8414.80.90	Air or gas pumps, compressors and fans, nesoi	Aircraft.
8414.90.10	Parts of fans (including blowers) and ventilating or recycling hoods	Aircraft.
8414.90.30	Stators and rotors of goods of subheading 8414.30	Aircraft.
8414.90.41	Parts of air or gas compressors, nesoi	Aircraft.
8414.90.91	Parts of air or vacuum pumps, ventilating or recycling hoods, gas-tight biological safety cabinets	Aircraft.
8415.10.60	Window or wall type air conditioning machines, split-system, incorporating a refrigerating unit and valve for reversal of cooling/heat cycle.	Aircraft.
8415.10.90	Window or wall type air conditioning machines, split-system, nesoi	Aircraft.
8415.81.01	Air conditioning machines incorporating a refrigerating unit and valve for reversal of cooling/heat cycle, nesoi.	Aircraft.
8415.82.01	Air conditioning machines incorporating a refrigerating unit, nesoi	Aircraft.
8415.83.00	Air conditioning machines not incorporating a refrigerating unit	Aircraft.
8415.90.40	Chassis, chassis bases and other outer cabinets for air conditioning machines, ...	Aircraft.
8415.90.80	Parts for air conditioning machines, nesoi	Aircraft.
8418.10.00	Combined refrigerator-freezers, fitted with separate external doors, electric or other	Aircraft.
8418.30.00	Freezers of the chest type, not exceeding 800 liters capacity, electric or other	Aircraft.
8418.40.00	Freezers of the upright type, not exceeding 900 liters capacity, electric or other	Aircraft.
8418.61.01	Heat pumps, other than the air-conditioning machines of heading 8415	Aircraft.
8418.69.01	Refrigerating or freezing equipment nesoi	Aircraft.
8419.50.10	Brazed aluminum plate-fin heat exchangers	Aircraft.
8419.50.50	Heat exchange units, nesoi	Aircraft.
8419.81.50	Cooking stoves, ranges and ovens, other than microwave, for making hot drinks or for cooking or heating food, not used for domestic purposes.	Aircraft.
8419.81.90	Machinery and equipment nesoi, for making hot drinks or for cooking or heating food, not used for domestic purposes.	Aircraft.
8419.90.10	Parts of instantaneous or storage water heaters	Aircraft.
8419.90.20	Parts of machinery and plant, for making paper pulp, paper or paperboard	Aircraft.
8419.90.30	Parts of heat exchange units	Aircraft.
8419.90.50	Parts of molten-salt-cooled acrylic acid reactors, nesoi; parts of certain medical, surgical or laboratory sterilizers, nesoi.	Aircraft.
8419.90.85	Parts of electromechanical tools for work in the hand, with self-contained electric motor, for treatment of materials by change in temperature.	Aircraft.
8421.19.00	Centrifuges, other than cream separators or clothes dryers	Aircraft.
8421.21.00	Machinery and apparatus for filtering or purifying water	Aircraft.
8421.23.00	Oil or fuel filters for internal combustion engines	Aircraft.
8421.29.00	Filtering or purifying machinery and apparatus for liquids, nesoi	Aircraft.

HTSUS	Description	Scope limitations
8421.31.00	Intake air filters for internal combustion engines	Aircraft.
8421.32.00	Catalytic converters; particulate filters for internal combustion engines	Aircraft.
8421.39.01	Filtering or purifying machinery and apparatus for gases, other than intake air filters or catalytic converters, for internal combustion engines.	Aircraft.
8424.10.00	Fire extinguishers, whether or not charged	Aircraft.
8425.11.00	Pulley tackle and hoists other than skip hoists or hoists used for raising vehicles, powered by electric motor.	Aircraft.
8425.19.00	Pulley tackle and hoists other than skip hoists or hoists used for raising vehicles, not powered by electric motor.	Aircraft.
8425.31.01	Winches nesoi, and capstans, powered by electric motor	Aircraft.
8425.39.01	Winches nesoi, and capstans, not powered by electric motor	Aircraft.
8425.42.00	Hydraulic jacks and hoists, nesoi	Aircraft.
8425.49.00	Jacks and hoists of a kind used for raising vehicles, other than hydraulic, nesoi	Aircraft.
8426.99.00	Derricks, cranes and other lifting machinery nesoi	Aircraft.
8428.10.00	Passenger or freight elevators other than continuous action; skip hoists	Aircraft.
8428.20.00	Pneumatic elevators and conveyors	Aircraft.
8428.33.00	Belt type continuous-action elevators and conveyors, for goods or materials	Aircraft.
8428.39.00	Continuous-action elevators and conveyors, for goods or materials, nesoi	Aircraft.
8428.90.03	Machinery for lifting, handling, loading or unloading, nesoi	Aircraft.
8443.31.00	Multifunction units (machines which perform two or more of the functions of printing, copying or facsimile transmission, capable of connecting to an automatic data processing machine or to a network).	Aircraft.
8443.32.10	Printer units, capable of connecting to an automatic data processing machine or to a network	Aircraft.
8443.32.50	Single function units other than printer units (machines which perform only one of the functions of printing, copying or facsimile transmission).	Aircraft.
8471.41.01	Automatic data processing machines, nonportable or over 10 kg, comprising in the same housing at least a central processing unit and an input and output unit, whether or not combined.	Aircraft.
8471.49.00	Automatic data processing machines, nesoi, entered in the form of systems (consisting of at least a central processing unit, and an input and output unit).	Aircraft.
8471.50.01	Processing units other than those of subheading 8471.41 and 8471.49, nesoi	Aircraft.
8471.60.10	Combined input/output units for automatic data processing machines not entered with the rest of a system.	Aircraft.
8471.60.20	Keyboards for automatic data processing machines not entered with the rest of a system	Aircraft.
8471.60.70	Input or output units suitable for physical incorporation into an automatic data processing machine or unit thereof, nesoi, not entered with the rest of a system.	Aircraft.
8471.60.80	Optical scanners and magnetic ink recognition devices not entered with the rest of an automatic data processing system.	Aircraft.
8471.60.90	Other input or output units of digital automatic data processing machines, nesoi, not entered with the rest of a system.	Aircraft.
8471.70.10	Automatic data processing magnetic disk drive storage units, disk diameter exceeding 21 cm, without read-write unit assembled therein; read-write units; all not entered with the rest of a system.	Aircraft.
8471.70.20	Automatic data processing magnetic disk drive storage units, disk diameter exceeding 21 cm, for incorporation into automatic data processing machines or units, not entered with the rest of a system.	Aircraft.
8471.70.30	Automatic data processing magnetic disk drive storage units, disk diameter exceeding 21 cm, nesoi, not entered with the rest of a system.	Aircraft.
8471.70.40	Automatic data processing magnetic disk drive storage units, disk diameter not exceeding 21 cm, not assembled in cabinets, without attached external power supply, not entered with the rest of a system.	Aircraft.
8471.70.50	Automatic data processing magnetic disk drive storage units, disk diameter not exceeding 21 cm, nesoi, not entered with the rest of a system.	Aircraft.
8471.70.60	Automatic data processing storage units other than magnetic disk, not assembled in cabinets for placing on a table etc., not entered with the rest of a system.	Aircraft.
8471.70.90	Automatic data processing storage units other than magnetic disk drive units, nesoi, not entered with the rest of a system.	Aircraft.
8479.89.10	Air humidifiers or dehumidifiers with self-contained electric motor, other than for domestic purposes	Aircraft.
8479.89.20	Floor polishers with self-contained electric motor, other than for domestic purposes	Aircraft.
8479.89.65	Electromechanical appliances with self-contained electric motor, nesoi	Aircraft.
8479.89.70	Carpet sweepers, not electromechanical with self-contained electric motor	Aircraft.
8479.89.95	Other machines and mechanical appliances having individual functions, not specified or included elsewhere in chapter 84, nesoi.	Aircraft.
8479.90.41	Parts of floor polishers of subheading 8479.89.20; parts of carpet sweepers	Aircraft.
8479.90.45	Parts of trash compactors, frame assemblies	Aircraft.
8479.90.55	Parts of trash compactors, ram assemblies	Aircraft.
8479.90.65	Parts of trash compactors, container assemblies	Aircraft.
8479.90.75	Parts of trash compactors, cabinets or cases	Aircraft.
8479.90.85	Parts of trash compactors, nesoi	Aircraft.
8479.90.95	Parts of machines and mechanical appliances having individual functions, not specified or included elsewhere in chapter 84, nesoi.	Aircraft.
8483.10.10	Camshafts and crankshafts for use solely or principally with spark-ignition internal-combustion piston or rotary engines.	Aircraft.
8483.10.30	Camshafts and crankshafts nesoi	Aircraft.
8483.10.50	Transmission shafts and cranks other than camshafts and crankshafts	Aircraft.
8483.30.40	Bearing housings of the flange, take-up, cartridge and hanger unit type	Aircraft.
8483.30.80	Bearing housings nesoi; plain shaft bearings	Aircraft.
8483.40.10	Torque converters	Aircraft.

HTSUS	Description	Scope limitations
8483.40.30	Fixed, multiple and variable ratio speed changers, imported for use with machines for making cellulosic pulp, paper or paperboard.	Aircraft.
8483.40.50	Fixed, multiple and variable ratio speed changers, not imported for use with machines for making cellulosic pulp, paper or paperboard.	Aircraft.
8483.40.70	Speed changers other than fixed, multiple and variable ratio speed changers	Aircraft.
8483.40.80	Ball or roller screws	Aircraft.
8483.40.90	Gears and gearing, other than toothed wheels, chain sprockets and other transmission elements entered separately.	Aircraft.
8483.50.40	Gray-iron awning or tackle pulleys, not over 6.4 cm in wheel diameter	Aircraft.
8483.50.60	Flywheels, nesoi	Aircraft.
8483.50.90	Pulleys, including pulley blocks, nesoi	Aircraft.
8483.60.40	Clutches and universal joints	Aircraft.
8483.60.80	Shaft couplings (other than universal joints)	Aircraft.
8483.90.10	Chain sprockets and parts thereof	Aircraft.
8483.90.20	Parts of flange, take-up, cartridge and hanger units	Aircraft.
8483.90.30	Parts of bearing housings and plain shaft bearings, nesoi	Aircraft.
8483.90.50	Parts of gearing, gear boxes and other speed changers	Aircraft.
8483.90.80	Parts of transmission equipment, nesoi	Aircraft.
8484.10.00	Gaskets and similar joints of metal sheeting combined with other material or of two or more layers of metal.	Aircraft.
8484.90.00	Sets or assortments of gaskets and similar joints dissimilar in composition, put up in pouches, envelopes or similar packings.	Aircraft.
8501.20.50	Universal AC/DC motors of an output exceeding 735 W but under 746 W	Aircraft.
8501.20.60	Universal AC/DC motors of an output of 746 W or more	Aircraft.
8501.31.50	DC motors, nesoi, of an output exceeding 735 W but under 746 W	Aircraft.
8501.31.60	DC motors nesoi, of an output of 746 W but not exceeding 750 W	Aircraft.
8501.31.81	DC generators, other than photovoltaic generators, of an output not exceeding 750 W	Aircraft.
8501.32.20	DC motors nesoi, of an output exceeding 750 W but not exceeding 14.92 kW	Aircraft.
8501.32.55	DC motors nesoi, of an output exceeding 14.92 kW but not exceeding 75 kW, nesoi	Aircraft.
8501.32.61	DC generators, other than photovoltaic generators, of an output exceeding 750 W but not exceeding 75 kW.	Aircraft.
8501.33.20	DC motors nesoi, of an output exceeding 75 kW but under 149.2 kW	Aircraft.
8501.33.30	DC motors, nesoi, 149.2 kW or more but not exceeding 150 kW	Aircraft.
8501.33.61	DC generators, other than photovoltaic generators, of an output exceeding 75 kW but not exceeding 375 kW.	Aircraft.
8501.34.61	DC generators, other than photovoltaic generators, of an output exceeding 375 kW	Aircraft.
8501.40.50	AC motors, nesoi, single-phase, exceeding 735 W but under 746 W	Aircraft.
8501.40.60	AC motors nesoi, single-phase, of 746 W or more	Aircraft.
8501.51.50	AC motors, nesoi, multi-phase, of an output exceeding 735 W but under 746 W	Aircraft.
8501.51.60	AC motors nesoi, multi-phase of an output of 746 W but not exceeding 750 W	Aircraft.
8501.52.40	AC motors nesoi, multi-phase, of an output exceeding 750 W but not exceeding 14.92 kW	Aircraft.
8501.52.80	AC motors nesoi, multi-phase, of an output exceeding 14.92 kW but not exceeding 75 kW	Aircraft.
8501.53.40	AC motors nesoi, multi-phase, of an output exceeding 75 kW but under 149.2 kW	Aircraft.
8501.53.60	AC motors, nesoi, multi-phase, 149.2 kW or more but not exceeding 150 kW	Aircraft.
8501.61.01	AC generators (alternators), other than photovoltaic generators, of an output not exceeding 75 kVA	Aircraft.
8501.62.01	AC generators (alternators), other than photovoltaic generators, of an output exceeding 75 kVA but not exceeding 375 kVA.	Aircraft.
8501.63.01	AC generators (alternators), other than photovoltaic generators, of an output exceeding 375 kVA but not exceeding 750 kVA.	Aircraft.
8501.71.00	Photovoltaic DC generators, of an output not exceeding 50 W	Aircraft.
8501.72.10	Photovoltaic DC generators, of an output exceeding 50 W but not exceeding 750 W	Aircraft.
8501.72.20	Photovoltaic DC generators, of an output exceeding 750 W but not exceeding 75 kW	Aircraft.
8501.72.30	Photovoltaic DC generators, of an output exceeding 75 kW but not exceeding 375 kW	Aircraft.
8501.72.90	Photovoltaic DC generators, of an output exceeding 375 kW	Aircraft.
8501.80.10	Photovoltaic AC generators, of an output not exceeding 75 kVA	Aircraft.
8501.80.20	Photovoltaic AC generators, of an output exceeding 75 kVA but not exceeding 375 kVA	Aircraft.
8501.80.30	Photovoltaic AC generators, of an output exceeding 375 kVA but not exceeding 750 kVA	Aircraft.
8502.11.00	Electric generating sets with compression-ignition internal-combustion piston engines, of an output not exceeding 75 kVA.	Aircraft.
8502.12.00	Electric generating sets with compression-ignition internal-combustion piston engines, of an output exceeding 75 kVA but not over 375 kVA.	Aircraft.
8502.13.00	Electric generating sets with compression-ignition internal-combustion piston engines, of an output exceeding 375 kVA.	Aircraft.
8502.20.00	Electric generating sets with spark-ignition internal-combustion piston engines	Aircraft.
8502.31.00	Wind-powered electric generating sets	Aircraft.
8502.39.00	Electric generating sets, nesoi	Aircraft.
8502.40.00	Electric rotary converters	Aircraft.
8504.10.00	Ballasts for discharge lamps or tubes	Aircraft.
8504.31.20	Unrated electrical transformers other than liquid dielectric, having a power handling capacity not exceeding 1 kVA.	Aircraft.
8504.31.40	Electrical transformers other than liquid dielectric, having a power handling capacity less than 1 kVA	Aircraft.
8504.31.60	Electrical transformers other than liquid dielectric, having a power handling capacity of l kVA	Aircraft.
8504.32.00	Electrical transformers other than liquid dielectric, having a power handling capacity exceeding 1 kVA but not exceeding 16 kVA.	Aircraft.

HTSUS	Description	Scope limitations
8504.33.00	Electrical transformers other than liquid dielectric, having a power handling capacity exceeding 16 kVA but not exceeding 500 kVA.	Aircraft.
8504.40.40	Electrical speed drive controllers for electric motors (static converters)	Aircraft.
8504.40.60	Power supplies suitable for physical incorporation into automatic data processing machines or units thereof of heading 8471.	Aircraft.
8504.40.70	Power supplies for automatic data processing machines or units thereof of heading 8471, nesoi	Aircraft.
8504.40.85	Static converters (for example, rectifiers) for telecommunication apparatus	Aircraft.
8504.40.95	Static converters (for example, rectifiers), nesoi	Aircraft.
8504.50.40	Other inductors for power supplies for ADP machines and units of heading 8471 or for telecommunication apparatus.	Aircraft.
8504.50.80	Other inductors, nesoi	Aircraft.
8507.10.00	Lead-acid storage batteries of a kind used for starting piston engines	Aircraft.
8507.20.80	Lead-acid storage batteries other than of a kind used for starting piston engines or as the primary source of power for electric vehicles.	Aircraft.
8507.30.80	Nickel-cadmium storage batteries, other than of a kind used as the primary source of power for electric vehicles.	Aircraft.
8507.50.00	Nickel-metal hydride batteries	Aircraft.
8507.60.00	Lithium-ion batteries	Aircraft.
8507.80.82	Other storage batteries nesoi, other than of a kind used as the primary source of power for electric vehicles.	Aircraft.
8507.90.40	Parts of lead-acid storage batteries, including separators therefor	Aircraft.
8507.90.80	Parts of storage batteries, including separators therefor, other than parts of lead-acid storage batteries	Aircraft.
8511.10.00	Spark plugs	Aircraft.
8511.20.00	Ignition magnetos, magneto-dynamos and magnetic flywheels	Aircraft.
8511.30.00	Distributors and ignition coils	Aircraft.
8511.40.00	Starter motors and dual purpose starter-generators	Aircraft.
8511.50.00	Generators nesoi, of a kind used in conjunction with spark-ignition or compression-ignition internal-combustion engines.	Aircraft.
8511.80.20	Voltage and voltage-current regulators with cut-out relays designed for use on 6, 12 or 24 V systems	Aircraft.
8511.80.40	Voltage and voltage-current regulators with cut-out relays other than those designed for use on 6, 12 or 24 V systems.	Aircraft.
8511.80.60	Electrical ignition or starting equipment of a kind used for spark-ignition internal-combustion or compression-ignition engines, nesoi.	Aircraft.
8514.20.40	Industrial or laboratory microwave ovens for making hot drinks or for cooking or heating food	Aircraft.
8516.80.40	Electric heating resistors assembled only with simple insulated former and electrical connectors, used for anti-icing or de-icing.	Aircraft.
8516.80.80	Electric heating resistors, nesoi	Aircraft.
8517.13.00	Smartphones for cellular networks or for other wireless of networks	Aircraft.
8517.14.00	Other telephones for cellular networks or for other wireless of networks, other than smartphones	Aircraft.
8517.61.00	Base stations	Aircraft.
8517.62.00	Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus.	Aircraft.
8517.69.00	Other apparatus for transmission or reception of voice, images or other data, nesoi, but not apparatus of headings 8443, 8525, 8527 or 8528.	Aircraft.
8517.71.00	Aerials and aerial reflectors of all kinds; parts suitable for use therewith	Aircraft.
8518.10.40	Microphones having a frequency range of 300Hz-3.4kHz with diameter not over 10 mm and height not over 3 mm, for telecommunication.	Aircraft.
8518.10.80	Microphones and stands therefor, nesoi	Aircraft.
8518.21.00	Single loudspeakers mounted in their enclosures	Aircraft.
8518.22.00	Multiple loudspeakers mounted in the same enclosure	Aircraft.
8518.29.40	Loudspeakers not mounted in their enclosures, with frequency range of 300Hz to 3.4kHz, with a diameter not over 50 mm, for telecommunication.	Aircraft.
8518.29.80	Loudspeakers nesoi, not mounted in their enclosures, nesoi	Aircraft.
8518.30.10	Line telephone handsets	Aircraft.
8518.30.20	Headphones, earphones and combined microphone/speaker sets, other than telephone handsets	Aircraft.
8518.40.10	Audio-frequency electric amplifiers for use as repeaters in line telephony	Aircraft.
8518.40.20	Audio-frequency electric amplifiers, other than for use as repeaters in line telephony	Aircraft.
8518.50.00	Electric sound amplifier sets	Aircraft.
8519.81.10	Transcribing machines	Aircraft.
8519.81.20	Cassette players (non-recording) designed exclusively for motor-vehicle installation	Aircraft.
8519.81.25	Cassette players (non-recording), nesoi	Aircraft.
8519.81.30	Sound reproducing apparatus nesoi, not incorporating a sound recording device	Aircraft.
8519.81.41	Other sound recording and reproducing apparatus using magnetic tape, optical media, or semiconductor media.	Aircraft.
8519.89.10	Record players, other than coin- or token-operated, without loudspeaker	Aircraft.
8519.89.20	Record players, other than coin- or token-operated, with loudspeakers	Aircraft.
8519.89.30	Sound recording and reproducing apparatus, nesoi	Aircraft.
8521.10.30	Color, cartridge or cassette magnetic tape-type video players	Aircraft.
8521.10.60	Color, cartridge or cassette magnetic tape-type video recording and reproducing apparatus, nesoi	Aircraft.
8521.10.90	Magnetic tape-type video recording or reproducing apparatus, other than color, cartridge or cassette type.	Aircraft.
8522.90.25	Assemblies and subassemblies of articles of subheading 8520.90, consisting of 2 or more pieces fastened together, printed circuit assemblies.	Aircraft.

HTSUS	Description	Scope limitations
8522.90.36	Other assemblies and subassemblies of articles of subheading 8520.90, consisting of 2 or more pieces fastened together, other than printed circuit assemblies.	Aircraft.
8522.90.45	Other parts of telephone answering machines, printed circuit assemblies	Aircraft.
8522.90.58	Other parts of telephone answering machines, other than printed circuit assemblies	Aircraft.
8522.90.65	Parts and accessories of apparatus of headings 8519 through 8521, nesoi, printed circuit assemblies	Aircraft.
8522.90.80	Parts and accessories of apparatus of headings 8519 through 8521, nesoi, other than printed circuit assemblies.	Aircraft.
8526.10.00	Radar apparatus	Aircraft.
8526.91.00	Radio navigational aid apparatus, other than radar	Aircraft.
8526.92.10	Radio remote control apparatus for video game consoles	Aircraft.
8526.92.50	Radio remote control apparatus other than for video game consoles	Aircraft.
8528.42.00	Cathode-ray tube monitors capable of directly connecting to and designed for use with an automatic data processing machine of heading 8471.	Aircraft.
8528.52.00	Other monitors capable of directly connecting to and designed for use with an automatic data processing machine of heading 8471.	Aircraft.
8528.62.00	Projectors capable of directly connecting to and designed for use with an automatic data processing machine of heading 8471.	Aircraft.
8529.10.21	Television antennas and antenna reflectors, and parts suitable for use therewith	Aircraft.
8529.10.40	Radar, radio navigational aid and radio remote control antennas and antenna reflectors, and parts suitable for use therewith.	Aircraft.
8529.10.91	Other antennas and antenna reflectors of all kinds and parts, for use	Aircraft.
8529.90.04	Tuners (printed circuit assemblies)	Aircraft.
8529.90.05	Printed circuit boards and ceramic substrates and subassemblies thereof, for color TV, with components listed in additional U.S. note 4 to this chapter.	Aircraft.
8529.90.06	Printed circuit boards and ceramic substrates and subassemblies thereof, for color TV, not with components listed in additional U.S. note 4 to this chapter.	Aircraft.
8529.90.09	Printed circuit assemblies for television cameras	Aircraft.
8529.90.13	Printed circuit assemblies for television apparatus, nesoi	Aircraft.
8529.90.16	Printed circuit assemblies which are subassemblies of radar, radio navigational aid or remote control apparatus, of 2 or more parts joined together.	Aircraft.
8529.90.19	Printed circuit assemblies, nesoi, for radar, radio navigational aid or radio remote control apparatus	Aircraft.
8529.90.21	Other printed circuit assemblies suitable for use solely or principally with the apparatus of headings 8524 to 8528, nesoi.	Aircraft.
8529.90.24	Transceiver assemblies for the apparatus of subheading 8526.10, other than printed circuit assemblies	Aircraft.
8529.90.29	Tuners for television apparatus, other than printed circuit assemblies	Aircraft.
8529.90.33	Subassemblies with 2 or more printed circuit boards or ceramic substrates, for color TV, entered with components in additional U.S. note 4 to this chapter.	Aircraft.
8529.90.36	Subassemblies with 2 or more printed circuit boards or ceramic substrates, for color TV, other	Aircraft.
8529.90.39	Parts of television receivers specified in U.S. note 9 to chapter 85, other than printed circuit assemblies, nesoi.	Aircraft.
8529.90.43	Printed circuit boards and ceramic substrates and subassemblies thereof for color TV, with components listed in additional U.S. note 4 to chapter 85.	Aircraft.
8529.90.46	Combinations of printed circuit boards and ceramic substrates and subassemblies thereof for color TV, with components listed in additional U.S. note 4 to chapter 85.	Aircraft.
8529.90.49	Combinations of parts of television receivers specified in U.S. note 10 to chapter 85, other than printed circuit assemblies, nesoi.	Aircraft.
8529.90.55	Flat panel screen assemblies for TV reception apparatus, color video monitors and video projectors	Aircraft.
8529.90.63	Parts of printed circuit assemblies (including face plates and lock latches) for television cameras	Aircraft.
8529.90.68	Parts of printed circuit assemblies (including face plates and lock latches) for television apparatus other than television cameras.	Aircraft.
8529.90.73	Parts of printed circuit assemblies (including face plates and lock latches) for radar, radio navigational aid or radio remote control app.	Aircraft.
8529.90.77	Parts of printed circuit assemblies (including face plates and lock latches) for other apparatus of headings 8524 to 8528, nesoi.	Aircraft.
8529.90.78	Mounted lenses for use in closed circuit television cameras, separately imported, with or without attached electrical connectors or motors.	Aircraft.
8529.90.81	Other parts of television cameras, nesoi	Aircraft.
8529.90.83	Other parts of television apparatus (other than television cameras), nesoi	Aircraft.
8529.90.87	Parts suitable for use solely or principally with the apparatus of 8524 and 8527 (except television apparatus or cellular phones), nesoi.	Aircraft.
8529.90.88	Subassemblies with 2 or more printed circuit boards or ceramic substrates, except tuners or convergence assemblies, for color TV, entered with components in additional U.S. note 4 to chapter 85.	Aircraft.
8529.90.89	Subassemblies with 2 or more printed circuit boards or ceramic substrates, except tuners or convergence assemblies, for color TV, other.	Aircraft.
8529.90.93	Parts of television apparatus, nesoi	Aircraft.
8529.90.95	Assemblies and subassemblies of radar, radio navigational aid or remote control apparatus, of 2 or more parts joined together, nesoi.	Aircraft.
8529.90.97	Parts suitable for use solely or principally in radar, radio navigational aid or radio remote control apparatus, nesoi.	Aircraft.
8529.90.98	Parts suitable for use solely or principally with the apparatus of headings 8524 through 8528, nesoi	Aircraft.
8531.10.00	Electric burglar or fire alarms and similar apparatus	Aircraft.
8531.20.00	Indicator panels incorporating liquid crystal devices (LCD's) or light emitting diodes (LED's)	Aircraft.
8531.80.15	Doorbells, chimes, buzzers, and similar apparatus	Aircraft.
8531.80.90	Electric sound or visual signaling apparatus, nesoi	Aircraft.

HTSUS	Description	Scope limitations
8536.70.00	Connectors for optical fibers, optical fiber bundles or cables	Aircraft.
8539.10.00	Sealed beam lamp units	Aircraft.
8539.51.00	Light-emitting diode (LED) modules	Aircraft.
8543.70.42	Flight data recorders	Aircraft.
8543.70.45	Other electric synchros and transducers; defrosters and demisters with electric resistors for aircraft	Aircraft.
8543.70.60	Electrical machines and apparatus nesoi, designed for connection to telegraphic or telephonic apparatus, instruments or networks.	Aircraft.
8543.70.80	Microwave amplifiers	Aircraft.
8543.70.91	Digital signal processing apparatus capable of connecting to a wired or wireless network for sound mixing.	Aircraft.
8543.70.95	Touch screens without display capabilities for incorporation in apparatus having a display	Aircraft.
8543.90.12	Parts of physical vapor deposition apparatus of subheading 8543.70	Aircraft.
8543.90.15	Assemblies and subassemblies for flight data recorders, consisting of 2 or more parts pieces fastened together, printed circuit assemblies.	Aircraft.
8543.90.35	Assemblies and subassemblies for flight data recorders, consisting of 2 or more parts pieces fastened together, not printed circuit assemblies.	Aircraft.
8543.90.65	Printed circuit assemblies of flat panel displays other than for reception apparatus for television of heading 8528.	Aircraft.
8543.90.68	Printed circuit assemblies of electrical machines and apparatus, having individual functions, nesoi	Aircraft.
8543.90.85	Parts, nesoi, of flat panel displays other than for reception apparatus for television of heading 8528	Aircraft.
8543.90.88	Parts (other than printed circuit assemblies) of electrical machines and apparatus, having individual functions, nesoi.	Aircraft.
8544.30.00	Insulated ignition wiring sets and other wiring sets of a kind used in vehicles, aircraft or ships	Aircraft.
8801.00.00	Balloons, dirigibles and non-powered aircraft, gliders and hang gliders	Aircraft.
8802.11.01	Helicopters (except unmanned aircraft of heading 8806), with an unladen weight not over 2,000 kg	Aircraft.
8802.12.01	Helicopters (except unmanned aircraft of heading 8806), with an unladen weight over 2,000 kg	Aircraft.
8802.20.01	Airplanes and other powered aircraft (except unmanned aircraft of heading 8806), nesoi, with an unladen weight not over 2,000 kg.	Aircraft.
8802.30.01	Airplanes and other powered aircraft (except unmanned aircraft of heading 8806), nesoi, with an unladen weight over 2,000 kg but not over 15,000 kg.	Aircraft.
8802.40.01	Airplanes and other powered aircraft (except unmanned aircraft of heading 8806), nesoi, with an unladen weight over 15,000 kg.	Aircraft.
8805.29.00	Ground flying trainers and parts thereof, other than air combat simulators	Aircraft.
8807.10.00	Parts of aircraft of headings 8801, 8802 and 8806, propellers and rotors and parts thereof	Aircraft.
8807.20.00	Parts of aircraft of headings 8801, 8802 and 8806, undercarriages and parts thereof	Aircraft.
8807.30.00	Parts of aircraft of headings 8801, 8802 and 8806, for airplanes, helicopters, unmanned aircraft, other than propellers, rotors or undercarriages, nesoi.	Aircraft.
8807.90.90	Parts of aircraft of headings 8801, 8802 and 8806, not for airplanes, helicopters or unmanned aircraft, nesoi.	Aircraft.
9001.90.40	Lenses nesoi, unmounted	Aircraft.
9001.90.50	Prisms, unmounted	Aircraft.
9001.90.60	Mirrors, unmounted	Aircraft.
9001.90.80	Half-tone screens designed for use in engraving or photographic processes, unmounted	Aircraft.
9001.90.90	Optical elements nesoi, unmounted	Aircraft.
9002.90.20	Prisms, mounted, for optical uses	Aircraft.
9002.90.40	Mirrors, mounted, for optical uses	Aircraft.
9002.90.70	Half-tone screens, mounted, designed for use in engraving or photographic processes	Aircraft.
9002.90.85	Mounted lenses suitable for use in, and entered separately from, closed circuit television cameras, with or without attached electrical connectors or motors.	Aircraft.
9002.90.95	Mounted optical elements, nesoi; parts and accessories of mounted optical elements, nesoi	Aircraft.
9014.10.10	Optical direction finding compasses	Aircraft.
9014.10.60	Gyroscopic directing finding compasses, other than electrical	Aircraft.
9014.10.70	Electrical direction finding compasses	Aircraft.
9014.10.90	Direction finding compasses, other than optical instruments, gyroscopic compasses or electrical	Aircraft.
9014.20.20	Optical instruments and appliances (other than compasses) for aeronautical or space navigation	Aircraft.
9014.20.40	Automatic pilots for aeronautical or space navigation	Aircraft.
9014.20.60	Electrical instruments and appliances (other than compasses) for aeronautical or space navigation	Aircraft.
9014.20.80	Nonelectrical instruments and appliances (other than compasses) for aeronautical or space navigation	Aircraft.
9014.90.10	Parts and accessories of automatic pilots for aeronautical or space navigation of subheading 9014.20.40.	Aircraft.
9014.90.20	Parts and accessories of nonelectrical instruments and appliances for aeronautical or space navigation of subheading 9014.20.80.	Aircraft.
9014.90.40	Parts and accessories of nonelectrical navigational instruments and appliances nesoi of subheading 9014.80.50.	Aircraft.
9014.90.60	Parts and accessories of navigational instruments and appliances, nesoi	Aircraft.
9020.00.40	Underwater breathing devices designed as a complete unit to be carried on the person and not requiring attendants, parts and accessories thereof.	Aircraft.
9020.00.60	Breathing appliances, nesoi, and gas masks, except protective masks having neither mechanical parts or replaceable filters, parts, accessories thereof.	Aircraft.
9025.11.20	Clinical thermometers, liquid-filled, for direct reading, not combined with other instruments	Aircraft.
9025.11.40	Liquid-filled thermometers, for direct reading, not combined with other instruments, other than clinical thermometers.	Aircraft.
9025.19.40	Pyrometers, not combined with other instruments	Aircraft.

HTSUS	Description	Scope limitations
9025.19.80	Thermometers, for direct reading, not combined with other instruments, other than liquid-filled thermometers.	Aircraft.
9025.80.10	Electrical hydrometers and similar floating instruments, thermometers, pyrometers, barometers, hygrometers, psychometers, and any combination.	Aircraft.
9025.80.15	Nonelectrical barometers, not combined with other instruments	Aircraft.
9025.80.20	Hydrometers and similar floating instruments, whether or not incorporating a thermometer, non-recording, other than electrical.	Aircraft.
9025.80.35	Hygrometers and psychrometers, non-electrical, non-recording	Aircraft.
9025.80.40	Thermographs, barographs, hygrographs and other recording instruments, other than electrical	Aircraft.
9025.80.50	Combinations of thermometers, barometers and similar temperature and atmosphere measuring and recording instruments, nonelectrical.	Aircraft.
9025.90.06	Other parts and accessories of hydrometers and like floating instruments, thermometers, pyrometers, barometers, hygrometers, psychrometers and combinations.	Aircraft.
9026.10.20	Electrical instruments and apparatus for measuring or checking the flow or level of liquids	Aircraft.
9026.10.40	Flow meters, other than electrical, for measuring or checking the flow of liquids	Aircraft.
9026.10.60	Instruments and apparatus for measuring or checking the level of liquids, other than flow meters, nonelectrical.	Aircraft.
9026.20.40	Electrical instruments and apparatus for measuring or checking the pressure of liquids or gases	Aircraft.
9026.20.80	Instruments and apparatus, other than electrical, for measuring or checking the pressure of liquids or gases.	Aircraft.
9026.80.20	Electrical instruments and apparatus for measuring or checking variables of liquids or gases, nesoi	Aircraft.
9026.80.40	Nonelectrical heat meters incorporating liquid supply meters, and anemometers	Aircraft.
9026.80.60	Nonelectrical instruments and apparatus for measuring or checking variables of liquids or gases, nesoi	Aircraft.
9026.90.20	Parts and accessories of electrical instruments and apparatus for measuring or checking variables of liquids or gases.	Aircraft.
9026.90.40	Parts and accessories of nonelectrical flow meters, heat meters incorporating liquid supply meters and anemometers.	Aircraft.
9026.90.60	Parts and accessories of nonelectrical instruments and apparatus for measuring or checking variables of liquids or gases, nesoi.	Aircraft.
9029.10.80	Revolution counters, production counters, odometers, pedometers and the like, other than taximeters	Aircraft.
9029.20.40	Speedometers and tachometers, other than bicycle speedometers	Aircraft.
9029.90.80	Parts and accessories of revolution counters, production counters, odometers, pedometers and the like, of speedometers nesoi and tachometers.	Aircraft.
9030.10.00	Instruments and apparatus for measuring or detecting ionizing radiations	Aircraft.
9030.20.05	Oscilloscopes and oscillographs, specially designed for telecommunications	Aircraft.
9030.20.10	Oscilloscopes and oscillographs, nesoi	Aircraft.
9030.31.00	Multimeters for measuring or checking electrical voltage, current, resistance or power, without a recording device.	Aircraft.
9030.32.00	Multimeters, with a recording device	Aircraft.
9030.33.34	Resistance measuring instruments	Aircraft.
9030.33.38	Other instruments and apparatus, nesoi, for measuring or checking electrical voltage, current, resistance or power, without a recording device.	Aircraft.
9030.39.01	Instruments and apparatus, nesoi, for measuring or checking electrical voltage, current, resistance or power, with a recording device.	Aircraft.
9030.40.00	Instruments and apparatus specially designed for telecommunications	Aircraft.
9030.84.00	Instruments and apparatus for measuring, checking or detecting electrical quantities or ionizing radiations, nesoi, with a recording device.	Aircraft.
9030.89.01	Instruments and apparatus for measuring, checking or detecting electrical quantities or ionizing radiations, nesoi, without a recording device.	Aircraft.
9030.90.25	Printed circuit assemblies for instruments and apparatus for measuring or detecting ionizing radiation	Aircraft.
9030.90.46	Parts and accessories for instruments and apparatus for measuring or detecting ionizing radiation, nesoi.	Aircraft.
9030.90.66	Printed circuit assemblies for subheadings and apparatus of subheadings 9030.40 and 9030.82	Aircraft.
9030.90.68	Printed circuit assemblies, nesoi	Aircraft.
9030.90.84	Parts and accessories for instruments and apparatus for measuring or checking semiconductor wafers or devices, nesoi.	Aircraft.
9030.90.89	Parts and accessories for articles of subheadings 9030.20 to 9030.40, 9030.83 and 9030.89, nesoi	Aircraft.
9031.80.40	Electron beam microscopes fitted with equipment specifically designed for the handling and transport of semiconductor devices or reticles.	Aircraft.
9031.80.80	Measuring and checking instruments, appliances and machines, nesoi	Aircraft.
9031.90.21	Parts and accessories of profile projectors	Aircraft.
9031.90.45	Bases and frames for the optical coordinate-measuring machines of subheading 9031.49.40	Aircraft.
9031.90.54	Parts and accessories of measuring and checking optical instruments and appliances of subheading 9031.41 or 9031.49.70.	Aircraft.
9031.90.59	Parts and accessories of measuring and checking optical instruments and appliances, other than test benches or profile projectors, nesoi.	Aircraft.
9031.90.70	Parts and accessories of articles of subheading 9031.80.40	Aircraft.
9031.90.91	Parts and accessories of measuring or checking instruments, appliances and machines, nesoi	Aircraft.
9032.10.00	Automatic thermostats	Aircraft.
9032.20.00	Automatic manostats	Aircraft.
9032.81.00	Hydraulic and pneumatic automatic regulating or controlling instruments and apparatus	Aircraft.
9032.89.20	Automatic voltage and voltage-current regulators, designed for use in a 6, 12, or 24 V system	Aircraft.
9032.89.40	Automatic voltage and voltage-current regulators, not designed for use in a 6, 12, or 24 V system	Aircraft.
9032.89.60	Automatic regulating or controlling instruments and apparatus, nesoi	Aircraft.

HTSUS	Description	Scope limitations
9032.90.21	Parts and accessories of automatic voltage and voltage-current regulators designed for use in a 6, 12, or 24 V system, nesoi.	Aircraft.
9032.90.41	Parts and accessories of automatic voltage and voltage-current regulators, not designed for use in a 6, 12, or 24 V system, nesoi.	Aircraft.
9032.90.61	Parts and accessories for automatic regulating or controlling instruments and apparatus, nesoi	Aircraft.
9033.00.90	Other parts and accessories for machines, appliances, instruments or apparatus of chapter 90, nesoi ...	Aircraft.
9104.00.05	Instrument panel clocks for vehicles, air/spacecraft or vessels, clock movement over 50 mm wide, opto-electronic display only, not over $10 each.	Aircraft.
9104.00.10	Instrument panel clocks for vehicles, air/spacecraft or vessels, clock movement over 50 mm wide, electric, not optoelectronic display, not over $10 each.	Aircraft.
9104.00.20	Instrument panel clocks for vehicles, air/spacecraft or vessels, clock movement over 50 mm wide, non-electric, valued not over $10 each.	Aircraft.
9104.00.25	Instrument panel clocks for vehicles, air/spacecraft or vessels, clock movement over 50 mm wide, opto-electronic display only, over $10 each.	Aircraft.
9104.00.30	Instrument panel clocks for vehicles, air/spacecraft or vessels, clock movement over 50 mm wide, electric, not optoelectronic display, over $10 each.	Aircraft.
9104.00.40	Instrument panel clocks for vehicles, air/spacecraft or vessels, clock movement over 50 mm wide, non-electric, valued over $10 each.	Aircraft.
9104.00.45	Instrument panel clocks for vehicles, air/spacecraft or vessels, watch or clock movement not over 50 mm wide, opto-electronic display only.	Aircraft.
9104.00.50	Instrument panel clocks for vehicles, air/spacecraft, vessels, watch or clock movement not over 50 mm wide, electric, not opto-electronic display.	Aircraft.
9104.00.60	Instrument panel clocks for vehicles, air/spacecraft or vessels, clock or watch movement not over 50 mm wide, nonelectric.	Aircraft.
9109.10.50	Clock movements nesoi, complete and assembled, electrically operated, with opto-electronic display only.	Aircraft.
9109.10.60	Clock movements nesoi, complete and assembled, electrically operated, with display nesoi, measuring not over 50 mm in width or diameter.	Aircraft.
9109.90.20	Clock movements, complete and assembled, not electrically operated, measuring not over 50 mm in width or diameter.	Aircraft.
9401.10.40	Seats, of a kind used for aircraft, leather upholstered	Aircraft.
9401.10.80	Seats, of a kind used for aircraft (other than leather upholstered)	Aircraft.
9403.20.00	Furniture (other than seats) of metal nesoi, other than of a kind used in offices	Aircraft.
9403.70.40	Furniture (other than seats and other than of heading 9402) of reinforced or laminated plastics nesoi	Aircraft.
9403.70.80	Furniture (other than seats and other than of heading 9402) of plastics (other than reinforced or laminated) nesoi.	Aircraft.
9405.11.40	Chandeliers and other electric ceiling or wall lighting fittings, of brass, designed for use solely with LED sources.	Aircraft.
9405.11.60	Chandeliers and other electric ceiling or wall lighting fixtures, of base metal (other than brass), designed for use solely with LED sources.	Aircraft.
9405.11.80	Chandeliers and other electric ceiling or wall lighting fixtures, not of base metal, designed for use solely with LED sources.	Aircraft.
9405.19.40	Chandeliers and other electric ceiling or wall lighting fittings, of brass, not designed for use solely with LED sources.	Aircraft.
9405.19.60	Chandeliers and other electric ceiling or wall lighting fixtures, of base metal (other than brass), not designed for use solely with LED sources.	Aircraft.
9405.19.80	Chandeliers and other electric ceiling or wall lighting fixtures, not of base metal, not designed for use solely with LED sources.	Aircraft.
9405.61.20	Illuminated signs, illuminated name plates and the like, of brass, designed for use solely with LED sources.	Aircraft.
9405.61.40	Illuminated signs, illuminated name plates and the like, of base metal (other than brass), designed for use solely with LED sources.	Aircraft.
9405.61.60	Illuminated signs, illuminated name plates and the like, not of base metal, designed for use solely with LED sources.	Aircraft.
9405.69.20	Illuminated signs, illuminated name plates and the like, of brass, not designed for use solely with LED sources.	Aircraft.
9405.69.40	Illuminated signs, illuminated name plates and the like, of base metal (other than brass), not designed for use solely with LED sources.	Aircraft.
9405.69.60	Illuminated signs, illuminated name plates and the like, not of base metal, not designed for use solely with LED sources.	Aircraft.
9405.92.00	Parts of lamps, lighting fixtures, illuminated signs and the like, of plastics	Aircraft.
9405.99.20	Parts of lamps, lighting fixtures, illuminated signs and the like, of brass	Aircraft.
9405.99.40	Parts of lamps, lighting fixtures, illuminated signs and the like, not of glass, plastics or brass	Aircraft.
9620.00.50	Monopods, bipods, tripods and similar articles of plastics, nesoi	Aircraft.
9620.00.60	Monopods, bipods, tripods and similar articles of graphite and other carbon, nesoi	Aircraft.
9802.00.40	Articles returned to the United States after having been exported for repairs or alterations made pursuant to a warranty.	Aircraft.
9802.00.50	Articles returned to the United States after having been exported for repairs or alterations, other	Aircraft.
9802.00.60	Any article of metal (as defined in U.S. note 3(e) of this subchapter) manufactured in the United States or subjected to a process of manufacture in the United States, if exported for further processing, and if the exported article as processed outside the United States, or the article which results from the processing outside the United States, is returned to the United States for further processing.	Aircraft.

HTSUS	Description	Scope limitations
9802.00.80	Articles, except goods of heading 9802.00.91 and goods imported under provisions of subchapter XIX of this chapter and goods imported under provisions of subchapter XX, assembled abroad in whole or in part of fabricated components, the product of the United States, which (a) were exported in condition ready for assembly without further fabrication, (b) have not lost their physical identity in such articles by change in form, shape or otherwise, and (c) have not been advanced in value or improved in condition abroad except by being assembled and except by operations incidental to the assembly process such as cleaning, lubricating and painting.	Aircraft.
9818.00.05	Spare parts necessarily installed before first entry into the United States, upon first entry into the United States of each such spare part purchased in, or imported from, a foreign country.	Aircraft.
9818.00.07	Other, upon first arrival in any port of the United States of any vessel described in U.S. note 1 to this subchapter.	Aircraft.

Annex II

A. Effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time on August 1, 2025, subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States (HTSUS) is modified as follows:

1. U.S. note 33 is modified by adding the following subdivision (n):

''(n) Headings 9903.94.50 and 9903.94.51 set forth the ordinary customs duty treatment for certain passenger vehicles and light trucks in the provisions of the HTSUS enumerated in subdivision (b) of this Note that are products of the member countries of the European Union.

The member countries of the European Union that are covered by this subdivision and by headings 9903.94.50 and 9903.94.51 shall include the following: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia (Czech Republic), Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden.

Any passenger vehicle or light truck, except those eligible for admission under ''domestic status'' as defined in 19 CFR 146.43, that is subject to the duty imposed by this subdivision and that is admitted into a United States foreign trade zone on or after 12:01 a.m. eastern standard time on September 25, 2025, must be admitted as ''privileged foreign status'' as defined in 19 CFR 146.41, and will be subject upon entry for consumption to any ad valorem rates of duty related to the classification under this HTSUS subheading.

Goods for which entry is claimed under a provision of chapter 98 and which are subject to the additional duties prescribed herein shall be eligible for and subject to the terms of such provision and applicable U.S. Customs and Border Protection (''CBP'') regulations, except that duties under subheading 9802.00.60 shall be assessed based upon the full value of the imported article. No claim for entry or for any duty exemption or reduction shall be allowed for passenger vehicles and light trucks provided for in this subdivision (n) of this note under a provision of chapter 99 that may set forth a lower rate of duty or provide duty-free treatment, taking into account information supplied by CBP, but any additional duty prescribed in any provision of this subchapter or subchapter IV of chapter 99 shall be imposed in addition to the duty in headings 9903.94.50 and 9903.94.51. All antidumping, countervailing, or other duties and charges applicable to such goods shall continue to be imposed in addition to the duty in headings 9903.94.50 and 9903.94.51. Entries of passenger vehicles and light trucks described in this subdivision (n) shall not be subject to: (1) the additional duties imposed on entries of semi-finished copper products and copper-intensive derivative products under heading 9903.78.01; (2) the additional duties imposed on entries of products of aluminum under heading 9903.85.02 and 9903.85.12; (3) the additional duties imposed on entries of derivative aluminum products under headings 9903.85.04, 9903.85.07, 9903.85.08, 9903.85.13, 9903.85.14, and 9903.85.15; (4) the additional duties imposed on entries of iron or steel products under headings 9903.81.87, 9903.81.88, 9903.81.94 and 9903.81.95; (5) the additional duties imposed on entries of derivative iron or steel products under headings 9903.81.89, 9903.81.90, 9903.81.91, 9903.81.93, 9903.81.96, 9903.81.97, 9903.81.98 and 9903.81.99.

2. U.S. note 33 is modified by adding the following subdivision (o):

''(o) Headings 9903.94.52 and 9903.94.53 set forth the ordinary customs duty treatment for certain parts of passenger vehicles and light trucks classifiable in the provisions of the HTSUS enumerated in subdivision (g) of this Note that are products of the European Union. For the purposes of this subdivision, the European Union is comprised of the countries identified in subdivision (n).

Any automotive part, except those eligible for admission under ''domestic status'' as defined in 19 CFR 146.43, that is subject to the duty imposed by this subdivision and that is admitted into a United States foreign trade zone on or after 12:01 a.m. eastern standard time on September 25, 2025, must be admitted as ''privileged foreign status'' as defined in 19 CFR 146.41, and will be subject upon entry for consumption to any ad valorem rates of duty related to the classification under this HTSUS subheading.

Goods for which entry is claimed under a provision of chapter 98 and which are subject to the additional duties prescribed herein shall be eligible for and subject to the terms of such provision and applicable U.S. Customs and Border Protection (''CBP'') regulations, except that duties under subheading 9802.00.60 shall be assessed based upon the full value of the imported article. No claim for entry or for any duty exemption or reduction shall be allowed for the automotive parts provided for in this subdivision (o) of this note under a provision of chapter 99 that may set forth a lower rate of duty or provide duty-free treatment, taking into account information supplied by CBP, but any additional duty prescribed in any provision of this subchapter or subchapter IV of chapter 99 shall be imposed in addition to the duty in headings 9903.94.52 and 9903.94.53. All antidumping, countervailing, or other duties and charges applicable to such goods shall continue to be imposed in addition to the duty in headings 9903.94.52 and 9903.94.53. Entries of automotive parts described in this subdivision (o) shall not be subject to: (1) the additional duties imposed on entries of semi-finished copper products and copper-intensive derivative products under heading 9903.78.01; (2) the additional duties imposed on entries of products of aluminum under heading 9903.85.02 and 9903.85.12; (3) the additional duties imposed on entries of derivative aluminum products under headings 9903.85.04, 9903.85.07, 9903.85.08, 9903.85.13, 9903.85.14, and 9903.85.15; (4) the additional duties imposed on entries of iron or steel products under headings 9903.81.87, 9903.81.88, 9903.81.94 and 9903.81.95; (5) the additional duties imposed on entries of derivative iron or steel products under headings 9903.81.89, 9903.81.90, 9903.81.91, 9903.81.93, 9903.81.96, 9903.81.97, 9903.81.98 and 9903.81.99.

3. U.S. note 33(a) is modified by:

i. Deleting ''Except as provided for in headings 9903.94.02, 9903.94.03, 9903.94.04, 9903.94.31, 9903.94.40, and 9903.94.41'' and inserting ''Except as provided for in headings 9903.94.02, 9903.94.03, 9903.94.04, 9903.94.31, 9903.94.40, 9903.94.41, 9903.94.50, and 9903.94.51,'' in lieu thereof.

ii. Deleting ''Except as provided in headings 9903.94.31, 9903.94.40 and 9903.94.41, no claim for entry'', and inserting Except as provided in headings 9903.94.31, 9903.94.40, 9903.94.41, 9903.94.50 and 9903.94.51, no claim for entry'' in lieu thereof.

4. U.S. note 33(b) is modified by inserting ''9903.94.50, 9903.94.51,'' after ''9903.94.41,''

5. U.S. note 33(f) is modified by:

i. Deleting ''Except as provided for in heading 9903.94.06, 9903.94.32, 9903.94.42 and 9903.94.43,'' and replacing with ''Except as provided for in heading 9903.94.06, 9903.94.32, 9903.94.42, 9903.94.43, 9903.94.52 and 9903.94.53,'' in lieu thereof.

ii. Deleting ''Except as provided in headings 9903.94.32, 9903.94.42 and

9903.94.43, no claim for entry'' and inserting Except as provided in headings 9903.94.32, 9903.94.42, 9903.94.43, 9903.94.52 and 9903.94.53, no claim for entry'' in lieu thereof.

6. U.S. note 33(g) is modified by deleting ''9903.94.42, and 9903.94.43'' and inserting ''9903.94.42, 9903.94.43, 9903.94.52, and 9903.94.53,'' in lieu thereof.

7. U.S. note 33(m) is modified by inserting the following in lieu thereof: ''As provided in headings 9903.94.40–9903.94.43 and headings 9903.94.50–9903.94.53 for any good of Japan or the European Union subject to a specific or compound rate of duty under column 1-General, the ad valorem equivalent rate of duty of such good shall be determined by dividing the amount of duty payable under column 1-General by the customs value of the good. For example, if a good were subject to a specific duty of 50 cents per kilogram, and one kilogram of the good were entered with a customs value of $10, then the ad valorem equivalent rate of duty would be obtained by dividing 50 cents by $10, yielding 5 percent.''

8. U.S. note 36(a) is amended to insert ''9903.94.50–9903.94.53,'' after ''9903.94.40–9903.94.43,''.

9. Heading 9903.94.01 is modified by deleting the article description and inserting ''Except for products described in headings 9903.94.02, 9903.94.03, 9903.94.04, 9903.94.31, 9903.94.40, 9903.94.41, 9903.94.50, and 9903.94.51, passenger vehicles (sedans, sport utility vehicles, crossover utility vehicles, minivans, and cargo vans) and light trucks, as specified in note 33 to this subchapter, as provided for in subdivision (b) of U.S. note 33 to this subchapter ''

10. Heading 9903.94.05 is modified by deleting the article description and inserting ''Except for products described in headings 9903.94.06, 9903.94.32, 9903.94.42, 9903.94.43, 9903.94.52 and 9903.94.53, automobile parts, as provided for in subdivision (g) of U.S. note 33 to this subchapter''

11. New headings 9903.94.50, 9903.94.51, 9903.94.52 and 9903.94.53 in numerical sequence, with the material in the new heading inserted in the columns of the HTSUS labeled ''Heading/Subheading'', ''Article Description'', ''Rates of Duty 1—General'', ''Rates of Duty 1—Special'' and ''Rates of Duty 2'', respectively:

Heading/ subheading	Article description	Rates of duty		
		1		2
		General	Special	
''9903.94.50 ..	Passenger vehicles and light trucks that are products of the European Union as specified in subdivision (n) of U.S. note 33 to this subchapter, with an ad valorem (or ad valorem equivalent as provided for in subdivision (m) of U.S. note 33 to this subchapter) rate of duty under column 1 equal to or greater than 15 percent.	The duty provided in the applicable subheading.	The duty provided in the applicable subheading.	No change.
9903.94.51 ...	Passenger vehicles and light trucks that are products of the European Union as specified in subdivision (n) of U.S. note 33 to this subchapter, with an ad valorem (or ad valorem equivalent as provided for in subdivision (m) of U.S. note 33 to this subchapter) rate of duty under column 1 less than 15 percent.	15%	15%	No change.
9903.94.52 ...	Parts of passenger vehicles and light trucks that are products of the European Union as specified in subdivision (o) of U.S. note 33 to this subchapter, with an ad valorem (or ad valorem equivalent as provided for in subdivision (m) of U.S. note 33 to this subchapter) rate of duty under column 1 equal to or greater than 15 percent.	The duty provided in the applicable subheading.	The duty provided in the applicable subheading.	No change.
9903.94.53 ...	Parts of passenger vehicles and light trucks that are products of the European Union as specified in subdivision (o) of U.S. note 33 to this subchapter, with an ad valorem (or ad valorem equivalent as provided for in subdivision (m) of U.S. note 33 to this subchapter) rate of duty under column 1 less than 15 percent.	15%	15%	No change.''

B. Effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time on September 1, 2025, subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States (HTSUS) is modified as follows:

1. Heading 9903.01.25 is modified by deleting the article description and inserting ''Articles the product of any country, except for products described in headings 9903.01.26–9903.01.33, 9903.02.02–9903.02.77, 9903.96.01, and 9903.96.02, and except as provided for in headings 9903.01.34 and 9903.02.01, as provided for in subdivision (v) of U.S. note 2 to this subchapter'' in lieu thereof;

2. Headings 9903.02.19 and 9903.02.20 are modified by deleting ''except for products described in headings 9903.01.30–9903.01.33'' in the article description and inserting ''except for products described in headings 9903.01.30–9903.01.33 and 9903.02.74–9903.02.77'' in lieu thereof;

3. New headings 9903.02.74, 9903.02.75, 9903.02.76, and 9903.02.77 shall be inserted in numerical sequence, with the material in the new heading inserted in the columns of the HTSUS labeled ''Heading/Subheading'', ''Article Description'', ''Rates of Duty 1—General'', ''Rates of Duty 1—Special'', and ''Rates of Duty 2'', respectively:

Heading/ subheading	Article description	Rates of duty		
		1		2
		General	Special	
''9903.02.74 ...	Articles the product of the European Union, as provided for in subdivision (v)(xvi) of U.S. note 2 to this subchapter.	The duty provided in the applicable subheading.	The duty provided in the applicable subheading.	The duty provided in the applicable subheading.
9903.02.75	Articles the product of the European Union, as provided for in subdivision (v)(xvii) of U.S. note 2 to this subchapter.	The duty provided in the applicable subheading.	The duty provided in the applicable subheading.	The duty provided in the applicable subheading.

Heading/ subheading	Article description	Rates of duty		
		1		2
		General	Special	
9903.02.76	Articles of civil aircraft (all aircraft other than military aircraft); their engines, parts, and components; their other parts, components, and subassemblies; and ground flight simulators and their parts and components of the European Union, excluding unmanned aircraft, provided for in subdivision (v)(xviii) of U.S. note 2 to this subchapter.	The duty provided in the applicable subheading.	The duty provided in the applicable subheading.	The duty provided in the applicable subheading.
9903.02.77	Articles the product of the European Union that are non-patented articles for use in pharmaceutical applications, provided for in subdivision (v)(xix) of U.S. note 2 to this subchapter.	The duty provided in the applicable subheading.	The duty provided in the applicable subheading.	The duty provided in the applicable subheading''.

4. Subdivision (v) of U.S. note 2 to subchapter III of chapter 99 of the HTSUS shall be amended by:

i. Deleting ''Except as provided in headings 9903.01.26–9903.01.33, in heading 9903.01.34, in heading 9903.96.01 and 9903.96.02'' in subdivision (v)(i) and inserting ''Except as provided in headings 9903.01.26–9903.01.33, in heading 9903.01.34, in headings 9903.96.01 and 9903.96.02, and in headings 9903.02.74–9903.02.77'' in lieu thereof;

ii. Deleting ''subdivisions (v)(ii) through (v)(xiii)'' in subdivision (v)(i) each place that it appears and inserting ''subdivisions (v)(ii) through (v)(xix)'' in lieu thereof; and

iii. Inserting the following new subdivisions in numerical sequence at the end of subdivision (v) of U.S. note 2:

''(xvi) As provided in heading 9903.02.74, the additional duties imposed by headings 9903.02.19 and 9903.02.20 shall not apply to articles the product of the European Union that are classifiable in the following provisions of the HTSUS:

0711.90.30	2818.20.00	4503.10.40	7202.91.00
0810.50.00	2820.10.00	4503.10.60	7202.93.40
0904.22.20	2821.10.00	4503.90.20	7202.93.80
0910.20.00	2821.20.00	4503.90.40	7204.21.00
2504.10.10	2822.00.00	4503.90.60	7205.10.00
2504.10.50	2823.00.00	4504.10.10	7501.10.00
2504.90.00	2825.40.00	4504.10.20	7502.10.00
2511.10.10	2825.60.00	4504.10.30	7502.20.00
2511.10.50	2825.80.00	4504.10.40	7503.00.00
2519.10.00	2825.90.15	4504.10.45	7504.00.00
2519.90.10	2825.90.30	4504.10.47	7901.11.00
2519.90.20	2825.90.90	4504.10.50	7901.12.10
2524.90.00	2826.12.00	4504.90.00	7901.12.50
2529.21.00	2826.30.00	5004.00.00	7901.20.00
2529.22.00	2826.90.90	5005.00.00	7902.00.00
2530.20.10	2827.31.00	5006.00.10	7903.90.30
2530.20.20	2827.39.45	5006.00.90	8001.10.00
2530.90.10	2827.39.60	5007.10.30	8001.20.00
2530.90.20	2827.59.51	5007.10.60	8002.00.00
2530.90.80	2833.24.00	5007.20.00	8101.10.00
2602.00.00	2833.27.00	5007.90.30	8101.97.00
2604.00.00	2833.29.10	7101.10.30	8103.20.00
2605.00.00	2833.29.45	7101.10.60	8103.30.00
2606.00.00	2833.29.51	7102.10.00	8103.91.00
2608.00.00	2834.21.00	7102.31.00	8104.11.00
2609.00.00	2834.29.20	7102.39.00	8104.19.00
2610.00.00	2834.29.51	7103.10.20	8104.20.00
2611.00.30	2836.60.00	7103.10.40	8104.30.00
2611.00.60	2836.91.00	7103.91.00	8104.90.00
2612.20.00	2836.92.00	7103.99.10	8105.20.30
2613.90.00	2836.99.10	7103.99.50	8105.20.60
2614.00.30	2836.99.50	7110.11.00	8105.20.90
2614.00.60	2841.80.00	7110.19.00	8105.30.00
2615.90.30	2841.90.20	7110.21.00	8106.10.00
2615.90.60	2846.10.00	7110.29.00	8106.90.00
2616.10.00	2846.90.80	7110.31.00	8108.20.00
2617.10.00	2849.20.10	7110.39.00	8108.30.00
2620.99.50	2849.20.20	7110.41.00	8110.10.00
2801.20.00	2849.90.30	7110.49.00	8110.20.00
2804.80.00	3104.20.00	7112.92.01	8110.90.00
2804.90.00	3104.30.00	7118.90.00	8111.00.47
2805.19.10	3104.90.01	7201.10.00	8111.00.49
2805.19.90	3206.11.00	7201.20.00	8112.21.00
2805.30.00	3206.19.00	7201.50.30	8112.22.00
2811.11.00	3606.90.30	7202.11.10	8112.41.10
2811.19.10	3823.11.00	7202.11.50	8112.41.50
2811.29.10	3823.12.00	7202.19.10	8112.92.07
2811.29.20	3823.19.20	7202.19.50	8112.92.10

2813.90.10	3823.70.40	7202.30.00	8112.92.30
2816.10.00	4501.10.00	7202.41.00	8112.92.40
2816.40.10	4501.90.20	7202.49.10	8112.92.60
2816.40.20	4501.90.40	7202.49.50	8112.92.65
2817.00.00	4502.00.00	7202.50.00	8112.99.10
2818.10.10	4503.10.20	7202.60.00	8112.99.91
2818.10.20	4503.10.30	7202.80.00	

(xvii) As provided in heading 9903.02.75, the additional duties imposed by headings 9903.02.19 and 9903.02.20 shall not apply to the following particular articles the product of the European Union:

(1) Essential oils other than those of citrus fruit, other, nesoi, for religious purposes only (classifiable in subheading 3301.29.51)

(xviii) As provided in heading 9903.02.76, the additional duties imposed by headings 9903.02.19, 9903.02.20, 9903.78.01, 9903.81.87, 9903.81.88, 9903.81.89, 9903.81.90, 9903.81.91, 9903.81.93, 9903.85.02, 9903.85.04, 9903.85.07, and 9903.85.08, shall not apply to articles the product of the European Union that are civil aircraft (all aircraft other than military aircraft and unmanned aircraft); their engines, parts, and components; their other parts, components, and subassemblies; and ground flight simulators and their parts and components, that otherwise meet the criteria of General Note 6 of HTSUS, and are classifiable in the following provisions of the HTSUS, but regardless of whether a product is entered under a provision for which the rate of duty ''Free (C)'' appears in the ''Special'' sub-column:

3917.21.00	8411.21.40	8479.90.41	8518.29.80	9014.20.40
3917.22.00	8411.21.80	8479.90.45	8518.30.10	9014.20.60
3917.23.00	8411.22.40	8479.90.55	8518.30.20	9014.20.80
3917.29.00	8411.22.80	8479.90.65	8518.40.10	9014.90.10
3917.31.00	8411.81.40	8479.90.75	8518.40.20	9014.90.20
3917.33.00	8411.82.40	8479.90.85	8518.50.00	9014.90.40
3917.39.00	8411.91.10	8479.90.95	8519.81.10	9014.90.60
3917.40.00	8411.91.90	8483.10.10	8519.81.20	9020.00.40
3926.90.45	8411.99.10	8483.10.30	8519.81.25	9020.00.60
3926.90.94	8411.99.90	8483.10.50	8519.81.30	9025.11.20
3926.90.96	8412.10.00	8483.30.40	8519.81.41	9025.11.40
3926.90.99	8412.21.00	8483.30.80	8519.89.10	9025.19.40
4008.29.20	8412.29.40	8483.40.10	8519.89.20	9025.19.80
4009.12.00	8412.29.80	8483.40.30	8519.89.30	9025.80.10
4009.22.00	8412.31.00	8483.40.50	8521.10.30	9025.80.15
4009.32.00	8412.39.00	8483.40.70	8521.10.60	9025.80.20
4009.42.00	8412.80.10	8483.40.80	8521.10.90	9025.80.35
4011.30.00	8412.80.90	8483.40.90	8522.90.25	9025.80.40
4012.13.00	8412.90.90	8483.50.40	8522.90.36	9025.80.50
4012.20.10	8413.19.00	8483.50.60	8522.90.45	9025.90.06
4016.10.00	8413.20.00	8483.50.90	8522.90.58	9026.10.20
4016.93.50	8413.30.10	8483.60.40	8522.90.65	9026.10.40
4016.99.35	8413.30.90	8483.60.80	8522.90.80	9026.10.60
4016.99.60	8413.50.00	8483.90.10	8526.10.00	9026.20.40
4017.00.00	8413.60.00	8483.90.20	8526.91.00	9026.20.80
4823.90.10	8413.70.10	8483.90.30	8526.92.10	9026.80.20
4823.90.20	8413.70.20	8483.90.50	8526.92.50	9026.80.40
4823.90.31	8413.81.00	8483.90.80	8528.42.00	9026.80.60
4823.90.40	8413.91.10	8484.10.00	8528.52.00	9026.90.20
4823.90.50	8413.91.20	8484.90.00	8528.62.00	9026.90.40
4823.90.60	8413.91.90	8501.20.50	8529.10.21	9026.90.60
4823.90.67	8414.10.00	8501.20.60	8529.10.40	9029.10.80
4823.90.70	8414.20.00	8501.31.50	8529.10.91	9029.20.40
4823.90.80	8414.30.40	8501.31.60	8529.90.04	9029.90.80
4823.90.86	8414.30.80	8501.31.81	8529.90.05	9030.10.00
6812.80.90	8414.51.30	8501.32.20	8529.90.06	9030.20.05
6812.99.10	8414.51.90	8501.32.55	8529.90.09	9030.20.10
6812.99.20	8414.59.30	8501.32.61	8529.90.13	9030.31.00
6812.99.90	8414.59.65	8501.33.20	8529.90.16	9030.32.00
6813.20.00	8414.80.05	8501.33.30	8529.90.19	9030.33.34
6813.81.00	8414.80.16	8501.33.61	8529.90.21	9030.33.38
6813.89.00	8414.80.20	8501.34.61	8529.90.24	9030.39.01
7007.21.11	8414.80.90	8501.40.50	8529.90.29	9030.40.00
7304.31.30	8414.90.10	8501.40.60	8529.90.33	9030.84.00
7304.31.60	8414.90.30	8501.51.50	8529.90.36	9030.89.01
7304.39.00	8414.90.41	8501.51.60	8529.90.39	9030.90.25
7304.41.30	8414.90.91	8501.52.40	8529.90.43	9030.90.46
7304.41.60	8415.10.60	8501.52.80	8529.90.46	9030.90.66
7304.49.00	8415.10.90	8501.53.40	8529.90.49	9030.90.68
7304.51.10	8415.81.01	8501.53.60	8529.90.55	9030.90.84
7304.51.50	8415.82.01	8501.61.01	8529.90.63	9030.90.89
7304.59.10	8415.83.00	8501.62.01	8529.90.68	9031.80.40
7304.59.20	8415.90.40	8501.63.01	8529.90.73	9031.80.80
7304.59.60	8415.90.80	8501.71.00	8529.90.77	9031.90.21
7304.59.80	8418.10.00	8501.72.10	8529.90.78	9031.90.45
7304.90.10	8418.30.00	8501.72.20	8529.90.81	9031.90.54

7304.90.30	8418.40.00	8501.72.30	8529.90.83	9031.90.59
7304.90.50	8418.61.01	8501.72.90	8529.90.87	9031.90.70
7304.90.70	8418.69.01	8501.80.10	8529.90.88	9031.90.91
7306.30.10	8419.50.10	8501.80.20	8529.90.89	9032.10.00
7306.30.30	8419.50.50	8501.80.30	8529.90.93	9032.20.00
7306.30.50	8419.81.50	8502.11.00	8529.90.95	9032.81.00
7306.40.10	8419.81.90	8502.12.00	8529.90.97	9032.89.20
7306.40.50	8419.90.10	8502.13.00	8529.90.98	9032.89.40
7306.50.10	8419.90.20	8502.20.00	8531.10.00	9032.89.60
7306.50.30	8419.90.30	8502.31.00	8531.20.00	9032.90.21
7306.50.50	8419.90.50	8502.39.00	8531.80.15	9032.90.41
7306.61.10	8419.90.85	8502.40.00	8531.80.90	9032.90.61
7306.61.30	8421.19.00	8504.10.00	8536.70.00	9033.00.90
7306.61.50	8421.21.00	8504.31.20	8539.10.00	9104.00.05
7306.61.70	8421.23.00	8504.31.40	8539.51.00	9104.00.10
7306.69.10	8421.29.00	8504.31.60	8543.70.42	9104.00.20
7306.69.30	8421.31.00	8504.32.00	8543.70.45	9104.00.25
7306.69.50	8421.32.00	8504.33.00	8543.70.60	9104.00.30
7306.69.70	8421.39.01	8504.40.40	8543.70.80	9104.00.40
7312.10.05	8424.10.00	8504.40.60	8543.70.91	9104.00.45
7312.10.10	8425.11.00	8504.40.70	8543.70.95	9104.00.50
7312.10.20	8425.19.00	8504.40.85	8543.90.12	9104.00.60
7312.10.30	8425.31.01	8504.40.95	8543.90.15	9109.10.50
7312.10.50	8425.39.01	8504.50.40	8543.90.35	9109.10.60
7312.10.60	8425.42.00	8504.50.80	8543.90.65	9109.90.20
7312.10.70	8425.49.00	8507.10.00	8543.90.68	9401.10.40
7312.10.80	8426.99.00	8507.20.80	8543.90.85	9401.10.80
7312.10.90	8428.10.00	8507.30.80	8543.90.88	9403.20.00
7312.90.00	8428.20.00	8507.50.00	8544.30.00	9403.70.40
7322.90.00	8428.33.00	8507.60.00	8801.00.00	9403.70.80
7324.10.00	8428.39.00	8507.80.82	8802.11.01	9405.11.40
7324.90.00	8428.90.03	8507.90.40	8802.12.01	9405.11.60
7326.20.00	8443.31.00	8507.90.80	8802.20.01	9405.11.80
7413.00.90	8443.32.10	8511.10.00	8802.30.01	9405.19.40
7608.10.00	8443.32.50	8511.20.00	8802.40.01	9405.19.60
7608.20.00	8471.41.01	8511.30.00	8805.29.00	9405.19.80
8108.90.60	8471.49.00	8511.40.00	8807.10.00	9405.61.20
8302.10.60	8471.50.01	8511.50.00	8807.20.00	9405.61.40
8302.10.90	8471.60.10	8511.80.20	8807.30.00	9405.61.60
8302.20.00	8471.60.20	8511.80.40	8807.90.90	9405.69.20
8302.42.30	8471.60.70	8511.80.60	9001.90.40	9405.69.40
8302.42.60	8471.60.80	8514.20.40	9001.90.50	9405.69.60
8302.49.40	8471.60.90	8516.80.40	9001.90.60	9405.92.00
8302.49.60	8471.70.10	8516.80.80	9001.90.80	9405.99.20
8302.49.80	8471.70.20	8517.13.00	9001.90.90	9405.99.40
8302.60.30	8471.70.30	8517.14.00	9002.90.20	9620.00.50
8307.10.30	8471.70.40	8517.61.00	9002.90.40	9620.00.60
8307.90.30	8471.70.50	8517.62.00	9002.90.70	9802.00.40
8407.10.00	8471.70.60	8517.69.00	9002.90.85	9802.00.50
8408.90.90	8471.70.90	8517.71.00	9002.90.95	9802.00.60
8409.10.00	8479.89.10	8518.10.40	9014.10.10	9802.00.80
8411.11.40	8479.89.20	8518.10.80	9014.10.60	9818.00.05
8411.11.80	8479.89.65	8518.21.00	9014.10.70	9818.00.07
8411.12.40	8479.89.70	8518.22.00	9014.10.90	
8411.12.80	8479.89.95	8518.29.40	9014.20.20	

(xix) As provided in heading 9903.02.77, the additional duties imposed by headings 9903.02.19 and 9903.02.20 shall not apply to articles the product of the European Union that are not patented in the United States for use in pharmaceutical applications, and are classifiable in the following provisions of the HTSUS, but regardless of whether a product is entered under a provision for which the rate of duty ''Free (K)'' appears in the ''Special'' sub-column:

2804.10.00	2910.90.20	2922.29.08	2933.29.10	2939.19.50
2804.29.00	2910.90.91	2922.29.10	2933.29.20	2939.20.00
2804.30.00	2911.00.10	2922.29.13	2933.29.35	2939.30.00
2804.50.00	2911.00.50	2922.29.15	2933.29.43	2939.41.00
2805.19.20	2912.19.50	2922.29.20	2933.29.45	2939.42.00
2806.10.00	2912.29.60	2922.29.26	2933.29.60	2939.43.00
2807.00.00	2912.49.26	2922.29.27	2933.29.90	2939.44.00
2809.20.00	2912.60.00	2922.29.29	2933.31.00	2939.45.00
2811.12.00	2914.11.10	2922.29.61	2933.33.01	2939.49.03
2811.22.50	2914.19.00	2922.29.81	2933.34.00	2939.51.00
2812.12.00	2914.29.30	2922.31.00	2933.35.00	2939.59.00
2812.19.00	2914.29.50	2922.39.05	2933.36.00	2939.61.00
2814.10.00	2914.39.90	2922.39.10	2933.37.00	2939.62.00
2814.20.00	2914.40.40	2922.39.14	2933.39.08	2939.63.00

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2918.30.10
2918.30.15
2918.30.25
2918.30.30
2918.30.70
2918.30.90
2918.99.05
2918.99.30
2918.99.43
2918.99.47
2918.99.50
2919.10.00
2919.90.30
2919.90.50
2920.19.40
2920.19.50
2920.21.00
2920.22.00
2920.23.00
2920.24.00
2920.29.00
2920.30.00
2920.90.20
2920.90.51
2921.11.00
2921.14.00
2921.19.11
2921.19.61
2921.29.00
2921.30.10
2921.30.30
2921.30.50
2921.41.10
2921.41.20
2921.42.65
2921.42.90
2921.43.40
2921.45.60
2921.45.90
2921.46.00
2921.49.38
2921.49.43
2921.49.45
2921.49.50
2921.59.40
2921.59.80
2922.11.00
2922.12.00
2922.14.00
2922.15.00
2922.16.00
2922.17.00
2922.18.00
2922.19.09
2922.19.20
2922.19.33
2922.19.60
2922.19.70
2922.19.90
2922.19.96
2922.21.10
2922.21.25
2922.21.40
2922.21.50
2922.29.03
2922.29.06
2926.90.43
2926.90.48
2926.90.50
2927.00.40
2927.00.50
2928.00.10
2928.00.15
2928.00.25
2928.00.30
2928.00.50
2929.90.05
2929.90.15
2929.90.20
2929.90.50
2930.10.01
2930.20.20
2930.20.90
2930.30.60
2930.40.00
2930.60.00
2930.70.00
2930.90.29
2930.90.49
2930.90.92
2931.41.00
2931.42.00
2931.43.00
2931.44.00
2931.45.00
2931.46.00
2931.47.00
2931.48.00
2931.49.00
2931.51.00
2931.52.00
2931.53.00
2931.54.00
2931.59.00
2931.90.22
2931.90.30
2931.90.60
2931.90.90
2932.11.00
2932.14.00
2932.19.10
2932.19.51
2932.20.05
2932.20.20
2932.20.25
2932.20.30
2932.20.45
2932.20.50
2932.95.00
2932.99.04
2932.99.08
2932.99.21
2932.99.32
2932.99.35
2932.99.39
2932.99.55
2932.99.61
2932.99.70
2932.99.90
2933.11.00
2933.19.08
2933.19.35
2933.19.37
2933.19.43
2933.19.45
2933.19.90
2933.21.00
2933.29.05
2934.20.80
2934.30.18
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2934.30.27
2934.30.43
2934.30.50
2934.91.00
2934.92.00
2934.99.01
2934.99.03
2934.99.05
2934.99.06
2934.99.07
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2934.99.16
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2934.99.70
2934.99.90
2935.90.06
2935.90.29
2935.90.30
2935.90.32
2935.90.33
2935.90.42
2935.90.48
2935.90.60
2935.90.75
2935.90.95
2936.21.00
2936.22.00
2936.23.00
2936.24.01
2936.25.00
2936.26.00
2936.27.00
2936.28.00
2936.29.10
2936.29.16
2936.29.20
2936.29.50
2936.90.01
2937.11.00
2937.12.00
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2937.90.10
2937.90.20
2937.90.40
2937.90.45
2937.90.90
2938.10.00
2938.90.00
2939.11.00
2939.19.10
2939.19.20
3204.18.00
3204.90.00
3401.30.10
3402.42.10
3402.42.20
3402.42.90
3402.50.11
3507.90.70
3802.10.00
3808.59.40
3808.59.50
3808.61.50
3808.94.10
3808.94.50
3812.31.00
3815.11.00
3815.12.00
3815.90.50
3824.81.00
3824.82.10
3824.82.90
3824.83.00
3824.84.00
3824.85.00
3824.86.00
3824.87.00
3824.88.00
3824.89.00
3824.91.00
3824.92.00
3824.99.25
3824.99.29
3824.99.49
3824.99.50
3824.99.55
3826.00.30
3827.13.00
3827.14.00
3827.40.00
3901.90.90
3902.90.00
3904.61.00
3905.91.10
3905.91.50
3905.99.80
3906.90.50
3907.10.00
3907.21.00
3907.70.00
3908.10.00
3908.90.20
3909.10.00
3909.40.00
3911.20.00
3911.90.25
3911.90.45
3911.90.91
3912.20.00
3912.31.00
3912.39.00
3912.90.00
3913.90.20
3913.90.50
3914.00.20
3914.00.60
7508.90.50
7907.00.60
8007.00.50
8112.59.00

5. U.S. note 16(i) of the HTSUS is modified by deleting ''Except as provided in heading 9903.96.02'' and inserting ''Except as provided in heading 9903.96.02 and 9903.02.76'' in lieu thereof.

6. U.S. note 16(k) to subchapter III of chapter 99 of the HTSUS is modified by deleting ''Except as provided in heading 9903.96.02'' inserting ''Except as provided in heading 9903.96.02 and 9903.02.76'' in lieu thereof.

7. U.S. note 19(f) to subchapter III of chapter 99 of the HTSUS is modified by deleting ''Except as provided in heading 9903.96.02'' and inserting ''Except as provided in heading 9903.96.02 and 9903.02.76'' in lieu thereof.

8. U.S. note 19(h) is modified by deleting ''Except as provided in heading 9903.96.02'' and inserting ''Except as provided in heading 9903.96.02 and 9903.02.76'' in lieu thereof.

9. U.S. note 36(a) is modified by inserting ''9903.02.76,'' after ''Except as provided in headings''.

[FR Doc. 2025–18660 Filed 9–24–25; 8:45 am]

BILLING CODE 3510–DR–P

DEPARTMENT OF COMMERCE

International Trade Administration

Initiation of Antidumping and Countervailing Duty Administrative Reviews

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

SUMMARY: The U.S. Department of Commerce (Commerce) has received requests to conduct administrative reviews of various antidumping duty (AD) and countervailing duty (CVD) orders with August anniversary dates. In accordance with Commerce's regulations, we are initiating those administrative reviews.

DATES: Applicable September 25, 2025.

FOR FURTHER INFORMATION CONTACT: Brenda E. Brown, AD/CVD Operations, Customs Liaison Unit, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230, telephone: (202) 482–4735.

SUPPLEMENTARY INFORMATION:

Background

Commerce has received timely requests, in accordance with 19 CFR 351.213(b), for administrative reviews of various AD and CVD orders with August anniversary dates. All deadlines for the submission of various types of information, certifications, comments, or actions by Commerce discussed below refer to the number of calendar days from the applicable starting time.

Respondent Selection

In the event that Commerce limits the number of respondents for individual examination for administrative reviews initiated pursuant to requests made for the orders identified below, Commerce intends to select respondents based either on U.S. Customs and Border Protection (CBP) data for U.S. imports during the period of review (POR) or questionnaires in which we request the quantity and value (Q&V) of sales, shipments, or exports during the POR. Where Commerce selects respondents based on CBP data, we intend to place the CBP data on the record within five days of publication of the initiation notice. Where Commerce selects respondents based on Q&V data, Commerce intends to place the Q&V questionnaire on the record of the review within five days of publication of the initiation notice. In either case, we intend to make our respondent selection decision within 35 days of the **Federal Register** publication of the initiation notice. Comments regarding the CBP data (and/or Q&V data (where applicable)) and respondent selection should be submitted within seven days after the placement of the CBP data/submission of the Q&V data on the record of the review. Parties wishing to submit rebuttal comments should submit those comments within five days after the deadline for the initial comments.

