



FEDERAL REGISTER

Vol. 90

Monday,

No. 233

December 8, 2025

Pages 56657–56966

OFFICE OF THE FEDERAL REGISTER



The **FEDERAL REGISTER** (ISSN 0097-6326) is published daily, Monday through Friday, except official holidays, by the Office of the Federal Register, National Archives and Records Administration, under the Federal Register Act (44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). The Superintendent of Documents, U.S. Government Publishing Office, is the exclusive distributor of the official edition. Periodicals postage is paid at Washington, DC.

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NUCLEAR REGULATORY COMMISSION

10 CFR Part 72

[NRC-2025-0025]

RIN 3150-AL30

List of Approved Spent Fuel Storage Casks: NAC International, Inc., NAC-UMS® Universal Storage System, Certificate of Compliance No. 1015, Renewed Amendment No. 10, and Revision 1 to Renewed Amendment Nos. 5 Through 9

AGENCY: Nuclear Regulatory Commission.

ACTION: Direct final rule.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is amending its spent fuel regulations by revising the NAC International, Inc., NAC-UMS® Universal Storage System (NAC-UMS®) design listing within the “List of approved spent fuel storage casks” to include Renewed Amendment No. 10, and to revise Renewed Amendment Nos. 5 through 9 to Certificate of Compliance No. 1015. The addition of Renewed Amendment No. 10 and Revision 1 to Renewed Amendment Nos. 5 through 9 for the certificate of compliance (CoC) corrects licensing basis deficiencies and updates the address in the CoC to reflect the new address of the applicant’s headquarters offices.

DATES: This direct final rule is effective February 23, 2026, unless significant adverse comments are received by January 7, 2026. If this direct final rule is withdrawn as a result of such comments, timely notice of the withdrawal will be published in the **Federal Register**. Comments received after this date will be considered if it is practical to do so, but the NRC is able to ensure consideration only for comments received on or before this date. Comments received on this direct final rule will also be considered to be

comments on a companion proposed rule published in the Proposed Rules section of this issue of the **Federal Register**.

ADDRESSES: Submit your comments, identified by Docket ID NRC-2025-0025, at <https://www.regulations.gov>. If your material cannot be submitted using <https://www.regulations.gov>, call or email the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

You can read a plain language description of this proposed rule at <https://www.regulations.gov/docket/NRC-2025-0025>. 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:

Gregory Trussell, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington DC 20555-0001; telephone: 301-415-6244, email: Gregory.Trussell@nrc.gov.

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I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID: NRC-2025-0025 when contacting the NRC about the availability of information for this action. You may obtain publicly available information related to this action by any of the following methods:

- **Federal Rulemaking website:** Go to <https://www.regulations.gov> and search for Docket ID NRC-2025-0025. Address questions about NRC dockets to Helen

Chang, telephone: 301-415-3228, email: Helen.Chang@nrc.gov. For technical questions contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- **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, 301-415-4737, or by email to PDR.Resource@nrc.gov. For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the “Availability of Documents” section.

- **NRC’s PDR:** The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to PDR.Resource@nrc.gov or call 1-800-397-4209 or 301-415-4737, between 8 a.m. and 4 p.m. eastern time, Monday through Friday, except Federal holidays.

B. Submitting Comments

The NRC encourages electronic comment submission through the Federal rulemaking website (<https://www.regulations.gov>). Please include Docket ID NRC-2025-0025 in your comment submission.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at <https://www.regulations.gov> as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment

submissions available to the public or entering the comment into ADAMS.

II. Rulemaking Procedure

This rule is limited to the changes contained in Renewed Amendment No. 10, and the Revision 1 to Renewed Amendment Nos. 5 through 9 to Certificate of Compliance No. 1015 and does not include other aspects of the NAC-UMS® Universal Storage Cask System (NAC-UMS®) design. The NRC is using the “direct final rule procedure” to issue this amendment because it represents a limited and routine change to an existing certificate of compliance that is expected to be non-controversial. Adequate protection of public health and safety continues to be reasonably assured. The amendment to the rule will become effective on February 23, 2026. However, if the NRC receives any significant adverse comment on this direct final rule by January 7, 2026, then the NRC will publish a document that withdraws this action and will subsequently address the comments received in a final rule as a response to the companion proposed rule published in the Proposed Rules section of this issue of the **Federal Register** or as otherwise appropriate. In general, absent significant modifications to the proposed revisions requiring republication, the NRC will not initiate a second comment period on this action.

A significant adverse comment is a comment where the commenter explains why the rule would be inappropriate, including challenges to the rule’s underlying premise or approach, or would be ineffective or unacceptable without a change. A comment is adverse and significant if:

(1) The comment opposes the rule and provides a reason sufficient to require a substantive response in a notice-and-comment process. For example, a substantive response is required when:

(a) The comment causes the NRC to reevaluate (or reconsider) its position or conduct additional analysis;

(b) The comment raises an issue serious enough to warrant a substantive response to clarify or complete the record; or

(c) The comment raises a relevant issue that was not previously addressed or considered by the NRC.

(2) The comment proposes a change or an addition to the rule, and it is apparent that the rule would be ineffective or unacceptable without incorporation of the change or addition.

(3) The comment causes the NRC to make a change (other than editorial) to the rule, certificate of compliance, or technical specifications.

III. Background

Section 218(a) of the Nuclear Waste Policy Act of 1982, as amended, requires that “[t]he Secretary [of the Department of Energy] shall establish a demonstration program, in cooperation with the private sector, for the dry storage of spent nuclear fuel at civilian nuclear power reactor sites, with the objective of establishing one or more technologies that the [Nuclear Regulatory] Commission may, by rule, approve for use at the sites of civilian nuclear power reactors without, to the maximum extent practicable, the need for additional site-specific approvals by the Commission.” Section 133 of the Nuclear Waste Policy Act states, in part, that “[t]he Commission shall, by rule, establish procedures for the licensing of any technology approved by the Commission under Section 219(a) [sic: 218(a)] for use at the site of any civilian nuclear power reactor.”

To implement this mandate, the Commission approved dry storage of spent nuclear fuel in NRC-approved casks under a general license by publishing a final rule that added a new subpart K in part 72 of title 10 of the *Code of Federal Regulations* (10 CFR) entitled “General License for Storage of Spent Fuel at Power Reactor Sites” (55 FR 29181; July 18, 1990). This rule also established a new subpart L in 10 CFR part 72 entitled “Approval of Spent Fuel Storage Casks,” which contains procedures and criteria for obtaining NRC approval of spent fuel storage cask designs. The NRC subsequently issued a final rule on October 19, 2000 (65 FR 62581), that approved the NAC-UMS® design and added it to the list of NRC-approved cask designs in § 72.214 as Certificate of Compliance No. 1015.

IV. Discussion of Changes

On October 10, 2023 (ML23283A249 and ML23291A095), NAC International, Inc submitted a request to the NRC to amend Certificate of Compliance No. 1015. NAC International, Inc supplemented its request on the following dates: February 13, 2024 (ML24044A221), June 26, 2024 (ML24179A058), December 19, 2024 (ML25021A284), January 14, 2025 (ML25014A450), July 17, 2025 (ML25198A286), and August 27, 2025 (ML25240A911). The request includes proposed changes to correct licensing basis deficiencies identified in a NAC International, Inc. letter to the NRC. Renewed Amendment No. 10 and Revision 1 to Renewed Amendment Nos. 5 through 9 revise a parameter used in the computation of bending stress in the finite element model used

to structurally evaluate a fuel rod under the non-mechanistic tip-over accident condition, and updates the pressurized water reactor (PWR) end drop evaluation using the methodology already approved for the boiling water reactor (BWR) end drop evaluation. In addition, they update the address in the CoC to reflect the new address of the applicant’s headquarters offices.

As documented in the preliminary safety evaluation report, the NRC performed a safety evaluation of the proposed certificate of compliance amendment request. The NRC determined that this amendment does not reflect a significant change in design or fabrication of the cask. Specifically, the NRC determined that the design of the cask would continue to maintain confinement, shielding, and criticality control in the event of each evaluated accident condition. In addition, any resulting occupational exposure or offsite dose rates from the implementation of Renewed Amendment No. 10, and Revision 1 to Renewed Amendment Nos. 5 through 9 would remain well within the limits specified by 10 CFR part 20, “Standards for Protection Against Radiation.” Thus, the NRC found there will be no significant change in the types or amounts of any effluent released, no significant increase in the individual or cumulative radiation exposure, and no significant increase in the potential for or consequences from radiological accidents.

The NRC staff determined that the amended NAC-UMS® design, when used under the conditions specified in the certificate of compliance, the technical specifications, and the NRC’s regulations, will meet the requirements of 10 CFR part 72; therefore, adequate protection of public health and safety will continue to be reasonably assured. When this direct final rule becomes effective, persons who hold a general license under § 72.210 may, consistent with the license conditions under § 72.212, load spent nuclear fuel into NAC-UMS® design that meet the criteria of Renewed Amendment No. 10, and Revision 1 to Renewed Amendment Nos. 5 through 9 to Certificate of Compliance No. 1015.

V. Voluntary Consensus Standards

The National Technology Transfer and Advancement Act of 1995 (Pub. L. 104–113) requires that Federal agencies use technical standards that are developed or adopted by voluntary consensus standards bodies unless the use of such a standard is inconsistent with applicable law or otherwise impractical. In this direct final rule, the

NRC revises the NAC-UMS® design listed in § 72.214, “List of approved spent fuel storage casks.” This action does not constitute the establishment of a standard that contains generally applicable requirements.

VI. Agreement State Compatibility

Under the “Agreement State Program Policy Statement” approved by the Commission on October 2, 2017, and published in the **Federal Register** on October 18, 2017 (82 FR 48535), this rule is classified as Compatibility Category NRC—Areas of Exclusive NRC Regulatory Authority. The NRC program elements in this category are those that relate directly to areas of regulation reserved to the NRC by the Atomic Energy Act of 1954, as amended, or the provisions of 10 CFR chapter I. Therefore, compatibility is not required for program elements in this category.

VII. Plain Writing

The Plain Writing Act of 2010 (Pub. L. 111–274) requires Federal agencies to write documents in a clear, concise, and well-organized manner. The NRC has written this document to be consistent with the Plain Writing Act as well as the Presidential Memorandum, “Plain Language in Government Writing,” published June 10, 1998 (63 FR 31885).

VIII. Environmental Assessment and Finding of No Significant Impact

Under the National Environmental Policy Act of 1969, as amended, and the NRC’s regulations in 10 CFR part 51, “Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions,” the NRC has determined that this direct final rule, if adopted, would not be a major Federal action significantly affecting the quality of the human environment and, therefore, an environmental impact statement is not required. The NRC has made a finding of no significant impact on the basis of this environmental assessment. This environmental assessment and finding of no significant impact can be tracked with identification number NEPA ID EAXX–429–00–000–1744008458.

A. The Action

The action is to amend § 72.214 to revise the NAC International, Inc., NAC-UMS® design listing within the “List of approved spent fuel storage casks” to add Renewed Amendment No. 10, and Revision 1 to Renewed Amendment Nos. 5 through 9 to Certificate of Compliance No. 1015.

B. The Need for the Action

This direct final rule amends the certificate of compliance for the NAC International, Inc., NAC-UMS® design within the list of approved spent fuel storage casks to allow power reactor licensees to store spent fuel at reactor sites in casks with the approved modifications under a general license. Specifically, Renewed Amendment No. 10 and Revision 1 to Renewed Amendment Nos. 5 through 9 revise a parameter used in the computation of bending stress in the finite element model used to structurally evaluate a fuel rod under the non-mechanistic tip-over accident condition, and updates the pressurized water reactor (PWR) end drop evaluation using the methodology already approved for the boiling water reactor (BWR) end drop evaluation. In addition, they update the address in the CoC to reflect the new address of the applicant’s headquarters offices.

C. Environmental Impacts of the Action

On July 18, 1990 (55 FR 29181), the NRC issued an amendment to 10 CFR part 72 to provide for the storage of spent fuel under a general license in cask designs approved by the NRC. The potential environmental impact of using NRC-approved storage casks was analyzed in the environmental assessment for the 1990 final rule. The environmental assessment for this addition of Renewed Amendment No. 10, and Revision 1 of Renewed Amendment Nos. 5 through 9 tiers off of the environmental assessment for the July 18, 1990, final rule. Tiering on past environmental assessments is a standard process under the National Environmental Policy Act of 1969, as amended.

The NAC International, Inc. NAC-UMS® is designed to mitigate the effects of design basis accidents that could occur during storage. Design basis accidents account for human-induced events and the most severe natural phenomena reported for the site and surrounding area. Postulated accidents analyzed for an independent spent fuel storage installation, the type of facility at which a holder of a power reactor operating license would store spent fuel in casks in accordance with 10 CFR part 72, can include tornado winds and tornado-generated missiles, a design basis earthquake, a design basis flood, an accidental cask drop, lightning effects, fire, explosions, and other incidents.

This amendment and revision do not reflect a significant change in design or fabrication of the cask. Because there are no significant design or process

changes, any resulting occupational exposure or offsite dose rates from the implementation of Renewed Amendment No. 10, and Revision 1 to Renewed Amendment Nos. 5 through 9 would remain well within the 10 CFR part 20 limits. The NRC has also determined that the design of the cask as modified by this rule would maintain confinement, shielding, and criticality control in the event of an accident. Therefore, the proposed changes will not result in any radiological or non-radiological environmental impacts that significantly differ from the environmental impacts evaluated in the environmental assessment supporting the July 18, 1990, final rule. There will be no significant change in the types or significant revisions in the amounts of any effluent released, no significant increase in the individual or cumulative radiation exposures, and no significant increase in the potential for, or consequences from, radiological accidents. The NRC documented its safety findings in the preliminary safety evaluation report.

D. Alternative to the Action

The alternative to this action is to deny approval of Renewed Amendment No. 10 and Revision 1 to Renewed Amendment Nos. 5 through 9 and not issue the direct final rule. Consequently, any 10 CFR part 72 general licensee that seeks to load spent nuclear fuel into NAC International, Inc. NAC-UMS® design in accordance with the changes described in proposed Renewed Amendment No. 10 and Revision 1 to Renewed Amendment Nos. 5 through 9 would have to request an exemption from the requirements of §§ 72.212 and 72.214. Under this alternative, interested licensees would have to prepare, and the NRC would have to review, a separate exemption request, thereby increasing the administrative burden upon the NRC and the costs to each licensee. The environmental impacts would be the same as the proposed action.

E. Alternative Use of Resources

Approval of the addition of Renewed Amendment No. 10 and Revision 1 to Renewed Amendment Nos. 5 through 9 to Certificate of Compliance No. 1015 would result in no irreversible and irretrievable commitments of Federal resources.