In the event that Commerce decides it is necessary to limit individual examination of respondents and conduct respondent selection under section 777A(c)(2) of the Tariff Act of 1930, as amended (the Act), the following guidelines regarding collapsing of companies for purposes of respondent selection will apply. In general, Commerce has found that determinations concerning whether particular companies should be ''collapsed'' (*e.g.,* treated as a single entity for purposes of calculating AD rates) require a substantial amount of detailed information and analysis, which often require follow-up questions and analysis. Accordingly, Commerce will not conduct collapsing analyses at the respondent selection phase of the review and will not collapse companies at the respondent selection phase unless there has been a determination to collapse certain companies in a previous segment of the AD proceeding (*e.g.,* investigation, administrative review, new shipper review, or changed circumstances review). For any company subject to the review, if Commerce determined, or continued to treat, that company as collapsed with others, Commerce will assume that such companies continue to operate in the same manner and will collapse them for respondent selection purposes. Otherwise, Commerce will not collapse companies for purposes of respondent selection.

Parties are requested to (a) identify which companies subject to review previously were collapsed, and (b) provide a citation to the proceeding in which they were collapsed. Further, if companies are requested to complete the Q&V questionnaire for purposes of respondent selection, in general, each company must report volume and value data separately for itself. Parties should not include data for any other party, even if they believe they should be treated as a single entity with that other party. If a company was collapsed with another company or companies in the most recently completed segment of the proceeding where Commerce considered collapsing that entity, complete Q&V data for that collapsed entity must be submitted.

Notice of No Sales

With respect to AD administrative reviews, we intend to rescind the review where there are no suspended entries for a company or entity under review and/or where there are no suspended entries under the company-specific case number for that company or entity. Where there may be suspended entries, if a producer or exporter named in this notice of initiation had no exports, sales, or entries during the POR, it may notify Commerce of this fact within 30 days of publication of this initiation notice in the **Federal Register** for Commerce to consider how to treat suspended entries under that producer's or exporter's company-specific case number.

Deadline for Withdrawal of Request for Administrative Review

Pursuant to 19 CFR 351.213(d)(1), a party that has requested a review may withdraw that request within 90 days of the date of publication of the notice of initiation of the requested review. The regulation provides that Commerce may extend this time if it is reasonable to do so. Determinations by Commerce to extend the 90-day deadline will be made on a case-by-case basis.

Deadline for Particular Market Situation Allegation

Section 504 of the Trade Preferences Extension Act of 2015 amended the Act by adding the concept of a particular market situation (PMS) for purposes of constructed value under section 773(e)

of the Act.[1] Section 773(e) of the Act states that ''if a particular market situation exists such that the cost of materials and fabrication or other processing of any kind does not accurately reflect the cost of production in the ordinary course of trade, the administering authority may use another calculation methodology under this subtitle or any other calculation methodology.'' When an interested party submits a PMS allegation pursuant to section 773(e) of the Act, Commerce will respond to such a submission consistent with 19 CFR 351.301(c)(2)(v). If Commerce finds that a PMS exists under section 773(e) of the Act, then it will modify its dumping calculations appropriately.

Neither section 773(e) of the Act nor 19 CFR 351.301(c)(2)(v) set a deadline for the submission of PMS allegations and supporting factual information. However, in order to administer section 773(e) of the Act, Commerce must receive PMS allegations and supporting factual information with enough time to consider the submission. Thus, should an interested party wish to submit a PMS allegation and supporting new factual information pursuant to section 773(e) of the Act, it must do so no later than 20 days after submission of initial responses to section D of the questionnaire.

Separate Rates

In proceedings involving non-market economy (NME) countries, Commerce begins with a rebuttable presumption that all companies within the country are subject to government control and, thus, should be assigned a single AD deposit rate. It is Commerce's policy to assign all exporters of merchandise subject to an administrative review in an NME country this single rate unless an exporter can demonstrate that it is sufficiently independent so as to be entitled to a separate rate.

To establish whether a firm is sufficiently independent from government control of its export activities to be entitled to a separate rate, Commerce analyzes each entity exporting the subject merchandise. In accordance with the separate rates criteria, Commerce assigns separate rates to companies in NME cases only if respondents can demonstrate the absence of both *de jure* and *de facto* government control over export activities.

All firms listed below that wish to qualify for separate rate status in the administrative reviews involving NME countries must complete, as appropriate, either a Separate Rate Application or Certification, as described below. In addition, all firms that wish to qualify for separate rate status in the administrative reviews of AD orders in which a Q&V questionnaire is issued must complete, as appropriate, either a Separate Rate Application or Certification, and respond to the Q&V questionnaire.

For these administrative reviews, in order to demonstrate separate rate eligibility, Commerce requires entities for whom a review was requested, that were assigned a separate rate in the most recent segment of this proceeding in which they participated, to certify that they continue to meet the criteria for obtaining a separate rate. The Separate Rate Certification form will be available on Commerce's website at *https://access.trade.gov/Resources/nme/nme-sep-rate.html* on the date of publication of this **Federal Register** notice. In responding to the certification, please follow the ''Instructions for Filing the Certification'' in the Separate Rate Certification. Separate Rate Certifications are due to Commerce no later than 14 calendar days after publication of this **Federal Register** notice. In addition to filing a Separate Rate Certification with Commerce no later than 14 calendar days after publication of this **Federal Register** notice. The deadline and requirement for submitting a Separate Rate Certification applies equally to NME-owned firms, wholly foreign-owned firms, and foreign sellers who purchase and export subject merchandise to the United States.

Entities that currently do not have a separate rate from a completed segment of the proceeding[2] should timely file a Separate Rate Application to demonstrate eligibility for a separate rate in this proceeding. In addition, companies that received a separate rate in a completed segment of the proceeding that have subsequently made changes, including, but not limited to, changes to corporate structure, acquisitions of new companies or facilities, or changes to their official company name,[3] should timely file a Separate Rate Application to demonstrate eligibility for a separate rate in this proceeding. The Separate Rate Application will be available on Commerce's website at *https://access.trade.gov/Resources/nme/nme-sep-rate.html* on the date of publication of this **Federal Register** notice. In responding to the Separate Rate Application, refer to the instructions contained in the application. Separate Rate Applications are due to Commerce no later than 14 calendar days after publication of this **Federal Register** notice. The deadline and requirement for submitting a Separate Rate Application applies equally to NME-owned firms, wholly foreign-owned firms, and foreign sellers that purchase and export subject merchandise to the United States.

Exporters and producers must file a timely Separate Rate Application or Certification if they want to be considered for individual examination. Furthermore, exporters and producers who submit a Separate Rate Application or Certification and subsequently are selected as mandatory respondents will no longer be eligible for separate rate status unless they respond to all parts of the questionnaire as mandatory respondents.

Certification Eligibility

Commerce may establish a certification process for companies whose exports to the United States could contain both subject and non-subject merchandise. Companies under review that were deemed to not be eligible to participate in the certification program of that proceeding may submit a Certification Eligibility Application to establish that they maintain the necessary systems to track their sales to the United States of subject and non-subject goods.

All firms listed below that are not currently eligible to certify but wish to establish certification eligibility are required to submit a Certification Eligibility Application. The Certification Eligibility Application will be available on Commerce's website at *https://access.trade.gov/Resources/Certification-Eligibility-Application.pdf*.

Certification Eligibility Applications must be filed according to Commerce's regulations and are due to Commerce no later than 30 calendar days after the publication of the **Federal Register** notice.

Exporters and producers that are not currently eligible to certify, who submit a Certification Eligibility Application,

[1] *See* Trade Preferences Extension Act of 2015, Public Law 114–27, 129 Stat. 362 (2015).

[2] Such entities include entities that have not participated in the proceeding, entities that were preliminarily granted a separate rate in any currently incomplete segment of the proceeding (*e.g.,* an ongoing administrative review, new shipper review, *etc.*) and entities that lost their separate rate in the most recently completed segment of the proceeding in which they participated.

[3] Only changes to the official company name, rather than trade names, need to be addressed via a Separate Rate Application. Information regarding new trade names may be submitted via a Separate Rate Certification.

and are subsequently selected as mandatory respondents must respond to all parts of the questionnaire as mandatory respondents for Commerce to consider their Certification Eligibility Application.

Initiation of Reviews

In accordance with 19 CFR 351.221(c)(1)(i), we are initiating administrative reviews of the following AD and CVD orders and findings. We intend to issue the final results of these reviews not later than August 31, 2026.

	Period to be reviewed
AD Proceedings	
CANADA: Utility Scale Wind Towers, A–122–867	8/1/24–7/31/25
Marmen Inc.	
Marmen Énergie Inc.	
Marmen Energy Co.	
INDIA: Quartz Surface Products,[4] A–533–889	6/1/2024–5/31/2025
G Rocks and Resources	
Pokarna Engineered Stone Limited	
INDIA: Finished Carbon Steel Flanges, A–533–871	8/1/24–7/31/25
Adinath International	
Aditya Forge Limited	
Allena Group	
Alloyed Steel	
Balkrishna Steel Forge Pvt. Ltd.	
Bansidhar Chiranjilal	
Bebitz Flanges Works Private Limited	
BFN Forgings Private Limited	
Brai Technoforge Pvt. Ltd.	
C. D. Industries	
Cetus Engineering Private Limited	
CHW Forge	
CHW Forge Pvt. Ltd.	
Citizen Metal Depot	
Corum Flange	
DN Forge Industries	
Echjay Forgings Limited	
Echjay Industries Pvt. Ltd	
Falcon Valves and Flanges Private Limited	
Heubach International	
Hindon Forge Pvt. Ltd.	
JAI Auto Pvt Ltd	
Jiten Steel Industries	
Kinnari Steel Corporation	
M F Rings and Bearing Races Ltd.	
Mascot Metal Manufactures	
Munish Forge Private Limited	
Norma (India) Limited	
OM Exports	
Punjab Steel Works (PSW)	
R. D. Forge	
R.N. Gupta and Company Limited	
Raaj Sagar Steel	
Ravi Ratan Metal Industries	
Renin Piping Products	
Rolex Fittings India Pvt. Ltd.	
Rollwell Forge Engineering Components And Flanges	
Rollwell Forge Pvt. Ltd.	
SHM (ShinHeung Machinery)	
Siddhagiri Metal & Tubes	
Sizer India	
Steel Shape India	
Sudhir Forgings Pvt. Ltd.	
Tirupati Forge	
Uma Shanker Khandelwal & Co.	
Umashanker Khandelwal Forging Limited	
USK Exports Private Limited	
INDONESIA: Utility Scale Wind Towers, A–560–833	8/1/24–7/31/25
GE Indonesia	
GE Renewable Energy	
General Electric Indonesia	
Korindo Wind	
Nordex SE	
PT Kenertec Power System	
PT. Siemens Gamesa Renewable Energy	
MALAYSIA: Polyethylene Retail Carrier Bags, A–557–813	8/1/24–7/31/25
Euro SME Sdn Bhd; Euro Nature Green Sdn. Bhd	

	Period to be reviewed
MALAYSIA: Silicon Metal, A–557–820	8/1/24–7/31/25
PMB Silicon Sdn Bhd	
MEXICO: Light-Walled Rectangular Pipe And Tube, A–201–836	8/1/24–7/31/25
Aceros Cuatro Caminos S.A. de C.V.; Productos Laminados de Monterrey S.A. de C.V.	
Acro Metal S.A. de C.V.	
Fabricaciones y Servicios de Mexico	
Galvak, S.A. de C.V.	
Grupo Estructuras y Perfiles	
Industrias Monterrey S.A. de C.V.	
Internacional de Aceros, S.A. de C.V.	
Maquilacero S.A. de C.V.; Tecnicas de Fluidos S.A. de C.V.	
Nacional de Acero S.A. de C.V.	
PEASA-Productos Especializados de Acero	
Perfiles LM, S.A. de C.V.	
Regiomontana de Perfiles y Tubos S. de R.L. de C.V.[5]	
Talleres Acero Rey S.A. de C.V.	
Ternium Mexico S.A. de C.V.	
Tuberia Laguna, S.A. de C.V.	
Tuberias Aspe S.A. de C.V.	
Tuberias y Derivados S.A. de C.V.	
REPUBLIC OF KOREA: Large Power Transformers, A–580–867	8/1/24–7/31/25
HD Hyundai Electric Co., Ltd.	
Hyosung Heavy Industries Corporation	
Iljin Electric Co., Ltd.	
LS Electric Co., Ltd.	
REPUBLIC OF KOREA: Utility Scale Wind Towers, A–580–902	8/1/24–7/31/25
CS Wind Corporation	
Dongkuk S&C Co., Ltd.	
Enercon Korea Inc.	
Hyosung Heavy Industries	
Nordex SE	
Siemens Gamesa Renewable Energy	
Unison Co., Ltd	
Vestas Korea Wind Technology Ltd.	
Win&P., Ltd.	
SOCIALIST REPUBLIC OF VIETNAM: Certain Paper Shopping Bags,[6] A–552–836	1/3/24–6/30/25
SOCIALIST REPUBLIC OF VIETNAM: Frozen Fish Fillets, A–552–801	8/1/24–7/31/25
An Chau Co., Ltd	
An Giang Agriculture and Food Import-Export Joint Stock Company (also known as Afiex or An Giang Agriculture and Foods Import-Export Joint Stock Company)	
An Hai Fishery Ltd. Co	
An My Fish Joint Stock Company (also known as Anmyfish, Anmyfishco or An My Fish Joint Stock)	
An Phat Import-Export Seafood Co., Ltd. (also known as An Phat Seafood Co. Ltd. or An Phat Seafood, Co., Ltd.)	
An Phu Seafood Corp. (also known as ASEAFOOD or An Phu Seafood Corp.)	
Anchor Seafood Corp	
Anvifish Joint Stock Company (also known as Anvifish, Anvifish JSC, or Anvifish Co., Ltd.)	
Asia Commerce Fisheries Joint Stock Company (also known as Acomfish JSC or Acomfish)	
Basa Joint Stock Company (also known as BASACO)	
Ben Tre Aquaproduct Import and Export Joint Stock Company (also known as Bentre Aquaproduct, Bentre Aquaproduct Import & Export Joint Stock Company or Aquatex Bentre)	
Bentre Forestry and Aquaproduct Import Export Joint Stock Company (also known as Bentre Forestry and Aquaproduct Import and Export Joint Stock Company, Ben Tre Forestry and Aquaproduct Import-Export Company, Ben Tre Forestry Aquaproduct Import-Export Company, Ben Tre Frozen Aquaproduct Export Company or Faquimex)	
Bentre Seafood Jsc	
Bien Dong Hau Giang Seafood Joint Stock Company (also known as Bien Dong HG or Bien Dong Hau Giang Seafood Joint Stock Co.)	
Bien Dong Seafood Company Ltd. (also known as Bien Dong, Bien Dong Seafood, Bien Dong Seafood Co., Ltd., Biendong Seafood Co., Ltd., Bien Dong Seafood Limited Liability Company or Bien Dong Seafoods Co., Ltd.)	
Binh An Seafood Joint Stock Company (also known as Binh An or Binh An Seafood Joint Stock Co.)	
Binh Dinh Import Export Company (also known as Binh Dinh Import Export Joint Stock Company, or Binh Dinh)	
C.P. Vietnam Corporation	
Cadovimex II Seafood Import-Export and Processing Joint Stock Company (also known as Cadovimex II, Cadovimex II Seafood Import Export and Processing Joint Stock Company, or Cadovimex II Seafood Import-Export)	
Can Tho Animal Fishery Products Processing Export Enterprise (also known as Cafatex Corporation, or Cafatex)	
Cantho Import-Export Seafood Joint Stock Company (also known as CASEAMEX, Cantho Import Export Seafood Joint Stock Company, Cantho Import-Export Joint Stock Company, Can Tho Import Export Seafood Joint Stock Company, Can Tho Import-Export Seafood Joint Stock Company, or Can Tho Import-Export Joint Stock Company)	
Cavina Seafood Joint Stock Company (also known as Cavina Fish or Cavina Seafood Jsc)	
Cds Overseas Vietnam Co., Ltd	
Co May Import Export Company Limited (aka Co May Imp. Exp. Co)	
Colorado Boxed Beef Company (also known as CBBC)	
Coral Triangle Processors (dba Mowi Vietnam Co., Limited (Dong Nai))	

	Period to be reviewed
Cuu Long Fish Import-Export Corporation (also known as CL Panga Fish or Cuu Long Fish Imp. Exp. Corporation) Cuu Long Fish Joint Stock Company (also known as CL-Fish, CL-FISH CORP, or Cuu Long Fish Joint Stock Company) Cuu Long Seapro Da Nang Seaproducts Import-Export Corporation (also known as SEADANANG, Da Nang or Da Nang Seaproducts Import/Export Corp.) Dai Thanh Seafoods Company Limited (also known as DATHACO, Dai Thanh Seafoods or Dai Thanh Seafoods Co., Ltd.) Dai Tien Vinh Co., Ltd Dong A Seafood One Member Company Limited (also known as Dong A Seafood Co.) Dong Phuong Co., Ltd Dong Phuong Import Export Seafood Company Limited (also known as Dong Phuong Export Seafood Limited, Dong Phuong Seafood Company Limited, or aFishDeal) Dragonwaves Frozen Food Factory Co., Ltd East Sea Seafoods LLC (also known as East Sea Seafoods Limited Liability Company, ESS LLC, ESS, ESS JVC, or East Sea Seafoods Joint Venture Co., Ltd.) Europe Trading Co., Ltd Fatifish Company Limited (also known as FATIFISH or FATIFISHCO or Fatfish Co., Ltd.) GF Seafood Corp Gia Minh Co. Ltd Go Dang An Hiep One Member Limited Company Go Dang Ben Tre One Member Limited Liability Company GODACO Seafood Joint Stock Company (also known as GODACO, GODACO Seafood, GODACO SEAFOOD, GODACO_SEAFOOD, or GODACO Seafood J.S.C.) Gold Future Imp. Exp/Gold Future Imp. Exp. Development Co. Ltd Golden Quality Seafood Corporation (also known as Golden Quality, GoldenQuality, GOLDENQUALITY, or GoldenQuality Seafood Corporation) Green Farms Seafood Joint Stock Company (also known as Green Farms, Green Farms Seafood JSC, GreenFarm SeaFoods Joint Stock Company, or Green Farms Seafoods Joint Stock Company) GreenFeed Vietnam Corporation Ha Noi Can Tho Seafood Jsc Hai Huong Seafood Joint Stock Company (also known as HHFish, HH Fish, or Hai Huong Seafood) Hai Thuan Nam Co Ltd Hai Trieu Co., Ltd Hapag Lloyd (America) Inc Hasa Seafood Corp. (Hasaco) Hiep Thanh Seafood Joint Stock Company (also known as Hiep Thanh or Hiep Thanh Seafood Joint Stock Co.) Hoa Phat Seafood Import-Export and Processing J.S.C. (also known as HOPAFISH, Hoa Phat Seafood Import-Export and Processing Joint Stock Company, Hoa Phat Seafood Import-Export and Processing JSC, or Hoa Phat Seafood Imp. Exp. And Processing) Hoang Long Seafood Processing Company Limited (also known as HLS, Hoang Long, Hoang Long Seafood, HoangLong Seafood, or Hoang Long Seafood Processing Co., Ltd.) Hong Ngoc Seafood Co., Ltd Hung Phuc Thinh Food Jsc Hung Vuong Corporation; Hung Vuong Joint Stock Company, HVC or HV Corp.; An Giang Fisheries Import and Export Joint Stock Company (also known as Agifish, An Giang Fisheries Import and Export, An Giang Fisheries Import & Export Joint Stock Company); Asia Pangasius Company Limited (also known as ASIA); Europe Joint Stock Company (also known as Europe, Europe JSC or EJS CO.); Hung Vuong Ben Tre Seafood Processing Company Limited (also known as Ben Tre, HVBT, or HVBT Seafood Processing); Hung Vuong Mascato Company Limited (also known as Mascato); Hung Vuong—Sa Dec Co., Ltd. (also known as Sa Dec or Hung Vuong Sa Dec Company Limited); Hung Vuong—Vinh Long Co., Ltd. (also known as Vinh Long or Hung Vuong Vinh Long Company Limited) Hung Vuong—Mien Tay Aquaculture Corporation (HVMT or Hung Vuong Mien Tay Aquaculture Joint Stock Company) Hung Vuong Seafood Joint Stock Company HungCa 6 Corporation Hungca Co., Ltd I.D.I International Development and Investment Corporation (also known as IDI, International Development & Investment Corporation, International Development and Investment Corporation, or IDI International Development & Investment Corporation) Indian Ocean One Member Company Limited (also known as Indian Ocean Co., Ltd.) Lian Heng Trading Co. Ltd. (also known as Lian Heng, Lian Heng Trading, Lian Heng Investment Co. Ltd., or Lian Heng Investment) Loc Kim Chi Seafood Joint Stock Company (also known as Loc Kim Chi) Mekong Seafood Connection Co., Ltd Minh Phu Hau Giang Seafood Corp Minh Phu Seafood Corp Minh Qui Seafood Co., Ltd Nam Phuong Seafood Co., Ltd. (also known as Nam Phuong, NAFISHCO, Nam Phuong Seafood, or Nam Phuong Seafood Company Ltd.) Nam Viet Corporation (also known as NAVICO) New Food Import, Inc	

	Period to be reviewed
Ngoc Ha Co. Ltd. Food Processing and Trading (also known as Ngoc Ha or Ngoc Ha Co., Ltd. Foods Processing and Trading)	
Ngoc Tri Seafood Joint Stock	
Nguyen Tran Seafood Company (also known as Nguyen Tran J–S Co)	
Nha Trang Seafoods, Inc. (also known as Nha Trang Seafoods-F89, Nha Trang Seafoods, or Nha Trang Seaproduct Company)	
NTACO Corporation (also known as NTACO or NTACO Corp.)	
NTSF Seafoods Joint Stock Company (also known as NTSF, NTSF Seafoods or Ntsf Seafoods Jsc)	
Phu Thanh Co., Ltd	
Phu Thanh Hai Co. Ltd. (also known as PTH Seafood)	
Phuc Tam Loi Fisheries Imp	
PREFCO Distribution, LLC	
Pufong Trading And Service Co	
QMC Foods, Inc	
Qn Seafood Co., Ltd	
Quang Minh Seafood Company Limited (also known as Quang Minh, Quang Minh Seafood Co., Ltd., or Quang Minh Seafood Co.)	
Quirch Foods, LLC	
QVD Food Co., Ltd.; QVD Dong Thap Food Co., Ltd. (also known as Dong Thap or QVD DT); Thuan Hung Co., Ltd. (also known as THUFICO)	
Riptide Foods	
Saigon-Mekong Fishery Co., Ltd. (also known as SAMEFICO or Saigon Mekong Fishery Co., Ltd.)	
Seafood Joint Stock Company No. 4 (also known as SEAPRIEXCO No. 4)	
Seafood Joint Stock Company No. 4 Branch Dongtam Fisheries Processing Company (also known as DOTASEAFOODCO or Seafood Joint Stock Company No. 4—Branch Dong Tam Fisheries Processing Company)	
Seagate Logistics Co., Ltd	
Seavina Joint Stock Company (also known as Seavina)	
Sobi Co., Ltd	
Song Bien Co., Ltd	
Southern Fishery Industries Company, Ltd. (also known as South Vina, South Vina Co., Ltd., Southern Fishery Industries Co., Ltd., Southern Fisheries Industries Company, Ltd., or Southern Fisheries Industries Company Limited)	
Sunrise Corporation	
Tam Le Food Co., Ltd	
Tan Thanh Loi Frozen Food Co., Ltd	
TG Fishery Holdings Corporation (also known as TG or Tg Fishery Holdings Corp.)	
Thanh Dat Food Service And Trading	
Thanh Hung Co., Ltd. (also known as Thanh Hung Frozen Seafood Processing Import Export Co., Ltd. or Thanh Hung)	
Thanh Phong Fisheries Corp	
The Great Fish Company, LLC	
Thien Ma Seafood Co., Ltd. (also known as THIMACO, Thien Ma, Thien Ma Seafood Company, Ltd., or Thien Ma Seafoods Co., Ltd.)	
Thinh Hung Co., Ltd	
Thuan An Production Trading and Service Co., Ltd. (also known as TAFISHCO, Thuan An Production Trading and Services Co., Ltd., or Thuan An Production Trading & Service Co., Ltd.)	
Thuan Phuoc Seafoods and Trading Corporation	
To Chau Joint Stock Company (also known as TOCHAU, TOCHAU JSC, or TOCHAU Joint Stock Company)	
Trang Thuy Seafood Co., Ltd	
Truong Phat Seafood Jsc	
Van Y Corp	
Viet Hai Seafood Company Limited (also known as Viet Hai, Viet Hai Seafood Co., Ltd., Viet Hai Seafood Co., Vietnam Fish-One Co., Ltd., or Fish One)	
Viet Long Seafood Co., Ltd	
Viet Phat Aquatic Products Co., Ltd	
Viet Phu Foods & Fish Co., Ltd	
Viet Phu Foods and Fish Corporation (also known as Vietphu, Viet Phu, Viet Phu Food and Fish Corporation, or Viet Phu Food & Fish Corporation)	
Vietnam Seaproducts Joint Stock Company (also known as Seaprodex or Vietnam Seafood Corporation—Joint Stock Company)	
Vif Seafood Factory	
Vinh Hoan Corporation; Van Duc Food Export Joint Stock Company (also known as Van Duc); Van Duc Tien Giang Food Export Company (also known as VDTG or Van Duc Tien Giang Food Exp. Co.); Thanh Binh Dong Thap One Member Company Limited (also known as Thanh Binh Dong Thap or Thanh Binh Dong Thap Ltd.); Vinh Phuoc Food Company Limited (also known as Vinh Phuoc or VP Food)	
Vinh Long Import-Export Company (also known as Vinh Long, Imex Cuu Long, Vinh Long Import/Export Company)	
Vinh Quang Fisheries Corporation (also known as Vinh Quang, Vinh Quang Fisheries Corp., Vinh Quang Fisheries Joint Stock Company, or Vinh Quang Fisheries Co., Ltd.)	
SOCIALIST REPUBLIC OF VIETNAM: Seamless Refined Copper Pipe and Tube, A–552–831	8/1/24–7/31/25
Daikin Air Conditioning (Vietnam) Joint Stock Company	
Hailing (Vietnam) Copper Manufacturing Company Ltd.	
Hong Kong Hailing Metal Trading Ltd.	
ICOOL USA Incorporated	

	Period to be reviewed
Jintian Copper Industrial (Vietnam) Company Ltd.	
Kami Industry Joint Stock Company	
KBS Taisei Refrigeration Electric Co., Ltd.	
KP Resources Inc.	
LS Metal Vina Limited Liability Company	
SPAIN: Ripe Olives, A–469–817	8/1/24–7/31/25
Aceitunera del Norte de Cáceres, S.C.L.	
Agro Sevilla Aceitunas, S.Coop. And.	
Alimentary Group DCOOP, S.Coop.And.	
Angel Camacho Alimentación, S.L.	
Plasoliva, S.L.	
THAILAND: Steel Propane Cylinders, A–549–839	8/1/24–7/31/25
Sahamitr Pressure Container Public Company Limited	
THE PEOPLE'S REPUBLIC OF CHINA: Certain Metal Lockers and Parts Thereof, A–570–133	8/1/24–7/31/25
Hangzhou Evernew Machinery & Equipment Company, Ltd.; Zhejiang Yinghong Metalworks Co., Ltd.	
Kunshan Dongchu Precision Machinery Co., Ltd.	
Ningbo Safewell Group Smart Security Products Co., Ltd.	
Ningbo Safewell Safes	
Safewell Group Holdings, Ltd.	
Tianjin Jia Mei Metal Furniture Ltd.	
Xingyi Metalworking Technology (Zhejiang) Co., Ltd.	
Xpedition LLC DBA Safewell Gr	
Zhejiang Focus-On Import & Export Co., Ltd.	
Zhejiang Safewell Security Technology Co., Ltd.	
Zhejiang Xingyi Metal Products Co., Ltd.	
THE PEOPLE'S REPUBLIC OF CHINA: Certain Passenger Vehicle and Light Truck Tires, A–570–016	8/1/24–7/31/25
Pirelli Tyre Co., Ltd.	
Qingdao Fullrun Tyre Corp., Ltd.	
Qingdao Keter International Co., Limited	
Qingdao Lakesea Tyre Co., Ltd.	
Qingdao Landwinner Tyre Co., Ltd	
Qingdao Nama Industrial Co., Ltd.	
Qingdao Nexen Tire Corporation	
Qingzhou Detai International Trading Co., Ltd	
Riversun Industry Limited	
Shandong Changfeng Tyres Co., Ltd.	
Shandong Guofeng Rubber Plastics Co., Ltd.	
Shandong Haohua Tire Co., Ltd.	
Shandong Qilun Rubber Co., Ltd	
Shandong Yongsheng Rubber Group Co., Ltd.	
Shandong Yongtai Group Co., Ltd.	
Shandong Yonking Rubber Co., Ltd.	
Shandong Zhongyi Rubber Co., Ltd.	
Shengtai Group Co., Ltd.	
Techking Tires Limited	
Triangle Tyre Co., Ltd.	
Weihai Zhongwei Rubber Co., Ltd.	
Windforce Tyre Co., Limited	
THE PEOPLE'S REPUBLIC OF CHINA: Certain Pea Protein, A–570–154	11/15/23–7/31/25
Bioway Industrial Group Ltd.	
Bioway Organic Group Ltd.	
Bioway (Xi'an) Organic Ingredients Co., Ltd.	
Dongguan Fenggang Yuxing Food Factory	
Fenchem Biotek Ltd.	
Flyloong Biotechnology (Qingdao) Co., Ltd.	
Focusherb LLC	
Hainan Zhongxin Chemical Co., Ltd.	
Hangzhou Natur Foods Co., Ltd.	
Hengyuan Biotechnology Co., Ltd.	
Jianyuan International Co., Ltd.	
Jinyuan Import & Export Co., Ltd.	
Jiujiang Tiantai Food Co. Ltd.	
KTL Pharmaceutical Co., Ltd.	
Linyi Yuwang Vegetable Protein Co., Ltd.	
Nanjing NHC Nutraceuticals Co., Ltd.	
Naturz Organics (Dalian) Co., Ltd.	
Nutracean Co., Ltd.	
Nutritech Asia Group Qingdao, Ltd.	
Richtek Ltd.	
Shandong Jianyuan Bioengineering Co., Ltd.	
Shandong Yuwang Ecological Food Industry Co., Ltd.	
Shanghai Elim Organic Food Co., Ltd.	
Shanghai Freeman Lifescience Co., Ltd.	

	Period to be reviewed
Shanxi Coolflying Bio-Tech Co., Ltd.	
Sugarbush Shenzhen Biotechnology Co., Ltd.	
Wellgreen Technology Co., Ltd.	
Yantai Hongben Import Export Co., Ltd.	
Yantai Oriental Protein Tech	
Yantai Shuangta Food Co., Ltd.	
Yantai T.Full Biotech Co., Ltd.	
Yantai Wanpy International Trade Co.	
Yosin Biotechnology (Yantai) Co., Ltd.	
Zhaoyuan Junbang Trading Co., Ltd.	
THE PEOPLE'S REPUBLIC OF CHINA: Certain Steel Nails, A–570–909	8/1/24–7/31/25
JISCO Corporation	
Nanjing Caiqing Hardware Co., Ltd.	
Nanjing Yuechang Hardwares Co., Ltd.	
Qingdao Jisco Co., Ltd.	
Shandong Qingyun Hongyi Hardware Co., Ltd.	
Shanghai Yueda Nails (Chuzhou) Ltd.	
Shanghai Yueda Nails Co., Ltd.	
Shanxi Hairui Trade Co., Ltd.	
Tianjin Jinchi Metal Products Co., Ltd.	
Tianjin Jinghai County Hongli Industry & Business Co., Ltd.	
Xi'an Metals and Minerals Import & Export Co., Ltd.	
THE PEOPLE'S REPUBLIC OF CHINA: Hydrofluorocarbon Blends, A–570–028	8/1/24–7/31/25
A-Gas (Shanghai) Chemical Co., Ltd	
Best Inc. Limited	
Dongyang Weihua Refrigerants Co., Ltd.	
Foshan Midea Carrier	
Jinhua Slihe Chemical Co. Limited	
Ningbo Icer Ie Co. Ltd.	
Qingdao Shingchem New Material Co.	
Quzhou Rongqiang Chem Co., Ltd.	
Superfy Industrial Limited	
TSR Worldwide Limited	
T.T. International Co., Ltd.	
Zhejiang Boxin Import & Export Co.	
Zhejiang Jinze Refrigerant Co., Ltd	
THE PEOPLE'S REPUBLIC OF CHINA: Light-Walled Rectangular Pipe And Tube, A–570–914	8/1/24–7/31/25
Baoli Iron & Steel Co., Ltd.	
Chinh Dai Steel Technology Company	
DRM Steel Group Co., Ltd.	
Fuzhou Tong Gebei Import & Export	
GS Global USA, Inc.	
Hangzhou Ailong Metal Products Co., Ltd.	
Hangzhou Well-Trans Supply Chain Ma	
Henan Shuxian Trading Co., Ltd.	
Hoa Phat Steel Pipe Company Limited	
Hubei Yimeiyuan International Trade	
Jaway Metal Co., Ltd.	
Jiangmen Leader Hardware Technology	
Maytun International Corp.	
Ningbo Shitai Precision	
Ningbo Shitai Precision Machinery	
Ningbo Wicksen Imp. Exp. Co., Ltd.	
Nvent Electrical Products China Co.	
Qingdao New Taosheng Metal	
Seah Steel Vina Corporation	
Shandong Zhongtong Boda Steel Co., Ltd.	
Shanghai GWT International Trading	
Shenzhen Liuqin Lighting Technology	
Shenzhen Meiheyou Technology Co. Ltd	
Suzhou Jintuyuan Intl Trading	
Tangshan Runying International Trade Co. Ltd.	
Tianjin Bao Steel Co., Ltd.	
Tianjin Baode Steel Co., Ltd.	
Tianjin Longford Metal Products	
Tianjin Mingyu Weiye Steel Trade Co.	
Tianjin Yujun International Trade Co., Ltd.	
Tianjin Zhonghua Innovate Steel	
Vina One Steel Manufacturing Corp.	
WJ-Lean Technology Company Limited	
Wuxi Shengtao Metal Material Co., Ltd.	
Xiamen Yulongxuan Sculpture	
Xiamen Yunfa Steel Pipes Industrial	

	Period to be reviewed
Xi'an Dongmeng Steel Co., Ltd.	
Yieh Corporation Limited	
Yieh Corp. Sc Limited	
Yiwu Dt Supply Chain Mana	
THE PEOPLE'S REPUBLIC OF CHINA: Polyethylene Retail Carrier Bags, A–570–886	8/1/24–7/31/25
Dongguan Nozawa Plastics Products Co., Ltd. and United Power Packaging, Ltd. (collectively Nozawa)	
Crown Polyethylene Products (International) Ltd.	
UKRAINE: Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe, A–823–819	8/1/24–7/31/25
Interpipe Ukraine LLC	
LLC Interpipe Niko Tube	
PJSC Interpipe Niznedneprovsky Tube Rolling Plant	
Interpipe Europe S.A	
CVD Proceedings	
CANADA: Utility Scale Wind Towers, C–122–868	1/1/24–12/31/24
Marmen Inc.	
Marmen Énergie Inc.	
Marmen Energy Co.	
INDIA: Finished Carbon Steel Flanges, C–533–872	1/1/24–12/31/24
Adinath International	
Aditya Forge Limited	
Allena Group	
Alloyed Steel	
Balkrishna Steel Forge Pvt. Ltd.	
Bansidhar Chiranjilal	
Bebitz Flanges Works Private Limited	
BFN Forgings Private Limited	
Brai Technoforge Pvt. Ltd.	
C. D. Industries	
Cetus Engineering Private Limited	
CHW Forge	
CHW Forge Pvt. Ltd.	
Citizen Metal Depot	
Corum Flange	
DN Forge Industries	
Echjay Forgings Limited	
Echjay Industries Pvt. Ltd	
Falcon Valves and Flanges Private Limited	
Heubach International	
Hindon Forge Pvt. Ltd.	
JAI Auto Pvt Ltd	
Jiten Steel Industries	
Kinnari Steel Corporation	
M F Rings and Bearing Races Ltd.	
Mascot Metal Manufactures	
Munish Forge Private Limited	
Norma (India) Limited	
OM Exports	
Punjab Steel Works (PSW)	
R. D. Forge	
R.N. Gupta and Company Limited	
Raaj Sagar Steel	
Ravi Ratan Metal Industries	
Renin Piping Products	
Rolex Fittings India Pvt. Ltd.	
Rollwell Forge Engineering Components And Flanges	
Rollwell Forge Pvt. Ltd.	
SHM (ShinHeung Machinery)	
Siddhagiri Metal & Tubes	
Sizer India	
Steel Shape India	
Sudhir Forgings Pvt. Ltd.	
Tirupati Forge	
Uma Shanker Khandelwal & Co.	
Umashanker Khandelwal Forging Limited	
USK Exports Private Limited	
MALAYSIA: Utility Scale Wind Towers, C–557–822	1/1/24–12/31/24
CS Wind Malaysia Sdn. Bhd.	
GE Renewable Energy	
GE Renewables Malaysia Sdn. Bhd.	
Nordex SE	
Siemens Gamesa Renewable Energy, S.A.	
SPAIN: Ripe Olives, C–469–818	1/1/24–12/31/24

	Period to be reviewed
Agro Sevilla Aceitunas S.Coop.And.	
Alimentary Group DCooP S.Coop. And.	
Angel Camacho Alimentación, S.L.; Cuarterola S.L.; Cucanoche S.L.; Grupo Angel Camacho, S.L.[7]	
Plasoliva, S.L.	
Aceitunera del Norte de Caceres, Soc. Coop. LTDA 2º Grado	
Aceitunera del Norte de Cáceres, S.C.L.	
THE PEOPLE'S REPUBLIC OF CHINA: Certain Passenger Vehicle And Light Truck Tires, C–570–017	1/1/24–12/31/24
Qingdao Fullrun Tyre Corp., Ltd.	
Qingdao Keter International Co., Limited	
Shandong Haohua Tire Co., Ltd.	
Triangle Tyre Co., Ltd.	
THE PEOPLE'S REPUBLIC OF CHINA: Certain Pea Protein, C–570–155	9/19/23–12/31/24
Bioway Organic Group Ltd.	
Fenchem Biotek Ltd.	
Focusherb LLC	
Hainan Zhongxin Chemical Co., Ltd.	
Hengyuan Biotechnology Co., Ltd.	
Jianyuan International Co., Ltd.	
Jinyuan Import & Export Co., Ltd.	
KTL Pharmaceutical Co., Ltd.	
Linyi Yuwang Vegetable Protein Co., Ltd.	
Nanjing NHC Nutraceuticals Co., Ltd.	
Naturz Organics (Dalian) Co., Ltd.	
Nutracean Co., Ltd.	
Nutritech Asia Group Qingdao, Ltd	
Shandong Jianyuan Bioengineering Co., Ltd.	
Shandong Yuwang Ecological Food Industry Co., Ltd.	
Shanghai Elim Organic Food Co., Ltd.	
Shanghai Freeman Lifescience Co., Ltd.	
Shanxi Coolflying Bio-Tech Co., Ltd.	
Sugarbush Shenzhen Biotechnology Co., Ltd.	
Yantai Hongben Import Export Co., Ltd	
Yantai Oriental Protein Tech; Jiujiang Tiantai Food Co. Ltd.; Shandong Sanjia Investment Holding Group Co., Ltd.; Yantai Yiyuan Bioengineering Co., Ltd; Yantai Zhongzhen Trading Co., Ltd.	
Yantai Shuangta Food Co., Ltd; Zhaoyuan Junbang Trading Co., Ltd.	
Yantai T.full Biotech Co., Ltd.	
Yantai Wanpy International Trade Co.	
Yosin Biotechnology (Yantai) Co., Ltd.	
THE PEOPLE'S REPUBLIC OF CHINA: Certain Metal Lockers and Parts Thereof, C–570–134	1/1/24–12/31/24
Hangzhou Xline Machinery	
Hangzhou Evernew Machinery & Equipment Company, Ltd.; Zhejiang Yinghong Metalware Co., Ltd.	
Kunshan Dongchu Precision Machinery Co., Ltd.	
Pinghu Chenda Storage Office Co., Ltd.	
Tianjin Jia Mei Metal Furniture Ltd.	
Xingyi Metalworking Technology (Zhejiang) Co., Ltd	
Zhejiang Xingyi Metal Products Co., Ltd.	
THE PEOPLE'S REPUBLIC OF CHINA: Light-Walled Rectangular Pipe And Tube, C–570–915	1/1/24–12/31/24
Baoli Iron & Steel Co., Ltd.	
Best Hope Mold & Plastic (Shanghai)	
Chinh Dai Steel Technology Company	
China North New Material Co., Ltd.	
DRM Steel Group Co., Ltd.	
Foshan Yingshi Chuangli Mechanical	
Fuzhou Tong Gebei Import & Export Co.	
Hangzhou Ailong Metal Products Co., Ltd.	
Hangzhou Well-Trans Supply Chain Ma	
Hoa Phat Steel Pipe Company Limited	
Huaruitai Steel Company Limited	
Hubei Yimeiyuan International Trade	
Inventec (Chongqing) Corporation	
Jaway Metal Co., Ltd.	
Jiangmen Leader Hardware	
Maytun International Corp.	
Ningbo Wicksen Imp. Exp. Co., Ltd.	
Nvent Electrical Products China Co.	
Qingdao New Taosheng Metal	
Royal Steel Pipe Co., Ltd.	
Seah Steel Vina Corporation	
Shandong Huaping Steel Group Co., Ltd.	
Shandong Hwy Steel Co., Ltd.	
Shandong Jiugang Tisco	
Shanghai GWT International Trading	
Shenzhen Guangshunkai Trading Co.	

	Period to be reviewed
Shenzhen Jinlishen Trading Co., Ltd. Shenzhen Meiheyou Technology Co. Ltd. Suzhou Jintuyuan Intl Trading Tangshan Runying International Trade Tianjin Bao Steel Co., Ltd. Tianjin Baode Steel Co., Ltd. Tianjin Ironstar Industry Co., Ltd. Tianjin Mingyu Weiye Steel Trade Co. Vina One Steel Manufacturing Corp. Vinlong Stainless Steel (Vietnam) WJ-Lean Technology Company Limited Xiamen Yulongxuan Sculpture Xiamen Yunfa Steel Pipes Industrial Xi'an Dongmeng Steel Co., Ltd. Yiwu Dt Supply Chain Mana	

Suspension Agreements

None.

Duty Absorption Reviews

During any administrative review covering all or part of a period falling between the first and second or third and fourth anniversary of the publication of an AD order under 19 CFR 351.211 or a determination under 19 CFR 351.218(f)(4) to continue an order or suspended investigation (after sunset review), Commerce, if requested by a domestic interested party within 30 days of the date of publication of the notice of initiation of the review, will determine whether antidumping duties have been absorbed by an exporter or producer subject to the review if the subject merchandise is sold in the United States through an importer that is affiliated with such exporter or producer. The request must include the name(s) of the exporter or producer for which the inquiry is requested.

Gap Period Liquidation

For the first administrative review of any order, there will be no assessment of antidumping or countervailing duties on entries of subject merchandise entered, or withdrawn from warehouse, for consumption during the relevant ''gap'' period of the order (*i.e.,* the period following the expiry of provisional measures and before definitive measures were put into place), if such a gap period is applicable to the POR.

Administrative Protective Orders and Letters of Appearance

Interested parties must submit applications for disclosure under administrative protective orders in accordance with the procedures outlined in Commerce's regulations at 19 CFR 351.305. Those procedures apply to administrative reviews included in this notice of initiation. Parties wishing to participate in any of these administrative reviews should ensure that they meet the requirements of these procedures (*e.g.,* the filing of separate letters of appearance as discussed at 19 CFR 351.103(d)).

Factual Information Requirements

Commerce's regulations identify five categories of factual information in 19 CFR 351.102(b)(21), which are summarized as follows: (i) evidence submitted in response to questionnaires; (ii) evidence submitted in support of allegations; (iii) publicly available information to value factors under 19 CFR 351.408(c) or to measure the adequacy of remuneration under 19 CFR 351.511(a)(2); (iv) evidence placed on the record by Commerce; and (v) evidence other than factual information described in (i)-(iv). These regulations require any party, when submitting factual information, to specify under which subsection of 19 CFR 351.102(b)(21) the information is being submitted and, if the information is submitted to rebut, clarify, or correct factual information already on the record, to provide an explanation identifying the information already on the record that the factual information seeks to rebut, clarify, or correct. The regulations, at 19 CFR 351.301, also provide specific time limits for such factual submissions based on the type of factual information being submitted. Please review the *Final Rule,*[8] available at *https://www.govinfo.gov/content/pkg/FR-2013-07-17/pdf/2013-17045.pdf,* prior to submitting factual information in this segment. Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).[9]

Any party submitting factual information in an AD or CVD proceeding must certify to the accuracy and completeness of that information using the formats provided at the end of the *Final Rule*.[10] Commerce intends to reject factual submissions in any proceeding segments if the submitting party does not comply with applicable certification requirements.

Extension of Time Limits Regulation

Parties may request an extension of time limits before a time limit established under Part 351 expires, or as

[4] In the initiation notice published on July 25, 2025 (90 FR 35268), Commerce inadvertently misspelled ''G Rocks and Resources'' as ''Rocks and Resources,'' and misspelled ''Pokarna Engineered Stone Limited'' as ''Pokarna Engineered Sone Limited.'' The correct spellings for these company names are listed above.

[5] We received a request for review of Regiomontana de Perfiles y Tubos S.A. de C.V. However, Commerce previously determined that Regiomontana de Perfiles y Tubos S. de R.L. de C.V. is the successor-in-interest to Regiomontana de Perfiles y Tubos S.A. de C.V. *See Light-Walled Rectangular Pipe and Tube From Mexico, 2018–2019,* 86 FR 33646 (June 25, 2021).

[6] In the initiation notice published on August 22, 2025 (90 FR 41043) Commerce inadvertently listed an incorrect period of review. The correct period of review is listed above.

[7] Commerce previously determined that Angel Camacho Alimentación, S.L.; Cuarterola S.L.; Cucanoche S.L.; Grupo Angel Camacho, S.L. are cross-owned. *See Ripe Olives from Spain: Final Results of Countervailing Duty Administrative Review; 2022,* 90 FR 25022 (June 13, 2025).

[8] *See Certification of Factual Information To Import Administration During Antidumping and Countervailing Duty Proceedings,* 78 FR 42678 (July 17, 2013) (*Final Rule*); *see also* the frequently asked questions regarding the *Final Rule,* available at *https://enforcement.trade.gov/tlei/notices/factual_info_final_rule_FAQ_07172013.pdf.*

[9] *See Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings; Final Rule,* 88 FR 67069 (September 29, 2023).

[10] *See* section 782(b) of the Act; *see also Final Rule;* and the frequently asked questions regarding the *Final Rule,* available at *https://enforcement.trade.gov/tlei/notices/factual_info_final_rule_FAQ_07172013.pdf.*

otherwise specified by Commerce.[11] In general, an extension request will be considered untimely if it is filed after the time limit established under Part 351 expires. For submissions which are due from multiple parties simultaneously, an extension request will be considered untimely if it is filed after 10:00 a.m. on the due date. Examples include, but are not limited to: (1) case and rebuttal briefs, filed pursuant to 19 CFR 351.309; (2) factual information to value factors under 19 CFR 351.408(c), or to measure the adequacy of remuneration under 19 CFR 351.511(a)(2), filed pursuant to 19 CFR 351.301(c)(3) and rebuttal, clarification and correction filed pursuant to 19 CFR 351.301(c)(3)(iv); (3) comments concerning the selection of a surrogate country and surrogate values and rebuttal; (4) comments concerning CBP data; and (5) Q&V questionnaires. Under certain circumstances, Commerce may elect to specify a different time limit by which extension requests will be considered untimely for submissions which are due from multiple parties simultaneously. In such a case, Commerce will inform parties in the letter or memorandum setting forth the deadline (including a specified time) by which extension requests must be filed to be considered timely. This policy also requires that an extension request must be made in a separate, standalone submission, and clarifies the circumstances under which Commerce will grant untimely-filed requests for the extension of time limits. Please review the *Final Rule,* available at *https://www.gpo.gov/fdsys/pkg/FR-2013-09-20/html/2013-22853.htm,* prior to submitting factual information in these segments.

Notification to Interested Parties

These initiations and this notice are in accordance with section 751(a) of the Act (19 U.S.C. 1675(a)) and 19 CFR 351.221(c)(1)(i).

Dated: September 23, 2025.

Scot Fullerton,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2025–18641 Filed 9–24–25; 8:45 am]

BILLING CODE 3510–DS–P

[11] *See* 19 CFR 351.302.

DEPARTMENT OF COMMERCE

International Trade Administration

[A–423–808]

Stainless Steel Plate in Coils From Belgium: Final Results of Antidumping Duty Administrative Review; 2023–2024

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that Aperam Stainless Belgium N.V. (ASB) did not make sales of stainless steel plate in coils from Belgium at less than normal value (NV) during the period of review (POR), May 1, 2023, through April 30, 2024.

DATES: Applicable September 25, 2025.

FOR FURTHER INFORMATION CONTACT: Samuel Brummitt, 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) 482–7851.

SUPPLEMENTARY INFORMATION:

Background

On June 4, 2025, Commerce published the *Preliminary Results* of this review in the **Federal Register** and invited interested parties to comment.[1] On June 23, 2025, Commerce suspended the briefing schedule in order to issue a post-preliminary analysis.[2] On August 14, 2025, Commerce issued a post-preliminary analysis memorandum replacing the Cohen's *d* test with the ''price difference test.'' [3] On August 18, 2025, Commerce re-established the briefing schedule and invited interested parties to comment on the *Preliminary Results* and the post-preliminary analysis; however, no interested party submitted comments.[4] Accordingly, we made no changes to the post-preliminary analysis, and thus, no decision memorandum accompanies this notice. Commerce conducted this administrative review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act).

Scope of the Order [5]

The merchandise covered by this *Order* is stainless steel plate in coils from Belgium. For a complete description of the scope, *see* the *Preliminary Results*.[6]

Changes Since the Preliminary Results

On June 13 and June 16, 2025, respectively, the U.S. Court of Appeals for the Federal Circuit (Federal Circuit) issued mandates based on the Federal Circuit's opinions in *Marmen* and *Stupp*.[7] In its opinions, the Federal Circuit held that it is unreasonable to use the Cohen's *d* test when the Cohen's *d* test is applied to data that do not satisfy certain statistical criteria. Accordingly, to comply with the Federal Circuit's holdings regarding the Cohen's *d* test, Commerce revised the differential pricing analysis used in the *Preliminary Results* in a post-preliminary analysis.[8] Commerce has made no other changes for these final results.

Final Results of Review

In the *Preliminary Results,* we determined that ASB did not make sales of subject merchandise at less than NV during the POR. As noted above, Commerce received no comments concerning the *Preliminary Results* or the post-preliminary analysis. Therefore, for these final results, Commerce continues to determine that the following weighted-average dumping margin exists for the period May 1, 2023, through April 30, 2024:

Producer or exporter	Weighted-average dumping margin (percent)
Aperam Stainless Belgium N.V ..	0.00

Disclosure

Normally, Commerce discloses to interested parties the calculations of the final results of an administrative review within five days of a public announcement or, if there is no public

[1] *See Stainless Steel Plate in Coils from Belgium: Preliminary Results and Rescission, in Part, of Antidumping Duty Administrative Review; 2023–2024,* 90 FR 23670 (June 4, 2025) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).

[2] *See* Memorandum, ''Suspension of Deadline for Case Briefs,'' dated June 23, 2025.

[3] *See* Memorandum, ''Post-Preliminary Analysis for the Administrative Review of Stainless Steel Plate in Coils from Belgium,'' dated August 14, 2025 (Post-Preliminary Memorandum).

[4] *See* Memorandum, ''Reestablishing Briefing Schedule,'' dated August 18, 2025.

[5] *See Certain Stainless Steel Plate in Coils from Belgium, Canada, Italy, the Republic of Korea, South Africa, and Taiwan,* 64 FR 27756 (May 21, 1999) (*Order*).

[6] *See Preliminary Results* PDM at 3.

[7] *See Marmen Inc.* v. *United States,* 134 F.4th 1334 (Fed. Cir. 2025) (*Marmen*); *Stupp Corp.* v. *United States,* No. 23–1663, 2025 WL 1178392 (Fed. Cir. 2025) (non-precedential) (*Stupp*).

[8] *See* Post-Preliminary Memorandum; *see also,* Memorandum, ''Post-Preliminary Sales and Cost Calculation Memorandum for Aperam Stainless Belgium N.V.,'' dated August 14, 2025 (Post-Preliminary Calculation Memorandum).

announcement, within five days of the date of publication of the notice of final results in the **Federal Register**, in accordance with 19 CFR 351.224(b). However, because we have made no changes to the *Preliminary Results* other than those discussed in the Post-Preliminary Memorandum and Post-Preliminary Calculation Memorandum, for which we received no comments, there are no new calculations to disclose.

Assessment Rate

Pursuant to section 751(a)(2)(C) of the Act, and 19 CFR 351.212(b)(1), Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review. Pursuant to 19 CFR 351.212(b)(1), where the respondent reported the entered value of its U.S. sales, we calculated importer-specific antidumping duty assessment rates by aggregating the total amount of dumping calculated for the examined sales of each importer and dividing each of these amounts by the total entered value associated with those sales. Where the respondent did not report entered value, we calculated a per-unit assessment rate for each importer by dividing the total amount of dumping calculated for the examined sales made to that importer by the total quantity associated with those sales. To determine whether an importer-specific, per-unit assessment rate is *de minimis,* in accordance with 19 CFR 351.106(c)(2), we also calculated an importer-specific *ad valorem* ratio based on estimated entered values. Where either the respondent's weighted-average dumping margin is zero or *de minimis* within the meaning of 19 CFR 351.106(c)(1), or an importer-specific assessment rate is zero or *de minimis,* we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

Commerce's ''reseller policy'' will apply to entries of subject merchandise during the POR produced by ASB for which the reviewed company did not know that the merchandise it sold to the intermediary (*e.g.,* a reseller, trading company, or exporter) was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.[9]

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 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). The final results of this administrative review shall be the basis for the assessment of antidumping duties on entries of merchandise under review and for future cash deposits of estimated antidumping duties, where applicable.

Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for ASB will be zero, the rate established in the final results of this review; (2) for merchandise exported by a company not covered in this administrative review but covered in a completed prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding; (3) if the exporter is not a firm covered in this review or completed prior segment of this proceeding but the producer is, the cash deposit rate will be the company-specific rate established for the most recently-completed segment of this proceeding for the producer of the subject merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 9.86 percent, the rate established in the original investigation of this proceeding.[10] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties has occurred and the subsequent assessment of double antidumping duties.

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), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

Notification to Interested Parties

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213(h) and 19 CFR 351.221(b)(5).

Dated: September 19, 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.

[FR Doc. 2025–18564 Filed 9–24–25; 8:45 am]

BILLING CODE 3510–DS–P

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

[10] *See Order,* 64 FR at 27757.

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Public Meeting of the National Sea Grant Advisory Board

AGENCY: Office of Oceanic and Atmospheric Research (OAR), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

ACTION: Notice of public meeting.

SUMMARY: This notice sets forth the schedule and proposed agenda of a forthcoming meeting of the National Sea Grant Advisory Board (Board), a Federal Advisory Committee. Board members will discuss and provide advice on the National Sea Grant College Program (Sea Grant) in the areas of program evaluation, strategic planning, education and extension, science and technology programs, and other matters as described in the agenda found on the Sea Grant website. For more information on this Federal Advisory Committee please visit the Federal Advisory Committee database: *https://www.facadatabase.gov/FACA/FACAPublicPage.*

DATES: The announced meeting is scheduled for Tuesday October 21, 2025 from 3:00 p.m.–6:00 p.m., Wednesday October 22, 2025 from 3:00 p.m.–6:00 p.m. and Thursday October 23, 2025 from 3:00 p.m.–6:00 p.m. (EST).

ADDRESSES: The meeting will be held virtually. For more information about the virtual meeting see below in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: For any questions concerning the meeting, please contact Ms. Susan Holmes, National Sea Grant College Program. Email: *oar.sg-feedback@noaa.gov*. Phone Number: (301) 734–1077.

SUPPLEMENTARY INFORMATION:

Status: The meeting will be open to public participation with a public comment period on Tuesday, October 21 at 3:15 p.m. The Board expects that public statements presented at its meetings will not be repetitive of previously submitted verbal or written statements. In general, each individual or group making a verbal presentation will be limited to a total time of three (3) minutes. Written comments should be received by Ms. Susan Holmes by Tuesday, October 14, 2025 to provide sufficient time for Board review. Written comments received after the deadline will be distributed to the Board, but may not be reviewed prior to the meeting date.

Special Accommodations: The Board meeting is virtually accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Ms. Susan Holmes by Tuesday, October 14, 2025.

The Board, which consists of a balanced representation from academia, industry, state government and citizens groups, was established in 1976 by Section 209 of the Sea Grant Improvement Act (Pub. L. 94–461, 33 U.S.C. 1128). The Board advises the Secretary of Commerce and the Director of the National Sea Grant College Program with respect to operations under the Act, and such other matters as the Secretary refers to them for review and advice.

Matters To Be Considered: Board members will discuss and vote on a couple of reports regarding program evaluation, the selection of new committee membership, the Board will hear from the Sea Grant Communicators Network and other topics that need Board feedback: *https://seagrant.noaa.gov/About/Advisory-Board*.

David Holst,

Chief Financial Officer/Administrative Officer, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration.

[FR Doc. 2025–18607 Filed 9–24–25; 8:45 am]

BILLING CODE 3510–KA–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Proposed deletions

AGENCY: Committee for Purchase from People Who Are Blind or Severely Disabled.

ACTION: Proposed deletions from the Procurement List.

SUMMARY: The Committee is proposing to delete products and service(s) from the Procurement List that were furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

DATES: Comments must be received on or before: October 25, 2025.

ADDRESSES: Committee for Purchase from People Who Are Blind or Severely Disabled, 355 E Street SW, Suite 325, Washington DC, 20024.

FOR FURTHER INFORMATION CONTACT: For further information or to submit comments contact: Michael R. Jurkowski, Telephone: (703) 489–1322, or email *CMTEFedReg@AbilityOne.gov.*

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 8503 (a)(2) and 41 CFR 51–2.3. Its purpose is to provide interested persons an opportunity to submit comments on the proposed actions.

Deletions

The following product(s) and service(s) are proposed for deletion to the Procurement List:

Product(s)

NSN(s)—Product Name(s):
7045–01–568–4203—USB Flip Drive, Water Resistant, Silver/Black, 2GB
7045–01–568–4204—USB Flip Drive, Water Resistant, Silver/Black, 4GB
7045–01–568–4208—USB Flash Drive, 256-Bit SES Encryption, Water Resistant, Silver/Black, 2GB
7045–01–568–4209—USB Flash Drive, 256-Bit SES Encryption, Water Resistant, Silver/Black, 4GB
Authorized Source of Supply: North Central Sight Services, Inc., Williamsport, PA
Contracting Activity: GSA/FAS ADMIN SVCS ACQUISITION BR(2
NSN(s)—Product Name(s):
7045–01–406–5391—Compact Disc, Recordable, Gold, BX/25
7045–01–429–3462—Compact Disc, Recordable, Gold, Sleeves and Mailers
Authorized Source of Supply: North Central Sight Services, Inc., Williamsport, PA
Contracting Activity: DLA TROOP SUPPORT

Service(s)

Service Type: Janitorial/Custodial
U.S. Army Reserve Center: 4301 Goodfellow Boulevard, Center #3
Mandatory for: U.S. Army Reserve Center: 4301 Goodfellow Boulevard, Center #3
Contracting Activity: DEPT OF THE ARMY, W6QM MICC FT MCCOY (RC)

Service Type: Custodial
Mandatory for: FAA, EWR TSS Room, North Cargo Bldg 157, Liberty International Airport, Newark, NJ
Contracting Activity: FEDERAL AVIATION ADMINISTRATION, 697DCK REGIONAL ACQUISITIONS SVCS

Service Type: Embroidery of USAF Service Name Tapes & Emboss
Mandatory for: Lackland Air Force Base
Contracting Activity: DEPT OF THE AIR FORCE, FA7014 AFDW PK

Service Type: Janitorial/Custodial
Mandatory for: GSA PBS Region 5, Eau Claire Federal Building and US Courthouse, Eau Claire, WI
Contracting Activity: GENERAL SERVICES ADMINISTRATION, PBS R5

Service Type: Laundry/Dry Cleaning
Mandatory for: US Army, Fort Johnson, 2038 9th Street Bldg 1352, Fort Johnson, LA
Contracting Activity: DEPT OF THE ARMY, W6QM MICC–FT JOHNSON

Service Type: Admin Services for FPS in San Francisco and Los Angeles
Mandatory for: DHS, FPS, Region 9, Federal Protective Service, Reno, NV
Contracting Activity: DEPT OF HOMELAND SECURITY, FPS WEST CCG

Michael R. Jurkowski,

Director, Business Operations.

[FR Doc. 2025–18592 Filed 9–24–25; 8:45 am]

BILLING CODE 6353–01–P

DEPARTMENT OF DEFENSE

Department of the Army, Corps of Engineers

[Permit No. SWG–2025–00112 and Section 408 Request ID No. 408–SWG–2025–0031.]

Notice of Final Federal Agency Action on the Authorization for the Port of Corpus Christi Authority Harbor Island Desalination Project

AGENCY: Department of the Army, U.S. Army Corps of Engineers, DoD.

ACTION: Notice of limitation on claims for judicial review of actions by the U.S. Army Corps of Engineers (USACE).

SUMMARY: Pursuant to 42 U.S.C. 4370m-6(a)(1)(A), publication of this notice in

the **Federal Register** initiates a 2-year period for any claim seeking judicial review of the USACE final agency action. USACE announces final agency action on the USACE authorization for the proposed construction of the Port of Corpus Christi Authority Harbor Island Desalination Project (HIDP) located in and affecting the existing Corpus Christi Ship Channel (CCSC), Aransas Channel, Lydia Ann Channel, and Gulf of America (Gulf). USACE has issued a permit authorizing the construction of the HIDP under sections 10 and 14 of the Rivers and Harbors Act of 1899 (RHA) and section 404 of the Clean Water Act (CWA). The HIDP Project is a ''covered project'' under Title 41 of the Fixing America's Surface Transportation Act.

DATES: Claims for judicial review must be filed within 2 years of publication. After that date, such claims are barred by statute. If the Federal law that allows for judicial review of the USACE authorization specifies a shorter time period for filing such a claim, then that shorter time period will apply.

FOR FURTHER INFORMATION CONTACT: Kevin Mannie, Regulatory Project Manager, Regulatory Division, USACE, Galveston District, 2000 Fort Point Road, Galveston, Texas 77550, (409)-766–3016, or *CESWG-2025-00112@usace.army.mil.*

SUPPLEMENTARY INFORMATION: Notice is hereby given that USACE has taken final agency action on its authorization for the proposed HIDP Project by issuing a permit authorizing construction of the Project under section 10 and 14 of the RHA and section 404 of the CWA.

The HIDP project proposes to excavate approximately 1,000 cubic yards (CY) of unvegetated water bottom, and discharge approximately 15,800 CY of rock/stone, and install one (1) seawater intake and two (2) outfall diffuser structures associated with the construction of a 100-million gallon per day (MGD) seawater desalination facility on Harbor Island near Port Aransas, Nueces County, Texas. The intake structure, which will impact approximately 11,300 square feet (SF) of unvegetated Gulf of America (Gulf) water bottom, will be located 1.3 miles offshore southeast of San Jose Island in the Gulf at a depth of approximately minus (-) 35 feet mean lower low water (MLLW). The intake structure will connect to Harbor Island and be installed via a tunnel boring machine (TBM) or similar technology. A Gulf high-rate outfall diffuser structure, impacting approximately 55,000 SF, will be located approximately 1.8 miles offshore of San Jose Island and 0.5 miles further southeast from the intake. The Gulf outfall diffuser will connect to Harbor Island via a 14-foot-outer-diameter discharge pipe installed via TBM or similar technology. The Gulf intake and outfall pipe route and alignment will follow the alignment of the authorized ''Bluewater Texas Terminal'' project. A second approximate 100-foot-long high-rate outfall diffuser structure will be located adjacent and parallel to the Corpus Christi Ship Channel (CCSC) southeast of Harbor Island at a depth of approximately (-) 64 feet MLLW. Muck soils removed during tunneling will be maintained onsite in uplands during construction and dewatered similarly to dredge material, with a dewatering outfall structure into Redfish Bay adjacent to Aransas Channel. Once sufficient dewatering has occurred the material will be used onsite as upland grading material. The facility will include marine life protection screens and a return channel.

The finished water pipelines will include two parallel pipes of 48—52'' diameter installed by upland open trenching and micro tunneling and/or horizontal directional drilling (HDD) below marine wetlands, open water, and sand/mud flats. The finished water pipeline will connect to existing onsite Aransas Pass, Texas, water distribution infrastructure.

The USACE's decision to issue a permit, and the laws under which the action was taken, are described in the Department of the Army Environmental Assessment and Statement of Findings for Standard Individual Permit Application combined decision memorandum for record (MFR) for SWG–2025–00112, dated September 8, 2025. Copies of the MFR, permit, and other documents can be requested via the Freedom of Information Act (FOIA) described on the USACE website at *https://www.swg.usace.army.mil/Business-With-Us/Office-of-Counsel/Freedom-of-Information-Act/.*

This notice applies to all Federal agency decisions that are final as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. National Environmental Policy Act (NEPA) 42 U.S.C. 4321–4351
2. Section 10 of the Rivers and Harbors Act 33 U.S.C. 403
3. Section 404 of the Clean Water Act 33 U.S.C. 1344
4. Section 14 of the Rivers and Harbors Act 33 U.S.C. 408
5. Clean Air Act 42 U.S.C. 7401–7671
6. Endangered Species Act of 1973 16 U.S.C. 1531–1544
7. Fish and Wildlife Coordination Act 16 U.S.C. 661–667
8. Magnuson-Stevens Fishery Conservation and Management Act Public Law 94–265
9. Coastal Zone Management Act 16 U.S.C. 1451 et seq
10. Migratory Bird Treaty Act 16 U.S.C. 703–712
11. Section 106 of the National Historic Preservation Act of 1966 as amended 54 U.S.C. 306108
12. Archeological Resources Protection Act of 1977 54 U.S.C. 312501–312508
13. Section 401 of the Clean Water Act 33 U.S.C. 1341
14. Executive Order 11990 Protection of Wetlands
15. E.O. 11988 Floodplain Management
16. E.O. 12898, Federal Actions to Address Environmental Justice
17. EP 1100–2–1 Procedures to Evaluate Sea Level Change: Impacts, Responses, and Adaptation

George H. Walter,

Brigadier General, Commanding, U.S. Army Corps of Engineers.

[FR Doc. 2025–18619 Filed 9–24–25; 8:45 am]

BILLING CODE 3720–58–P

DEPARTMENT OF EDUCATION

[Docket ID: ED–2025–IES–0844]

Request for Information; Feedback on Redesigning the Institute of Education Sciences (IES)

AGENCY: Institute of Education Sciences (IES), U.S. Department of Education.

ACTION: Request for Information (RFI).

SUMMARY: The Education Sciences Reform Act of 2002 established the Institute of Education Sciences (IES) as the research, evaluation, and statistics arm of the U.S. Department of Education. IES is responsible for generating, disseminating, and promoting the use of rigorous evidence to improve education outcomes nationwide. IES is undertaking a comprehensive reexamination to ensure that its core functions—research, statistics, evaluation, and dissemination—are carried out in ways that maximize relevance, timeliness, and usability for the education stakeholders who rely on them. Specifically, the goal is to ensure that IES' high-quality work is translated in ways that inform teacher and practitioner practice and has a meaningful, positive impact on students' academic achievement and other outcomes. Through this RFI, we seek public input on how IES can modernize its programs, processes, and

priorities to better serve the needs of the field and American students.

DATES: We must receive your comments on or before October 15, 2025.

ADDRESSES: Submit your response to this RFI through the Federal eRulemaking Portal at *www.regulations.gov.* We will not accept submissions by postal mail, commercial mail, hand delivery, fax, or email. To avoid duplicate submissions, please submit your comments only once and include the Docket ID at the top of your comments.

If you require an accommodation or cannot otherwise submit your comments via *Regulations.gov*, contact: *regulationshelpdesk@gsa.gov* or call 1–866–498–2945. For telecommunications relay services, dial 7–1–1.

Privacy Note: All comments will be made publicly available on the Federal eRulemaking Portal at *www.regulations.gov.* Do not include personally identifiable information (PII) about others. Comments containing PII or confidential business information may be redacted.

FOR FURTHER INFORMATION CONTACT: Amber Northern, Senior Advisor, Office of the Secretary, U.S. Department of Education, 400 Maryland Avenue SW, Washington, DC 20202. Telephone: (202) 251–0077. Email: *IESfeedback@ed.gov*.

SUPPLEMENTARY INFORMATION:

Background

The mission of the Institute of Education Sciences (IES), codified in 20 U.S.C. 9511(b)(1), is to: ''Provide national leadership in expanding fundamental knowledge and understanding of education from early childhood through postsecondary study, in order to provide parents, educators, students, researchers, policymakers, and the general public with reliable information about, including the condition and progress of education in the United States, including early childhood education and special education; educational practices that support learning and improve academic achievement and access to educational opportunities for all students; and the effectiveness of Federal and other education programs.''

IES carries out its mission through four centers:

1. National Center for Education Statistics (NCES)—responsible for collecting and analyzing education-related data.
2. National Center for Education Research (NCER)—funds research that expands understanding of educational practices.
3. National Center for Special Education Research (NCSER)—focuses on improving outcomes for children with disabilities.
4. National Center for Education Evaluation and Regional Assistance (NCEE)—evaluates federal programs and supports Regional Educational Laboratories (RELs), What Works Clearinghouse (WWC), and technical assistance efforts.

IES is currently undergoing a comprehensive assessment to strengthen its structure, priorities, and operations. This effort seeks to align the priorities of IES more closely with current state and local education needs, reduce duplication of effort, and increase the speed at which evidence is produced and used.

Purpose of This RFI

This RFI invites specific suggestions on how IES can:

- Function more cohesively across its four centers to ensure shared goals drive data collection, research funding, and technical assistance.
- Better meet the needs of state and local leaders, educators, parents, researchers, and state education agencies.
- Improve the timeliness, accuracy, and accessibility of its statistics and research products.
- Maximize the utility of federal and other education program evaluations.
- Strengthen partnerships with other federal agencies or between state agencies to align data and reduce redundancy.
- Improve mechanisms for disseminating and scaling evidence-based practices, including the work of the RELs, WWC, and R&D Centers.
- Modernize its peer review, grantmaking, and contracting processes to encourage innovation while maintaining rigor.

Specific Areas of Interest

We especially welcome comments on how IES should:

1. Prioritize and streamline federal data collections to balance burden and benefit.
2. Leverage its grantmaking to advance impactful, practitioner-relevant research on pressing topics, with specific input on the identification of those topics.
3. Improve the reach and utility of evidence dissemination.
4. Support states and districts through more responsive technical assistance and capacity building, including building states' capacity for using evidence and creating a culture of continuous improvement.

Important Notes

- This is a request for information only. It is not a request for proposals (RFP), nor does it indicate a commitment to issue an RFP or make funding available.
- The Department will not provide direct responses to comments, nor will it return submitted materials.
- Submission of comments is voluntary and does not create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the Department.

Responses should be concrete and solution oriented.

Accessible Format

Upon request, individuals with disabilities can obtain this document in an accessible format (*e.g.,* RTF, txt, thumb drive, MP3, braille, large print, audiotape, or compact disc) by contacting the program person listed above.

Electronic Access

The official version of this document is published in the **Federal Register**. To access it or related materials, visit:

- *www.govinfo.gov* (for the official **Federal Register** and Code of Federal Regulations)
- *www.federalregister.gov* (for search and PDF access)

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

Matthew Soldner,

Acting IES Director, U.S. Department of Education.

[FR Doc. 2025–18608 Filed 9–24–25; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Environmental Management Site-Specific Advisory Board, Idaho Cleanup Project

AGENCY: Office of Environmental Management, Department of Energy.

ACTION: Notice of open meeting.

SUMMARY: This notice announces an in-person/virtual meeting of the Environmental Management Site-Specific Advisory Board (EM SSAB), Idaho Cleanup Project (ICP). The Federal Advisory Committee Act requires that public notice of this meeting be announced in the **Federal Register**.

DATES: Thursday, October 23, 2025; 9 a.m.–4:30 p.m. MDT.

ADDRESSES: Residence Inn, 635 West Broadway, Idaho Falls, Idaho 83402. This meeting will be open to the public in-person at the Residence Inn and

virtually via Zoom. To attend virtually, please contact Cecelia Hruska, ICP Citizens Advisory Board (CAB) Administrator, by email at *idahoCAB@icp.doe.gov* or phone (208) 533–3800, no later than 5 p.m. MDT on Monday, October 20, 2025.

FOR FURTHER INFORMATION CONTACT: Cecelia Hruska, ICP CAB Administrator, by email at *idahoCAB@icp.doe.gov* or phone (208) 533–3800 or visit the Board's internet homepage at *https://energy.gov/em/icpcab.*

SUPPLEMENTARY INFORMATION:

Purpose of the Board: The purpose of the Board is to provide advice and recommendations concerning the following EM site-specific issues: clean-up activities and environmental restoration; waste and nuclear materials management and disposition; excess facilities; future land use and long-term stewardship. The Board may also be asked to provide advice and recommendations on other EM program components. The Board also provides an avenue to fulfill public participation requirements outlined in the National Environmental Policy Act (NEPA), the Comprehensive Environmental Response, Compensation, and Liability Act (CERLA), the Resource Conservation and Recovery Act (RCRA), Federal Facility Agreements, Consent Orders, Consent Decrees and Settlement Agreements.

Tentative Agenda (agenda topics are subject to change; please contact Cecelia Hruska for the current agenda):

- Recent Public Outreach
- ICP Progress Updates
- Public Comment Period
- Board Business

Public Participation: The meeting is open to the public and public comment can be given orally or in writing. Fifteen minutes are allocated during the meeting for public comment and those wishing to make oral comment will be given a minimum of two minutes to speak. To sign up for public comment, please contact the ICP CAB Administrator (above) no later than 5 p.m. MST on Monday, October 20, 2025. Written comments received at least two working days prior to the meeting will be provided to the members and included in the meeting minutes. Written comments received within two working days after the meeting will be included in the minutes. For additional information on public comment and to submit written comment, please contact the ICP CAB Administrator. The EM SSAB, Idaho Cleanup Project, welcomes the attendance of the public at its meetings and will make every effort to accommodate persons with physical disabilities or special needs. If you require special accommodations due to a disability, please contact the ICP CAB Administrator at least seven days in advance of the meeting.

Meeting conduct: The Designated Federal Officer is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Questioning of board members or presenters by the public is not permitted.

Minutes: Minutes will be available by writing or calling Cecelia Hruska, ICP Administrator, phone (208) 533–3800 or email *idahoCAB@icp.doe.gov.* Minutes will also be available at the following website: *https://www.energy.gov/em/icpcab/listings/cab-meetings.*

Signing Authority: This document of the Department of Energy was signed on September 22, 2025, by David Borak, Committee Management Officer, 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 23, 2025.

Jennifer Hartzell,

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

[FR Doc. 2025–18628 Filed 9–24–25; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Environmental Management Site-Specific Advisory Board Chairs

AGENCY: Office of Environmental Management, Department of Energy.

ACTION: Notice of open meeting.

SUMMARY: This notice announces a virtual meeting of the Environmental Management Site-Specific Advisory Board (EM SSAB) Chairs. The Federal Advisory Committee Act requires that public notice of this meeting be announced in the **Federal Register**.

DATES: Tuesday, October 28, 2025; 10:30 a.m.–5 p.m. EDT.

ADDRESSES: To register to attend and receive the virtual access information, please send an email to: *emssabhq@em.doe.gov* no later than 3 p.m. EDT on Friday, October 24, 2025.

FOR FURTHER INFORMATION CONTACT: Kelly Snyder, EM SSAB Designated Federal Officer, by phone: (702) 918–6715 or email: kelly.snyder@*em.doe.gov* or visit the Board's website at *www.energy.gov/emssab.*

SUPPLEMENTARY INFORMATION: *Purpose of the Board:* The purpose of the Board is to provide advice and recommendations concerning the following EM site-specific issues: clean-up activities and environmental restoration; waste and nuclear materials management and disposition; excess facilities; future land use and long-term stewardship. The Board may also be asked to provide advice and recommendations on other EM program components. The Board also provides an avenue to fulfill public participation requirements outlined in the National Environmental Policy Act (NEPA), the Comprehensive Environmental Response, Compensation, and Liability Act (CERLA), the Resource Conservation and Recovery Act (RCRA), Federal Facility Agreements, Consent Orders, Consent Decrees and Settlement Agreements.

Tentative Agenda:

1. EM Program Updates
2. EM SSAB Chairs Round Robin
3. Board Business

Public Participation: The virtual meeting is open to the public via Microsoft Teams and public comment can be given orally or in writing. Fifteen minutes are allocated during the meeting for public comment and those wishing to make oral comment will be given a minimum of two minutes to speak. To sign up, please note in your registration email that you would like to make a public comment during the meeting. Written comments received at least two working days prior to the meeting will be provided to the members and included in the meeting minutes. Written comments received within two working days after the meeting will be included in the minutes. For additional information on public comment and to submit written comment, please contact the EM SSAB Designated Federal Officer at *kelly.snyder@em.doe.gov.*

Meeting conduct: The Designated Federal Officer is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Questioning of board members or presenters by the public is not permitted.

Minutes: Minutes will be available on the EM SSAB website at: *www.energy.gov/emssab.*

Signing Authority: This document of the Department of Energy was signed on September 22, 2025, by David Borak, Committee Management Officer, 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 23, 2025.

Jennifer Hartzell,

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

[FR Doc. 2025–18630 Filed 9–24–25; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 4900–090]

Forestport Hydro, LLC; Notice of Scoping Period Requesting Comments on Environmental Issues for the Proposed Forestport Hydroelectric Project

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* New License.

b. *Project No.:* 4900–090.

c. *Date Filed:* February 27, 2025.

d. *Applicant:* Forestport Hydro, LLC.

e. *Name of Project:* Forestport Hydroelectric Project.

f. *Location:* On the Black River in Oneida County, New York.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact:* Antonio Zarella, Chief Operating Officer, Forestport Hydro, LLC, 230 Park Avenue, Suite 447, New York, NY 10169; telephone at (315) 247–0253; email at *TZ@relevatepower.com.*

i. *FERC Contact:* Erin Mocko, Project Coordinator, Great Lakes Branch, Division of Hydropower Licensing; telephone at (202) 502–8107; email at *Erin.mocko@ferc.gov.*

j. The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental document that will discuss the environmental effects of relicensing the Forestport Hydroelectric Project. The Commission will use this environmental document in its decision-making process to determine whether to issue a new license for the project.

k. This notice announces the opening of the scoping process the Commission will use to gather input from the public and interested agencies regarding the project. This notice is intended to advise all participants as to the potential scope of the National Environmental Policy Act (NEPA) document and to seek additional information pertinent to this analysis. Commission staff does not intend to issue a separate scoping document.

As part of the NEPA review process, the Commission takes into account concerns the public may have about proposals and the environmental effects that could result from its action whenever it considers the issuance of a hydropower license. This gathering of public input is referred to as ''scoping.'' The main goal of the scoping process is to focus the analysis in the environmental document on the important environmental issues.

l. *Scoping Comments:* By this notice, the Commission requests written public comments on the scope of issues to address in the environmental document. To ensure that your comments are timely and properly recorded, please submit your comments so that the Commission receives them in Washington, DC on or before 5:00 p.m. Eastern Time on October 20, 2025.

Comments should focus on the potential environmental effects and reasonable alternatives. Your input will help the Commission staff determine what issues they need to evaluate in the environmental document. Commission staff will consider all written comments during the preparation of the environmental document.

The Commission strongly encourages electronic filing. Please file scoping comments using the Commission's eFiling system at *https://ferconline.ferc.gov/FERCOnline.aspx.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *https://ferconline.ferc.gov/QuickComment.aspx.* You must include your name at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may 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, MD 20852. All filings must clearly identify the project name and docket number on the first page: Forestport Hydroelectric Project (P–4900–090).

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person 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.

m. The application is not ready for environmental analysis at this time.

n. *Project Description:* The existing project consists of a 27-foot-high dam known as the Forestport Dam, that includes a 315-foot-long ogee spillway. The Forestport Dam creates an impoundment that has a surface area of 118 acres at a normal surface elevation of 1,126.55 feet National Geodetic Vertical Datum 1929 (NGVD29).

From the impoundment, water flows through gates and a canal to a forebay known as Alder Pond. Alder Pond has a surface area of 24 acres at a normal surface elevation of 1,124.6 feet NGVD29 and is formed by a 550-foot-long, 15-foot-high earth embankment known as Alder Pond Dam.

From Alder Pond, water flows through a power canal to an intake structure with trashracks with 1.75-inch clear bar spacing. From the intake structure, water flows through a penstock to a powerhouse that includes a 3.3-megawatt (MW) S-type Kaplan turbine-generator unit. From the powerhouse, water is released into a tailrace that discharges into the Black River.

The project generators are connected to the regional electric grid by generator lead lines and a 4.16/46–kV transformer.