F. Agencies and Persons Contacted

No agencies or persons outside the NRC were contacted in connection with the preparation of this environmental assessment.

G. Finding of No Significant Impact

The environmental impacts of the action have been reviewed under the requirements in the National Environmental Policy Act of 1969, as amended, and the NRC's regulations in subpart A of 10 CFR part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions." Based on the foregoing environmental assessment, the NRC concludes that this direct final rule, "List of Approved Spent Fuel Storage Casks: NAC International, Inc., NAC-UMS® Universal Storage System, Certificate of Compliance No. 1015, Renewed Amendment No. 10, and Revision 1 to Renewed Amendment Nos. 5 through 9," will not have a significant effect on the human environment. Therefore, the NRC has determined that an environmental impact statement is not necessary for this direct final rule.

IX. Paperwork Reduction Act Statement

This direct final rule does not contain any new or amended collections of information subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). Existing collections of information were approved by the Office of Management and Budget, approval number 3150-0132.

Public Protection Notification

The NRC may not conduct or sponsor, and a person is not required to respond to, a request for information or an information collection requirement unless the requesting document displays a currently valid Office of Management and Budget control number.

X. Regulatory Flexibility Certification

Under the Regulatory Flexibility Act of 1980 (5 U.S.C. 605(b)), the NRC certifies that this direct final rule will not, if issued, have a significant economic impact on a substantial number of small entities. This direct final rule affects only nuclear power plant licensees and NAC International, Inc. These entities do not fall within the scope of the definition of small entities set forth in the Regulatory Flexibility Act or the size standards established by the NRC (§ 2.810).

XI. Regulatory Analysis

On July 18, 1990 (55 FR 29181), the NRC issued an amendment to 10 CFR part 72 to provide for the storage of spent nuclear fuel under a general license in cask designs approved by the NRC. Any nuclear power reactor licensee can use NRC-approved cask

designs to store spent nuclear fuel if (1) it notifies the NRC in advance; (2) the spent fuel is stored under the conditions specified in the cask's certificate of compliance; and (3) the conditions of the general license are met. A list of NRC-approved cask designs is contained in § 72.214. On October 19, 2000 (65 FR 62581), the NRC issued an amendment to 10 CFR part 72 that approved the NAC-UMS® design by adding it to the list of NRC-approved cask designs in § 72.214.

On October 10, 2023, and as supplemented on, February 13, 2024, June 26, 2024, December 19, 2024, January 14, 2025, July 17, 2025, and August 27, 2025, NAC International, Inc submitted a request to the NRC to amend Certificate of Compliance No. 1015. NAC International, Inc submitted a request to amend the NAC-UMS® design as described in Section IV, "Discussion of Changes," of this document.

The alternative to this action is to withhold approval of Renewed Amendment No.10, and of Revision 1 to Renewed Amendment Nos. 5 through 9, and to require any 10 CFR part 72 general licensee seeking to load spent nuclear fuel into NAC International, Inc. NAC-UMS® design under the changes described in Renewed Amendment No. 10, and in Revision 1 to Renewed Amendment Nos. 5 through 9 to request an exemption from the requirements of §§ 72.212 and 72.214. Under this alternative, each interested 10 CFR part 72 licensee would have to prepare, and the NRC would have to review, a separate exemption request, thereby increasing the administrative burden upon the NRC and the costs to each licensee.

Approval of this direct final rule is consistent with previous NRC actions. Further, as documented in the preliminary safety evaluation report and environmental assessment, this direct final rule will have no adverse effect on public health and safety or the environment. This direct final rule has no significant identifiable impact or benefit on other government agencies. Based on this regulatory analysis, the NRC concludes that the requirements of this direct final rule are commensurate with the NRC's responsibilities for public health and safety and the common defense and security. No other available alternative is believed to be as satisfactory; therefore, this action is recommended.

XII. Backfitting and Issue Finality

This direct final rule adds Amendment No. 10 and revises Amendment Nos. 5 through 9 of the

renewed Certificate of Compliance No. 1015 for the NAC-UMS® system, as currently listed in 10 CFR 72.214, "List of approved spent fuel storage casks." Renewed Amendment No. 10 and Revision 1 to Amendment Nos. 5 through 9 to renewed CoC No. 1015 revise a parameter used in the computation of bending stress in the finite element model used to structurally evaluate a fuel rod under the non-mechanistic tip-over accident condition, and updates the PWR end drop evaluation using the methodology already approved for the BWR end drop evaluation to correct licensing basis deficiencies. In addition, they update the address in the CoC to reflect the new address of the applicant's headquarters offices.

For the following reasons, the NRC has determined that the regulations in 10 CFR 72.62, "Backfitting," do not apply to this direct final rule.

Renewed Amendment No.10 to Certificate of Compliance No. 1015 for the NAC International, Inc. NAC-UMS® design was initiated by NAC International, Inc. and was not submitted in response to new NRC requirements or to an NRC request for amendment. Renewed Amendment No. 10 applies only to new casks fabricated and used under Amendment No. 10. These changes do not affect existing users of the NAC International Inc. NAC-UMS® design. While current users of this storage system may comply with the new requirements in Renewed Amendment No. 10, this would be a voluntary decision on the part of current users. For these reasons, Amendment No. 10 to Certificate of Compliance No. 1015 does not constitute backfitting under § 72.62 or § 50.109(a)(1) or otherwise represent an inconsistency with the issue finality provisions applicable to combined licenses in 10 CFR part 52.

NAC has manufactured casks under existing Certificate of Compliance No. 1015, Renewed Amendment Nos. 5 through 9, that are being revised by this final rule. As the vendor, NAC is not within the scope of the backfitting provisions in 10 CFR 72.62. Under 10 CFR 72.62, general licensees are entities that are within the scope of the backfitting regulations. However, according to NAC no general licensees are currently using NAC-UMS® systems under Certificate of Compliance No. 1015, Renewed Amendment Nos. 5 and 8, which are, in part, the subject of these revisions. Therefore, because CoC No. 1015, Amendment Nos. 5 and 8 are not in use by any licensee, the changes in the revisions for Certificate of Compliance No. 1015, Renewed

Amendment Nos. 5 and 8, which are approved in this direct final rule, do not fall within the definition of backfitting under 10 CFR 72.62.

Maine Yankee Atomic Power Company at its Maine Yankee independent spent fuel storage installation (ISFSI) is the only general licensee using Renewed Amendment No. 6 that could be affected by the issuance of Revision 1 to Renewed Amendment No. 6. In a letter to NAC, Maine Yankee Atomic Power Company stated that it intends to adopt the revision to Amendment No. 6, following the NRC approval and issuance. Therefore, because the licensee voluntarily intends to implement the revision, the issuance of Revision 1 to Renewed Amendment No. 6 does not fall within the definition of backfitting under 10 CFR 72.62. In a subsequent letter to the NRC, Maine Yankee Atomic Power Company stated that it plans to adopt Renewed Amendment No. 9 to CoC No. 1015 as part of its work to adopt the renewed Certificate of Compliance No. 1015. In an email to the NRC Maine Yankee Atomic Power Company stated that it also intends to adopt the revision to Renewed Amendment No. 9, following NRC approval and issuance. Therefore, because the licensee voluntarily intends to implement the revision, the issuance

of Revision 1 to Renewed Amendment No. 9 does not fall within the definition of backfitting under 10 CFR 72.62.

Duke Energy at the Catawba and McGuire ISFSIs is the only general licensee using renewed Amendment No. 7 that could be affected by the issuance of Revision 1 to Renewed Amendment No. 7. In a letter to NAC, Duke Energy stated that instead of adopting the revision to the amendment, Catawba and McGuire will be adopting the latest amendment for the NAC-UMS® system, Certificate of Compliance No. 1015, Renewed Amendment No.10 after approval from the NRC has been received. Therefore, because the licensee voluntarily intends to adopt the latest Renewed Amendment No. 10, the issuance of Revision 1 to Renewed Amendment No. 7 does not fall within the definition of backfitting under 10 CFR 72.62.

Arizona Public Service Company at the Palo Verde ISFSI is the only general licensee currently using Renewed Amendment No. 9 that could be affected by the issuance of Revision 1 to Renewed Amendment No. 9. In its communications to NAC, Arizona Public Service Company stated that it intends to adopt Renewed Amendment No. 9, Revision 1, once approved. Therefore, because the licensee voluntarily intends to adopt the

revision, the issuance of Revision 1 to Renewed Amendment No. 9 does not fall within the definition of backfitting under 10 CFR 72.62.

For the reasons outlined, Renewed Amendment No. 10 and Revision 1 to Renewed Amendment Nos. 5 through 9 do not constitute backfitting under § 72.62. Accordingly, the NRC has not prepared a backfit analysis for this rulemaking.

XIII. Regulatory Planning and Review (E.O. 12866)

Executive Order (E.O.) 12866, as amended by E.O. 14215, provides that the Office of Information and Regulatory Affairs (OIRA) will determine whether a regulatory action is significant as defined by E.O. 12866 and will review significant regulatory actions. OIRA determined that this direct final rule is not a significant regulatory action under E.O. 12866.

XIV. Congressional Review Act

This direct final rule is not a rule as defined in the Congressional Review Act.

XV. Availability of Documents

The documents identified in the following table are available to interested persons as indicated.

Document	ADAMS accession No./weblink/ Federal Register citation
Renewed Certificate of Compliance No. 1015, Amendments 5 to 9, Revision 1, and Amendment 10 for the Model No. NAC-UMS® Storage System.	ML25003A177
User Need Memo for Amendment Nos. 5 through 9, Revision 1, and Amendment No. 10 of the Renewed Certificate of Compliance No. 1015 for the NAC-UMS® Universal Storage System.	ML25003A178
Proposed Renewed CoC No. 1015, Amendment No. 5, Revision 1	ML25003A180
Proposed Renewed CoC No. 1015, Amendment No. 5, Revision 1, Appendix A	ML25003A181
Proposed Renewed CoC No. 1015, Amendment No. 5, Revision 1, Appendix B	ML25003A182
Proposed Renewed CoC No. 1015, Amendment No. 6, Revision 1	ML25003A183
Proposed Renewed CoC No. 1015, Amendment No. 6, Revision 1, Appendix A	ML25003A184
Proposed Renewed CoC No. 1015, Amendment No. 6, Revision 1, Appendix B	ML25003A185
Proposed Renewed CoC No. 1015, Amendment No. 7, Revision 1	ML25003A186
Proposed Renewed CoC No. 1015, Amendment No. 7, Revision 1, Appendix A	ML25003A187
Proposed Renewed CoC No. 1015, Amendment No. 7, Revision 1, Appendix B	ML25003A188
Proposed Renewed CoC No. 1015, Amendment No. 8, Revision 1	ML25003A189
Proposed Renewed CoC No. 1015, Amendment No. 8, Revision 1, Appendix A	ML25003A190
Proposed Renewed CoC No. 1015, Amendment No. 8, Revision 1, Appendix B	ML25003A191
Proposed Renewed CoC No. 1015, Amendment No. 9, Revision 1	ML25003A192
Proposed Renewed CoC No. 1015, Amendment No. 9, Revision 1, Appendix A	ML25003A193
Proposed Renewed CoC No. 1015, Amendment No. 9, Revision 1, Appendix B	ML25003A194
Proposed Renewed CoC No. 1015, Amendment No. 10	ML25003A195
Proposed Renewed CoC No. 1015, Amendment No. 10, Appendix A	ML25003A196
Proposed Renewed CoC No. 1015, Amendment No. 10, Appendix B	ML25003A197
Submission of an Amendment Request for NAC-UMS Amendment No. 10 and Revisions to Amendments 5 to 9, dated 10-10-2023.	ML23283A249, ML23291A095
Email dated 12-19-2024 related to Applicability of Amendments	ML25021A284
Supplement to Amendment Request, dated 2-13-2024	ML24044A221
Supplement to Amendment Request, dated 6-26-2024	ML24179A058
Request for Exemption from Certain Requirements	ML24094A060
Email dated 1-30-2025 Regarding planned Adoption of Renewed Amendment No.9, Revision 1	ML25031A348
Email dated 1-14-2025 Adopting Amendment No. 9, Revision 1	ML25014A450
Supplement to Amendment Request, dated 7-17-2025	ML25198A286
Supplement to Amendment Request, dated 8-27-2025	ML25240A911

Document	ADAMS accession No./weblink/ Federal Register citation
Preliminary Safety Evaluation Report, Model No. NAC-UMS® Universal Storage System, Renewed CoC No. 1015, Amendment Nos. 5 through 9, Revision 1, and Amendment No. 10.	ML25029A237

The NRC may post materials related to this document, including public comments, on the Federal rulemaking website at <https://www.regulations.gov> under Docket ID NRC-2025-0025. In addition, the Federal rulemaking website allows members of the public to receive alerts when changes or additions occur in a docket folder. To subscribe: (1) navigate to the docket folder (NRC-2025-0025); (2) click the “Subscribe” link; and (3) enter an email address and click on the “Subscribe” link.

List of Subjects in 10 CFR Part 72

Administrative practice and procedure, Hazardous waste, Indians, Intergovernmental relations, Nuclear energy, Penalties, Radiation protection, Reporting and recordkeeping requirements, Security measures, Spent fuel, Whistleblowing.

For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as amended; the Energy Reorganization Act of 1974, as amended; the Nuclear Waste Policy Act of 1982, as amended; and 5 U.S.C. 552 and 553; the NRC is adopting the following amendments to 10 CFR part 72:

PART 72—LICENSING REQUIREMENTS FOR THE INDEPENDENT STORAGE OF SPENT NUCLEAR FUEL, HIGH-LEVEL RADIOACTIVE WASTE, AND REACTOR-RELATED GREATER THAN CLASS C WASTE

■ 1. The authority citation for part 72 continues to read as follows:

Authority: Atomic Energy Act of 1954, secs. 51, 53, 57, 62, 63, 65, 69, 81, 161, 182, 183, 184, 186, 187, 189, 223, 234, 274 (42 U.S.C. 2071, 2073, 2077, 2092, 2093, 2095, 2099, 2111, 2201, 2210e, 2232, 2233, 2234, 2236, 2237, 2238, 2273, 2282, 2021); Energy Reorganization Act of 1974, secs. 201, 202, 206, 211 (42 U.S.C. 5841, 5842, 5846, 5851); National Environmental Policy Act of 1969 (42 U.S.C. 4332); Nuclear Waste Policy Act of 1982, secs. 117(a), 132, 133, 134, 135, 137, 141, 145(g), 148, 218(a) (42 U.S.C. 10137(a), 10152, 10153, 10154, 10155, 10157, 10161, 10165(g), 10168, 10198(a)); 44 U.S.C. 3504 note.

■ 2. In § 72.214, Certificate of Compliance No. 1015 is revised to read as follows:

§ 72.214 List of approved spent fuel storage casks.