Project recreation facilities include: (1) Alder Pond parking and access area, adjacent to the east side of the Alder Pond Dam; (2) Forestport impoundment parking and access area, adjacent to the Forestport Dam on the northwest shore of the Forestport impoundment; (3) an approximately 1,200 foot-long portage route from the Forestport access area to the Alder Pond access area; (4) an approximately 150-foot-long power

canal portage route; and (5) a powerhouse parking and access area.

Forestport Hydro proposes to: (1) continue operating the project in a run-of-river mode and maintaining the surface elevation of the Forestport impoundment at 1,126.55 feet NGVD29; (2) continue to maintain the surface elevation of Alder Pond between 1,123.6 and 1,124.6 feet NGVD29; (3) continue to release a minimum flow of 140 cfs or inflow, whichever is less, over the Forestport Dam; (4) implement a Bat and Bald Eagle Management Plan and an Invasive Species Management Plan; (5) develop an operation compliance monitoring plan; (6) continue to maintain existing project recreation facilities and update directional and safety signage; (7) move the power canal portage take-out site upstream of the boat barrier; and (8) to protect cultural resources, consult with the New York State Historic Preservation Officer before beginning any land-clearing or land-disturbing activities.

A copy of the application, with details of the proposed project, can be viewed on the Commission's website at *https://www.ferc.gov* using the ''eLibrary'' link. Enter the project's docket number excluding the last three digits in the docket number field to access the document (P–4900). For assistance, contact FERC at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY).

o. *NEPA Process and the Environmental Document:* Any environmental document issued by the Commission will discuss effects that could occur as a result of the project's relicensing under the relevant general resource areas, such as:

- aquatic resources;
- terrestrial resources;
- threatened and endangered species;
- recreation and land use resources;
- cultural resources; and
- developmental resources.

Commission staff will also evaluate reasonable alternatives to the proposed project or portions of the project and make recommendations on how to lessen or avoid effects on the various resource areas. Your comments will help Commission staff identify and focus on the issues that might have an effect on the human environment and potentially eliminate others from further discussion in the environmental document.

Following this scoping period, Commission staff will determine whether to prepare an Environmental Assessment (EA) or an Environmental Impact Statement (EIS). The EA or EIS will present Commission staff's independent analysis of the issues. If Commission staff prepares an EA, a *Notice of Intent to Prepare an Environmental Assessment* will be issued. The EA may be issued for an allotted public comment period. The Commission would consider timely comments on the EA before making its decision regarding the proposed project. If Commission staff prepares an EIS, a *Notice of Intent to Prepare an Environmental Impact Statement* will be issued. Staff will then prepare a draft EIS which will be issued for public comment. Commission staff will consider all timely comments received during the comment period on the draft EIS and revise the document, as necessary, before issuing a final EIS. Any EA or draft and final EIS will be available in electronic format in the public record through eLibrary. If eSubscribed, you will receive instant email notification when the environmental document is issued (see paragraph (r) of this notice for instructions on using eSubscription).

p. 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.*

q. This notice is being distributed to the Commission's official mailing list for the project and any additional entities on the applicant's distribution list. You can access the Commission's official mailing list for this project at *https://ferconline.ferc.gov/MailListLOR.aspx?Type=MailList&ListVar=P-4900.* If you want to receive future mailings for the project and are not included on the Commission's official mailing list, or if you wish to be removed from the Commission's official mailing list, please send your request by email to *FERCOnlineSupport@ferc.gov.* In lieu of an email request, you may submit a paper request. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852. All written or emailed requests must specify your wish to be added to or removed from the mailing list, and must clearly identify the following on the first page: Forestport Hydroelectric Project No. 4900–090.

Additionally, the Commission offers a free service called eSubscription, which makes it easy to stay informed of all issuances and submittals regarding the dockets/projects to which you subscribe. These instant email notifications are the fastest way to receive notification and provide a link to the document files which can reduce the amount of time you spend researching proceedings. Go to *https://www.ferc.gov/ferc-online/overview* to register for eSubscription.

In addition to publishing the full text of this notice in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this notice, as well as other documents in the proceeding (*e.g.,* license application) via the internet through the Commission's Home Page (*http://www.ferc.gov*) using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document (P–4900). For assistance, contact FERC at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY).

Dated: September 19, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–18536 Filed 9–24–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: OR25–12–000.

Applicants: Continental Resources, Inc. v. *Hiland Crude, LLC.*

Description: Complaint of Continental Resources, Inc. v. *Hiland Crude, LLC.*

Filed Date: 9/19/25.

Accession Number: 20250919–5052.

Comment Date: 5 p.m. ET 10/20/25.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is

necessary to become a party to the proceeding.

The filings are accessible in the Commission's eLibrary system (*https://elibrary.ferc.gov/idmws/search/fercgensearch.asp*) by querying the docket number.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or *OPP@ferc.gov.*

Dated: September 22, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–18598 Filed 9–24–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC25–146–000.

Applicants: American Powernet Management, LP, APN Starfirst, LP.

Description: Joint Application for Authorization Under Section 203 of the Federal Power Act of American PowerNet Management, LP, et al.

Filed Date: 9/19/25.

Accession Number: 20250919–5172.

Comment Date: 5 p.m. ET 10/10/25.

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG25–534–000.

Applicants: Leaning Juniper 2B, LLC.

Description: Leaning Juniper 2B, LLC submits Notice of Self–Certification of Exempt Wholesale Generator Status.

Filed Date: 9/19/25.

Accession Number: 20250919–5162.

Comment Date: 5 p.m. ET 10/10/25.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER24–1156–004.

Applicants: Florida Power & Light Company.

Description: Compliance filing: Order Nos. 2023 and 2023–A Fourth Compliance Filing to be effective 4/1/2024.

Filed Date: 9/22/25.

Accession Number: 20250922–5089.

Comment Date: 5 p.m. ET 10/14/25.

Docket Numbers: ER25–3017–001.

Applicants: Hashknife Energy Center LLC.

Description: Tariff Amendment: Hashknife Energy Center MBR Supp to be effective 7/31/2025.

Filed Date: 9/19/25.

Accession Number: 20250919–5166.

Comment Date: 5 p.m. ET 10/10/25.

Docket Numbers: ER25–3029–001.

Applicants: Tibbits Energy Storage LLC.

Description: Tariff Amendment: Amendment to 3 to be effective 9/29/2025.

Filed Date: 9/22/25.

Accession Number: 20250922–5059.

Comment Date: 5 p.m. ET 10/14/25.

Docket Numbers: ER25–3039–000.

Applicants: AL Solar G, LLC.

Description: Second Supplement to 07/31/2025, AL Solar G, LLC tariff filing.

Filed Date: 9/19/25.

Accession Number: 20250919–5175.

Comment Date: 5 p.m. ET 9/24/25.

Docket Numbers: ER25–3479–000.

Applicants: Southwestern Electric Power Company.

Description: 205(d) Rate Filing: Revisions to Power Supply Agreements—SWEPCO Rate Schedules 119 and 129 to be effective 11/19/2025.

Filed Date: 9/19/25.

Accession Number: 20250919–5163.

Comment Date: 5 p.m. ET 5 p.m. ET 10/10/25.

Docket Numbers: ER25–3480–000.

Applicants: MATL LLP.

Description: 205(d) Rate Filing: MATL Entry into Power Watch BA Filing to be effective 12/31/9998.

Filed Date: 9/22/25.

Accession Number: 20250922–5039.

Comment Date: 5 p.m. ET 10/14/25.

Docket Numbers: ER25–3481–000.

Applicants: MATL LLP.

Description: 205(d) Rate Filing: MATL Entry to WEIM OATT Amendments to be effective 5/1/2026.

Filed Date: 9/22/25.

Accession Number: 20250922–5041.

Comment Date: 5 p.m. ET 10/14/25.

Docket Numbers: ER25–3482–000.

Applicants: Duke Energy Progress, LLC.

Description: 205(d) Rate Filing: DEP—Recovery of Cost of Coal Contracts to be effective 9/23/2025.

Filed Date: 9/22/25.

Accession Number: 20250922–5093.

Comment Date: 5 p.m. ET 10/14/25.

Docket Numbers: ER25–3483–000.

Applicants: Duke Energy Carolinas, LLC.

Description: 205(d) Rate Filing: DEC-Recovery of Cost of Coal Contracts to be effective 9/23/2025.

Filed Date: 9/22/25.

Accession Number: 20250922–5096.

Comment Date: 5 p.m. ET 10/14/25.

Take notice that the Commission received the following electric securities filings:

Docket Numbers: ES25–80–000.

Applicants: Midcontinent Independent System Operator, Inc.

Description: Application Under Section 204 of the Federal Power Act for Authorization to Issue Securities of Midcontinent Independent System Operator, Inc.

Filed Date: 9/19/25.

Accession Number: 20250919–5171.

Comment Date: 5 p.m. ET 10/10/25.

Docket Numbers: TS25–4–000.

Applicants: Gainesville Regional Utilities.

Description: Gainesville Regional Utilities submits Request for Waiver of Standards of Conduct Requirements.

Filed Date: 9/15/25.

Accession Number: 20250915–5158.

Comment Date: 5 p.m. ET 10/7/25.

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 22, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–18597 Filed 9–24–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. P–15353–002]

Hybrid Renewables LLC; Notice of Intent To File License Application, Filing of Pre-Application Document, Approving Use of the Traditional Licensing Process

a. *Type of Filing:* Notice of Intent to File License Application and Request to Use the Traditional Licensing Process.

b. *Project No.:* P–15353–002.

c. *Date Filed:* June 2, 2025.

d. *Submitted By:* Hybrid Renewables LLC (Hybrid Renewables).

e. *Name of Project:* Oologah Lake Dam Hydroelectric Project (project).

f. *Location:* The project would be located at Oologah Lake Dam on the Verdigris River in Rogers County, Oklahoma. The dam is owned and operated by the U.S. Army Corps of Engineers (USACE).

g. *Filed Pursuant to:* 18 CFR 5.3 of the Commission's regulations.

h. *Potential Applicant Contact:* Tafweez E. Chauhan, Managing Director, Hybrid Renewables LLC, 1530 Key Blvd., Suite 1104, Arlington, Virginia 22209; phone at (703) 526–9797; email: *Tafweez@arsinternationalinc.com.*

i. *FERC Contact:* Kristine Sillett at 202–502–6575 or at *kristine.sillett@ferc.gov.*

j. Hybrid Renewables filed its request to use the Traditional Licensing Process on June 2, 2025. Hybrid Renewables provided public notice of its request on June 5, 2025. In a letter dated September 19, 2025, the Director of the Division of Hydropower Licensing approved Hybrid Renewables' request to use the Traditional Licensing Process.

k. With this notice, we are initiating informal consultation with the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service (NMFS) under section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 CFR, Part 402; and NMFS under section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act and implementing regulations at 50 CFR 600.920. We are also initiating consultation with the Oklahoma State Historic Preservation Officer, as required by section 106, National Historic Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.

l. With this notice, we are designating Hybrid Renewables as the Commission's non-federal representative for carrying out informal consultation, pursuant to section 7 of the Endangered Species Act and section 106 of the National Historic Preservation Act.

m. Hybrid Renewables filed a Pre-Application Document (PAD, including a proposed process plan and schedule) with the Commission, pursuant to 18 CFR 5.6 of the Commission's regulations.

n. A copy of the PAD may be viewed on the Commission's website (*http://www.ferc.gov*), using the ''eLibrary'' link. Enter the docket number, excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support at *FERCONlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY).

You may register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filing and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

o. 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 19, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–18537 Filed 9–24–25; 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: EG25–531–000.

Applicants: Wheatridge Northeast Wind, LLC.

Description: Wheatridge Northeast Wind, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 9/19/25.

Accession Number: 20250919–5120.

Comment Date: 5 p.m. ET 10/10/25.

Docket Numbers: EG25–532–000.

Applicants: Carousel Energy Storage, LLC.

Description: Carousel Energy Storage, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 9/19/25.

Accession Number: 20250919–5125.

Comment Date: 5 p.m. ET 10/10/25.

Docket Numbers: EG25–533–000.

Applicants: Pleasant Prairie Solar Energy LLC.

Description: Pleasant Prairie Solar Energy LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 9/19/25.

Accession Number: 20250919–5128.

Comment Date: 5 p.m. ET 10/10/25.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER25–3471–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Amendment to ISA, Service Agreement No. 6812; Queue No. AE1–146 to be effective 11/19/2025.

Filed Date: 9/19/25.

Accession Number: 20250919–5033.

Comment Date: 5 p.m. ET 10/10/25.

Docket Numbers: ER25–3472–000.

Applicants: Sky Ranch Solar, LLC.

Description: § 205(d) Rate Filing: Sky Ranch Solar SFA—Correction to Tariff Record Title to be effective 8/1/2025.

Filed Date: 9/19/25.

Accession Number: 20250919–5038.

Comment Date: 5 p.m. ET 10/10/25.

Docket Numbers: ER25–3473–000.

Applicants: City of Pasadena, California.

Description: § 205(d) Rate Filing: City of Pasadena, Cal. TO Tariff and TRR Revisions to be effective 10/1/2025.

Filed Date: 9/19/25.

Accession Number: 20250919–5040.

Comment Date: 5 p.m. ET 10/10/25.

Docket Numbers: ER25–3474–000.

Applicants: Midcontinent Independent System Operator, Inc.

Description: § 205(d) Rate Filing: 2025–09–19_Attachment X True-Up to remove rejected language to be effective 5/25/2025.

Filed Date: 9/19/25.

Accession Number: 20250919–5061.

Comment Date: 5 p.m. ET 10/10/25.

Docket Numbers: ER25–3475–000.

Applicants: Branch Solar, LLC.

Description: § 205(d) Rate Filing: Application For Market-Based Rate Authorization to be effective 12/31/9998.

Filed Date: 9/19/25.

Accession Number: 20250919–5087.

Comment Date: 5 p.m. ET 10/10/25.

Docket Numbers: ER25–3476–000.

Applicants: PJM Interconnection, L.L.C., New York Independent System Operator, Inc.

Description: § 205(d) Rate Filing: New York Independent System Operator, Inc. submits tariff filing per 35.13(a)(2)(iii: NYISO–PJM Joint 205: JOA Tariff Revisions to be effective 11/19/2025.

Filed Date: 9/19/25.

Accession Number: 20250919–5101.

Comment Date: 5 p.m. ET 10/10/25.

Docket Numbers: ER25–3477–000.

Applicants: Pleasant Prairie Solar Energy LLC.

Description: Initial Rate Filing: Application for Market-Based Rate Authorization to be effective 11/19/2025.

Filed Date: 9/19/25.

Accession Number: 20250919–5111.

Comment Date: 5 p.m. ET 10/10/25.

Docket Numbers: ER25–3478–000.

Applicants: Pinnacle Power, LLC.

Description: Tariff Amendment: Notice of Cancellation of Market Based Rate Tariff to be effective 11/17/2025.

Filed Date: 9/19/25.

Accession Number: 20250919–5117.

Comment Date: 5 p.m. ET 10/10/25.

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 19, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–18534 Filed 9–24–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP25–19–000]

Southern Star Central Gas Pipeline, Inc.; Notice of Availability of the Environmental Assessment for the Proposed Cedar Vale Compressor Station Project

The staff of the Federal Energy Regulatory Commission (FERC or Commission) has prepared an environmental assessment (EA) for the Cedar Vale Compressor Station Project (Project), proposed by Southern Star Central Gas Pipeline, Inc. (Southern Star) in the above-referenced docket.[1] Southern Star requests authorization to construct, own, operate, and maintain a new compressor station in Osage County, Oklahoma. According to Southern Star, the proposed Project would provide up to 98,000 dekatherms per day of incremental firm capacity in Southern Star's Market Area and approximately 35,000 dekatherms per day of incremental firm capacity in its Production Area, serving customers in Kansas and Missouri.

The EA assesses the potential environmental effects of the construction and operation of the Project in accordance with the requirements of the National Environmental Policy Act of 1969 (NEPA). FERC staff concludes that approval of the proposed Project would not constitute a major federal action significantly affecting the quality of the human environment.

The Project would consist of the following facilities:

- a new 6,091-horsepower Solar Centaur 50 turbine compressor unit;
- approximately 1,028 feet of associated piping; and
- other appurtenant facilities including valves, tanks, control systems, fencing, and security equipment.

The Commission mailed a copy of the *Notice of Availability* to federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American tribes; potentially affected landowners and other interested individuals and groups; and newspapers and libraries in the Project area. The EA is only available in electronic format. It may be viewed and downloaded from the FERC's website (*www.ferc.gov*), on the natural gas environmental documents page (*https://www.ferc.gov/industries-data/natural-gas/environment/environmental-documents*). In addition, the EA may be accessed by using the eLibrary link on the FERC's website. Click on the eLibrary link (*https://elibrary.ferc.gov/eLibrary/search*), select ''General Search'' and enter the docket number in the ''Docket Number'' field, excluding the last three digits (*i.e.* CP25–19). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at *FercOnlineSupport@ferc.gov* or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659.

The EA is not a decision document. It presents Commission staff's independent analysis of the environmental issues for the Commission to consider when addressing the merits of all issues in this proceeding. Any person wishing to comment on the EA may do so. Your comments should focus on the EA's disclosure and discussion of potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental effects. The more specific your comments, the more useful they will be. To ensure that the Commission has the opportunity to consider your comments prior to making its decision on this project, it is important that we receive your comments in Washington, DC on or before 5:00 p.m. Eastern Time on October 20, 2025.

[1] For tracking purposes under the National Environmental Policy Act, the unique identification number for documents relating to this environmental review is EAXX–019–20–000–1736843968.

For your convenience, there are three methods you can use to file your comments to the Commission. The Commission encourages electronic filing of comments and has staff available to assist you at (866) 208–3676 or *FercOnlineSupport@ferc.gov.* Please carefully follow these instructions so that your comments are properly recorded.

(1) You can file your comments electronically using the eComment feature on the Commission's website (*www.ferc.gov*) under the link to FERC Online. This is an easy method for submitting brief, text-only comments on a project;

(2) You can also file your comments electronically using the eFiling feature on the Commission's website (*www.ferc.gov*) under the link to FERC Online. With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on ''eRegister.'' You must select the type of filing you are making. If you are filing a comment on a particular project, please select ''Comment on a Filing;'' or

(3) You can file a paper copy of your comments by mailing them to the Commission. Be sure to reference the Project docket number (CP25–19–000) on your letter. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852.

Filing environmental comments will not give you intervenor status, but you do not need intervenor status to have your comments considered. Only intervenors have the right to seek rehearing or judicial review of the Commission's decision. At this point in this proceeding, the timeframe for filing timely intervention requests has expired. Any person seeking to become a party to the proceeding must file a motion to intervene out-of-time pursuant to Rule 214(b)(3) and (d) of the Commission's Rules of Practice and Procedures (18 Code of Federal Regulations 385.214(b)(3) and (d)) and show good cause why the time limitation should be waived. Motions to intervene are more fully described at *https://www.ferc.gov/how-intervene.*

Additional information about the Project is available from the Commission's Office of External Affairs, at (866) 208–FERC, or on the FERC website (*www.ferc.gov*) using the eLibrary link. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or *OPP@ferc.gov.*

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to *https://www.ferc.gov/ferc-online/overview* to register for eSubscription.

Dated: September 19, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–18535 Filed 9–24–25; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OAR–2022–0052; FRL–12998–01–OMS]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; NSPS for Incinerators (Renewal)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA) has submitted an information collection request (ICR), NSPS for Incinerators (Renewal) (EPA ICR Number 1058.16, OMB Control Number 2060–0040) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act. This is a proposed extension of the ICR, which is currently approved through September 30, 2025. Public comments were previously requested via the **Federal Register** on June 17, 2025 during a 60-day comment period. This notice allows for an additional 30 days for public comments.

DATES: Additional comments may be submitted on or before October 27, 2025.

ADDRESSES: Submit your comments, referencing Docket ID Number EPA–HQ–OAR–2022–0052, to EPA online using *www.regulations.gov* (our preferred method), by email to *a-and-r-docket@epa.gov,* or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW, Washington, DC 20460.

EPA's policy is that all comments received will be included in the public docket without change including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

Submit written comments and recommendations to OMB for the proposed information collection within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Muntasir Ali, Sector Policies and Program Division (D243–05), Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711; telephone number: (919) 541–0833; email address: *ali.muntasir@epa.gov.*

SUPPLEMENTARY INFORMATION: This is a proposed extension of the ICR, which is currently approved through September 30, 2025. An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

Public comments were previously requested via the **Federal Register** on June 17, 2025 during a 60-day comment period (90 FR 25614). This notice allows for an additional 30 days for public comments. Supporting documents, which explain in detail the information that the EPA will be collecting, are available in the public docket for this ICR. The docket can be viewed online at *www.regulations.gov* or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave. NW, Washington, DC. The telephone number for the Docket Center is 202–566–1744.

For additional information about EPA's public docket, visit *http://www.epa.gov/dockets.*

Abstract: The New Source Performance Standards (NSPS) for Incinerators (40 CFR part 60, subpart E) were proposed on July 25, 1977, and amended on May 10, 2006. These regulations apply to existing incinerators that charge more than 45 metric tons per day (50 tons per day) of solid waste, and that commenced either construction or modification after August 17, 1971. Solid waste is defined as refuse, more than 50 percent of which is municipal type waste consisting of a mixture of paper, wood, yard wastes, food wastes, plastics, leather, rubber, and other combustibles, and noncombustible materials such as glass and rock. New incinerators will be subject to either 40 CFR part 60, subpart Eb, or 40 CFR part 60, subpart AAAA. Additionally, incinerators that are covered by either 40 CFR part 60, subparts Cb, Eb, AAAA, or BBBB; or by an EPA-approved State section 111(d)/129 plan implementing subpart Cb or BBB; or by 40 CFR part 62, subpart FFF or JJJ, not subject to the above standards. This information is being collected to assure compliance with 40 CFR part 60, subpart E.

Form Numbers: None.

Respondents/affected entities: Existing incinerators that charge more than 45 metric tons per day.

Respondent's obligation to respond: Mandatory (40 CFR part 60, subpart E).

Estimated number of respondents: 47 (total).

Frequency of response: Initially and occasionally.

Total estimated burden: 4,860 hours (per year). Burden is defined at 5 CFR 1320.3(b).

Total estimated cost: $697,000 (per year), includes $187,000 annualized capital or operation & maintenance costs.

Changes in the estimates: There is an adjustment increase in the total estimated burden as currently identified in the OMB Inventory of Approved Burdens. This increase is not due to any program changes. The adjustment increase in burden from the most recently approved ICR is due to a correction in the number of existing sources based on a review of sources listed in the EPA's ECHO database. There is an increase in O&M costs which is due to adjusting to 2024 $ using the CEPCI CE Index. This ICR additionally corrects response count from the most recently approved ICR in the table Total Annual Responses. There is no change in burden due to this correction.

Courtney Kerwin,

Director, Information Engagement Division.

[FR Doc. 2025–18603 Filed 9–24–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OLEM–2015–0725; FRL–12996–01–OMS]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Risk Management Program Requirements and Petitions To Modify the List of Regulated Substances Under Section 112(r) of the Clean Air Act (Renewal)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA) has submitted an information collection request (ICR), Risk Management Program Requirements and Petitions to Modify the List of Regulated Substances the Clean Air Act (EPA ICR Number 1656.19, OMB Control Number 2050–0144) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (PRA). This is a proposed extension of the ICR, which is currently approved through September 30, 2025. Public comments were previously requested via the **Federal Register** on April 17, 2025 during a 60-day comment period. This notice allows for an additional 30 days for public comments.

DATES: Comments must be submitted on or before October 27, 2025.

ADDRESSES: Submit your comments, referencing Docket ID Number EPA–HQ–OEM–2015–0725, to EPA online using *www.regulations.gov* (our preferred method) or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW, Washington, DC 20460.

EPA's policy is that all comments received will be included in the public docket without change including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

Submit written comments and recommendations to OMB for the proposed information collection within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: William Noggle, Office of Emergency Management, Mail Code 5104A, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460; telephone number: (202) 566–1306; email address: *noggle.william@epa.gov.*

SUPPLEMENTARY INFORMATION: This is a proposed extension of the ICR, which is currently approved through September 30, 2025. An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

Public comments were previously requested via the **Federal Register** on April 17, 2025 during a 60-day comment period (90 FR 16126). This notice allows for an additional 30 days for public comments. Supporting documents, which explain in detail the information that the EPA will be collecting, are available in the public docket for this ICR. The docket can be viewed online at *www.regulations.gov* or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave. NW, Washington, DC. The telephone number for the Docket Center is 202–566–1744. For additional information about EPA's public docket, visit *http://www.epa.gov/dockets.*

Abstract: Information collection for on-site documentation of Risk Management Plans (RMPs) is authorized by Clean Air Act (CAA) sections 112(r)(7)(B)(i) and (ii), which state, ''The Administrator shall promulgate reasonable regulations and appropriate guidance to provide . . . for the prevention and detection of accidental releases of regulated substances . . .'' and, ''The regulations . . . shall require the owner or operator . . . to prepare and implement a risk management plan to detect and prevent or minimize accidental releases . . .'' Information collection for submitting an RMP is authorized under CAA section 112(r)(7)(B)(iii), which states in relevant part, ''The, owner or operator of each stationary source . . . shall register a risk management plan . . . with the Administrator before the effective date of the regulations . . . in such form and manner as the Administrator shall, by rule, require . . . and shall be available to the public under section 114(c).'' Information collection for on-site

documentation and submittal of RMPs also is authorized by CAA section 114(a)(1). State and local authorities use the information in RMPs to modify and enhance their community response plans. The agencies implementing the Risk Management Program use RMPs to evaluate compliance with the Chemical Accident Provisions in 40 CFR part 68 and to identify sources for inspection that may pose significant risks to the community. Citizens may use the information to assess chemical hazards in their communities.

Form Numbers: None.

Respondents/affected entities: Stationary sources that manufacture, react, mix, store, or use substances in processes that require equipment designed, constructed, installed, operated, or maintained in specific ways to prevent accidental releases and ensure safe operations.

Respondent's obligation to respond: Mandatory under CAA section 112(r)(7)(B)(iii).

Estimated number of respondents: 14,513 (total).

Frequency of response: Sources are required to register and submit an RMP once every five years unless there are significant changes in the information provided.

Total estimated burden: 667,639 hours (per year). Burden is defined at 5 CFR 1320.03(b).

Total estimated cost: $52,611,420 (per year), which includes $36,792 annual operation & maintenance costs.

Changes in the estimates: There is decrease of 36,336 hours in the total estimated respondent burden compared with the ICR currently approved by OMB. Two primary reasons account for this decrease in burden. First, the burden varies from one ICR renewal to the next due to different resubmission deadlines based on the sources' RMP re-submission deadlines and other regulatory deadlines. Therefore, the burden changes each year depending on how many sources must submit their RMP and comply with certain prevention program requirements. Second, the number of sources subject to the regulations fluctuates regularly and is slightly lower than in the previous ICR (12,074 vs. 12,341 sources) due to the net change in new sources minus deregistered sources, as well as a lower number of new facilities anticipated to become subject to the RMP requirements during the three-year clearance period.

Courtney Kerwin,

Director, Information Engagement Division.

[FR Doc. 2025–18605 Filed 9–24–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OAR–2022–0060; FRL–12997–01–OMS]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; NSPS for Stationary Gas Turbines (Renewal)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA) has submitted an information collection request (ICR), NSPS for Stationary Gas Turbines (EPA ICR Number 1071.16, OMB Control Number 2060–0028) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act. This is a proposed extension of the ICR, which is currently approved through September 30, 2025. Public comments were previously requested via the **Federal Register** on June 17, 2025 during a 60-day comment period. This notice allows for an additional 30 days for public comments.

DATES: Additional comments may be submitted on or before October 27, 2025.

ADDRESSES: Submit your comments, referencing Docket ID Number EPA–HQ–OAR–2022–0060, to EPA online using *www.regulations.gov* (our preferred method), by email to *a-and-r-docket@epa.gov,* or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW, Washington, DC 20460.

EPA's policy is that all comments received will be included in the public docket without change including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

Submit written comments and recommendations to OMB for the proposed information collection within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Muntasir Ali, Sector Policies and Program Division (D243–05), Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711; telephone number: (919) 541–0833; email address: *ali.muntasir@epa.gov.*

SUPPLEMENTARY INFORMATION: This is a proposed extension of the ICR, which is currently approved through September 30, 2025. An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

Public comments were previously requested via the **Federal Register** on June 17, 2025 during a 60-day comment period (90 FR 25614). This notice allows for an additional 30 days for public comments. Supporting documents, which explain in detail the information that the EPA will be collecting, are available in the public docket for this ICR. The docket can be viewed online at *www.regulations.gov* or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave. NW, Washington, DC. The telephone number for the Docket Center is 202–566–1744. For additional information about EPA's public docket, visit *http://www.epa.gov/dockets.*

Abstract: The New Source Performance Standards (NSPS) for Stationary Gas Turbines (40 CFR part 60, subpart GG) were promulgated on September 10, 1979; and last-amended on February 27, 2014. These regulations apply to both existing facilities and new facilities that have stationary gas turbines with a heat input at peak load equal or greater than 10.7 gigajoules per hour (based on the lower heating value of the fuel fired). There are no new facilities under this subpart, as any facility which commenced either construction, or modification, or reconstruction after February 18, 2005 is subject to the NSPS for Stationary Combustion Turbines (40 CFR part 60, subpart KKKK). This information is being collected to assure compliance with 40 CFR part 60, subpart GG.

In general, all NSPS standards require initial notifications, performance tests, and periodic reports by the owners/operators of the affected facilities. They are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. These notifications, reports, and records are essential in determining compliance, and are required of all affected facilities subject to NSPS.

Form Numbers: None.

Respondents/affected entities: Stationary gas turbine facilities.

Respondent's obligation to respond: Mandatory (40 CFR part 60, subpart GG).

Estimated number of respondents: 535 (total).

Frequency of response: Initially and semiannually.

Total estimated burden: 69,100 hours (per year). Burden is defined at 5 CFR 1320.3(b).

Total estimated cost: $9,930,000 (per year). which includes $0 annualized capital or operation & maintenance costs.

Changes in the estimates: There is no change in the total estimated respondent burden from the most recently approved ICR as currently identified in the OMB Inventory of Approved Burdens. This is due to two considerations. First, the regulations have not changed over the past three years and are not anticipated to change over the next three years. Second, the growth rate for this industry is very low or non-existent, so there is no significant change in the overall burden. Since there are no changes in the regulatory requirements and there is no significant industry growth, there are also no changes in the capital/startup or operation and maintenance (O&M) costs.

Courtney Kerwin,

Director, Information Engagement Division.

[FR Doc. 2025–18604 Filed 9–24–25; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0816; FR ID 314728]

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 24, 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: 3060–0816.

Title: Local Telephone Competition and Broadband Reporting, Report and Order, FCC Form 477, (WC Docket No. 19–195, WC Docket No, 11–10, FCC 19–79).

Form Number: FCC Form 477.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities; not-for-profit institutions; and state, local, or tribal governments.

Number of Respondents and Responses: 3,400 respondents; 6,800 responses.

Estimated Time per Response: 289 hours (average).

Frequency of Response: Semi-annual reporting requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. 4(i), 201, 218–220, 251–252, 271, 303(r), 332, and 403 of the Communications Act of 1934, as amended, and in section 706 of the Telecommunications Act of 1996, as amended, codified in section 1302 of the Broadband Data Improvement Act, 47 U.S.C. 1302.

Total Annual Burden: 1,965,200 hours.

Total Annual Cost: No cost.

Needs and Uses: FCC Form 477 provides an understanding of broadband and voice subscribership, and, through its critical connection to the Broadband Data Collection, the extent of broadband availability. The understanding of broadband subscribership and availability provided by these data are the foundation of the Commission's development of appropriate broadband policies, and enable the Commission to carry out its obligation under section 706 of the Telecommunications Act of 1996, as amended, to ''determine whether advanced telecommunications capability is being deployed to all Americans in a reasonable and timely fashion.'' In addition, the information collected in Form 477 enhances the Commission's analysis and understanding of the extent of voice telephone services competition, which in turn supports the Commission's efforts to open all telecommunications markets to competition and to promote innovation and investment by all participants, including new entrants, as required by the Telecommunications Act of 1996.

The Commission staff uses the information to advise the Commission about the efficacy of its rules and policies adopted to implement the Telecommunications Act of 1996. The data are necessary to evaluate the status of local telecommunications competition and broadband availability. The Commission uses the data to prepare reports that help inform consumers and policy makers at the federal and state level on the availability and adoption of broadband services, as well as on developments related to competition in the voice telephone services market. The Commission also uses the data to support its analyses in a variety of rulemaking proceedings under the Communications Act, including those related to fulfilling its universal service mandate.

The Commission releases to the public the broadband availability and mobile voice availability data that it began collecting in 2014 as a result of the Order. This information is used by consumers, federal and state government agencies, analysts, and others to determine broadband service availability by provider, technology, and speed.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2025–18664 Filed 9–24–25; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at *https://www.federalreserve.gov/foia/request.htm*. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)).

Comments received are subject to public disclosure. In general, comments received will be made available without change and will not be modified to remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would not be appropriate for public disclosure.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E. Misback, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551–0001, not later than October 27, 2025.

A. Federal Reserve Bank of New York (Keith Goodwin, Head of Bank Applications) 33 Liberty Street, New York, New York 10045–0001. Comments can also be sent electronically to *Comments.applications@ny.frb.org*:

1. *United Roosevelt, MHC, Carteret, New Jersey (''MHC'');* to convert from mutual to stock form. As part of the conversion, MHC, and United Roosevelt Bancorp, also of Carteret, New Jersey, an existing mid-tier stock holding company, would cease to exist, and United Roosevelt Savings Bank, Carteret, New Jersey, would become a wholly-owned subsidiary of URSB Bancorp, Inc., Carteret, New Jersey, a newly formed Maryland corporation,which has applied to become a bank holding company, pursuant to Section 3(a)(1) of the Bank Holding Company Act of 1956, as amended.

Board of Governors of the Federal Reserve System.

Michele Taylor Fennell,

Associate Secretary of the Board.

[FR Doc. 2025–18662 Filed 9–24–25; 8:45 am]

BILLING CODE P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (Act) (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the applications are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at *https://www.federalreserve.gov/foia/request.htm*. Interested persons may express their views in writing on the standards enumerated in paragraph 7 of the Act.

Comments received are subject to public disclosure. In general, comments received will be made available without change and will not be modified to remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would not be appropriate for public disclosure.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E. Misback, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551–0001, not later than October 10, 2025.

A. *Federal Reserve Bank of Minneapolis* (Mark Nagle, Assistant Vice President) 90 Hennepin Avenue, Minneapolis, Minnesota 55480–0291. Comments can also be sent electronically to *MA@mpls.frb.org:*

1. *The FWK Profinium Stock Trust UAD 4.15.25, Fred W. Krahmer and Michelle Krahmer, as co-trustees, the EIK & MFK Youth Trust, Ronald Kopischke, as trustee, the FCK Profinium Stock Trust UAD 4.15.25, Fred C. Krahmer, as trustee, the MFK Profinium Stock Trust UAD 4.15.25, Fred W. Krahmer and Michelle Krahmer, as co-trustees, the Marital Trust pursuant to Article 6 of the Constance I. Krahmer Revocable Trust, Fred C. Krahmer, as trustee, all of Fairmont, Minnesota; the Fred W. Krahmer Trust pursuant to Article 9 of the Constance I. Krahmer Revocable Trust, Fairmont, Minnesota, Fred W. Krahmer, Fairmont, Minnesota, and Peoples Bank, Rock Valley, Iowa, as co-trustees; the Ryan M. Rivers Trust pursuant to Article 7 of the Constance I. Krahmer Revocable Trust, Peoples Bank, as trustee, the Caitlyn M. Krahmer Trust pursuant to Article 7 of the Constance I. Krahmer Revocable Trust, Peoples Bank, as trustee, the Collin J. Kain Trust pursuant to Article 7 of the Constance I. Krahmer Revocable Trust, Peoples Bank, as trustee, the Ella I. Krahmer Trust pursuant to Article 7 of the Constance I. Krahmer Revocable Trust, Peoples Bank, as trustee, the Max F. Krahmer Trust pursuant to Article 7 of the Constance I. Krahmer Revocable Trust, Peoples Bank, as trustee, all of Rock Valley, Iowa*; each to join the Krahmer Family Control Group, a group acting in concert, by retaining voting shares of Profinium Financial Holdings, Inc., Fairmont, Minnesota, and thereby indirectly retaining voting shares of Profinium, Inc., Truman, Minnesota. Fred C. Krahmer and Fred W. Krahmer are members of the Krahmer Family Control Group and were each previously permitted by the Federal Reserve System to acquire control of voting shares of Profinium Financial Holdings, Inc.

Board of Governors of the Federal Reserve System.

Michele Taylor Fennell,

Associate Secretary of the Board.

[FR Doc. 2025–18661 Filed 9–24–25; 8:45 am]

BILLING CODE P

FEDERAL TRADE COMMISSION

Privacy Act of 1974; System of Records

AGENCY: Federal Trade Commission (FTC).

ACTION: Notice of modified system of records.

SUMMARY: The FTC is making technical revisions to several of the notices that it has published under the Privacy Act of 1974 to describe its systems of records. This action is intended to make these notices clearer, more accurate, and up-to-date.

DATES: These modified systems will be effective on September 25, 2025.

FOR FURTHER INFORMATION CONTACT: G. Richard Gold, Attorney, Office of the General Counsel, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580, (202) 326–3355 or *rgold@ftc.gov*.

SUPPLEMENTARY INFORMATION: To inform the public, the FTC publishes in the **Federal Register** and posts on its website a ''system of records notice'' (SORN) for each system of records that the FTC currently maintains within the meaning of the Privacy Act of 1974, as amended, 5 U.S.C. 552a (''Privacy Act'' or ''Act''). See *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems*. The Privacy Act protects records about individuals in systems of records collected and maintained by Federal agencies. (A system is not a ''system of records'' under the Act unless the agency maintains and retrieves records in the system by the relevant individual's name or other personally assigned identifier.) Each Federal agency, including the FTC, must publish a SORN that describes the records maintained in each of its Privacy Act systems, including the categories of individuals that the records in the system are about, where and how the agency maintains these records, and how individuals can find out whether an agency system contains any records about them or request access to their records, if any. The FTC, for example, maintains 39 systems of records under the Act. Some of these systems contain records about the FTC's own employees, such as personnel and payroll files. Other FTC systems contain records about members of the public, such as public comments, consumer complaints, or phone numbers submitted to the FTC's Do Not Call Registry.

The FTC's SORNs discussed in this notice apply only to the FTC's own Privacy Act record systems. They do not cover Privacy Act records that other Federal agencies may collect and maintain in their own systems. Likewise, the FTC's SORNs and the Privacy Act of 1974 do not cover personal records that private businesses or other non-FTC entities may collect, which may be covered by other privacy laws. Based on a periodic review of its SORNs, the FTC is publishing these additional technical revisions, to ensure that the FTC's SORNs and Appendices remain clear, accurate, and up-to-date:

- First, the FTC is amending several SORNs to clarify or update information about the applicable records disposition schedules published or approved by the National Archives and Records Administration (NARA). These schedules determine how long agency records in each system should be retained and destroyed.
- Second, the FTC is amending multiple SORNs to make other technical changes (*e.g.,* updating the official title of the system manager, the authority for maintenance of the system, the policies and practices for storage and record retention of records, changing the words ''Web site'' to ''website'', and capitalizing the words ''Federal'' and ''State'' as recommended by the GPO Style Manual).
- Third, the FTC is republishing the full text of each of the above SORNs, incorporating the technical amendments, for the convenience of the reader and in accordance with OMB Circular A–108, *Federal Agency Responsibilities for Review, Reporting, and Publication under the Privacy Act* (2016), which reorganized the format and content for SORNs published by Federal agencies.

The FTC is not substantively adding or amending any routine uses of its Privacy Act system records. Accordingly, the FTC is not required to provide prior public comment or notice to OMB or Congress for these technical amendments, which are final upon publication. See 5 U.S.C. 552a(e)(11) and 552a(r); OMB Circular A–108, supra.

A SORN-by-SORN summary, including a more detailed description of each SORN and how it is being amended, appears below, followed by the full text of the SORNs, as amended.

I. Law Enforcement Systems of Records

FTC–I–1 (Nonpublic Investigational and Other Nonpublic Legal Program Records–FTC). This SORN covers nonpublic investigational and other nonpublic program records. The Commission has updated the sections relating to the Security Classification, System Manager, Purpose of the System, Policies and Practices for Storage of Records, and Administrative, Technical, and Physical Safeguards. Additionally, the template and format are being updated in accordance with OMB Circular A–108.

FTC–I–2 (Disciplinary Action Investigatory Files—FTC). This SORN covers records compiled to determine whether the FTC should refer an individual practicing before the FTC to appropriate authorities for alleged ethical or other misconduct. This SORN is being renamed Outside Representative Disciplinary Action Investigatory Files to clarify that this system only covers outside representatives or attorneys practicing before the FTC. Investigations of current and former FTC employees are covered by FTC–II–8 (Employee Adverse Action and Disciplinary Records). The purpose section is being revised to reflect this distinction. The Commission has also updated the section relating to the Administrative, Technical, and Physical Safeguards.

FTC–I–8 (Stenographic Reporting Services Request System—FTC). This SORN covers the database system that the FTC uses to log and fulfill requests by FTC officials for stenographic services in FTC investigations, litigation and other FTC matters. The Commission has updated the sections relating to the Security Classification, System Manager, Policies and Practices for Storage of Records, Policies and Practices for Retention and Disposal of Records, and Administrative, Technical, and Physical Safeguards. Additionally, the template and format are being updated in accordance with OMB Circular A–108.

II. Personnel Systems of Records

FTC–II–8 (Employee Adverse Action and Disciplinary Records—FTC). This SORN covers employee adverse action and disciplinary files. Language has been added to the Purpose of the System clarifying that this system relates to current or former employees and excludes records that are part of FTC–I–2 (Outside Representative Disciplinary Action Investigatory Files). That system (FTC–I–2) includes records compiled to determine whether the FTC should refer an individual practicing before the FTC to appropriate authorities for alleged ethical or other misconduct. The FTC is also revising this SORN (FTC–II–8) to update the Policies and Practices for Storage of Records and the Administrative, Technical, and Physical Safeguards.

IV. Correspondence Systems of Records

FTC–IV–2 (Miscellaneous Office Correspondence Tracking System

Records—FTC). This SORN covers miscellaneous non-consumer correspondence and matter tracking records held by various offices. The FTC is revising this SORN to update the Policies and Practices for Storage of Records and the Administrative, Technical, and Physical Safeguards. Additionally, the template and format are being updated in accordance with OMB Circular A–108.

V. Access Requests

FTC–V–1 (Freedom of Information Act Requests and Appeals—FTC). The FTC is revising this SORN to update the System Location, Categories of Records in the System and Administrative, Technical, and Physical Safeguards. The Commission is also clarifying that, as required by the FOIA statute, records that have been ''frequently requested'' or are otherwise also subject to proactive disclosure requirements and disclosed under the FOIA within the meaning of that Act, as determined by the FTC, are made available to the public for routine inspection and copying. Note that the Privacy Act never prohibits a disclosure that the FOIA requires. 5 U.S.C. 552a(b)(2).

FTC–V–2 (Privacy Act Requests and Appeals—FTC). The FTC is revising this SORN to update the System Location, Policies and Practices for Storage of Records, and Administrative, Technical, and Physical Safeguards.

VI. Mailing List Systems of Records

FTC–VI–1 (Mailing and Contact Lists–FTC). The FTC is revising this SORN to update the System Manager, Categories of Records in the System, Policies and Practices for Storage of Records and Administrative, Technical, and Physical Safeguards. Additionally, the template and format are being updated in accordance with OMB Circular A–108.

VII. Miscellaneous Systems of Records

FTC–VII–2 (Employee Locator (STAFFID) System)—FTC). This SORN is being updated to the template and format set out in OMB Circular A–108.

FTC Systems of Records Notices

In light of the updated SORN template set forth in the revised OMB Circular A–108, the FTC is reprinting the entire text of each amended SORN when necessary for the public's benefit, to read as follows:

I. Law Enforcement Systems of Records

* * * * *

SYSTEM NAME AND NUMBER:

Nonpublic Investigational and Other Nonpublic Legal Program Records–FTC (FTC–I–1).

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580. For other locations where records may be maintained or accessed, see Appendix III (Locations of FTC Buildings and Regional Offices), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 87 FR 57698 (Sept. 21, 2022).

SYSTEM MANAGER(S):

Office of the Secretary, Records Management Division, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580, email: *SORNs@ftc.gov*.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Federal Trade Commission Act, 15 U.S.C. 41 *et seq.*

PURPOSE(S) OF THE SYSTEM:

To conduct the law enforcement, rulemaking, and advisory responsibilities of the Federal Trade Commission; to make determinations based upon the results of those matters; to report results of investigations to other agencies and authorities for their use in evaluating their programs and imposition of criminal, civil, or administrative sanctions; to report the results of investigations to other agencies or other regulatory bodies for any action deemed appropriate; to make appropriate portions of the records of those matters available to the public (see FTC–I–6, Public Records–FTC); and to maintain records of Commission activities related to those matters, including to make such records available within the FTC for historical, legal research, investigational, and similar purposes (see FTC–VII–6, Document Management and Retrieval System–FTC).

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

This system consists of case or matter files and other nonpublic records created, collected and maintained by the FTC's Bureaus and other offices in the course of law enforcement investigations, administrative or court litigation, and other agency legal proceedings and matters (*e.g.,* rulemakings, requests for formal advisory opinions). The system covers investigatory targets, witnesses, consumers, redress claimants, commenters, requesters, and other individuals whose information the FTC ''retrieves'' from these nonpublic records, as explained below. (Entities that are not ''individuals,'' such as businesses, sole proprietorships, or corporations, are not covered by this system.) Parties requesting informal advisory opinions are covered by FTC–I–3, Informal Advisory Opinion Request and Response Files–FTC.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records maintained in this system include information about individuals such as name, address, employment status, age, date of birth, financial information, credit information, social security number and personal history. Records in this system are collected and generated during law enforcement investigations and litigation and may include: copies of subpoenas and other compulsory process issued during the investigation; documents and records (including copies) obtained during the investigation in response to subpoenas and other compulsory process, or otherwise provided to the Commission; affidavits and other statements from witnesses; transcripts of testimony taken in the investigation and accompanying exhibits; internal staff memoranda; interview notes, investigative notes, staff working papers, draft materials, and other documents and records relating to the investigation; correspondence; and internal status reports including matter initiation reports, progress reports, and closing reports. Records in this system may also include other investigatory information or data relating to any of the following: docketed and consent matters; redress distribution proceedings; rulemakings, workshops, and other public proceedings, including comments or other materials submitted in such proceedings; assurances of voluntary compliance; and advisory opinions. Other types of records covered by this system are set out in the Department of Treasury, Financial Management Service's Privacy Act system of records notice TREASURY/FMS.014, or any successor system notice for this system (visit *http://www.ustreas.gov* for more information).

This system is limited to files and records that are about an individual, and only when the file or record is pulled (''retrieved'') by the name of that individual or other personal identifier (*e.g.,* number, symbol, fingerprint, etc.). As described below, records in this system may become public if they are subject to such disclosure under the FTC's Rules of Practice.

RECORD SOURCE CATEGORIES:

Individual respondent(s) or proposed respondent(s), defendant(s), company records, complainants, informants, witnesses, participants, FTC employees, commercial sources.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Records in this system may be:

(1) Made available or referred to Federal, State, local or international government authorities for investigation, possible criminal prosecution, civil action, regulatory order, or other law enforcement purpose;

(2) Referred to outside experts or consultants when considered appropriate by FTC staff to assist in the conduct of agency matters;

(3) Used by Commission contractors with recordkeeping, managerial, and budgeting responsibilities for information management purposes; and

(4) Disclosed on the FTC's public record under the FTC's Rules of Practice. See FTC–I6, Public Records—FTC.

(5) Disclosed, to the extent that the records relate to a debt owed to the United States, through one or more of its departments and agencies; and/or States, territories and commonwealths of the United States, and the District of Columbia, for any other routine use set forth in the Government-wide system of records notice published for this system by the Department of Treasury, Financial Management System, see TREASURY/FMS.014, or any successor TREASURY/FMS system notice that may be published for this system (visit *http://www.ustreas.gov* for more information).

For other ways that the Privacy Act permits the FTC to use or disclose system records outside the agency, see Appendix I (Authorized Disclosures and Routine Uses Applicable to All FTC Privacy Act Systems of Records), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 83 FR 55541, 55542–55543 (Nov. 6, 2018).

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

The FTC maintains these records in electronic and non-electronic formats and media. The FTC maintains these records using a combination of different databases and applications.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Records are indexed by respondent's, participant's, or FTC staff member's name; company name; industry investigation title; and FTC matter number.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records from submitters in FTC investigations are destroyed or returned to the submitter, if so requested, at the conclusion of the matter, except for those received into the record of any proceeding and any other copies made for official use or that are required to be preserved for their historical or other value under applicable Federal records retention requirements. See 15 U.S.C. 57b–2(b)(5), 16 CFR 4.12. Retention periods for other system records depend on the type of record and the FTC proceeding or matter involved. Records are retained and disposed of under applicable schedules and procedures approved by the National Archives and Records Administration.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

For records other than those made public, access is restricted to agency personnel or contractors whose responsibilities require access. Access to electronic records is controlled by ''user ID'' and password combination and/or other appropriate electronic access or network controls (*e.g.,* firewalls). Paper records are maintained in lockable rooms or file cabinets. FTC buildings are guarded and monitored by security personnel, cameras, ID checks, and other physical security measures.

RECORD ACCESS PROCEDURES:

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How to Make A Privacy Act Request), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 73 FR 33592, 33634 (June 12, 2008).

CONTESTING RECORD PROCEDURES:

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How to Make A Privacy Act Request), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 73 FR 33592, 33634 (June 12, 2008).

NOTIFICATION PROCEDURES:

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How to Make A Privacy Act Request), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 73 FR 33592, 33634 (June 12, 2008).

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

Copies of records contained in this system that have been placed on the FTC public record are available upon request or from the FTC's website, where applicable. See FTC–I–6, Public Records—FTC. However, pursuant to 5 U.S.C. 552a(k)(2), records in this system that are not on the public record are exempt from the requirements of subsections (c)(3), (d), (e)(1), (e)(4) (G), (H), (I), and (f) of 5 U.S.C. 552a, and the corresponding provisions of 16 CFR 4.13. See FTC Rules of Practice 4.13(m), 16 CFR 4.13(m).

HISTORY:

73 FR 33591–33634 (June 12, 2008).

SYSTEM NAME AND NUMBER:

Outside Representative Disciplinary Action Investigatory Files—FTC (FTC–I–2).

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580. For other locations where records may be maintained or accessed, see Appendix III (Locations of FTC Buildings and Regional Offices), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and 87 FR 57698 (Sept. 21, 2022).

SYSTEM MANAGER(S):

Principal Deputy General Counsel, Office of General Counsel, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580, email: *SORNs@ftc.gov*.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Federal Trade Commission Act, 15 U.S.C. 41 *et seq.;* Executive Order 10450.

PURPOSE(S) OF THE SYSTEM:

To conduct disciplinary action investigations of outside attorneys or representatives practicing before the FTC; to make determinations based upon the results of the investigations; to report results of investigations to other agencies and authorities for their use in evaluating their programs and imposition of criminal, civil, or administrative sanctions; to report the results of investigations to other agencies or other regulatory bodies for any action deemed appropriate; and to maintain records related to those matters. Investigations of current and former FTC employees are covered by FTC–II–8 (Employee Adverse Action and Disciplinary Records).

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

FTC personnel, counsel for parties in investigative or adjudicative proceedings, and others participating in FTC matters who may be subject to investigation for possible improper or unethical conduct.

CATEGORIES OF RECORDS IN THE SYSTEM:

Name, address, employment status, age, date of birth, financial information, credit information, personal history, and records collected and generated during the investigation, which may include correspondence relating to the investigation; internal staff memoranda; copies of subpoenas issued during the investigation, affidavits, statements from witnesses, transcripts of testimony taken in the investigation, and accompanying exhibits; documents, records or copies obtained during the investigation; interview notes, investigative notes, staff working papers, draft materials, and other documents and records relating to the investigation; opening reports, progress reports, and closing reports; and other investigatory information or data relating to alleged violations.

RECORD SOURCE CATEGORIES:

Individual on whom the record is maintained, complainants, informants, witnesses, and Commission personnel having knowledge or providing analysis of matter.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Records in this system:

(1) May be used to determine whether disciplinary action, including suspension or disbarment from practice before the Commission, is warranted;

(2) May be transferred to the Office of Personnel Management, to a court, or a bar association; and

(3) May be used by personnel of other agencies, courts, or bar associations to whom the matter is referred.

For other ways that the Privacy Act permits the FTC to use or disclose system records outside the agency, see Appendix I (Authorized Disclosures and Routine Uses Applicable to All FTC Privacy Act Systems of Records), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 83 FR 55542–55543 (Nov. 6, 2018).

POLICIES AND PRACTICES FOR STORAGE OF RECORDS

The FTC generally maintains these records in electronic or paper format.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Records are indexed by individual's name, company name, industry investigation title, file or docket number.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records are retained and disposed of under applicable schedules and procedures approved by the National Archives and Records Administration.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Access is restricted to agency personnel or contractors whose responsibilities require access. Access to electronic records is controlled by ''user ID'' and password combination and/or other appropriate electronic access or network controls (*e.g.,* firewalls). Paper records are maintained in lockable rooms or file cabinets. FTC buildings are guarded and monitored by security personnel, cameras, ID checks, and other physical security measures.

RECORD ACCESS PROCEDURES:

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 73 FR 33592, 33634 (June 12, 2008).

CONTESTING RECORD PROCEDURES:

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 73 FR 33592, 33634 (June 12, 2008).

NOTIFICATION PROCEDURES:

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 73 FR 33592, 33634 (June 12, 2008).

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

Pursuant to 5 U.S.C. 552a(k)(2), records in this system are exempt from the requirements of subsections (c)(3), (d), (e)(1), (e)(4) (G), (H), (I), and (f) of 5 U.S.C. 552a. See § 4.13(m) of the FTC Rules of Practice, 16 CFR 4.13(m).

HISTORY:

87 FR 964–974 (January 7, 2022).

73 FR 33591–33634 (June 12, 2008).

* * * * *

SYSTEM NAME AND NUMBER:

Stenographic Reporting Services Request System—FTC (FTC–I–8).

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580.

For other locations where records may be maintained or accessed, see Appendix III (Locations of FTC Buildings and Regional Offices), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 87 FR 57698 (Sept. 21, 2022).

SYSTEM MANAGER(S):

Office of the Secretary, Records Management Division, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580, email: *SORNs@ftc.gov*.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Federal Trade Commission Act, 15 U.S.C. 41 *et seq.*

PURPOSE(S) OF THE SYSTEM:

To track and fulfill FTC staff requests for stenographic services from the agency's stenographic reporting service contractors; to schedule services with such contractors; to provide information necessary for the contractor to render such services; and for other internal administrative purposes, including to ensure that stenographic services are being properly allocated and authorized, to provide statistical data on service usage for agency managerial and budget purposes, and as source for transcript dates and times for incorporation as appropriate into FTC–I–5 (Matter Management System—FTC) and FTC–VII–6 (Document Management and Retrieval System—FTC).

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

FTC staff who have requested stenographic reporting services for depositions, testimony or other transcriptions in FTC proceedings; other FTC staff or contractors involved in processing the request or providing such services; witnesses or other individuals who are deposed or provide testimony at hearings or proceedings in which stenographic reporting services are used. (Businesses, sole proprietorships, or corporations are not covered by this system.)

CATEGORIES OF RECORDS IN THE SYSTEM:

Name, phone number, mail drop, and FTC organization of the individual

requesting stenographic reporting services and other information about the service request, including but not limited to: request number, request status, request submitted date, funding organization name and number, matter name, number and organization, activity code name and number, lead attorney name and number, contract and delivery order number and name, deponent name, witness language, due dates, service date and time, duration time of service, name and number of individuals eligible to purchase the transcripts, name and address of location where deposition will be taken including home addresses when applicable, type of recording device that contains the material to be transcribed, type of formatting required for draft and final copies; recording details such as number of recordings, total minutes, digital file size, total number of tapes/CDs/DVDs; original language of media, specific types of audio and video and the name, address and phone number of anybody other than the requester that is receiving a copy of the transcript.

RECORD SOURCE CATEGORIES:

Individual on whom the record is maintained and Commission staff associated with the matter.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Records in this system may be:

(1) Disclosed to and used by FTC contractors for purposes of scheduling and providing FTC staff with stenographic reporting services for depositions and hearings; and

(2) Made part of public record proceedings, to the extent appropriate and necessary to identify the individual being deposed or providing testimony in a hearing, when the hearing is a matter of public record. See FTC–I–6, Public Records—FTC.

For other ways that the Privacy Act permits the FTC to use or disclose system records outside the agency, see Appendix I (Authorized Disclosures and Routine Uses Applicable to All FTC Privacy Act Systems of Records), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 83 FR 55541, 55542–55543 (Nov. 6, 2018).

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Service requests are submitted electronic format, and data are entered and maintained electronically in a structured database on an internal agency server, and as needed on CD–ROM and/or external hard drives.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Data in the system may be retrieved electronically by the name of the individual being deposed or providing testimony, the individual requesting stenographic services, the managing attorney, the fund manager name, the request number, the matter number, the delivery order number, the contract number, or by other data entered into and searchable in the system.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records are retained and disposed of in accordance with schedules and procedures issued or approved by the National Archives and Records Administration.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

For records other than those made public, access is restricted to agency personnel or contractors whose responsibilities require access. Access to electronic records is controlled by ''user ID'' and password combination and/or other appropriate electronic access or network controls (*e.g.,* firewalls). Paper records are maintained in lockable rooms or file cabinets. FTC buildings are guarded and monitored by security personnel, cameras, ID checks, and other physical security measures.

RECORD ACCESS PROCEDURES:

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 73 FR 33592, 33634 (June 12, 2008).

CONTESTING RECORD PROCEDURES:

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 73 FR 33592, 33634 (June 12, 2008).

NOTIFICATION PROCEDURES:

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 73 FR 33592, 33634 (June 12, 2008).

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

Copies of records contained in this system that have been placed on the FTC public record are available upon request or from the FTC's website, where applicable. See FTC–I–6, Public Records—FTC. However, pursuant to 5 U.S.C. 552a(k)(2), records in this system, which reflect records that are contained in other systems of records that are designated as exempt, are exempt from the requirements of subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), (I), and (f) of 5 U.S.C. 552a. See § 4.13(m) of the FTC Rules of Practice, 16 CFR 4.13(m).

HISTORY:

73 FR 33591–33634 (June 12, 2008).

* * * * *

SYSTEM NAME AND NUMBER:

Employee Adverse Action and Disciplinary Records—FTC (FTC–II–8).

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580. For other locations where records may be maintained or accessed, see Appendix III (Locations of FTC Buildings and Regional Offices), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 87 FR 57698 (Sept. 21, 2022).

SYSTEM MANAGER(S):

Chief Human Capital Officer, Human Capital Management Office, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 4301 *et seq.;* 5 U.S.C. 4311 *et seq.;* 5 U.S.C. 7101 *et seq.;* 5 U.S.C. 7501 *et seq.;* 5 U.S.C. 7511 *et seq.;* 5 U.S.C. 7541 *et seq.;* and 5 CFR parts 293, 315, 432, and 752.

PURPOSE(S) OF THE SYSTEM:

To document proposed and final agency decisions on disciplinary actions, adverse actions, and performance-based actions relating to current or former employees in order for them to be defensible before third-party review. This system excludes records that are part of FTC–I–2 (Outside Representative Disciplinary Action Investigatory Files), which includes records compiled to determine whether the FTC should refer an individual practicing before the FTC to appropriate authorities for alleged ethical or other misconduct.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current or former FTC employees who have been disciplined or had a

performance- based action taken against them, or who have a proposed disciplinary or performance-based action against them.

CATEGORIES OF RECORDS IN THE SYSTEM:

Case files and records related to adverse actions and performance-based actions (removal, suspension, reduction-in- grade) against employees. The file can include a copy of the proposed adverse action with supporting documents, statements of witnesses, employee's reply, hearing notices, reports, agency decisions, reversal of action, and appeal records. Other types of records are set out in the Office of Personnel Management (OPM) Privacy Act system of records notice applicable to this system, OPM/GOVT–3 (Records of Adverse Actions, Performance Based Reduction in Grade and Removal Actions, and Termination of Probationers), or any successor system notice for this system.

RECORD SOURCE CATEGORIES:

Individual about whom the records pertain, witnesses, supervisors, program managers, counselors, related correspondence from organizations or persons.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Records in this system may be disclosed for any of the routine uses set forth in OPM/GOVT–3. In addition, records in this system:

(1) Including records of disciplinary actions, adverse actions and performance-based actions, may be disclosed to and used by employee relations specialists or others whose official duties require such information;

(2) Including records of official time used and travel and per diem money spent while attending to union business, may be disclosed to and used by labor relations specialists and others whose official duties require such information. Information in system records may also be disclosed to officials of labor organizations recognized under 5 U.S.C. 7101 *et seq.* when relevant and necessary to their duties as exclusive representative; and

(3) May be disclosed to the Federal Labor Relations Authority (including its General Counsel) when requested in connection with investigation and resolution of allegations of unfair labor practices, in connection with the resolution of exceptions to arbitrator's awards where a question of material fact is raised and matters before the Federal Service Impasses Panel.

For other ways that the Privacy Act permits the FTC to use or disclose system records outside the agency, see Appendix I (Authorized Disclosures and Routine Uses Applicable to All FTC Privacy Act Systems of Records), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 83 FR 55541, 55542–55543 (Nov. 6, 2018).

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

The FTC generally maintains these records in electronic or paper format.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Indexed by individual's name.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records related to adverse actions, performance-based reduction- in-grade and removal actions, and termination of probationers are destroyed seven years after case is closed in accordance with General Records Schedule 2.3, items 60–62, issued by the National Archives and Records Administration. Actions related to labor management relations arbitration are destroyed 5 years after final resolution in accordance with General Records Schedule 2.3, item 52.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Access is restricted to agency personnel or contractors whose responsibilities require access. Access to any electronic records is controlled by ''user ID'' and password combination and/or other appropriate access or network controls (*e.g.,* firewalls). Paper records are maintained in lockable rooms or file cabinets. FTC buildings are guarded and monitored by security personnel, cameras, ID checks, and other physical security measures.

RECORD ACCESS PROCEDURES:

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 73 FR 33592, 33634 (June 12, 2008).

CONTESTING RECORD PROCEDURES:

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 73 FR 33592, 33634 (June 12, 2008).

NOTIFICATION PROCEDURES:

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 73 FR 33592, 33634 (June 12, 2008).

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

HISTORY:

80 FR 9460–9465 (February 23, 2015).
73 FR 33591–33634 (June 12, 2008).

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IV. Correspondence Systems of Records

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SYSTEM NAME AND NUMBER:

Miscellaneous Office Correspondence Tracking System—FTC (FTC–IV–2).

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580. For other locations where records may be maintained or accessed, see Appendix III (Locations of FTC Buildings and Regional Offices), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 87 FR 57698 (Sept. 21, 2022).

SYSTEM MANAGER(S):

Office of the Secretary, Records Management Division, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580, email: *SORNs@ftc.gov*.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Federal Trade Commission Act, 15 U.S.C. 41 *et seq.*

PURPOSE(S) OF THE SYSTEM:

For the Office of the Secretary and certain other offices within the Commission to log and track the receipt, processing, and response, referral, or other action taken by those offices on correspondence, assignments or other agency matters for which those offices are responsible in whole or part; to help manage workloads, anticipate resources needed, and ensure that a response or other necessary or appropriate action is taken by those offices in a timely and complete manner; and to maintain records of the offices' responses or other actions taken on correspondence, assignments or other matters. (This system encompasses matter tracking records similar to, but maintained and

managed separately from, those in FTC–I–5, Matter Management System—FTC.)

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals who correspond with individual FTC offices (*e.g.,* members of Congress, counsel for regulated entities, consumers); FTC staff assigned to or responsible for supervising, responding or taking other action on correspondence, assignments, or other matters that may also be tracked in the system.

CATEGORIES OF RECORDS IN THE SYSTEM:

Name; matter name, number and/or description of the correspondence, assignment, or other matter; date of receipt or assignment, date of response, action, or other relevant dates; FTC organization and other internal administrative codes.

RECORD SOURCE CATEGORIES:

FTC staff; incoming and outgoing correspondence; internal memoranda or other FTC documents.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

When correspondence is referred to the FTC by a member of Congress, official committee or subcommittee, or other Government entity or official, the FTC may disclose to such official or authorized staff of such entity or official the status of the FTC's handling and processing of such correspondence.

For other ways that the Privacy Act permits the FTC to use or disclose system records outside the agency, see Appendix I (Authorized Disclosures and Routine Uses Applicable to All FTC Privacy Act Systems of Records), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 83 FR 55542–55543 (Nov. 6, 2018).

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

The FTC maintains these records in electronic and non-electronic formats and media.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Name of corresponding or referring individual, and/or of FTC staff with responsibility for supervising, processing, responding or otherwise handling the correspondence or other matter. System records may also be retrieved by other system search fields or parameters not pertaining to an individual (*e.g.,* matter or tracking number, date, FTC organization code).

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records are retained and disposed of under applicable schedules and procedures approved by the National Archives and Records Administration.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Access is restricted to agency personnel or contractors whose responsibilities require access. Access to electronic records is controlled by ''user ID'' and password combination and/or other network access or security controls (*e.g.,* firewalls). Paper records are maintained in lockable rooms or file cabinets. FTC buildings are guarded and monitored by security personnel, cameras, ID checks, and other physical security measures.

RECORD ACCESS PROCEDURES:

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How to Make A Privacy Act Request), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 73 FR 33592, 33634 (June 12, 2008).

CONTESTING RECORD PROCEDURES:

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How to Make A Privacy Act Request), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 73 FR 33592, 33634 (June 12, 2008).

NOTIFICATION PROCEDURES:

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How to Make A Privacy Act Request), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 73 FR 33592, 33634 (June 12, 2008).

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

HISTORY:

73 FR 33591–33634 (June 12, 2008).

* * * * *

V. Access Requests

SYSTEM NAME AND NUMBER:

Freedom of Information Act Requests and Appeals—FTC (FTC–V–1).

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580. The records are maintained off-site on a web-based/cloud-based application by an FTC vendor. For other locations where records may be maintained or accessed, see Appendix III (Locations of FTC Buildings and Regional Offices), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foiareading-rooms/privacy-act-systems* and 87 FR 57698 (Sept. 21, 2022).

SYSTEM MANAGER(S):

FOIA/PA Supervisor, Office of General Counsel, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580, email: *SORNs@ftc.gov*.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Federal Trade Commission Act, 15 U.S.C. 41 *et seq.;* Freedom of Information Act, 5 U.S.C. 552.

PURPOSE(S) OF THE SYSTEM:

To consider requests and appeals for access to records under the Freedom of Information Act; to determine the status of requested records; to respond to the requests and appeals; to make copies of FOIA requests and frequently requested records available publicly, under the FTC's Rules of Practice and FOIA; to maintain records, documenting the consideration and disposition of the requests for reporting, analysis, and recordkeeping purposes.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals filing requests for access to information under the Freedom of Information Act (FOIA); individuals named in the FOIA request; FTC staff assigned to help process, consider, and respond to such requests, including any appeals.

CATEGORIES OF RECORDS IN THE SYSTEM:

Communications (*e.g.,* letters, emails) to and from the requesting party, including requests submitted through the FTC's FOIA application and the national FOIA portal at *foia.gov;* agency documents generated or collected during processing and consideration of the request, including scanned copies of materials responsive to the FOIA request.

RECORD SOURCE CATEGORIES:

Individual about whom the record is maintained and agency staff assigned to help process, review, or respond to the access request, including any appeal.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

(1) Request and appeal letters, and agency letters responding thereto, are

placed on the FTC's public record and available to the public for routine inspection and copying. See FTC–I–6 (Public Records—FTC).

(2) As required by the FOIA, records that have been ''frequently requested'' or are subject to other proactive disclosure requirements and disclosed under the FOIA within the meaning of that Act, as determined by the FTC, are made available to the public for routine inspection and copying. See FTC–I–6 (Public Records—FTC).

(3) Disclosure to the National Archives and Records Administration, Office of Government Information Services (OGIS), to the extent necessary to fulfill its responsibilities in 5 U.S.C. 552(h), to review administrative agency policies, procedures, and compliance with the Freedom of Information Act (FOIA), and to facilitate OGIS's offering of mediation services to resolve disputes between persons making FOIA requests and administrative agencies.

For other ways that the Privacy Act permits the FTC to use or disclose system records outside the agency, see Appendix I (Authorized Disclosures and Routine Uses Applicable to All FTC Privacy Act Systems of Records), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foiareading-rooms/privacy-act-systems* and at 73 FR 33592, 36333–36334 (June 12, 2008).

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Records are maintained electronically using a commercial software application accessible via the internet and provided by an FTC vendor. Additional records may be maintained in electronic forms on agency servers or in hard copies stored on the agency's premises.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Indexed by name of requesting party and subject matter of request. Records can also be searched by name, address, phone number, fax number, and email of the requesting party, subject matter of the request, requestor organization, FOIA number, and staff member assigned to the request.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records are retained and disposed of in accordance with General Records Schedule 4.2, issued by the National Archives and Records Administration.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Requests, appeals, and responses available to the public, as described above. Access to nonpublic system records is restricted to FTC personnel or contractors whose responsibilities require access. Access to electronic records is controlled by ''user ID'' and password combination and other electronic access or network controls (*e.g.,* firewalls). Nonpublic paper records are temporary, maintained in lockable file cabinets or offices, and destroyed once the request is complete. FTC buildings are guarded and monitored by security personnel, cameras, ID checks, and other physical security measures.

RECORD ACCESS PROCEDURES:

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-readingrooms/privacy-act-systems* and at 73 FR 33592, 33634 (June 12, 2008).

CONTESTING RECORD PROCEDURES:

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-readingrooms/privacy-act-systems* and at 73 FR 33592, 33634 (June 12, 2008).

NOTIFICATION PROCEDURES:

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-readingrooms/privacy-act-systems* and at 73 FR 33592, 33634 (June 12, 2008).

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

Records contained in this system that have been placed on the FTC public record are available upon request, as discussed above. However, pursuant to 5 U.S.C. 552a(k)(2), records in this system, which reflect records that are contained in other systems of records that are designated as exempt, are exempt from the requirements of subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), (I), and (f) of 5 U.S.C. 552a. See § 4.13(m) of the FTC Rules of Practice, 16 CFR 4.13(m).

HISTORY:

82 FR 27483–27485 (June 15, 2017).

82 FR 10012–10014 (February 9, 2017).

73 FR 33592–33634 (June 12, 2008).

SYSTEM NAME AND NUMBER:

Privacy Act Requests and Appeals—FTC (FTC–V–2).

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580. The records are maintained off-site on a web-based/cloud-based application by our vendor. For other locations where records may be maintained or accessed, see Appendix III (Locations of FTC Buildings and Regional Offices), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 87 FR 57698 (Sept. 21, 2022).

SYSTEM MANAGER(S):

Freedom of Information Act/Privacy Act Supervisor, Office of the General Counsel, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580, email: *SORNs@ftc.gov*.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Federal Trade Commission Act, 15 U.S.C. 41 *et seq.;* Privacy Act, 5 U.S.C. 552a.

PURPOSE(S) OF THE SYSTEM:

To process and review requests and appeals for access to, correction of, or an accounting of disclosure of records under the Privacy Act; to determine the status of requested records or the request for correction or disclosure; to respond to such requests and appeals; and to maintain records documenting the consideration and disposition of these requests for reporting, analysis, and recordkeeping purposes.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals filing requests for access to, correction of, or an accounting of disclosures of personal information contained in system of records maintained by the Commission, pursuant to the Privacy Act; FTC staff assigned to help process, consider, and respond to such requests, including any appeals.

CATEGORIES OF RECORDS IN THE SYSTEM:

Requests and other communications and documents generated or compiled by the FTC to process, review, and respond to the Privacy Act request, including any appeals.

RECORD SOURCE CATEGORIES:

Individual about whom record is maintained and agency staff assigned to help process, review or respond to the request, including any appeal.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

For other ways that the Privacy Act permits the FTC to use or disclose system records outside the agency, see Appendix I (Authorized Disclosures and Routine Uses Applicable to All FTC Privacy Act Systems of Records), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 73 FR 33592, 36333–36334 (June 12, 2008).

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Records are maintained electronically using a commercial software application accessible via the internet and provided by an FTC vendor. Additional records may be maintained in electronic forms on agency servers or in hard copies stored on the agency's premises.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Indexed by name of requesting party. Records can also be searched by address, phone number, fax number, and email of the requesting party, subject matter of the request, requestor organization, FOIA number, and staff member assigned to request.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records are retained and disposed of in accordance with General Records Schedule 4.2, issued by the National Archives and Records Administration.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Access to nonpublic system records is restricted to FTC personnel or contractors whose responsibilities require access. Access to electronic records is controlled by ''user ID'' and passphrase combination and other electronic access or network controls (*e.g.,* firewalls). Nonpublic paper records are temporary, maintained in lockable file cabinets or offices, and destroyed once the request is complete. FTC buildings are guarded and monitored by security personnel, cameras, ID checks, and other physical security measures.

RECORD ACCESS PROCEDURES:

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 73 FR 33592, 33634 (June 12, 2008).

CONTESTING RECORD PROCEDURES:

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 73 FR 33592, 33634 (June 12, 2008).

NOTIFICATION PROCEDURES:

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 73 FR 33592, 33634 (June 12, 2008).

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

Pursuant to 5 U.S.C. 552a(k)(2), records in this system, which reflect records that are contained in other systems of records that are designated as exempt, are exempt from the requirements of subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), (I), and (f) of 5 U.S.C. 552a. See § 4.13(m) of the FTC Rules of Practice, 16 CFR 4.13(m).

HISTORY:

82 FR 50871–50882 (November 2, 2017).

73 FR 33591–33634 (June 12, 2008).

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VII. Mailing List Systems of Records

SYSTEM NAME AND NUMBER:

Mailing and Contact Lists—FTC (FTC–VI–1).

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580.

For other locations where records may be maintained or accessed, see Appendix III (Locations of FTC Buildings and Regional Offices), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 87 FR 57698 (Sept. 21, 2022).

SYSTEM MANAGER(S):

Associate Director, Division of Consumer and Business Education, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC, 20580.

Director, Office of Public Affairs, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC, 20580.

For all other FTC offices: Office of Secretary, Records Management Division, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580. Email: *SORNs@ftc.gov*.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Federal Trade Commission Act, 15 U.S.C. 41 *et seq.*

PURPOSE(S) OF THE SYSTEM:

To assist the Commission in the distribution of documents and information to individuals who request such materials; to maintain lists of media, Congressional, business, or other contacts for future reference.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals who have indicated an interest in receiving FTC materials or who are participants or contacts in matters under consideration at the FTC; other individuals who may be regular resources, contacts, or leads for various FTC subject matter areas or programs.

CATEGORIES OF RECORDS IN THE SYSTEM:

System records contain some or all of the following: name; title; company or organization; mailing address; email address; telephone number; date. This system includes bulk order mailing lists, sign-in sheets, rosters or event registration form submissions compiled at meetings and workshops held at or by the FTC, contact lists developed from publicly available information or information provided by the relevant individual (*e.g.,* business cards, email subscriptions), or other similar, miscellaneous contact and address lists.

This system excludes mailing or contact lists or similar records collected or maintained under other FTC systems of records. For example, addresses or other contact information for individuals who make requests through the FTC's Consumer Response Center to be mailed FTC materials are covered by FTC–IV–1 (Consumer Information System—FTC). Mailing lists prepared for serving official documents in Commission proceedings or for other law enforcement purposes (*e.g.,* administering consumer redress) are covered by FTC–I–1 (Nonpublic Investigatory and Other Nonpublic Legal Program Records—FTC).

RECORD SOURCE CATEGORIES:

Individuals requesting FTC information, commercial directories or other public sources, attendees at FTC meetings or other events, and staff members involved in Commission proceedings.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Records in this system may be compiled by or disclosed to FTC contractors in fulfilling requests for FTC materials or sending other FTC communications to individuals covered by this system.

For other ways that the Privacy Act permits the FTC to use or disclose system records outside the agency, see Appendix I (Authorized Disclosures and Routine Uses Applicable to All FTC Privacy Act Systems of Records), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 83 FR 55541, 55542–55543 (Nov. 6, 2018).

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

The FTC maintains system records in various electronic and non-electronic formats and media.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Indexed by individual's name. When records are stored electronically, records may also be searched and retrieved by other data, such as by phone number, address, ZIP or area code, etc.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records are retained until the individual requests deletion from the agency's list, or when distribution of records from the associated matter is not anticipated, or as otherwise prescribed under record schedules and procedures issued or approved by the National Archives and Records Administration.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Access is restricted to FTC personnel or contractors whose responsibilities require access. Access to electronic records is controlled by ''user ID'' and password combination and/or other electronic access or network controls (*e.g.,* firewalls). Paper records are maintained in lockable offices or file cabinets. FTC buildings are guarded and monitored by security personnel, cameras, ID checks, and other physical security measures.

RECORD ACCESS PROCEDURES:

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 73 FR 33592, 33634 (June 12, 2008).

CONTESTING RECORD PROCEDURES:

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 73 FR 33592, 33634 (June 12, 2008).

NOTIFICATION PROCEDURES:

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 73 FR 33592, 33634 (June 12, 2008).

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

HISTORY:

73 FR 33591–33634 (June 12, 2008).

* * * * *

SYSTEM NAME AND NUMBER:

Employee Locator (STAFFID)-FTC (FTC–VII–2).

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580. For other locations where records may be maintained or accessed, see Appendix III (Locations of FTC Buildings and Regional Offices), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 87 FR 57698 (Sept. 21, 2022).

SYSTEM MANAGER(S):

Assistant Director for Infrastructure Operations, Office of the Chief Information Officer, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580, email: *SORNs@ftc.gov*.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Federal Trade Commission Act, 15 U.S.C. 41 *et seq.*

PURPOSE(S) OF THE SYSTEM:

To maintain records that will assist in locating and communicating with FTC employees, contractors, etc.; to identify mail locator listings used by mail room personnel; and to identify, in other Commission automated information systems, Commission staff names and locations; to help document the check-in/check-out process for employees or others entering or leaving FTC service. This system is a core data source for other FTC automated systems to draw basic identifying information about FTC employees and others working for or at the Commission.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

FTC employees, contractors, volunteers, or others (*e.g.,* students) working for or at the FTC.

CATEGORIES OF RECORDS IN THE SYSTEM:

Name, employee identification number, building code, office room number, office telephone, mail drop code, electronic mail user identification, default printer designation, other identification codes or data.

RECORD SOURCE CATEGORIES:

Individual about whom the record is maintained; administrative officers or other staff who manage the staff check-in/check-out process; personnel records.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

(1) To produce the FTC Directory which is used by all agency personnel and made available to the public; and

(2) To provide employee locator information to the public.

For other ways that the Privacy Act permits the FTC to use or disclose system records outside the agency, see Appendix I (Authorized Disclosures and Routine Uses Applicable to All FTC Privacy Act Systems of Records), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 83 FR 55541, 55542–55543 (Nov. 6, 2018).

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

FTC Directory printed and distributed to staff and the public, and posted on the agency's website. System is maintained electronically in a structured database on agency network servers.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Indexed by individual's name, employee identification number, and database can also be searched by other data fields or codes.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records are retained and disposed of under applicable schedules and procedures approved by the National Archives and Records Administration.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Certain information is available to the public through locator information and

posting of the FTC Directory online. Access to other information is restricted to agency personnel or contractors whose responsibilities require access. Access to nonpublic electronic records is controlled by ''user ID'' and password combination and/or other appropriate electronic access or network controls (*e.g.,* firewalls). FTC buildings are guarded and monitored by security personnel, cameras, ID checks, and other physical security measures.

RECORD ACCESS PROCEDURES:

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 73 FR 33592, 33634 (June 12, 2008).

CONTESTING RECORD PROCEDURES:

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 73 FR 33592, 33634 (June 12, 2008).

NOTIFICATION PROCEDURES:

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at *https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems* and at 73 FR 33592, 33634 (June 12, 2008).

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

HISTORY:

73 FR 33591–33634 (Jun 12, 2008).

* * * * *

April J. Tabor,

Secretary.

[FR Doc. 2025–18547 Filed 9–24–25; 8:45 am]

BILLING CODE 6750–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Healthcare Research and Quality

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Agency for Healthcare Research and Quality, HHS.

ACTION: Information collection notice.

SUMMARY: This notice announces the intention of the Agency for Healthcare Research and Quality (AHRQ) to request that the Office of Management and Budget (OMB) approve the extension, without change, of the currently approved information collection project ''Agency for Healthcare Research and Quality's (AHRQ) Child Hospital Consumer Assessment of Healthcare Providers and Systems (Child HCAHPS) Survey Database.''

DATES: Comments on this notice must be received by November 24, 2025.

ADDRESSES: Written comments should be submitted to: *REPORTSCLEARANCEOFFICER@ahrq.hhs.gov*.

Copies of the proposed collection plans, data collection instruments, and specific details on the estimated burden can be obtained from the AHRQ Reports Clearance Officer.

FOR FURTHER INFORMATION CONTACT: Margie Shofer, AHRQ Reports Clearance Officer, 301–427–1696 or by email at *REPORTSCLEARANCEOFFICER@ahrq.hhs.gov*.