* * * * *

- Certificate Number: 1015.
Initial Certificate Effective Date: November 20, 2000, superseded by Renewed Initial Certificate Effective Date: July 15, 2024.
Amendment Number 1 Effective Date: February 20, 2001, superseded by Renewed Amendment Number 1 Effective Date: July 15, 2024.
Amendment Number 2 Effective Date: December 31, 2001, superseded by Renewed Amendment Number 2 Effective Date: July 15, 2024.
Amendment Number 3 Effective Date: March 31, 2004, superseded by Renewed Amendment Number 3 Effective Date: July 15, 2024.
Amendment Number 4 Effective Date: October 11, 2005, superseded by Renewed Amendment Number 4 Effective Date: July 15, 2024.
Amendment Number 5 Effective Date: January 12, 2009, superseded by Renewed Amendment Number 5 Effective Date: July 15, 2024, superseded by Renewed Amendment Number 5, Revision 1 Effective Date: February 23, 2026.
Amendment Number 6 Effective Date: January 7, 2019, superseded by Renewed Amendment Number 6 Effective Date: July 15, 2024, superseded by Renewed Amendment Number 6, Revision 1 Effective Date: February 23, 2026.
Amendment Number 7 Effective Date: July 29, 2019, superseded by Renewed Amendment Number 7 Effective Date: July 15, 2024, superseded by Renewed Amendment Number 7, Revision 1 Effective Date: February 23, 2026.
Amendment Number 8 Effective Date: October 19, 2021, as corrected (ADAMS Accession No. ML21312A499); superseded by Renewed Amendment Number 8 Effective Date: July 15, 2024; superseded by Renewed Amendment Number 8, Revision 1 Effective Date: February 23, 2026.
Amendment Number 9 Effective Date: August 29, 2022, superseded by Renewed Amendment Number 9 Effective Date: July 15, 2024, superseded by Renewed Amendment Number 9, Revision 1 Effective Date: February 23, 2026.
Renewed Amendment Number 10 Effective Date: February 23, 2026.

SAR Submitted by: NAC International, Inc.
SAR Title: Final Safety Analysis Report for the NAC-UMS® Universal Storage System.
Docket Number: 72-1015.
Certificate Expiration Date: November 20, 2060.
Model Number: NAC-UMS.
* * * * *
Dated: November 19, 2025.
For the Nuclear Regulatory Commission.
Michael King,
Acting Executive Director for Operations.
[FR Doc. 2025-22229 Filed 12-5-25; 8:45 am]
BILLING CODE 7590-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. FAA-2024-2387; Special Conditions No. 25-870-SC]

Special Conditions: Airbus Models A321 neo ACF and A321 neo XLR; Single-Occupant Oblique Seats With Pretensioner Restraint Systems; Correction

AGENCY: Federal Aviation Administration (FAA), DOT.
ACTION: Final special conditions; correction.

SUMMARY: The FAA published a document in the **Federal Register** on December 13, 2024, issuing special conditions for oblique (side-facing) passenger seats which include a 3-point restraint system with pretensioner. The document references an incorrect special condition number.
DATES: This correction is effective on December 8, 2025.
FOR FURTHER INFORMATION CONTACT: Michael H. Harrison, Technical Writing Section, AIR-646, Integration and Performance Branch, Policy and Standards Division, Aircraft Certification Service, Federal Aviation Administration, 2200 S 216th Street, Des Moines, WA; telephone (206) 231-3368; email Michael.Harrison@faa.gov.
SUPPLEMENTARY INFORMATION:
Background
On December 9, 2024, the FAA issued final special conditions for the Airbus

Models A321 neo ACF and A321 neo XLR with single-occupant oblique seats with pretensioner restraint systems, which published in the **Federal Register** on December, 13 2024 (89 FR 100727). The original special conditions used an incorrect special condition number. The correct number should be Special Conditions No. 25–870–SC.

Correction

In the **Federal Register** of December 13, 2024 (89 FR 100727), make the following correction:

On page 100727, in the first column, in the preamble section, correct “[Docket No. FAA–2024–2387; Special Conditions No. 25–871–SC]” to read “[Docket No. FAA–2024–2387; Special Conditions No. 25–870–SC]”.

Issued in Kansas City, Missouri on December 3, 2025.

Patrick R. Mullen,

Manager, Technical Policy Branch, Policy and Standards Division, Aircraft Certification Service.

[FR Doc. 2025–22163 Filed 12–5–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–0214; Project Identifier MCAI–2024–00391–R; Amendment 39–23099; AD 2025–16–02]

RIN 2120–AA64

Airworthiness Directives; Airbus Helicopters Deutschland GmbH

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for all Airbus Helicopters Deutschland GmbH Model MBB–BK 117 C–2 and MBB–BK 117 D–2 helicopters. This AD was prompted by reports of significant wear of the spherical bearings of the control rod assembly and pitch link assembly. This AD requires measuring the radial play of certain spherical bearings of control rod assemblies and pitch link assemblies, reporting the results, and depending on the results, taking corrective action. This AD also prohibits installing certain control rod assemblies and pitch link assemblies unless certain requirements are met. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective January 12, 2026.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of January 12, 2026.

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2025–0214; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

- For European Union Aviation Safety Agency (EASA) material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: *ADs@easa.europa.eu*; website: *easa.europa.eu*. You may find the EASA material on the EASA website at *ad.easa.europa.eu*.

- You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110. It is also available at *regulations.gov* under Docket No. FAA–2025–0214.

FOR FURTHER INFORMATION CONTACT:

Michael Mueller, Aviation Safety Engineer, FAA, 1600 Stewart Avenue Suite 410, Westbury, NY 11590; phone: (847) 294–7543; email: *michael.j.mueller@faa.gov*.

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to all Airbus Helicopters Deutschland GmbH Model MBB–BK 117 C–2 and MBB–BK 117 D–2 helicopters. The NPRM was published in the **Federal Register** on February 26, 2025 (90 FR 10705). The NPRM was prompted by AD 2024–0131, dated July 8, 2024 (EASA AD 2024–0131) (also referred to as the MCAI), issued by EASA, which is the Technical Agent for the Member States of the European Union. The MCAI states there have been reports of significant wear of the spherical bearings of control rod assemblies and pitch link assemblies having part number 105–13122, B623M3001101, D623M3201101, or

D623M3201102. This condition, if not detected and corrected, could lead to erroneous pitch and oscillations of the main rotor blades and consequent loss of control of the helicopter.

In the NPRM, the FAA proposed to require measuring the radial play of certain spherical bearings of control rod assemblies and pitch link assemblies, reporting the results, and depending on the results, taking corrective action. The NPRM also prohibited installing certain control rod assemblies and pitch link assemblies unless certain requirements are met. The FAA is issuing this AD to address the unsafe condition on these products.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2025–0214.

Discussion of Final Airworthiness Directive

Comments

The FAA received comments from two commenters. The commenters were an individual and the Air Medical Mechanics Organization (AMMO). The individual commenter expressed support for the proposed AD as written. The following presents the comments received on the NPRM and the FAA’s response to the comments.

Request To Incorporate Requirements Directly Into the AD

AMMO commented that the practice of relying on manufacturer-issued and foreign regulatory documents that are not fully integrated into the rule text creates ambiguity, enforcement concerns, and procedural noncompliance under Section 14 of the Code of Federal Regulations (14 CFR) Part 39 and the Administrative Procedure Act. The commenter requested that the FAA incorporate the complete inspection method, measurable thresholds, and response actions directly into the AD text. The commenter also requested that the FAA provide FAA-originated inspection criteria and field-level illustrations.

The FAA disagrees with the request. 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 ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. This AD incorporates EASA AD 2024–0131 by reference. Incorporation by reference (IBR) allows Federal agencies to comply with the requirement to publish rules in the **Federal Register** by referring to materials already published elsewhere. The legal effect of IBR is that the

material is treated as if it were published in the **Federal Register**. This AD would, therefore, require compliance with EASA AD 2024–0131 in its entirety through that incorporation, except for any differences identified as exceptions in the regulatory text of this AD. The complete inspection method, measurable thresholds, and corrective actions are included in EASA AD 2024–0131 and the material referenced in EASA AD 2024–0131. Material referenced in EASA AD 2024–0131 for compliance will be available at *regulations.gov* under Docket No. FAA–2025–0214. This material, like any other properly issued rule, has the force and effect of law, thus preventing any ambiguity, enforcement concerns, and procedural noncompliance issues under 14 CFR 39 and the Administrative Procedure Act. In addition, Congress authorized IBR in the Freedom of Information Act (5 U.S.C. 552), in part, to reduce the volume of material published in the **Federal Register** and the CFR. The FAA has not changed this AD in this regard.

Request To Provide Standardized Terminology

AMMO stated that certain words used in the EASA AD and the material referenced in the EASA AD are ambiguous and not standardized FAA terminology. It requested that the FAA provide standardized FAA terminology for field-observed symptoms such as “play” or “clicking.”

The FAA agrees that there could be certain words in the EASA AD and the material referenced in the EASA AD that are ambiguous. In these instances, the FAA writes exceptions to eliminate such ambiguity. For example, the term “play,” specified in EASA AD 2024–0131, is subjective. In paragraph (h)(2) of this AD, the FAA specifies that this AD does not adopt paragraph (1) and (2) of EASA AD 2024–0131. This exception removes the ambiguous term “play” from the requirements of this AD. In addition, in paragraph (h)(2) of this AD the FAA requires measurement of the radial play of the two spherical bearings of each affected part. The service bulletin then specifies actions based on the radial play measurements. By requiring these measurements, the term “play” is unambiguous in this AD. The term “clicking” referenced in the service bulletin is not part of the required actions. The FAA has not changed this AD in this regard.

Request for Alternate Means of Reporting

AMMO claimed that a line mechanic cannot be expected to navigate Original

Equipment Manufacturer (OEM) reporting portals and requested that the FAA avoid exclusive reliance on OEM digital platforms for compliance reporting in the proposed AD.

The FAA disagrees with the request. EASA AD 2024–0131 identifies the on-line questionnaire referenced in the Alert Service Bulletin (ASB) as an acceptable method to comply with the reporting requirement, but it does not specify that it is the only acceptable method to comply with the reporting requirement. EASA AD 2024–0131 provides the website address for Airbus Helicopters Deutschland GmbH, which identifies contact information for the appropriate service area. The FAA has not changed this AD in this regard.

Request To Coordinate With Flight Standards Field Personnel

AMMO stated that the FAA did not coordinate with Flight Standards field personnel to validate the AD’s practical executability, as required by FAA’s internal policy. The commenter suggested that the FAA coordinate the proposed AD with Flight Standards to validate the AD’s practical executability.

The FAA disagrees with the implication that Flight Standards did not review the proposed AD. The FAA coordinates all AD actions with the appropriate Flight Standards Office before issuance. The FAA has not changed this AD in this regard.

Request To Ensure All Referenced Documents Are Available

AMMO stated that EASA AD 2024–0131 and Airbus ASB MBB–BK117–62–33–0001 are not FAA-certified documents and are therefore subject to unilateral revision by external entities, not docketed for permanent public access, and inaccessible without subscriptions or OEM login credentials. The commenter requested that the FAA ensure that all referenced documents are docketed, publicly accessible, and version-locked.

The FAA disagrees with the commenter’s statements about the referenced material. The FAA reviewed EASA AD 2024–0131 and Airbus ASB MBB–BK117–62–33–0001 before issuing the NPRM and found them to be acceptable and locked. After this final rule is published, EASA AD 2024–0131 and the referenced material specified in EASA AD 2024–0131 that is required for compliance will be docketed and publicly accessible as they will be able to be found at *regulations.gov* by locating Docket No. FAA 2025–0214. Additionally, as stated in the NPRM, 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. The FAA has not changed this AD in this regard.

Conclusion

These products have been approved by the civil aviation authority of another country and are approved for operation in the United States. Pursuant to the FAA’s bilateral agreement with this State of Design Authority, that authority has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA reviewed the relevant data, considered any comments received, and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products. Except for minor editorial changes, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed EASA AD 2024–0131, which specifies procedures for a one-time inspection of the spherical bearings of the control rod assemblies and pitch link assemblies for radial play and, depending on the results, measuring the radial play of the spherical bearings of the control rod assembly and pitch link assembly. Depending on the measurement results, EASA AD 2024–0131 specifies replacing the control rod end and reporting all measurement results to AH (Airbus Helicopters). 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.

Differences Between This AD and the MCAI

This AD does not require inspecting the spherical bearings of the control rod assemblies and pitch link assemblies for play as specified in the MCAI since that action is subjective and could vary from mechanic to mechanic. Instead, this AD requires measuring the radial play of the spherical bearings of the control rod assembly and pitch link assembly. This AD also prohibits installing an affected control rod assembly or pitch link assembly unless the radial play of the assembly’s two spherical bearings is measured and the radial play of each spherical bearing is equal to or less than 0.10 mm, whereas the MCAI does not require that installation limitation.

Interim Action

The FAA considers that this AD is an interim action. If final action is later identified, the FAA might consider further rulemaking then.

Costs of Compliance

The FAA estimates that this AD affects 180 helicopters of U.S. registry. Labor costs are estimated at \$85 per hour. Based on these numbers, the FAA estimates the following costs to comply with this AD.

Measuring the axial play takes 1 work-hour and reporting the results takes 1 work-hour, for an estimated cost of \$170 per helicopter and \$30,600 for the U.S. fleet. If required, replacing a control rod or pitch link assembly takes 1 work-hour and parts cost \$1,650 for an estimated cost of \$1,735 per control rod or pitch link assembly replacement.

Paperwork Reduction Act

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120-0056. Public reporting for this collection of information is estimated to take approximately 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. All responses to this collection of information are mandatory. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: Information Collection Clearance Officer, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX 76177-1524.

Authority for This Rulemaking

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

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil

aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

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

For the reasons discussed above, I certify that this AD:

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

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2025-16-02 Airbus Helicopters

Deutschland GmbH: Amendment 39-23099; Docket No. FAA-2025-0214; Project Identifier MCAI-2024-00391-R.

(a) Effective Date

This airworthiness directive (AD) is effective January 12, 2026.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Airbus Helicopters Deutschland GmbH Model MBB-BK 117 C-2 and MBB-BK 117 D-2 helicopters, certificated in any category.

NOTE 1 TO PARAGRAPH (C): Helicopters with an MBB-BK 117 C-2e designation are Model MBB-BK 117 C-2 helicopters.

(d) Subject

Joint Aircraft System Component (JASC) Code 6230, Main Rotor Mast/Swashplate.

(e) Unsafe Condition

This AD was prompted by reports of significant wear of the spherical bearings of the control rod assembly and pitch link assembly. The FAA is issuing this AD to detect and address wear of the spherical bearings of the control rod assembly and pitch link assembly. The unsafe condition, if not addressed, could result in erroneous pitch and oscillations of the main rotor blades, and consequent loss of control of the helicopter.