SUPPLEMENTARY INFORMATION:

Proposed Project

Agency for Healthcare Research and Quality's (AHRQ) Child Hospital Consumer Assessment of Healthcare Providers and Systems (Child HCAHPS) Survey Database

The Child HCAHPS survey assesses the experiences of pediatric patients (less than 18 years old) and their parents or guardians with inpatient care. It complements the CAHPS Adult Hospital Survey (HCAHPS), which asks adult inpatients about their experiences. The Child HCAHPS Survey Database is a voluntary database available to all Child HCAHPS users to support both quality improvement and research to enhance the patient-centeredness of care delivered to pediatric hospital patients. AHRQ requests that OMB approve the extension, without change, of AHRQ's collection of information for the Child HCAHPS Survey Database (OMB Control number 0935–0243, last approved on October 12, 2022).

Rationale for the Information Collection

Like the survey instrument itself and related toolkit materials to support survey implementation, aggregated Child HCAHPS Survey Database results will be made publicly available on AHRQ's CAHPS website. Technical assistance will be provided by AHRQ through its contractor at no charge to hospitals to facilitate the access and use of these materials for quality improvement and research. Technical assistance is also provided to support Child HCAHPS data submission.

The Child HCAHPS Survey Database supports AHRQ's goals of promoting improvements in the quality and patient-centeredness of health care in pediatric hospital settings.

This (*research/project/database/etc.*) seeks to answer the following research questions:

1. What are the key drivers of patient experience in pediatric settings?

2. How do pediatric patients experience of care vary across the West, Midwest, South, and Northeast regions?

3. What are the highest and lowest scoring measures in specific areas of care for pediatric hospitals?

This research has the following goals:

1. Improve care provided by individual hospitals and hospital systems.

2. Offer several products and services, including providing survey results presented through summary chartbooks, custom analyses, private reports and data for research purposes.

3. Provides information to help identify strengths and areas with potential for improvement in patient care.

Survey data from the Child HCAHPS Survey Database will be used to produce two types of reporting products:

- Hospital Feedback Reports. Hospitals that submit data will have access to a customized report that presents findings for their individual submission along with results from the database overall. These ''private'' hospital feedback reports will display sortable results for each of the Child HCAHPS core composite measures and for each individual survey item that forms the composite measure.
- Child HCAHPS Chartbook. A summary-level Chartbook will be compiled to display top box and other proportional scores for the Child HCAHPS items and composite measures broken out by selected hospital characteristics (*e.g.,* region, hospital size, ownership and affiliation, etc.).

This study is being conducted by AHRQ through its contractor, Westat, pursuant to AHRQ's statutory authority to conduct and support research on health care and on systems for the delivery of such care, including activities with respect to the quality, effectiveness, efficiency, appropriateness and value of healthcare services; to quality measurement and improvement; and health surveys and database development [42 U.S.C 299a(a)(1), (2), and (8)].

Method of Collection

To achieve the goals of this project, the following data collections will be implemented:

- Registration with the submission website to obtain an account with a secure username and password: The point-of-contact (POC), often the hospital, completes a number of data submission steps and forms, beginning with the completion of the online registration form. The purpose of this form is to collect basic contact information about the organization and initiate the registration process;
- Submission of signed Data Use Agreements (DUAs) and survey questionnaires: The purpose of the data use agreement, completed by the participating hospital, is to state how data submitted by or on behalf of hospitals will be used and provide confidentiality assurances;
- Submission of hospital information form: The purpose of this form, completed by the participating organization, is to collect background characteristics of the hospital;
- Submission of survey data files: POCs upload their data file using the Hospital data file specifications to ensure that users submit standardized and consistent data in the way variables are named, coded, and formatted.

Estimated Annual Respondent Burden

Exhibit 1 shows the estimated burden hours for the respondent to participate in the database. The 54 POCs in Exhibit 1 are a combination of an estimated 50 hospitals that currently administer the Child HCAHPS survey and the four survey vendors assisting them.

Each hospital will register online for submission. The online Registration form will require about five minutes to complete. Each submitter will also complete a hospital information form. The online hospital information form takes on average five minutes to complete. The DUA will be completed by each of the 50 participating hospitals. Survey vendors do not sign or submit DUAs. The DUA are submitted by the participating hospitals and requires about three minutes to sign and upload to the online submission system. Each submitter, which in most cases will be the survey vendor performing the data collection, will provide a copy of their questionnaire and the survey data file in the required file format. Survey data files must conform to the data file layout specifications provided by the Child HCAHPS Survey Database. Since the unit of analysis is at the hospital level, submitters will upload one data file per hospital. Once a data file is uploaded, the file will be automatically checked to ensure it conforms to the specifications, and a data file status report will be produced and made available to the submitter. Submitters will review each report and will be expected to correct any errors in their data file and resubmit if necessary. It will take about one hour to submit the data for each hospital. The total burden is estimated to be 61 hours annually.

EXHIBIT 1—ESTIMATED ANNUALIZED BURDEN HOURS

Form name	Number of respondents/ POCs	Number of responses per POC	Hours per response	Total burden hours
Registration Form	50	1	5/60	4
Hospital Information Form	50	1	5/60	4
Data Use Agreement	50	1	3/60	3
Data Files Submission	4	12.5	1	50
Total	NA	NA	NA	61

Exhibit 2 shows the estimated annualized cost burden based on the respondents' time to complete one submission process. The cost burden is estimated to be $6,801 annually.

EXHIBIT 2—ESTIMATED ANNUALIZED COST BURDEN

Form name	Total burden hours	Average hourly wage rate *	Adjusted hourly wage rate **	Total cost burden
Registration Form	4	[a] $66.22	$132.44	$530
Hospital Information Form	4	[a] 66.22	132.44	530
Data Use Agreement	3	[b] 126.41	252.82	758
Data Files Submission	50	[c] 49.83	99.66	4,983
Total	61	NA	NA	6,801

* National Compensation Survey: Occupational wages in the United States May 2024, ''U.S. Department of Labor, Bureau of Labor Statistics.''
** The Adjusted Hourly Rate was estimated at 200% of the hourly wage.
[a] Based on the mean hourly wage for Medical and Health Services Managers (11–9111).
[b] Based on the mean hourly wage for Chief Executives (11–1011).
[c] Based on the mean hourly wages for Computer Programmer (15–1251).

Request for Comments

In accordance with the Paperwork Reduction Act, 44 U.S.C. 3501–3520, comments on AHRQ's information collection are requested with regard to any of the following: (a) whether the proposed collection of information is necessary for the proper performance of AHRQ's health care research and health care information dissemination functions, including whether the information will have practical utility; (b) the accuracy of AHRQ's estimate of burden (including hours and costs) of the proposed collection(s) of information; (c) ways to enhance the quality, utility and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information upon the

respondents, including the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and included in the Agency's subsequent request for OMB approval of the proposed information collection. All comments will become a matter of public record.

Dated: September 23, 2025.

Mamatha Pancholi,

Deputy Director.

[FR Doc. 2025–18658 Filed 9–24–25; 8:45 am]

BILLING CODE 4160–90–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS–10779]

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. Under the Paperwork Reduction Act of 1995 (PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information (including each proposed extension or reinstatement of an existing collection of information) and to allow 60 days for public comment on the proposed action. Interested persons are invited to send comments regarding our burden estimates or any other aspect of this collection of information, including the necessity and utility of the proposed information collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance the quality, utility, and clarity of the information to be collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments must be received by November 24, 2025.

ADDRESSES: When commenting, please reference the document identifier or OMB control number. To be assured consideration, comments and recommendations must be submitted in any one of the following ways:

1. Electronically. You may send your comments electronically to *http://www.regulations.gov.* Follow the instructions for ''Comment or Submission'' or ''More Search Options'' to find the information collection document(s) that are accepting comments.

2. By *regular mail.* You may mail written comments to the following address: CMS, Office of Strategic Operations and Regulatory Affairs, Division of Regulations Development, Attention: Document Identifier: _____ OMB Control Number: _____, Room C4–26–05, 7500 Security Boulevard, Baltimore, Maryland 21244–1850.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, please access the CMS PRA website by copying and pasting the following web address into your web browser: *https://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing.*

FOR FURTHER INFORMATION CONTACT: William N. Parham at (410) 786–4669.

SUPPLEMENTARY INFORMATION:

Contents

This notice sets out a summary of the use and burden associated with the following information collections. More detailed information can be found in each collection's supporting statement and associated materials (see **ADDRESSES**).

CMS–10779 Complaints Submission Process under the No Surprises Act

Under the PRA (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. The term ''collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA requires federal agencies to publish a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice.

Information Collections

1. *Type of Information Collection Request:* Reinstatement without change of a previously approved information collection; *Title of Information Collection:* Complaints Submission Process under the No Surprises Act; *Use:* Enacted on December 27, 2020, the No Surprises Act, which was enacted as part of the Consolidated Appropriations Act (CAA), amended the Employee Retirement Income Security Act of 1974 (ERISA), the Public Health Service Act (PHS Act), and the Internal Revenue Code of 1986 (Code). The No Surprise Act implements provisions that protect individuals from surprise medical bills for emergency services, air ambulance services furnished by nonparticipating providers, and non-emergency services furnished by nonparticipating providers at participating facilities in certain circumstances. Additionally, the No Surprises Act sets forth a complaints processes with respect to potential violations of balance billing requirements set forth in the No Surprises Act.

The No Surprises Act directs the Departments to establish a process to receive complaints regarding violations of the application of QPA requirements by group health plans and health insurance issuers offering group or individual health coverage. The No Surprises Act also directs HHS to establish a process to receive consumer complaints regarding violations by health care providers, facilities, and providers of air ambulance services regarding balance billing requirements and to respond to such complaints within 60 days.

CMS will request information from non-federal governmental plans and issuers, health care providers, facilities, providers of air ambulance services, and individuals to review and process a complaint for potential violations of balance billing requirements. *Form Number:* CMS–10779 (OMB control number 0938–1406); *Frequency:* Annually; *Affected Public:* Private sector and Business or other for-profits; *Number of Respondents:* 39,000; *Number of Responses:* 39,000; *Total Annual Hours:* 19,500. (For questions regarding this collection, contact: Patrick Edwards at *patrick.edwards@cms.hhs.gov.*)

William N. Parham, III,

Director, Division of Information Collections and Regulatory Impacts, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2025–18533 Filed 9–24–25; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS–10556]

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. Under the Paperwork Reduction Act of 1995 (PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information (including each proposed extension or reinstatement of an existing collection of information) and to allow 60 days for public comment on the proposed action. Interested persons are invited to send comments regarding our burden estimates or any other aspect of this collection of information, including the necessity and utility of the proposed information collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance the quality, utility, and clarity of the information to be collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments must be received by November 24, 2025.

ADDRESSES: When commenting, please reference the document identifier or OMB control number. To be assured consideration, comments and recommendations must be submitted in any one of the following ways:

1. *Electronically.* You may send your comments electronically to *http://www.regulations.gov.* Follow the instructions for ''Comment or Submission'' or ''More Search Options'' to find the information collection document(s) that are accepting comments.

2. By *regular mail.* You may mail written comments to the following address: CMS, Office of Strategic Operations and Regulatory Affairs, Division of Regulations Development, Attention: Document Identifier: ____/OMB Control Number: ____, Room C4–26–05, 7500 Security Boulevard, Baltimore, Maryland 21244–1850.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, please access the CMS PRA website by copying and pasting the following web address into your web browser: *https://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing.*

FOR FURTHER INFORMATION CONTACT: William N. Parham at (410) 786–4669.

SUPPLEMENTARY INFORMATION:

Contents

This notice sets out a summary of the use and burden associated with the following information collections. More detailed information can be found in each collection's supporting statement and associated materials (see **ADDRESSES**).

CMS–10556 Medical Necessity and Contract Amendments Under Mental Health Parity

Under the PRA (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. The term ''collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA requires federal agencies to publish a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice.

Information Collections

1. *Type of Information Collection Request:* Extension of a currently approved collection; *Title of Information Collection:* Medical Necessity and Contract Amendments Under Mental Health Parity; *Use:* Upon request, regulated entities must provide a medical necessity disclosure. Receiving this information will enable potential and current enrollees to make more educated decisions given the choices available to them through their plans and may result in better treatment of their mental health or substance use disorder (MH/SUD) conditions. States use the information collected and reported as part of their contracting process with managed care entities, as well as their compliance oversight role. In states where a Medicaid Managed Care Organization (MCO) is responsible for providing the full scope of medical/surgical and MH/SUD services to beneficiaries, the state will review the parity analysis provided by the MCO to confirm that the MCO benefits are compliant. CMS uses the information collected and reported in an oversight role of State Medicaid managed care programs. *Form Number:* CMS–10556 (OMB control number: 0938–1280); *Frequency:* Once and occasionally; *Affected Public:* Individuals and households, the Private sector, and State, Local, or Tribal Governments; *Number of Respondents:* 71,104,769; *Total Annual Responses:* 426,628; *Total Annual Hours:* 71,294. (For policy questions regarding this collection contact Matthew Rodriguez at 303–844–4724.)

William N. Parham, III,

Director, Division of Information Collections and Regulatory Impacts, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2025–18649 Filed 9–24–25; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2025–N–0195]

Agency Information Collection Activities; Submission for Office of Management and Budget Review; Comment Request; Production, Storage, and Transportation of Shell Eggs (Preventing Salmonella Enteritidis)

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 27, 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 0910–0660. 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.

Production, Storage, and Transportation of Shell Eggs (Preventing Salmonella Enteritidis (SE))—21 CFR 118.10 and 118.11

OMB Control Number 0910–0660—Extension

This information collection supports Agency regulations in part 118 (21 CFR part 118), Production, Storage, and Transportation of Shell Eggs, and Form FDA 3733, Shell Egg Producer Registration Form. The Public Health Service Act (PHS Act) (42 U.S.C. 264) authorizes the Secretary of Health and Human Services to make and enforce such regulations as ''are necessary to prevent the introduction, transmission, or spread of communicable diseases from foreign countries into the States . . . or from one State . . . into any other State'' (section 361(a) of the PHS Act (42 U.S.C. 264(a))). This authority has been delegated to the Commissioner of Food and Drugs. Under section 402(a)(4) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 342(a)(4)), a food is adulterated if it is prepared, packed, or held under insanitary conditions whereby it may have been contaminated with filth or rendered injurious to health. Under section 701(a) of the FD&C Act (21 U.S.C. 371(a)), FDA is authorized to issue regulations for the efficient enforcement of the FD&C Act.

Under part 118, shell egg producers are required to implement measures to prevent SE from contaminating eggs on the farm and from further growth during storage and transportation. Shell egg producers also are required to maintain records concerning their compliance with part 118 and to register with FDA. As described in more detail about each information collection provision of part 118, each farm site with 3,000 or more egg-laying hens that sells raw shell eggs, other than directly to the consumer, must refrigerate, register, and keep certain records. Farms that do not send all of their eggs to treatment are also required to have an SE prevention plan and to test for SE.

Section 118.10 of FDA's regulations requires recordkeeping for all measures a farm takes to prevent SE in its flocks. Since many existing farms participate in voluntary egg quality assurance programs, those respondents may not have to collect any additional information. Records are compiled and retained at each farm site and examined there periodically by FDA inspectors. Section 118.10 also requires each farm site with 3,000 or more egg-laying hens that sells raw shell eggs to the table egg market, other than directly to the consumer, and does not have all of the shell eggs treated, to design and implement an SE prevention plan. Section 118.10 requires recordkeeping for each of the provisions included in the plan and for plan review and modifications if corrective actions are taken.

Finally, § 118.11 (21 CFR 118.11) of FDA's regulations requires that each farm covered by § 118.1(a) register with FDA using Form FDA 3733. The term ''Form FDA 3733'' refers to both the paper version of the form and the electronic system known as the Shell Egg Producer Registration Module, which is available at *https://www.access.fda.gov.* We strongly encourage electronic registration because it is faster and more convenient. The system accepts electronic registrations 24 hours a day, 7 days a week. A registering shell egg producer receives confirmation of electronic registration instantaneously once all the required fields on the registration screen are completed. However, paper registrations also are accepted. Form FDA 3733 is available for download for registration by mail, Fax or CD–ROM. More information is available at our website at *https://www.fda.gov/food/registration-food-facilities-and-other-submissions/shell-egg-producer-registration* and *https://www.fda.gov/food/shell-egg-producer-registration/shell-egg-producer-registration-registrationcancellation-paper-mail-or-fax-or-cd-rom.*

Recordkeeping and registration are necessary for the success of the SE prevention measures. Written SE prevention plans and records of actions taken due to each provision are essential for farms to implement SE prevention plans effectively. Further, they are essential for us to be able to determine compliance. Information provided under these regulations helps us to quickly notify the facilities that might be affected by a deliberate or accidental contamination of the food supply. In addition, data collected through registration is used to support our enforcement activities.

Description of Respondents: Respondents to this information collection include farm sites with 3,000 or more egg-laying hens that sell raw eggs, other than directly to the consumer.

In the **Federal Register** of June 27, 2025 (90 FR 27614), 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 RECORDKEEPING BURDEN [1]

Activity; 21 CFR section	Number of record-keepers [2]	Number of records per recordkeeper	Total annual records	Average burden per recordkeeping	Total hours
Refrigeration Records; § 118.10(a)(3)(iv)	2,600	52	135,200	0.5 (30 minutes)	67,600
Testing, Diversion, and Treatment Records; § 118.10(a)(3)(v) through (viii) (positive) [3].	343	52	17,836	0.5 (30 minutes)	8,918
Egg Testing; § 118.10(a)(3)(vii)	331	7	2,317	8.3	19,231
Environmental Testing; § 118.10(a)(3)(v) [3]	6,308	23	145,084	0.25 (15 minutes)	36,271
Testing, Diversion, and Treatment Records; § 118.10(a)(3)(v) through (viii) (negative) [3].	5,965	1	5,965	0.5 (30 minutes)	2,983
Prevention Plan Review and Modifications; § 118.10(a)(4).	331	1	331	10	3,310
Chick and Pullet Procurement Records; § 118.10(a)(2).	4,731	1	4,731	0.5 (30 minutes)	2,366

TABLE 1—ESTIMATED ANNUAL RECORDKEEPING BURDEN [1]—Continued

Activity; 21 CFR section	Number of record-keepers [2]	Number of records per recordkeeper	Total annual records	Average burden per recordkeeping	Total hours
Rodent and Other Pest Control; § 118.10(a)(3)(ii), and Biosecurity Records; § 118.10(a)(3)(i).	9,462	52	492,024	0.5 (30 minutes)	246,012
Prevention Plan Design; § 118.10(a)(1)	350	1	350	20	7,000
Cleaning and Disinfection Records; § 118.10(a)(3)(iii).	331	1	331	0.5 (30 minutes)	166
Total					393,857

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.
[2] Some records are kept on a by-farm basis and others are kept on a by-house basis.
[3] Calculations include requirements for pullet and layer houses.

TABLE 2—ESTIMATED ANNUAL REPORTING BURDEN [1]

Activity; 21 CFR section	Form	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours
Registrations or Updates; § 118.11	FDA 3733 [2]	350	1	350	2.3	805
Cancellations; § 118.11	FDA 3733	30	1	30	1	30
Total						835

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.
[2] The term "Form FDA 3733" refers to both the paper version of the form and the electronic system known as the Shell Egg Producer Registration Module, which is available at *http://www.access.fda.gov* per § 118.11(b)(1).

Our estimates for the recordkeeping burden and the reporting burden are based on our experience with similar recordkeeping activities and the number of registrations and cancellations received in the past 3 years. Based on a review of the information collection since our last request for OMB approval, we have made no adjustments to our burden estimate.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–18617 Filed 9–24–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2025–N–0350]

Agency Information Collection Activities; Submission for Office of Management and Budget Review; Comment Request; Reporting Harmful and Potentially Harmful Constituents in Tobacco Products and Tobacco Smoke Under the Federal Food, Drug, and Cosmetic Act

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 27, 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 0910–0732. 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.

Reporting Harmful and Potentially Harmful Constituents in Tobacco Products and Tobacco Smoke Under the Federal Food, Drug, and Cosmetic Act

OMB Control Number 0910–0732—Extension

This information collection supports FDA regulations. Tobacco products are governed by chapter IX of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (sections 900 through 920) (21 U.S.C. 387 through 21 U.S.C. 387t). The FD&C Act provides FDA with the authority to regulate the manufacture, marketing, and distribution of cigarettes, cigarette tobacco, roll-your-own (RYO) tobacco, and smokeless tobacco products to protect the public health and to reduce tobacco use by minors. FDA has the authority to issue regulations deeming other products that meet the statutory definition of a tobacco product to be subject to chapter IX of the FD&C Act (section 901(b) of the FD&C Act (21 U.S.C. 387a(b)). In accordance with that authority, FDA issued a rule deeming all products that meet the statutory definition of tobacco product, except accessories of newly deemed tobacco products, to be subject to FDA's tobacco product authority (81 FR 28974, May 10, 2016). The definition of the term ''tobacco product'' in section 201(rr) of the FD&C Act (21 U.S.C. 321(rr)) products that contain nicotine from any source. As a result, non-

tobacco nicotine (NTN) products (*e.g.,* products containing synthetic nicotine) are subject to all of the tobacco product provisions in the FD&C Act. Although NTN products are now subject to all of the tobacco product provisions in the FD&C Act, including section 904 provisions of the FD&C Act, FDA does not expect cigarettes, RYO tobacco, and smokeless tobacco products, for which Form FDA 3787a-j was developed, to also include NTN products.

Chapter IX of the FD&C Act applies to regulated tobacco products, including sections 904(a)(3) and (c)(1) (21 U.S.C. 387d(a)(3) and (c)(1)). Section 904(a)(3) of the FD&C Act requires the submission of an initial report from each tobacco product manufacturer or importer, or agents thereof, listing all constituents, including smoke constituents as applicable, identified as a harmful and potentially harmful constituent (HPHC) to health by FDA. Reports must be by brand and by quantity in each brand and subbrand.

Section 904(c)(1) of the FD&C Act provides that manufacturers of tobacco products not on the market as of June 22, 2009, must also provide the information reportable under section 904(a)(3) of the FD&C Act at least 90 days prior to introducing the product into interstate commerce.[1]

FDA has taken several steps to identify HPHCs to be reported under section 904 of the FD&C Act, including issuing a guidance discussing FDA's current thinking on the meaning of the term ''harmful and potentially harmful constituent'' in the context of implementing the HPHC list requirement under section 904(e) of the FD&C Act (76 FR 5387, January 31, 2011, revised guidance issued August 2016). The guidance is available on the internet at *https://www.fda.gov/regulatory-information/search-fda-guidance-documents/harmful-and-potentially-harmful-constituents-tobacco-products-used-section-904e-federal-food-drug.* The current established list of HPHCs also is available on the internet at *https://www.fda.gov/tobacco-products/rules-regulations-and-guidance/harmful-and-potentially-harmful-constituents-tobacco-products-and-tobacco-smoke-established-list* (77 FR 20034, April 3, 2012).

The purpose of the information collection is to collect statutorily mandated information regarding HPHCs in certain tobacco products and tobacco smoke, by brand and by quantity in each brand and subbrand.

To facilitate the submission of HPHC information, Forms FDA 3787a-j, for cigarettes, smokeless tobacco products, and RYO tobacco products, respectively, in both paper and electronic formats, are available. Additionally, FDA is developing forms to facilitate the submission of HPHC information for the deemed tobacco products. We intend to model these forms on the current HPHC reporting forms (*i.e.,* Forms FDA 3787a-j).

Manufacturers or importers, or their agents, will be able to submit HPHC information either electronically through new web forms within the Center for Tobacco Products (CTP) Portal Next Generation or in paper format. The modernized web forms will streamline data entry and submission for reporting HPHCs for cigarettes, smokeless tobacco products, and RYO tobacco products. This process will be more efficient than the current approach, which requires the use of the FDA's eSubmitter Desktop Tool for data entry and the CTP Portal web application for submission. With CTP Portal Next Generation, necessary tasks will be completed directly within the web forms, making HPHC submissions more user-friendly.

In the **Federal Register** of June 27, 2025 (90 FR 27617), FDA published a 60-day notice requesting public comment on the proposed collection of information. No comments were received.

FDA estimates the burden of this collection of information as follows:

TABLE 1—ESTIMATED ANNUAL REPORTING BURDEN [1]

Activity	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours
Reporting for Section 904(c)(1) Products					
1. Reporting of Manufacturer/Importer Company and Product Information by Completing Submission Forms					
Cigarette	243	1	243	1.82	442
RYO	10	1	10	0.43	4
Smokeless	32	1	32	0.63	20
Total					466
2. Testing of HPHC Quantities in Products					
Cigarette Filler and RYO	10	1	10	9.42	94
Smokeless	32	1	32	12.06	386
Total					480
3. Testing of HPHC Quantities in Mainstream Smoke					
Cigarette: ISO Regimen	243	1	243	23.64	5,745
Cigarette: Health Canada Regimen	243	1	243	23.64	5,745
Total					11,490
Total Section 904(c)(1) Reporting Burden Hours					12,436

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

[1] Note that section 904(c)(1) testing and reporting requirements are separate from the requirements that must be satisfied before a new tobacco product (sections 905 and 910 of the FD&C Act (21 U.S.C. 387e and 387j)), or modified risk tobacco product (section 911 of the FD&C Act (21 U.S.C. 387k)) may be marketed.

We have revised our burden estimates to this information collection request. Our burden estimates have been updated based on the assumption that ''Each respondent represents a statutory tobacco product that receives authorization from FDA for which manufacturers and importers (or their agents), must report their product information to FDA under section 904(c)(1) of the FD&C Act at least 90 days prior to delivery for introduction into interstate commerce for all new products.'' Under this assumption, the number of respondents is equal to the number of total annual responses FDA estimated from previous submissions. This assumption will facilitate future burden estimates, allow us to refine the estimated burden to include only the products that need to report HPHCs under section 904(c)(1) of the FD&C Act, and avoid data suppression issues with disaggregated Alcohol and Tobacco Tax and Trade Bureau data.

- Cigarette—section 904(c)(1) Reporting of Manufacturer/Importer Company and Product Information by Completing Submission Forms/Testing of HPHC is reflecting a reduction in 137 respondents from 380 to 243.
- Roll Your Own Tobacco Product—section 904(c)(1) Reporting of Manufacturer/Importer Company and Product Information by Completing Submission Forms is reflecting a reduction in 9 respondents from 19 to 10.
- Smokeless—section 904(c)(1) Reporting of Manufacturer/Importer Company and Product Information by Completing Submission Forms is reflecting an increase in 7 respondents from 25 to 32.

The cumulative changes to the estimated burden for this information collection reflects an overall decrease of 6,727 burden hours and a corresponding decrease of 139 responses.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–18613 Filed 9–24–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2025–N–0354]

Agency Information Collection Activities; Submission for Office of Management and Budget Review; Comment Request; Substances Prohibited From Use in Animal Food or Feed

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 27, 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 0910–0339. Also include the FDA docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: Domini Bean, Office of Operations, Food and Drug Administration, Three White Flint North, 10A–12M, 11601 Landsdown St., North Bethesda, MD 20852, 301–796–5733, *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.

Substances Prohibited From Use in Animal Food or Feed

OMB Control Number 0910–0339—Revision

This information collection supports implementation of statutory and regulatory requirements. Epidemiological evidence gathered in the United Kingdom has suggested that bovine spongiform encephalopathy (BSE), a progressively degenerative central nervous system disease, is spread to ruminant animals by feeding protein derived from ruminants infected with BSE. Agency regulation at § 589.2000 (21 CFR 589.2000), authorized by section 701(a) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 371(a)), provides that animal protein derived from mammalian tissue (with some exclusions) is not generally recognized as safe (GRAS) for use in ruminant feed and is a food additive subject to certain provisions of the FD&C Act (62 FR 30936, June 5, 1997). The regulation places general requirements on persons that manufacture, blend, process, and distribute products that contain, or may contain, protein derived from mammalian tissue, and feeds made from such products.

Specifically, § 589.2000(e)(1)(iv) requires renderers, feed manufacturers, and others involved in feed and feed ingredient manufacturing and distribution to maintain written procedures specifying the cleanout procedures or other means and specifying the procedures for separating products that contain or may contain protein derived from mammalian tissue from all other protein products from the time of receipt until the time of shipment. These written procedures are intended to help the firm formalize consistent processes, and then to help inspection personnel confirm that the firm is conducting these processes in compliance with the regulation. Inspection personnel will evaluate the written procedure and confirm it is being followed when they are conducting an inspection. These written procedures must be maintained if the facility is operating in a manner that necessitates the record, and if the facility makes changes to an applicable procedure or process, the record must be updated. Consistent with § 589.2000(h), written procedures shall be made available for inspection and copying by FDA, and records made available for inspection and copying by FDA must be retained for 1 year.

Description of Respondents: Respondents include renderers, feed manufacturers, and others involved in feed and feed ingredient manufacturing and distribution.

In the **Federal Register** of September 2, 2025, 90 FR 27630, we published a 60-day notice soliciting public comment on the proposed collection of information. Two comments were received but did not respond to the information collection topics solicited under 5 CFR 1320.8(d)(2). We also note an inadvertent calculation error which we have corrected.

At the same time, on our own initiative and for efficiency of Agency operations, we are revising the information collection to include related activity currently approved and accounted for in OMB control no. 0910–0627. Specifically, our regulation at 21 CFR 589.2001 is designed to safeguard against the establishment and amplification of BSE in the United States through animal feed. The regulation prohibits the use of certain cattle origin materials in the food or feed of all animals. These materials are referred to as ''cattle materials prohibited in animal feed'' or CMPAF. Under § 589.2001, no animal feed or feed ingredient can contain CMPAF. As a result, we impose requirements to maintain adequate written procedures and recordkeeping on renderers that receive, manufacture, process, blend, or distribute raw material from cattle and to make these records available for inspection and copying by FDA to demonstrate they are taking measures to ensure that CMPAF is not introduced into animal feed.

Additionally, under § 589.2001(f), we may designate a country from which cattle materials are not considered CMPAF. A country seeking to be so designated must send a written request to the Director of the Center for Veterinary Medicine, including certain required information. We use the information provided to determine whether to grant a request for designation and to impose conditions if a request is granted. Designated countries will be subject to our future review to determine whether their designations remain appropriate. As part of this process, we may ask designated countries at any time to confirm that their BSE situation and the information submitted by them in support of their original application remains unchanged. We may revoke a country's designation if we determine that it is no longer appropriate. Therefore, designated countries may respond to our periodic requests by submitting information to confirm their designations remain appropriate.

We estimate the burden of the information collection as follows:

TABLE 1—ESTIMATED ANNUAL RECORDKEEPING BURDEN [1]

21 CFR 589—Substances Prohibited From Use in Animal Food or Feed	Number of recordkeepers	Number of records per recordkeeper	Total annual records	Average burden per recordkeeping	Total hours
Written procedures (prohibited animal proteins); 589.2000(e)(1)(iv)	150	1	150	12	1,800
Exemption designation requests & response to FDA; 589.2001(f) ...	1	2	2	33	66
Written procedures (prohibited materials to prevent BSE) & maintenance of records	145	1	145	45	6,525
Total	.....	.....	297	.....	8,391

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

We characterize all collection activity as recordkeeping noting that a recordkeeping requirement, as defined by 5 CFR 1320.3(m), includes the requirement to retain, disclose, and report the information, including reporting the information to the Federal government.

We base our estimate of the number of recordkeepers on inspectional data. Upon evaluation, we have adjusted our burden estimate to reflect a decrease of 1,350 hours annually to the currently approved burden applicable to prohibited animal protein records required by 21 CFR 589.2000. Review of our inspection data suggests that the number of facilities that need to conduct these separation practices is gradually decreasing. These facilities are well aware of the requirements established in the BSE rule (*https://www.fda.gov/food/hfp-constituent-updates/fda-announces-final-rule-bovine-spongiform-encephalopathy*). Compliance with the rule's requirements also helps facilitate compliance with the requirements of the Food Safety Modernization Act Preventive Controls in Animal Food rule (*https://www.fda.gov/food/food-safety-modernization-act-fsma/fsma-final-rule-preventive-controls-animal-food*) requiring every firm to have a written food safety plan. The written procedure required by the BSE rule could be used as part of a facility's food safety plan. Regardless, the number of facilities subject to this portion of the BSE rule is decreasing and therefore, we have decreased the number of facilities who must comply, as well as the total number of hours needed to comply with this burden.

We have retained the annual burden estimate that we attribute to activities under 21 CFR 589.2001 (147 responses, 6,591 hours) and currently approved in OMB control no. 0910–0627. We intend to discontinue the later control no. from our inventory upon OMB review and approval.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–18615 Filed 9–24–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2025–N–3656]

Agency Information Collection Activities; Proposed Collection; Comment Request; Current Good Manufacturing Practices for Positron Emission Tomography Drugs

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing an opportunity for public comment on the proposed collection of certain information by the Agency. Under the Paperwork Reduction Act of 1995 (PRA), Federal Agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, and to allow 60 days for public comment in response to the notice. This notice solicits comments on collection of information under FDA's current good manufacturing practice (CGMP) regulations for positron emission tomography (PET) drug products. PET is

a medical imaging modality involving the use of a unique type of radiopharmaceutical drug product.

DATES: Either electronic or written comments on the collection of information must be submitted by November 24, 2025.

ADDRESSES: You may submit comments as follows. Please note that late, untimely filed comments will not be considered. The *https://www.regulations.gov* electronic filing system will accept comments until 11:59 p.m. Eastern Time at the end of November 24, 2025. Comments received by mail/hand delivery/courier (for written/paper submissions) will be considered timely if they are received on or before that date.

Electronic Submissions

Submit electronic comments in the following way:

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

Written/Paper Submissions

Submit written/paper submissions as follows:

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

Instructions: All submissions received must include the Docket No. FDA–2025–N–3656 for ''Agency Information Collection Activities; Proposed Collection; Comment Request; Current Good Manufacturing Practices for Positron Emission Tomography Drugs—21 CFR part 212.'' Received comments, those filed in a timely manner (see **ADDRESSES**), will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240–402–7500.

- Confidential Submissions—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' 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.

FOR FURTHER INFORMATION CONTACT: Domini Bean, 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: Under the PRA (44 U.S.C. 3501–3521), Federal Agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes Agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires Federal Agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, FDA is publishing notice of the proposed collection of information set forth in this document.

With respect to the following collection of information, FDA invites comments on these topics: (1) whether the proposed collection of information is necessary for the proper performance of FDA's functions, including whether the information will have practical utility; (2) the accuracy of FDA's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques, when appropriate, and other forms of information technology.

Current Good Manufacturing Practices for Positron Emission Tomography Drugs—21 CFR Part 212

OMB Control Number 0910–0667—Extension

This information collection implements statutory and regulatory requirements that govern positron emission tomography (PET) drugs. FDA has promulgated regulations in 21 CFR part 212 establishing current good manufacturing practice (CGMP) intended to ensure that PET drugs meet the requirements of the Federal Food, Drug, and Cosmetic Act (the act) regarding safety, identity, strength, quality, and purity. While regulations in 21 CFR part 212, subpart A set forth general provisions, additional requirements are established in 21 CFR part 212 as follows:

Subpart B—Personnel and Resources—212.10

Subpart C—Quality Assurance—212.20
Subpart D—Facilities and Equipment—212.30
Subpart E—Control of Components, Containers, and Closures—212.40
Subpart F—Production and Process Controls—212.50
Subpart G—Laboratory Controls—212.60—212.61
Subpart H—Finished Drug Product Controls and Acceptance—212.70–212.71
Subpart I—Packaging and Labeling—212.80
Subpart J—Distribution—212.90
Subpart K—Complaint Handling—212.100
Subpart L—Records—212.110

Records must be maintained at the PET drug production facility or another location that is reasonably accessible to responsible officials of the production facility and to employees of FDA designated to perform inspections. All records, including those not stored at the inspected establishment, must be legible, stored to prevent deterioration or loss, and readily available for review and copying by FDA employees. All records and documentation referenced in this part must be maintained for a period of at least 1 year from the date of final release, including conditional final release, of a PET drug product.

The regulations contain what we believe are the minimum standards for quality production of PET drugs at all types of PET drug production facilities. These CGMP requirements are designed according to the unique characteristics of PET drugs, including their short half-lives and because most PET drugs are produced at locations close to the patients to whom the drugs are administered. We have also taken into account that time spent on recording procedures, processes, and specifications may be somewhat higher in the year in which records are first established and correspondingly lower in subsequent years, when only updates and revisions will be required.

We have also issued Agency guidance entitled, ''PET Drugs—Current Good Manufacturing Practice (CGMP),'' (December 2009), available for download from our website at *https://www.fda.gov/regulatory-information/search-fda-guidance-documents/pet-drug-products-current-good-manufacturing-practice-cgmp.* The guidance document communicates FDA's thinking concerning compliance with the CGMP regulations. The guidance document addresses resources, procedures, and documentation for all PET drug production facilities, academic and commercial. In some cases, the guidance provides practical examples of methods or procedures that PET drug production facilities can use to comply with the CGMP requirements.

Respondents to the information collection include are PET production facilities, including academic or hospital facilities as well as commercial facilities.

We estimate the burden of the collection of information as follows:

TABLE 1—ESTIMATED ANNUAL RECORDKEEPING BURDEN[1]

Required recordkeeping activity; 21 CFR 212	Number of recordkeepers	Records per recordkeeper	Total annual records	Average burden per record	Total hours
Academia, Small Firms, & High-Risk Component Manufacture Records.	76	~824.26	62,644	~.81 (50 minutes)	50,862
Corporate Firm Records	91	~1,447.10	131,686	~.35 (21 minutes)	45,728
External Control Testing Laboratory Records.	23	145	3,335	~.67 (40 minutes)	2,243
Total			197,665		98,833

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

TABLE 2—ESTIMATED ANNUAL DISCLOSURE BURDEN

Notifications required under 21 CFR 212.70	Number of respondents	Number of disclosures per respondent	Total annual disclosures	Average burden per disclosure	Total hours
Sterility Testing Failures	11	3	33	2.5	83

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.
[2] Totals have been rounded to the nearest whole number.
[3] Two reports are sent to FDA per incident, and one notification is sent to the receiving site.

Our estimated burden for the information collection reflects an overall increase of 14,348 hours and a corresponding increase of 12,851 records. We attribute this adjustment to an increase in our estimate of the number of small firms due to new facilities.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–18620 Filed 9–24–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2025–D–3403]

Innovative Designs for Clinical Trials of Cellular and Gene Therapy Products in Small Populations; Draft Guidance for Industry; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA, the Agency, or we) is announcing the availability of a draft document entitled ''Innovative Designs for Clinical Trials of Cellular and Gene Therapy Products in Small Populations.'' The draft guidance document provides recommendations to sponsors who are planning clinical trials of cell and gene therapy (CGT) products intended for use in a disease or condition that affects a small population, generally one that meets the definition of a rare disease or condition under section 526(a)(2) of the FD&C Act (21 U.S.C. 360bb(a)(2)). It describes FDA requirements and provides considerations for the use of various

clinical trial designs and endpoints to generate clinical evidence to support product licensure. The recommendations are intended for sponsors developing CGTs intended for use in small populations to leverage the use of innovative trial designs to simultaneously expedite drug development and generate data necessary to demonstrate substantial evidence of effectiveness.

DATES: Submit either electronic or written comments on the draft guidance by November 24, 2025 to ensure that the Agency considers your comment on this draft guidance before it begins work on the final version of the guidance.

ADDRESSES: You may submit comments on any guidance at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

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

Written/Paper Submissions

Submit written/paper submissions as follows:

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

Instructions: All submissions received must include the Docket No. [FDA–2025–D–3403] for ''Innovative Designs for Clinical Trials of Cellular and Gene Therapy Products in Small Populations; 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)).

Submit written requests for single copies of the draft guidance to the Office of Communication, Outreach and Development, Center for Biologics Evaluation and Research (CBER), Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 3103, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist the office in processing your requests. The draft guidance may also be obtained by mail by calling CBER at 1–800–835–4709 or 240–402–8010 or emailing *industry.biologics@fda.hhs.gov.* See the **SUPPLEMENTARY INFORMATION** section for electronic access to the draft guidance document.

FOR FURTHER INFORMATION CONTACT: Janet Goldberg, Center for Biologics Evaluation and Research, Food and Drug Administration, 240–402–7911.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a draft document entitled ''Innovative Designs for Clinical Trials of Cellular and Gene Therapy Products in Small Populations; Draft Guidance for Industry.'' The draft guidance document provides recommendations to sponsors who are planning clinical trials of CGT products intended for use in a disease or condition that affects a small population, generally one that meets the definition of a rare disease or condition under section 526(a)(2) of the FD&C Act (21 U.S.C. 360bb(a)(2)). It describes FDA requirements and provides considerations for the use of various clinical trial designs and endpoints to generate clinical evidence to support product licensure. The guidance expands on principles described in FDA's existing guidance documents related to this topic, by providing additional recommendations for the planning, design, conduct, and analysis of cell and gene therapy trials to facilitate FDA's assessment of product effectiveness. The recommendations are intended for sponsors developing CGTs intended for use in small populations to leverage the use of innovative trial designs to simultaneously expedite drug development and generate data necessary to demonstrate substantial evidence of effectiveness.

FDA is issuing this draft guidance in accordance with a commitment outlined in the reauthorization of the Prescription Drug User Fee Act (PDUFA VII) under the 2022 FDA User Fee Reauthorization Act.

This draft guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The draft guidance, when finalized, will represent the current thinking of FDA on ''Innovative Designs for Clinical Trials of Cellular and Gene Therapy Products in Small Populations.'' It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if

it satisfies the requirements of the applicable statutes and regulations.

As we develop final guidance on this topic, FDA will consider comments on costs or cost savings the guidance may generate, relevant for Executive Order 14192.

II. Paperwork Reduction Act of 1995

While this guidance contains no collection of information, it does refer to previously approved FDA collections of information. The previously approved collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3521). The collections of information in 21 CFR parts 50 and 56 pertaining to institutional review boards and the protection of human subjects, respectively, have been approved under OMB control number 0910–0130. The collections of information under 21 CFR part 312 pertaining to Investigational New Drug Applications, including clinical trials and formal meetings, have been approved under OMB control number 0910–0014. The collections of information in 21 CFR part 601 pertaining to the submissions of biologics license application product for development have been approved under OMB control number 0910–0338. The collections of information described in FDA's guidance entitled ''Formal Meetings Between the FDA and Sponsors or Applicants of PDUFA Products'' have been approved under OMB control number 0910–0297.

III. Electronic Access

Persons with access to the internet may obtain the draft guidance at *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. 2025–18651 Filed 9–24–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2025–N–0373]

Agency Information Collection Activities; Submission for Office of Management and Budget Review; Comment Request; Registration of Food Facilities

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 27, 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 0910–0502. Also include the FDA docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: Domini Bean, Office of Operations, Food and Drug Administration, Three White Flint North, 10A–12M, 11601 Landsdown St., North Bethesda, MD 20852, 301–796–5733, *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.

Registration of Food Facilities

OMB Control Number 0910–0502—Extension

This information collection supports FDA regulations. The Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (the Bioterrorism Act) amended the Federal Food, Drug, and Cosmetic Act (FD&C Act), to require, among other things, domestic and foreign facilities that manufacture, process, pack, or hold food for human or animal consumption in the United States to register with FDA. Sections 1.230 to 1.235 of our regulations (21 CFR part 1, subpart H) set forth the requirements for the registration of food facilities. Information provided to us under these regulations helps us to quickly notify the facilities that might be affected by a deliberate or accidental contamination of the food supply. In addition, data collected through registration is used to support FDA enforcement activities and to screen imported food shipments.

Advanced notice of imported food allows FDA, with the support of U.S. Customs and Border Protection, to target import inspections more effectively and help protect the nation's food supply against terrorist acts and other public health emergencies. If a facility is not registered or the registration for a facility is not updated when necessary, we may not be able to contact the facility and may not be able to target import inspections effectively in case of a known or potential threat to the food supply or other food-related emergency, putting consumers at risk of consuming hazardous food products that could cause serious adverse health consequences or death.

To assist respondents of the information collection we developed the following forms. Each facility that manufactures, processes, packs, or holds food for human or animal consumption in the United States must register with FDA using Form FDA 3537 entitled, ''Food Facility Registration'' (§ 1.231), unless exempt under § 1.226 from the requirement to register. To cancel a registration, respondents must use Form FDA 3537a entitled, ''Cancellation of Food Facility Registration'' (§ 1.235). The terms ''Form FDA 3537'' and ''Form FDA 3537a'' refer to both the paper version of each form and the electronic system known as the Food Facility Registration Module, which is available at *https://www.access.fda.gov.* Registrations, updates, and cancellations are required to be submitted electronically. Domestic facilities are required to register regardless of whether food from the facility enters interstate commerce. Foreign facilities that manufacture, process, pack, or hold food also are required to register unless food from that facility undergoes further processing (including packaging) by another foreign facility outside the United States. However, if the further manufacturing/processing conducted by the subsequent facility consists of adding labeling or any similar activity of a de minimis nature, the former facility is required to register. In addition to the initial registration requirements, a

facility is required to submit timely updates within 60 days of a change to any required information on its registration form, using Form FDA 3537 (§ 1.234), and to cancel its registration when the facility ceases to operate or is sold to new owners or ceases to manufacture, process, pack, or hold food for consumption in the United States, using Form FDA 3537a (§ 1.235).

Registration is one of several tools under the Bioterrorism Act that enables us to act quickly in responding to a threatened or actual bioterrorist attack on the U.S. food supply or other food-related emergency. Further, in the event of an outbreak of foodborne illness, the information provided helps us determine the source and cause of the event and enables us to quickly notify food facilities that might be affected by an outbreak, terrorist attack, or other emergency. Finally, the registration requirements enable us to quickly identify and remove from commerce an article of food for which there is a reasonable probability that the use of or exposure to such article of food will cause serious adverse health consequences or death to humans or animals.

Description of Respondents: Respondents to this collection of information are owners, operators, or agents in charge of domestic or foreign facilities that manufacture, process, pack, or hold food for human or animal consumption in the United States.

In the **Federal Register** of June 27, 2025 (90 FR 27619), FDA published a 60-day notice requesting public comment on the proposed collection of information. Although two comments were received, they were not responsive to the four collection of information topics solicited under 5 CFR 1320.8(d).

We estimate the burden of this collection of information as follows:

TABLE 1—ESTIMATED ANNUAL REPORTING BURDEN [1]

Activity; 21 CFR Section	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours
New domestic facility registration; 1.230–1.233	7,420	1	7,420	2.7	20,034
New foreign facility registration; 1.230–1.233	17,592	1	17,592	8.7	153,050
Updates; 1.234	124,001	1	124,001	1.2	148,801
Cancellations; 1.235	464	1	464	1	464
Biennial renewals; 1.235	89,182	1	89,182	0.38	33,889
3rd party registration verification	6,491	1	6,491	0.25	1,623
U.S. Agent verification	15,655	1	15,655	0.25	3,914
Total			260,805		361,775

[1]There are no capital costs or operating and maintenance costs associated with this collection of information.

Based on a review of the information collection since our last request for OMB approval, we have increased our burden estimate by 83,393 hours (from 278,382 to 361,775), although the number of responses decreased by 19,122 (from 279,927 to 260,805). Among other considerations, we attribute this adjustment primarily due to a significant increase in the number of foreign facility registrations and updates submitted coupled with a drastic decrease in the number of cancellations and third-party registration and U.S. Agent verifications submitted.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–18616 Filed 9–24–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2025–D–3049]

Postapproval Methods To Capture Safety and Efficacy Data for Cell and Gene Therapy Products; Draft Guidance for Industry; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA, Agency, or we) is announcing the availability of a draft document entitled ''Postapproval Methods to Capture Safety and Efficacy Data for Cell and Gene Therapy Products; Draft Guidance for Industry.'' The draft guidance document discusses methods and approaches for capturing postapproval safety and efficacy data for cell and gene therapy (CGT) products. Given the potential for long-lasting effects of CGT products, and the generally limited number of participants treated in clinical trials, the collection of postapproval study data for CGT products is important for gathering data on product safety and effectiveness over time.

DATES: Submit either electronic or written comments on the draft guidance by December 24, 2025 to ensure that the Agency considers your comment on this draft guidance before it begins work on the final version of the guidance.

ADDRESSES: You may submit comments on any guidance at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*

• If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

• *Mail/Hand Delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

• For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2025–D–3049 for ''Postapproval Methods to Capture Safety and Efficacy Data for Cell and Gene Therapy Products; 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)).

Submit written requests for single copies of the draft guidance to the Office of Communication, Outreach and Development, Center for Biologics Evaluation and Research (CBER), Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 3103, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist the office in processing your requests. The draft guidance may also be obtained by mail by calling CBER at 800–835–4709 or 240–402–8010 or emailing *industry.biologics@fda.hhs.gov.* See the **SUPPLEMENTARY INFORMATION** section for electronic access to the draft guidance document.

FOR FURTHER INFORMATION CONTACT: Tami Belouin, Center for Biologics Evaluation and Research, Food and Drug Administration, 240–402–7911.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a draft document entitled ''Postapproval Methods to Capture Safety and Efficacy Data for Cell and Gene Therapy Products; Draft Guidance for Industry.'' The draft guidance discusses methods and approaches for capturing postapproval safety and efficacy data for CGT products. Given the potential for long-lasting effects of CGT products, and the generally limited number of participants treated in clinical trials, postapproval monitoring is important for gathering data on product safety and effectiveness over time. Additional postapproval efficacy and safety data is essential to better understand the long-term safety and effectiveness of CGT products and address any concerns that emerge. The guidance does not address data collected for the purpose of expanding clinical indications.

The guidance was created as part of FDA's response to the Prescription Drug User Fee Act (PDUFA VII) commitment to increase efficiency and to support development of CGT products. The Agency held a public meeting on April 27, 2023, entitled ''Methods and Approaches for Capturing Post-Approval Safety and Efficacy Data on Cell and Gene Therapy Products'' and solicited comments from the public to Docket No. FDA–2023–N–0398. FDA published a report of the meeting on October 18, 2023. Stakeholder input presented during the meeting and comments received to the docket were used to inform the content of this guidance.

This draft guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The draft guidance, when finalized, will represent the current thinking of FDA on ''Postapproval Methods to Capture Safety and Efficacy Data for Cell and Gene Therapy Products.'' It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations.

As we develop final guidance on this topic, FDA will consider comments on costs or cost savings the guidance may generate, relevant for Executive Order 14192.

II. Paperwork Reduction Act of 1995

While this guidance contains no collection of information, it does refer to previously approved FDA collections of information. The previously approved collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3521). The collections of information in 21 CFR part 11 pertaining to electronic records and signatures have been approved under OMB control number 0910–0303. The collections of information in 21 CFR parts 50 and 56 pertaining to the protection of human subjects, informed consent, and institutional review boards have been approved under OMB control number 0910–0130. The collections of information in 21 CFR part 600 for general records and adverse experience reporting pertaining to biological products have been approved under OMB control number 0910–0308.

III. Electronic Access

Persons with access to the internet may obtain the draft guidance at *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. 2025–18650 Filed 9–24–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket Nos. FDA–2024–N–3902; FDA–2024–N–4754; FDA–2018–D–1873; FDA–2024–N–4146; FDA–2021–N–0862; FDA–2008–D–0053; FDA–2024–N–5338; FDA–2024–N–3112; FDA–2024–N–4167; FDA–2024–N–3675; FDA–2025–N–0338; FDA–2025–N–2193]

Agency Information Collection Activities; Announcement of Office of Management and Budget Approvals

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is publishing a list of information collections that have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995.

FOR FURTHER INFORMATION CONTACT: Domini Bean, Office of Operations, Food and Drug Administration, Three White Flint North, 10A–12M, 11601 Landsdown St., North Bethesda, MD 20852, 301–796–5733, *PRAStaff@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: The following is a list of FDA information collections recently approved by OMB under section 3507 of the Paperwork Reduction Act of 1995 (44 U.S.C. 3507). The OMB control number and expiration date of OMB approval for each information collection are shown in table 1. Copies of the supporting statements for the information collections are available on the internet at *https://www.reginfo.gov/public/do/PRAMain.* An Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

TABLE 1—LIST OF INFORMATION COLLECTIONS APPROVED BY OMB

Title of collection	OMB Control No.	Date approval expires
Registration of Producers of Drugs and Listing of Drugs in Commercial Distribution	0910–0045	07/31/2028
Financial Disclosure by Clinical Investigators	0910–0396	07/31/2028
MDUFMA Small Business Qualification Certification	0910–0508	07/31/2028
Biosimilar User Fee Program	0910–0718	07/31/2028
General Drug Labeling Provisions and OTC Monograph Drug User Fee Submissions	0910–0340	07/31/2028
Applications for FDA Approval to Market a New Drug	0910–0001	07/31/2027
Prescription Drug Advertisements and Product Communications	0910–0686	07/31/2028
Medical Device Labeling Requirements	0910–0485	07/31/2028
Interstate Shellfish Dealer's Certificate	0910–0021	07/31/2028
Postmarketing Adverse Drug Experience Reporting	0910–0230	07/31/2028
Labeling Requirements for Human Prescription Drug and Biological Products	0910–0572	07/31/2028
Pharmaceutical Distribution Supply Chain	0910–0806	08/31/2028
Export Notification and Recordkeeping Requirements	0910–0482	09/30/2028
Tobacco Products, User Fees, Requirements for the Submission of Data Needed to Calculate User Fees for Domestic Manufacturers and Importers of Tobacco Products	0910–0749	09/30/2028

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–18621 Filed 9–24–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2017–D–6159]

Expedited Programs for Regenerative Medicine Therapies for Serious Conditions; Draft Guidance for Industry; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA, Agency, or we) is announcing the availability of a draft document entitled ''Expedited Programs for Regenerative Medicine Therapies for Serious Conditions; Draft Guidance for Industry.'' The draft guidance document provides sponsors engaged in the development of regenerative medicine therapies for serious or life-threatening diseases or conditions with FDA's recommendations on the expedited development and review of these therapies. This draft guidance, when finalized, will supersede the final guidance of the same title dated February 2019.

DATES: Submit either electronic or written comments on the draft guidance by November 24, 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–2017–D–6159 for ''Expedited Programs for Regenerative Medicine Therapies for Serious Conditions; 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)).

Submit written requests for single copies of the draft guidance to the Office of Communication, Outreach and Development, Center for Biologics Evaluation and Research (CBER), Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 3103, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist the office in processing your requests. The draft guidance may also be obtained by mail by calling CBER at 1–800–835–4709 or 240–402–8010 or emailing *industry.biologics@fda.hhs.gov.* See the **SUPPLEMENTARY INFORMATION** section for electronic access to the draft guidance document.

FOR FURTHER INFORMATION CONTACT: Andrew C. Harvan, Center for Biologics Evaluation and Research, Food and Drug Administration, 240–402–7911.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a draft guidance entitled ''Expedited Programs for Regenerative Medicine Therapies for Serious Conditions; Draft Guidance for Industry.'' The draft guidance document describes the expedited programs available to sponsors of regenerative medicine therapies for serious or life-threatening diseases or conditions (referred to in the guidance as ''serious conditions''), including those products designated as regenerative advanced therapies (which FDA refers to as ''regenerative medicine advanced therapy'' (RMAT) designation); provides information about the provisions in the 21st Century Cures Act (Pub. L. 114–225) regarding the use of the accelerated approval pathway for regenerative medicine therapies that have been granted designation as an RMAT; describes how CBER will encourage flexibility in clinical trial design to facilitate the development of data to demonstrate the safety and effectiveness of regenerative medicine therapies that are being developed to address unmet needs in patients with serious conditions; provides additional thinking on post-approval requirements and on approaches and processes relating to chemistry, manufacturing, and controls; and describes the opportunities for sponsors of regenerative medicine therapies to interact with CBER review staff.

FDA is issuing this draft guidance in accordance with a commitment outlined in the reauthorization of the Prescription Drug User Fee Act (PDUFA VII) under the 2022 FDA User Fee Reauthorization Act.

This draft guidance, when finalized, will supersede the guidance entitled, ''Expedited Programs for Regenerative Medicine Therapies for Serious Conditions; Guidance for Industry'' dated February 2019.

This draft guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The draft guidance, when finalized, will represent the current thinking of FDA on ''Expedited Programs for Regenerative Medicine Therapies for Serious Conditions.'' It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations.

As we develop final guidance on this topic, FDA will consider comments on costs or cost savings the guidance may generate, relevant for Executive Order 14192.

II. Paperwork Reduction Act of 1995

While this guidance contains no collection of information, it does refer to previously approved FDA collections of information. The previously approved collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3521). The collections of information in 21 CFR part 312 have been approved under OMB control number 0910–0014; the collections of information in 21 CFR part 314 and the collections of information regarding formal meetings described in the draft guidance, ''Formal Meetings Between the FDA and Sponsors or Applicants of PDUFA Products,'' have been approved under OMB control number 0910–0001; the collections of information in 21 CFR

part 601 have been approved under OMB control number 0910–0338; the collections of information for expedited programs in ''Guidance for Industry: Expedited Programs for Serious Conditions—Drugs and Biologics'' have been approved under OMB control number 0910–0765.

III. Electronic Access

Persons with access to the internet may obtain the draft guidance at *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. 2025–18653 Filed 9–24–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2025–N–0426]

Agency Information Collection Activities; Submission for Office of Management and Budget Review; Comment Request; Agreement for Shipment of Devices for Sterilization

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 27, 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 0910–0131. 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.

Agreement for Shipment of Devices for Sterilization—21 CFR 801.150

OMB Control Number 0910–0131—Extension

This information collection helps to support FDA regulations. Under sections 501(c) and 502(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351(c) and 352(a)), nonsterile devices that are labeled as sterile but are in interstate transit to a facility to be sterilized are adulterated and misbranded. FDA regulations at § 801.150(e) (21 CFR 801.150(e)) establish a control mechanism by which firms may manufacture and label medical devices as sterile at one establishment and ship the devices in interstate commerce for sterilization at another establishment, a practice that facilitates the processing of devices and is economically necessary for some firms.

Under § 801.150(e)(1), manufacturers and sterilizers may sign an agreement containing the following: (1) contact information of the firms involved and the identification of the signature authority of the shipper and receiver, (2) instructions for maintaining accountability of the number of units in each shipment, (3) acknowledgment that the devices that are nonsterile are being shipped for further processing, and (4) specifications for sterilization processing. This agreement allows the manufacturer to ship misbranded products to be sterilized without initiating regulatory action and provides FDA with a means to protect consumers from use of nonsterile products. During routine plant inspections, FDA normally reviews agreements that must be kept for 2 years after final shipment or delivery of devices (see § 801.150(a)(2)). The respondents to this collection of information are device manufacturers and contract sterilizers.

In the **Federal Register** of July 2, 2025 (90 FR 29022), FDA published a 60-day notice requesting public comment on the proposed collection of information. Although one comment was received, it was not responsive to the four collection of information topics solicited.

FDA estimates the burden of this collection of information as follows:

TABLE 1—ESTIMATED ANNUAL RECORDKEEPING BURDEN [1]

21 CFR part; activity	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours
Record retention, 801.150(a)(2)	218	37.5	8,175	.5 (30 minutes)	4,088

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

FDA's estimate of the reporting burden is based on data obtained from industry in recent years. It is estimated that each of the firms subject to this requirement prepares an average of 37.5 written agreements each year. This estimate varies greatly, from 1 to 218, because some firms provide sterilization services on a part-time basis for only 1 customer, while others are large facilities with many customers. The average time required to prepare each written agreement is estimated to be 4 hours. This estimate varies depending on whether the agreement is the initial agreement or an annual renewal, on the format each firm elects to use, and on the length of time required to reach agreement. The estimate applies only to those portions of the written agreement that pertain to the requirements imposed by this regulation. The written agreement generally also includes contractual agreements that are a usual and customary business practice. The recordkeeping requirements of § 801.150(a)(2) consist of making copies and maintaining the records required under the third-party disclosure section of this collection.

TABLE 2—ESTIMATED ANNUAL THIRD-PARTY DISCLOSURE BURDEN [1]

21 CFR part; activity	Number of respondents	Number of disclosures per respondent	Total annual disclosures	Average burden per disclosure	Total hours
Agreement and labeling requirements, 801.150(e)	218	37.5	8,175	4	32,700

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

Based on a review of the information collection since our last request for OMB approval, we have made no adjustments to our burden estimate.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–18612 Filed 9–24–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2024–N–5944]

Agency Information Collection Activities; Submission for Office of Management and Budget Review; Comment Request; Sanitary Transportation of Human and Animal Food

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 27, 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 0910–0773. 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.

Sanitary Transportation of Human and Animal Food—21 CFR Part 1, Subpart O

OMB Control Number 0910–0773—Extension

This information collection supports FDA regulations regarding the sanitary transportation of human and animal food. Section 402(i) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 342(i)), establishes that food that is transported or offered for transport by a shipper, carrier by motor vehicle or rail vehicle, receiver, or any other person engaged in the transportation of food under conditions that are not in compliance with the regulations issued under section 416 is adulterated. Section 416 (21 U.S.C. 350e) of the FD&C Act, requires shippers, carriers by motor vehicle or rail vehicle, receivers, and other persons engaged in the transportation of food to use prescribed sanitary transportation practices to ensure that food is not transported under conditions that may render the food adulterated. Section 416 of the FD&C Act also directs that we prescribe appropriate human and animal food transportation practice requirements relating to: (1) sanitation; (2) packaging, isolation, and other protective measures; (3) limitations on the use of vehicles; (4) information to be disclosed to carriers and to manufacturers; and (5) recordkeeping.

Additionally, section 703 of the FD&C Act (21 U.S.C. 373) provides that a shipper, carrier by motor vehicle or rail vehicle, receiver, or other person subject to section 416 of the FD&C Act must, on request of an officer or employee designated by FDA, permit the officer or employee, at reasonable times, to have access to and to copy all records that are required to be kept under the regulations issued under section 416.

Accordingly, we issued regulations in 21 CFR part 1, subpart O (21 CFR 1.900 through 1.934) that establish requirements for the sanitary transportation of human and animal food, as well as prescribe procedures for respondents who wish to request a waiver for any requirement. Under section 1.924 of 21 CFR part 1, subpart O, waivers are requested in the same manner as prescribed in § 10.30 (21 CFR 10.30). Electronic submissions are accepted via *www.regulations.gov* as prescribed in § 10.30(b)(1). The collections of information in § 10.30 have been approved under OMB control number 0910–0191. For additional information regarding Agency implementation of sections 402(i), 416, and 703 of the FD&C Act, visit our website at *https://www.fda.gov/food/food-safety-modernization-act-fsma/fsma-final-rule-sanitary-transportation-human-and-animal-food.*

Description of Respondents: Respondents to this collection of information are domestic shippers and carriers, and in certain circumstances, foreign shippers of human and animal food. Respondents are from the private sector (for-profit businesses).

In the **Federal Register** of June 27, 2025 (90 FR 27628), FDA published a 60-day notice requesting public comment on the proposed collection of information. One comment was received in support of the information collection.

FDA estimates the burden of this collection of information as follows:

TABLE 1—ESTIMATED ANNUAL RECORDKEEPING BURDEN [1]

21 CFR section; activity	Number of recordkeepers	Number of records per recordkeeper	Total annual records	Average burden per recordkeeping	Total hours
1.912; Record retention	1,502,032	1	1,502,032	0.083 (5 minutes)	124,669

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

TABLE 2—ESTIMATED ANNUAL REPORTING BURDEN [1]

21 CFR section; activity	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours
1.914; Waiver petitions	2	1	2	24	48

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

TABLE 3—ESTIMATED ANNUAL THIRD-PARTY DISCLOSURE BURDEN [1]

21 CFR section; activity	Number of respondents	Number of disclosures per respondent	Total annual disclosures	Average burden per disclosure	Total hours
1.908; Disclosure of sanitary specifications; operating temperature conditions.	226	1	226	0.5833 (~35 mins.)	132

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

Based on a review of the information collection since our last request for OMB approval, we have made no adjustments to our burden estimate. However, we note that due to rounding, the number of total burden hours recorded by OMB (124,848 hours) has increased by one hour (now 124,849 hours).

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–18614 Filed 9–24–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Living Organ Donation Reimbursement Program/Supplemental Award

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services.

ACTION: Notice of supplemental funding.

SUMMARY: HRSA provided a supplemental award of $1.7 million to the sole Living Organ Donation Reimbursement Program (LODRP) cooperative agreement recipient—Mayo Clinic Arizona—to enable the recipient to more effectively address living donors' needs and accommodate an anticipated increase in the number of applicants to the program.

FOR FURTHER INFORMATION CONTACT: Allison Hutchings, Senior Public Health Analyst, Health Systems Bureau, HRSA, at *livingdonorsupport@hrsa.gov* or 301–443–3300.

SUPPLEMENTARY INFORMATION:

Intended Recipient of the Award: LODRP cooperative agreement recipient for Fiscal Year 2025, as listed in Table 1.

Amount: One award of $1,700,000.

Project Period: September 1, 2025 to August 31, 2028.

Assistance Listing Number: 93.134.

Award Instrument: Cooperative Agreement.

Authority: 42 U.S.C. 274f (Section 377 of the Public Health Service (PHS) Act, as amended)

TABLE 1—RECIPIENT(S) AND AWARD AMOUNT(S)

Grant No.	Award recipient name	State	Award amount
U13HS55158	Mayo Clinic Arizona	AZ	$1,700,000

Justification: As of September 2025, there were over 100,000 patients on the organ transplant wait list waiting for a kidney and/or liver. HRSA LODRP provides financial assistance to people who wish to donate their kidney and/or part of their liver, but who might otherwise not be able to donate due to financial hardship, thereby increasing access to life-saving organs. The supplemental funding will provide the cooperative agreement recipient with flexibility to make programmatic changes to better address living organ donors' needs (for example, increasing the reimbursement cap for living organ donors with longer recovery times) and accommodate the anticipated increase in applicants to the program as a result of expanded outreach by the Public Education for Living Organ Donation Reimbursement cooperative agreement recipient.

HRSA awarded the sole LODRP cooperative agreement recipient—Mayo Clinic Arizona—$1.7 million as noted in Table 1.

Thomas J. Engels,

Administrator.

[FR Doc. 2025–18648 Filed 9–24–25; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Proposed Collection; 60-Day Comment Request NIH Special Volunteer and Guest Researcher Assignment (Office of Intramural Research, Office of the Director)

AGENCY: National Institutes of Health.

ACTION: Notice.

SUMMARY: In compliance with the requirement of the Paperwork Reduction Act of 1995 to provide opportunity for public comment on proposed data collection projects, the National Institutes of Health (NIH), Office of Intramural Research (OIR), Office of the Director (OD) will publish periodic summaries of proposed projects to be submitted to the Office of Management and Budget (OMB) for review and approval.

DATES: Comments regarding this information collection are best assured of having their full effect if received within 60 days of the date of this publication.

FOR FURTHER INFORMATION CONTACT: To obtain a copy of the data collection plans and instruments, submit comments in writing, or request more information on the proposed project, contact: Dr. Arlyn Garcia-Perez, Director of Policy and Analysis, Office of Intramural Research, Office of the Director, National Institutes of Health, 1 Center Drive MSC 0140, Building 1, Room 160, MSC–0140, Bethesda, Maryland, 20892 or call non-toll-free number (301) 496–1921 or (301) 496–1381 or Email your request, including your address to: *GarciaA@od.nih.gov*. Formal requests for additional plans and instruments must be requested in writing.

SUPPLEMENTARY INFORMATION: Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 requires: written comments and/or suggestions from the public and affected agencies are invited to address one or more of the following points: (1) Whether the proposed collection of information is necessary for the proper performance of the function of the agency, including whether the information will have practical utility; (2) The accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) Ways to enhance the quality, utility, and clarity of the information to be collected; and (4) Ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Proposed Collection Title: Extension of NIH Form 590, NIH Form 590–1 and NIH Form 590–2, OMB #0925–0177, exp. date March 31, 2026, Office of Intramural Research (OIR), Office of the Director (OD), National Institutes of Health (NIH).

Need and Use of Information Collection: Special Volunteers and Guest Researchers both fill the main collection instrument, NIH Form 590. Form NIH–590 is a single form completed by an NIH official for each Guest Researcher or Special Volunteer prior to his/her arrival at NIH. The information on the form is necessary for the approving official to reach a decision on whether to allow a Guest Researcher to use NIH facilities or whether to accept volunteer services offered by a Special Volunteer. If the original assignment is extended, another form notating the extension is completed to update the file. In addition to NIH Form 590, Guest Researchers fill a separate Guest Researcher Agreement, NIH Form 590–1, and Special Volunteers fill a separate Special Volunteer Agreement, NIH Form 590–2. These additional forms are the legal instruments for the Guest Researcher or Special Volunteer to acknowledge and agree to the conditions and responsibilities of their assignment at NIH. No revisions are proposed for any of the three forms currently.

OMB approval is requested for 3 years. There are no costs to respondents other than their time. The total estimated annualized burden hours are 652.

ESTIMATED ANNUALIZED BURDEN HOURS

Form name	Type of respondents	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total annual burden hours
Special Volunteer and Guest Researcher Assignment.	Special Volunteers and Guest researchers.	2,300	2	6/60	460
NIH Special Volunteer Agreement	Special Volunteers	2,100	1	5/60	175
NIH Guest Researcher Agreement ...	Guest Researchers	200	1	5/60	17
Totals	.....	2,300	6,900	.....	652

Dated: September 19, 2025.

Matthew J. Memoli,

Principal Deputy Director, National Institutes of Health.

[FR Doc. 2025–18529 Filed 9–24–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Translational Investigations of Pulmonary and Immunological Diseases.

Date: October 27–28, 2025.

Time: 10:00 a.m. to 7:30 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: Carl White, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 480–4835, *carl.white@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR Panel: Immune Oncology and Cancer Biomarker Research (R03).

Date: October 29, 2025.

Time: 1:00 p.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: Robert F. Gahl, BS, Ph.D., Scientific Review Officer, Cancer Diagnosis, Prevention & Therapeutics Division of Translational and Clinical Sciences, Center for Scientific Review, National Cancer Institute, NIH Rockville, MD 20850, (240) 276–7869, *robert.gahl@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; T32 and T35 Institutional Research Training Grants.

Date: November 4–5, 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: Murali Ganesan, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, *murali.ganesan@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR 23–077: Collaborative Program Grant for Multidisciplinary Teams (RM1).

Date: November 10, 2025.

Time: 10:00 a.m. to 4:00 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: Sergei Ruvinov, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4158, MSC 7806, Bethesda, MD 20892, 301–435–1180, *ruvinser@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Respiratory Sciences.

Date: November 13–14, 2025.

Time: 9:00 a.m. to 6:30 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: Imoh S. Okon, Ph.D., Scientific Review Officer, Office of Scientific Review, National Center for Advancing Translational Sciences (NCATS), National Institutes of Health, 9609 Medical Center Drive, Suite 1E504, Bethesda, MD 20892, (301) 347–8881, *imoh.okon@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Cancer Diagnosis and Treatment (CDT).

Date: November 13–14, 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: Asifa Haider, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 803C, Bethesda, MD 20892, (301) 480–2190, *haidera2@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Health Promotion Interventions: Research Scientist Development Award.

Date: November 14, 2025.

Time: 1:00 p.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: Rebecca I Tinker, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive Bethesda, MD 20817, (301) 435–0637, *tinkerri@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Radiation Therapy, Radiation Biology and Nanoparticle-Based Therapeutics Panel.

Date: November 18–19, 2025.

Time: 9:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Michael M. Opata, Ph.D., Scientific Review Officer, NIH/NIAID, Immunology Review Branch, 5601 Fishers Lane, Room 3G22, Rockville, MD 20892, 240–627–3319, *michael.opata@nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: September 22, 2025.

Sterlyn H Gibson,

Program Specialist, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–18625 Filed 9–24–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

Agency Information Collection Activities: Citizenship and Immigration Services Ombudsman Request for Case Assistance Form (DHS Form 7001)

AGENCY: Department of Homeland Security, DHS.

ACTION: 30-Day notice and request for comments; Extension of a currently approved collection, 1601–0004.

SUMMARY: The Department of Homeland Security, DHS will submit the following information collection request (ICR) to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. DHS previously published this information collection request (ICR) in the **Federal Register** on March 25,2025 or a 60-day public comment period. No comments were received by DHS. At the time of publication, DHS was seeking a Revision to the previously approved collection. Up on publication of this 30 Day Notice DHS will now be seeking an Extension of the previously approved collection. DHS is not seeking a revision. The purpose of this notice is to allow additional 30-days for public comments.

DATES: Comments are encouraged and will be accepted until October 27, 2025. This process is conducted in accordance with 5 CFR 1320.10.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

The Office of Management and Budget is particularly interested in comments which:

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

2. Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

3. Enhance the quality, utility, and clarity of the information to be collected; and

4. 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.

SUPPLEMENTARY INFORMATION: The Office of the Citizenship and Immigration Services Ombudsman (CIS Ombudsman) was created under section 452 of the Homeland Security Act of 2002 (Pub. L. 107–296) to: (1) Assist individuals and employers in resolving problems with U.S. Citizenship and Immigration Services (USCIS); (2) to identify areas in which individuals and employers have problems in dealing with USCIS; and (3) to the extent possible, propose changes in the administrative practices of USCIS to mitigate problems. This form is used by an individuals and employers who are experiencing problems with USCIS during the processing of an immigration benefits. The CIS Ombudsman collects and processes requests for case assistance electronically on the DHS Form 7001 through the Case Assistance Analytics and Data Integration (CAADI) system.

• *Electronic form:* The online form will be updated and posted on the CIS Ombudsman's website at *https://www.dhs.gov/caseassistance* for electronic submission of the form.

Analysis:

Agency: The Department of Homeland Security.

Title: Citizenship and Immigration Services Ombudsman Request for Case Assistance Form (DHS Form 7001).

OMB Number: 1601–0004.

Frequency: Tri-Annually.

Affected Public: Members of the Public.

Number of Respondents: 18,000.

Estimated Time per Respondent: 1 Hour.

Total Burden Hours: 18,000.

Robert Dorr,

Executive Director, Business Management Directorate.

[FR Doc. 2025–18562 Filed 9–24–25; 8:45 am]

BILLING CODE 9112–FL–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–7092–N 33; OMB Control No.: 2577–0281]

30-Day Notice of Proposed Information Collection: Jobs Plus Pilot Program

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comments from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 30 days of public comment.

DATES: *Comments Due Date:* October 27, 2025.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Anna Guido, PRA Compliance Officer, Paperwork Reduction Act Division, PRAD, Department of Housing and Urban Development, 451 7th Street SW, Room 8210, Washington, DC 20410; email at *PaperworkReductionActOffice@hud.gov,* ATTN: Anna Guido, telephone (202) 402–5535. This is not a toll-free number. HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.*

Copies of available documents submitted to OMB may be obtained from Ms. Guido.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A. The **Federal Register** notice that solicited public comment on the information collection for a period of 60 days was published on July 21, 2025 (90 FR 34293).

A. Overview of Information Collection

Title of Information Collection: Jobs Plus Pilot Program.

OMB Approval Number: 2577–0281.

Type of Request: Revision of currently approved collection.

Form Number: SF–424, SF425, SF–LLL, HUD 2880, HUD–50144, HUD 50153, HUD 1044, HUD 424B, HUD 50070, HUD 2991 and HUD 2996.

Description of the need for the information and proposed use: The information collection is required to administer the Jobs Plus program, including applying for funds and grantee reporting.

Information collection	Number of respondents annually	Responses annually (frequency)	Total responses annually	Burden hours per response	Total burden hours annually	Hourly cost (salary)	Total burden cost annually
NOFO/Grant Application Collection							
SF–424 Application for Federal Assistance (4040–0004)	48	1	48	0	0	$0.00	$0.00
HUD–2880 Applicant Disclosure (2501–0044)	48	1	48	0	0	0.00	0.00
Certification Regarding Lobbying	48	1	48	0.25	12	41.39	496.68
SF–LLL—Lobbying (4040–0013)	48	1	48	0	0	0.00	0.00
HUD 424B Assurances and Certifications (2501–0044)	48	1	48	0	0	0.00	0.00
Certification of Consistency with the Consolidated Plan (HUD–2991)	48	1	48	0	0	0.00	0.00
Certification of Opportunity Zone (HUD–2996)	48	1	48	0	0	0.00	0.00
Certification for a Drug-Free Workplace (HUD–50070)	48	1	48	0	0	0.00	0.00
Map	48	1	48	2	96	41.39	3,973.44
MOU between PHA and WDB	48	1	48	2	96	41.39	3,973.44
Match/Leverage Commitment Letters	48	1	48	10	480	41.39	19,867.20
Schedule	48	1	48	2	96	41.39	3,973.44
Organizational chart	48	1	48	1	48	41.39	1,986.72
Executive, summary documentation	48	1	48	3	144	41.39	5,960.16
Rating Factor 1—Capacity	48	1	48	10	480	41.39	19,867.20
Rating Factor 2—Need	48	1	48	8	384	41.39	15,893.76
Rating Factor 3—Soundness of Approach	48	1	48	12	576	41.39	23,840.64
Detailed Program Budget	48	1	48	3	144	41.39	5,960.16

Information collection	Number of respondents annually	Responses annually (frequency)	Total responses annually	Burden hours per response	Total burden hours annually	Hourly cost (salary)	Total burden cost annually
Summary Jobs Plus Budget (Form HUD–50144)	48	1	48	2	96	41.39	3,973.44
Narrative to Program Budget	48	1	48	4	192	41.39	7,946.88
Rating Factor 4—Match/Leverage table	48	1	48	1	48	41.39	1,986.72
Rating Factor 5—Preference Points Documentation (HUD–50153 or other)	48	1	48	0.25	12	41.39	496.68
Sub-Total NOFO/Application Collection			*48*	*60.5*	*2904*		*120,196.56*
Grant Administration Collection							
Code of Conduct (if not on HUD website, if recently updated, if not previously submitted)	8	1	8	1	8	41.39	331.12
HUD–1044/Grant Agreement	10	1	10	0	0	41.39	0.00
Quarterly reporting	55	4	220	10	2200	41.39	91,058.00
Annual reporting	55	1	55	8	440	41.39	18,211.60
Workplan	55	1	55	14	770	41.39	31,870.30
Budget (HUD–50144)	55	1	55	2	110	41.39	4,552.90
Federal Financial Report (Form SF–425) (4040–0014)	8	1	8	0	0	0.00	0.00
Sub-Total—Non-NOFO/Application Collection			*411*	*35*	*3528*		*146,023.92*
Grand Totals	103		459	95.5	6432		266,220.48

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

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

(2) The accuracy of the agency's estimate of the burden of the proposed collection of information;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

(Authority: Section 2 of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507.)

Anna Guido,

Department PRA Compliance Officer, Office of Policy Development and Research, Chief Data Officer.

[FR Doc. 2025–18563 Filed 9–24–25; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS–R4–ES–2025–0081; FXES11140400000–256–FF04EF4000]

Receipt of Incidental Take Permit Application and Proposed Habitat Conservation Plan for the Sand Skink and Blue-Tailed Mole Skink; Polk County, FL; Categorical Exclusion

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for comments and information.

SUMMARY: We, the Fish and Wildlife Service (Service), announce receipt of an application from Prince Poinciana LLC (applicant) for an incidental take permit (ITP) under the Endangered Species Act (ESA). The applicant requests the ITP to take the federally listed threatened sand skink and blue-tailed mole skink incidental to the construction of a single-family residential development in Polk County, Florida. We request public comment on the application, which includes the applicant's proposed habitat conservation plan (HCP), and on the Service's preliminary determination that the proposed permitting action may be eligible for a categorical exclusion pursuant to the National Environmental Policy Act (NEPA), the Department of the Interior's (DOI) NEPA regulations, and the DOI Departmental Manual (DM). To make this preliminary determination, we prepared a draft screening form and NEPA statement for HCPs, both of which are available for public review. We invite comment from the public and local, State, Tribal, and Federal agencies.

DATES: We must receive your written comments on or before October 27, 2025.

ADDRESSES:

Obtaining Documents: The documents this notice announces, as well as any comments and other materials that we receive, will be available for public inspection online in Docket No. FWS–R4–ES–2025–0081 at *https://www.regulations.gov.*

Submitting Comments: If you wish to submit comments on any of the documents, you may do so in writing by one of the following methods:

- *Online: https://www.regulations.gov.* Follow the instructions for submitting comments on Docket No. FWS–R4–ES–2025–0081;
- *U.S. mail:* Public Comments Processing, Attn: Docket No. FWS–R4–ES–2025–0081; U.S. Fish and Wildlife Service, MS: PRB/3W, 5275 Leesburg Pike, Falls Church, VA 22041–3803.

FOR FURTHER INFORMATION CONTACT: Erin Gawera, by U.S. mail (see **ADDRESSES**), by telephone at 904–404–2464 or via email at *erin_gawera@fws.gov.* Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION: We, the U.S. Fish and Wildlife Service (Service), announce receipt of an application from Prince Poinciana, LLC (applicant) for an ITP under the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*). The applicant requests the

ITP to take federally listed sand skinks (*Neoseps* (=*Plestiodon*) *reynoldsi*) and blue-tailed mole skinks (*Eumeces egregius lividus*) (skinks) incidental to the construction and operation of a single-family residential development in Polk County, Florida. We request public comment on the application, which includes the applicant's HCP, and on the Service's preliminary determination that this proposed ITP may qualify for a categorical exclusion pursuant to NEPA (42 U.S.C. 4321 *et seq.*), the DOI's NEPA regulations (43 CFR part 46), and the DOI's DM (516 DM 8.5(C)(2)). To make this preliminary determination, we prepared a draft screening form and NEPA statement for HCPs, both of which are available for public review.

Proposed Project

The applicant requests a 15-year ITP to take skinks via the conversion of approximately 21.75 acres (ac) of occupied nesting, foraging, and sheltering skink habitat incidental to the construction and operation of a single-family residential development on 160.00 ac, Parcel #s 28–27–34–000000–044010, 28–27–34–000000–032010, and 28–27–34–000000–041010 in Section 34, Township 27 South, Range 28 East, Polk County, Florida. The applicant proposes to mitigate for take of the skinks by purchasing credits equivalent to 43.50 ac of skink-occupied habitat within a Service-approved conservation bank. The Service would require the applicant to purchase the credits prior to engaging in any phase of the project.

Our Preliminary Determination

The Service has made a preliminary determination that reasonably foreseeable effects of the applicant's proposed project, including the construction of the buildings and associated infrastructure (*i.e.,* electric, water, and sewer lines), would have a minor effect on skinks and the human environment, and no extraordinary circumstances in 43 CFR 46.215 apply. Reasonably foreseeable effects encompass effects of implementation of the action including effects of the action in addition to other past, present, and reasonably foreseeable future effects. Therefore, we have preliminarily determined that the proposed ESA section 10(a)(1)(B) permit would be a low-effect ITP that may qualify for application of a categorical exclusion (516 DM 5.8 (C)(2)), pursuant to NEPA, the DOI's NEPA regulations, and the DOI DM. A low-effect ITP is one that would result in (1) negligible or minor individual or cumulative effects on species covered in the HCP; (2) no significant effect on the human environment; and (3) reasonably foreseeable effects that would not result in significant effects to the human environment.

Next Steps

The Service will evaluate the application and public comments received to determine whether to issue the requested ITP. We will also conduct an intra-Service consultation pursuant to section 7 of the ESA to evaluate the effects of the proposed take. After considering the preceding and other matters, we will determine whether the permit issuance criteria of section 10(a)(1)(B) of the ESA have been met. If met, the Service will issue ITP number PER16719167 to Prince Poinciana, LLC.

Public Availability of Comments

Before including your address, phone number, email address, or other personal identifying information in your comment, be aware that your entire comment, including your personal identifying information, may be made available to the public. If you submit a comment at *https://www.regulations.gov,* your entire comment, including any personal identifying information, will be posted on the website. If you submit a hardcopy comment that includes personal identifying information, such as your address, phone number, or email address, you may request at the top of your document that we withhold this information from public review. However, we cannot guarantee that we will be able to do so. Moreover, all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public disclosure in their entirety.

Authority

The Service provides this notice under section 10(c) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*) and its implementing regulations (50 CFR 17.32), NEPA (42 U.S.C. 4321 *et seq.*) and the DOI's implementing regulations (43 CFR part 46).

José J. Rivera,

Manager, Division of Environmental Review, Florida Ecological Services Field Office, U.S. Fish and Wildlife Service.

[FR Doc. 2025–18642 Filed 9–24–25; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Geological Survey

[Docket No. USGS–2025–0014; OMB Control Number 1028–0051; GX.25.GG00.99600.00]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Earthquake Hazards Program Research and Monitoring

AGENCY: U.S. Geological Survey, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act (PRA) of 1995, the U.S. Geological Survey (USGS) is proposing to renew an information collection.

DATES: Interested persons are invited to submit comments on or before October 27, 2025.

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

- *Internet: https://www.regulations.gov.* Search for and submit comments on Docket No. USGS–2025–0014.
- *U.S. Mail:* USGS, Information Collections Clearance Officer, 12201 Sunrise Valley Drive, MS 159, Reston, VA 20192.

FOR FURTHER INFORMATION CONTACT: Jill M. Franks by email at *jfranks@usgs.gov,* or by telephone at 571–294–1718. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States. You may also view the ICR at *http://www.reginfo.gov/public/do/PRAMain.*

SUPPLEMENTARY INFORMATION: In accordance with the PRA of 1995 (44 U.S.C. 3501 *et seq.*) and 5 CFR 1320.8(d)(1), the USGS provides the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

A **Federal Register** notice with a 60-day public comment period soliciting comments on this collection of

information was published on July 21, 2025 (90 FR 34297). One comment was received. The feedback we received commended the USGS for its commitment to enhancing earthquake hazards research and monitoring through this information collection initiative, and encourages the agency to continue fostering public engagement, ensuring transparency, and adhering to legal standards to maximize the benefits of the USGS Earthquake Hazards Program for all stakeholders.

As part of our continuing effort to reduce paperwork and respondent burdens, we are soliciting comments from the public and other Federal agencies on the proposed ICR that is described below. We are especially interested in public comments addressing the following:

(1) Whether or not the collection of information is necessary for the proper performance of the functions of the agency, including whether or not the information will have practical utility;

(2) The accuracy of our estimate of the burden for this collection of information, including the validity of the methodology and assumptions used;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) How the agency might minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of response.

Comments that you submit in response to this notice are a matter of public record. Before including your address, phone number, email address, or other personally identifiable information (PII) in your comment, you should be aware that your entire comment—including your PII—may be made publicly available at any time. While you can ask us in your comment to withhold your PII from public review, we cannot guarantee that we will be able to do so.

Abstract: Research and monitoring findings are essential to fulfilling the USGS's responsibility under the Earthquake Hazards Reduction Act to develop earthquake hazard assessments and record earthquake activity nationwide. Residents, emergency responders, engineers, and the public rely on the USGS for this accurate and scientifically sound information. The USGS Earthquake Hazards Program funds external investigators to carry out these important activities.

In response to our notice of funding opportunities, investigators submit proposals for research and monitoring activities on earthquake hazard assessments, earthquake causes and effects, and earthquake monitoring. This information is used as the basis for selection and award of projects meeting the USGS's Earthquake Hazards Program objectives. Final reports of research and monitoring findings are required for each funded proposal; annual progress reports are required for awards of a 2- to 5-year duration. Final reports are made available to the public at the website: *https://www.usgs.gov/programs/earthquake-hazards/science/external-grants.*

Title of Collection: Earthquake Hazards Program Research and Monitoring.

OMB Control Number: 1028–0051.

Form Number: None.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public Research scientists, engineers, and the public.

Total Estimated Number of Annual Respondents: 370 (250 applications and narratives and 120 annual and final reports).

Total Estimated Number of Annual Responses: 370 (250 applications and narratives and 120 annual and final reports).

Estimated Completion Time per Response: 45 hours per proposal application response and 9 hours per final or annual progress report.

Total Estimated Number of Annual Burden Hours: 12,330 (11,250 hours per application and 1,080 hours per final or annual progress report).

Respondent's Obligation: Participation is voluntary but required to obtain or retain benefits.

Frequency of Collection: Annually and once every 3 to 5 years, depending on the duration of the award.

Total Estimated Annual Non-Hour Burden Cost: There are no non-hour cost burdens associated with this Information Collection.

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Jill Franks,

Associate Program Coordinator, External Grants, USGS, Natural Hazards.

[FR Doc. 2025–18556 Filed 9–24–25; 8:45 am]

BILLING CODE 4338–11–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[A2407–014–004–065516; #O2412–014–004–047181.1]

Lease for Sale Navajo Transitional Energy Company, West Antelope III Mine Lease-by-Application WYW 184599, Campbell County, WY

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of coal lease sale.

SUMMARY: Notice is hereby given that Federal coal resources in lands in Campbell County, Wyoming, will be offered for competitive lease by sealed bid in accordance with the provisions of the Mineral Leasing Act of 1920, as amended.

DATES: The lease sale will be held at 10:00 a.m. Mountain Time (MT) on October 08, 2025. Bids received after 9:30 a.m. MT on October 08, 2025, will not be considered.

ADDRESSES: The lease sale will be held in the 1st floor Main Conference Room of the BLM Wyoming State Office, 5353 Yellowstone Road, Cheyenne, WY 82009. Sealed bids must be submitted to the Cashier, BLM Wyoming State Office, at this same address.

FOR FURTHER INFORMATION CONTACT: Travis Wright, by telephone at 307–775–6258, or by email at *tswright@blm.gov.* Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services for contacting Mr. Wright. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION: This sale is being held in response to a lease-by-application filed by Navajo Transitional Energy Company. The Federal coal resources to be offered are located on the following described lands:

Sixth Principal Meridian, Wyoming

T. 41 N, R. 71 W,
Sec. 8;
Sec 9, lots 1 thru 8;
Sec 10, Lot 5;
Secs. 17 and 19;
Sec 20, lots 1 thru 13;
Sec 29, Lots 4, 5, 12, and 13;
Sec 30, lots 5 thru 16.

The areas described aggregate 3,508.31 acres, according to the surveys on file with the BLM.

The West Antelope III tract contains two coal beds, which are designated as

the Anderson seam and the Canyon seam. The Anderson seam ranges in thickness from 39 feet to approximately 44 feet thick, while the Canyon seam ranges from 33 feet to 44 feet. The tract is located adjacent to the Antelope Mine's current operation and contains approximately 445 million tons of coal of which approximately 365 million tons are considered to be mineable. The composite quality of the coal seams are as follows: Heat Content (Btu/lb.) 8973 Btu/lb. and Sulfur Content 0.24 percent.

The tracts will be leased to the qualified bidder of the highest cash amount, provided that the high bid meets or exceeds the BLM's estimate of the fair market value (FMV) of the tracts. The minimum bid for the tract is $100 per acre or fraction thereof. The minimum bid is not intended to represent FMV. The authorized officer will determine if the bids meet FMV.

The sealed bids should be sent by certified mail, return receipt requested, or be hand delivered to the Cashier, BLM Wyoming State Office (see **ADDRESSES**), and clearly marked ''Sealed Bid for WYW184599 Coal Sale—Not to be opened before 10:00 a.m. MT on October 08, 2025.'' The Public Room representative will issue a receipt for each hand-delivered bid. Bids received after 9:30 a.m. MT will not be considered.

If identical high bids are received, the tying high bidders will be requested to submit follow-up sealed bids until a high bid is received. All tie-breaking sealed bids must be submitted within 15 minutes following the sale official's announcement at the sale that identical high bids have been received.

Prior to lease issuance, the high bidder, if other than the applicant, must pay the BLM the cost recovery fee in the amount of $123,798.00, in addition to all processing costs incurred by the BLM after the date of this sale notice (43 CFR 3473.2(f)).

A lease issued as a result of this offering will require payment of an annual rental of $3 per acre, or fraction thereof, and a royalty payable to the United States pursuant to section 7(a) of the Mineral Leasing Act (30 U.S.C. 207(a)).

Bidding instructions for the tracts offered and the terms and conditions of the proposed coal lease are included in the detailed statement of lease sale, with copies available at the BLM Wyoming State Office (see **ADDRESSES**). Documents in case file WYW184599 are available for public inspection at the BLM Wyoming State Office Public Room.

(Authority: 43 CFR 3422.2, 43 CFR 3422.3–2.)

Paul Hohn,

Associate State Director (Acting).

[FR Doc. 2025–18638 Filed 9–24–25; 8:45 am]

BILLING CODE 4331–26–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6552; NPS–WASO–NAGPRA–NPS0041141; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Robert S. Peabody Institute of Archaeology, Andover, MA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Robert S. Peabody Institute of Archaeology (RSPI) has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after October 27, 2025.

ADDRESSES: Send written requests for repatriation of the human remains and associated funerary objects in this notice to Ryan J. Wheeler, Robert S. Peabody Institute of Archaeology, Phillips Academy, 180 Main Street, Andover, MA 01810, email *rwheeler@andover.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the RSPI, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, one individual have been identified. The 36 associated funerary objects are one bone awl; one ceramic vessel; one lot ceramic sherd; 24 lots chipped stone tools; six lots ground stone tools; three lots lithics. Highland Creek is located in Union County, Kentucky (records also indicate Webster County, Kentucky) and was disturbed by Warren K. Moorehead in 1898 on behalf of Robert S. Peabody. The locality is called both Highland Creek and Village Site, Mouth of Highland Creek in RSPI records. The human remains and funerary objects were transferred to the RSPI (then known as the Department of Archaeology) when it was founded in 1901. Archaeologists in 1991 and 1999 investigated a site recorded as 15Un127 near the mouth of Highland Creek in Union County, describing a late Middle Archaic/early Late Archaic, and Late Woodland village site with dense midden deposits and burials—it seems likely that the individual and funerary items held at RSPI originated from 15Un127.

There is no known presence of any potentially hazardous substances.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is clearly identified by the information available about the human remains and associated funerary objects described in this notice.

Determinations

The RSPI has determined that:

- The human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- The 36 objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a connection between the human remains and associated funerary objects described in this notice and the Eastern Band of Cherokee Indians.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains and associated funerary objects described in this notice to a requestor may occur on or after October 27, 2025. If competing requests for repatriation

are received, the RSPI must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. The RSPI is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: September 11, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–18579 Filed 9–24–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6544; NPS–WASO–NAGPRA–NPS0041132; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion Amendment: Florida Department of State, Tallahassee, FL

AGENCY: National Park Service, Interior.

ACTION: Notice; amendment.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Florida Department of State (FDOS) has amended a notice of inventory completion published in the **Federal Register** on June 16, 2025. This notice amends the Indian Tribes or Native Hawaiian organizations with cultural affiliation.

DATES: Repatriation of the human remains and associated funerary objects may occur on or after October 27, 2025.

ADDRESSES: Send written requests for repatriation of the human remains and associated funerary objects to Tea Kaplan, Florida Department of State, 2100 W Tennessee Street, Tallahassee, FL 32304, email *Tea.Kaplan@dos.fl.gov*.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the FDOS, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Amendment

This notice amends the determination of cultural affiliation published in a notice of inventory completion in the **Federal Register** (90 FR 25365, June 16, 2025). Repatriation of the human remains or associated funerary objects in the original notice of inventory completion has not occurred.

Determinations

The FDOS has determined that:

- There is a connection between the human remains and associated funerary objects described in the original notice and the Miccosukee Tribe of Indians; Seminole Tribe of Florida; and The Seminole Nation of Oklahoma.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in the original notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains and associated funerary objects described in the original notice to a requestor may occur on or after October 27, 2025. If competing requests for repatriation are received, the FDOS must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. The FDOS is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: September 11, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–18578 Filed 9–24–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6543; NPS–WASO–NAGPRA–NPS0041131; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Sam Noble Oklahoma Museum of Natural History, University of Oklahoma, Norman, OK

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Sam Noble Oklahoma Museum of Natural History (SNOMNH), has completed an inventory of associated funerary objects and has determined that there is a cultural affiliation between the associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the associated funerary objects in this notice may occur on or after October 27, 2025.

ADDRESSES: Send written requests for repatriation of the associated funerary objects in this notice to Zachary Garrett, NAGPRA Program Coordinator, Sam Noble Oklahoma Museum of Natural History, University of Oklahoma, 2401 Chautauqua Avenue, Norman, OK 73072–7029, email *zacgarrett@ou.edu*.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of SNOMNH, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of four associated funerary objects have been identified. The four associated funerary objects are two lots of botanicals, and two lots of ear spools. These objects are an addition to a group of associated funerary objects previously published in a Notice of Inventory Completion in the **Federal Register** on August 20, 2025 (90 FR 40640).

These associated funerary objects were removed from multiple burial sites in Red River County-Texas, McCurtain County-Oklahoma, and other parts of northeastern TX and southeastern OK. They were removed by George T. Wright, a local landowner and collector. Wright targeted burials and was specifically interested in Caddo ceramic

vessels. He worked most often in Red River and McCurtain Counties, and dug at sites he knew in the area, including the Wright Plantation site (41RR7) which he owned, and the Sam Kaufman/Coffman site (41RR16, sometimes known as the Arnold Roitsch site), which was just a few miles downstream along the Red River. The objects included in this notice come from the Wright and Kaufman sites in Red River County, the Roden (34MC215) and A.W. Davis (34MC6) sites in McCurtain County, and from additional burial sites in southeastern Oklahoma and northeastern Texas. They were likely removed sometime between 1900 and 1944. SNOMNH acquired these associated funerary objects after Wright passed away in 1944.

The Kaufman site contained houses, mounds, and cemeteries and dates to the McCurtain Phase (1300–1700 CE), including the Caddo II, Caddo III, and Caddo IV periods. The Wright Plantation site was a multiple mound site with both Mound Prairie Phase (~1100–1400 CE) and McCurtain Phase (1300–1700 CE) occupations. The Roden site is a village and mound site dating to around 1300–1700 CE. The A.W. Davis site dates to the Caddo III period (1400–1500 CE).

To our knowledge, no potentially hazardous materials were used to treat any of the associated funerary objects.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is clearly identified by the information available about the associated funerary objects described in this notice.

Determinations

SNOMNH has determined that:

- The four objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a connection between the associated funerary objects described in this notice and the Caddo Nation of Oklahoma.

Requests for Repatriation

Written requests for repatriation of the associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the associated funerary objects described in this notice to a requestor may occur on or after October 27, 2025. If competing requests for repatriation are received, SNOMNH must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the associated funerary objects are considered a single request and not competing requests. SNOMNH is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: September 11, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–18573 Filed 9–24–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6535; NPS–WASO–NAGPRA–NPS0041125; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Repatriation: Michigan State University, East Lansing, MI

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), Michigan State University intends to repatriate certain cultural items that meet the definition of unassociated funerary objects and that have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural items in this notice may occur on or after October 27, 2025.

ADDRESSES: Send additional, written requests for repatriation of the cultural items in this notice to Judith Stoddart, Michigan State University, 287 Delta Court, East Lansing, MI 48824, email *stoddart@msu.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of Michigan State University, and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of 13 cultural items have been requested for repatriation. The 13 unassociated funerary objects are one lot of animal bone from the Sebewaing site, eight silver crosses from Lake Lansing Mound, one lot of ceramic sherds from 20SA118, one lot (accession 1001) of animal bone, one pipe stem, and one silver brooch from 20IN39.

All unassociated funerary objects were removed from Huron, Ingham, and Saginaw Counties, Michigan. All were donated to Michigan State University in the 1950s or at an unknown time. No known hazardous substances have been used to treat the objects.

Determinations

Michigan State University has determined that:

- The 13 unassociated funerary objects described in this notice are reasonably believed to have been placed intentionally with or near human remains, and are connected, either at the time of death or later as part of the death rite or ceremony of a Native American culture according to the Native American traditional knowledge of a lineal descendant, Indian Tribe, or Native Hawaiian organization. The unassociated funerary objects have been identified by a preponderance of the evidence as related to human remains, specific individuals, or families, or removed from a specific burial site or burial area of an individual or individuals with cultural affiliation to an Indian Tribe or Native Hawaiian organization.
- There is a reasonable connection between the cultural items described in this notice and the Saginaw Chippewa Indian Tribe of Michigan.

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that

the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after October 27, 2025. If competing requests for repatriation are received, Michigan State University must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. Michigan State University is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

(Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.)

Dated: September 11, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–18589 Filed 9–24–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6537; NPS–WASO–NAGPRA–NPS0041127; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Repatriation: University of California, Riverside, Riverside, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the University of California, Riverside intends to repatriate certain cultural items that meet the definition of objects of cultural patrimony and that have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural items in this notice may occur on or after October 27, 2025.

ADDRESSES: Send additional, written requests for repatriation of the cultural items in this notice to Megan Murphy, University of California, Riverside, 900 University Avenue, Riverside, CA 92517–5900, email *megan.murphy@ucr.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the University of California, Riverside, and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of 12 cultural items have been requested for repatriation. The 12 objects of cultural patrimony are two lots of lithics, one hammerstone, one mano, one metate, one lot of ceramics, one shell bead, one projectile point, one lot of soil samples, one lot of marine shells, one lot of faunal bone, and one clay object.

Between 1989 and 1992 one lot of lithic flakes and one hammerstone were collected from archaeological site CA–SBR–86, also known as Elephant Mountain Quarry, as part of a graduate student's dissertation project and were assigned UCR accession number 176. Anthropologists including Kroeber, Bean, and Smith, generally agree that Elephant Mountain is located in the ancestral territory of the Vanyume, a dessert branch of the Serrano people. Broken grinding stones and pestles, debitage, and other cultural materials were noted by the student as being evidence of prehistoric quarrying. The flakes and hammerstones were identified by tribal representatives as being objects of cultural patrimony for the Serrano people. The two objects of cultural patrimony are one lot of lithic flakes and one hammerstone.

In 1972, the University of California, Riverside Archaeological Research Unit (UCR–ARU) was contracted to conduct an archaeological survey of portions of a proposed pipeline through the Fry Mountain region in San Bernardino county, California. No cultural objects were reported to have been collected in the survey report, however, in 2022 the UCR NAGPRA Program discovered a large grinding stone labelled ''Cottonwood, Gardner. ARU #??? No Acc #'' in the UCR archaeological collections. UCR NAGPRA Program staff were able to connect the stone to the 1972 project based on descriptions of areas surveyed in the 1972 report. The stone was assigned UCR Accession number 407. The stone was identified by tribal representatives as being an object of cultural patrimony for the Serrano people. The one object of cultural patrimony is one metate.

In 2022, UCR NAGPRA Program staff discovered 17 ceramic Brownware sherds in the UCR archaeological collections labelled ''17 sherds collected by GTJ, Field Loc. #1, north end of West Cronese Lake, west of Baker''. No other information could be connected with the sherds. The sherds were assigned UCR Accession number 425. The sherds were identified by tribal representatives as coming from Serrano Ancestral Territory and being objects of cultural patrimony for the Serrano people. The one lot of cultural patrimony is one lot of ceramics.

In 2022, UCR NAGPRA Program staff discovered an Olivella shell bead in the UCR archaeological collections labelled ''W. Margin of Means Dry Lake, ¼ mile West of Road''. No other information could be connected with the bead. The bead was assigned UCR Accession number 436. The bead was identified by tribal representatives as coming from Serrano Ancestral Territory and being an object of cultural patrimony for the Serrano people. The one object of cultural patrimony is one shell bead.

In 2022, UCR NAGPRA Program staff discovered a projectile point in the UCR archaeological collections labelled ''Ord Mountain Quad 15 min series, Tyler Lake Bed, Stephen Brown''. No other information could be connected with the projectile point. The point was assigned UCR Accession number 437. The projectile point was identified by tribal representatives as coming from Serrano Ancestral Territory and being objects of cultural patrimony for the Serrano people. The one object of cultural patrimony is one projectile point.

In 2022, UCR NAGPRA Program staff discovered a lithic flake and a mano fragment in the UCR archaeological collections labelled ''SBCM #2459''. Archaeological site SBCM–2459 is also identified as CA–SBR–83 and is located near Cave Mountain in San Bernardino county. The site is described in archaeological site records as a ''small surface site on both sides of a small recut fan, on North side of Mojave River''. Other surface objects noted in site records include potsherds, a metate fragment, manos, choppers, and lithic flakes. The objects were assigned UCR Accession number 459. The mano fragment and lithic flaked were identified by tribal representatives as coming from Serrano Ancestral Territory and being objects of cultural patrimony for the Serrano people. The two objects of cultural patrimony are one lot of lithics and one mano.

At an unknown date, an unknown researcher submitted four soil samples from archaeological site CA–SBR–113 to the University of California, Riverside Radiocarbon Laboratory. The site is located in the hills near Crowder Creek in San Bernardino county and is

described by archaeologists as probably being ''a seasonal plant procurement and processing site with little emphasis on hunting''. Roasting pits/hearths, lithic surface scatter, and a possible prepared surface were also reported by archaeologists in site records. The soil samples were identified by tribal representatives as coming from Serrano Ancestral Territory and being objects of cultural patrimony for the Serrano people. The one object of cultural patrimony is one lot of soil samples.

From 1970 to 1984, Donald Shusky, an amateur malacologist, collected marine shells, an animal tooth, and a clay object from his personal residence in Redlands, California. These materials were sent to the UCR Radiocarbon Laboratory to be dated and remained at UCR in the archaeological collections. The materials were identified by tribal representatives as coming from Serrano Ancestral Territory and being objects of cultural patrimony for the Serrano people. The three objects of cultural patrimony are one clay object, one lot of marine shells, and one lot of faunal bone.

Determinations

The University of California, Riverside has determined that:

- The 12 objects of cultural patrimony described in this notice have ongoing historical, traditional, or cultural importance central to the Native American group, including any constituent sub-group (such as a band, clan, lineage, ceremonial society, or other subdivision), according to the Native American traditional knowledge of an Indian Tribe or Native Hawaiian organization.
- There is a reasonable connection between the cultural items described in this notice and the Morongo Band of Mission Indians, California and the Yuhaaviatam of San Manuel Nation (*previously* listed as San Manuel Band of Mission Indians, California).

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after October 27, 2025. If competing requests for repatriation are received, the University of California, Riverside must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. The University of California, Riverside is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

(Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.)

Dated: September 11, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–18585 Filed 9–24–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6549; NPS–WASO–NAGPRA–NPS0041138; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: History Colorado, Denver, CO

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), History Colorado has completed an inventory of human remains and has determined that there is a cultural affiliation between the human remains and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains in this notice may occur on or after October 27, 2025.

ADDRESSES: Send written requests for repatriation of the human remains in this notice to Chance Ward, NAGPRA Collections Specialist, History Colorado, 1200 N Broadway, Denver CO 80203, email *Chance.ward@state.co.us*.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of History Colorado and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, two individuals have been identified. No associated funerary objects are present. Presence of any potentially hazardous substances is unknown.

OAHP Case 360: From Douglas County. A private citizen said they found ancestral remains in garbage bins and turned into county coroner's office. One ancestor. No funerary objects. No other information or context is known.

OAHP Case 364: Hikers reported ancestral remains found near Wellington Lake in Jefferson County. Law Enforcement turned over to county coroner's office. One ancestor. No funerary objects. No other information or context is known.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographic location and/or acquisition history of the human remains in this Notice.

Determinations

History Colorado has determined that:

- The human remains described in this notice represent the physical remains of two individuals of Native American ancestry.
- There is a connection between the human remains described in this notice and the Pawnee Nation of Oklahoma.

Requests for Repatriation

Written requests for repatriation of the human remains in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains described in this notice to a requestor may occur on or after October 27, 2025. If competing requests for repatriation are received, History Colorado must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains are considered a single request and not competing requests. History Colorado is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations

identified in this notice and any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: September 11, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–18571 Filed 9–24–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6553; NPS–WASO–NAGPRA–NPS0041142; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Robert S. Peabody Institute of Archaeology, Andover, MA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Robert S. Peabody Institute of Archaeology (RSPI) has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after October 27, 2025.

ADDRESSES: Send written requests for repatriation of the human remains and associated funerary objects in this notice to Ryan J. Wheeler, Robert S. Peabody Institute of Archaeology, Phillips Academy, 180 Main Street, Andover, MA 01810, email *rwheeler@andover.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the RSPI, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, one individual have been identified. The nine associated funerary objects are one lot shell beads; six ceramic vessels, two lots ceramic sherds. Sowell Mound (8BY3) is located in Bay County, Florida and was disturbed by Clarence B. Moore in 1902. Several months later, Moore transferred these human remains and funerary objects to the RSPI (then known as the Department of Archaeology). Archaeologists have acknowledged construction and use of the Sowell Mound during the Weeden Island II period, circa 600 CE. Sowell Mound is now within the bounds of property owned or managed by the Navy; see the Navy's Notice of Inventory Completion, published in the **Federal Register** on December 1, 2003 (68 FR 67210), covering individuals and funerary items removed from Sowell Mound in the 1950s, 1960s, and early 1970s.

There is no known presence of any potentially hazardous substances.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is clearly identified by the information available about the human remains and associated funerary objects described in this notice.

Determinations

The RSPI has determined that:

- The human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- The nine objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a connection between the human remains and associated funerary objects described in this notice and the Alabama-Coushatta Tribe of Texas; Jena Band of Choctaw Indians; Miccosukee Tribe of Indians; Mississippi Band of Choctaw Indians; Poarch Band of Creek Indians; Seminole Tribe of Florida; The Choctaw Nation of Oklahoma; and The Muscogee (Creek) Nation.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains and associated funerary objects described in this notice to a requestor may occur on or after October 27, 2025. If competing requests for repatriation are received, the RSPI must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. The RSPI is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: September 11, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–18581 Filed 9–24–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6547; NPS–WASO–NAGPRA–NPS0041134; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Repatriation: University of California, Berkeley, Berkeley, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the University of California, Berkeley intends to repatriate certain cultural items that meet the definition of objects of cultural patrimony and that have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural items in this notice may occur on or after October 27, 2025.

ADDRESSES: Send additional, written requests for repatriation of the cultural items in this notice to Alexandra Lucas, Repatriation Coordinator, Government and Community Relations, Office of the Chancellor, University of California Berkeley, 200 California Hall, Berkeley, CA 94720, email *nagpra-ucb@berkeley.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the

National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the University of California, Berkeley, and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of 98 lots of cultural items have been requested for repatriation. The 98 objects of cultural patrimony are from the following accessions: Acc. 256, Acc. 269, Acc. 270, Acc. 273, and Acc. 1940AJ in the Phoebe A. Hearst Museum of Anthropology at the University of California, Berkeley.

With the financial sponsorship of Phoebe A. Hearst, Alfred L. Kroeber removed 96 lots of objects of cultural patrimony from Torres Martinez Reservation and Alamo Bonito in Riverside County, California for the Museum of the Department of Anthropology of the University of California (today the Phoebe A. Hearst Museum of Anthropology) in 1906 and 1907. The objects of cultural patrimony include arrows and arrow making materials, bows, bone tools, vessels, basketry, carrying nets, a digging stick, feathered pins, flutes, ground stone, a rattle, sandals, a seed beater, and splints.

In 1940, the University of California Museum of Anthropology (today the Phoebe A. Hearst Museum of Anthropology) appropriated two lots of objects of cultural patrimony removed from Torres Martinez Reservation in Riverside County, California by Bert A. Gerow. The objects of cultural patrimony are botanicals.

Collections and collection spaces at the Phoebe A. Hearst Museum of Anthropology were treated with substances for preservation and pest control, some potentially hazardous. No records have been found to date at the Museum to indicate whether or not chemicals or natural substances were used prior to 1960.

Determinations

The University of California, Berkeley has determined that:

- The 98 lots of objects of cultural patrimony described in this notice have ongoing historical, traditional, or cultural importance central to the Native American group, including any constituent sub-group (such as a band, clan, lineage, ceremonial society, or other subdivision), according to the Native American traditional knowledge of an Indian Tribe or Native Hawaiian organization.
- There is a connection between the cultural items described in this notice and the Torres Martinez Desert Cahuilla Indians, California.

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after October 27, 2025. If competing requests for repatriation are received, the University of California, Berkeley must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. The University of California, Berkeley is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.

Dated: September 11, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–18586 Filed 9–24–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6550; NPS–WASO–NAGPRA–NPS0041139; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Robert S. Peabody Institute of Archaeology, Andover, MA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Robert S. Peabody Institute of Archaeology (RSPI) has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after October 27, 2025.

ADDRESSES: Send written requests for repatriation of the human remains and associated funerary objects in this notice to Ryan J. Wheeler, Robert S. Peabody Institute of Archaeology, Phillips Academy, 180 Main Street, Andover, MA 01810, email *rwheeler@andover.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the RSPI, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, one individual have been identified. The three associated funerary objects are two lots stone celts, and one lot shell beads. Mound near Big Eddy Landing (1Mt5) is located in Montgomery County, Alabama and was disturbed by Clarence B. Moore in 1899; previous lists and inventories referred to this as an unknown site in Montgomery County, Alabama. Sometime after 1901, Moore transferred these human remains and funerary objects to the RSPI (then known as the Department of Archaeology). Archaeologists have since acknowledged occupation at Mound near Big Eddy Landing during the Mississippian period, circa 1100–1550 CE.

There is no known presence of any potentially hazardous substances.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is clearly identified by the information available about the human remains and associated funerary objects described in this notice.

Determinations

The RSPI has determined that:

- The human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- The three objects described in this notice are reasonably believed to have

been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.

• There is a connection between the human remains and associated funerary objects described in this notice and the Alabama-Coushatta Tribe of Texas; Mississippi Band of Choctaw Indians; Poarch Band of Creek Indians; Shawnee Tribe; The Muscogee (Creek) Nation; and the Thlopthlocco Tribal Town.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains and associated funerary objects described in this notice to a requestor may occur on or after October 27, 2025. If competing requests for repatriation are received, the RSPI must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. The RSPI is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: September 11, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–18583 Filed 9–24–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6548; NPS–WASO–NAGPRA–NPS0041137; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: University of California, Berkeley, Berkeley CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the University of California, Berkeley has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after October 27, 2025.

ADDRESSES: Send written requests for repatriation of the human remains and associated funerary objects in this notice to Alexandra Lucas, Government and Community Relations, Office of the Chancellor. University of California, Berkeley, 200 California Hall, Berkeley, CA 94720, email *nagpra-ucb@berkeley.edu*.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the University of California, Berkeley, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Between 1940 and 1967, ancestral remains representing, at minimum, 109 individuals and 3,560 associated funerary belongings were removed from CA-Las-7 (Karlo Site), Lassen County, California by various individuals and accessioned into the University of California Museum of Anthropology (now known by Phoebe A. Hearst Museum of Anthropology).

The 3,560 funerary belongings include abraders, arrows, awls, baked and unbaked clay, beads, blades, blanks, bone tools, charcoal, choppers, core tools, crystal, die, discoidal fragments, disk fragments, drills, effigies, faunal remains, fishing equipment, flakes, floral remains, gambling and gaming objects, grinding stones, hammerstones, knives, level bag, lithics, manos, matrix, metates, mortars and pestles, ocher, ore, pendants and ornaments, perforators, pigment, pipes, plastic bird, points, rubbing stone, saws, scrapers, shells, weights, worked and unworked scoria, worked and unworked stone, and worked bone.

Collections and collection spaces at the Phoebe A. Hearst Museum of Anthropology were treated with substances for preservation and pest control, some potentially hazardous. No records have been found to date at the Museum to indicate whether or not chemicals or natural substances were used prior to 1960.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location or acquisition history of the human remains and associated funerary objects described in this notice.

Determinations

The University of California, Berkeley has determined that:

• The human remains described in this notice represent the physical remains of 109 individuals of Native American ancestry.

• The 3,560 objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.

• There is a connection between the human remains and associated funerary objects described in this notice and the Berry Creek Rancheria of Maidu Indians of California; Bridgeport Indian Colony; Cedarville Rancheria, California; Enterprise Rancheria of Maidu Indians of California; Fort Bidwell Indian Community of the Fort Bidwell Reservation of California; Greenville Rancheria; Mooretown Rancheria of Maidu Indians of California; Pit River Tribe, California (includes IL Ranch, Big Bend, Likely, Lookout, Montgomery Creek, and Roaring Creek Rancherias); and the Susanville Indian Rancheria, California.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains and associated funerary objects described in this notice to a requestor may occur on or after October 27, 2025. If competing requests for repatriation are received, the University of California, Berkeley must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. The University of California, Berkeley is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: September 11, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–18576 Filed 9–24–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6555; NPS–WASO–NAGPRA–NPS0041144; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Robert S. Peabody Institute of Archaeology, Andover, MA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Robert S. Peabody Institute of Archaeology (RSPI) has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after October 27, 2025.

ADDRESSES: Send written requests for repatriation of the human remains and associated funerary objects in this notice to Ryan J. Wheeler, Robert S. Peabody Institute of Archaeology, Phillips Academy, 180 Main Street, Andover, MA 01810, email *rwheeler@andover.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the RSPI, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, three individuals have been identified. The one associated funerary object is one lot of ceramic sherds. The individuals and associated funerary objects were removed from an unknown location in Georgia and transferred to the RSPI (then known as the Department of Archaeology) in the early part of the twentieth century by R.T. Webster. Robert Townsend Webster (c. 1865–1921) amassed archeological, anthropological, and historical holdings in his role as the first curator of the institution now known as the Rochester Museum & Science Center.

There is no known presence of any potentially hazardous substances.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is clearly identified by the information available about the human remains and associated funerary objects described in this notice.

Determinations

The RSPI has determined that:

- The human remains described in this notice represent the physical remains of three individuals of Native American ancestry.
- The one object described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a connection between the human remains and associated funerary objects described in this notice and The Muscogee (Creek) Nation.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains and associated funerary objects described in this notice to a requestor may occur on or after October 27, 2025. If competing requests for repatriation are received, the RSPI must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. The RSPI is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and any other consulting parties.

(Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.)

Dated: September 11, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–18577 Filed 9–24–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6557; NPS–WASO–NAGPRA–NPS0041146; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: U.S. Department of the Interior, National Park Service, Chesapeake and Ohio Canal National Historical Park, Williamsport, MD

AGENCY: National Park Service, Department of the Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act, the U.S. Department of the Interior, National Park Service, Chesapeake and Ohio Canal National Historical Park (CHOH) has completed an inventory of human remains and has determined that there is a cultural affiliation between the human remains and Indian Tribes in this notice.

DATES: Repatriation of the human remains in this notice may occur on or after October 27, 2025.

ADDRESSES: Send written requests for repatriation of the human remains in this notice to Edward Wenschhof, Acting Superintendent, Chesapeake and Ohio Canal National Historical Park, 142 West Potomac Street, Williamsport, MD 21795, email *ed_wenschhof@nps.gov.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Acting Superintendent, CHOH, and additional information on the determinations in this notice, including the results of consultation, can be found in the inventory or related records.

Abstract of Information Available

Human Remains representing, at least, one individual have been identified. No associated funerary objects are present. In 1982, the NPS funded an archeological investigation of the Moore Farm property (Tract 51–136) in Oldtown, Allegany County, Maryland. A human sacrum representing a single individual was recovered. The investigations resulted in the formal designation of an archeological site (18AG43; Moore Village Site), which included a palisaded village. Organic materials from the Moore Village Site were radiocarbon-dated between 1419–1587 (modelled Median Start and End Date). Dr. Douglas W. Owsley of the Department of Anthropology, National Museum of Natural History, Smithsonian Institution in Washinton, DC identified the sacrum and determined it was from a human female, approximately 30–40 years of age.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographic location or acquisition history of the human remains described in this notice.

Determinations

CHOH has determined that:

- The human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- There is a connection between the human remains described in this notice and the Absentee-Shawnee Tribe of Indians of Oklahoma; Eastern Shawnee Tribe of Oklahoma; Monacan Indian Nation; Seneca-Cayuga Nation; and the Shawnee Tribe.

Requests for Repatriation

Written requests for repatriation of the human remains in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes identified in this notice.
2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the human remains described in this notice to a requestor may occur on or after October 27, 2025. If competing requests for repatriation are received, CHOH must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains are considered a single request and not competing requests. CHOH is responsible for sending a copy of this notice to the Indian Tribes identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and its implementing regulations, 43 CFR 10.10.

Dated: September 11, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–18584 Filed 9–24–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6554; NPS–WASO–NAGPRA–NPS0041143; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Repatriation: Robert S. Peabody Institute of Archaeology, Andover, MA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Robert S. Peabody Institute of Archaeology intends to repatriate certain cultural items that meet the definition of unassociated funerary objects and that have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural items in this notice may occur on or after October 27, 2025.

ADDRESSES: Send additional, written requests for repatriation of the cultural items in this notice to Ryan J. Wheeler, Robert S. Peabody Institute of Archaeology, Phillips Academy, 180 Main Street, Andover, MA 01810, email *rwheeler@andover.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Robert S. Peabody Institute of Archaeology, and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of 24 cultural items have been requested for repatriation. The 24 unassociated funerary objects include ceramic vessels and sherds; mineral/mica; chipped and ground stone tools; shell cups, tools and ornaments; and modified animal bone. In 1901, Clarence B. Moore removed the cultural items from the following sites on what is now Tyndall Air Force Base, Bay County, Florida: Mound near Davis Point (8BY7); Mound near Pearl Bayou, St. Andrew's Bay (8BY25); Mound near Strange's Landing, St. Andrew's Bay (8BY26); Larger Mound in Hare Hammock (8BY30); Smaller Mound in Hare Hammock (8BY31); locality in Calhoun County, Florida, which may be Baker's Landing (8BY29). Moore transferred the cultural items to the Robert S. Peabody Institute of Archaeology (then called the Department of Archaeology) in the early twentieth century, where they were cataloged with the following numbers: 38969; 38983; 39033; 39055; 39066; 39068; 39070; 39071; 39074; 39077; 39112; 39122; 39134; 39153; 39171; 39185; 39193; 39258; 39286; 39287; 39295; 39337; 39371; and 40376. A summary produced by the RSPI in December 2024 acknowledged affiliation of these cultural items with the Alabama-Coushatta Tribe of Texas, Jena Band of Choctaw Indians, Miccosukee Tribe of Indians, Mississippi Band of Choctaw Indians, Poarch Band of Creek Indians, Seminole Tribe of Florida, The Choctaw Nation of Oklahoma, The Muscogee (Creek) Nation, The Seminole Nation of Oklahoma, Thlopthlocco Tribal Town, and other Muskogean Tribes. There is no known presence of any potentially hazardous substances.

Determinations

The Robert S. Peabody Institute of Archaeology has determined that:

- The 24 unassociated funerary objects described in this notice are reasonably believed to have been placed intentionally with or near human remains, and are connected, either at the time of death or later as part of the death rite or ceremony of a Native American culture according to the Native American traditional knowledge of a lineal descendant, Indian Tribe, or Native Hawaiian organization. The unassociated funerary objects have been identified by a preponderance of the evidence as related to human remains, specific individuals, or families, or removed from a specific burial site or burial area of an individual or individuals with cultural affiliation to an Indian Tribe or Native Hawaiian organization.
- There is a connection between the cultural items described in this notice and the Seminole Tribe of Florida.

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after October 27, 2025. If competing requests for repatriation are received, the Robert S. Peabody Institute of Archaeology must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. The Robert S. Peabody Institute of Archaeology is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.

Dated: September 11, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–18587 Filed 9–24–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6539; NPS–WASO–NAGPRA–NPS0041126; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Repatriation: Michigan State University, East Lansing, MI

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), Michigan State University intends to repatriate certain cultural items that meet the definition of unassociated funerary objects and that have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural items in this notice may occur on or after October 27, 2025.

ADDRESSES: Send additional, written requests for repatriation of the cultural items in this notice to Judith Stoddart, Michigan State University, 287 Delta Court, East Lansing, MI 48824, email *stoddart@msu.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of Michigan State University, and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of three cultural items have been requested for repatriation. The three unassociated funerary objects are one silver cross necklace (object 3391), one glazed clay pipe (object 2001.13.38), and one funerary pot (object 2693.11). The cross and pipe were both removed from funerary contexts in Allegan County, Michigan. The pot was removed from somewhere in southern Michigan. Little is known about the donors of the necklace and the pot. The pipe came from the Donald Boudeman collection, an avocational collector whose collection was donated to Michigan State University in 1961 by Donna Boudeman after his passing. No known potentially hazardous substances are known to treat any of the objects.

Determinations

Michigan State University has determined that:

- The three unassociated funerary objects described in this notice are reasonably believed to have been placed intentionally with or near human remains, and are connected, either at the time of death or later as part of the death rite or ceremony of a Native American culture according to the Native American traditional knowledge of a lineal descendant, Indian Tribe, or Native Hawaiian organization. The unassociated funerary objects have been identified by a preponderance of the evidence as related to human remains, specific individuals, or families, or removed from a specific burial site or burial area of an individual or individuals with cultural affiliation to an Indian Tribe or Native Hawaiian organization.
- There is a connection between the cultural items described in this notice and the Match-e-be-nash-she-wish Band of Pottawatomi Indians of Michigan and the Pokagon Band of Potawatomi Indians, Michigan and Indiana.

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after October 27, 2025. If competing requests for repatriation are received, Michigan State University must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. Michigan State University is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

(Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.)

Dated: September 11, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–18590 Filed 9–24–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6556; NPS–WASO–NAGPRA–NPS0041145; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Repatriation: The Metropolitan Museum of Art, New York, NY

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), The Metropolitan Museum of Art (The Met) intends to repatriate a certain cultural item that meets the definition of an unassociated funerary object and that has a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural item in this notice may occur on or after October 27, 2025.

ADDRESSES: Send additional, written requests for repatriation of the cultural item in this notice to Jennifer Day, NAGPRA Coordinator & Community Liaison, The Metropolitan Museum of Art, 1000 Fifth Avenue, New York, NY 10028, email *Jennifer.day@metmuseum.org*.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of The Met, and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of one cultural item has been requested for repatriation. The one unassociated funerary object is a dark gray stone Zoomorph. Consultation with the Wiyot Tribe, California and museum records indicate that the item was found in a burial site on Tuluwat Island, the traditional homelands of the Wiyot people in Northern California, and identify the Zoomorph as culturally affiliated with the Wiyot Tribe. The item was donated to the museum by Nelson Rockefeller in 1979.

Determinations

The Met has determined that:

- The one unassociated funerary object described in this notice is reasonably believed to have been placed intentionally with or near human remains, and are connected, either at the time of death or later as part of the death rite or ceremony of a Native American culture according to the Native American traditional knowledge of a lineal descendant, Indian Tribe, or Native Hawaiian organization. The unassociated funerary object has been identified by a preponderance of the evidence as related to human remains, specific individuals, or families, or removed from a specific burial site or burial area of an individual or individuals with cultural affiliation to an Indian Tribe or Native Hawaiian organization.
- There is a connection between the cultural item described in this notice and the Wiyot Tribe, California.

Requests for Repatriation

Additional written requests for repatriation of the cultural item in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural item in this notice to a requestor may occur on or after October 27, 2025. If competing requests for repatriation are received, The Met must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural item are considered a single request and not competing requests. The Met is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.

Dated: September 11, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–18572 Filed 9–24–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6540; NPS–WASO–NAGPRA–NPS0041128; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: William S. Webb Museum of Anthropology, University of Kentucky, Lexington, KY

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the William S. Webb Museum of Anthropology, University of Kentucky (WSWM) has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after October 27, 2025.

ADDRESSES: Send written requests for repatriation of the human remains and associated funerary objects in this notice to Dr. Celise Chilcote-Fricker, William S. Webb Museum of Anthropology, University of Kentucky, 1020 Export Street, Lexington, KY 40504, email *celise.fricker@uky.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the WSWM, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, two individuals have been identified. The three associated funerary objects are one lot charcoal, one lot sherds and one lot soil samples. Site 15McL12, the Kirkland site, was excavated from September to November 1938 by University of Kentucky archaeologists under contract to the Works Progress Administration. No known hazardous substances are present.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is clearly identified by the

information available about the human remains and associated funerary objects described in this notice.

Determinations

The WSWM has determined that:

- The human remains described in this notice represent the physical remains of two individuals of Native American ancestry.
- The three objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a connection between the human remains and associated funerary objects described in this notice and the Absentee-Shawnee Tribe of Indians of Oklahoma; Cherokee Nation; Eastern Band of Cherokee Indians; Eastern Shawnee Tribe of Oklahoma; Shawnee Tribe; The Osage Nation; and the United Keetoowah Band of Cherokee Indians in Oklahoma.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains and associated funerary objects described in this notice to a requestor may occur on or after October 27, 2025. If competing requests for repatriation are received, the WSWM must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. The WSWM is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: September 11, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–18575 Filed 9–24–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6546; NPS–WASO–NAGPRA–NPS0041133; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Repatriation: University of California, Berkeley, Berkeley, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the University of California, Berkeley intends to repatriate certain cultural items that meet the definition of unassociated funerary objects, sacred objects, and/or objects of cultural patrimony and that have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural items in this notice may occur on or after October 27, 2025.

ADDRESSES: Send additional, written requests for repatriation of the cultural items in this notice to Alexandra Lucas, Repatriation Coordinator, Government and Community Relations, Office of the Chancellor. University of California, Berkeley, 200 California Hall, Berkeley, CA 94720, email *nagpra-ucb@berkeley.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the University of California, Berkeley, and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of 12 cultural items in the Phoebe A. Hearst Museum of Anthropology at the University of California, Berkeley have been requested for repatriation.

In June 1948, Clement W. Meighan via the University of California Archaeological Survey removed 10 lots of unassociated funerary objects from CA–RIV–9 and two lots of objects of cultural patrimony from Toro Canyon in Riverside County, California. The 10 lots of unassociated funerary objects include worked stone, pottery, stone tools, and faunal remains. The 2 lots of objects of cultural patrimony include pottery.

Collections and collection spaces at the Phoebe A. Hearst Museum of Anthropology were treated with substances for preservation and pest control, some potentially hazardous. No records have been found to date at the Museum to indicate whether or not chemicals or natural substances were used prior to 1960.

Determinations

The University of California, Berkeley has determined that:

- The 10 lots of unassociated funerary objects described in this notice are reasonably believed to have been placed intentionally with or near human remains, and are connected, either at the time of death or later as part of the death rite or ceremony of a Native American culture according to the Native American traditional knowledge of a lineal descendant, Indian Tribe, or Native Hawaiian organization. The unassociated funerary objects have been identified by a preponderance of the evidence as related to human remains, specific individuals, or families, or removed from a specific burial site or burial area of an individual or individuals with cultural affiliation to an Indian Tribe or Native Hawaiian organization.
- The 2 lots of objects of cultural patrimony described in this notice have ongoing historical, traditional, or cultural importance central to the Native American group, including any constituent sub-group (such as a band, clan, lineage, ceremonial society, or other subdivision), according to the Native American traditional knowledge of an Indian Tribe or Native Hawaiian organization.
- There is a connection between the cultural items described in this notice and the Torres Martinez Desert Cahuilla Indians, California.

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that

the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after October 27, 2025. If competing requests for repatriation are received, the University of California, Berkeley must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. The University of California, Berkeley is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.

Dated: September 11, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–18580 Filed 9–24–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6541; NPS–WASO–NAGPRA–NPS0041129; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: William S. Webb Museum of Anthropology, University of Kentucky, Lexington, KY

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the the William S. Webb Museum of Anthropology, University of Kentucky (WSWM) has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after October 27, 2025.

ADDRESSES: Send written requests for repatriation of the human remains and associated funerary objects in this notice to Dr. Celise Chilcote-Fricker, William S. Webb Museum of Anthropology, University of Kentucky, 1020 Export Street, Lexington, KY 40504, email *celise.fricker@uky.edu*.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the WSWM, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, 155 individuals have been identified. The 76 associated funerary objects are 20 lots faunal, 11 lots lithic, six lots shell, one stone barrel-shaped bead, one bone tool, one crinoid disc bead, one dog burial, one drill, two flakers, 25 lithic projectile points, one modified faunal bone, one perforated awl, two pestles, and three scrapers. Site 15McL7, the Butterfield site, was excavated from March to April 1939 by University of Kentucky archaeologists under contract to the Works Progress Administration. No known hazardous substances are present.

Human remains representing, at least, 68 individuals have been identified. The 164 associated funerary objects are three lots ceramic, 25 lots charcoal, 39 lots faunal, 44 lots lithic, four lots shell, 39 lots soil samples, four bone awls, one fishhook, one flaker, two modified lithics, one projectile point/knife and one uniface. Site 15McL12, the Kirkland site, was excavated from September to November 1938 by University of Kentucky archaeologists under contract to the Works Progress Administration. No known hazardous substances are present.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is clearly identified by the information available about the human remains and associated funerary objects described in this notice.

Determinations

The WSWM has determined that:

- The human remains described in this notice represent the physical remains of 223 individuals of Native American ancestry.
- The 240 objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a connection between the human remains and associated funerary objects described in this notice and the Absentee-Shawnee Tribe of Indians of Oklahoma; Cherokee Nation; Eastern Band of Cherokee Indians; Eastern Shawnee Tribe of Oklahoma; Shawnee Tribe; and the United Keetoowah Band of Cherokee Indians in Oklahoma.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.
2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains and associated funerary objects described in this notice to a requestor may occur on or after October 27, 2025. If competing requests for repatriation are received, the WSWM must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. The WSWM is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: September 11, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–18570 Filed 9–24–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6542; NPS–WASO–NAGPRA–NPS0041130; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Repatriation: William S. Webb Museum of Anthropology, University of Kentucky, Lexington, KY

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and

Repatriation Act (NAGPRA), the William S. Webb Museum of Anthropology, University of Kentucky (WSWM) intends to repatriate certain cultural items that meet the definition of unassociated funerary objects and that have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural items in this notice may occur on or after October 27, 2025.

ADDRESSES: Send additional, written requests for repatriation of the cultural items in this notice to Dr. Celise Chilcote-Fricker, William S. Webb Museum of Anthropology, University of Kentucky, 1020 Export Street, Lexington, KY 40504, email *celise.fricker@uky.edu*.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the WSWM, and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of 50 cultural items have been requested for repatriation.

The 13 unassociated funerary objects are 11 dog burials and two antler bannerstones. Site 15McL04, the Barrett site, was excavated from November 1938 to July 1939 by University of Kentucky archaeologists under contract to the Works Progress Administration. No known hazardous substances are present.

A total of six cultural items have been requested for repatriation. The six unassociated funerary objects are one bone awl, one sherd, one sandstone tablet, one ceramic effigy pipe, one biconoidal pipe and one turtle shell pendant. Site 15McL19, the Kirtley site, was excavated in 1940 by University of Kentucky Museum of Anthropology staff under contract to the Works Progress Administration. No known hazardous substances are present.

A total of seven cultural items have been requested for repatriation. The seven unassociated funerary objects are six dog burials and one lithic pendant. Site 15McL7, the Butterfield site, was excavated from March to April 1939 by University of Kentucky archaeologists under contract to the Works Progress Administration. No known hazardous substances are present.

A total of 24 cultural items have been requested for repatriation. The 24 unassociated funerary objects are three lots charcoal, eight soil samples, 11 dog burials, one projectile point/knife and one stone pestle. Site 15McL12, the Kirkland site, was excavated from September to November 1938 by University of Kentucky archaeologists under contract to the Works Progress Administration. No known hazardous substances are present.

Determinations

The WSWM has determined that:

- The 50 unassociated funerary objects described in this notice are reasonably believed to have been placed intentionally with or near human remains, and are connected, either at the time of death or later as part of the death rite or ceremony of a Native American culture according to the Native American traditional knowledge of a lineal descendant, Indian Tribe, or Native Hawaiian organization. The unassociated funerary objects have been identified by a preponderance of the evidence as related to human remains, specific individuals, or families, or removed from a specific burial site or burial area of an individual or individuals with cultural affiliation to an Indian Tribe or Native Hawaiian organization.
- There is a connection between the cultural items described in this notice and the Absentee-Shawnee Tribe of Indians of Oklahoma; Cherokee Nation; Eastern Band of Cherokee Indians; Eastern Shawnee Tribe of Oklahoma; Shawnee Tribe; and the United Keetoowah Band of Cherokee Indians in Oklahoma.

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after October 27, 2025. If competing requests for repatriation are received, the WSWM must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. The WSWM is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.

Dated: September 11, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–18582 Filed 9–24–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6551; NPS–WASO–NAGPRA–NPS0041140; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Robert S. Peabody Institute of Archaeology, Andover, MA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Robert S. Peabody Institute of Archaeology (RSPI) has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after October 27, 2025.

ADDRESSES: Send written requests for repatriation of the human remains and associated funerary objects in this notice to Ryan J. Wheeler, Robert S. Peabody Institute of Archaeology, Phillips Academy, 180 Main Street, Andover, MA 01810, email *rwheeler@andover.edu*.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the RSPI, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, one individual have been identified. The three associated funerary objects are one lot faunal remains; one discoidal or game piece; one quartz pebble. Simpson Island, northern end of Mobile Bay (1Ba441) is located in Baldwin County, Alabama and was disturbed by Clarence B. Moore in 1905. Sometime later, Moore transferred these human remains and funerary objects to the RSPI (then known as the Department of Archaeology). Archaeologists have since acknowledged occupation at Simpson Island during the Porter (150–400 CE) and Bear Point (1550–1700 CE) phases.

There is no known presence of any potentially hazardous substances.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is clearly identified by the information available about the human remains and associated funerary objects described in this notice.

Determinations

The RSPI has determined that:

- The human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- The three objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a connection between the human remains and associated funerary objects described in this notice and the Alabama-Coushatta Tribe of Texas; Mississippi Band of Choctaw Indians; Poarch Band of Creek Indians; Shawnee Tribe; The Choctaw Nation of Oklahoma; The Muscogee (Creek) Nation; and the Thlopthlocco Tribal Town.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains and associated funerary objects described in this notice to a requestor may occur on or after October 27, 2025. If competing requests for repatriation are received, the RSPI must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. The RSPI is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: September 11, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–18574 Filed 9–24–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

Bureau of Safety and Environmental Enforcement

[Docket ID BSEE–2025–0233; EEEE500000—256E1700D2—ET1SF0000.EAQ000; OMB Control Number 1014–0010]

Agency Information Collection Activities; Decommissioning Activities

AGENCY: Bureau of Safety and Environmental Enforcement, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act (PRA) of 1995, the Bureau of Safety and Environmental Enforcement (BSEE, we) proposes to renew an information collection.

DATES: Interested persons are invited to submit comments on or before November 24, 2025.

ADDRESSES: Send your comments on this information collection request (ICR) by either of the following methods listed below:

- Electronically go to *http://www.regulations.gov.* In the Search box, enter BSEE–2025–0233 then click search. Follow the instructions to submit public comments and view all related materials. We will post all comments.
- Email *Kelly.Odom@bsee.gov* or mail or hand-carry comments to the Department of the Interior; Bureau of Safety and Environmental Enforcement; Regulations and Standards Branch; ATTN: Kelly Odom; 45600 Woodland Road, Sterling, VA 20166. Please reference Office of Management and Budget (OMB) Control Number 1014–0010 in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: Kelly Odom by email at *Kelly.Odom@bsee.gov* or by telephone at (703) 787–1775. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION: In accordance with the PRA and 5 CFR 1320.8(d)(1), all information collections require OMB approval. We may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid OMB control number.

As part of our continuing effort to reduce paperwork and respondent burdens, we invite the public and other Federal agencies to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

We are especially interested in public comment addressing the following:

(1) Whether or not the collection of information is necessary for the proper performance of the functions of the agency, including whether or not the information will have practical utility;

(2) The accuracy of our estimate of the burden for this collection of information, including the validity of the methodology and assumptions used;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) How might the agency minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of response.

Comments that you submit in response to this notice are a matter of public record. We will include or

summarize each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Abstract: The regulations at 30 CFR part 250, subpart Q, pertain to decommissioning activities. BSEE uses the information collected under subpart Q primarily for the following reasons:

- To determine the necessity for allowing a well to be temporarily abandoned, the lessee/operator must demonstrate that there is a reason for not permanently plugging the well and that the temporary abandonment will not interfere with fishing, navigation, or other uses of the Outer Continental Shelf (OCS). We use the information and documentation to verify that the lessee/operator is diligently pursuing the final disposition of the well and has performed the temporary plugging of the wellbore.
- To ensure the information submitted in initial decommissioning plans in the Alaska and Pacific OCS Regions will permit BSEE to become involved on the ground floor planning of platform removals anticipated to occur in these OCS regions.
- To ensure that all objects (wellheads, platforms, etc.) installed on the OCS are properly removed using procedures that will protect marine life and the environment during removal operations, and the site cleared so as not to conflict with or harm other uses of the OCS in coordination with other Federal, State, and local government agencies.
- To ensure that decommissioning a pipeline in place will not constitute a hazard to navigation and commercial fishing operations, unduly interfere with other uses of the OCS, such as sand resource areas for coastal restoration projects, or have adverse environmental effects.
- To verify that decommissioning activities comply with approved applications and procedures and are satisfactorily completed.
- To evaluate and approve the adequacy of the equipment, materials, and/or procedures that the lessee or operator plans to use during well modifications and changes in equipment, etc.
- To help BSEE better estimate future decommissioning costs for OCS leases, rights-of-way, and rights of use and easements. BSEE's future decommissioning cost estimates may then be used by the Bureau of Ocean Energy Management (BOEM) to set necessary financial assurance levels to minimize or eliminate the possibility that the government will incur abandonment liability. The information will assist BSEE and BOEM in meeting their stewardship responsibilities and in their roles as regulators.

Title of Collection: 30 CFR part 250, subpart Q, ''Decommissioning Activities.''

OMB Control Number: 1014–0010.

Form Number: None.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: Potential respondents include Federal OCS oil, gas, and sulfur lessees and/or operators and holders of pipeline rights-of-way.

Total Estimated Number of Annual Respondents: Currently there are approximately 555 Federal OCS oil, gas, and sulfur lessees and holders of pipeline rights-of-way. Not all the potential respondents will submit information in any given year, and some may submit multiple times.

Total Estimated Number of Annual Responses: 3,248.

Estimated Completion Time per Response: Varies from 15 minutes to 28 hours, depending on activity.

Total Estimated Number of Annual Burden Hours: 15,997.

Respondent's Obligation: Mandatory.

Frequency of Collection: Submissions are generally on occasion, varies by section, and annual.

Total Estimated Annual Nonhour Burden Cost: $1,143,556.

An agency may not conduct, or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Kirk Malstrom,

Chief, Regulations and Standards Branch.

[FR Doc. 2025–18643 Filed 9–24–25; 8:45 am]

BILLING CODE 4310–VH–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1430]

Certain Urine Splash Guards and Components Thereof; Notice of Request for Submissions on the Public Interest

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that on September 17, 2025, the presiding administrative law judge (''ALJ'') issued an Initial Determination on Violation of Section 337. The ALJ also issued a Preliminary Recommended Determination on remedy and bonding should a violation be found in the above-captioned investigation. The Commission is soliciting submissions on public interest issues raised by the recommended relief should the Commission find a violation. This notice is soliciting comments from the public and interested government agencies only.

FOR FURTHER INFORMATION CONTACT: Jonathan D. Link, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–3103. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.* For help accessing EDIS, please email *EDIS3Help@usitc.gov.* General information concerning the Commission may also be obtained by accessing its internet server at *https://www.usitc.gov.* Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: Section 337 of the Tariff Act of 1930 provides that, if the Commission finds a violation, it shall exclude the articles concerned from the United States unless, after considering the effect of such exclusion upon the public health and welfare, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, and United States consumers, it finds that such articles should not be excluded from entry. (19 U.S.C. 1337(d)(1)). A similar provision applies to cease and desist orders. (19 U.S.C. 1337(f)(1)).

The Commission is soliciting submissions on public interest issues

raised by the recommended relief should the Commission find a violation, specifically: a general exclusion order directed to certain urine splash guards and components thereof imported, sold for importation, and/or sold after importation by respondents Hezeyunjiangjixieshebeiyouxiangongsi (d/b/a Maomaohouse) of Guangdon, China (''Maomaohouse''), Hefeiweifengshidaishidai maoyiyouxiangongsi (d/b/a HealthSTEC) of Anhui, China (''HealthSTEC''), ShenzhenShi Julonghui Trading Co., Ltd. (d/b/a Edermurs) of Guangdong, China, Shenzhenshi Lishian Keji Youxiangongsi (d/b/a Lishian) of Guangdong, China (''Lishian''), Guangzhou Lesenyu Dianzishangwu Youxiangongsi (d/b/a Le Sengyu) of Guangdong, China (''Le Sengyu''), and of Guangdong, China; and cease and desist orders directed to Maomaohouse, HealthSTEC, Lishian, and Le Sengyu. Parties are to file public interest submissions pursuant to 19 CFR 210.50(a)(4).

The Commission is interested in further development of the record on the public interest in this investigation. Accordingly, members of the public and interested government agencies are invited to file submissions of no more than five (5) pages, inclusive of attachments, concerning the public interest in light of the ALJ's Preliminary Recommended Determination on Remedy and Bonding issued in this investigation on September 17, 2025. Comments should address whether issuance of the recommended remedial orders in this investigation, should the Commission find a violation, would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) explain how the articles potentially subject to the recommended remedial orders are used in the United States;

(ii) identify any public health, safety, or welfare concerns in the United States relating to the recommended orders;

(iii) identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) indicate whether complainant, complainant's licensees, and/or third-party suppliers have the capacity to replace the volume of articles potentially subject to the recommended orders within a commercially reasonable time; and

(v) explain how the recommended orders would impact consumers in the United States.

Written submissions must be filed no later than by close of business on October 22, 2025.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above pursuant to 19 CFR 210.4(f). Submissions should refer to the investigation number (''Inv. No. 337–TA–1430'') in a prominent place on the cover page and/or the first page. (*See* Handbook for Electronic Filing Procedures, *https://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf*). Persons with questions regarding filing should contact the Secretary (202–205–2000).

Any person desiring to submit a document to the Commission in confidence must request confidential treatment by marking each document with a header indicating that the document contains confidential information. This marking will be deemed to satisfy the request procedure set forth in Rules 201.6(b) and 210.5(e)(2) (19 CFR 201.6(b) & 210.5(e)(2)). Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. Any non-party wishing to submit comments containing confidential information must serve those comments on the parties to the investigation pursuant to the applicable Administrative Protective Order. A redacted non-confidential version of the document must also be filed simultaneously with any confidential filing and must be served in accordance with Commission Rule 210.4(f)(7)(ii)(A) (19 CFR 210.4(f)(7)(ii)(A)). All information, including confidential business information and documents for which confidential treatment is properly sought, submitted to the Commission for purposes of this investigation may be disclosed to and used: (i) by the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel, solely for cybersecurity purposes. All contract personnel will sign appropriate nondisclosure agreements. All nonconfidential written submissions will be available for public inspection on EDIS.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in Part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: September 22, 2025.

Sharon Bellamy,

Supervisory Hearings and Information Officer.

[FR Doc. 2025–18546 Filed 9–24–25; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731–TA–1733 (Final)]

Methylene Diphenyl Diisocyanate (MDI) From China; Scheduling of the Final Phase of an Antidumping Duty Investigation

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice of the scheduling of the final phase of antidumping investigation No. 731–TA–1733 (Final) pursuant to the Tariff Act of 1930 to determine whether an industry in the United States is materially injured or threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports of methylene diphenyl diisocyanate (''MDI'') from China, provided for in subheadings 2929.10.80 and 3909.31.00 of the Harmonized Tariff Schedule of the United States, preliminarily determined by the Department of Commerce (''Commerce'') to be sold at less-than-fair-value.

DATES: September 16, 2025.

FOR FURTHER INFORMATION CONTACT: Lawrence Jones ((202) 205–3358), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its internet server (*https://www.usitc.gov*). The public record for this investigation may be viewed on the

Commission's electronic docket (EDIS) at *https://edis.usitc.gov.*

SUPPLEMENTARY INFORMATION:

Scope.—For purposes of this investigation, Commerce has defined the subject merchandise as methylene diphenyl diisocyanate (MDI), which is an aromatic polyisocyanate material whose composition includes two or more isocyanate groups (*i.e.,* functional group containing a nitrogen atom, a carbon atom, and an oxygen atom bonded together (-NCO)) attached to one or more benzene rings (*i.e.,* flat, symmetrical molecule made up of six carbon atoms arranged in a hexagonal ring and has the chemical formula C6H6) that are joined by methylene bridges (*i.e.,* a carbon atom bound to two hydrogen atoms (-CH2-) and connected by single bonds to two other distinct atoms in the rest of the molecule). MDI is commonly called Polymeric, Monomeric, or Modified MDI and may also be referred to under other names, including Methylene bisphenyl isocyanate, 4,4′-Diphenylmethane diisocyanate, Methylene di-p-phenylene ester of isocyanic acid, Methylene bis(4-phenyl isocyanate), and polymethylene polyphenylene isocyanate. MDI is normally associated with Chemical Abstracts Service (CAS) registry numbers 9016–87–9, 101–68–8, 5873–54–1, 2536–05–2, 1689576–89–3, 25686–28–6, 26447–40–5, and 39310–05–9, but several others are also used.

MDI ranges in physical form from low viscosity liquids to solids. MDI is covered by the scope of this investigation irrespective of whether it has gone through a distillation process and regardless of acid content, reactivity, functionality, freeze stability, physical form, viscosity, grade, purity, molecular weight, or packaging.

MDI may contain additives, such as catalysts, solvents, plasticizers, antioxidants, fire retardants, colorants, pigments, diluents, thickeners, fillers, softeners, toughening agents. The scope does not include mixtures of MDI with other materials, when the combined MDI component comprises less than 40 percent of the total weight of the mixture.

MDI may be partially reacted with itself, polyol, or polyamines, and retain MDI component that has not fully chemically reacted so as to convert it into a different product no longer containing isocyanate groups. These products are known as homopolymer, uretonimine MDI, carbodiimide MDI, or prepolymers. The scope does not include partially reacted MDI when its NCO content is less than 10 weight percentage.

For MDI that enter as part of a system with separately packaged resin consisting mostly of a chemical compound that has an OH reactive group, including polyol, only the MDI portion of the system is included in the scope. The scope does not include any separately packaged polyol that would not fall within the scope if entered on its own.

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

The scope also includes MDI that is commingled or blended with MDI from sources not subject to this investigation. Only the subject component of such commingled products is covered by the scope of this investigation.

This merchandise is currently classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheadings 2929.10.8010 and 3909.31.0000. Subject merchandise may also be entered under subheadings 3824.99.2600, 3909.50.1000, 3909.50.2000, 3909.50.5000, 3824.99.2900, 3506.91.5000, 3911.90.4500, 3921.13.5000, and 3920.99.5000. The HTSUS subheadings are provided for convenience and customs purposes only; the written description of the scope is dispositive.

Background.—The final phase of this investigation is being scheduled, pursuant to section 735(b) of the Tariff Act of 1930 (19 U.S.C. 1673d(b)), as a result of an affirmative preliminary determination by Commerce that imports of methylene diphenyl diisocyanate (mdi) from China are being sold in the United States at less than fair value within the meaning of § 733 of the Act (19 U.S.C. 1673b). The investigation was requested in a petition filed on February 12, 2025, by the MDI Fair Trade Coalition consisting of BASF Corporation, Florham Park, New Jersey; and The Dow Chemical Company, Midland, Michigan.

For further information concerning the conduct of this phase of the investigation, hearing procedures, and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A and B (19 CFR part 201), and part 207, subparts A and C (19 CFR part 207).

Participation in the investigation and public service list.—Persons, including industrial users of the subject merchandise and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in the final phase of this investigation as parties must file an entry of appearance with the Secretary to the Commission, as provided in § 201.11 of the Commission's rules, no later than 21 days prior to the hearing date specified in this notice. A party that filed a notice of appearance during the preliminary phase of the investigation need not file an additional notice of appearance during this final phase. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigation.

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.

Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and BPI service list.—Pursuant to § 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in the final phase of this investigation available to authorized applicants under the APO issued in the investigation, provided that the application is made no later than 21 days prior to the hearing date specified in this notice. Authorized applicants must represent interested parties, as defined by 19 U.S.C. 1677(9), who are parties to the investigation. A party granted access to BPI in the preliminary phase of the investigation need not reapply for such access. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Staff report.—The prehearing staff report in the final phase of this investigation will be placed in the nonpublic record on January 12, 2026, and a public version will be issued thereafter, pursuant to § 207.22 of the Commission's rules.

Hearing.—The Commission will hold a hearing in connection with the final phase of this investigation beginning at 9:30 a.m. on Tuesday, January 27, 2026. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission on or before Wednesday, January 21, 2026. Any requests to appear as a witness via videoconference must be included with your request to appear. Requests to appear via videoconference must include a statement explaining why the

witness cannot appear in person; the Chairman, or other person designated to conduct the investigation, may in their discretion for good cause shown, grant such a request. Requests to appear as remote witness due to illness or a positive COVID–19 test result may be submitted by 3:00 p.m. the business day prior to the hearing. Further information about participation in the hearing will be posted on the Commission's website at *https://www.usitc.gov/calendarpad/calendar.html.*

A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the hearing. All parties and nonparties desiring to appear at the hearing and make oral presentations should attend a prehearing conference, if deemed necessary, to be held at 9:30 a.m. on Thursday, January 22, 2026. Parties shall file and serve written testimony and presentation slides in connection with their presentation at the hearing by no later than noon on January 26, 2026. Oral testimony and written materials to be submitted at the public hearing are governed by sections 201.6(b)(2), 201.13(f), and 207.24 of the Commission's rules. Parties must submit any request to present a portion of their hearing testimony *in camera* no later than 7 business days prior to the date of the hearing.

Written submissions.—Each party who is an interested party shall submit a prehearing brief to the Commission. Prehearing briefs must conform with the provisions of § 207.23 of the Commission's rules; the deadline for filing is January 20, 2026. Parties shall also file written testimony in connection with their presentation at the hearing, and posthearing briefs, which must conform with the provisions of section 207.25 of the Commission's rules. The deadline for filing posthearing briefs is February 3, 2026. In addition, any person who has not entered an appearance as a party to the investigation may submit a written statement of information pertinent to the subject of the investigation, including statements of support or opposition to the petition, on or before February 3, 2026. On February 20, 2026, the Commission will make available to parties all information on which they have not had an opportunity to comment. Parties may submit final comments on this information on or before February 24, 2026, but such final comments must not contain new factual information and must otherwise comply with § 207.30 of the Commission's rules. All written submissions must conform with the provisions of § 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of §§ 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's *Handbook on Filing Procedures,* available on the Commission's website at *https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf,* elaborates upon the Commission's procedures with respect to filings.

Additional written submissions to the Commission, including requests pursuant to § 201.12 of the Commission's rules, shall not be accepted unless good cause is shown for accepting such submissions, or unless the submission is pursuant to a specific request by a Commissioner or Commission staff.

In accordance with §§ 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the investigation must be served on all other parties to the investigation (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Authority: This investigation is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to § 207.21 of the Commission's rules.

By order of the Commission.

Issued: September 23, 2025.

Sharon Bellamy,

Supervisory Hearings and Information Officer.

[FR Doc. 2025–18666 Filed 9–24–25; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

Notice of Receipt of Complaint; Solicitation of Comments Relating to the Public Interest

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has received a complaint entitled *Certain Vaporizer Devices, Cartridges Used Therewith, and Components Thereof II, DN 3849;* 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 NJOY, LLC; Altria Group Distribution Company; and Altria Client Services LLC on September 22, 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 vaporizer devices, cartridges used therewith, and components thereof. The complaint names as respondent: JUUL Labs, Inc. of Washington, DC. 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. 3849'') 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 22, 2025.

Sharon Bellamy,

Supervisory Hearings and Information Officer.

[FR Doc. 2025–18544 Filed 9–24–25; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

Notice of Receipt of Complaint; Solicitation of Comments Relating to the Public Interest

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has received a complaint entitled *Certain Clear Aligners and Components Thereof, DN 3850;* 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 Align Technology, Inc. on September 23, 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 clear aligners and components thereof. The complaint names as respondents: Angelalign Technology Inc. of China; Wuxi EA Medical Instruments Technologies Co., Ltd. of China; Wuxi EA Bio-Tech Co., Ltd. of China; Shanghai EA Medical Instruments Co., Ltd. of China; and USA Angelalign Technology Corp. of Newark, DE. The complainant requests that the Commission issue a limited exclusion order, cease and desist orders, and impose a bond upon respondents' alleged infringing articles during the 60-day Presidential review period pursuant to 19 U.S.C. 1337(j).

Proposed respondents, other interested parties, members of the public, and interested government agencies are invited to file comments on any public interest issues raised by the complaint or § 210.8(b) filing. Comments should address whether issuance of the relief specifically

[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*

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. 3850'') 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 23, 2025.

Sharon Bellamy,

Supervisory Hearings and Information Officer.

[FR Doc. 2025–18667 Filed 9–24–25; 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 No. 337–TA–1423]

Certain Electronic Eyewear Products, Components Thereof, and Related Charging Apparatuses; Notice of Commission Determination Not To Review an Initial Determination Terminating the Investigation With Respect to Five Respondents Based on Settlement; Termination of the Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (''ID'') (Order No. 32) of the presiding administrative law judge (''ALJ'') terminating the investigation with respect to the remaining respondents Bytedance, Ltd.; Bytedance Inc.; Qingdao Chuangjian Weilai Technology Co., Ltd.; Funnico Inc.; and PICO Immersive Pte. Ltd. based on settlement. The investigation is terminated.

FOR FURTHER INFORMATION CONTACT: Robert Needham, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–2392. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.* For help accessing EDIS, please email *EDIS3Help@usitc.gov.* General information concerning the Commission may also be obtained by accessing its internet server at *https://www.usitc.gov.* Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: On November 18, 2024, the Commission instituted this investigation based on a complaint, as amended, filed on behalf of IngenioSpec, LLC of San Jose, California (''IngenioSpec''). 89 FR 90737–38 (Nov. 18, 2024). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain electronic eyewear products, components thereof, and related charging apparatuses that infringe certain claims of U.S. Patent

Nos. 10,310,296; 11,762,224; and 12,078,870. *Id.* at 90738. The complaint also alleged that a domestic industry exists or is in the process of being established. *Id.* The Commission's notice of investigation named as respondents: (1) ByteDance, Ltd. of Beijing, China, ByteDance Inc. of Wilmington, Delaware, Qingdao Chuangjian Weilai Technology Co., Ltd., of Qingdao City, China, Funnico Inc. of San Jose, California, and PICO Immersive Pte. Ltd., of Singapore (collectively, ''ByteDance''); (2) HTC Corporation of Taoyuan City, Taiwan, HTC Europe Co Ltd. of Berkshire, United Kingdom, and HTC Poland SP Z O.O. of Warszawa, Poland (collectively, ''HTC''); (3) Meta Platforms, Inc. of Menlo Park, California, Meta Platforms Technologies, LLC of Menlo Park, California, Meta Platforms Technologies Ireland Ltd. of Dublin, Ireland, and Meta Platforms Technologies UK Ltd. of London, United Kingdom (collectively, ''Meta''); and (4) Valve Corporation of Bellevue, Washington, and Valve GmbH Corporation of Hamburg, Germany (collectively, ''Valve''). *Id.* The Office of Unfair Import Investigations is not participating in this investigation. *Id.*

The Commission previously terminated the investigation with respect to Valve, Meta, and HTC. Order No. 8 (Dec. 6, 2024), *unreviewed by* Comm'n Notice (Jan. 7, 2025) (Valve); Order No. 28 (July 21, 2025), *unreviewed by* Comm'n Notice (Aug. 14, 2025) (Meta); Order No. 30 (Aug. 8, 2025), *unreviewed by* Comm'n Notice (Aug. 28, 2025) (HTC).

On August 21, 2025, IngenioSpec and ByteDance filed an unopposed joint motion to terminate the investigation with respect to ByteDance based on a settlement agreement. On September 3, 2025, the parties filed a corrected public version of the motion.

On September 4, 2025, the ALJ issued the subject ID (Order No. 32) granting the motion and terminating the investigation with respect to ByteDance based on settlement pursuant to Commission Rule 210.21(b)(1) (19 CFR 210.21(b)(1)). ID at 1–3. The ALJ also granted the requests to limit service of the confidential settlement agreement and to stay the investigation as to ByteDance. *Id.* at 1. No petitions for review of the subject ID were received.

The Commission has determined not to review the subject ID. The investigation is hereby terminated with respect to the five ByteDance respondents. Because the five ByteDance respondents were the last five respondents remaining in the investigation, the investigation is hereby terminated.

The Commission vote for this determination took place on September 22, 2025.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: September 22, 2025.

Sharon Bellamy,

Supervisory Hearings and Information Officer.

[FR Doc. 2025–18532 Filed 9–24–25; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

[OMB Number 1105–0097]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension Without Change of a Currently Approved Collection; Comments Requested: Title—Leased/Charter/Contract Personnel Expedited Clearance Request

AGENCY: U.S. Marshals Service, Department of Justice.

ACTION: 30-Day notice.

SUMMARY: The U.S. Marshals Service (USMS), Department of Justice (DOJ), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 30 days until October 27, 2025.

FOR FURTHER INFORMATION CONTACT:

The proposed information collection was previously published in the **Federal Register** on May 28, 2025, 90 FR 22515, allowing a 60-day comment period. 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 Assistant Chief Karl Slazer/Management Support Division, US Marshals Service Headquarters, 1215 S Clark St., Ste. 10017, Arlington, VA 22202–4387, by telephone at 703–740–2316 or by email at *karl.slazer@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 Bureau of Justice Statistics, including whether the information will have practical utility;

—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

—Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and

—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Abstract: This form is required for acquiring and utilizing contract flight personnel (pilots, cabin crew, mechanics, etc.) for leased/charter aircraft needed to complete short-notice JPATS (Justice Prisoner & Alien Transportation) air mission schedules. It requests information necessary to complete expedited background checks on flight personnel who will be transporting USMS and Bureau of Prisons prisoners.

Overview of This Information Collection

1. *Type of Information Collection:* Extension without change of a currently approved collection.

2. *The Title of the Form/Collection:* Leased/Charter/Contract Personnel Expedited Clearance Request.

3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* Form USM–271.

4. *Affected public who will be asked or required to respond, as well as the obligation to respond:* Individuals or Households.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* An estimated 180 respondents will utilize the form, and it will take each respondent approximately 5 minutes to complete the form.

6. *An estimate of the total annual burden (in hours) associated with the collection:* The estimated public burden associated with this collection is 15

hours. It is estimated that applicants will take 5 minutes to complete a Form USM–271. In order to calculate the public burden for Form USM–271, USMS multiplied 5 by 180 and divided by 60 (the number of minutes in an hour), which equals 15 total annual burden hours.

7. *An estimate of the total annual cost burden associated with the collection, if applicable:*

TOTAL BURDEN HOURS

Activity	Number of respondents	Frequency (annually)	Total annual responses	Time per response (min)	Total annual burden (hours)
Ex: Survey (individuals or households)	180	1	180	5	15
Unduplicated Totals	180		180		15

If additional information is required contact: Darwin Arceo, Department Clearance Officer, United States Department of Justice, Justice Management Division, Enterprise Portfolio Management, Two Constitution Square, 145 N Street NE, 4W–218, Washington, DC.

Dated: September 22, 2025.

Darwin Arceo,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2025–18540 Filed 9–24–25; 8:45 am]

BILLING CODE 4410–04–P

DEPARTMENT OF JUSTICE

[OMB Number 1105–0096]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension Without Change of a Currently Approved Collection; Comments Requested: Title—Sequestered Juror Information Form

AGENCY: U.S. Marshals Service, Department of Justice.

ACTION: 30-Day notice.

SUMMARY: The U.S. Marshals Service (USMS), Department of Justice (DOJ), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 30 days until October 27, 2025.