(f) Compliance

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

(g) Requirements

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, European Union Aviation Safety Agency AD 2024-0131, dated July 8, 2024 (EASA AD 2024-0131).

(h) Exceptions to EASA AD 2024-0131

(1) Where EASA AD 2024-0131 requires compliance in terms of flight hours, this AD requires using hours time-in-service.

(2) Instead of complying with paragraphs (1) and (2) of EASA AD 2024-0131, within 100 hours time-in-service after the effective date of this AD, measure the radial play of the two spherical bearings of each affected part, as defined in EASA AD 2024-0131, in accordance with the instructions of the ASB, as defined in EASA AD 2024-0131.

(3) Where paragraph (5) of EASA AD 2024-0131 specifies reporting measurement results to AH (Airbus Helicopters) within a certain compliance time, for this AD, report those measurement results at the applicable time specified in paragraph (h)(3)(i) or (ii) of this AD.

(i) If the measurement was done on or after the effective date of this AD: Submit the report within 30 days after the measurement.

(ii) If the inspection was done before the effective date of this AD: Submit the report within 30 days after the effective date of this AD.

(4) This AD does not adopt the "Remarks" section of EASA AD 2024-0131.

(i) Parts Installation Limitation

As of the effective date of this AD, do not install an affected part, as defined in EASA AD 2024-0131, on any helicopter unless the radial play of the two spherical bearings of that affected part is measured by following the actions required by paragraph (2) of EASA AD 2024-0131 and the radial play of each spherical bearing is equal to or less than 0.10 mm.

(j) Alternative Methods of Compliance (AMOCs)

(1) The Manager, International Validation Branch, FAA, has the authority to approve

AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the International Validation Branch, send it to the attention of the person identified in paragraph (k) of this AD and email to: AMOC@faa.gov.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(k) Additional Information

For more information about this AD, contact Michael Mueller, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (847) 294-7543; email: michael.j.mueller@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 the AD specifies otherwise.

(i) European Union Aviation Safety Agency (EASA) AD 2024-0131, dated July 8, 2024.

(ii) [Reserved]

(3) For EASA material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: ADs@easa.europa.eu; website: easa.europa.eu. You may find this EASA material on the EASA website at ad.easa.europa.eu.

(4) You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N-321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222-5110.

(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 November 19, 2025.

Steven W. Thompson,

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

[FR Doc. 2025-22217 Filed 12-5-25; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2025-1350; Project Identifier MCAI-2024-00510-R; Amendment 39-23196; AD 2025-24-01]

RIN 2120-AA64

Airworthiness Directives; Airbus Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for all Airbus Helicopters Model EC 155B and EC 155B1 helicopters. This AD was prompted by a determination that the required forces to jettison the windows exceed the maximum jettisoning effort requirements and the development of a modification of the jettisonable windows. This AD requires replacement of the jettisonable windows and seals on the sliding doors and fixed panels on the left-hand and right-hand sides. This AD also requires the installation of new labels. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective January 12, 2026.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of January 12, 2026.

ADDRESSES:

AD Docket: You may examine the AD docket at regulations.gov under Docket No. FAA-2025-1350; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

- For European Union Aviation Safety Agency (EASA) material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: ADs@easa.europa.eu; website: easa.europa.eu.

- You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N-321, Fort Worth, TX

76177. For information on the availability of this material at the FAA, call (817) 222-5110. It is also available at regulations.gov under Docket No. FAA-2025-1350.

FOR FURTHER INFORMATION CONTACT:

Adam Hein, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (316) 946-4116; email: adam.hein@faa.gov.

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to all Airbus Helicopters Model EC 155B and EC 155B1 helicopters. The NPRM was published in the **Federal Register** on July 2, 2025 (90 FR 28913). The NPRM was prompted by AD 2024-0173, dated September 4, 2024 (EASA AD 2024-0173) (also referred to as the MCAI), issued by EASA, which is the Technical Agent for the Member States of the European Union. The MCAI states that during tests concerning jettisoning of windows on a Model EC 155 helicopter, it was identified that the required forces to jettison the windows exceed the maximum jettisoning effort requirements. The MCAI also states that Airbus Helicopters developed a modification of the jettisonable windows to address this unsafe condition.

In the NPRM, the FAA proposed to require replacement of the jettisonable windows and seals on the sliding doors and fixed panels on the left-hand and right-hand sides. The FAA also proposed the installation of new labels.

The FAA is issuing this AD to prevent the inability to jettison the window(s) during an emergency. The unsafe condition, if not addressed, could result in a reduced capability to evacuate helicopter occupants during an emergency and consequent injury to helicopter occupants.

You may examine the MCAI in the AD docket at regulations.gov under Docket No. FAA-2025-1350.

Discussion of Final Airworthiness Directive

Comments

The FAA received comments from two anonymous commenters that were unrelated to the actions proposed in the NPRM or that did not make a request that the FAA can act on. These comments are outside the scope of this AD.

Conclusion

These products have been approved by the civil aviation authority of another

country and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, that authority has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA reviewed the relevant data, considered any comments received, and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products. Except for

minor editorial changes, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed EASA AD 2024–0173, which specifies procedures for replacement of the jettisonable windows and seals on the sliding doors and fixed panels on the left-hand and right-hand sides. The MCAI also specifies

procedure for installation of new labels on the sliding doors and fixed panels. This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

Costs of Compliance

The FAA estimates that this AD affects 16 helicopters of U.S. registry. The FAA estimates the following costs to comply with this AD.

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Replace windows and seals and install labels.	48 work-hours × \$85 per hour = \$4,080.	Up to \$53,553	Up to \$57,633	Up to \$922,128.

Authority for This Rulemaking

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

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

Regulatory Findings

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

For the reasons discussed above, I certify that this AD:

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

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2025–24–01 Airbus Helicopters:
Amendment 39–23196; Docket No. FAA–2025–1350; Project Identifier MCAI–2024–00510–R.

(a) Effective Date

This airworthiness directive (AD) is effective January 12, 2026.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Airbus Helicopters Model EC 155B and EC 155B1 helicopters, certificated in any category.

(d) Subject

Joint Aircraft System Component (JASC) Code 5620, Passenger Compartment Windows; 5630, Door Windows.

(e) Unsafe Condition

This AD was prompted by a determination that the required forces to jettison the windows exceed the maximum jettisoning effort requirements and the development of a modification of the jettisonable windows.

The FAA is issuing this AD to prevent the inability to jettison the window(s) during an emergency. The unsafe condition, if not addressed, could result in a reduced capability to evacuate helicopter occupants during an emergency and consequent injury to helicopter occupants.

(f) Compliance

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

(g) Requirements

Except as specified in paragraphs (h) and (i) of this AD: Comply with all required actions and compliance times specified in, and in accordance with European Union Aviation Safety Agency AD 2024–0173, dated September 4, 2024 (EASA AD 2024–0173).

(h) Exceptions to EASA AD 2024–0173

(1) Where EASA AD 2024–0173 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where EASA AD 2024–0173 refers to flight hours, this AD requires using hours time-in-service (TIS).

(3) This AD does not adopt the “Remarks” section of EASA AD 2024–0173.

(i) No Reporting Requirement

Although the material referenced in EASA AD 2024–0173 specifies to submit certain information to the manufacturer, this AD does not include that requirement.