FOR FURTHER INFORMATION CONTACT: The proposed information collection was previously published in the **Federal Register** on May 28, 2025, 90 FR 22515, allowing a 60-day comment period. 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 Assistant Chief Karl Slazer/Management Support Division, US Marshals Service Headquarters, 1215 S Clark St., Ste. 10017, Arlington, VA 22202–4387, by telephone at 703–740–2316 or by email at *karl.slazer@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 Bureau of Justice Statistics, including whether the information will have practical utility;

—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

—Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and

—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Abstract: The United States Marshals Service is responsible for ensuring the security of federal courthouses, courtrooms, and federal jurist. This information assists Marshals Service personnel in the planning of, and response to, potential security needs of the court and jurors during the course of proceedings.

Overview of This Information Collection

1. *Type of Information Collection:* Extension without change of a currently approved collection.

2. *The Title of the Form/Collection:* Sequestered Juror Information Form.

3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* Form USM–523A.

4. *Affected public who will be asked or required to respond, as well as the obligation to respond:* Individuals or Households.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* An estimated 14 respondents will utilize the form, and it will take each respondent approximately 4 minutes to complete the form.

6. *An estimate of the total annual burden (in hours) associated with the collection:* The estimated annual public burden associated with this collection is 1 hour, which is equal to (14 (total # of annual responses) * 4 minutes = 56 minutes or 1 hour).

7. *An estimate of the total annual cost burden associated with the collection, if applicable:*

TOTAL BURDEN HOURS

Activity	Number of respondents	Frequency (annually)	Total annual responses	Time per response (min)	Total annual burden (hours)
Ex: Survey (individuals or households)	14	1	14	4	1

TOTAL BURDEN HOURS—Continued

Activity	Number of respondents	Frequency (annually)	Total annual responses	Time per response (min)	Total annual burden (hours)
Unduplicated Totals	14		14		1

If additional information is required contact: Darwin Arceo, Department Clearance Officer, United States Department of Justice, Justice Management Division, Enterprise Portfolio Management, Two Constitution Square, 145 N Street NE, 4W–218, Washington, DC.

Dated: September 22, 2025.

Darwin Arceo,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2025–18541 Filed 9–24–25; 8:45 am]

BILLING CODE 4410–04–P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

[OMB Control No. 1219–0151]

Proposed Extension of Information Collection: Cleanup Program for Accumulations of Coal and Float Coal Dusts, Loose Coal, and Other Combustibles

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Request for public comments.

SUMMARY: The Department of Labor (DOL), as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program for all information collections, to provide the public and Federal agencies with an opportunity to comment on proposed collections of information, in accordance with the Paperwork Reduction Act of 1995. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. The Mine Safety and Health Administration (MSHA) is soliciting comments on the information collection titled ''Cleanup Program for Accumulations of Coal and Float Coal Dusts, Loose Coal, and Other Combustibles.''

DATES: All comments must be received on or before November 24, 2025.

ADDRESSES: Comments concerning the information collection requirements of this notice may be sent by any of the methods listed below. Please note that comments received after the deadline will not be considered.

- *Federal E-Rulemaking Portal: https://www.regulations.gov.* Follow the on-line instructions for submitting comments for docket number MSHA–2025–0053.
- *Mail/Hand Delivery:* DOL–MSHA, Office of Standards, Regulations, and Variances, 200 Constitution Avenue NW, Room C3522, Washington, DC 20210. Before visiting MSHA in person, call 202–693–9440 to make an appointment.
- MSHA will post all comments as well as any attachments, except for information submitted and marked as confidential, in the docket at *https://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Jessica D. Senk, Acting Director, Office of Standards, Regulations, and Variances, MSHA, at *MSHA.information.collections@dol.gov* (email); (202) 693–9440 (voice); or (202) 693–9441 (facsimile). These are not toll-free numbers.

SUPPLEMENTARY INFORMATION:

I. Background

A. Legal Authority

Section 103(h) of the Federal Mine Safety and Health Act of 1977 (Mine Act), as amended, 30 U.S.C. 813(h), authorizes the Mine Safety and Health Administration (MSHA) to collect information necessary to carry out its duty in protecting the safety and health of miners. Further, section 101(a) of the Mine Act, 30 U.S.C. 811(a), authorizes the Secretary of Labor (Secretary) to develop, promulgate, and revise, as may be appropriate, improved mandatory health or safety standards for the protection of life and prevention of injuries in coal, metal and nonmetal (MNM) mines.

The Paperwork Reduction Act of 1995 (PRA) governs paperwork burdens imposed on the public by Federal agencies for using identical questions to collect information from 10 or more persons. The PRA defines paperwork burden in 44 U.S.C. 3502(2) as time, effort, or financial resources expended to generate, maintain, or provide information to or for a Federal agency. Under 44 U.S.C. 3507, the PRA also establishes policies and procedures of information collection for controlling paperwork burdens imposed by Federal agencies on the public, including evaluating public comments.

B. Information Collection

To fulfill its statutory mandate to promote miners' health and safety, MSHA requires information collected under the ICR titled ''Cleanup Program for Accumulations of Coal and Float Coal Dusts, Loose Coal, and Other Combustibles.'' This information collection is intended to ensure that underground coal mine operators develop and maintain effective cleanup programs to protect miners from accumulations of coal dust and float coal dusts, loose coal, and other combustibles that could create the potential of an explosion hazard.

Under 30 CFR 75.400, coal dust, including float coal dust deposited on rock-dusted surfaces, loose coal, and other combustible materials, shall be cleaned up and not be permitted to accumulate in active workings, or on diesel-powered and electric equipment. Under 30 CFR 75.400–1, coal dust is defined as particles of coal that can pass a No. 20 sieve; float coal dust is defined as the coal dust consisting of particles of coal that can pass a No. 200 sieve; and loose coal is defined as coal fragments larger in size than coal dust. Under 30 CFR 75.401–1, excessive amounts of dust is defined as coal and float coal dust in the air in such amounts as to create the potential of an explosion hazard.

Programs for effective and frequent rock dust cleanup and removal of accumulations of coal and float coal dusts, loose coal, and other combustibles are necessary to protect miners from the potential for a coal dust explosion.

Burden costs associated with this ICR include:

i. Establishing new cleanup programs; and

ii. Updating existing cleanup programs.

The associated standards that authorize the collection of information are described below.

1. Establishing and Updating Cleanup Programs (30 CFR 75.400–2)

Under 30 CFR 75.400–2, mine operators shall establish and maintain programs for regular cleanup and removal of accumulations of coal and float coal dusts, loose coal, and other combustibles. The programs shall be made available to the Secretary or authorized representative.

II. Desired Focus of Comments

MSHA is soliciting comments concerning the proposed information collection titled ''Cleanup Program for Accumulations of Coal and Float Coal Dusts, Loose Coal, and Other Combustibles.'' MSHA is particularly interested in comments that:

- Evaluate whether the information collection is necessary for the proper performance of the functions of the Agency, including whether the information has practical utility;
- Evaluate the accuracy of MSHA's estimate of the burden of the information collection, including the validity of the methodology and assumptions used;
- Suggest methods to enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the information collection 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.

The ICR is available on *https://www.regulations.gov.* MSHA cautions commenters against providing any information in the submission that should not be publicly disclosed. Full comments, including personal information provided, will be made available on *https://www.regulations.gov* and *https://www.reginfo.gov.*

The public may also examine publicly available documents at DOL–MSHA, Office of Standards, Regulations and Variances, 200 Constitution Avenue NW, Room C3522, Washington, DC 20210. Before visiting MSHA in person, call 202–693–9440 to make an appointment.

Questions about the ICR may be directed to the person listed in the **FOR FURTHER INFORMATION** section of this notice.

III. Current Actions

This ICR concerns provisions for the Cleanup Program for Accumulations of Coal and Float Coal Dusts, Loose Coal, and Other Combustibles. MSHA has updated the data with respect to the number of respondents, responses, time burden, and burden costs supporting this ICR from the previous ICR.

Type of Review: Extension, without change, of a currently approved collection.

Agency: Mine Safety and Health Administration.

OMB Number: 1219–0151.

Affected Public: Business or other for-profit.

Number of Annual Respondents: 146.

Frequency: On occasion.

Number of Annual Responses: 132.

Annual Time Burden: 197 hours.

Annual Respondent or Recordkeeper Costs: $0.

Comments submitted in response to this notice will be summarized and included in the request for Office of Management and Budget approval of the proposed ICR; they will become a matter of public record and be available at *https://www.reginfo.gov.*

Jessica D. Senk,

Certifying Officer, Mine Safety and Health Administration.

[FR Doc. 2025–18539 Filed 9–24–25; 8:45 am]

BILLING CODE 4510–43–P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

[OMB Control No. 1219–0014]

Proposed Extension of Information Collection: Hazardous Conditions Complaints

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Request for public comments.

SUMMARY: The Department of Labor (DOL), as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program for all information collections, to provide the public and Federal agencies with an opportunity to comment on proposed collections of information, in accordance with the Paperwork Reduction Act of 1995. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. The Mine Safety and Health Administration (MSHA) is soliciting comments on the information collection titled ''Hazardous Conditions Complaints.''

DATES: All comments must be received on or before November 24, 2025.

ADDRESSES: Comments concerning the information collection requirements of this notice may be sent by any of the methods listed below. Please note that comments received after the deadline will not be considered.

- *Federal E-Rulemaking Portal: https://www.regulations.gov.* Follow the on-line instructions for submitting comments for docket number MSHA–2025–0054.
- *Mail/Hand Delivery:* DOL–MSHA, Office of Standards, Regulations, and Variances, 200 Constitution Avenue NW, Room C3522, Washington, DC 20210. Before visiting MSHA in person, call 202–693–9440 to make an appointment.
- MSHA will post all comments as well as any attachments, except for information submitted and marked as confidential, in the docket at *https://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Jessica D. Senk, Acting Director, Office of Standards, Regulations, and Variances, MSHA, at *MSHA.information.collections@dol.gov* (email); (202) 693–9440 (voice); or (202) 693–9441 (facsimile). These are not toll-free numbers.

SUPPLEMENTARY INFORMATION:

I. Background

A. Legal Authority

Section 103(h) of the Federal Mine Safety and Health Act of 1977 (Mine Act), as amended, 30 U.S.C. 813(h), authorizes the Mine Safety and Health Administration (MSHA) to collect information necessary to carry out its duty in protecting the safety and health of miners. Further, section 101(a) of the Mine Act, 30 U.S.C. 811(a), authorizes the Secretary of Labor (Secretary) to develop, promulgate, and revise, as may be appropriate, improved mandatory health or safety standards for the protection of life and prevention of injuries in coal, metal and nonmetal (MNM) mines.

The Paperwork Reduction Act of 1995 (PRA) governs paperwork burdens imposed on the public by Federal agencies for using identical questions to collect information from 10 or more persons. The PRA defines paperwork burden in 44 U.S.C. 3502(2) as time, effort, or financial resources expended to generate, maintain, or provide information to or for a Federal agency. Under 44 U.S.C. 3507, the PRA also establishes policies and procedures of information collection for controlling paperwork burdens imposed by Federal agencies on the public, including evaluating public comments.

B. Information Collection

To fulfill its statutory mandate to promote miners' health and safety, MSHA requires information under the information collection request (ICR) titled ''Hazardous Conditions Complaints.'' This information collection is intended to ensure that notifications of an alleged violation or imminent danger made by a miner or a representative of miners is investigated and addressed as soon as possible.

MSHA regulations in 30 CFR part 43 implement section 103(g) of the Mine Act and provide the procedures for processing hazardous conditions complaints (HCC). Under section 103(g)(1) of the Mine Act, 30 U.S.C. 813(g)(1), a representative of miners, or a miner where there is no representative of miners, who has reasonable grounds to believe that a violation of the Mine Act or a mandatory health or safety standard exists, or an imminent danger exists, has the right to obtain a special inspection by giving notice of the violation or danger to the Secretary or their duly authorized representative. Upon receipt of a notification, a special inspection must be made as soon as possible to determine if the violation or imminent danger exists. If the Secretary determines that a violation or imminent danger does not exist, they must notify the miners' representative or the miner of that determination.

Under section 103(g)(2) of the Mine Act, 30 U.S.C. 813(g)(2), the Secretary must establish procedures for informal review of any refusal by an authorized representative to issue a citation with respect to an alleged violation or withdrawal order with respect to an alleged danger, including notification to the miners' representative or the miner who requests the review of the reasons for the Secretary's final disposition of the case.

Burden costs associated with this ICR include:

1. Miners or miners' representatives giving MSHA written notices of hazardous conditions, including violations of the Mine Act or a mandatory health or safety standard exists, or an imminent danger; and

2. MSHA processing complaints of hazardous conditions, including providing notice of negative findings regarding special inspections and statements of final decisions regarding informal reviews.

The associated standards that authorize the collection of information are described below.

1. Miners or Miners' Representatives Giving Notice of Hazardous Conditions to MSHA

Special Inspections

Under 30 CFR 43.4(a), a representative of miners or a miner where there is no representative, who has reasonable grounds to believe that a violation of the Mine Act or a mandatory health or safety standard exists, or that an imminent danger exists, may obtain a special inspection by giving notice to the Secretary or any authorized representative of the Secretary of a violation or danger.

Under 30 CFR 43.4(b), the notice must set forth the alleged violation or imminent danger as well as the location of the violation or danger and must be in writing signed by the representative of miners or miner giving the notice. Under 30 CFR 43.4(c), a copy of the written notice must be provided to the operator or his agent by the Secretary or his authorized representative no later than the time that the inspection begins. In addition, if the notice indicates that an imminent danger exists, the operator or his agent must be notified as quickly as possible of the alleged danger. The name of the person giving the notice and the names of any individual miners referred to in the notice cannot appear in the copy of the written notice or in a notification provided to the operator.

Informal Reviews

Under 30 CFR 43.7(a), where the authorized representative or the Secretary refuses to issue a citation or order with respect to the alleged violation or imminent danger, the representative of miners or miner who provided the notice may obtain review of a refusal.

Under 30 CFR 43.7(b), a request for informal review of a refusal to issue a citation or withdrawal order must be sent in writing to the appropriate District Manager within 10 days of the date of the refusal to issue a citation or withdrawal order and must be accompanied by any supporting information the person requesting review wishes to submit.

Under 30 CFR 43.8, a person who provided notice of a hazardous condition and to whom a notice of negative finding has been issued may request an informal review of the finding.

2. MSHA Processing Hazardous Conditions Complaints

Notices of Negative Finding Regarding Special Inspections

Under 30 CFR 43.6(a), if it is determined that a special inspection is not warranted, a written notice of negative finding must be issued as soon as possible following the determination.

Under 30 CFR 43.6(b), if it is determined that an inspection is warranted and upon the inspection it is determined that neither a citation nor a withdrawal order should be issued for the alleged violation or imminent danger, a written notice of negative finding must be issued by the authorized representative of the Secretary prior to leaving the mine premises.

Under 30 CFR 43.6(c), any notice of negative finding must be issued to the representative of miners or the miner seeking the special inspection, and a copy must be served upon the operator.

Written Statements of Final Disposition Regarding Informal Reviews

Under 30 CFR 43.7(d), after a review of all written and oral statements submitted, the District Manager may either affirm the refusal to issue a citation or withdrawal order or may direct that a new inspection be conducted with respect to the alleged violation or imminent danger. The District Manager must furnish the person requesting review with a written statement of the reasons for his or her final disposition of the request as soon as possible. A copy of the statement must be furnished to the operator. The District Manager's determination in the matter will be final.

II. Desired Focus of Comments

MSHA is soliciting comments concerning the proposed information collection titled ''Hazardous Conditions Complaints.'' MSHA is particularly interested in comments that:

- Evaluate whether the information collection is necessary for the proper performance of the functions of the Agency, including whether the information has practical utility;
- Evaluate the accuracy of MSHA's estimate of the burden of the information collection, including the validity of the methodology and assumptions used;
- Suggest methods to enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the information collection 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.

The ICR is available on *https://www.regulations.gov.* MSHA cautions commenters against providing any

information in the submission that should not be publicly disclosed. Full comments, including personal information provided, will be made available on *https://www.regulations.gov* and *https://www.reginfo.gov.*

The public may also examine publicly available documents at DOL–MSHA, Office of Standards, Regulations and Variances, 200 Constitution Avenue NW, Room C3522, Washington, DC 20210. Before visiting MSHA in person, call 202–693–9440 to make an appointment.

Questions about the information collection requirements may be directed to the person listed in the **FOR FURTHER INFORMATION** section of this notice.

III. Current Actions

This ICR concerns provisions for Hazardous Conditions Complaints. MSHA has updated the data with respect to the number of respondents, responses, time burden, and burden costs supporting this ICR from the previous ICR.

Type of Review: Extension, without change, of a currently approved collection.

Agency: Mine Safety and Health Administration.

OMB Number: 1219–0014.

Affected Public: Business or other for-profit entity.

Number of Annual Respondents: 2,249.

Frequency: On occasion.

Number of Annual Responses: 2,249.

Annual Time Burden: 450 hours.

Annual Respondent or Recordkeeper Costs: $0.

MSHA Form: Hazardous Conditions Complaint (Web Only Instrument).

Comments submitted in response to this notice will be summarized and included in the request for Office of Management and Budget approval of the proposed ICR; they will become a matter of public record and be available at *https://www.reginfo.gov.*

Jessica D. Senk,

Certifying Officer, Mine Safety and Health Administration.

[FR Doc. 2025–18538 Filed 9–24–25; 8:45 am]

BILLING CODE 4510–43–P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

[OMB Control No. 1219–0041]

Proposed Extension of Information Collection: Program To Prevent Smoking in Hazardous Areas of Underground Coal Mines

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Request for public comments.

SUMMARY: The Department of Labor (DOL), as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program for all information collections, to provide the public and Federal agencies with an opportunity to comment on proposed collections of information, in accordance with the Paperwork Reduction Act of 1995. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. The Mine Safety and Health Administration (MSHA) is soliciting comments on the information collection titled ''Program to Prevent Smoking in Hazardous Areas of Underground Coal Mines.''

DATES: All comments must be received on or before November 24, 2025.

ADDRESSES: Comments concerning the information collection requirements of this notice may be sent by any of the methods listed below. Please note that comments received after the deadline will not be considered.

- *Federal E-Rulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments for docket number MSHA–2025–0071.
- *Mail/Hand Delivery:* DOL–MSHA, Office of Standards, Regulations, and Variances, 200 Constitution Avenue NW, Room C3522, Washington, DC 20210. Before visiting MSHA in person, call 202–693–9440 to make an appointment.
- MSHA will post all comments as well as any attachments, except for information submitted and marked as confidential, in the docket at *https://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Jessica D. Senk, Acting Director, Office of Standards, Regulations, and Variances, MSHA, at *MSHA.information.collections@dol.gov* (email); (202) 693–9440 (voice); or (202) 693–9441 (facsimile). These are not toll-free numbers.

SUPPLEMENTARY INFORMATION:

I. Background

A. Legal Authority

Section 103(h) of the Federal Mine Safety and Health Act of 1977 (Mine Act), as amended, 30 U.S.C. 813(h), authorizes the Mine Safety and Health Administration (MSHA) to collect information necessary to carry out its duty in protecting the safety and health of miners. Further, section 101(a) of the Mine Act, 30 U.S.C. 811(a), authorizes the Secretary of Labor (Secretary) to develop, promulgate, and revise, as may be appropriate, improved mandatory health or safety standards for the protection of life and prevention of injuries in coal, metal and nonmetal (MNM) mines.

The Paperwork Reduction Act of 1995 (PRA) governs paperwork burdens imposed on the public by Federal agencies for using identical questions to collect information from 10 or more persons. The PRA defines paperwork burden in 44 U.S.C. 3502(2) as time, effort, or financial resources expended to generate, maintain, or provide information to or for a Federal agency. Under 44 U.S.C. 3507, the PRA also establishes policies and procedures of information collection for controlling paperwork burdens imposed by Federal agencies on the public, including evaluating public comments.

B. Information Collection

To fulfill its statutory mandate to promote miners' health and safety, MSHA requires information collected under the ICR titled ''Program to Prevent Smoking in Hazardous Areas of Underground Coal Mines.'' This information collection is intended to ensure persons entering the underground area of the mine do not carry smoking materials, matches, or lighters and determine the mine operator's compliance with the requirement to institute a smoking prevention program.

Burden costs associated with the ICR include developing and submitting smoking prevention programs for MSHA's approval.

The associated standards that authorize the collection of information are described below.

1. Developing Smoking Prevention Programs

Under 30 CFR 75.1702, no person is allowed to smoke, carry smoking materials, matches, or lighters underground, or smoke in or around oil houses, explosives magazines, or other surface areas where such practice may

cause a fire or explosion. The operator must institute a program, approved by the Secretary, to ensure that any person entering the underground area of the mine does not carry smoking materials, matches, or lighters.

2. Submitting Smoking Prevention Programs

Under 30 CFR 75.1702–1, programs to ensure that any person entering the underground area of the mine does not carry smoking materials, matches, or lighters must be submitted to the District Manager for approval.

II. Desired Focus of Comments

MSHA is soliciting comments concerning the proposed information collection titled ''Program to Prevent Smoking in Hazardous Areas of Underground Coal Mines.'' MSHA is particularly interested in comments that:

- Evaluate whether the collection of information is necessary for the proper performance of the functions of the Agency, including whether the information has practical utility;
- Evaluate the accuracy of MSHA's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;
- Suggest methods to enhance the quality, utility, and clarity of the information to be collected; 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.

The ICR available on *https://www.regulations.gov.* MSHA cautions commenters against providing any information in the submission that should not be publicly disclosed. Full comments, including personal information provided, will be made available on *https://www.regulations.gov* and *https://www.reginfo.gov.*

The public may also examine publicly available documents at DOL–MSHA, Office of Standards, Regulations and Variances, 200 Constitution Avenue NW, Room C3522, Washington, DC 20210. Before visiting MSHA in person, call 202–693–9440 to make an appointment.

Questions about the information collection requirements may be directed to the person listed in the **FOR FURTHER INFORMATION** section of this notice.

III. Current Actions

This ICR concerns provisions for Program to Prevent Smoking in Hazardous Areas of Underground Coal Mines. MSHA has updated the data with respect to the number of respondents, responses, time burden, and burden costs supporting this ICR from the previous ICR.

Type of Review: Extension, without change, of a currently approved collection.

Agency: Mine Safety and Health Administration.

OMB Number: 1219–0041.

Affected Public: Business or other for-profit entity.

Number of Annual Respondents: 24.

Frequency: On occasion.

Number of Annual Responses: 25.

Annual Time Burden: 13 hours.

Annual Other Burden Costs: $0.

Comments submitted in response to this notice will be summarized and included in the request for Office of Management and Budget approval of the proposed ICR; they will become a matter of public record and be available at *https://www.reginfo.gov.*

Jessica D. Senk,

Certifying Officer, Mine Safety and Health Administration.

[FR Doc. 2025–18543 Filed 9–24–25; 8:45 am]

BILLING CODE 4510–43–P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

[OMB Control No. 1219–0016]

Proposed Extension of Information Collection: Ventilation Plan and Main Fan Maintenance Record

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Request for public comments.

SUMMARY: The Department of Labor (DOL), as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program for all information collections, to provide the public and Federal agencies with an opportunity to comment on proposed collections of information, in accordance with the Paperwork Reduction Act of 1995. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. The Mine Safety and Health Administration (MSHA) is soliciting comments on the information collection titled ''Ventilation Plan and Main Fan Maintenance Record.''

DATES: All comments must be received on or before November 24, 2025.

ADDRESSES: Comments concerning the information collection requirements of this notice may be sent by any of the methods listed below. Please note that comments received after the deadline will not be considered.

- *Federal E-Rulemaking Portal: https://www.regulations.gov.* Follow the on-line instructions for submitting comments for docket number MSHA–2025–0055.
- *Mail/Hand Delivery:* DOL–MSHA, Office of Standards, Regulations, and Variances, 200 Constitution Avenue NW, Room C3522, Washington, DC 20210. Before visiting MSHA in person, call 202–693–9455 to make an appointment.
- MSHA will post all comments as well as any attachments, except for information submitted and marked as confidential, in the docket at *https://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Jessica D. Senk, Acting Director, Office of Standards, Regulations, and Variances, MSHA, at *MSHA.information.collections@dol.gov* (email); (202) 693–9440 (voice); or (202) 693–9441 (facsimile). These are not toll-free numbers.

SUPPLEMENTARY INFORMATION:

I. Background

A. Legal Authority

Section 103(h) of the Federal Mine Safety and Health Act of 1977 (Mine Act), as amended, 30 U.S.C. 813(h), authorizes the Mine Safety and Health Administration (MSHA) to collect information necessary to carry out its duty in protecting the safety and health of miners. Further, section 101(a) of the Mine Act, 30 U.S.C. 811(a), authorizes the Secretary of Labor (Secretary) to develop, promulgate, and revise, as may be appropriate, improved mandatory health or safety standards for the protection of life and prevention of injuries in coal, metal and nonmetal (MNM) mines.

The Paperwork Reduction Act of 1995 (PRA) governs paperwork burdens imposed on the public by Federal agencies for using identical questions to collect information from 10 or more persons. The PRA defines paperwork burden in 44 U.S.C. 3502(2) as time, effort, or financial resources expended to generate, maintain, or provide information to or for a Federal agency. Under 44 U.S.C. 3507, the PRA also

establishes policies and procedures of information collection for controlling paperwork burdens imposed by Federal agencies on the public, including evaluating public comments.

B. Information Collection

To fulfill its statutory mandate to promote miners' health and safety, MSHA requires the information collected under the information collection request (ICR) titled ''Ventilation Plan and Main Fan Maintenance Record.'' The information collection is intended to ensure underground MNM mine operators routinely plan, review, and update their ventilation system and maintain main fans properly to avoid fatalities and unhealthy working conditions caused by inadequate ventilation.

Underground MNM mines can present harsh and hostile working environment. The ventilation system is the most vital life support system in underground mining and a properly operating ventilation system is essential for maintaining a safe and healthy working environment. A well planned mine ventilation system is necessary to ensure fresh air is provided to miners at all working places, to control the amounts of harmful airborne contaminants in the mine atmosphere, and to dilute possible accumulation of explosive gases. A regular fan maintenance schedule is necessary to ensure an uninterrupted and vital supply of air.

Burden costs associated with this ICR include:

1. Creating new or updating existing mine ventilation plans; and

2. Developing new or revising existing main fan maintenance schedules.

The associated standards that authorize the collection of information are described below.

1. Creating New or Updating Existing Mine Ventilation Plans

Under 30 CFR 57.8520, the mine operator must prepare a plan of the mine ventilation system in written form. Revisions of the system must be noted and updated annually. The ventilation plan or revisions must be submitted to the District Manager for review and comments upon his written request. The plan must, where applicable, include the following:

(a) The mine name.

(b) The current mine map or schematic or series of mine maps or schematics of an appropriate scale, not greater than five hundred feet to the inch, showing:

(1) Direction and quantity of principal air flows;

(2) Locations of seals used to isolate abandoned workings;

(3) Locations of areas withdrawn from the ventilation system;

(4) Locations of all main, booster and auxiliary fans not shown in paragraph (d) of this standard;

(5) Locations of air regulators and stoppings and ventilation doors not shown in paragraph (d) of this standard;

(6) Locations of overcasts, undercasts and other airway crossover devices not shown in paragraph (d) of this standard;

(7) Locations of known oil or gas wells;

(8) Locations of known underground mine openings adjacent to the mine;

(9) Locations of permanent underground shops, diesel fuel storage depots, oil fuel storage depots, hoist rooms, compressors, battery charging stations and explosive storage facilities. Permanent facilities are those intended to exist for one year or more; and

(10) Significant changes in the ventilation system projected for one year.

(c) Mine fan data for all active main and booster fans including manufacturer's name, type, size, fan speed, blade setting, approximate pressure at present operating point, and motor brake horsepower rating.

(d) Diagrams, descriptions or sketches showing how ventilation is accomplished in each typical type of working place including the approximate quantity of air provided, and typical size and type of auxiliary fans used.

(e) The number and type of internal combustion engine units used underground, including make and model of unit, type of engine, make and model of engine, brake horsepower rating of engine, and approval number.

2. Developing New or Revising Existing Main Fan Maintenance Schedules

Under 30 CFR 57.8525, the main fans in underground MNM mines must be maintained according to either the manufacturer's recommendations or a written periodic schedule adopted by the operator which must be available at the operation upon the request of the Secretary or the Secretary's authorized representative.

II. Desired Focus of Comments

MSHA is soliciting comments concerning the proposed information collection titled ''Ventilation Plan and Main Fan Maintenance Record.'' MSHA is particularly interested in comments that:

- Evaluate whether the collection of information is necessary for the proper performance of the functions of the Agency, including whether the information has practical utility;
- Evaluate the accuracy of MSHA's estimate of the burden of the information collection, including the validity of the methodology and assumptions used;
- Suggest methods to enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the information collection 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.

The ICR is available on *https://www.regulations.gov.* MSHA cautions commenters against providing any information in the submission that should not be publicly disclosed. Full comments, including personal information provided, will be made available on *https://www.regulations.gov* and *https://www.reginfo.gov.*

The public may also examine publicly available documents at DOL–MSHA, Office of Standards, Regulations, and Variances, 200 Constitution Avenue NW, Room C3522, Washington, DC 20210. Before visiting MSHA in person, call 202–693–9440 to make an appointment.

Questions about the information collection requirements may be directed to the person listed in the **FOR FURTHER INFORMATION** section of this notice.

III. Current Actions

This ICR concerns provisions for Ventilation Plan and Main Fan Maintenance Record. MSHA has updated the data with respect to the number of respondents, responses, time burden, and burden costs supporting this ICR from the previous ICR.

Type of Review: Extension, without change, of a currently approved collection.

Agency: Mine Safety and Health Administration.

OMB Number: 1219–0016.

Affected Public: Business or other for-profit entity.

Number of Annual Respondents: 186.

Frequency: On occasion.

Number of Annual Responses: 195.

Annual Time Burden: 4,496 hours.

Respondent or Recordkeeper: $0.

Comments submitted in response to this notice will be summarized and included in the request for Office of Management and Budget approval of the proposed ICR; they will become a matter

of public record and be available at *https://www.reginfo.gov.*

Jessica D. Senk,

Certifying Officer, Mine Safety and Health Administration.

[FR Doc. 2025–18542 Filed 9–24–25; 8:45 am]

BILLING CODE 4510–43–P

MILLENNIUM CHALLENGE CORPORATION

[MCC FR 25–06]

Notice of Entering Into a Compact With the Republic of Côte d'Ivoire

AGENCY: Millennium Challenge Corporation.

ACTION: Notice.

SUMMARY: In accordance with the provisions of the Millennium Challenge Act of 2003, as amended, the Millennium Challenge Corporation (MCC) is publishing a summary of the Millennium Challenge Compact (Compact) between the United States of America and the Republic of Côte d'Ivoire. Representatives of the United States of America and the Republic of Côte d'Ivoire executed the Compact on September 10 and September 16, 2025, respectively. The complete text of the Compact has been posted at: *https://assets.mcc.gov/content/uploads/compact-cote-divoire-regional-energy.pdf.*

(Authority: 22 U.S.C. 7709 (b)(3))

September 22, 2025.

Brian Finkelstein,

Acting Vice President, General Counsel, and Corporate Secretary.

Summary of the Côte d'Ivoire Regional Energy Compact

Overview of the MCC Côte d'Ivoire Regional Energy Compact

The Millennium Challenge Corporation (MCC), on behalf of the United States of America, has signed a five-year Millennium Challenge Compact with the Republic of Côte d'Ivoire (Côte d'Ivoire) aimed at reducing poverty through economic growth (Compact). MCC funding of $300,000,000, together with a contribution of $22,500,000 from the Government of the Republic of Côte d'Ivoire (GoCI), will support economic growth in Côte d'Ivoire through support to the energy sector. The compact program seeks to increase the net quantity of electricity traded by Cote d'Ivoire on the regional market. The Compact aims to achieve this through the Côte d'Ivoire Regional Electricity Project, comprised of three activities that focus on the regional market structure, physical infrastructure within Côte d'Ivoire, and the institutional environment of the energy sector within Côte d'Ivoire, respectively, the: (i) Support for the ECOWAS [1] Regional Electricity Market Activity; (ii) Modernizing the Grid Network in Côte d'Ivoire Activity; and (iii) Support to Côte d'Ivoire on the Regional Electricity Market Activity.

Background and Context

Côte d'Ivoire experienced political instability and economic decline throughout the 1990s and 2000s. Between 2012 and 2024, political stability and policy reforms have allowed the economy to recover from years of stagnation, with an average annual gross domestic product growth rate of 6.7 percent during that period. The Government of Côte d'Ivoire has been a key national security ally and a committed MCC partner, instituting reforms that have aimed to move the country toward a more vibrant, robust, and stable economic growth path.

Côte d'Ivoire's energy system is one of the strongest in the sub-region. The country has four primary energy sources (*i.e.,* hydropower, oil, natural gas, and biomass). As of 2023, Côte d'Ivoire had installed capacity of 2,907 Megawatts (MW), roughly 69 percent of which (1,998 MW) is generated by thermal power, 30 percent (866 MW) by hydropower, and the remaining 1 percent (43 MW) is generated by alternative energy sources.

Côte d'Ivoire has a relatively high access to electricity rate. Côte d'Ivoire is an electricity exporter due to its relatively high generation capacity, well developed electricity grid, and geographic location in West Africa. It exports electricity, pursuant to bilateral contracts, to six countries in the region: Burkina Faso, Ghana, Guinea, Liberia, Mali, and Sierra Leone. In the last ten years, the Government of Côte d'Ivoire has embarked on extensive reforms in the energy sector that are consistent with best practices and that address the national context.

Given this sector context, the compact program aims to develop Côte d'Ivoire's electricity grid infrastructure, catalyze private sector investment in Côte d'Ivoire's energy generation capacity, and provide institutional support to both regional and Côte d'Ivoire's institutions to support Côte d'Ivoire efforts in increasing the net quantity of electricity traded by Côte d'Ivoire on the regional market. Investments in these areas are expected to help the GoCI to substantially participate in trading electricity on the regional market and grow its economy while reducing poverty.

Project and Activity Summaries

The Côte d'Ivoire Regional Electricity Project

The Compact is designed to achieve its objective through one project, comprising the following three activities:

1. *The Support for the ECOWAS Regional Electricity Market Activity* aims to assist regional electricity actors in the operationalization of Phase II—the day-ahead market—of the West African Power Pool (WAPP) regional electricity market. The day-ahead electricity market hosts transactions for buying and selling electricity one day prior to the delivery day. On this market, regional buyers and sellers commit to the wholesale purchase of electricity and submit their bids and offers to a market operator, respectively. The day-ahead market helps to avoid price volatility and produces one financial settlement. The integration of national power systems through a day-ahead market reduces the likelihood of energy crises that could lead to political instability and conflict. Strengthening the regulatory frameworks and institutional capacities of entities like the WAPP ensures that U.S. investments are safeguarded and that energy resources are managed transparently. This activity comprises three components: (i) improving and reinforcing reliability and market governance, (ii) improving market financial viability, and (iii) reinforcing the operational capacity of regional market actors.

2. *The Modernizing the Grid Network in Côte d'Ivoire Activity* aims to make targeted investments in power system tools, equipment, and infrastructure in Côte d'Ivoire to meet the technical and market operations requirements needed to fully participate in the regional day-ahead power market. The activity will focus on upgrades to enhance the reliability and stability of the interconnected system while also catalyzing funding for a pipeline of independent power producer (IPP) projects to ensure sufficient energy is available for power trade. This strategic investment directly contributes to U.S. safety by enhancing the reliability and stability of the Ivorian electricity system. By upgrading critical infrastructure, MCC will reduce the risk of energy shortages that could destabilize the region and create

[1] ECOWAS refers to the Economic Community of West African States.

opportunities for extremist groups to exploit vulnerabilities. This activity comprises two components: the first is dedicated to modernizing and upgrading power system operations tools, real-time monitoring and forecasting tools and capabilities to enhance compliance with anticipated future regulations. The second component aims to assist Côte d'Ivoire in expanding its capacity to diversify its energy mix thus improving its energy security. This will be done by catalyzing private sector funding for energy generation projects, thereby promoting energy independence and reducing reliance on potentially hostile foreign energy sources. The expected improvements in cybersecurity for the energy management systems will further protect U.S. interests by ensuring that critical infrastructure is protected against cyber threats, which are increasingly prevalent in interconnected systems.

3. *The Support to Côte d'Ivoire on the Regional Electricity Market Activity* aims to bolster the regulatory, financial, and operational capacity of Ivoirian electricity sector stakeholders, enabling them to optimize their involvement in the recently launched day-ahead regional electricity market. This activity comprises three components: (i) improving and harmonizing the country's electricity sector regulatory framework in line with regional frameworks and regulations, (ii) improving the financial condition of the Ivorian electricity sector, and (iii) developing Côte d'Ivoire's overall performance in the regional electricity market. By enhancing these capacities, we are not only supporting Côte d'Ivoire's ambition to become a regional energy hub but also reinforcing U.S. interests in promoting stability and security in West Africa. A well-functioning regional electricity market reduces the potential for energy disputes and fosters cooperation among nations, thereby contributing to a more stable geopolitical environment. The establishment of standardized contracts and regulatory frameworks will ensure compliance with regional regulatory frameworks and transparency, which are essential for attracting U.S. investments and ensuring that American companies can operate safely and effectively in the region.

Compact Budget

The table below presents the overall compact budget of $322.5 million, which includes up to $300 million of MCC funding, and a GoCI contribution of at least $22.5 million.

MCC Funding by compact components	Amount
1. Support for the ECOWAS Regional Electricity Market Activity	$39,450,000
2. Modernizing the Grid Network in Côte d'Ivoire Activity	165,500,000
3. Support to Côte d'Ivoire on the Regional Electricity Market Activity	40,450,000
4. Monitoring and Evaluation	2,800,000
5. Program Administration	51,800,000
Total MCC Compact Funding	300,000,000

Total program funding	Amount
Total MCC Compact Funding	$300,000,000
Government of Côte d'Ivoire Contribution	22,500,000
Total Program	322,500,000

[FR Doc. 2025–18565 Filed 9–24–25; 8:45 am]
BILLING CODE 9211–03–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[NASA Document Number: 25–041; NASA Docket Number: NASA–2025–0168]

Information Collection: Personal Identity Validation for Routine and Intermittent Access to NASA Facilities, Sites, and Information Systems

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Renewal of information collection.

SUMMARY: NASA, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995 (PRA).

DATES: Comments are due by November 24, 2025.

ADDRESSES: Written comments and recommendations for this information collection should be sent within 60 days of publication of this notice at *http://www.regulations.gov* and search for NASA Docket NASA–2025–0168.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to NASA PRA Clearance Officer, Stayce Hoult, NASA Headquarters, 300 E Street SW, JC0000, Washington, DC 20546, phone 256–714–8575, or email *stayce.d.hoult@nasa.gov* or *hq-ocio-pra-program@mail.nasa.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

Homeland Security Presidential Directive 12 (HSPD–12) established a mandatory requirement for a Government-wide identity verification standard. In compliance with HSPD–12 and the National Institute of Standards and Technology (NIST) Federal Information Processing Standard (FIPS) 201: Personal Identity Verification of Federal Employees and Contractors, and OMB Policy memorandum M–05–24 Implementation of Homeland Security Presidential Directive 12, NASA must collect information from members of the public to: (1) validate identity and (2) issue secure and reliable federal credentials to enable access to NASA facilities/sites and NASA information systems. Information collected is consistent with background investigation data to include but not limited to name, date of birth, citizenship, social security number (SSN), address, employment history, biometric identifiers (*e.g.,* fingerprints), signature, digital photograph.

NASA collects information from U.S. Citizens and U.S. Persons requiring access 30 or more days in a calendar year. NASA also collects information

from foreign nationals regardless of their affiliation time.

NASA collects, stores, and secures information from individuals identified above in the NASA Identity Management and Account Exchange System (IdMAX) in a manner consistent with the Constitution and applicable laws, including the Privacy Act (5 U.S.C. 552a.).

Information is collected via a combination of electronic and paper processes and stored in the NASA IdMAX.

NASA is committed to effectively performing the Agency's communication function in accordance with the Space Act Section 203 (a)(3) to ''provide for the widest practicable and appropriate dissemination of information concerning its activities and the results thereof,'' and to enhance public understanding of, and participation in, the nation's aeronautical and space program in accordance with the NASA Strategic Plan.

II. Methods of Collection

NASA collects this information electronically (90%) and on paper (10%).

III. Data

Title: Personal Identity Validation for Routine and Intermittent Access to NASA Facilities, Sites, and Information Systems.

OMB Number: 2700–0158.

Type of Review: Renewal of information collection.

Affected Public: Individuals.

Estimated Annual Number of Activities: 52,000.

Estimated Number of Respondents per Activity: 1.

Annual Responses: 52,000.

Estimated Time per Response: 10 minutes.

Estimated Total Annual Burden Hours: 8,667 hours.

IV. Request for Comments

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of NASA, including whether the information collected has practical utility; (2) the accuracy of NASA's estimate of the burden (including hours and cost) 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 automated collection techniques or the use of other forms of information technology.

Comments submitted in response to this notice will be summarized and included in the request for OMB approval of this information collection. They will also become a matter of public record.

Stayce Hoult,

PRA Clearance Officer, National Aeronautics and Space Administration.

[FR Doc. 2025–18610 Filed 9–24–25; 8:45 am]

BILLING CODE 7510–13–P

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Endowment for the Humanities

Meeting of National Council on the Humanities

AGENCY: National Endowment for the Humanities; National Foundation on the Arts and the Humanities.

ACTION: Notice of meeting.

SUMMARY: Pursuant to the Federal Advisory Committee Act, notice is hereby given that the National Council on the Humanities will meet to advise the Acting Chairman of the National Endowment for the Humanities (NEH) with respect to policies, programs and procedures for carrying out his functions, and to review applications for financial assistance under the National Foundation on the Arts and Humanities Act of 1965 and make recommendations thereon to the Acting Chairman.

DATES: The meeting will be held on Thursday, October 9, 2025, from 10:00 a.m. ET until adjourned, and Friday, October 10, 2025, from 1:00 p.m. ET until adjourned.

ADDRESSES: The meeting will be held by videoconference originating at Constitution Center, 400 7th Street SW, Washington, DC 20506.

FOR FURTHER INFORMATION CONTACT: Elizabeth Voyatzis, Committee Management Officer, 400 7th Street SW, 4th Floor, Washington, DC 20506; (202) 606–8322; *evoyatzis@neh.gov.*

SUPPLEMENTARY INFORMATION: The National Council on the Humanities is meeting pursuant to the National Foundation on the Arts and Humanities Act of 1965 (20 U.S.C. 951–960, as amended).

The Divisions of Lifelong Learning and Research Programs Committees of the National Council on the Humanities will convene by videoconference on October 9, 2025, from 10:00 a.m. until 12:00 p.m. ET, to discuss specific grant applications and programs before the Council.

The National Council will then convene in executive session by videoconference on October 9, 2025, from 1:00 p.m. ET until adjourned.

The plenary session of the National Council on the Humanities will convene by videoconference on October 10, 2025, from 1:00 p.m. ET until adjourned. The agenda for the plenary session will be as follows:

A. Opening Remarks
1. Call to Order/Quorum
2. Acting Chairman's Remarks
B. Division of Lifelong Learning
C. Research Programs

This meeting of the National Council on the Humanities will be closed to the public pursuant to sections 552b(c)(4), 552b(c)(6), and 552b(c)(9)(B) of Title 5 U.S.C., as amended, because it will include review of personal and/or proprietary financial and commercial information given in confidence to the agency by grant applicants, and discussion of certain information, the premature disclosure of which could significantly frustrate implementation of proposed agency action. I have made this determination pursuant to the authority granted to me by the Chair's Delegation of Authority to Close Advisory Committee Meetings dated April 15, 2016.

Dated: September 23, 2025.

Kimberly Hylan,

Attorney-Advisor, National Endowment for the Humanities.

[FR Doc. 2025–18609 Filed 9–24–25; 8:45 am]

BILLING CODE 7536–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2024–0211]

Information Collection: Cooperation With States at Commercial Nuclear Power Plants and Other Nuclear Production and Utilization Facilities

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, ''Cooperation with States at Commercial Nuclear Power Plants and Other Nuclear Production and Utilization Facilities.''

DATES: Submit comments by November 24, 2025. Comments received after this

date will be considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received on or before this date.

ADDRESSES: You may submit comments by any of the following methods; however, the NRC encourages electronic comment submission through the Federal rulemaking website:

- *Federal rulemaking website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2024–0211. Address questions about Docket IDs in *Regulations.gov* to Bridget Curran; telephone: 301–415–1003; email: *Bridget.Curran@nrc.gov*. For technical questions, contact the individual(s) listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *Mail comments to:* David Cullison, Office of the Chief Information Officer, Mail Stop: T–6 A10M, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

For additional direction on obtaining information and submitting comments, see ''Obtaining Information and Submitting Comments'' in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: David Cullison, Office of the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–2084; email: *Infocollects.Resource@nrc.gov*.

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2024–0211 when contacting the NRC about the availability of information for this action. You may obtain publicly available information related to this action by any of the following methods:

- *Federal Rulemaking Website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2024–0211.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at *https://www.nrc.gov/reading-rm/adams.html*. To begin the search, select ''Begin Web-based ADAMS Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, at 301–415–4737, or by email to *PDR.Resource@nrc.gov*. The supporting statement is available in ADAMS under Accession No. ML25044A280.
- *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–2024–0211, 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:* Cooperation with States at Commercial Nuclear Power Plants and Other Nuclear Production and Utilization Facilities.
2. *OMB approval number:* 3150–0163.
3. *Type of submission:* Extension.
4. *The form number, if applicable:* Not applicable.
5. *How often the collection is required or requested:* On occasion, when a State or Federally recognized Indian Tribe wishes to observe NRC inspections or perform inspections with the NRC or when a State or Federally recognized Indian Tribe wishes to negotiate an agreement to observe or perform inspections. States with an instrument of cooperation or a State Resident Engineer have both regular reporting and occasion-specific reporting.
6. *Who will be required or asked to respond:* States and Federally recognized Tribes interested in observing or performing inspections.
7. *The estimated number of annual responses:* 203.
8. *The estimated number of annual respondents:* 30.
9. *The estimated number of hours needed annually to comply with the information collection requirement or request:* 1,255.
10. *Abstract:* States and Federally recognized Indian Tribes are involved and interested in monitoring the safety status of nuclear power plants and other nuclear production and utilization facilities. This involvement is, in part, in response to the States' and Tribes' public health and safety responsibilities and, in part, in response to their citizens' desire to become more knowledgeable about the safety of nuclear power plants and other nuclear production and utilization facilities. States and Tribes have identified NRC inspections as one possible source of knowledge for their personnel regarding NRC licensee activities, and the NRC, through the policy statement, ''Cooperation with States at Commercial Nuclear Power Plants and Other Nuclear Production or Utilization Facilities'' (57 FR 6462; February 25, 1992), has been amenable to accommodating States' and Tribes' needs in this regard. The NRC uses the information collected under this information collection requirement to allow States and Federally recognized Indian Tribes to participate in or observe inspections at NRC-licensed facilities. The types of information collected include written requests identifying specific inspections States and Tribes wish to observe; identification-related information required for site access to NRC-licensed facilities; training and qualifications of State and Tribal personnel participating in inspections; information required to define inspection roles for States and Tribes; and information to coordinate NRC and State and Tribal inspections.

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 23, 2025.

For the Nuclear Regulatory Commission.

David Cullison,

NRC Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 2025–18659 Filed 9–24–25; 8:45 am]

BILLING CODE 7590–01–P

POSTAL REGULATORY COMMISSION

[Docket Nos. CP2023–102; CP2024–157; CP2024–280; CP2024–284; CP2024–530; MC2025–1701 and K2025–1691]

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 29, 2025.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at *https://www.prc.gov.* Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION:

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I. Introduction
II. Public Proceeding(s)
III. Summary Proceeding(s)

I. Introduction

Pursuant to 39 CFR 3041.405, the Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to Competitive negotiated service agreement(s). The request(s) may propose the addition of a negotiated service agreement from the Competitive product list or the modification of an existing product currently appearing on the Competitive product list.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (*http://www.prc.gov*). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3011.301.[1]

Section II identifies the docket number(s) associated with each Postal Service request, if any, that will be reviewed in a public proceeding as defined by 39 CFR 3010.101(p), the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each such request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 and 39 CFR 3000.114 (Public Representative). The Public Representative does not represent any individual person, entity or particular point of view, and, when Commission attorneys are appointed, no attorney-client relationship is established. Section II also establishes comment deadline(s) pertaining to each such request.

The Commission invites comments on whether the Postal Service's request(s) identified in Section II, if any, are consistent with the policies of title 39. Applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3035, and 39 CFR part 3041. Comment deadline(s) for each such request, if any, appear in Section II.

Section III identifies the docket number(s) associated with each Postal Service request, if any, to add a standardized distinct product to the Competitive product list or to amend a standardized distinct product, the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. Standardized distinct products are negotiated service agreements that are variations of one or more Competitive products, and for which financial models, minimum rates, and classification criteria have undergone advance Commission review. *See* 39 CFR 3041.110(n); 39 CFR 3041.205(a). Such requests are reviewed in summary proceedings pursuant to 39 CFR 3041.325(c)(2) and 39 CFR 3041.505(f)(1). Pursuant to 39 CFR 3041.405(c)–(d), the Commission does not appoint a Public Representative or request public comment in proceedings to review such requests.

[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).:* CP2023–102; *Filing Title:* USPS Request Concerning Amendment Five to Priority Mail Express, Priority Mail, First-Class Package Service & Parcel Select Contract 107, with Material Filed Under Seal; *Filing Acceptance Date:* September 19, 2025; *Filing Authority:* 39 CFR 3035.105 and 39 CFR 3041.505; *Public Representative:* Elsie Lee-Robbins; *Comments Due:* September 29, 2025.

2. *Docket No(s).:* CP2024–157; *Filing Title:* USPS Request Concerning Amendment One to Priority Mail & USPS Ground Advantage Contract 163 and Materials Under Seal; *Filing Acceptance Date:* September 19, 2025; *Filing Authority:* 39 CFR 3035.105 and 39 CFR 3041.505; *Public Representative:* Elsie Lee-Robbins; *Comments Due:* September 29, 2025.

3. *Docket No(s).:* CP2024–280; *Filing Title:* USPS Request Concerning Amendment One to Priority Mail & USPS Ground Advantage Contract 246, with Material Filed Under Seal; *Filing Acceptance Date:* September 19, 2025; *Filing Authority:* 39 CFR 3035.105 and 39 CFR 3041.505; *Public Representative:* Samuel Robinson; *Comments Due:* September 29, 2025.

4. *Docket No(s).:* CP2024–284; *Filing Title:* USPS Request Concerning Amendment One to Priority Mail & USPS Ground Advantage Contract 248 and Materials Under Seal; *Filing Acceptance Date:* September 19, 2025; *Filing Authority:* 39 CFR 3035.105 and 39 CFR 3041.505; *Public Representative:* Evan Wise; *Comments Due:* September 29, 2025.

5. *Docket No(s).:* CP2024–530; *Filing Title:* USPS Request Concerning Amendment One to Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 230, with Materials Filed Under Seal; *Filing Acceptance Date:* September 19, 2025; *Filing Authority:* 39 CFR 3035.105 and 39 CFR 3041.505; *Public Representative:* Evan Wise; *Comments Due:* September 29, 2025.

6. *Docket No(s).:* MC2025–1701 and K2025–1691; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 1416 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* September 19, 2025; *Filing*

Authority: 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Jennaca Upperman; *Comments Due:* September 29, 2025.

III. Summary Proceeding(s)

None. See Section II for public proceedings.

This Notice will be published in the **Federal Register**.

Erica A. Barker,

Secretary.

[FR Doc. 2025–18531 Filed 9–24–25; 8:45 am]

BILLING CODE 7710–FW–P

POSTAL REGULATORY COMMISSION

[Docket Nos. CP2024–146; K2025–260; K2025–989; MC2025–1702 and K2025–1692; MC2025–1703 and K2025–1693; MC2025–1704 and K2025–1694; MC2025–1705 and K2025–1695; MC2025–1706 and K2025–1696]

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 30, 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.

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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. MC2025–1702 and K2025–1692; MC2025–1703 and K2025–1693; MC2025–1704 and K2025–1694).

[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).:* CP2024–146; *Filing Title:* USPS Request Concerning Amendment One to Priority Mail Express, Priority Mail, USPS Ground Advantage & Parcel Select Contract 2, with Materials Filed Under Seal; *Filing Acceptance Date:* September 22, 2025; *Filing Authority:* 39 CFR 3035.105 and 39 CFR 3041.505; *Public Representative:* Jennaca Upperman; *Comments Due:* September 30, 2025.

2. *Docket No(s).:* K2025–260; *Filing Title:* USPS Request Concerning Amendment One to Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 617, with Materials Filed Under Seal; *Filing Acceptance Date:* September 22, 2025; *Filing Authority:* 39 CFR 3035.105 and 39 CFR 3041.505; *Public Representative:* Samuel Robinson; *Comments Due:* September 30, 2025.

3. *Docket No(s).:* K2025–989; *Filing Title:* USPS Request Concerning Amendment One to Priority Mail & USPS Ground Advantage Contract 569, with Material Filed Under Seal; *Filing Acceptance Date:* September 22, 2025; *Filing Authority:* 39 CFR 3035.105 and 39 CFR 3041.505; *Public Representative:* Maxine Bradley; *Comments Due:* September 30, 2025.

4. *Docket No(s).:* MC2025–1705 and K2025–1695; *Filing Title:* USPS Request to Add Priority Mail Contract 929 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* September 22, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Christopher Mohr; *Comments Due:* September 30, 2025.

5. *Docket No(s).:* MC2025–1706 and K2025–1696; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 1417 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* September 22, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Christopher Mohr; *Comments Due:* September 30, 2025.

III. Summary Proceeding(s)

1. *Docket No(s).:* MC2025–1702 and K2025–1692; *Filing Title:* USPS Request to Add New Fulfillment Standardized Distinct Product, PM–GA Contract 861, and Notice of Filing Materials Under

Seal; *Filing Acceptance Date:* September 22, 2025; *Filing Authority:* 39 U.S.C. 3642 and 3633, 39 CFR 3035.105, and 39 CFR 3041.325.

2. *Docket No(s).:* MC2025–1703 and K2025–1693; *Filing Title:* USPS Request to Add New Fulfillment Standardized Distinct Product, PM–GA Contract 862, and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* September 22, 2025; *Filing Authority:* 39 U.S.C. 3642 and 3633, 39 CFR 3035.105, and 39 CFR 3041.325.

3. *Docket No(s).:* MC2025–1704 and K2025–1694; *Filing Title:* USPS Request to Add New Fulfillment Standardized Distinct Product, PM–GA Contract 863, and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* September 22, 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. 2025–18623 Filed 9–24–25; 8:45 am]

BILLING CODE 7710–FW–P

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235–0109]

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Extension: Rule 12d1–3

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'' or ''SEC'') has submitted to the Office of Management and Budget (''OMB'') this request for extension of the previously approved collection of information discussed below.

Rule 12d1–3 (17 CFR 240.12d1–3) of the Securities Exchange Act of 1934 (''Exchange Act'') requires a certification that a security has been approved by an exchange for listing and registration pursuant to Section 12(d) of the Exchange Act (15 U.S.C. 78l(d)) to be filed with the Commission. The information required under Rule 12d1–3 is mandatory and is publicly available on the Commission's Electronic Data Gathering, Analysis, and Retrieval (''EDGAR'') system.

We estimate that Rule 12d1–3 takes approximately 0.5 hours per response to provide the information required under Rule12d1–3 and is filed by an average of 709 respondents annually with an average of 1,066 responses per year (calculated for the period 2022 through 2024). This is an average of 1.5 responses per respondent per year. We further estimate that 100% of the collection of information is carried internally by the respondent. Thus, we estimate the total annual reporting burden to be 533 hours (0.5 hours per response × 1,066 responses). We estimate that there is no cost associated with this information collection because 100% of the burden is carried internally by the respondent.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

The public may view and comment on this information collection request at: *https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202507-3235-008* or send an email comment to *MBX.OMB.OIRA.SEC_desk_officer@omb.eop.gov* within 30 days of the day after publication of this notice by October 27, 2025.

Dated: September 23, 2025.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–18646 Filed 9–24–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104015; File No. SR–SAPPHIRE–2025–34]

Self-Regulatory Organizations; MIAX Sapphire, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Exchange Rule 402 To Permit the Listing of Options on an Exchange Traded Fund as Defined in Rule 6c–11 Under the Investment Company Act of 1940

September 22, 2025.

Pursuant to the provisions of 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 September 9, 2025, MIAX Sapphire, LLC (''MIAX Sapphire'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') a proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Exchange Rule 402, Criteria for Underlying Securities, to permit the listing of options on an exchange traded fund as defined in Rule 6c–11 under the Investment Company Act of 1940 (''Rule 6c–11'').

The text of the proposed rule change is available on the Exchange's website at *https://www.miaxglobal.com/markets/us-options/miax-sapphire/rule-filings* and at the Exchange's principal office.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Exchange Rule 402, Criteria for Underlying Securities,[3] to amend: (1) subsection (i)(1) to provide that securities deemed appropriate for options trading include shares or other securities (''Exchange-Traded Funds'' or ''ETFs''), that are listed pursuant to generic listing standards for an exchange-traded fund as defined in Rule 6c–11 under the Investment Company Act of 1940 (''ETF Shares''), portfolio depositary receipts, or index fund shares; and (2) subsection (i)(5)(ii)(A) to provide that the ETFs must be listed pursuant to generic listing standards for ETF Shares. This is a competitive filing

[3] The Exchange notes that its affiliate options exchanges, Miami International Securities Exchange, LLC (''MIAX'') and MIAX Pearl, LLC (''MIAX Pearl''), submitted substantively similar proposals. The Exchange notes that all the rules of Chapter IV of MIAX Rulebook, including Exchange Rule 402, are incorporated by reference into the MIAX Emerald, LLC (''MIAX Emerald'') rulebook.

based on a similar proposal submitted by Cboe Exchange, Inc. (''Cboe'').[4]

Current Exchange Rule 402(i)(5)(ii)(A) provides that ETF Shares must be listed pursuant to generic listing standards for portfolio depositary receipts and index fund shares based on international global indexes under which a comprehensive surveillance agreement (''CSSA'') is not required. This proposal would amend Exchange Rule 402(i)(5)(ii)(A) to add that ETFs may also be listed pursuant to generic listing standards for ETF Shares.

This proposal will enable the Exchange to list and trade options on generically listed exchange-traded funds that can rely on Rule 6c–11, provided that the ETF Shares are listed pursuant to Rule 19b–4(e) of the Exchange Act. Rule 19b–4(e) provides that the listing and trading of a new derivative securities product by a self-regulatory organization (''SRO'') shall not be deemed a proposed rule change, pursuant to paragraph (c)(1) of Rule 19b–4, if the Securities and Exchange Commission (the ''Commission'') has approved, pursuant to Section 19(b) of the Exchange Act, the SRO's trading rules, procedures and listing standards for the product class that would include the new derivatives securities product, and the SRO has a surveillance program for the product class. In other words, the proposal will amend the listing standards to allow the Exchange to list and trade options on ETF Shares to a similar degree that they are allowed to be listed on index fund shares and portfolio depositary receipts. A series of index fund shares or portfolio depositary receipts may generically list as ETF Shares so long as the fund meets all listing requirements under the applicable ETF Shares listing rule.[5] The proposal merely represents a natural progression from a previous approval order, which established the principle that options listing standards should align with the surveillance framework of their underlying securities.[6] While the MIAX Approval Order was limited to portfolio depositary receipts and index fund shares based on international or global indexes, the Exchange believes the underlying regulatory logic (that adequate transparency and surveillance of the underlying security can support options listing without additional CSSA requirements) applies equally to ETF Shares listed under generic listing standards, and is further supported by the fact that index fund shares and portfolio depositary receipts are generally designed to meet the requirements of the ETF Shares listing standards.

The Exchange allows for the listing and trading of options on exchange-traded funds under Exchange Rule 402(i). In particular, Exchange Rule 402(i)(1) provides that securities deemed appropriate for options trading include ETFs that represent interests in registered investment companies (or series thereof) organized as open-end management investment companies, unit investment trusts or similar entities that hold portfolios of securities and/or certain financial instruments and money market instruments.[7]

The requirements of Exchange Rule 402(i)(1) are generally based on the generic listing standards[8] for exchange-traded funds that pre-dated the adoption of Rule 6c–11 (the ''previous generic listing standards''). The Exchange proposes to eliminate the language from the rule text that specifies the securities and/or financial instruments that the entity holds and instead provide that the securities deemed appropriate for options trading include ETFs that are listed pursuant to generic listing standards for ETF Shares, portfolio depositary receipts, or index fund shares.

Similarly, Exchange Rule 402(i)(5)(ii)(A) provides that ETFs must be listed pursuant to generic listing standards for series of portfolio depositary receipts and index fund shares based on international or global indexes under which a comprehensive surveillance agreement is not required. Thus, the requirements of Exchange Rule 402(i)(5)(ii)(A) are also generally based on the previous generic listing standards. The Exchange proposes to amend Exchange Rule 402(i)(5)(ii)(A) to explicitly provide that the ETFs must be listed pursuant to the generic listing standards for ETF Shares, or series of portfolio depositary receipts and index fund shares based on international or global indexes under which a comprehensive surveillance agreement is not required.

In 2019, the Commission adopted Rule 6c–11 to permit exchange-traded funds that satisfy certain conditions to operate without obtaining an exemptive order from the Commission under the Investment Company Act of 1940.[9] In 2020, the Commission approved generic listing standards pursuant to Rule 19b–4(e) of the Exchange Act for exchange-traded funds that meet the requirements of Rule 6c–11 (*i.e.,* ETF Shares).[10] Such generic listing standards permit the listing and trading of ETF Shares that are permitted to operate in reliance on Rule 6c–11 to list and trade on an exchange without a prior Commission approval order or notice of effectiveness pursuant to Section 19(b) of the Act. ETFs listed pursuant to the previous generic listing standards would generally meet the requirements of Rule 6c–11 and thus could list as ETF Shares on an equity exchange.

The ETF Shares generic listing standards did not include the quantitative standards applicable to a fund or an index that were included in the previous generic listing standards.[11] Ultimately, the Commission found that the ETF Shares generic listing standards are reasonably designed to help prevent fraudulent and manipulative acts and practices particularly because a central qualification for listing generically is ongoing compliance with Rule 6c–11, which requires, among other things, ETF Shares to prominently disclose the portfolio holdings that will form the

[4] *See* Securities Exchange Act Release No. 103686 (August 5, 2025) 90 FR 39435 (August 15, 2025) (SR–CBOE–2025–053) (Self-Regulatory Organizations; Cboe Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Interpretation and Policy .06 of Rule 4.3 To Permit the Listing of Options on an Exchange-Traded Fund as Defined in Rule 6c–11 Under the Investment Company Act of 1940).

[5] *See e.g.,* Cboe BZX Exchange Rule 14.11(l) (ETF Shares).

[6] *See* Securities Exchange Act No. 874509 (March 13, 2015) 80 FR 14425 (March 19, 2015) (SR–MIAX–2015–04) (Order Approving a Proposed Rule Change To Amend MIAX Rule 402) (the ''MIAX Approval Order'').

[7] *See* Exchange Rule 402(i), which permits options trading on ETFs that: (1) represent interests in registered investment companies (or series thereof) organized as open-end management investment companies, unit investment trusts or similar entities that hold portfolios of securities and/or financial instruments (''Funds''), including, but not limited to, stock index futures contracts, options on futures, options on securities and indices, equity caps, collars and floors, swap agreements, forward contracts, repurchase agreements and reverse repurchase agreements (the ''Financial Instruments''), and money market instruments, including, but not limited to, U.S. government securities and repurchase agreements (the ''Money Market Instruments'') comprising or otherwise based on or representing investments in broad-based indexes or portfolios of securities and/or Financial Instruments and Money Market Instruments (or that hold securities in one or more other registered investment companies that themselves hold such portfolios of securities and/or Financial Instruments and Money Market Instruments).

[8] *See e.g.,* Cboe BZX Exchange Rules 14.11(c) (Index Fund Shares), 14.11(i) (Managed Fund Shares), and 14.11(b) (Portfolio Depositary Receipts).

[9] *See* Release Nos. 33–10695; IC–33646; File No. S7–15–18 (Exchange-Traded Funds) (September 25, 2019), 84 FR 57162 (October 24, 2019) (the ''Rule 6c–11 Release'').

[10] *See e.g.,* Securities Exchange Act Release No. 88566 (April 6, 2020) 85 FR 20312 (April 10, 2020) (SR–CboeBZX–2019–097) (Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment No. 2, To Adopt BZX Rule 14.11(l) Governing the Listing and Trading of Exchange-Traded Fund Shares) (''BZX ETF Shares Approval Order'').

[11] *See supra* note 5.

basis for each calculation of net asset value per share. Because initial and ongoing compliance with Rule 6c–11 is a condition for listing and trading on the equity listing markets, Rule 6c–11 permits the equity exchanges to list and trade shares of an investment company with a fully transparent portfolio. The Commission stated that it believes that such portfolio transparency should help prevent manipulation of the price of ETF Shares.[12]

In approving the ETF Shares generic listing standards, the Commission thoroughly considered the structure of the ETF Shares, their usefulness to investors and to the markets, and SRO rules that govern their listing and trading. The Exchange believes that allowing the listing of options overlying ETF Shares that are listed pursuant to the generic listing standards on equities exchanges and applying Rule 19b–4(e)[13] should fulfill the intended objective of that Rule by allowing options on those ETF Shares that have satisfied the generic listing standards to commence trading, without the need for the public comment period and Commission approval. The Exchange believes enabling the listing and trading of options on ETF Shares pursuant to this amended listing standard will benefit investors by providing them with valuable risk management tools, such as direct hedging tools, in a more timely manner. The proposed rule would allow the Exchange to quickly determine whether ETFs are appropriate for options trading under Exchange Rule 402(i)(5)(ii)(A) and has the potential to reduce the time frame for bringing options on ETF Shares to market, thereby benefitting investors by timely providing increased trading and hedging opportunities. The failure of a particular exchange-traded fund to comply with the generic listing standards under Rule 19b–4(e)[14] would not, however, preclude the Exchange from submitting a separate filing pursuant to Section 19(b)(2),[15] requesting Commission approval to list and trade options on a particular exchange traded fund.

Options on ETF Shares listed pursuant to the proposed generic listing standards would be traded, in all other respects, under the Exchange's existing trading rules and procedures that apply to options on exchange-traded fund and would be covered under the Exchange's surveillance program for options on ETFs.[16]

The Exchange believes this proposed listing standard for options on ETF Shares is reasonable and will result in options that are not readily susceptible to manipulation in light of existing Rule 6c–11 transparency requirements and options listing requirements.[17] The Commission has determined that portfolio transparency is central to preventing manipulation of ETF Share prices and serves as the primary qualification for generic listing of ETF Shares.[18] The Exchange believes this same transparency rationale supports the generic listing of options on ETF Shares by aligning the options generic listing standards with the ETF Shares generic listing standards. Where ETF Shares have been deemed sufficiently transparent to warrant generic listing, the Exchange believes the manipulation risks for both the underlying shares and overlying options are adequately mitigated through this transparency framework as options manipulation is typically achieved through manipulation of the underlying security. This proposal simply creates a streamlined pathway for listing options on qualifying ETF Shares that meet the enhanced transparency standards under Rule 6c–11.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[19] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[20] 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.

In particular, the Exchange believes that the proposal to list and trade options on ETF Shares pursuant to this amended listing standard will benefit investors by providing them with valuable risk management tools, such as direct hedging tools, in a more timely manner. The proposed rule would allow the Exchange to quickly determine whether ETFs are appropriate for options trading under Exchange Rule 402 and has the potential to reduce the time frame for bringing options on ETF Shares to market, thereby benefitting investors by timely providing increased trading and hedging opportunities. The proposed rule streamlines the listing mechanism[21] for certain qualifying options on ETF Shares to be listed on the Exchange in a manner that is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, to remove impediments to and perfect the mechanisms of a free and open market and a national market system and, in general, to protect investors and the public interest. Specifically, where ETF Shares have been deemed sufficiently transparent to warrant generic listing, the Exchange believes the manipulation risks for both the underlying shares and overlying options are adequately mitigated through this transparency framework as options manipulation is typically achieved through manipulation of the underlying security.

The Exchange believes that the proposal is similar to previous proposals that have sought to establish parallel listing standards for options as the underlying exchange-traded funds.[22] Specifically, in 2015 MIAX submitted a proposed rule filing that would allow it to list and trade options on certain exchange-traded funds without a CSSA provided that such exchange-traded funds that underlie options are listed on an equities exchange pursuant to certain generic listing standards under which a CSSA is not required. In the MIAX Approval Order, the Commission stated

[12] *See* BZX ETF Shares Approval Order at 20320.

[13] 17 CFR 240.19b–4(e).

[14] *Id.*

[15] 15 U.S.C. 78s(b)(2).

[16] *E.g.,* ETFs will continue to be subject to the position limits set forth in MIAX Rule 307. The Exchange notes that all the rules of Chapter III of MIAX, including Exchange Rule 307, are incorporated by reference into the Exchange Rulebooks.

[17] *See* Exchange Rule 402(i)(5)(i).

[18] *See* BZX ETF Shares Approval Order at 20320.

[19] 15 U.S.C. 78f(b).

[20] 15 U.S.C. 78f(b)(5).

[21] ETF Shares, which generally include index fund shares and portfolio depositary receipts, may list under the applicable ETF Shares listing rule, provided they meet all specified requirements. The proposal clarifies Exchange Rules to explicitly confirm that such ETF Shares fall within the scope of Exchange Rule 402.

[22] *See* Securities Exchange Act Nos. 874509 (March 13, 2015) 80 FR 14425 (March 19, 2015) (SR–MIAX 2015–04) (Order Approving a Proposed Rule Change To Amend MIAX Rule 402); *and* 75296 (June 25, 2015) 80 FR 37692 (July 1, 2015) (SR–CBOE–2015–052) (Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Rule 5.3.06) (collectively, the ''Prior Options ETF Amendments'').

that it believes that it is consistent with the Act for the Exchange to list and trade options that overlie ETFs, provided such ETFs are listed pursuant to generic listing standards on equities exchanges for portfolio depositary receipts and index fund shares based on international or global indexes under which a CSSA with a foreign market is not required.[23]

The Exchange believes this proposal represents a natural progression from the MIAX Approval Order, which established the principle that options listing standards should align with the surveillance framework of their underlying securities. While the MIAX Approval Order was limited to portfolio depositary receipts and index fund shares based on international or global indexes, the Exchange believes the underlying regulatory logic (that adequate transparency and surveillance of the underlying security can support options listing without additional CSSA requirements) applies equally to ETF Shares listed under generic listing standards. This is further supported by the fact that ETFs listed pursuant to the previous generic listing standards would generally meet the requirements of Rule 6c–11 and thus could list as ETF Shares. The Commission's determination that Rule 6c–11 ETF Shares can be listed generically without CSSA requirements due to their transparency should logically extend to options overlying these same transparent products. Specifically, the Exchange believes Rule 6c–11's portfolio transparency requirements provide an even stronger foundation for surveillance than the CSSA requirement contemplated in the MIAX Approval Order. The Commission has determined that portfolio transparency is central to preventing manipulation of ETF Share prices and serves as the primary qualification for generic listing of ETF Shares.[24] The Exchange believes this same transparency rationale supports the generic listing of options on ETF Shares by aligning the options generic listing standards with the ETF Shares generic listing standards. Where ETF Shares have been deemed sufficiently transparent to warrant generic listing, the Exchange believes the manipulation risks for both the underlying shares and overlying options are adequately mitigated through this transparency framework as options manipulation is typically achieved through manipulation of the underlying security. As such, the Exchange believes that the proposal furthers the protection of investors and the public interest by applying established regulatory principles to the evolved exchange-traded funds landscape created by Rule 6c–11, while maintaining appropriate surveillance safeguards through the underlying securities' transparency requirements.

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. In this regard and as indicated above, the Exchange notes that the rule change is substantively identical to the filing submitted by Cboe.[25]

The Exchange does not believe that the proposed rule change will impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act because ETF Shares, like any other exchange-traded funds, would have to satisfy the Exchange's initial listing standards to be eligible for options trading.[26] Additionally, the proposed rule change would apply to all market participants in the same manner as options on index fund shares and portfolio depositary receipts and generically listed options on ETF Shares would be equally available to all market participants who wish to trade such options.

The Exchange does not believe that the proposal will impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. To the extent that aligning the options generic listing standards with the ETF Shares generic listing standards may make the Exchange a more attractive marketplace to market participants at other exchanges, such market participants are free to elect to become market participants on the Exchange.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act[27] and Rule 19b–4(f)(6)[28] thereunder. Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act[29] and Rule 19b–4(f)(6)[30] thereunder.

A proposed rule change filed under Rule 19b–4(f)(6)[31] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b4(f)(6)(iii),[32] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative immediately upon filing. The Exchange states that waiver of the operative delay would add immediate clarity to the Exchange's rulebook by aligning the options listing requirements to the underlying generic ETF Shares listing standards. The Exchange also states that it believes the proposed rule change may result in more timely investment options and opportunities to achieve the investment objectives of market participants seeking efficient trading and hedging vehicles, to the benefit of investors, market participants, and the marketplace in general. For these reasons, and because the proposed rule change does not raise any novel legal or regulatory issues, the Commission finds that waiving the 30-day operative delay is consistent with the protection of investors and the public interest. Therefore, the Commission hereby waives the 30-day operative delay and designates the proposed rule change to be operative upon filing.[33]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if

[23] *See supra* note 6 at 14426.

[24] *See* BZX ETF Shares Approval Order at 20320.

[25] *See supra* note 4.

[26] *See* Exchange Rule 402.

[27] 15 U.S.C. 78s(b)(3)(A).

[28] 17 CFR 240.19b–4(f)(6).

[29] 15 U.S.C. 78s(b)(3)(A).

[30] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[31] 17 CFR 240.19b–4(f)(6).

[32] 17 CFR 240.19b–4(f)(6)(iii).

[33] For purposes only of waiving the 30-day operative delay, the Commission has also considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–SAPPHIRE–2025–34 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–SAPPHIRE–2025–34. 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–SAPPHIRE–2025–34 and should be submitted on or before October 16, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[34]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–18549 Filed 9–24–25; 8:45 am]

BILLING CODE 8011–01–P

[34] 17 CFR 200.30–3(a)(12), (59).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104017; File No. SR–CboeBZX–2025–096]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change To List and Trade Shares of the BondBloxx Private Credit Trust Under BZX Rule 14.11(f), Trust Issued Receipts

September 22, 2025.

On July 25, 2025, Cboe BZX Exchange, Inc. (''BZX'') 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 of the BondBloxx Private Credit Trust under BZX Rule 14.11(f), Trust Issued Receipts. The proposed rule change was published for comment in the **Federal Register** on August 12, 2025.[3]

Section 19(b)(2) of the Act [4] provides that within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for this proposed rule change is September 26, 2025. The Commission is extending this 45-day time period.

The Commission finds it appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change and the issues raised therein. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[5] designates November 10, 2025, as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR–CboeBZX–2025–096).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–18555 Filed 9–24–25; 8:45 am]

BILLING CODE 8011–01–P

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 103654 (Aug. 7, 2025), 90 FR 38849. The Commission has received no comments regarding the proposed rule change.

[4] 15 U.S.C. 78s(b)(2).

[5] *Id.*

[6] 17 CFR 200.30–3(a)(31).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104009; File No. SR–FICC–2025–005]

Self-Regulatory Organizations; Fixed Income Clearing Corporation; Order Approving Proposed Rule Change To Adopt an Intraday Mark-to-Market Charge at GSD

September 22, 2025.

I. Introduction

On March 14, 2025, Fixed Income Clearing Corporation (''FICC'') filed with the Securities and Exchange Commission (''Commission'') proposed rule change SR–FICC–2025–005 (''Proposed Rule Change''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 [2] thereunder to modify FICC's Government Securities Division (''GSD'') Rulebook (''GSD Rules'') to adopt an Intraday Mark-to-Market Charge. The Proposed Rule Change was published for comment in the **Federal Register** on March 27, 2025.[3]

On May 9, 2025, pursuant to Section 19(b)(2) of the Act,[4] the Commission designated a longer period within which to approve, disapprove, or institute proceedings to determine whether to approve or disapprove the Proposed Rule Change.[5] On June 26, 2025, the Commission instituted proceedings to determine whether to approve or disapprove the Proposed Rule Change.[6] The Commission has received comments on the changes proposed.[7]

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102705 (Mar. 21, 2025), 90 FR 13965 (Mar. 27, 2025) (File No. SR–FICC–2025–005) (''Notice of Filing'').

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 102986 (May 5, 2025), 90 FR 19755 (May 9, 2025) (File No. SR–FICC–2025–005).

[6] *See* Securities Exchange Act Release No. 103299 (June 23, 2025), 90 FR 27354 (June 26, 2025) (SR–FICC–2025–005).

[7] Comments on the Proposed Rule Change are available at *https://www.sec.gov/comments/sr-ficc-2025-005/srficc2025005.htm.*

For the reasons discussed below, the Commission is approving the Proposed Rule Change.

II. Background

FICC is a central counterparty (''CCP''), which means it interposes itself as the buyer to every seller and seller to every buyer for the financial transactions it clears. FICC's GSD provides trade comparison, netting, risk management, settlement and CCP services for the U.S. Government securities market.[8] As such, FICC is exposed to the risk that one of more of its Members or indirect participants may fail to make a payment or to deliver securities.

A tool that FICC uses to manage its credit exposure to its Members is the daily collection of margin. Margin is designed to mitigate potential losses associated with the liquidation of a Netting Member or Segregated Indirect Participant's portfolio in the event of their default. The aggregated amount of all Netting Members' margin constitutes the Clearing Fund, which FICC would be able to access should a defaulted Netting Member's own margin be insufficient to satisfy losses to FICC caused by the liquidation of that Netting Member's portfolio.[9]

FICC's Rules refer to margin in two ways, depending on the types of Members and accounts involved. First, the Required Fund Deposit is the sum of each Netting Member's proprietary accounts and all indirect participant accounts not designated as Segregated Indirect Participant Accounts.[10] Second, the Segregated Customer Margin Requirement is the sum of the Netting Member's Sponsoring Member Omnibus Accounts and Agent Clearing Member Omnibus Accounts designated as Segregated Indirect Participant Accounts.[11] Included within the Required Fund Deposit and Segregated Customer Margin Requirement is the VaR Charge, a calculation of the volatility of specified Net Unsettled Positions at the time of such calculation.[12]

Apart from collecting margin, FICC currently runs a mark-to-market calculation twice each business day to reflect the difference between the contract value of a trade and the current market value of the security. After these twice daily calculations, each Member is required to pay (or entitled to collect) a Funds-Only Settlement Amount across all CUSIPs in which it has outstanding positions. The funds-only settlement process is a cash pass-through process, meaning that those Members which are in a debit position submit payments to FICC that are then used by FICC to pay Members in a credit position. This amount includes, among other payments, a mark-to-market amount for every net settlement position (positions to settle on the next business day), every forward net settlement position (open positions), and every position that was scheduled to settle and has not yet settled (failed positions).[13]

During each trading day, a Member's exposure may change due to the settlement of existing transactions and new trade activities. In addition, the value of the Member's portfolio may change due to market moves. Currently, the mark-to-market component of the Funds-Only Settlement Amount covers FICC's exposure to a Member due to market moves and/or trading and settlement activity by bringing the Member's portfolio of outstanding positions up to the market value at noon and end of day.[14]

However, because the start of day and intraday mark-to-market components of the Funds-Only Settlement Amount are calculated using the end of prior day and noon of current day positions and prices, respectively, they do not cover a Member's risk exposure arising out of changes in position and market value in the Member's portfolio which occur between the collections. FICC is proposing to adopt an Intraday Mark-to-Market Charge to mitigate such risk.

III. Description of the Proposed Rule Change

The Proposed Rule Change would add the ''Intraday Mark-to-Market Charge'' as an additional charge in calculating the Required Fund Deposit and Segregated Customer Margin Requirement in the Margin Component Schedule.[15] Specifically, the Intraday Mark-to-Market Charge is defined as ''an additional charge that is collected from a Member or Segregated Indirect Participant (unless waived or decreased . . .)[16] to mitigate FICC's exposures that may arise due to intraday changes in the size, composition and constituent security prices of such Member's Margin Portfolio or Segregated Indirect Participant's portfolio, including when certain risk thresholds are breached or when the products cleared or markets served display elevated volatility.''[17] The Intraday Mark-to-Market Charge would equal the difference between (a) the mark-to-market amount reflected either in the last Funds-Only Settlement Amount or Intraday Mark-to-Market Charge, as applicable, for the Margin Portfolio or Segregated Indirect Participant's portfolio, and (b) such Margin Portfolio's or Segregated Indirect Participant's portfolio marked to the most recently observed System Price for such positions and shall be recalculated intraday, each Business Day, at the times and frequencies established by FICC for this purpose, which times and frequencies shall be communicated to Members and Segregated Indirect Participants on FICC's public website.

The Proposed Rule Change outlines three ''Parameter Breaks,'' *i.e.,* risk thresholds, for the imposition of an Intraday Mark-to-Market Charge. The Intraday Mark-to-Market Charge would apply to a Member that has breached all three Parameter Breaks (that is, that has met all three thresholds). FICC states that the objective of these thresholds is to ensure that FICC is able to limit exposure to intraday mark-to-market fluctuations that (a) are of a large dollar amount (the ''Dollar Threshold''), (b) exhausts a significant portion of a Member's last calculated VaR Charge (the ''Percentage Threshold''), and (c) are experienced by Members with either (i) a limited trading history (the ''Trading Day Threshold'') or (ii) backtesting deficiencies that bring backtesting results for the Member below a confidence target (the ''Coverage Target''), indicating that a Member's activity was not sufficiently covered by margin.[18]

These thresholds are as follows:

(1) *The Dollar Threshold:* an adverse intraday mark-to-market change in a portfolio that equals or exceeds a certain

[8] The GSD Rules are available at *https://www.dtcc.com/~/media/Files/Downloads/legal/rules/ficc_gov_rules.pdf.* Capitalized terms not otherwise defined herein are defined in the GSD Rules.

[9] *See* GSD Rule 4 (Clearing Fund and Loss Allocation), *supra* note 8.

[10] *Id.*

[11] *Id.*

[12] Each member's margin consists of several components, each of which is calculated to address specific risks faced by FICC arising out of its members' trading activity. *See* GSD Rule Book, Margin Component Schedule, Sections 2 and 5, *supra* note 8.

[13] *See* GSD Rule 13, Section 1, *supra* note 8. *See also* Notice of Filing, *supra* note 3, 90 FR at 13966.

[14] FICC currently collects Funds-Only Settlement Amounts at 10 a.m. based on the end-of-day position from the previous business day, and at 4:30 p.m. based on the Member's noon positions. *See* Notice of Filing, *supra* note 3, 90 FR 13966.

[15] Specifically, the Proposed Rule Change would amend the GSD Rulebook to add a definition of ''Intraday Mark-to-Market Charge'' to GSD Rule 1 (Definitions) and to define it in the Margin Component Schedule.

[16] FICC's proposed waiver procedures are discussed in Section 3, *infra.*

[17] *See* Notice of Filing, *supra* note 3, 90 FR at 13969.

[18] *See* Notice of Filing, *supra* note 3, 90 FR 13967–8.

threshold dollar amount (not less than $1 million) as determined by FICC from time to time when compared to the mark-to-market amount reflected in either the last Funds-Only Settlement Amount or Intraday Mark-to-Market Charge.[19] The purpose of the Dollar Threshold is to identify those Members whose mark-to-market exposure equals or exceeds a set large dollar amount. FICC states that those Members pose an increased risk of loss to FICC because if such a Member should default and the Member's Required Fund Deposit was insufficient to satisfy the losses that accrue from the liquidation of their portfolio, FICC may have to access the Clearing Fund. However, because the Clearing Fund is a finite financial resource designed to be available to satisfy potential losses to FICC that may arise from any Member default, FICC could be exposed to a significant risk of loss if a Member's mark-to-market exposures equals or exceeds a set large dollar amount that could deplete a substantial portion of the Clearing Fund. Therefore, FICC states that setting the threshold at $1 million would be aligned with the minimum Clearing Fund requirement at GSD, thus helping to ensure that the aggregate mark-to-market exposure of a Member would not exceed its minimum Clearing Fund deposit. FICC states that this threshold would ensure that the Clearing Fund available to satisfy all other liquidation losses arising out a Member's default is sufficient to mitigate the risks posed to FICC by such losses.[20]

(2) *The Percentage Threshold:* an adverse intraday mark-to-market change in a Member's portfolio that equals or exceeds a certain threshold percentage (not less than 10 percent) as determined by FICC from time to time when compared to the last calculated VaR Charge for the Member's portfolio. The purpose of the Percentage Threshold is to identify those Members whose mark-to-market exposures deplete a significant portion of the Member's daily VaR Charge.[21] FICC states that such Members pose an increased risk of loss to FICC because the coverage the VaR Charge provides would be depleted by a significant mark-to-market exposure that could therefore cause the Member's margin deposit to be unable to absorb further intraday losses. The Percentage Threshold is designed to provide FICC with a reasonable risk buffer to allow the VaR Charge collected to function as expected.[22] When a Member's mark-to-market exposure meets or exceeds a certain percentage as compared to its daily VaR Charge, the value of the Member's portfolio is trending towards a potential loss. The Percentage Threshold is calculated to equal a percentage of the daily VaR Charge that FICC has determined would leave it with a sufficient amount of a Member's remaining VaR Charge after accounting for potential losses arising from the Member's mark-to-market Exposure.[23] Initially, FICC will set the Percentage Threshold at 30 percent. FICC states that this level of mark-to-market exposure would likely pose an increased risk to the sufficiency of the Member's Required Fund Deposit.[24]

(3) *The Trading Day Threshold/ Coverage Target:* The purpose of the Trading Day Threshold is to identify those Members who have a limited trading history.[25] As proposed, Members that have limited trading history, *i.e.,* fewer than 100 trading days in a rolling 12-month period, would be assessed the proposed Intraday Mark-to-Market Charge irrespective of their backtesting coverage if they were to breach the Dollar Threshold and the Percentage Threshold.[26] One backtesting deficiency for a Member with fewer than 100 trading days within a rolling 12-month period would have a disproportionate effect on their backtesting coverage. Therefore, a Member with fewer than 100 trading days in a rolling 12-month period who has breached the Dollar and Percentage Threshold will be assessed the proposed Intraday Mark-to-Market Charge.[27]

The purpose of the Coverage Target is to identify those Members who have experienced backtesting deficiencies that bring their backtesting results as reported in the most current month below a certain threshold percentage as determined by FICC from time to time, initially to be set at 100 percent. FICC states that such Members pose an increased risk of loss to FICC because their backtesting deficiencies demonstrate that FICC's risk-based margin model did not perform as expected for that Member. Thus, the Coverage Target is designed to provide coverage to FICC for risk exposures arising from intraday mark-to-market fluctuations in the portfolio of a Member for whom the FICC margin model is not performing as expected.[28]

FICC states that it would review and assess the sufficiency of all three thresholds at least annually.[29] If FICC determines that an adjustment to any of the thresholds is necessary to provide reasonable coverage, FICC's market risk group would document the rationale and obtain approval for the change.[30] FICC would notify Members of any such changes via an Important Notice.[31]

The Proposed Rule Change also states that, if volatile market conditions occur, FICC may: (1) reduce the Dollar Threshold (but not to less than $250,000); (2) reduce the Percentage Threshold (but not to less than five percent); or (3) modify or not consider the 12-month Coverage Target. Examples of volatile market conditions outlined in the Proposed Rule Change include, but are not limited to, the occurrence of sudden swings in U.S. Treasury yields or mortgage-backed security spreads outside of historically observed market moves and/or conditions contributing to intraday risk exposures to FICC that, in aggregate, materially exceed intraday risk exposures observed under normal market conditions. FICC will provide Members with a minimum of one business day advance notice of changes to any parameter due to volatile market conditions via an Important Notice.[32]

Lastly, the Proposed Rule Change states that FICC may waive the imposition, or decrease the amount, of the Intraday Mark-to-Market Charge. FICC may determine that the adverse intraday mark-to-market change in the portfolio of the Netting Member or Segregated Indirect Participant and/or breaches of the thresholds described above do not accurately reflect FICC's risk exposure from these intraday mark-to-market fluctuations. The Proposed Rule Change states that one example, though not the only, of a circumstance where a waiver or decrease of the Intraday Mark-to-Market Charge may be appropriate is when there are large mark-to-market fluctuations arising out of trade errors for which FICC can confirm the reversal/correction thereto. FICC states that it is important to retain discretion on the imposition of the Intraday Mark-to-Market Charge to those

[19] *Id.* at 13967.

[20] *Id.*

[21] *Id.*

[22] More specifically, the VaR Charge is designed to cover potential losses over a three-day liquidation period for a Member at least 99 percent of the time, assuming normal market conditions. *Id.*

[23] *Id* at 13967–8.

[24] *Id.*

[25] *See* Notice of Filing, *supra* note 3, 90 FR at 13968.

[26] A Member's backtesting coverage is determined by calculating the number of days without backtesting deficiencies per 100 trading days in a rolling 12-month period.

[27] *Id.*

[28] *Id* at 13968.

[29] *Id* at 13967–8.

[30] *Id.*

[31] *Id* at 13969.

[32] FICC's Important Notices are posted on The Depository Trust and Clearing Corporation website at *https://www.dtcc.com/legal/important-notices.*

Members who pose an elevated level of risk to FICC. If FICC determines that either a waiver or reduction of an Intraday Mark-to-Market Charge is appropriate, the FICC market risk group would document the rationale and obtain the requisite approval for the waiver/reduction, in accord with FICC's internal market risk management policies and procedures. All waiver and/or reduction of the Intraday Mark-to-Market Charge shall be approved, documented and reviewed on a regular basis pursuant to FICC's procedures.[33]

FICC states that the proposed Intraday Mark-to-Market Charge would work in conjunction with the Intraday Supplemental Fund Deposit [34] to help FICC mitigate intraday risk exposures. Whereas the Intraday Supplemental Fund Deposit is designed to mitigate intraday risk exposure to FICC that results from large fluctuations in a Member's portfolio due to new and unsettled trade activities, the proposed Intraday Mark-to-Market Charge is designed to mitigate intraday risk exposure to FICC that results from large fluctuations in a Member's portfolio due to changes in position and market value.[35]

IV. Discussion and Commission Findings

Section 19(b)(2)(C) of the Act [36] directs the Commission to approve a proposed rule change of a self-regulatory organization if it finds that such proposed rule change is consistent with the requirements of the Act and rules and regulations thereunder applicable to such organization. After carefully considering the Proposed Rule Change, the Commission finds that the Proposed Rule Change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to FICC. In particular, the Commission finds that the Proposed Rule Change is consistent with Sections 17A(b)(3)(F) and 17A(b)(3)(I) [37] of the Act and Rules 17ad–22(e)(4)(i), (e)(6)(i) and (e)(6)(ii), each promulgated under the Act.[38]

A. Consistency With Section 17A(b)(3)(F) of the Act

Section 17A(b)(3)(F) of the Act requires, in part, that the rules of a registered clearing agency be designed to promote the prompt and accurate clearance and settlement of securities transactions, and assure the safeguarding of securities and funds which are in their custody or control or for which they are responsible.[39] The Proposed Rule Change is consistent with Section 17A(b)(3)(F) of the Act for the reasons discussed below.

As described in Section III above, FICC proposes to introduce the Intraday Mark-to-Market Charge as an additional charge when calculating the Required Fund Deposit and Segregated Customer Margin Requirement in the Margin Component Schedule. Adding the Intraday Mark-to-Market Charge to FICC's Margin Component Schedule should produce margin levels that better reflect the risks of Member portfolios associated with intraday changes in the size, composition and constituent security prices of each Member's Margin Portfolio or Segregated Indirect Participant's portfolio.

From July 1, 2022 through June 30, 2024, FICC performed an Impact Study [40] to assess the amount of Intraday Mark-to-Market Charges that would be assessed on Members, and the effect such Intraday Mark-to-Market Charges would have on backtesting deficiencies as compared to the existing GSD Rules. The Commission has reviewed and analyzed the Impact Study. Based on the Commission's review of the Impact Study, had the Intraday Mark-to-Market Charge been in place during this period, the aggregate average daily Intraday Mark-to-Market Charges would have been approximately $28.8 million, assessed to those Members twice a day, on average. The periods from July 1, 2022 through June 30, 2023 showed higher market volatility than the period from July 1, 2023 through June 30, 2024, resulting in higher aggregate average daily Intraday Mark-to-Market Charges, assessed more often than during the subsequent Study period.[41] Based on the Commission's review of the Impact Study, had the Intraday Mark-to-Market Charge been in place, backtesting deficiencies would have been reduced by six percent over the time period covered by the Impact Study.

By helping to ensure that FICC collects margin amounts sufficient to manage intraday risk associated with its Members' portfolios, the proposed Intraday Mark-to-Market Charge would help limit FICC's exposure in a member default scenario. The Proposed Rule Change would generally provide FICC with additional resources to manage potential losses arising out of a Member default. Such additional resources would decrease the likelihood that losses arising out of a Member default would exceed FICC's prefunded resources, *i.e.,* the Clearing Fund, resulting in a disruption of FICC's operation of its critical clearance and settlement services. Accordingly, the Proposed Rule Change should help FICC to continue providing prompt and accurate clearance and settlement of securities transactions, consistent with 17A(b)(3)(F) of the Act.[42]

In addition, as described in Section II above, FICC would access the mutualized Clearing Fund should a defaulted Member's own margin be insufficient to satisfy losses to FICC caused by the liquidation of that Member's portfolio. The implementation of a Mark-to-Market Charge should help to ensure that FICC has collected sufficient margin from Members and indirect participants and minimize the likelihood that FICC would have to access the Clearing Fund, thereby limiting non-defaulting Members' exposure to mutualized losses. By helping to limit the exposure of FICC's non-defaulting Members to mutualized losses, the Proposed Rule Change should help FICC assure the safeguarding of securities and funds which are in its custody or control, consistent with Section 17A(b)(3)(F) of the Act.[43]

B. Consistency With Section 17A(b)(3)(I)

Section 17A(b)(3)(I) of the Act requires that the rules of a clearing agency, such as FICC, do not impose any burden on competition not necessary or appropriate in furtherance of the Act.[44] Section 17A(b)(3)(I) does not require the Commission to make a finding that FICC chose the option that imposes the least possible burden on competition. Rather, the Act requires that the Commission find that the Proposed Rule Change does not impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act, which involves balancing the competitive effects of the Proposed Rule Change against all other relevant considerations under the Act.[45]

One commenter states that, although it appreciates and respects FICC's

[33] *See* Notice of Filing, *supra* note 3, 90 FR 13969–13970.

[34] *See* GSD Rule 4, Section 2a, *supra* note 8.

[35] *See* Notice of Filing, *supra* note 3, 90 FR 13967.

[36] 15 U.S.C. 78s(b)(2)(C).

[37] 15 U.S.C. 78q–1(b)(3)(F) and (b)(3)(I).

[38] 17 CFR 240.17ad–22(e)(4)(i), (e)(6)(i) and (e)(6)(ii).

[39] 15 U.S.C. 78q–1(b)(3)(F).

[40] As part of the Proposed Rule Change, FICC filed Exhibit 3—GSD Mark-to-Market Charge Impact Study. Pursuant to 17 CFR 240.24b–2, FICC requested confidential treatment of Exhibit 3.

[41] *See* Notice of Filing, *supra* note 3, 90 FR at 13970.

[42] 15 U.S.C. 78q–1(b)(3)(F).

[43] *Id.*

[44] 15 U.S.C. 78q–1(b)(3)(I).

[45] *See* Bradford National Clearing Corp., 590 F.2d 1085, 1105 (D.C. Cir. 1978).

market risk management strategy and its responsibilities under Section 17A of the Act and Rule 17ad–22 thereunder, the Proposed Rule Change's requirement for a Segregated Indirect Participant, like a registered fund (including money market funds), to pay an Intraday Mark-to-Market Charge within one hour of demand will create significant operational disruptions, further disincentivize funds to participate in FICC's registered fund margin framework, and potentially harm fund shareholders by reducing the fund's ability to earn returns on its investments.[46]

The Commission acknowledges the requirement to pay an Intraday Mark-to-Market Charge within one hour of demand could present potential competitive challenges for a registered fund that chooses to be a Segregated Indirect Participant. However, no market participant is required to join FICC as a Segregated Indirect Participant.

Moreover, the inability of a potential market participant, such as a registered fund, to pay an Intraday Mark-to-Market Charge and, potentially, to participate in FICC as a Segregated Indirect Participant, does not preclude such market participant from accessing FICC. Specifically, an indirect participant may utilize FICC's Agent Clearing Service or Sponsored Service in a manner that does not require the indirect participant to post margin itself (that is, to be a Segregated Indirect Participant).[47] Under such arrangements, the Sponsoring Member or Agent Clearing Member would be responsible for any Intraday Mark-to-Market Charges arising from the indirect participant's activity, as part of their Required Fund Deposit, as specified in the proposed changes to Section 2 of the Margin Component Schedule in the Proposed Rule Change.

Moreover, this margin requirement does not present an undue burden on competition if it is necessary or appropriate in furtherance of the Act. As discussed in section IV.A above, the Commission has reviewed FICC's Impact Study and agrees that had the Intraday Mark-to-Market Margin Charge been in place during the Impact Study period, it would have generated margin levels that better reflect the intraday risks of the Member portfolios and help FICC achieve backtesting coverage above FICC's targeted confidence level.

Accordingly, for the reasons discussed above, the Proposed Rule Change does not present a burden on competition that is not necessary or appropriate in furtherance of the Act.

C. Consistency With Rule 17ad–22(e)(4)(i)

Rule 17ad–22(e)(4)(i) under the Act requires that each CCA, such as FICC, establish, implement, maintain and enforce written policies and procedures reasonably designed to effectively identify, measure, monitor, and manage its credit exposures to participants and those arising from its payment, clearing, and settlement processes, including by maintaining sufficient resources to cover its credit exposure to each participant fully with a high degree of confidence.[48] The Proposed Rule Change is consistent with Rule 17ad–22(e)(4)(i) under the Act for the reasons stated below.

As described in Section IV.A, FICC conducted an Impact Study from July 1, 2022 to June 30, 2024. The Commission has reviewed and analyzed the Impact Study, which demonstrates that the Intraday Mark-to-Market charge would be responsive to intraday market conditions which should better enable FICC to calculate and collect margin amounts that are sufficient to mitigate FICC's credit exposure to its Members' portfolios during intraday periods of market volatility. Over the course of the two years of the Impact Study, the Intraday Mark-to-Market Charge as proposed would have reduced the number of backtesting deficiencies and thereby better enabled FICC to collect margin sufficient to meet its coverage requirements. Therefore, the Proposed Rule Change should help ensure FICC's ability to manage its credit exposures to Members by maintaining sufficient financial resources to cover its credit exposure to each participant fully with a high degree of confidence.

Accordingly, for the reasons discussed above, the Proposed Rule Change is reasonably designed to enable FICC to effectively identify, measure, monitor, and manage its credit exposure to participants, consistent with Rule 17ad–22(e)(4)(i).[49]

D. Consistency With Rule 17ad–22(e)(6)(i)

Rule 17ad–22(e)(6)(i) under the Act requires that each CCA, such as FICC, establish, implement, maintain and enforce written policies and procedures reasonably designed to cover its credit exposure to its participants by establishing a risk-based margin system that, at a minimum, considers and produces margin levels commensurate with the risks and particular attributes of each relevant product, portfolio, and market.[50]

The Proposed Rule Change is consistent with Rule 17ad–22(e)(6)(i). The Members' Required Fund Deposits are made up of risk-based components (as margin) that are calculated and assessed daily to limit FICC's credit exposures to Members. The Proposed Rule Change is designed to more effectively measure and address intraday risk exposures due to Members' mark-to-market exposure arising between the collection of the Funds-Only Settlement Amount. As described above in Sections IV.A and IV.B, the Impact Study demonstrates that the current margin model generated margin deficiencies which were exacerbated during times of high market volatility, whereas implementing the proposed Intraday Mark-to-Market Charge would result in margin collection that better reflects the risks of Member portfolios during periods with or without high volatility better than the current GSD margin models. Specifically, the Impact Study shows that if the Intraday Mark-to-Market Charge had been in place between July 1, 2022, and June 30, 2024, the number of backtesting deficiencies would have been reduced by 21 (from 350 to 329, or approximately 6 percent). Adding the Intraday Mark-to-Market Charge should enable FICC to more effectively mitigate the risks attributable to intraday adverse mark-to-market changes to a Member's or indirect participant's portfolio. As a result, implementing the Proposed Rule

[46] *See* Letter from Paul Cellupica, General Counsel, and Kimberly Thomasson, Assistant General Counsel, Investment Company Institute (Apr. 17, 2025), (''ICI Letter''). To address this concern, the commenter states that FICC should seek confirmation from the Commission staff that the ability of a Sponsoring Member to pre-fund its customer's Segregated Customer Margin Requirements in accordance with Section (b)(1)(iii) of Note H to Rule 15c3–3a (17 CFR 240.15c3–3a) under the Act is consistent with the Commission's time-limited no-action position relating to Sponsoring Members holding registered fund-posted margin. ICI Letter at 2. *See also* Securities Exchange Act Release No. 99149 (Dec. 13, 2023), 89 FR 2714, 2728 (Jan. 16, 2024) (S7–23–22). The commenter further explains that, without further guidance, the commenter is concerned that the conditions of the time-limited no-action relief relating to Sponsoring Members could be read not to contemplate the possibility of pre-funding and reimbursement by a registered fund to its Sponsoring Member, notably that the margin provided by the registered fund is not commingled with, and kept separate from, the Sponsoring Member's assets and that the Sponsoring Member segregates on its books and records the margin provided by the registered fund. ICI Letter at 5. This aspect of the comment is outside the scope of the Proposed Rule Change, as it relates to interpretation of Commission no-action relief and does not relate to the Commission's consideration of the Proposed Rule Change's consistency with the Exchange Act and the rules and regulations thereunder.

[47] *See* GSD Rulebook, Rule 2B, Sections 2 and 3, note 8, *supra*.

[48] 17 CFR 240.17ad–22(e)(4)(i).

[49] 17 CFR 240.17ad–22(e)(4)(i).

[50] 17 CFR 240.17ad–22(e)(6)(i).

Change should better enable FICC to collect margin amounts at levels commensurate with the risks and particular attributes of its Members.

Accordingly, for the reasons discussed above, the Proposed Rule Change is designed to assist FICC in maintaining a risk-based margin system that considers, and produces margin levels commensurate with the risks associated with intraday risk exposures due to adverse mark-to-market changes arising between the collections of the Funds-Only Settlement Amount, and is consistent with Rule 17ad–22(e)(6)(i) under the Act.

E. Consistency With Rule 17ad–22(e)(6)(ii)

Rule 17ad–22(e)(6)(ii) under the Act requires each CCA, such as FICC, to establish, implement, maintain, and enforce written policies and procedures reasonably designed to cover its credit exposure to its participants by establishing a risk-based margin system that, at a minimum, among other things: includes the authority and operational capacity to make intraday margin calls as frequently as circumstances warrant, including (1) when risk thresholds specified by the CCA are breached, or (2) when the products cleared or markets served display elevated volatility; and documents when the CCA determines not to make an intraday call pursuant to its written policies and procedures.[51] The Proposed Rule Change is consistent with Rule 17ad–22(e)(6)(ii) for the reasons stated below.

The Proposed Rule Change identifies the three risk thresholds which must each be met to trigger FICC's Intraday Mark-to-Market Charge, and also states that FICC would make such charges when the products cleared or markets served display elevated volatility, including an illustrative example of a volatile market condition, as described in Section III above. By outlining the circumstances which would warrant the collection of an intraday mark-to-market charge, as well as describing a scenario which would constitute elevated volatility, the Proposed Rule Change grants FICC the authority and operational capacity to make intraday margin calls as frequently as circumstances warrant.

Finally, the Proposed Rule Change outlines the circumstances whereby FICC may waive the imposition of the Intraday Mark-to-Market Charge or decrease its amount. The Proposed Rule Change also states that all waiver and/or reduction of the Intraday Mark-to-Market Charge shall be approved, documented and reviewed on a regular basis. As such, the Proposed Rule Change requires the prescribed documentation underlying the decision not to make an intraday call, consistent with Rule 17ad–22(e)(6)(ii).

Accordingly, for the reasons discussed above, the Proposed Rule Change is consistent with Rule 17ad–22(e)(6)(ii).

V. Conclusion

On the basis of the foregoing, the Commission finds that the Proposed Rule Change is consistent with the requirements of the Act and in particular, Sections 17A(b)(3)(F) and 17A(b)(3)(I) of the Act[52] and Rules 17ad–22(e)(4)(i), 17ad–22(e)(6)(i) and 17ad–22(e)(6)(ii) thereunder.[53]

It is therefore ordered, pursuant to Section 19(b)(2) of the Act[54] that proposed rule change SR–FICC–2025–005 be, and hereby is, *approved*.[55]

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[56]

Sherry R. Haywood,

Assistant Secretary.

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[51] 17 CFR 240.17ad–22(e)(6)(ii).

[52] 15 U.S.C. 78q–1(b)(3)(F) and 15 U.S.C. 78q–1(b)(3)(I).

[53] 17 CFR 240.17ad–22(e)(4)(i), 17 CFR 240.17ad–22(e)(6)(i) and 17 CFR 240.17ad–22(e)(6)(ii).

[54] 15 U.S.C. 78s(b)(2).

[55] In approving the Proposed Rule Change, the Commission considered its impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

[56] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104008; File Nos. SR–DTC–2025–003; SR–FICC–2025–006; SR–NSCC–2025–003]

Self-Regulatory Organizations; The Depository Trust Company; Fixed Income Clearing Corporation; and National Securities Clearing Corporation; Notice of Designation of Longer Period for Commission Action on Proceedings To Determine Whether To Approve or Disapprove Proposed Rule Changes, as Modified by Amendments No. 1, Relating to a Participant System Disruption

On March 14, 2025, The Depository Trust Company (''DTC''), Fixed Income Clearing Corporation (''FICC'') and National Securities Clearing Corporation (''NSCC,'' and together with DTC and FICC, the ''Clearing Agencies,'' or ''Clearing Agency'' when referring to one of the three Clearing Agencies) filed with the Securities and Exchange Commission (''Commission'') the proposed rule changes SR–DTC–2025–003, SR–FICC–2025–006, and SR–NSCC–2025–003 pursuant to Section 19(b) of the Securities Exchange Act of 1934 (''Exchange Act'')[1] and Rule 19b–4[2] thereunder. The proposed rule changes were published for public comment in the **Federal Register** on March 27, 2025.[3] The Commission has received comments regarding the substance of the changes proposed in the proposed rule changes.[4]

On May 2, 2025, pursuant to Section 19(b)(2) of the Exchange Act,[5] the Commission designated a longer period within which to approve, disapprove, or institute proceedings to determine whether to approve or disapprove the proposed rule changes.[6]

On June 20, 2025, the Clearing Agencies filed an amendment to each of the proposed rule changes (collectively defined as ''Amendment No. 1''). On June 24, 2025, the Commission instituted proceedings to determine whether to approve or disapprove the proposed rule changes, as modified by Amendment No. 1 (hereinafter defined as ''Proposed Rule Changes'').[7]

Section 19(b)(2) of the Exchange Act[8] provides that proceedings to determine whether to approve or disapprove a proposed rule change must be concluded within 180 days of the date of publication of notice of filing of the proposed rule change. The time for conclusion of the proceedings may be extended for up to 60 days if the Commission determines that a longer period is appropriate and publishes the reasons for such determination.[9] The 180th day after publication of the

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Securities Exchange Act Release Nos. 102712 (Mar. 21, 2025), 90 FR 13919 (Mar. 27, 2025) (File No. SR–DTC–2025–003) (''DTC Notice of Filing''); 102713 (Mar. 21, 2025), 90 FR 13942 (Mar. 27, 2025) (File No. SR–FICC–2025–006) (''FICC Notice of Filing''); and 102711 (Mar. 21, 2025), 90 FR 13926 (Mar. 27, 2025) (File No. SR–NSCC–2025–003) (''NSCC Notice of Filing'').

[4] Comments on the proposed rule changes are available at *https://www.sec.gov/comments/sr-dtc-2025-003/srdtc2025003.htm.*

[5] 15 U.S.C. 78s(b)(2).

[6] Securities Exchange Act Release Nos. 102981 (May 5, 2025), 90 FR 19590 (May 8, 2025) (File Nos. SR–DTC–2025–003; SR–FICC–2025–006; SR–NSCC–2025–003).

[7] Securities Exchange Act Release Nos. 103310 (June 24, 2025), 90 FR 27698 (June 27, 2025) (File No. SR–DTC–2025–003) (''DTC Amendment''); 103311 (June 24, 2025), 90 FR 27712 (June 27, 2025) (File No. SR–FICC–2025–006) (''FICC Amendment''); and 103309 (June 24, 2025), 90 FR 27717 (June 27, 2025) (File No. SR–NSCC–2025–003) (''NSCC Amendment'').

[8] 15 U.S.C. 78s(b)(2).

[9] 15 U.S.C 78s(b)(2)(B)(ii)(II).

Proposed Rule Changes in the **Federal Register** is September 23, 2025.

The Commission is extending the period for Commission action on the Proposed Rule Changes. The Commission finds that it is appropriate to designate a longer period within which to take action on the Proposed Rule Changes so that the Commission has sufficient time to consider the issues raised by Proposed Rule Changes and to take action on the Proposed Rule Changes. Accordingly, pursuant to Section 19(b)(2)(B)(ii)(II) of the Exchange Act,[10] the Commission designates November 22, 2025, as the date by which the Commission should either approve or disapprove the proposed rule changes SR–DTC–2025–003, SR–FICC–2025–006, and SR–NSCC–2025–003.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[11]

Sherry R. Haywood,

Assistant Secretary.

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104013; File No. SR–MIAX–2025–41]

Self-Regulatory Organizations; Miami International Securities Exchange, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Exchange Rule 402 To Permit the Listing of Options on an Exchange Traded Fund as Defined in Rule 6c–11 Under the Investment Company Act of 1940

September 22, 2025.

Pursuant to the provisions of 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 September 9, 2025, Miami International Securities Exchange, LLC (''MIAX'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') a proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Exchange Rule 402, Criteria for Underlying Securities, to permit the listing of options on an exchange traded fund as defined in Rule 6c–11 under the Investment Company Act of 1940 (''Rule 6c–11'').

The text of the proposed rule change is available on the Exchange's website at *https://www.miaxglobal.com/markets/us-options/miax-options/rule-filings,* and at MIAX's principal office.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Exchange Rule 402, Criteria for Underlying Securities,[3] to amend: (1) subsection (i)(1) to provide that securities deemed appropriate for options trading include shares or other securities (''Exchange-Traded Funds'' or ''ETFs''), that are listed pursuant to generic listing standards for an exchange-traded fund as defined in Rule 6c–11 under the Investment Company Act of 1940 (''ETF Shares''), portfolio depositary receipts, or index fund shares; and (2) subsection (i)(5)(ii)(A) to provide that the ETFs must be listed pursuant to generic listing standards for ETF Shares. This is a competitive filing based on a similar proposal submitted by Cboe Exchange, Inc. (''Cboe'').[4]

Current Exchange Rule 402(i)(5)(ii)(A) provides that ETF Shares must be listed pursuant to generic listing standards for portfolio depositary receipts and index fund shares based on international global indexes under which a comprehensive surveillance agreement (''CSSA'') is not required. This proposal would amend Exchange Rule 402(i)(5)(ii)(A) to add that ETFs may also be listed pursuant to generic listing standards for ETF Shares.

This proposal will enable the Exchange to list and trade options on generically listed exchange-traded funds that can rely on Rule 6c–11, provided that the ETF Shares are listed pursuant to Rule 19b–4(e) of the Exchange Act. Rule 19b–4(e) provides that the listing and trading of a new derivative securities product by a self-regulatory organization (''SRO'') shall not be deemed a proposed rule change, pursuant to paragraph (c)(1) of Rule 19b–4, if the Securities and Exchange Commission (the ''Commission'') has approved, pursuant to Section 19(b) of the Exchange Act, the SRO's trading rules, procedures and listing standards for the product class that would include the new derivatives securities product, and the SRO has a surveillance program for the product class. In other words, the proposal will amend the listing standards to allow the Exchange to list and trade options on ETF Shares to a similar degree that they are allowed to be listed on index fund shares and portfolio depositary receipts. A series of index fund shares or portfolio depositary receipts may generically list as ETF Shares so long as the fund meets all listing requirements under the applicable ETF Shares listing rule.[5] The proposal merely represents a natural progression from a previous approval order, which established the principle that options listing standards should align with the surveillance framework of their underlying securities.[6] While the MIAX Approval Order was limited to portfolio depositary receipts and index fund shares based on international or global indexes, the Exchange believes the underlying regulatory logic (that adequate transparency and surveillance of the underlying security can support options listing without additional CSSA

[10] *Id.*

[11] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] The Exchange notes that its affiliate exchanges, MIAX Pearl, LLC (''MIAX Pearl'') and MIAX Sapphire, LLC (''MIAX Sapphire'') submitted substantively identical proposals. The Exchange notes that all of the rules of Chapter IV of the MIAX Rulebook, including Rule 402, are incorporated by reference into MIAX Emerald, LLC (''MIAX Emerald'').

[4] *See* Securities Exchange Act Release No. 103686 (August 5, 2025) 90 FR 39435 (August 15, 2025) (SR–CBOE–2025–053) (Self-Regulatory Organizations; Cboe Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Interpretation and Policy .06 of Rule 4.3 To Permit the Listing of Options on an Exchange-Traded Fund as Defined in Rule 6c–11 Under the Investment Company Act of 1940).

[5] *See e.g.,* Cboe BZX Exchange Rule 14.11(l) (ETF Shares).

[6] *See* Securities Exchange Act No. 874509 (March 13, 2015) 80 FR 14425 (March 19, 2015) (SR–MIAX–2015–04) (Order Approving a Proposed Rule Change To Amend MIAX Rule 402) (the ''MIAX Approval Order'').

requirements) applies equally to ETF Shares listed under generic listing standards, and is further supported by the fact that index fund shares and portfolio depositary receipts are generally designed to meet the requirements of the ETF Shares listing standards.

The Exchange allows for the listing and trading of options on exchange-traded funds under Exchange Rule 402(i). In particular, Exchange Rule 402(i)(1) provides that securities deemed appropriate for options trading include ETFs that represent interests in registered investment companies (or series thereof) organized as open-end management investment companies, unit investment trusts or similar entities that hold portfolios of securities and/or certain financial instruments and money market instruments.[7]

The requirements of Exchange Rule 402(i)(1) are generally based on the generic listing standards [8] for exchange-traded funds that pre-dated the adoption of Rule 6c–11 (the ''previous generic listing standards''). The Exchange proposes to eliminate the language from the rule text that specifies the securities and/or financial instruments that the entity holds and instead provide that the securities deemed appropriate for options trading include ETFs that are listed pursuant to generic listing standards for ETF Shares, portfolio depositary receipts, or index fund shares.

Similarly, Exchange Rule 402(i)(5)(ii)(A) provides that ETFs must be listed pursuant to generic listing standards for series of portfolio depositary receipts and index fund shares based on international or global indexes under which a comprehensive surveillance agreement is not required. Thus, the requirements of Exchange Rule 402(i)(5)(ii)(A) are also generally based on the previous generic listing standards. The Exchange proposes to amend Exchange Rule 402(i)(5)(ii)(A) to explicitly provide that the ETFs must be listed pursuant to the generic listing standards for ETF Shares, or series of portfolio depositary receipts and index fund shares based on international or global indexes under which a comprehensive surveillance agreement is not required.

In 2019, the Commission adopted Rule 6c–11 to permit exchange-traded funds that satisfy certain conditions to operate without obtaining an exemptive order from the Commission under the Investment Company Act of 1940.[9] In 2020, the Commission approved generic listing standards pursuant to Rule 19b–4(e) of the Exchange Act for exchange-traded funds that meet the requirements of Rule 6c–11 (*i.e.,* ETF Shares).[10] Such generic listing standards permit the listing and trading of ETF Shares that are permitted to operate in reliance on Rule 6c–11 to list and trade on an exchange without a prior Commission approval order or notice of effectiveness pursuant to Section 19(b) of the Act. ETFs listed pursuant to the previous generic listing standards would generally meet the requirements of Rule 6c–11 and thus could list as ETF Shares on an equity exchange.

The ETF Shares generic listing standards did not include the quantitative standards applicable to a fund or an index that were included in the previous generic listing standards.[11] Ultimately, the Commission found that the ETF Shares generic listing standards are reasonably designed to help prevent fraudulent and manipulative acts and practices particularly because a central qualification for listing generically is ongoing compliance with Rule 6c–11, which requires, among other things, ETF Shares to prominently disclose the portfolio holdings that will form the basis for each calculation of net asset value per share. Because initial and ongoing compliance with Rule 6c–11 is a condition for listing and trading on the equity listing markets, Rule 6c–11 permits the equity exchanges to list and trade shares of an investment company with a fully transparent portfolio. The Commission stated that it believes that such portfolio transparency should help prevent manipulation of the price of ETF Shares.[12]

In approving the ETF Shares generic listing standards, the Commission thoroughly considered the structure of the ETF Shares, their usefulness to investors and to the markets, and SRO rules that govern their listing and trading. The Exchange believes that allowing the listing of options overlying ETF Shares that are listed pursuant to the generic listing standards on equities exchanges and applying Rule 19b–4(e) [13] should fulfill the intended objective of that Rule by allowing options on those ETF Shares that have satisfied the generic listing standards to commence trading, without the need for the public comment period and Commission approval. The Exchange believes enabling the listing and trading of options on ETF Shares pursuant to this amended listing standard will benefit investors by providing them with valuable risk management tools, such as direct hedging tools, in a more timely manner. The proposed rule would allow the Exchange to quickly determine whether ETFs are appropriate for options trading under Exchange Rule 402(i)(5)(ii)(A) and has the potential to reduce the time frame for bringing options on ETF Shares to market, thereby benefitting investors by timely providing increased trading and hedging opportunities. The failure of a particular exchange-traded fund to comply with the generic listing standards under Rule 19b–4(e) [14] would not, however, preclude the Exchange from submitting a separate filing pursuant to Section 19(b)(2),[15] requesting Commission approval to list and trade options on a particular exchange traded fund.

Options on ETF Shares listed pursuant to the proposed generic listing standards would be traded, in all other respects, under the Exchange's existing trading rules and procedures that apply to options on exchange-traded fund and would be covered under the Exchange's surveillance program for options on ETFs.[16]

The Exchange believes this proposed listing standard for options on ETF Shares is reasonable and will result in options that are not readily susceptible

[7] *See* Exchange Rule 402(i), which permits options trading on ETFs that: (1) represent interests in registered investment companies (or series thereof) organized as open-end management investment companies, unit investment trusts or similar entities that hold portfolios of securities and/or financial instruments (''Funds''), including, but not limited to, stock index futures contracts, options on futures, options on securities and indices, equity caps, collars and floors, swap agreements, forward contracts, repurchase agreements and reverse repurchase agreements (the ''Financial Instruments''), and money market instruments, including, but not limited to, U.S. government securities and repurchase agreements (the ''Money Market Instruments'') comprising or otherwise based on or representing investments in broad-based indexes or portfolios of securities and/or Financial Instruments and Money Market Instruments (or that hold securities in one or more other registered investment companies that themselves hold such portfolios of securities and/or Financial Instruments and Money Market Instruments).

[8] *See e.g.,* Cboe BZX Exchange Rules 14.11(c) (Index Fund Shares), 14.11(i) (Managed Fund Shares), and 14.11(b) (Portfolio Depositary Receipts).

[9] *See* Release Nos. 33–10695; IC–33646; File No. S7–15–18 (Exchange-Traded Funds) (September 25, 2019), 84 FR 57162 (October 24, 2019) (the ''Rule 6c–11 Release'').

[10] *See e.g.,* Securities Exchange Act Release No. 88566 (April 6, 2020) 85 FR 20312 (April 10, 2020)(SR–CboeBZX–2019–097) (Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment No. 2, To Adopt BZX Rule 14.11(l) Governing the Listing and Trading of Exchange-Traded Fund Shares) (''BZX ETF Shares Approval Order'').

[11] *See supra* note 5.

[12] *See* BZX ETF Shares Approval Order at 20320.

[13] 17 CFR 240.19b–4(e).

[14] *Id.*

[15] 15 U.S.C. 78s(b)(2).

[16] *E.g.,* ETFs will continue to be subject to the position limits set forth in Exchange Rule 307.

to manipulation in light of existing Rule 6c–11 transparency requirements and options listing requirements.[17] The Commission has determined that portfolio transparency is central to preventing manipulation of ETF Share prices and serves as the primary qualification for generic listing of ETF Shares.[18] The Exchange believes this same transparency rationale supports the generic listing of options on ETF Shares by aligning the options generic listing standards with the ETF Shares generic listing standards. Where ETF Shares have been deemed sufficiently transparent to warrant generic listing, the Exchange believes the manipulation risks for both the underlying shares and overlying options are adequately mitigated through this transparency framework as options manipulation is typically achieved through manipulation of the underlying security. This proposal simply creates a streamlined pathway for listing options on qualifying ETF Shares that meet the enhanced transparency standards under Rule 6c–11.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[19] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5) [20] 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.

In particular, the Exchange believes that the proposal to list and trade options on ETF Shares pursuant to this amended listing standard will benefit investors by providing them with valuable risk management tools, such as direct hedging tools, in a more timely manner. The proposed rule would allow the Exchange to quickly determine whether ETFs are appropriate for options trading under Exchange Rule 402 and has the potential to reduce the time frame for bringing options on ETF Shares to market, thereby benefitting investors by timely providing increased trading and hedging opportunities. The proposed rule streamlines the listing mechanism [21] for certain qualifying options on ETF Shares to be listed on the Exchange in a manner that is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, to remove impediments to and perfect the mechanisms of a free and open market and a national market system and, in general, to protect investors and the public interest. Specifically, where ETF Shares have been deemed sufficiently transparent to warrant generic listing, the Exchange believes the manipulation risks for both the underlying shares and overlying options are adequately mitigated through this transparency framework as options manipulation is typically achieved through manipulation of the underlying security.

The Exchange believes that the proposal is similar to previous proposals that have sought to establish parallel listing standards for options as the underlying exchange-traded funds.[22] Specifically, in 2015 MIAX submitted a proposed rule filing that would allow it to list and trade options on certain exchange-traded funds without a CSSA provided that such exchange-traded funds that underlie options are listed on an equities exchange pursuant to certain generic listing standards under which a CSSA is not required. In the MIAX Approval Order, the Commission stated that it believes that it is consistent with the Act for the Exchange to list and trade options that overlie ETFs, provided such ETFs are listed pursuant to generic listing standards on equities exchanges for portfolio depositary receipts and index fund shares based on international or global indexes under which a CSSA with a foreign market is not required.[23]

The Exchange believes this proposal represents a natural progression from the MIAX Approval Order, which established the principle that options listing standards should align with the surveillance framework of their underlying securities. While the MIAX Approval Order was limited to portfolio depositary receipts and index fund shares based on international or global indexes, the Exchange believes the underlying regulatory logic (that adequate transparency and surveillance of the underlying security can support options listing without additional CSSA requirements) applies equally to ETF Shares listed under generic listing standards. This is further supported by the fact that ETFs listed pursuant to the previous generic listing standards would generally meet the requirements of Rule 6c–11 and thus could list as ETF Shares. The Commission's determination that Rule 6c–11 ETF Shares can be listed generically without CSSA requirements due to their transparency should logically extend to options overlying these same transparent products. Specifically, the Exchange believes Rule 6c–11's portfolio transparency requirements provide an even stronger foundation for surveillance than the CSSA requirement contemplated in the MIAX Approval Order. The Commission has determined that portfolio transparency is central to preventing manipulation of ETF Shares prices and serves as the primary qualification for generic listing of ETF Shares.[24] The Exchange believes this same transparency rationale supports the generic listing of options on ETF Shares by aligning the options generic listing standards with the ETF Shares generic listing standards. Where ETF Shares have been deemed sufficiently transparent to warrant generic listing, the Exchange believes the manipulation risks for both the underlying shares and overlying options are adequately mitigated through this transparency framework as options manipulation is typically achieved through manipulation of the underlying security. As such, the Exchange believes that the proposal furthers the protection of investors and the public interest by applying established regulatory principles to the evolved exchange-traded funds landscape created by Rule 6c–11, while maintaining appropriate surveillance safeguards through the underlying securities' transparency requirements.

[17] *See* Exchange Rule 402(i)(5)(i).

[18] *See* BZX ETF Shares Approval Order at 20320.

[19] 15 U.S.C. 78f(b).

[20] 15 U.S.C. 78f(b)(5).

[21] ETF Shares, which generally include index fund shares and portfolio depositary receipts, may list under the applicable ETF Shares listing rule, provided they meet all specified requirements. The proposal clarifies Exchange Rules to explicitly confirm that such ETF Shares fall within the scope of Exchange Rule 402.

[22] *See* Securities Exchange Act Nos. 874509 (March 13, 2015) 80 FR 14425 (March 19, 2015) (SR–MIAX–2015–04) (Order Approving a Proposed Rule Change To Amend MIAX Rule 402); *and* 75296 (June 25, 2015) 80 FR 37692 (July 1, 2015) (SR–CBOE–2015–052) (Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Rule 5.3.06) (collectively, the ''Prior Options ETF Amendments'').

[23] *See supra* note 6 at 14426.

[24] *See* BZX ETF Shares Approval Order at 20320.

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. In this regard and as indicated above, the Exchange notes that the rule change is substantively identical to the filing submitted by Cboe.[25]

The Exchange does not believe that the proposed rule change will impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act because ETF Shares, like any other exchange-traded funds, would have to satisfy the Exchange's initial listing standards to be eligible for options trading.[26] Additionally, the proposed rule change would apply to all market participants in the same manner as options on index fund shares and portfolio depositary receipts and generically listed options on ETF Shares would be equally available to all market participants who wish to trade such options.

The Exchange does not believe that the proposal will impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. To the extent that aligning the options generic listing standards with the ETF Shares generic listing standards may make the Exchange a more attractive marketplace to market participants at other exchanges, such market participants are free to elect to become market participants on the Exchange.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act[27] and Rule 19b–4(f)(6)[28] thereunder. Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act[29] and Rule 19b–4(f)(6)[30] thereunder.

A proposed rule change filed under Rule 19b–4(f)(6)[31] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[32] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative immediately upon filing. The Exchange states that waiver of the operative delay would add immediate clarity to the Exchange's rulebook by aligning the options listing requirements to the underlying generic ETF Shares listing standards. The Exchange also states that it believes the proposed rule change may result in more timely investment options and opportunities to achieve the investment objectives of market participants seeking efficient trading and hedging vehicles, to the benefit of investors, market participants, and the marketplace in general. For these reasons, and because the proposed rule change does not raise any novel legal or regulatory issues, the Commission finds that waiving the 30-day operative delay is consistent with the protection of investors and the public interest. Therefore, the Commission hereby waives the 30-day operative delay and designates the proposed rule change to be operative upon filing.[33]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov*. Please include file number SR–MIAX–2025–41 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–MIAX–2025–41. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the 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–MIAX–2025–41 and should be submitted on or before October 16, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[34]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–18553 Filed 9–24–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meetings

TIME AND DATE: Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law 94–409, that the Securities and Exchange Commission Small Business Capital Formation Advisory Committee will hold a public meeting on Tuesday,

[25] *See supra* note 4.

[26] *See* Exchange Rule 402.

[27] 15 U.S.C. 78s(b)(3)(A).

[28] 17 CFR 240.19b–4(f)(6).

[29] 15 U.S.C. 78s(b)(3)(A).

[30] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[31] 17 CFR 240.19b–4(f)(6).

[32] 17 CFR 240.19b–4(f)(6)(iii).

[33] For purposes only of waiving the 30-day operative delay, the Commission has also considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[34] 17 CFR 200.30–3(a)(12), (59).

November 4, 2025. The meeting will begin at 10 a.m. (ET) and will be open to the public.

PLACE: The meeting will be conducted at the Commission's headquarters, 100 F Street NE, Washington, DC 20549, and by remote means (videoconference). Members of the public may attend in-person or watch the webcast of the meeting on the Commission's website at *www.sec.gov*.

STATUS: This Sunshine Act notice is being issued because a majority of the Commission may attend the meeting.

MATTERS TO BE CONSIDERED: The agenda for the meeting includes matters relating to rules and regulations affecting small and emerging businesses and their investors under the federal securities laws.

CONTACT PERSON FOR MORE INFORMATION: For further information, please contact Vanessa A. Countryman from the Office of the Secretary at (202) 551–5400.

(Authority: 5 U.S.C. 552b.)

Dated: September 23, 2025.

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–18593 Filed 9–23–25; 11:15 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235–0504]

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Extension: Rule 19b–4(e)

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (SEC or ''Commission'') is submitting to the Office of Management and Budget (''OMB'') this request for an extension of the proposed collection of information in Rule 19b–4(e).

Rule 19b–4(e), 17 CFR 240.19b–4(e), permits a self-regulatory organization (''SRO'') to list and trade a new derivative securities product without submitting a proposed rule change pursuant to Section 19(b) of the Act (15 U.S.C. 78s(b)), so long as such product meets the criteria of Rule 19b–4(e) under the Act. However, in order for the Commission to maintain an accurate record of all new derivative securities products traded on the SROs, Rule 19b–4(e) requires an SRO to publicly report certain information on its internet website using the most recent versions of the XML schema and the associated PDF renderer as published on the Commission's website for each new derivative securities product within five business days of beginning to trade such new derivative securities product. In addition, Rule 19b–4(e) requires an SRO to maintain, on-site, that information for a prescribed period of time.

This collection of information is designed to allow the Commission to maintain an accurate record of all new derivative securities products traded on the SROs that are not deemed to be proposed rule changes and to determine whether an SRO has properly availed itself of the permission granted by Rule 19b–4(e). The Commission reviews SRO compliance with Rule 19b–4(e) through its routine inspections of the SROs.

The respondents to the collection of information are SROs (as defined by the Act), all of which are national securities exchanges. As of July 15, 2025, there are twenty-eight entities registered as national securities exchanges with the Commission. The Commission receives an average total of 2,626 responses per year, which corresponds to an estimated annual response burden of 2,626 hours. At an average hourly cost of $72, the aggregate related internal cost of compliance with Rule 19b–4(e) is $189,072 (2,626 burden hours multiplied by $72/hour).

Compliance with Rule 19b–4(e) is mandatory. Information received in response to Rule 19b–4(e) shall not be kept confidential; the information collected is public information.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

Written comments are invited on: (a) whether this proposed collection of information is necessary for the proper performance of the functions of the SEC, including whether the information will have practical utility; (b) the accuracy of the SEC's estimate of the burden imposed by the proposed collection of information, including the validity of the methodology and the assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated, electronic collection techniques or other forms of information technology.

The public may view and comment on this information collection request at: *https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202507-3235-012* or email comment to *MBX.OMB.OIRA.SEC_desk_officer@omb.eop.gov* within 30 days of the day after publication of this notice, by October 27, 2025.

Dated: September 23, 2025.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–18644 Filed 9–24–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104012; File No. SR–CBOE–2025–065]

Self-Regulatory Organizations; Cboe Exchange, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Rule 7.10 Relating to Fingerprint-Based Background Checks

September 22, 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 September 9, 2025, Cboe Exchange, Inc. (''Exchange'') filed with the Securities and Exchange Commission (''Commission'' or ''SEC'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Cboe Exchange, Inc. (the ''Exchange'' or ''Cboe Options'') proposes to amend Rule. 7.10. The text of the proposed rule change is provided in Exhibit 5.

The text of the proposed rule change is also available on the Commission's website (*https://www.sec.gov/rules/sro.shtml*), the Exchange's website (*https://www.cboe.com/us/options/regulation/rule_filings/bzx/* [sic]) 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

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Rule 7.10 (Fingerprint-Based Background Checks of Exchange Directors, Officers, Employees and Others).[3] Rule 7.10 describes the Exchange's current practice of conducting fingerprint-based criminal records checks of (i) directors, officers and employees of the Exchange, and (ii) temporary personnel, independent contractors, consultants, vendors and service providers (collectively, ''Contractors'') who have or are anticipated to have access to facilities and records. The Exchange now proposes to amend Rule 7.10 to conform to the language in Section 17(f)(2) of the Securities Exchange Act of 1934 (''Act'').[4]

By way of background, access to the Federal Bureau of Investigation's (''FBI'') database of fingerprint based criminal records is permitted only when authorized by law. Numerous federal and state laws authorize employers to conduct fingerprint-based background checks that make use of the FBI's database. Notably, Section 17(f)(2) of the Act and SEC Rule 17f–2 [5] require partners, directors, officers and employees of members of national securities exchanges, brokers, dealers, transfer agents, and clearing agencies to be fingerprinted and authorize SROs to maintain facilities for processing and storing fingerprint cards and criminal record information received from the FBI database with respect to such cards. Section 17(f)(2) explicitly directs the Attorney General of the United States (*i.e.,* the FBI, which is the fingerprint processing arm of the Office of the Attorney General of the United States) to provide SROs designated by the Securities and Exchange Commission (the ''Commission'') with access to criminal history record information. Section 17(f)(2) was amended by the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 (''Dodd-Frank Act'') to also require partners, directors, officers and employees of registered securities information processors, national securities exchanges and national securities associations to be fingerprinted.[6] Following this amendment, the Exchange and other securities markets adopted rules to obtain fingerprints from certain enumerated parties.[7]

The Exchange now proposes to amend Rule 7.10 in order to more closely align with the requirements for national securities exchanges as provided in Section 17(f)(2) of the Act. As noted above, Rule 7.10 currently applies to (i) directors, officers and employees of the Exchange, and (ii) Contractors. Section 17(f)(2) of the Act, however, does not specifically apply to independent contractors nor temporary employees, but instead references only ''partners, directors, officers, and employees'' of the Exchange. Thus, the Exchange proposes to amend Rule 7.10 to add reference to ''partners'' of the Exchange and to delete references to ''temporary personnel, independent contractors, consultants, vendors and service providers who have or are anticipated to have access to its facilities and records (collectively, ''Contractors'')'' in order to conform to the requirements (and respective authority) of Section 17(f)(2) of the Act.

In addition, in order to still safeguard the security of the facilities, systems, data, and information of the Exchange, the Exchange proposes to amend its rule to require all Contractors who have or are anticipated to have unescorted access to the facilities and records of the Exchange to have been subject to a background screening process by their associated employer.[8] Finally, the Exchange proposes related technical changes to Rule 7.10(c) and (d).

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[9] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5) [10] 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.

As noted above, Section 17(f)(2) of the Act, as amended by the Dodd-Frank Act, only references authority for Exchanges to submit fingerprints of its ''partners, directors, officers and employees'' for identification and processing and does not specifically apply to Contractors. Accordingly, the proposed rule change conforms Rule 7.10 to conform to the language in Section 17(f)(2) and more accurately reflects the Exchange's authority under Section 17(f)(2) of the Act, as amended by the Dodd-Frank Act, to require its partners, directors, officers, and employees to be fingerprinted and submit those fingerprints (or cause the fingerprints to be submitted) to the Attorney General for identification and appropriate processing.

The Exchange believes the proposed changes to Rule 7.10, including the codification of the Exchange's background screening requirements related to Contractors are consistent with the foregoing requirements of Section 6(b)(5) in that it will allow the Exchange to remain compliant with applicable federal law, specifically Section 17(f)(2) of the Act, while helping the Exchange to identify and exclude persons (including persons with criminal records) that may pose a threat to the safety of Exchange personnel or the security of facilities and records, thereby enhancing business continuity, workplace safety and the security of the Exchange's operations. Further, the proposed change is designed to provide transparency as to

[3] As part of the proposed rule change, the Exchange proposes to rename Rule 7.10 to ''Fingerprint-Based Background Checks of Exchange Partners, Directors, Officers and Employees.''

[4] 15 U.S.C. 78q(f)(2).

[5] 17 CFR 240.17f–2(c).

[6] *See* Section 929S of the Dodd-Frank Act.

[7] *See* International Securities Exchange (''ISE'') Rulebook Options 6E, Section 8; New York Stock Exchange (''NYSE'') American Rule 3.11E; and Nasdaq Stock Market, Inc. (''Nasdaq'') Rulebook General 2, Section 13.

[8] The Exchange currently includes in its professional services agreements a provision that requires third-party Contractors to represent and warrant that the Contractor has in place, and shall maintain, a suitable background screening policy and process consistent with applicable law which has been followed for each of its personnel prior to assigning, permissioning or permitting such personnel to have access to Exchange confidential information or performing services for the Exchange. The Exchange expects such background check to focus on, among other things, education verification, employment history verification, and criminal records. To the extent a Contractor would have ''escorted'' electronic access, such Contractor would be unable to view non-public systems, data, or information of the Exchange unless accompanied by an authorized Exchange employee who supervises and controls their access.

[9] 15 U.S.C. 78f(b).

[10] 15 U.S.C. 78f(b)(5).

the Exchange's background screening requirements related to Contractors. For these reasons, the proposal is designed to protect investors as well as 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 that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change is not intended to address competitive issues, but rather update the Exchange's existing fingerprint rule to conform with Section 17(f)(2) of the Act as amended by the Dodd-Frank Act [11] and provide transparency as to the Exchange's background screening requirements related to Contractors.

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 Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act [12] and Rule 19b–4(f)(6) [13] thereunder. Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; or (iii) become operative for 30 days after the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act [14] and Rule 19b–4(f)(6) [15] thereunder.

A proposed rule change filed under Rule 19b–4(f)(6) [16] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[17] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative immediately upon filing. The Exchange states that the proposed rule change conforms the Exchange's fingerprinting rules with the language of Section 17(f)(2) of the Act. The Exchange also states that it will be able to continue to safeguard the physical security of the facilities, systems, data, and information of the Exchange because the proposal will require Contractors who have or are anticipated to have unescorted access to the facilities of the Exchange to have been subject to a background screening process by their associated employer. For these reasons, and because the proposed rule change does not raise any novel legal or regulatory issues, the Commission finds that waiving the 30-day operative delay is consistent with the protection of investors and the public interest. Therefore, the Commission hereby waives the 30-day operative delay and designates the proposed rule change as operative upon filing.[18]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–CBOE–2025–065 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–CBOE–2025–065. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–CBOE–2025–065 and should be submitted on or before October 16, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[19]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–18550 Filed 9–24–25; 8:45 am]

BILLING CODE 8011–01–P

[11] *See* Section 929S of the Dodd-Frank Act.

[12] 15 U.S.C. 78s(b)(3)(A).

[13] 17 CFR 240.19b–4(f)(6).

[14] 15 U.S.C. 78s(b)(3)(A).

[15] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[16] 17 CFR 240.19b–4(f)(6).

[17] 17 CFR 240.19b–4(f)(6)(iii).

[18] For purposes only of waiving the 30-day operative delay, the Commission has also considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[19] 17 CFR 200.30–3(a)(12) and (59).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104016; File No. SR–SAPPHIRE–2025–35]

Self-Regulatory Organizations; MIAX Sapphire, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Provide API Access to the Member Firm Portal

September 22, 2025.

Pursuant to the provisions of 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 September 15, 2025, MIAX Sapphire, LLC (''MIAX Sapphire'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') a proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to provide an additional means to access its Member Firm Portal (described below).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

The text of the proposed rule change is available on the Exchange's website at *https://www.miaxglobal.com/markets/us-options/all-options-exchanges/rule-filings,* and at the Exchange's principal office.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange provides Members [3] access to an internet-facing portal which provides self-service functions to Members, known as the Member Firm Portal (''MFP'').[4] Specifically, the MFP allows Members to correct certain trade information required by the Options Clearing Corporation (''OCC''), such as the trade's account number, sub-account number, Clearing Member Trade Assignment (''CMTA''), Clearing Participant Give-Up, or account type. The MFP also provides Members the ability to adjust risk settings and allows Market Makers [5] to request options class assignments. Members may also perform the following functions via the MFP: selecting symbol assignments; editing existing symbol assignments; unassigning one or more symbols; retrieving symbol assignments; receiving export of symbol assignments for a business day; and retrieving assignment history for a given symbol assignment. The MFP allows Members to more efficiently manage their back office operations and assist them in providing accurate clearing information to the OCC. Currently, access to the MFP is provided on a per user basis, whereby Members seek to have individuals within their organization permissioned to access the MFP via a web portal on their behalf (known as the ''MFP User Interface'' or ''MFP UI''). The Exchange notes that other options exchanges make similar products available to firms for a monthly per user fee.[6] The Exchange provides the MFP UI to Members for free.

Members may also access the MFP via an Application Programming Interface [7] (''API'' and together ''MFP API''), in addition to the current MFP UI accessed via the web portal. In sum, an API is a way for two or more computer programs to talk to each other. It is a software to software interface that defines the data and the transactions that can be communicated between systems. In providing the MFP API, functions that would otherwise be done manually via the MFP UI, can be automated. The MFP API, in essence, facilitates and expedites the transaction processing for the supported functionality such that Exchange Members can automate their interactions with the MFP. This allows for more efficient processing, the potential reduction of operational risk due to issues caused by human error, and the timeliness of the completion of MFP-related functions.[8] Providing API access to the MFP would allow Members to enable their systems and applications to communicate directly with the MFP, thereby eliminating or reducing the need for individuals to access the MFP UI via the web portal.

The Exchange does not propose to alter the current MFP or MFP UI. The Exchange simply proposes to provide an additional and optional means to access the MFP, in the form of an API, and Members would be able to perform the same functions they do today when they access the MFP UI via the web portal. API access to the MFP would allow a Member's applications to communicate directly with the MFP. Therefore, by its nature, the MFP API does not lend itself to access on a per user basis, as is the case today with the MFP UI via the web portal. API access would allow Members to automate functions they perform today on the MFP, such as adjusting risk settings or managing options assignments. Members who do not prefer to access the MFP API would be able to perform the same functions when accessing the MFP UI via the current web portal.

The Exchange notes that use of accessing the MFP API would be completely voluntary and would simply be second optional means to access the MFP. Members who wish to continue to access the MFP UI via the web portal may continue to do so for no fee. The Exchange's affiliates, Miami International Securities Exchange, LLC (''MIAX''), MIAX PEARL, LLC (''MIAX Pearl''), and MIAX Emerald, LLC (''MIAX Emerald''), previously filed to provide their members with the ability to access the MFP via an API.[9]

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the requirements of Section 6(b) of the Act,[10] in general, and Section 6(b)(5),[11] in particular, because it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, and to remove impediments to and perfect the mechanism of a free and open market and a national market system.

The Exchange notes that providing the MFP API to Members is consistent with the Act in that the use of MFP API is completely voluntary and simply provides Members with an additional means to access the Exchange's MFP. The MFP is a useful tool for Members to manage their trading on the Exchange, including back office operations, risk controls settings, and Market Maker options assignments.

As noted above, accessing the MFP via an API would be an optional alternative to web access. Those not electing to access the MFP via an API may continue to use the MFP UI via the web portal free of charge. The MFP, whether accessed via an API or web

[3] *See* Exchange Rule 100.

[4] *See* MIAX Sapphire Options Exchange User Manual, Version 1.1.0 (revision date July 9, 2025), *available at https://www.miaxglobal.com/miax_sapphire_user_manual.pdf. See also* MIAX Exchanges Member Firm Portal User Manual (modified July 2025), *available at https://www.miaxglobal.com/miax_exchanges_member_firm_portal_user_manual.pdf.*

[5] *See* Exchange Rule 100.

[6] *See* BOX Exchange LLC Fee Schedule, Section III. D., Trade Management System (assessing a fee of $350 per month, per user); The Nasdaq Stock Market LLC (''Nasdaq'') charges $200 per month, per user. *See* Nasdaq Rules Options 7 Pricing Schedule, Section 6, Nasdaq Options Maintenance Tool. *See also* Securities Exchange Act Release No. 96723 (January 20, 2023), 88 FR 5046 (January 26, 2023) (SR–BOX–2023–03) (Notice of Filing and Immediate Effectiveness of a Proposed Rule Change to Establish a New Service and Related Fees for Use of the BOX Options Market LLC (''BOX'') Trade Management System).

[7] If the Exchange determines to propose fees for API access to the MFP, the Exchange will submit a separate filing with the U.S. Securities and Exchange Commission pursuant to Section 19(b)(1) to propose such fees.

[8] *See, e.g., What is an API?, available at https://www.ibm.com/topics/api* (last visited August 27, 2025).

[9] *See* Securities Exchange Act Release Nos. 98016 (July 28, 2023), 88 FR 51364 (August 3, 2023) (SR–PEARL–2023–32); 98018 (July 28, 2023), 88 FR 51374 (August 3, 2023) (SR–EMERALD–2023–18); *and* 98017 (July 28, 2023), 88 FR 51366 (August 3, 2023) (SR–MIAX–2023–29).

[10] 15 U.S.C. 78f(b).

[11] 15 U.S.C. 78f(b)(5).

portal, allow Members to more efficiently manage their back office operations, assist them in providing accurate clearing information to the OCC and in selecting Market Maker options assignments. The Exchange notes that trade information in the MFP is specific to each Member and their trades, allowing them to conveniently verify, update, and/or correct transaction information as needed.

Providing API access to the MFP would be provided purely for convenience, in response to Member demand, and would be entirely optional. As stated above, API access to the MFP would enable Members to connect their applications to the MFP allowing their application to communicate directly with the MFP. This enables Members to automate functions that would normally be performed by individual users access the MFP via the current web portal, such as adjusting risk settings and managing options assignements. Members who do not prefer to access the MFP API would be able to perform the same functions by accessing the MFP UI via the existing web portal.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. API access to the MFP would simply be an optional additional means to access the MFP. The Exchange does not believe there would be any competitive advantage for Members who access the MFP via an API over those who access it via the current web portal because Members would be able to perform the same functions via both modes of access. API access would simply be a convenience and would enable Members to automate those functions. The Exchange does not believe a Member's ability to automate this functionality provides any competitive advantage when trading on the Exchange. As such, the Exchange does not believe that the proposed rule change will impose any burden on intermarket or intramarket competition not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act [12] and Rule 19b–4(f)(6) [13] thereunder. Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act [14] and Rule 19b–4(f)(6) [15] thereunder.

A proposed rule change filed under Rule 19b–4(f)(6) [16] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b4(f)(6)(iii),[17] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative immediately upon filing. The Exchange states that it currently provides web-based access to the MFP free of charge and, while Members who access the MFP via an API would be able to automate certain functions, Members would be able to perform the same functions in the MFP regardless of whether they access the MFP via the web portal or an API. The Exchange also states that waiver of the operative delay would allow the Exchange to expand the means of access to the MFP sooner and allow Members to meet their own back office needs. In addition, the Exchange's affiliates previously filed to provide their members with the ability to access the MFP via an API.[18] For these reasons, and because the proposed rule change does not raise any novel legal or regulatory issues, the Commission finds that waiver of the 30-day operative delay is consistent with the protection of investors and the public interest. Therefore, the Commission hereby waives the 30-day operative delay and designates the proposed rule change to be operative upon filing.[19]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–SAPPHIRE–2025–35 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–SAPPHIRE–2025–35. 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–SAPPHIRE–2025–35 and should be submitted on or before October 16, 2025.

[12] 15 U.S.C. 78s(b)(3)(A).

[13] 17 CFR 240.19b–4(f)(6).

[14] 15 U.S.C. 78s(b)(3)(A).

[15] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[16] 17 CFR 240.19b–4(f)(6).

[17] 17 CFR 240.19b–4(f)(6)(iii).

[18] *See supra* note 9.

[19] For purposes only of waiving the 30-day operative delay, the Commission has also considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[20]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–18552 Filed 9–24–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235–0700]

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Extension: Rule 18a–4

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (SEC or ''Commission'') is submitting to the Office of Management and Budget (''OMB'') this request for an extension of the proposed collection of information in Rule 18a–4.

Rule 18a–4, 17 CFR 240.18a–4, establishes segregation requirements for cleared and non-cleared security-based swap transactions, which applies to non-broker-dealer security-based swap dealers (''SBSDs'') (*i.e.,* bank SBSDs and nonbank stand-alone SBSDs), as well as notification requirements for non-broker-dealer SBSDs and major security-based swap participants. The collection of information requirements in the rule facilitates the process by which the Commission and its staff monitor how SBSDs are fulfilling their custodial responsibilities to security-based swap customers. They also alert counterparties to the alternatives available to them with respect to segregation of non-cleared security-based swaps. The aggregate annual burden for all respondents is estimated to be 8,497 hours.

The collections of information in the rule are mandatory. The information is kept confidential to the extent permitted by the Freedom of Information Act (5 U.S.C. 552 *et seq.*).

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

Written comments are invited on: (a) whether this proposed collection of information is necessary for the proper performance of the functions of the SEC, including whether the information will have practical utility; (b) the accuracy of the SEC's estimate of the burden imposed by the proposed collection of information, including the validity of the methodology and the assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated, electronic collection techniques or other forms of information technology.

The public may view and comment on this information collection request at: *https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202507-3235-013* or email comment to *MBX.OMB.OIRA.SEC_desk_officer@omb.eop.gov* within 30 days of the day after publication of this notice, by October 27, 2025.

Dated: September 23, 2025.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–18647 Filed 9–24–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104014; File No. SR–PEARL–2025–42]

Self-Regulatory Organizations; MIAX PEARL, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Exchange Rule 402 To Permit the Listing of Options on an Exchange Traded Fund as Defined in Rule 6c–11 Under the Investment Company Act of 1940

September 22, 2025.

Pursuant to the provisions of 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 September 9, 2025, MIAX PEARL, LLC (''MIAX PEARL'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') a proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Exchange Rule 402, Criteria for Underlying Securities, to permit the listing of options on an exchange traded fund as defined in Rule 6c–11 under the Investment Company Act of 1940 (''Rule 6c–11'').

The text of the proposed rule change is available on the Exchange's website at *https://www.miaxglobal.com/markets/us-options/all-options-exchanges/rule-filings,* and at the Exchange's principal office.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Exchange Rule 402, Criteria for Underlying Securities,[3] to amend: (1) subsection (i)(1) to provide that securities deemed appropriate for options trading include shares or other securities (''Exchange-Traded Funds'' or ''ETFs''), that are listed pursuant to generic listing standards for an exchange-traded fund as defined in Rule 6c–11 under the Investment Company Act of 1940 (''ETF Shares''), portfolio depositary receipts, or index fund shares; and (2) subsection (i)(5)(ii)(A) to provide that the ETFs must be listed pursuant to generic listing standards for ETF Shares. This is a competitive filing based on a similar proposal submitted by Cboe Exchange, Inc. (''Cboe'').[4]

[20] 17 CFR 200.30–3(a)(12), (59).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] The Exchange notes that its affiliate options exchanges, Miami International Securities Exchange, LLC (''MIAX'') and MIAX Sapphire, LLC (''MIAX Sapphire''), submitted substantively similar proposals. The Exchange notes that all the rules of Chapter IV of MIAX Rulebook, including Exchange Rule 402, are incorporated by reference into the MIAX Emerald, LLC (''MIAX Emerald'') rulebook.

[4] *See* Securities Exchange Act Release No. 103686 (August 5, 2025) 90 FR 39435 (August 15, 2025) (SR–CBOE–2025–053) (Self-Regulatory Organizations; Cboe Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Interpretation and Policy .06 of Rule 4.3 To Permit the Listing of Options on an

Continued

Current Exchange Rule 402(i)(5)(ii)(A) provides that ETF Shares must be listed pursuant to generic listing standards for portfolio depositary receipts and index fund shares based on international global indexes under which a comprehensive surveillance agreement (''CSSA'') is not required. This proposal would amend Exchange Rule 402(i)(5)(ii)(A) to add that ETFs may also be listed pursuant to generic listing standards for ETF Shares.

This proposal will enable the Exchange to list and trade options on generically listed exchange-traded funds that can rely on Rule 6c–11, provided that the ETF Shares are listed pursuant to Rule 19b–4(e) of the Exchange Act. Rule 19b–4(e) provides that the listing and trading of a new derivative securities product by a self-regulatory organization (''SRO'') shall not be deemed a proposed rule change, pursuant to paragraph (c)(1) of Rule 19b–4, if the Securities and Exchange Commission (the ''Commission'') has approved, pursuant to Section 19(b) of the Exchange Act, the SRO's trading rules, procedures and listing standards for the product class that would include the new derivatives securities product, and the SRO has a surveillance program for the product class. In other words, the proposal will amend the listing standards to allow the Exchange to list and trade options on ETF Shares to a similar degree that they are allowed to be listed on index fund shares and portfolio depositary receipts. A series of index fund shares or portfolio depositary receipts may generically list as ETF Shares so long as the fund meets all listing requirements under the applicable ETF Shares listing rule.[5] The proposal merely represents a natural progression from a previous approval order, which established the principle that options listing standards should align with the surveillance framework of their underlying securities.[6] While the MIAX Approval Order was limited to portfolio depositary receipts and index fund shares based on international or global indexes, the Exchange believes the underlying regulatory logic (that adequate transparency and surveillance of the underlying security can support options listing without additional CSSA requirements) applies equally to ETF Shares listed under generic listing standards, and is further supported by the fact that index fund shares and portfolio depositary receipts are generally designed to meet the requirements of the ETF Shares listing standards.

The Exchange allows for the listing and trading of options on exchange-traded funds under Exchange Rule 402(i). In particular, Exchange Rule 402(i)(1) provides that securities deemed appropriate for options trading include ETFs that represent interests in registered investment companies (or series thereof) organized as open-end management investment companies, unit investment trusts or similar entities that hold portfolios of securities and/or certain financial instruments and money market instruments.[7]

The requirements of Exchange Rule 402(i)(1) are generally based on the generic listing standards [8] for exchange-traded funds that pre-dated the adoption of Rule 6c–11 (the ''previous generic listing standards''). The Exchange proposes to eliminate the language from the rule text that specifies the securities and/or financial instruments that the entity holds and instead provide that the securities deemed appropriate for options trading include ETFs that are listed pursuant to generic listing standards for ETF Shares, portfolio depositary receipts, or index fund shares.

Similarly, Exchange Rule 402(i)(5)(ii)(A) provides that ETFs must be listed pursuant to generic listing standards for series of portfolio depositary receipts and index fund shares based on international or global indexes under which a comprehensive surveillance agreement is not required. Thus, the requirements of Exchange Rule 402(i)(5)(ii)(A) are also generally based on the previous generic listing standards. The Exchange proposes to amend Exchange Rule 402(i)(5)(ii)(A) to explicitly provide that the ETFs must be listed pursuant to the generic listing standards for ETF Shares, or series of portfolio depositary receipts and index fund shares based on international or global indexes under which a comprehensive surveillance agreement is not required.

In 2019, the Commission adopted Rule 6c–11 to permit exchange-traded funds that satisfy certain conditions to operate without obtaining an exemptive order from the Commission under the Investment Company Act of 1940.[9] In 2020, the Commission approved generic listing standards pursuant to Rule 19b–4(e) of the Exchange Act for exchange-traded funds that meet the requirements of Rule 6c–11 (*i.e.,* ETF Shares).[10] Such generic listing standards permit the listing and trading of ETF Shares that are permitted to operate in reliance on Rule 6c–11 to list and trade on an exchange without a prior Commission approval order or notice of effectiveness pursuant to Section 19(b) of the Act. ETFs listed pursuant to the previous generic listing standards would generally meet the requirements of Rule 6c–11 and thus could list as ETF Shares on an equity exchange.

The ETF Shares generic listing standards did not include the quantitative standards applicable to a fund or an index that were included in the previous generic listing standards.[11] Ultimately, the Commission found that the ETF Shares generic listing standards are reasonably designed to help prevent fraudulent and manipulative acts and practices particularly because a central qualification for listing generically is ongoing compliance with Rule 6c–11, which requires, among other things, ETF Shares to prominently disclose the portfolio holdings that will form the basis for each calculation of net asset value per share. Because initial and ongoing compliance with Rule 6c–11 is a condition for listing and trading on the equity listing markets, Rule 6c–11 permits the equity exchanges to list and trade shares of an investment company

Exchange-Traded Fund as Defined in Rule 6c–11 Under the Investment Company Act of 1940).

[5] *See e.g.,* Cboe BZX Exchange Rule 14.11(l) (ETF Shares).

[6] *See* Securities Exchange Act No. 874509 (March 13, 2015) 80 FR 14425 (March 19, 2015) (SR–MIAX–2015–04) (Order Approving a Proposed Rule Change To Amend MIAX Rule 402) (the ''MIAX Approval Order'').

[7] *See* Exchange Rule 402(i), which permits options trading on ETFs that: (1) represent interests in registered investment companies (or series thereof) organized as open-end management investment companies, unit investment trusts or similar entities that hold portfolios of securities and/or financial instruments (''Funds''), including, but not limited to, stock index futures contracts, options on futures, options on securities and indices, equity caps, collars and floors, swap agreements, forward contracts, repurchase agreements and reverse repurchase agreements (the ''Financial Instruments''), and money market instruments, including, but not limited to, U.S. government securities and repurchase agreements (the ''Money Market Instruments'') comprising or otherwise based on or representing investments in broad-based indexes or portfolios of securities and/or Financial Instruments and Money Market Instruments (or that hold securities in one or more other registered investment companies that themselves hold such portfolios of securities and/or Financial Instruments and Money Market Instruments).

[8] *See e.g.,* Cboe BZX Exchange Rules 14.11(c) (Index Fund Shares), 14.11(i) (Managed Fund Shares), and 14.11(b) (Portfolio Depositary Receipts).

[9] *See* Release Nos. 33–10695; IC–33646; File No. S7–15–18 (Exchange-Traded Funds) (September 25, 2019), 84 FR 57162 (October 24, 2019) (the ''Rule 6c–11 Release'').

[10] *See e.g.,* Securities Exchange Act Release No. 88566 (April 6, 2020) 85 FR 20312 (April 10, 2020)(SR–CboeBZX–2019–097) (Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment No. 2, To Adopt BZX Rule 14.11(l) Governing the Listing and Trading of Exchange-Traded Fund Shares) (''BZX ETF Shares Approval Order'').

[11] *See supra* note 5.

with a fully transparent portfolio. The Commission stated that it believes that such portfolio transparency should help prevent manipulation of the price of ETF Shares.[12]

In approving the ETF Shares generic listing standards, the Commission thoroughly considered the structure of the ETF Shares, their usefulness to investors and to the markets, and SRO rules that govern their listing and trading. The Exchange believes that allowing the listing of options overlying ETF Shares that are listed pursuant to the generic listing standards on equities exchanges and applying Rule 19b–4(e)[13] should fulfill the intended objective of that Rule by allowing options on those ETF Shares that have satisfied the generic listing standards to commence trading, without the need for the public comment period and Commission approval. The Exchange believes enabling the listing and trading of options on ETF Shares pursuant to this amended listing standard will benefit investors by providing them with valuable risk management tools, such as direct hedging tools, in a more timely manner. The proposed rule would allow the Exchange to quickly determine whether ETFs are appropriate for options trading under Exchange Rule 402(i)(5)(ii)(A) and has the potential to reduce the time frame for bringing options on ETF Shares to market, thereby benefitting investors by timely providing increased trading and hedging opportunities. The failure of a particular exchange-traded fund to comply with the generic listing standards under Rule 19b–4(e)[14] would not, however, preclude the Exchange from submitting a separate filing pursuant to Section 19(b)(2),[15] requesting Commission approval to list and trade options on a particular exchange traded fund.

Options on ETF Shares listed pursuant to the proposed generic listing standards would be traded, in all other respects, under the Exchange's existing trading rules and procedures that apply to options on exchange-traded fund and would be covered under the Exchange's surveillance program for options on ETFs.[16]

The Exchange believes this proposed listing standard for options on ETF Shares is reasonable and will result in options that are not readily susceptible to manipulation in light of existing Rule 6c–11 transparency requirements and options listing requirements.[17] The Commission has determined that portfolio transparency is central to preventing manipulation of ETF Share prices and serves as the primary qualification for generic listing of ETF Shares.[18] The Exchange believes this same transparency rationale supports the generic listing of options on ETF Shares by aligning the options generic listing standards with the ETF Shares generic listing standards. Where ETF Shares have been deemed sufficiently transparent to warrant generic listing, the Exchange believes the manipulation risks for both the underlying shares and overlying options are adequately mitigated through this transparency framework as options manipulation is typically achieved through manipulation of the underlying security. This proposal simply creates a streamlined pathway for listing options on qualifying ETF Shares that meet the enhanced transparency standards under Rule 6c–11.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[19] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[20] 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.

In particular, the Exchange believes that the proposal to list and trade options on ETFs Shares pursuant to this amended listing standard will benefit investors by providing them with valuable risk management tools, such as direct hedging tools, in a more timely manner. The proposed rule would allow the Exchange to quickly determine whether ETFs are appropriate for options trading under Exchange Rule 402 and has the potential to reduce the time frame for bringing options on ETF Shares to market, thereby benefitting investors by timely providing increased trading and hedging opportunities. The proposed rule streamlines the listing mechanism[21] for certain qualifying options on ETF Shares to be listed on the Exchange in a manner that is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, to remove impediments to and perfect the mechanisms of a free and open market and a national market system and, in general, to protect investors and the public interest. Specifically, where ETF Shares have been deemed sufficiently transparent to warrant generic listing, the Exchange believes the manipulation risks for both the underlying shares and overlying options are adequately mitigated through this transparency framework as options manipulation is typically achieved through manipulation of the underlying security.

The Exchange believes that the proposal is similar to previous proposals that have sought to establish parallel listing standards for options as the underlying exchange-traded funds.[22] Specifically, in 2015 MIAX submitted a proposed rule filing that would allow it to list and trade options on certain exchange-traded funds without a CSSA provided that such exchange-traded funds that underlie options are listed on an equities exchange pursuant to certain generic listing standards under which a CSSA is not required. In the MIAX Approval Order, the Commission stated that it believes that it is consistent with the Act for the Exchange to list and trade options that overlie ETFs, provided such ETFs are listed pursuant to generic listing standards on equities exchanges for portfolio depositary receipts and index fund shares based on international or global indexes under

[12] *See* BZX ETF Shares Approval Order at 20320.

[13] 17 CFR 240.19b–4(e).

[14] *Id.*

[15] 15 U.S.C. 78s(b)(2).

[16] *E.g.,* ETFs will continue to be subject to the position limits set forth in MIAX Rule 307. The Exchange notes that all the rules of Chapter III of MIAX, including Exchange Rule 307, are incorporated by reference into the Exchange Rulebooks.

[17] *See* Exchange Rule 402(i)(5)(i).

[18] *See* BZX ETF Shares Approval Order at 20320.

[19] 15 U.S.C. 78f(b).

[20] 15 U.S.C. 78f(b)(5).

[21] ETF Shares, which generally include index fund shares and portfolio depositary receipts, may list under the applicable ETF Shares listing rule, provided they meet all specified requirements. The proposal clarifies Exchange Rules to explicitly confirm that such ETF Shares fall within the scope of Exchange Rule 402.

[22] *See* Securities Exchange Act Nos. 874509 (March 13, 2015) 80 FR 14425 (March 19, 2015) (SR–MIAX 2015–04) (Order Approving a Proposed Rule Change To Amend MIAX Rule 402); *and* 75296 (June 25, 2015) 80 FR 37692 (July 1, 2015) (SR–CBOE–2015–052) (Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Rule 5.3.06) (collectively, the ''Prior Options ETF Amendments'').

which a CSSA with a foreign market is not required.[23]

The Exchange believes this proposal represents a natural progression from the MIAX Approval Order, which established the principle that options listing standards should align with the surveillance framework of their underlying securities. While the MIAX Approval Order was limited to portfolio depositary receipts and index fund shares based on international or global indexes, the Exchange believes the underlying regulatory logic (that adequate transparency and surveillance of the underlying security can support options listing without additional CSSA requirements) applies equally to ETF Shares listed under generic listing standards. This is further supported by the fact that ETFs listed pursuant to the previous generic listing standards would generally meet the requirements of Rule 6c–11 and thus could list as ETF Shares. The Commission's determination that Rule 6c–11 ETF Shares can be listed generically without CSSA requirements due to their transparency should logically extend to options overlying these same transparent products. Specifically, the Exchange believes Rule 6c–11's portfolio transparency requirements provide an even stronger foundation for surveillance than the CSSA requirement contemplated in the MIAX Approval Order. The Commission has determined that portfolio transparency is central to preventing manipulation of ETF Share prices and serves as the primary qualification for generic listing of ETF Shares.[24] The Exchange believes this same transparency rationale supports the generic listing of options on ETF Shares by aligning the options generic listing standards with the ETF Shares generic listing standards. Where ETF Shares have been deemed sufficiently transparent to warrant generic listing, the Exchange believes the manipulation risks for both the underlying shares and overlying options are adequately mitigated through this transparency framework as options manipulation is typically achieved through manipulation of the underlying security. As such, the Exchange believes that the proposal furthers the protection of investors and the public interest by applying established regulatory principles to the evolved exchange-traded funds landscape created by Rule 6c–11, while maintaining appropriate surveillance safeguards through the underlying securities' transparency requirements.

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. In this regard and as indicated above, the Exchange notes that the rule change is substantively identical to the filing submitted by Cboe.[25]

The Exchange does not believe that the proposed rule change will impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act because ETF Shares, like any other exchange-traded funds, would have to satisfy the Exchange's initial listing standards to be eligible for options trading.[26] Additionally, the proposed rule change would apply to all market participants in the same manner as options on index fund shares and portfolio depositary receipts and generically listed options on ETF Shares would be equally available to all market participants who wish to trade such options.

The Exchange does not believe that the proposal will impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. To the extent that aligning the options generic listing standards with the ETF Shares generic listing standards may make the Exchange a more attractive marketplace to market participants at other exchanges, such market participants are free to elect to become market participants on the Exchange.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act[27] and Rule 19b–4(f)(6)[28] thereunder. Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act[29] and Rule 19b–4(f)(6)[30] thereunder.

A proposed rule change filed under Rule 19b–4(f)(6)[31] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b4(f)(6)(iii),[32] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative immediately upon filing. The Exchange states that waiver of the operative delay would add immediate clarity to the Exchange's rulebook by aligning the options listing requirements to the underlying generic ETF Shares listing standards. The Exchange also states that it believes the proposed rule change may result in more timely investment options and opportunities to achieve the investment objectives of market participants seeking efficient trading and hedging vehicles, to the benefit of investors, market participants, and the marketplace in general. For these reasons, and because the proposed rule change does not raise any novel legal or regulatory issues, the Commission finds that waiving the 30-day operative delay is consistent with the protection of investors and the public interest. Therefore, the Commission hereby waives the 30-day operative delay and designates the proposed rule change to be operative upon filing.[33]

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

[23] *See supra* note 6 at 14426.

[24] *See* BZX ETF Shares Approval Order at 20320.

[25] *See supra* note 4.

[26] *See* Exchange Rule 402.

[27] 15 U.S.C. 78s(b)(3)(A).

[28] 17 CFR 240.19b–4(f)(6).

[29] 15 U.S.C. 78s(b)(3)(A).

[30] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[31] 17 CFR 240.19b–4(f)(6).

[32] 17 CFR 240.19b–4(f)(6)(iii).

[33] For purposes only of waiving the 30-day operative delay, the Commission has also considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–PEARL–2025–42 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–PEARL–2025–42. 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–PEARL–2025–42 and should be submitted on or before October 16, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[34]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–18558 Filed 9–24–25; 8:45 am]

BILLING CODE 8011–01–P

[34] 17 CFR 200.30–3(a)(12), (59).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104011; File No. SR–MIAX–2025–43]

Self-Regulatory Organizations; Miami International Securities Exchange, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Administrative Information Subscriber Market Data Feed

September 22, 2025.

Pursuant to the provisions of 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 September 11, 2025, Miami International Securities Exchange, LLC (''MIAX'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') a proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the Administrative Information Subscriber market data feed to include the origin code on liquidity seeking event notifications.

The text of the proposed rule change is available on the Exchange's website at *https://www.miaxglobal.com/markets/us-options/all-options-exchanges/rule-filings* and at the Exchange's principal office.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

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 the Administrative Information Subscriber market data feed (''AIS Feed''). The AIS Feed is a data feed that allows subscribers to receive real-time updates of the following information from the MIAX Options market (i) products traded on MIAX; (ii) trading status for MIAX and products trading on MIAX; and (iii) liquidity seeking event notifications. The Exchange now proposes to include the origin code in liquidity seeking event notifications.

Currently the AIS Feed provides a Simple Liquidity Seeking Event Notification and a Complex Liquidity Seeking Event Notification. Both the Simple Liquidity Seeking Event Notification and the Complex Liquidity Seeking Event Notification message provide the type of liquidity seeking event in the Event Type field of each respective message. Specifically, for Simple Liquidity Seeking Event Notification messages, the following types of liquidity seeking events are identified in the following manner, a Liquidity Refresh Mechanism is denoted by an ''L;'' an Opening/Reopening Imbalance Mechanism is denoted by an ''O;'' a Route Mechanism is denoted by an ''R;'' a MIAX PRIME Paired order is denoted by a ''P;'' a Settlement Opening Imbalance Mechanism is denoted by an ''S;'' and a Liquidity Exposure Process is denoted by an ''E.'' Similarly, the Complex Liquidity Seeking Event Notification message provides the type of liquidity seeking event in the Event Type field. Specifically, a Complex Order Auction is denoted by a ''C;'' a cPRIME Auction is denoted by a ''P;'' and a Complex Liquidity Exposure Process Auction is denoted by an ''E.''[3]

The Exchange now proposes to amend the Liquidity Seeking Event Notification and the Complex Liquidity Seeking Event Notification messages to adopt a new field name entitled ''Origin.'' The values for this new field will be mapped from the origin code provided in the FIX[4] New Order message and the FIX New Order Cross message for Simple Liquidity Seeking Event Notifications and Complex Liquidity Seeking Event Notifications respectively. Valid values

[3] *See* Administrative Information Subscriber Feed, AIS Interface Specification, version 2.5, (8/1/2022) available online at *https://www.miaxglobal.com/markets/us-options/miax-options/interface-specifications.*

[4] FIX is an acronym for Financial Information Exchange protocol. *See www.fixtrading.org.*

for the Origin field will be: ''0'' for Priority Customer; ''1'' for Firm; ''2'' for Broker/Dealer; ''4'' for Market Maker; ''5'' for Non-Member Market Maker; ''8'' for Non-Priority Customer; and a blank space will signify ''Not Applicable.'' The Exchange also offers the MIAX Options Order Feed (MOR) which is a data feed that allows subscribers to receive real-time updates from the MIAX Options Market, with the origin code being provided in the Simple Order Message and Complex Order Message notifications.[5]

Implementation

There will be technology changes associated with this rule proposal, therefore the Exchange proposes to announce the implementation date of the proposal in a Regulatory Circular to be published no later than 90 days after the publication of the approval order in the **Federal Register**. The implementation date will be no later than 90 days following publication of the Regulatory Circular announcing publication of the approval order in the **Federal Register**.

2. Statutory Basis

The Exchange believes that its proposed rule change is consistent with Section 6(b) of the Act,[6] in general, and furthers the objectives of Section 6(b)(5) of the Act[7] in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. The Exchange believes this proposal is consistent with Section 6(b)(5) of the Act because it protects investors and the public interest and promotes just and equitable principles of trade by providing investors with additional information by which to make trading decisions.

The proposed changes to the market data product are designed to increase the efficient use of the AIS Feed and to promote just and equitable principles of trade, foster cooperation and coordination with persons engaged in facilitating transactions in securities, removes impediments to and perfect the mechanisms of a free and open market and a national market system. The Exchange believes that the proposed changes will enhance the quality and usefulness of the AIS Feed to the benefit of all market participants by providing additional information related to liquidity seeking events which will help participants make better informed decisions regarding these events.

The AIS Feed is designed to promote just and equitable principles of trade by providing all subscribers with real-time updates of products trading on MIAX, the trading status of such products, and liquidity seeking event notifications. The proposed change to the AIS Feed will further perfect the mechanisms of a free and open market and a national market system by making the MIAX market more transparent and accessible to market participants.

The Exchange also believes that its proposal is consistent with Section 6(b) of the Act[8] in general, and further the objectives of Section 6(b)(4) of the Act[9] in particular, in that it is an equitable allocation of reasonable dues, fees, and other charges among its members and issuers and other persons using its facilities. Subscribers to the Administrative Information Subscriber data feed are changed a monthly fee.[10] The Exchange believes that it is reasonable to leave the fee charged for the AIS Feed unchanged as the AIS Feed currently contains liquidity seeking event notifications and the Exchange's proposal seeks only to enhance the data provided in liquidity seeking event messages. Therefore, the Exchange does not believe that the proposed change requires a change to its Fee Schedule.

Further, the Exchange believes that its proposal is fair and not unreasonably discriminatory because it applies equally to all subscribers of the AIS Feed and all subscribers of the AIS Feed receive the same data. The Exchange believes that its proposal provides for the equitable allocation of reasonable dues, fees and other charges among its Members and other persons using its facilities and is not designed to unfairly discriminate between customers, issuers, brokers, or dealers, as all subscribers to the AIS Feed are charged the same fee. Should the Exchange determine that a change to the Fee Schedule is warranted a separate rule filing will be submitted.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. On the contrary, the Exchange believes that the changes to the AIS Feed will enhance competition in the U.S. options markets by enhancing the quality and usefulness of a market data product.

The Exchange does not believe that the proposed rule change will result in any burden on intra-market competition, as all subscribers to the AIS Feed will receive the same information under this proposal.

The Exchange does not believe that the proposed rule change will result in any burden on inter-market competition, but could serve to promote inter-market competition by possibly improving the number and quality of executions on the Exchange during liquidity seeking events which may improve competition for orders across all exchanges.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act[11] and Rule 19b–4(f)(6)[12] thereunder. Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; or (iii) become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest, it has become effective pursuant to Section 19(b)(3)(A) of the Act[13] and Rule 19b–4(f)(6)[14] thereunder.

At any time within 60 days of the filing of this proposed rule change, the

[5] *See* MIAX Order Feed (MOR) Interface Specification, version 2.5b, (5/17/2022) available online at *https://www.miaxglobal.com/markets/us-options/miax-options/interface-specifications*.

[6] 15 U.S.C. 78f(b).

[7] 15 U.S.C. 78f(b)(5).

[8] 15 U.S.C. 78f(b).

[9] 15 U.S.C. 78f(b)(4).

[10] *See* Section 6)b) of the Exchange's Fee Schedule available online at *https://www.miaxglobal.com/markets/us-options/miax-options/fees*.

[11] 15 U.S.C. 78s(b)(3)(A).

[12] 17 CFR 240.19b–4(f)(6).

[13] 15 U.S.C. 78s(b)(3)(A).

[14] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires the Exchange to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–MIAX–2025–43 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–MIAX–2025–43. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–MIAX–2025–43 and should be submitted on or before October 16, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[15]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–18557 Filed 9–24–25; 8:45 am]

BILLING CODE 8011–01–P

[15] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235–0120]

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Extension: Form 18–K—Annual Report

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'' or ''SEC'') has submitted to the Office of Management and Budget (''OMB'') this request for extension of the previously approved collection of information discussed below.

Form 18–K (17 CFR 249.318) is an annual report form used by foreign governments or political subdivisions of foreign governments with securities listed on a United States exchange. The information to be collected is intended to ensure the adequacy and public availability of information available to investors. The information provided is mandatory. Form 18–K is a public document. The information required by Form 18–K is mandatory, and Form 18–K is publicly available on the Commission's Electronic Data Gathering, Analysis, and Retrieval (''EDGAR'') system. We estimate that Form 18–K takes approximately 8 hours to prepare and is filed once per year by approximately 37 respondents for a total annual reporting burden of 296 hours (8 hours per response × 37 responses). We estimate that there is no cost associated with this information collection because 100% of the burden is carried internally by the issuer.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number. The public may view and comment on this information collection request at: *https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202507-3235-007* or send an email comment to *MBX.OMB.OIRA.SEC_desk_officer@omb.eop.gov* within 30 days of the day after publication of this notice by October 27, 2025.

Dated: September 23, 2025.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–18645 Filed 9–24–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104010; File No. SR–CBOE–2025–067]

Self-Regulatory Organizations; Cboe Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Add Options on the Cboe Magnificent 10 Index to Certain Rules and To Change the Market-Maker Appointment Tier for Certain Index Options

September 22, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on September 10, 2025, Cboe Exchange, Inc. (the ''Exchange'' or ''Cboe Options'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Cboe Exchange, Inc. (the ''Exchange'' or ''Cboe Options'') proposes (1) to update certain Rules regarding the listing of options on the Cboe Magnificent 10 Index (''MGTN options''), which are eligible to be listed for trading pursuant to Rule 4.13(b) and Rule 19b–4(e) under the Securities Exchange Act (the ''Act'') [3] to those rules; and (2) to update Rule 5.50 regarding the Market-Maker appointment costs of certain index options. The text of the proposed rule change is provided in Exhibit 5.

The text of the proposed rule change is also available on the Commission's website (*https://www.sec.gov/rules/sro.shtml*), the Exchange's website (*https://www.cboe.com/us/options/regulation/rule_filings/bzx/*), 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

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* 17 CFR 240.19b–4(e).

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 (1) to update certain Rules regarding the listing of options on the Cboe Magnificent 10 Index (''MGTN options''), which are eligible to be listed for trading pursuant to Rule 4.13(b) and Rule 19b–4(e) of the Act; and (2) to update Rule 5.50 regarding the Market-Maker appointment costs of certain index options.

First, the proposed rule change amends various Rules to add the Cboe Magnificent 10 Index to those Rules. The Cboe Magnificent 10 Index is a narrow-based index (as defined in Rule 4.11) that satisfies the initial listing criteria of a narrow-based index set forth in Rule 4.10(b). Therefore, in accordance with Rule 4.10(b) and Rule 19b–4(e) under the Act, options on the Cboe Magnificent 10 Index are eligible for trading on the Exchange without a rule filing.[4] The proposed rule change makes the following administrative changes in connection with the eligibility of MGTN options for trading on the Exchange:

- add the reporting authority (Cboe Global Indices, LLC) for the Cboe Magnificent 10 Index to Rule 4.12(c);
- add Cboe Magnificent 10 Index to the list of index options that will be European-style index in Rule 4.13(a)(3);
- add Cboe Magnificent 10 Index to the list of index options that will be A.M.-settled in Rule 4.13(a)(4); and
- add MGTN options to the list of options that are part of appointment unit tier AA and assign MGTN options a Market-Maker appointment weight of .001 in Rule 5.50(g).[5]

These proposed changes are administrative and have no impact on how MGTN options may trade on the Exchange.

Second, the proposed rule change amends Rule 5.50(g) to add the following index options to appointment unit tier AA and assign each of those options a Market-Maker appointment weight of .001: the Cboe Bitcoin U.S. ETF Index (CBTX), the Cboe Mini Bitcoin U.S. ETF Index (MBTX), the S&P Equal Weight Index (SPEQF) (full-value), and the S&P Equal Weight Index (SPEQX) (1/10th). These index options currently have a Market-Maker appointment weight of .001, and thus this proposed rule change has no impact on these options.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[6] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[7] 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)[8] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

In particular, the Exchange believes the proposed rule change will remove impediments to and perfect the mechanism of a free and open market and a national market system, because it will add transparency to the rules regarding certain indexes on which the Exchange may list options for trading. The proposed rule changes to add the Cboe Magnificent 10 Index to certain Rules will further add transparency to the Rules regarding an index on which the Exchange may list options in accordance with Rule 19b–4(e) under the Exchange Act and regarding certain terms (*e.g.,* type, settlement) of the options on this index, which transparency ultimately benefits investors. The proposed rule change to add certain other index options to Market-Maker appointment unit tier AA with a fixed .001 appointment cost will 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, as all other index options the Exchange lists are currently part of that same appointment unit tier. Therefore, this proposed rule change will add consistency and transparency to the Rules regarding Market-Maker appointment weights of index options. As noted above, these options currently have a Market-Maker appointment weight of .001, so the proposed rule change has no practical impact on these options.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule changes to update certain rules to add the Cboe Magnificent 10 Index, options on which are eligible to be listed for trading pursuant to Rule 4.13(b) and Rule 19b–4(e) under the Act, to those rules will impose no burden on intramarket or intermarket competition that is not necessary or appropriate in furtherance of the purpose of the Act, as there are solely administrative changes that have no impact on how options overlying this index may trade on the Exchange. The proposed rule change to add certain index options to appointment unit tier AA with an appointment cost of .001 will impose no burden on intramarket or intermarket competition that is not necessary or appropriate in furtherance of the purpose of the Act, as they are merely codifying the current appointment weight for these options and have no impact on how options overlying those indexes may trade. Additionally, all Market-Makers will continue to be subject to the same appointment weight for these options.

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 written 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)

[4] The Exchange intends to submit a Form 19b–4(e) to the Securities and Exchange Commission (the ''Commission'') regarding the listing of MGTN options no later than five days after the Exchange begins listing those options for trading.

[5] This is the appointment weight these options would initially receive upon listing if they were not part of appointment unit tier AA pursuant to Rule 5.50(g), and therefore this proposed rule change has no impact on the appointment weight of MGTN options.

[6] 15 U.S.C. 78f(b).

[7] 15 U.S.C. 78f(b)(5).

[8] *Id.*

of the Act [9] and paragraph (f) of Rule 19b–4 [10] 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–CBOE–2025–067 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–CBOE–2025–067. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–CBOE–2025–067 and should be submitted on or before October 16, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[11]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–18554 Filed 9–24–25; 8:45 am]

BILLING CODE 8011–01–P

[9] 15 U.S.C. 78s(b)(3)(A).

[10] 17 CFR 240.19b–4(f).

[11] 17 CFR 200.30–3(a)(12).

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21307 and #21308; PENNSYLVANIA Disaster Number PA–20024]

Administrative Declaration of a Disaster for the Commonwealth of Pennsylvania

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a notice of an Administrative declaration of a disaster for the Commonwealth of Pennsylvania dated September 22, 2025.

Incident: Jefferson Apartment Complex Building Fire.

DATES: Issued on September 22, 2025.

Incident Period: September 9, 2025.

Physical Loan Application Deadline Date: November 21, 2025.

Economic Injury (EIDL) Loan Application Deadline Date: June 22, 2026.

ADDRESSES: *Visit the MySBA Loan Portal at https://lending.sba.gov* to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Sharon Henderson, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given as a result of the Administrator's disaster declaration, applications for disaster loans may be submitted online using the MySBA Loan Portal *https://lending.sba.gov* or other locally announced locations. Please contact the SBA disaster assistance customer service center by email at *disastercustomerservice@sba.gov* or by phone at 1–800–659–2955 for further assistance.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Allegheny

Contiguous Counties:

Pennsylvania: Armstrong, Beaver, Butler, Washington, Westmoreland.

The Interest Rates are:

	Percent
For Physical Damage:	
Homeowners with Credit Available Elsewhere	6.000
Homeowners without Credit Available Elsewhere	3.000
Businesses with Credit Available Elsewhere	8.000
Businesses without Credit Available Elsewhere	4.000
Non-Profit Organizations with Credit Available Elsewhere	3.625
Non-Profit Organizations without Credit Available Elsewhere	3.625
For Economic Injury:	
Business and Small Agricultural Cooperatives without Credit Available Elsewhere	4.000
Non-Profit Organizations without Credit Available Elsewhere	3.625

The number assigned to this disaster for physical damage is 213075 and for economic injury is 213080.

The Commonwealth which received an Administrative Declaration is Pennsylvania.

(Catalog of Federal Domestic Assistance Number 59008)

(Authority: 13 CFR 123.3(b).)

James Stallings,

Associate Administrator, Office of Disaster Recovery and Resilience.

[FR Doc. 2025–18596 Filed 9–24–25; 8:45 am]

BILLING CODE 8026–09–P

DEPARTMENT OF STATE

[Public Notice: 12832]

Notice of Determinations; Culturally Significant Objects Being Imported for Exhibition—Determinations: ''Seeing Silence: The Paintings of Helene Schjerfbeck'' 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 ''Seeing Silence: The Paintings of Helene Schjerfbeck'' at The Metropolitan Museum of Art, New York, New York, and at possible additional exhibitions or venues yet to be determined, are of cultural significance, and, further, that their temporary exhibition or display within the United States as aforementioned is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Reed Liriano, Program Coordinator,

Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/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. 2025–18530 Filed 9–24–25; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent of Waiver With Respect to Land;

Wabash Municipal Airport, Wabash, Indiana

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice.

SUMMARY: The FAA is considering a proposal to change 0.382 acres of airport land from aeronautical use to non-aeronautical use and to authorize the sale of airport property located at Wabash Municipal Airport, Wabash, Indiana. The aforementioned land is not needed for aeronautical use. The subject property is located south of County Road 400 S and west of the Wabash Municipal Airport's terminal building. The property is part of a larger parcel that was purchased for aeronautical development and used as vacant land compatible with the airport's aeronautical purpose.

DATES: Comments must be received on or before October 23, 2025.

ADDRESSES: All requisite and supporting documentation will be made available for review by appointment at the FAA Chicago Airports District Office, Jeremy Riley, Program Manager, 2300 E. Devon Ave., Des Plaines, IL 60018 Telephone: (847) 294–7214/Fax: (847) 294–7046 and City of Wabash, 202 S. Wabash St., Wabash, IN 46992.

Written comments on the Sponsor's request may be submitted using any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov,* and follow the instructions for sending your comments electronically.
- *Mail:* Jeremy Riley, Program Manager, Federal Aviation Administration, Chicago Airports District Office, 2300 E. Devon Ave., Des Plaines, IL 60018.
- *Hand Delivery:* Deliver to mail address above between 8 a.m. and 5 p.m. Monday through Friday, excluding Federal holidays.
- *FAX:* (847) 294–7046.

FOR FURTHER INFORMATION CONTACT: Jeremy Riley, Program Manager, Federal Aviation Administration, Chicago Airports District Office, E. Devon Ave., Des Plaines, IL 60018. Telephone Number: (847) 294–7214/FAX Number: (847) 294–7046.

SUPPLEMENTARY INFORMATION: In accordance with section 47107(h) of Title 49, United States Code, this notice is required to be published in the **Federal Register** 30 days before modifying the land-use assurance that requires the property to be used for an aeronautical purpose.

The subject property is currently maintained as vacant but compatible airport property. The property was originally acquired under Airport Development Aid Program (ADAP) grant 5–18–0084–02 in 1981. The subject property is proposed to be sold and exchanged for a parcel adjacent to the airport that will allow for a project that will enhance safety at the Wabash Municipal Airport. Fair market value will be realized as the parcels to be exchanged are similarly situated and are the same exact size.

The disposition of proceeds from the sale of this airport property will be in accordance with section 47107(c)(2)(b) of Title 49, United States Code.

This notice announces that the FAA is considering the release of the subject airport property at the Wabash Municipal Airport, Wabash, Indiana from federal land covenants, subject to a reservation for continuing right of flight as well as restrictions on the released property as required in FAA Order 5190.6B section 22.16. Approval does not constitute a commitment by the FAA to financially assist in the disposal of the subject airport property nor a determination of eligibility for grant-in-aid funding from the FAA.

Legal Description

Part of the West Half of the Northeast Quarter of Section 25, Township 27 North, Range 6 East, Wabash County, Indiana, being that 0.382 acre parcel (Tract #1) surveyed by John H. Stephens, Indiana Professional Surveyor #LS80040428 and shown on the plat of an original boundary survey certified on February 13, 2024 and revised on March 6, 2025 as Job number 24021, being more particularly described as follows:

COMMENCING at the southwest corner of said Northeast Quarter; thence North 00 degrees 57 minutes 40 seconds West, grid bearing (North American Datum 1983, Indiana East Zone), along the west line of said Northeast Quarter, 1390.03 feet to an iron stake with JHS RLS identification and the POINT OF BEGINNING, being located South 00 degrees 57 minutes 40 seconds East, 1273.38 feet from a section corner monument marking the northwest corner of said Northeast Quarter; thence North 89 degrees 23 minutes 17 seconds East, 332.82 feet to an iron stake with JHS RLS #80040428 identification; thence South 00 degrees 57 minutes 33 seconds East, 50.00 feet to an iron stake with JHS RLS #80040428 identification; thence South 89 degrees 23 minutes 17 seconds West, 332.82 feet to an iron stake with JHS RLS #80040428 identification; thence North 00 degrees 57 minutes 40 seconds West, along the west line of said Northeast Quarter, 50.00 feet to the POINT OF BEGINNING.

Containing 0.382 of an acre, more or less.

Subject to easements, rights of way, covenants and restrictions of records.

Issued in Des Plaines, IL on September 18, 2025.

Gary David Wilson,

Acting Manager, Chicago Airports District Office, FAA, Great Lakes Region.

[FR Doc. 2025–18354 Filed 9–22–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2025–0523]

Zoox, Inc.—Receipt of Application for Temporary Exemption From Various Requirements of the Federal Motor Vehicle Safety Standards for an Automated Driving System-Equipped Vehicle

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Notice of receipt of application for temporary exemption.

SUMMARY: NHTSA has received an application from Zoox, Inc. (''Zoox'') for a temporary exemption from several Federal Motor Vehicle Safety Standards (''FMVSS'') applicable to its passenger car equipped with an automated driving system (''ADS''). NHTSA is reviewing Zoox's application and will publish a subsequent notice seeking public comment on the merits of the application after the agency conducts its initial review.

ADDRESSES: To view Zoox's application materials, you may access the docket identified in the heading of this document at *http://www.regulations.gov.* Alternatively, you may view the docket materials at 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

FOR FURTHER INFORMATION CONTACT: For legal issues: Callie Roach, Office of the Chief Counsel at *Callie.Roach@dot.gov.* For technical issues: Andrew Magaletti, Rulemaking Office of Automation Safety at *Andrew.Magaletti@dot.gov.* Mailing address: National Highway Traffic Safety Administration, 1200 New Jersey Avenue SE, Washington, DC 20590. Telephone number: (202) 366–1810.

SUPPLEMENTARY INFORMATION: Zoox has applied for a temporary exemption from several FMVSS pursuant to 49 U.S.C. 30113(b) and 49 CFR part 555 to deploy vehicles operated using an ADS without a human driver onboard. Specifically, Zoox requests exemptions from certain requirements of FMVSS No. 103, Windshield defrosting and defogging systems; FMVSS No. 104, Windshield wiping and washing systems; FMVSS No. 108, Lamps, reflective devices, and associated equipment; FMVSS No. 111, Rear visibility; FMVSS No. 135, Light vehicle brake systems; FMVSS No. 201, Occupant protection in interior impact; FMVSS No. 205, Glazing materials; and FMVSS No. 208; Occupant crash protection.

A copy of Zoox's application is available in the docket referenced at the beginning of this notice. In accordance with statutory and administrative provisions, this application contains redactions for portions of information for which Zoox has requested confidential treatment. *See* 49 CFR part 512.

NHTSA has not yet reached any conclusion on the merits of Zoox's application. During the evaluation process, the agency may request additional information from the applicant. When NHTSA believes it has received adequate information to consider the merits of Zoox's application, it will update the docket with any additional information received from Zoox and will publish a separate notice seeking public comment on all provided materials. After considering public comments and other available information, NHTSA will decide whether to grant or deny the petition and will publish its decision in the **Federal Register**.

Authority: 49 U.S.C. 30113; 49 CFR part 555; delegation of authority at 49 CFR 1.95, 501.5, and 501.8.

David M. Hines,

Acting Associate Administrator for Rulemaking.

[FR Doc. 2025–18668 Filed 9–24–25; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

[OMB Control No. 2105–0573; Docket No. DOT–OST–2025–1426]

Notice and Request for Comments on Revision of a Previously Approved Information Collection Request

AGENCY: Department of Transportation.

ACTION: Notice; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Department of Transportation's (DOT) Office of the Secretary (OST) announces its plan to submit the Information Collection Request (ICR) described below to the Office of Management and Budget (OMB) for its review and approval and invites public comment. Executive Order 12862 directs Federal agencies to provide service to the public that matches or exceeds the best service available in the private sector. In order to work continuously to ensure that our programs are effective and meet our customers' needs, the Department of Transportation (DOT) seeks a renewal without revision to a fast track generic clearance information collection request already approved by OMB. OST requests renewal without revision of ICR with OMB Control Number: 2105–0573 as described below.

DATES: Submit comments on or before: November 24, 2025.

ADDRESSES: Submit comments identified by Information Collection 2105–0573, Fast Track Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery, by any of the following methods:

- *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.
- *Mail:* U.S. Department of Transportation, Office of the Chief Information Officer, 1200 New Jersey Avenue SE, Washington, DC 20590. ATTN: Chief Data Officer/IC 2105–0573, Fast Track Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery.

Instructions: Please submit comments only and cite Information Collection 2105–0573, Fast Track Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery in all correspondence related to this collection. To confirm receipt of your comment(s), please check *regulations.gov,* approximately two-to-three business days after submission to verify posting (except allow 30 days for posting of comments submitted by mail).

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to Daniel Morgan, Assistant Chief Information Officer for Data Services/Chief Data Officer, or via email to *daniel.morgan@dot.gov.*

SUPPLEMENTARY INFORMATION:

Title: Fast Track Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery.

Abstract: The information collection activity will garner qualitative customer and stakeholder feedback in an efficient, timely manner, in accordance with the Department's commitment to improving service delivery. By qualitative feedback we mean information that provides useful insights on perceptions and opinions but are not statistical surveys that yield quantitative results that can be generalized to the population of study. This feedback will provide insight into customer or stakeholder perceptions, opinions, experiences and expectations, provide an early warning of issues with service, or focus attention on areas where communication, training or changes in operations might improve delivery of products or services. These collections will allow for ongoing, collaborative and actionable communications between the Department of Transportation and its customers and stakeholders. It will also allow feedback to contribute directly to the improvement of program management. Feedback or information collected under this generic clearance will provide useful information, but it

will not yield data that can be generalized to the overall population.

The U.S. Department of Transportation will only submit collections if they meet the following criteria.

- The collections are voluntary.
- The collections are low-burden for respondents (based on considerations of total burden hours, total number of respondents, or burden-hours per respondent) and are low-cost for both the respondents and the Federal Government.
- The collections are noncontroversial and do not raise issues of concern to other Federal agencies.
- Any collection is targeted to the solicitation of opinions from respondents who have experience with the program or may have experience with the program in the near future.
- Personally identifiable information (PII) is collected only to the extent necessary and is not retained.
- Information gathered is intended to be used only internally for general service improvement and program management purposes and is not intended for release outside of the Department (if released, the Department must indicate the qualitative nature of the information).

This type of generic clearance for qualitative information will not be used for quantitative information collections that are designed to yield reliably actionable results, such as monitoring trends over time or documenting program performance. Such data uses require more rigorous designs that address: The target population to which generalizations will be made, the sampling frame, the sample design (including stratification and clustering), the precision requirements or power calculations that justify the proposed sample size, the expected response rate, methods for assessing potential nonresponse bias, the protocols for data collection, and any testing procedures that were or will be undertaken prior to fielding the study. Depending on the degree of influence the results are likely to have, such collections may still be eligible for submission for other generic mechanisms that are designed to yield quantitative results.

Type of Review: Renewal without revision of a previously approved Information Collection Request.

Affected Public: Individuals and Households, Businesses and Organizations, State, Local or Tribal Government.

Estimated Number of Respondents: 240,000.

Estimated Annual Responses: 80,000.

Estimated Annual Burden Hours: 60,000 hours.

Frequency: One-time requirement.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; to develop, acquire, install and utilize technology and systems for the purpose of collecting, validating and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information, to search data sources, to complete and review the collection of information; and to transmit or otherwise disclose the information.

All written comments will be available for public inspection *Regulations.gov.*

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid Office of Management and Budget control number.

Daniel Morgan,

Assistant Chief Information Officer for Data Services/Chief Data Officer.

[FR Doc. 2025–18665 Filed 9–24–25; 8:45 am]

BILLING CODE 4910–9X–P

DEPARTMENT OF THE TREASURY

Community Development Financial Institutions Fund

Amendment of Notice of Funds Availability for Native American CDFI Assistance Program; Revised Application Submission Deadline

AGENCY: Community Development Financial Institutions Fund, Department of the Treasury.

ACTION: Notice, amendment, revised submission deadline.

SUMMARY: The Community Development Financial Institutions Fund (CDFI Fund) is amending its Notice of Funds Availability (NOFA) inviting Applications for Financial Assistance (FA) or Technical Assistance (TA) awards for the Native American CDFI Assistance Program, which was published in the **Federal Register** on January 17, 2025. These amendments promote consistency with recent court decisions regarding race-based preferences and reflect the current Administration's priorities, as reflected in the President's executive orders. Applicants that submitted an Application under the NOFA do not need to withdraw or reapply. The amendments in this notice do not affect steps 1 through 3 of the CDFI Fund's scoring/evaluations process. Applicants that submitted an Application under the NOFA and that advanced to step 4 in the scoring/evaluation process, as described in the NOFA, will be notified by the CDFI Fund and given an opportunity to update their Applications based on the amendments described in this notice.

DATES: Applicants that are notified by the CDFI Fund that they may update their previous Applications under the NOFA must submit such information by 11:59 p.m. Eastern Time on October 27, 2025.

FOR FURTHER INFORMATION CONTACT: Applicants should submit any questions to the CDFI Fund via an AMIS service request to the NACA Program. The CDFI Fund will post on its website responses to reoccurring questions received about this notice. Other information regarding the CDFI Fund may be obtained from the CDFI Fund's website at *https://www.cdfifund.gov*.

SUPPLEMENTARY INFORMATION:

A. Overview

On January 17, 2025, the CDFI Fund published in the **Federal Register** (90 FR 6076) a Notice of Funds Availability (the NOFA) inviting Applicants (as defined in the NOFA) to apply for the

fiscal year 2025 funding round for the Native American CDFI Assistance Program (NACA Program). The CDFI Fund is amending the NOFA to promote consistency with recent court decisions regarding race-based preferences and to reflect certain priorities of the current Administration.

B. Amendments

1. The first sentence of Section II.C.1 of the NOFA includes ''Climate-Focused Financing'' in the list of eligible activities for awards under the NOFA. The CDFI Fund is amending this list to remove the reference to ''Climate-Focused Financing.''

2. The NOFA defines ''Eligible Market'' to include, among other things, individuals that are African American, Hispanic, Other Pacific Islander, Filipino, or Vietnamese. The CDFI Fund is removing these portions of the definition. As a result, the fifth sentence of Section II.C.1 of the NOFA, which provides the definition of ''Eligible Market,'' is amended to read as follows: ''Eligible Market is defined as (i) a geographic area meeting the requirements set forth in 12 CFR 1805.201(b)(3)(ii), or (ii) individuals that are Low-Income, Native American, Native Hawaiian, Alaska Native, or Persons with Disabilities.''

1. The NOFA defines ''Healthy Foods'' for purposes of the Healthy Foods Financing Initiative—Financial Assistance program. The CDFI Fund is amending that definition to align it with the policies of the current Administration. Accordingly, in Section II.C.3 of the NOFA, the definition of ''Healthy Foods'' is amended to read as follows:

Healthy Foods: Healthy Foods include nutrient-dense foods and beverages consistent with Executive Order 14212, ''Establishing the President's Make America Healthy Again Commission,'' and the USDA Dietary Guidelines for Americans 2020–2025, including fresh, frozen, or canned whole fruits and vegetables, whole grains, foods low in saturated fats, lean meats, and poultry. Healthy Foods should have low or no added sugars, artificial food dyes, chemical additives, or pesticides; have less sodium, reduced sodium, or no salt added; and not be ultra-processed. (See USDA Dietary Guidelines: *https://www.dietaryguidelines.gov*).

C. Guidance to Applicants

Applicants that have already submitted an Application (as defined in the NOFA) under the NOFA do not need to withdraw or reapply. The CDFI Fund will provide Applicants under the NOFA that have advanced to step 4 in the scoring/evaluation process the opportunity to update their Applications based on the amendments described in this notice. The CDFI Fund will provide those Applicants with instructions on how to update their Applications in a separate communication. Applicants that are notified by the CDFI Fund that they may update their Applications must submit such information by 11:59 p.m. Eastern Time on October 27, 2025. The CDFI Fund will review Applications in accordance with the NOFA, as amended by this notice. All terms of the NOFA remain as published on January 17, 2025, other than as set forth in this notice.

Dated: September 22, 2025.

Dietrich Douglas,

Acting Director, Community Development Financial Institutions Fund.

[FR Doc. 2025–18560 Filed 9–24–25; 8:45 am]

BILLING CODE 4810–05–P

DEPARTMENT OF THE TREASURY

Community Development Financial Institutions Fund

Amendment of Notice of Funds Availability for Community Development Financial Institutions Program; Revised Application Submission Deadline

AGENCY: Community Development Financial Institutions Fund, Department of the Treasury.

ACTION: Notice, amendment, revised submission deadline.

SUMMARY: The Community Development Financial Institutions Fund (CDFI Fund) is amending its Notice of Funds Availability (NOFA) inviting Applications for Financial Assistance (FA) or Technical Assistance (TA) awards for the CDFI Program, which was published in the **Federal Register** on January 17, 2025. These amendments promote consistency with recent court decisions regarding race-based preferences and reflect the current Administration's priorities, as reflected in the President's executive orders. Applicants that submitted an Application under the NOFA do not need to withdraw or reapply. The amendments in this notice do not affect steps 1 through 3 of the CDFI Fund's scoring/evaluation process. Applicants that submitted an Application under the NOFA and that advanced to step 4 in the scoring/evaluation process, as described in the NOFA, will be notified by the CDFI Fund and given an opportunity to update their Applications based on the amendments described in this notice.

DATES: Applicants that are notified by the CDFI Fund that they may update their previous Applications under the NOFA must submit such information by 11:59 p.m. Eastern Time on October 27, 2025.

FOR FURTHER INFORMATION CONTACT: Applicants should submit any questions to the CDFI Fund via an AMIS service request to the CDFI Program. The CDFI Fund will post on its website responses to reoccurring questions received about this notice. Other information regarding the CDFI Fund may be obtained from the CDFI Fund's website at *https://www.cdfifund.gov*.

SUPPLEMENTARY INFORMATION:

A. Overview

On January 17, 2025, the CDFI Fund published in the **Federal Register** (90 FR 6051) a Notice of Funds Availability (the NOFA) inviting Applicants (as defined in the NOFA) to apply for the fiscal year 2025 funding round for the Community Development Financial Institutions Program (CDFI Program). The CDFI Fund is amending the NOFA to promote consistency with recent court decisions regarding race-based preferences and to reflect certain priorities of the current Administration.

B. Amendments

1. The first sentence of Section II.C.1 of the NOFA includes ''Climate-Focused Financing'' in the list of eligible activities for awards under the NOFA. The CDFI Fund is amending this list to remove the reference to ''Climate-Focused Financing.''

2. The NOFA defines ''Eligible Market'' to include, among other things, individuals that are African American, Hispanic, Other Pacific Islander, Filipino, or Vietnamese. The CDFI Fund is removing these portions of the definition. As a result, the fifth sentence of Section II.C.1 of the NOFA, which provides the definition of ''Eligible Market,'' is amended to read as follows: ''Eligible Market is defined as (i) a geographic area meeting the requirements set forth in 12 CFR 1805.201(b)(3)(ii), or (ii) individuals that are Low-Income, Native American, Native Hawaiian, Alaska Native, or Persons with Disabilities.''

1. The NOFA defines ''Healthy Foods'' for purposes of the Healthy Foods Financing Initiative—Financial Assistance program. The CDFI Fund is amending that definition to align it with the policies of the current Administration. Accordingly, in Section II.C.3 of the NOFA, the definition of

''Healthy Foods'' is amended to read as follows:

Healthy Foods: Healthy Foods include nutrient-dense foods and beverages consistent with Executive Order 14212, ''Establishing the President's Make America Healthy Again Commission,'' and the USDA Dietary Guidelines for Americans 2020–2025, including fresh, frozen, or canned whole fruits and vegetables, whole grains, foods low in saturated fats, lean meats, and poultry. Healthy Foods should have low or no added sugars, artificial food dyes, chemical additives, or pesticides; have less sodium, reduced sodium, or no salt added; and not be ultra-processed. (See USDA Dietary Guidelines: *https://www.dietaryguidelines.gov*).

C. Guidance to Applicants

Applicants that have already submitted an Application (as defined in the NOFA) under the NOFA do not need to withdraw or reapply. The CDFI Fund will provide Applicants under the NOFA that have advanced to step 4 in the scoring/evaluation process the opportunity to update their Applications based on the amendments described in this notice. The CDFI Fund will provide those Applicants with instructions on how to update their Applications in a separate communication. Applicants that are notified by the CDFI Fund that they may update their Applications must submit such information by 11:59 p.m. Eastern Time on October 27, 2025. The CDFI Fund will review Applications in accordance with the NOFA, as amended by this notice. All terms of the NOFA remain as published on January 17, 2025, other than as set forth in this notice.

Dated: September 22, 2025.

Dietrich Douglas,

Acting Director, Community Development Financial Institutions Fund.

[FR Doc. 2025–18559 Filed 9–24–25; 8:45 am]

BILLING CODE 4810–05–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Notice of OFAC Sanctions Actions

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Notice.

SUMMARY: The U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing the names of one or more persons that have been placed on OFAC's Specially Designated Nationals and Blocked Persons List (SDN List) based on OFAC's determination that one or more applicable legal criteria were satisfied. All property and interests in property subject to U.S. jurisdiction of these persons are blocked, and U.S. persons are generally prohibited from engaging in transactions with them.

DATES: This action was issued on September 22, 2025. See **SUPPLEMENTARY INFORMATION** section for relevant dates.

FOR FURTHER INFORMATION CONTACT: OFAC: Associate Director for Global Targeting, 202–622–2420; Assistant Director for Sanctions Compliance, 202–622–2490; or *https://ofac.treasury.gov/contact-ofac.*

SUPPLEMENTARY INFORMATION:

Electronic Availability

The SDN List and additional information concerning OFAC sanctions programs are available on OFAC's website: *https://ofac.treasury.gov.*

Notice of OFAC Action

On September 22, 2025, OFAC determined that the property and interests in property subject to U.S. jurisdiction of the following persons are blocked under the relevant sanctions authorities listed below.

Individual

1. BARCI DE MORAES, Viviane (a.k.a. BARCI, Viviane), Brazil; DOB 16 Jan 1969; POB Sao Paulo, Brazil; nationality Brazil; Gender Female; National ID No. 208841180 (Brazil); Diplomatic Passport DC000886 (Brazil) (individual) [GLOMAG] (Linked To: LEX—INSTITUTO DE ESTUDOS JURIDICOS LTDA).

Designated pursuant to section 1(a)(ii)(C)(2) of Executive Order 13818 of December 20, 2017, ''Blocking the Property of Persons Involved in Serious Human Rights Abuse or Corruption,'' (E.O. 13818), for being a foreign person who is or has been a leader or official of, LEX—INSTITUTO DE ESTUDOS JURIDICOS LTDA, an entity whose property and interests in property are blocked pursuant to this order as a result of activities related to the leader's or official's tenure.

Entity

1. LEX—INSTITUTO DE ESTUDOS JURIDICOS LTDA, Rua Campos Bicudo, 98, Floor 9, Suite 1, Room 3, Jardim Europa, Sao Paulo 04536–010, Brazil; Organization Established Date 01 Jun 2000; Organization Type: Activities of holding companies; Registration Number 03850784000135 (Brazil) [GLOMAG] (Linked To: DE MORAES, Alexandre).

Designated pursuant to section 1(a)(iii)(A)(2) of E.O. 13818, for being a person who has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, ALEXANDRE DE MORAES, a person whose property and interests in property are blocked pursuant to this order.

Bradley T. Smith,

Director, Office of Foreign Assets Control.

[FR Doc. 2025–18627 Filed 9–24–25; 8:45 am]

BILLING CODE 4810–AL–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Agency Collection Activities; Comment Request TD 8458, Real Estate Mortgage Investment Conduits

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of information collection; request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the IRS is inviting comments on the information collection request outlined in this notice.

DATES: Written comments should be received on or before November 24, 2025 to be assured of consideration.

ADDRESSES: Direct all written comments to Andres Garcia, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or by email to *pra.comments@irs.gov.* Include OMB Control No. 1545–1276 in the subject line of the message.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of this collection should be directed to Marcus McCrary, (470) 769–2001.

SUPPLEMENTARY INFORMATION: The IRS, in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the IRS assess the impact and minimize the burden of its information collection requirements. Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record, and viewable on relevant websites. For this reason, please do not include in your comments information of a confidential nature, such as sensitive personal information.

Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Title: TD 8458, Real Estate Mortgage Investment Conduits.

OMB Number: 1545–1276.

Regulation Project: TD 8458.

Abstract: Internal Revenue Code (IRC) Section 860G provides definitions and special rules pertaining to real estate mortgage investment conduits (REMIC). IRC Section 860E outlines the treatment of income in excess of daily accruals on residual interests and imposes an excise tax on the transfer of a residual interest in a REMIC to a disqualified organization. Treasury Regulations (TR) Section 1.860E–2(a)(5) requires the REMIC to furnish, on request of the party responsible for the tax and to the Internal Revenue Service (IRS), information sufficient to compute the present value of the anticipated excess inclusions. TR Sections 1.860E–2(a)(7) and 1.860E–2(b)(2) provide that the tax will not be imposed on the party otherwise liable for the tax if the transferee or record holder with interest in a pass-thru entity furnishes an affidavit stating that they are not a disqualified organization.

Current Actions: There is no change to the existing collection.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit organizations.

Estimated Number of Responses: 1,600.

Estimated Time per Respondent: 20 minutes.

Estimated Total Annual Burden Hours: 525.

Dated: September 22, 2025.

Marcus W. McCrary,

Tax Analyst.

[FR Doc. 2025–18545 Filed 9–24–25; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Multiple Alcohol and Tobacco Tax and Trade Bureau Information Collection Requests

AGENCY: Departmental Offices, U.S. Department of the Treasury.

ACTION: Notice of information collection; request for comment.

SUMMARY: The Department of the Treasury will submit the following information collection requests to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. The public is invited to submit comments on these requests.

DATES: Comments should be received on or before October 27, 2025 to be assured of consideration.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Copies of the submissions may be obtained from Spencer W. Clark by emailing *PRA@treasury.gov,* calling (202) 927–5331, or viewing the entire information collection request at *www.reginfo.gov.*

SUPPLEMENTARY INFORMATION:

Alcohol and Tobacco Tax and Trade Bureau (TTB)

1. Title: Letterhead Applications and Notices Relating to Wine.

OMB Control Number: 1513–0057.

Type of Request: Extension without change of a currently approved collection.

Description: Under the authority of chapter 51 of the Internal Revenue Code (IRC), the Alcohol and Tobacco Tax and Trade (TTB) regulations in 27 CFR part 24 require wine premise proprietors to submit letterhead applications or notices to TTB when they desire to use alternate regulatory compliance methods or procedures or when they desire to undertake certain specified operations, particularly those that affect the potential tax liability. In general, operations posing a greater jeopardy to the revenue require submission of letterhead applications subject to TTB approval, while operations posing less jeopardy to the revenue require submission of letterhead notices that do not require TTB pre-approval. This information collection is necessary to ensure that proposed alternative methods or procedures and wine operations comply with relevant laws and regulations, and do not jeopardize the revenue.

Form: None.

Affected Public: Businesses or other for-profits.

Estimated Number of Respondents: 2,500.

Frequency of Response: On occasion.

Estimated Total Number of Annual Responses: 2,500.

Estimated Time per Response: 0.5 hour.

Estimated Total Annual Burden Hours: 1,250 hours.

2. Title: Airlines Withdrawing Stock from Customs Custody.

OMB Control Number: 1513–0074.

Type of Request: Extension without change of a currently approved collection.

Description: In general, under chapter 51 of the IRC, distilled spirits and wine produced in or imported into the United States are subject to Federal excise tax, but those taxes are subject to drawback (refund) when such products are subsequently exported from the United States, which, under 26 U.S.C. 5214 and 5362 includes the lading of such products as supplies on aircraft engaged in foreign flights. Also, under 19 U.S.C. 1309, those products may be withdrawn from customs custody without payment of tax for use as supplies on such aircraft. Under those authorities, the TTB alcohol export regulations in 27 CFR part 28 require airlines to account for distilled spirits and wine withdrawn from their stocks held in customs custody at airports for use as supplies on aircraft engaged in foreign flights. Accounting for such withdrawals is necessary to protect the revenue as the collected information allows TTB to verify export drawback claims and detect diversion of untaxed distilled spirits and wine into the domestic market.

Form: None.

Affected Public: Businesses or other for-profits.

Estimated Number of Respondents: 25.

Frequency of Response: On occasion.

Estimated Total Number of Annual Responses: 25.

Estimated Time per Response: 100 hours.

Estimated Total Annual Burden Hours: 2,500 hours.

3. Title: Application for Extension of Time for Payment of Tax; Application for Installment Agreement.

OMB Control Number: 1513–0093.

Type of Request: Extension without change of a currently approved collection.

Description: The IRC at 26 U.S.C. 6161 authorizes the Secretary of the Treasury to grant taxpayers up to 6 months of additional time to pay taxes due on any return required under the IRC, while 26 U.S.C. 6159 authorizes the Secretary to approve the use of installment payments of taxes due if the Secretary determines such an agreement will facilitate full or partial payment. Under those IRC authorities, TTB has issued two taxpayer relief application forms, TTB F 5600.38 for time extension requests, and TTB F 5600.31 for installment payment agreement requests. Using the relevant form and any required supporting documentation, an excise taxpayer regulated by TTB identifies themselves, the specific excise tax and amount in question, their current financial situation, and the reasons why the requested taxpayer relief is necessary. TTB evaluates the provided information, records its decision to approve or disapprove the requested taxpayer relief on the submitted form, and notifies the applicant of its decision by returning a copy of the form.

Form: TTB F 5600.31 and TTB F 5600.38.

Affected Public: Businesses or other for-profits; Individuals and households.

Estimated Number of Respondents: 200.

Frequency of Response: On occasion.

Estimated Total Number of Annual Responses: 1 (one).

Estimated Time per Response: 1.5 hours.

Estimated Total Annual Burden Hours: 300 hours.

4. Title: Information Collected in Support of Wine Producer Tax Credit Transfers.

OMB Control Number: 1513–0104.

Type of Request: Extension without change of a currently approved collection.

Description: Under the IRC at 26 U.S.C. 5041(c), importers and domestic producers may take certain tax credits on specified quantities of wine (including hard cider) imported or removed from their premises during a calendar year. Also under that IRC section, domestic producers may transfer their wine tax credits to other bonded premises that store their wine and ship it on their instructions, provided that the producer supplies such transferees with the information necessary to properly determine the transferee's allowable tax credits. Under that IRC authority, the TTB regulations in 27 CFR part 24 require wine producers to provide such transferees with a written record containing certain information regarding the producer, transferee, the wine, its tax rate, its removal, and the tax credits involved. The required information may be supplied and maintained using usual and customary business records such as shipping invoices. The required information is necessary to ensure that the IRC provisions regarding wine producer tax credits and their transfer are properly applied.

Form: None.

Affected Public: Businesses or other for-profits.

Estimated Number of Respondents: 3,000.

Frequency of Response: On occasion.

Estimated Total Number of Annual Responses: 30,000.

Estimated Time per Response: 1 hour.

Estimated Total Annual Burden Hours: 30,000 hours.

Authority: 44 U.S.C. 3501 *et seq.*

Spencer W. Clark,

Treasury PRA Clearance Officer.

[FR Doc. 2025–18654 Filed 9–24–25; 8:45 am]

BILLING CODE 4810–31–P

DEPARTMENT OF THE TREASURY

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Multiple Internal Revenue Service Information Collection Requests

AGENCY: Departmental Offices, U.S. Department of the Treasury.

ACTION: Notice of information collection; request for comment.

SUMMARY: The Department of the Treasury will submit the following information collection requests to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. The public is invited to submit comments on these requests.

DATES: Comments should be received on or before October 27, 2025 to be assured of consideration.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Copies of the submissions may be obtained from Spencer W. Clark by emailing *PRA@treasury.gov,* calling (202) 927–5331, or viewing the entire information collection request at *www.reginfo.gov.*

SUPPLEMENTARY INFORMATION:

Internal Revenue Service (IRS)

1. Title: Election To Postpone Determination as to Whether the Presumption Applies That an Activity Is Engaged in for Profit.

OMB Control Number: 1545–0195.

Type of Request: Extension without change of a currently approved collection.

Description: This form is used by individuals, partnerships, estates, trusts, and S corporations to make an election to postpone an IRS determination as to whether an activity is engaged in for profit for 5 years (7 years for breeding, training, showing, or racing horses). The data is used to verify eligibility to make the election.

Form: 5213.

Affected Public: Businesses and other for-profit organizations.

Estimated Number of Respondents: 3,541.

Frequency of Response: Annually.

Estimated Total Number of Annual Responses: 3,541.

Estimated Time per Response: 47 minutes.

Estimated Total Annual Burden Hours: 2,762 hours.

2. Title: Application for Automatic Extension of Time To File Certain Business Income Tax, Information, and Other Returns.

OMB Control Number: 1545–0233.

Type of Request: Extension without change of a currently approved collection.

Description: Taxpayers use Form 7004 to request an extension of time to file certain business, estate, trust, excise, tax-exempt, and information returns. The form does not extend the time to pay tax and is also used to determine the estimated tax due.

Form: 7004.

Affected Public: Businesses and other for-profit organizations.

Estimated Number of Respondents: 1,818,037.

Frequency of Response: On occasion.

Estimated Total Number of Annual Responses: 1,818,037.

Estimated Time per Response: 6 hours, 47 minutes.

Estimated Total Annual Burden Hours: 12,326,291.

3. Title: Disclosure of Reportable Transactions.

OMB Control Number: 1545–0865.

Type of Request: Businesses and other for-profit organizations.

Description: Internal Revenue Code (IRC) 6111 requires a sub-set of promoters called ''material advisors'' to disclose information about the promotion of certain types of transactions called ''reportable transactions.'' Material advisors to any reportable transaction must disclose certain information about the reportable transaction by filing a Form 8918 with the IRS. Material advisors who file a Form 8918 will receive a reportable transaction number from the IRS. Material advisors must provide the reportable transaction number to all taxpayers and material advisors for whom the material advisor acts as a material advisor.

Form: 8918.

Affected Public: Businesses and other for-profit organizations.

Estimated Number of Respondents: 2,279.

Frequency of Response: On occasion.

Estimated Total Number of Annual Responses: 2,279.

Estimated Time per Response: 16 hours, 30 minutes.

Estimated Total Annual Burden Hours: 37,627.

4. Title: Return of Excise Tax on Undistributed Income of Real Estate Investment Trusts.

OMB Control Number: 1545–1013.

Type of Request: Revision of currently approved collection.

Description: Form 8612 is used by real estate investment trusts to compute and pay the excise tax on undistributed income imposed under section 4981. The IRS uses the information to verify that the correct amount of tax has been reported.

Form: 8612.

Affected Public: Businesses and other for-profit organizations.

Estimated Number of Respondents: 20.

Frequency of Response: On occasion.

Estimated Total Number of Annual Responses: 20.

Estimated Time per Response: 9 hours, 48 minutes.

Estimated Total Annual Burden Hours: 196.

5. Title: Return of Excise Tax on Undistributed Income of Regulated Investment Companies.

OMB Control Number: 1545–1016.

Type of Request: Revision of a currently approved collection.

Description: Form 8613 is used by regulated investment companies to compute and pay the excise tax on undistributed income imposed under section 4982. The IRS uses the information to verify that the correct amount of tax has been reported.

Form: 8613.

Affected Public: Businesses and other for-profit organizations.

Estimated Number of Respondents: 1,500.

Frequency of Response: Annually.

Estimated Total Number of Annual Responses: 1,500.

Estimated Time per Response: 11 hours, 53 minutes.

Estimated Total Annual Burden Hours: 17,820.

6. Title: Application for Withholding Certificate for Dispositions by Foreign Persons of U.S. Real Property Interests.

OMB Control Number: 1545–1060.

Type of Request: Extension without change of a currently approved collection.

Description: Form 8288–B is used to apply for a withholding certification from the IRS to reduce or eliminate the withholding required by IRC section 1445.

Form: 8288–B.

Affected Public: Businesses and other for-profit organizations.

Estimated Number of Respondents: 2,600.

Frequency of Response: On occasion.

Estimated Total Number of Annual Responses: 2,600.

Estimated Time per Response: 5 hours, 46 minutes.

Estimated Total Annual Burden Hours: 14,976.

7. Title: Taxation of Gain or Loss From Certain Nonfunctional Currency Transactions (Section 988 Transactions).

OMB Control Number: 1545–1131.

Type of Request: Extension without change of a currently approved collection.

Description: This collection contains final regulations regarding the taxation of gain or loss from certain foreign currency transactions under Internal Revenue Code (IRC) section 988 and applies to taxpayers engaging in such transactions.

Regulation Project Number: TD 8400.

Affected Public: Businesses and other for-profit organizations.

Estimated Number of Respondents: 5,000.

Frequency of Response: Annually.

Estimated Total Number of Annual Responses: 5,000.

Estimated Time per Response: 40 minutes.

Estimated Total Annual Burden Hours: 3,333.

8. Title: Section 6662—Imposition of the Accuracy-Related Penalty.

OMB Control Number: 1545–1426.

Type of Request: Extension without change of a currently approved collection.

Description: Section 6662(e) of the Internal Revenue Code (''Code'') defines a substantial valuation misstatement under Chapter 1 of the Code for purposes of the accuracy related penalty imposed under section 6662(a). The penalty is imposed on underpayments of tax, including those caused by a substantial valuation misstatement for transactions subject to section 482. Section 6662(e)(3)(B) provides, in general, that certain adjustments are excluded in determining whether the penalty applies if a taxpayer demonstrates that it followed certain requirements in analyzing its transfer pricing, documented that analysis, and provided that documentation to the IRS upon request. Consistent with the statute, these regulations require that taxpayers contemporaneously document their transfer pricing analysis, notify the IRS of the use of certain methods for determining an arm's length price, and provide that documentation to the IRS upon request.

Regulation Project Number: TD 8656.

Affected Public: Businesses and other for-profit organizations.

Estimated Number of Respondents: 2,500.

Frequency of Response: Annually.

Estimated Total Number of Annual Responses: 2,500.

Estimated Time per Response: 8 hours, 3 minutes.

Estimated Total Annual Burden Hours: 20,125.

9. Title: Conduit Arrangements Regulations.

OMB Control Number: 1545–1440.

Type of Request: Extension without change of a currently approved collection.

Description: Pursuant to the authority of IRC section 7701(l), § 1.881–3 of the regulations provides rules that permit the district director to recharacterize, for purposes of IRC section 881, a financing arrangement among three or more persons as a financing arrangement that does not involve one or more of those persons because that person is a conduit entity.

Regulation Project Number: TD 8611.

Affected Public: Businesses and other for-profit organizations.

Estimated Number of Respondents: 1,000.

Frequency of Response: On occasion.

Estimated Total Number of Annual Responses: 1,000.

Estimated Time per Response: 10 hours.

Estimated Total Annual Burden Hours: 10,000.

10. Title: Form 5304–SIMPLE; Form 5305–SIMPLE; Notice 98–4.

OMB Control Number: 1545–1502.

Type of Request: Extension without change of a currently approved collection.

Description: Forms 5304–SIMPLE and 5305–SIMPLE are used by an employer to permit employees to make salary reduction contributions to a savings incentive match plan (SIMPLE IRA) described in Code section 408(p). These forms are not to be filed with IRS, but to be retained in the employers' records as proof of establishing such a plan, thereby justifying a deduction for contributions made to the SIMPLE IRA. The data is used to verify the deduction. Notice 98–4 provides guidance for employers and trustees regarding how they can comply with the requirements of Code section 408(p) in establishing and maintaining a SIMPLE Plan.

Form: 5304–SIMPLE, 5305–SIMPLE, and Notice 98–4.

Affected Public: Businesses and other for-profit organizations.

Estimated Number of Respondents: 600,000.

Frequency of Response: On occasion.

Estimated Total Number of Annual Responses: 600,000.

Estimated Time per Response: 3 hours, 31 minutes.

Estimated Total Annual Burden Hours: 2,113,000.

11. Title: Entity Classification Election.

OMB Control Number: 1545–1516.

Type of Request: Extension without change of a currently approved collection.

Description: An eligible entity uses Form 8832 to elect how it will be classified for federal tax purposes, as a corporation, a partnership, or an entity disregarded as separate from its owner. An eligible entity is classified for federal tax purposes under the default rules unless it files Form 8832. The IRS will use the information entered on this form to establish the entity's filing and reporting requirements for federal tax purposes.

Form: 8832.

Affected Public: Businesses and other for-profit organizations.

Estimated Number of Respondents: 50.

Frequency of Response: On occasion.

Estimated Total Number of Annual Responses: 50.

Estimated Time per Response: 7 hours, 10 minutes.

Estimated Total Annual Burden Hours: 359.

12. Title: Long-Term Care and Accelerated Death Benefits.

OMB Control Number: 1545–1519.

Type of Request: Extension without change of a currently approved collection.

Description: IRC sections 7702B and 101(g) define situations under which benefits paid under a long-term health care insurance contract and accelerated death benefits paid under a life insurance policy may qualify for special tax treatment. IRC section 6050Q requires the payer to report all such benefit amounts paid during any calendar year, specifying whether or not the benefits were paid in whole or in part on a per diem or other periodic basis without regard to expenses. Benefit payers use Form 1099–LTC to report any long-term care or accelerated death benefits paid to an individual. Payers include insurance companies, governmental units, and viatical settlement providers.

Form: 1099–LTC.

Affected Public: Businesses and other for-profit organizations.

Estimated Number of Respondents: 3,000.

Frequency of Response: Annually.

Estimated Total Number of Annual Responses: 410,600.

Estimated Time per Response: 13 minutes.

Estimated Total Annual Burden Hours: 94,438.

13. Title: Revenue Procedure 2025–4 (and Successor Guidance).

OMB Control Number: 1545–1520.

Type of Request: Revision of a currently approved collection.

Description: IRS regulation § 601.201(a)(1)) provides that it is the practice of the IRS to answer inquiries of individuals and organizations, whenever appropriate in the interest of sound tax administration, as to their status for tax purposes and as to the tax effects of their acts or transactions. Under this revenue procedure 2025–4 (and successor guidance), taxpayers can request determination letters and letter rulings from the Commissioner, Tax Exempt and Government Entities, Employee Plans Office (''Employee Plans'') on how the tax laws apply to them. Employee Plans requires information from taxpayers in order to process these requests. Form 15662 will simplify and standardize the application process for Private Letter Rulings issued under Rev. Proc. 2025–4 and its successors.

Form: 15662, Rev. Proc. 2025–4.

Affected Public: Businesses and other for-profit organizations.

Estimated Number of Respondents: 12,733.

Frequency of Response: On occasion.

Estimated Total Number of Annual Responses: 12,733.

Estimated Time per Response: 3 hours, 3 minutes.

Estimated Total Annual Burden Hours: 38,836.

14. Title: Changes in Corporate Control and Capital Structure.

OMB Control Number: 1545–1814.

Type of Request: Extension without change of a currently approved collection.

Description: Any corporation that undergoes reorganization under Regulation section 1.6043–4 with stock, cash, and other property over $100 million must file Form 1099–CAP with the IRS and shareholders.

Form: 1099–CAP.

Affected Public: Businesses and other for-profit organizations.

Estimated Number of Respondents: 300.

Frequency of Response: On occasion.

Estimated Total Number of Annual Responses: 300.

Estimated Time per Response: 11 minutes.

Estimated Total Annual Burden Hours: 54.

15. Title: Disclosure of Returns and Return Information to Designee of Taxpayer.

OMB Control Number: 1545–1816.

Type of Request: Extension without change of a currently approved collection.

Description: TD 9054 contains the final regulations relating to the disclosure of returns and return information to a designee of the taxpayer. The regulations provide guidance to IRS employees responsible for disclosing returns and return information and to taxpayers who wish to designate a person or persons to whom returns and return information may be disclosed. TD 9618 contains final regulations extending the period for submission to the IRS of taxpayer authorizations permitting disclosure of returns and return information to third party designees. Collections of information under IRC section 6103 and this final regulation (26 CFR 301.6103(c)–1), are necessary to make the disclosure requested by a taxpayer. The IRS must collect certain information such as the taxpayer's name and other identification information, the return or return information to be disclosed, and the identity of the person to whom the return or return information is to be disclosed.

Regulation Project Number: TD 9054 and TD 9618.

Affected Public: Individuals or Households.

Estimated Number of Respondents: 9,000.

Frequency of Response: On occasion.

Estimated Total Number of Annual Responses: 9,000.

Estimated Time per Response: 12 minutes.

Estimated Total Annual Burden Hours: 1,800.

16. Title: Excise Tax on Structured Settlement Factoring Transactions.

OMB Control Number: 1545–1826.

Type of Request: Extension without change of a currently approved collection.

Description: Form 8876 is used to report and pay the 40% excise tax imposed under section 5891 on the factoring discount of a structured settlement factoring transaction.

Form: 8876.

Affected Public: Businesses and other for-profit organizations.

Estimated Number of Respondents: 100.

Frequency of Response: On occasion.

Estimated Total Number of Annual Responses: 100.

Estimated Time per Response: 5 hours, 36 minutes.

Estimated Total Annual Burden Hours: 560.

17. Title: Systemic Advocacy Issue Submission.

OMB Control Number: 1545–1832.

Type of Request: Extension without change of a currently approved collection.

Description: Form 14411 is to be used by individuals, businesses, practitioners and other public groups to identify systemic problems that taxpayers are encountering with IRS. This form can be submitted electronically via the IRS.gov website, mailed, or faxed.

Form: 14411.

Affected Public: General Public.

Estimated Number of Respondents: 420.

Frequency of Response: On occasion.

Estimated Total Number of Annual Responses: 420.

Estimated Time per Response: 48 minutes.

Estimated Total Annual Burden Hours: 336.

18. Title: Revenue Procedure 2003–39, Section 1031 LKE (Like-Kind Exchanges) Auto Leasing Programs.

OMB Control Number: 1545–1834.

Type of Request: Extension without change of a currently approved collection.

Description: Revenue Procedure (Rev. Proc.) 2003–39 provides safe harbors for certain aspects of the qualification under IRC § 1031 of certain exchanges of property pursuant to Like-Kind Exchanges (LKE) Programs for federal income tax purposes. Section 5 and 6 of the Rev. Proc. 2003–39 include the third-party disclosure and recordkeeping requirements needed for the assignment of safe harbor.

Revenue Procedure Number: 2003–39.

Affected Public: Business or other for-profit organization.

Estimated Number of Respondents: 8,600.

Frequency of Response: On occasion.

Estimated Total Number of Annual Responses: 8,600.

Estimated Time per Response: 1 hour.

Estimated Total Annual Burden Hours: 8,600.

19. Title: Reducing Tax Burden on America's Taxpayers.

OMB Control Number: 1545–2009.

Type of Request: Extension without change of a currently approved collection.

Description: Form 13285–A is used by taxpayers and external partners and stakeholders to identify meaningful taxpayer burden reduction opportunities. Employees will make the forms available at education and outreach events.

Form: 13285–A.

Affected Public: General Public.

Estimated Number of Respondents: 250.

Frequency of Response: On occasion.

Estimated Total Number of Annual Responses: 250.

Estimated Time per Response: 15 minutes.

Estimated Total Annual Burden Hours: 62.

20. Title: Obligations Principally Secured by an Interest in Real Property.

OMB Control Number: 1545–2110.

Type of Request: Extension without change of a currently approved collection.

Description: This collection covers final regulations under section 1.860G–2 that expand the list of permitted loan modifications to include certain modifications that are often made to commercial mortgages. The collection of information in this regulation is in section 1.860G–2(b) (7). To establish that the 80-percent test is met at the time of modification, the servicer must obtain an appraisal or some other form of commercially reasonable valuation (the appraisal requirement). This information is required to show that modifications to mortgages permitted will not cause the modified mortgage to cease to be a qualified mortgage.

Regulation Project Number: TD 9463.

Affected Public: Business or other for-profit organization.

Estimated Number of Respondents: 375.

Frequency of Response: On occasion.

Estimated Total Number of Annual Responses: 375.

Estimated Time per Response: 8 hours.

Estimated Total Annual Burden Hours: 3,000.

21. Title: Application for Group or Pooled Trust Ruling.

OMB Control Number: 1545–2166.

Type of Request: Extension without change of a currently approved collection.

Description: Group/pooled trust sponsors file this form to request a determination letter from the IRS for a determination that the trust is a group trust arrangement as described in Rev. Rul. 81–100, 1981–1 C.B. 326 as modified and clarified by Rev. Rul. 2004–67, 2004–28 I.R.B. 28, as modified by Rev. Rul. 2011–1, 2011–2, I.R.B. 251, and as modified by Rev. Rul. 2014–24, 2014–37 I.R.B. 529, and section 336(e) of the Protecting Americans from Tax Hikes Act of 2015, Public Law 114–113.

Form: 5316.

Affected Public: Business or other for-profit organization.

Estimated Number of Respondents: 200.

Frequency of Response: On occasion.

Estimated Total Number of Annual Responses: 200.

Estimated Time per Response: 14 hours, 6 minutes.

Estimated Total Annual Burden Hours: 2,820 hours.

(Authority: 44 U.S.C. 3501 *et seq.*)

Spencer W. Clark,

Treasury PRA Clearance Officer.

[FR Doc. 2025–18669 Filed 9–24–25; 8:45 am]

BILLING CODE 4830–01–P

UNIFIED CARRIER REGISTRATION PLAN

Sunshine Act Meetings

TIME AND DATE: September 30, 2025, 10:00 a.m. to 12:00 p.m., Central Time.

PLACE: The meeting will take place at the Sheraton Oklahoma City Downtown Hotel 1 N. Broadway Ave, Oklahoma City, OK 73102. This meeting will also be accessible via conference call and via Zoom Meeting and Screenshare. Any interested person may call (i) 1–929–205–6099 (US Toll) or 1–669–900–6833 (US Toll), Meeting ID: 977 5696 6015, to listen and participate in this meeting. The website to participate via Zoom Meeting and Screenshare is *https://kellen.zoom.us/meeting/register/SqbH5ZfYQN64SQPJZjjG-A*.

STATUS: This meeting will be open to the public.

MATTERS TO BE CONSIDERED: The Unified Carrier Registration Plan Finance Subcommittee (the ''Subcommittee'') will continue its work in developing

and implementing the Unified Carrier Registration Plan and Agreement. The subject matter of this meeting will include:

Proposed Agenda

I. Call to Order—UCR Finance Subcommittee Chair

The UCR Finance Subcommittee Chair will welcome attendees, call the meeting to order, call roll for the Subcommittee, confirm whether a quorum is present, and facilitate self-introductions.

II. Verification of Publication of Meeting Notice—UCR Executive Director

The UCR Executive Director will verify the publication of the meeting notice on the UCR website and distribution to the UCR contact list via email followed by the subsequent publication of the notice in the **Federal Register**.

III. Review and Approval of Subcommittee Agenda and Setting of Ground Rules—UCR Finance Subcommittee Chair

For Discussion and Possible Subcommittee Action

The agenda will be reviewed, and the Subcommittee will consider adoption of the agenda.

Ground Rules

Subcommittee action only to be taken in designated areas on agenda.

IV. Review and Approval of Subcommittee Minutes from the July 15, 2025, Meeting—UCR Finance Subcommittee Chair

For Discussion and Possible Subcommittee Action

Draft minutes from the July 15, 2025, Subcommittee meeting will be reviewed. The Subcommittee will consider action to approve.

V. 2027 Registration Fee Update—UCR Finance Subcommittee Chair

The UCR Finance Subcommittee Chair and Executive Director will provide an update on the 2027 registration fee recommendation.

VI. Revenues from 2024 and 2025 Registration Fees—UCR Depository Manager

The UCR Depository Manager will review the revenues received from the 2024 and 2025 plan year registration fees.

VII. 2024 External Financial Audit Update—UCR Finance Subcommittee Chair and UCR Depository Manager

The UCR Finance Subcommittee Chair and UCR Depository Manager will provide an update on UCR's 2024 External Financial Audit.

VIII. 2026 Administrative Fund Budget—UCR Finance Subcommittee Chair and UCR Depository Manager.

For Discussion and Possible Subcommittee Action

The UCR Finance Subcommittee Chair and UCR Depository Manager will discuss the 2026 proposed administrative fund budget. The Subcommittee may take action to recommend to the UCR Board a 2026 administrative fund budget.

IX. Management Report—UCR Finance Subcommittee Chair and UCR Depository Manager

The UCR Finance Subcommittee Chair and UCR Depository Manager will provide an update on UCR finances and related topics.

X. Other Business—UCR Finance Subcommittee Chair

The UCR Finance Subcommittee Chair will call for any other items Subcommittee members would like to discuss.

XI. Adjourn—UCR Finance Subcommittee Chair

The UCR Finance Subcommittee Chair will adjourn the meeting.

The agenda will be available no later than 5:00 p.m. Eastern time, September 23, 2025 at: *https://plan.ucr.gov.*

CONTACT PERSON FOR MORE INFORMATION: Elizabeth Leaman, Chair, Unified Carrier Registration Plan Board of Directors, (617) 305–3783, *eleaman@board.ucr.gov.*

Alex B. Leath,

Chief Legal Officer, Unified Carrier Registration Plan.

[FR Doc. 2025–18632 Filed 9–23–25; 11:15 am]

BILLING CODE 4910–YL–P

UNIFIED CARRIER REGISTRATION PLAN

Sunshine Act Meetings

TIME AND DATE: October 1, 2025, 10:30 a.m. to 12:30 p.m., Central time.

PLACE: The meeting will take place at the Sheraton Oklahoma City Downtown Hotel 1 N. Broadway Ave, Oklahoma City, OK 73102. This meeting will be accessible via conference call and via Zoom Meeting and Screenshare. Any interested person may call (i) 1–929–205–6099 (US Toll) or 1–669–900–6833 (US Toll), Meeting ID: 951 0592 6695, to listen and participate in this meeting. The website to participate via Zoom Meeting and Screenshare is *https://kellen.zoom.us/meeting/register/Xlv7oxQCRp6KD-1Zsnaztg.*

STATUS: This meeting will be open to the public.

MATTERS TO BE CONSIDERED: The Unified Carrier Registration Plan Education and Training Subcommittee (the ''Subcommittee'') will continue its work in developing and implementing the Unified Carrier Registration Plan and Agreement. The subject matter of this meeting will include:

Proposed Agenda

I. Call to Order—UCR Education and Training Subcommittee Chair

The Subcommittee Chair will welcome attendees, call the meeting to order, call roll for the Subcommittee, confirm whether a quorum is present, and facilitate self-introductions.

II. Verification of Publication of Meeting Notice—UCR Executive Director

The UCR Executive Director will verify the publication of the meeting notice on the UCR website and distribution to the UCR contact list via email followed by the subsequent publication of the notice in the **Federal Register**.

III. Review and Approval of Subcommittee Agenda and Setting of Ground Rules—UCR Education and Training Subcommittee Chair

For Discussion and Possible Subcommittee Action

The Subcommittee Agenda will be reviewed, and the Subcommittee will consider adoption.

Ground Rules

➢Subcommittee action only to be taken in designated areas on agenda

IV. Review and Approval of Subcommittee Minutes From the October 4, 2024, Subcommittee Meeting—UCR Education and Training Subcommittee Chair

For Discussion and Possible Subcommittee Action

Draft minutes from the October 4, 2024, Subcommittee meeting will be reviewed. The Subcommittee will consider action to approve.

V. Project Development—UCR Education and Training Subcommittee Chair

The Subcommittee Chair will discuss the development of several key projects. The projects that will be discussed include the development of educational and volunteer resources, and the newsletter redesign.

VI. Other Business—UCR Education and Training Subcommittee Chair

The Subcommittee Chair will call for any other items Subcommittee members would like to discuss.

VII. Adjournment—UCR Education and Training Subcommittee Chair

The Subcommittee Chair will adjourn the meeting.

The agenda will be available no later than 5:00 p.m. Eastern time, September 23, 2025 at: *https://plan.ucr.gov.*

CONTACT PERSON FOR MORE INFORMATION: Elizabeth Leaman, Chair, Unified Carrier Registration Plan Board of Directors, (617) 305–3783, *eleaman@board.ucr.gov.*

Alex B. Leath,

Chief Legal Officer, Unified Carrier Registration Plan.

[FR Doc. 2025–18631 Filed 9–23–25; 11:15 am]

BILLING CODE 4910–YL–P

FEDERAL REGISTER

Vol. 90 Thursday,
No. 184 September 25, 2025

Part II

The President

Proclamation 10974—National Hispanic Heritage Month, 2025
Order of September 22, 2025—Designating Antifa as a Domestic Terrorist Organization

Federal Register
Vol. 90, No. 184
Thursday, September 25, 2025

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Title 3—

The President

Proclamation 10974 of September 22, 2025

National Hispanic Heritage Month, 2025

By the President of the United States of America

A Proclamation

During National Hispanic Heritage Month, we recognize the extraordinary contributions of Hispanic-American citizens past and present—and we honor their vibrant spirit, unyielding resilience, and inspiring commitment to our shared American values.

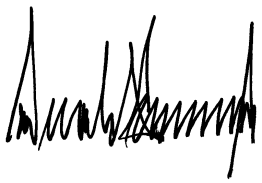
Hispanic-American patriots have served on the front lines of our military, law enforcement, border security, and in public service. They have enlivened our communities and enthusiastically embodied our national promise—defending our sovereignty, protecting our flag, and living out the eternal values of faith, family, and freedom. Every day, my Administration is working tirelessly to bring opportunity, prosperity, and success to citizens of every background.

As we celebrate National Hispanic Heritage Month, we recognize the resounding strength and success of the Hispanic-American community. We honor their tremendous contributions to our culture, economy, and future. Above all, we recommit to making America stronger and greater than ever before.

To honor the achievements of Hispanic Americans, the Congress, by Public Law 100–402, as amended, has authorized and requested the President to issue annually a proclamation designating September 15 through October 15 as ''National Hispanic Heritage Month.''

NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 15 through October 15, 2025, as National Hispanic Heritage Month. I call on public officials, educators, librarians, and all Americans to observe this month with appropriate ceremonies, activities, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-second day of September, in the year of our Lord two thousand twenty-five, and of the Independence of the United States of America the two hundred and fiftieth.



[FR Doc. 2025–18708
Filed 9–24–25; 11:15 am]
Billing code 3395–F4–P

Presidential Documents

Order of September 22, 2025

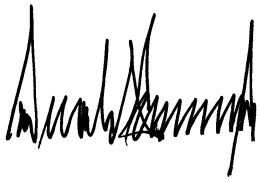
Designating Antifa as a Domestic Terrorist Organization

Section 1. *Antifa as a Terrorist Threat.* Antifa is a militarist, anarchist enterprise that explicitly calls for the overthrow of the United States Government, law enforcement authorities, and our system of law. It uses illegal means to organize and execute a campaign of violence and terrorism nationwide to accomplish these goals. This campaign involves coordinated efforts to obstruct enforcement of Federal laws through armed standoffs with law enforcement, organized riots, violent assaults on Immigration and Customs Enforcement and other law enforcement officers, and routine doxing of and other threats against political figures and activists. Antifa recruits, trains, and radicalizes young Americans to engage in this violence and suppression of political activity, then employs elaborate means and mechanisms to shield the identities of its operatives, conceal its funding sources and operations in an effort to frustrate law enforcement, and recruit additional members. Individuals associated with and acting on behalf of Antifa further coordinate with other organizations and entities for the purpose of spreading, fomenting, and advancing political violence and suppressing lawful political speech. This organized effort designed to achieve policy objectives by coercion and intimidation is domestic terrorism.

Sec. 2. *Designation as a Domestic Terrorist Organization*. Because of the aforementioned pattern of political violence designed to suppress lawful political activity and obstruct the rule of law, I hereby designate Antifa as a ''domestic terrorist organization.'' All relevant executive departments and agencies shall utilize all applicable authorities to investigate, disrupt, and dismantle any and all illegal operations—especially those involving terrorist actions—conducted by Antifa or any person claiming to act on behalf of Antifa, or for which Antifa or any person claiming to act on behalf of Antifa provided material support, including necessary investigatory and prosecutorial actions against those who fund such operations.

Sec. 3. *General Provisions.* (a) This order shall be implemented consistent with applicable law. 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.

(b) This order shall be published in the *Federal Register*.



THE WHITE HOUSE,
September 22, 2025.

[FR Doc. 2025–18709
Filed 9–24–25; 11:15 am]
Billing code 3395–F4–P

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