(j) Alternative Methods of Compliance (AMOCs)

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

(2) Before using any approved AMOC, notify your appropriate principal inspector,

or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(k) Additional Information

For more information about this AD, contact Adam Hein, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (316) 946-4116; email: adam.hein@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 the AD specifies otherwise.

(i) European Union Aviation Safety Agency (EASA) AD 2024-0173, dated September 4, 2024.

(ii) [Reserved]

(3) For EASA material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: ADs@easa.europa.eu; website: easa.europa.eu. You may find this EASA material on the EASA website at ad.easa.europa.eu.

(4) You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N-321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222-5110.

(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 November 19, 2025.

Steven W. Thompson,

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

[FR Doc. 2025-22225 Filed 12-5-25; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2025-0910; Project Identifier MCAI-2023-01167-R; Amendment 39-23184; AD 2025-23-01]

RIN 2120-AA64

Airworthiness Directives; Airbus Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is superseding Airworthiness Directive (AD) 2020-06-13, which applied to certain Airbus Helicopters Model AS332C, AS332C1, AS332L, and AS332L1 helicopters. AD

2020-06-13 required determining the accumulated hours time-in-service (TIS) of certain part-numbered main gearbox (MGB) suspension bar rear attachment fittings (fittings) and bolts and established reduced life limits. Since the FAA issued AD 2020-06-13, it was determined that modifying the MGB suspension bar fittings link and installing improved MGB suspension bar fitting bolts was necessary. This AD requires modifying the MGB suspension bar link, installing newly-designed bolts, and prohibits installing certain parts. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective January 12, 2026.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of January 12, 2026.

ADDRESSES:

AD Docket: You may examine the AD docket at regulations.gov under Docket No. FAA-2025-0910; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

- For European Union Aviation Safety Agency (EASA) material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: ADs@easa.europa.eu; website: easa.europa.eu. You may find this material on the EASA website at ad.easa.europa.eu.

- You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N-321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222-5110. It is also available at regulations.gov under Docket No. FAA-2025-0910.

FOR FURTHER INFORMATION CONTACT:

Camille Seay, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (817) 222-5149; email: camille.l.seay@faa.gov.

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR

part 39 to supersede AD 2020-06-13, Amendment 39-19882 (85 FR 19080, April 6, 2020) (AD 2020-06-13). AD 2020-06-13 applied to Airbus Helicopters Model AS332C, AS332C1, AS332L, and AS332L1 helicopters with an MGB suspension bar right-hand (RH) side rear fitting part number (P/N) 330A22-2702-07 and bolt P/N 330A22-0135-20, MGB suspension bar left-hand (LH) side rear fitting P/N 330A22-2702-06 and bolt P/N 330A22-0135-20, or MGB suspension bar front bolt P/N 330A22-0134-20 installed.

The NPRM was published in the **Federal Register** on May 23, 2025 (90 FR 22028). The NPRM was prompted by EASA AD 2023-0194R1, dated March 19, 2025 (EASA AD 2023-0194R1) (also referred to as the MCAI), issued by EASA, which is the Technical Agent for the Member States of the European Union. The MCAI revised EASA AD 2023-0194, dated November 8, 2023 (EASA AD 2023-0194) (no equivalent FAA AD), which stated that, following the loss of tightening torque of the attachment screws of the upper deck fittings of the three MGB suspension bars and previous interim action, Airbus Helicopters developed modification (mod) 0728496 (for helicopters with machined frames) and mod 0729200 (for helicopters with sheet metal frames), which improve the link of the fittings of the MGB suspension bars and include improved fitting screws. EASA AD 2023-0194 was then superseded by the MCAI when a new risk analysis determined the calendar time compliance time for the modification could be extended.

In the NPRM, the FAA proposed retaining none of the requirements of AD 2020-06-13. Instead, in the NPRM the FAA proposed to require modifying the MGB suspension bar link and installing newly-designed bolts, and proposed to prohibit installing certain parts as specified in EASA AD 2023-0194R1.

This condition, if not addressed, could lead to structural failure of an MGB attachment assembly, detachment of an MGB suspension bar, and consequent loss of control of the helicopter.

You may examine the MCAI in the AD docket at regulations.gov under Docket No. FAA-2025-0910.

Discussion of Final Airworthiness Directive

Comments

The FAA received no comments on the NPRM or on the determination of the costs.

Conclusion

These products have been approved by the civil aviation authority of another country and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, that authority has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA reviewed the relevant data, considered any comments received, and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products. Except for minor editorial changes, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed EASA AD 2023–0194R1, which specifies procedures for determining the accumulated service life of the RH side and LH side rear fittings of the MGB suspension bars and repetitively replacing the RH side and LH side rear fittings and screws before exceeding accumulated service life limits. As an alternative to the first replacement of the RH side rear fittings and screws, if certain conditions are met, EASA AD 2023–0194R1 allows measuring the tightening torque, and depending on the measurement results, replacing affected parts with serviceable parts within extended compliance times. EASA AD 2023–0194R1 also specifies procedures for replacing each MGB front fitting screw at the next major inspection (G) and modifying the helicopter to improve the link of the fittings of the MGB suspension bar, which includes installing MGB fitting screws with an improved design. EASA AD 2023–0194R1 prohibits installing certain parts on any helicopter. Finally, EASA AD 2023–0194R1 specifies procedures for a terminating action if the helicopter has been modified as defined in EASA AD 2023–0194R1 and provides credit for certain previously accomplished requirements.

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.

Differences Between This AD and the MCAI

Where the MCAI allows an option of an inspection of the torque instead of replacement of the first MGB RH side rear fitting, which includes different replacement compliance times based on

the torque inspection results, this AD does not.

Costs of Compliance

The FAA estimates that this AD affects eight helicopters of U.S. registry. Labor rates are estimated at \$85 per hour. Based on these numbers, the FAA estimates the following costs to comply with this AD.

Determining the total hours TIS of the rear MGB fittings will take 0.5 work-hour for an estimated cost of \$43 per helicopter and \$344 for the U.S. fleet.

Replacing a RH rear MGB fitting and its set of four bolts will take 8 work-hours, and parts cost \$3,589 for an estimated cost of \$4,269 per helicopter and \$34,152 for the U.S. fleet, per replacement cycle.

Replacing a set of four LH rear MGB fitting bolts will take 4 work-hours, and parts will cost \$100 for an estimated cost of \$440 per helicopter and \$3,520 for the U.S. fleet, per replacement cycle.

Replacing a LH rear MGB fitting will take 8 work-hours, and parts will cost \$3,807 for an estimated cost of \$4,487 per helicopter and \$35,896 for the U.S. fleet, per replacement cycle.

Replacing a set of front MGB fitting bolts (4 bolts per set) will take about 8 work-hours, and parts will cost \$98 for an estimated cost of \$778 per helicopter and \$6,224 for the U.S. fleet, per replacement cycle.

Modifying the MGB suspension bar (LH side and RH side) will take 56 work-hours, and parts will cost \$115,509 for an estimated cost of \$120,269 per helicopter.

The extent of corrective action that may be needed if there is damage, a crack, or insufficient clearance found while modifying the MGB suspension bar could vary significantly from helicopter to helicopter. The FAA has no way of determining the cost to correct or repair each helicopter or the number of helicopters that may require repair.

Authority for This Rulemaking

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

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and

procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

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

For the reasons discussed above, I certify that this AD:

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

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

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

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by:

■ a. Removing Airworthiness Directive 2020–06–13, Amendment 39–19882 (85 FR 19080, April 6, 2020); and

■ b. Adding the following new airworthiness directive:

2025–23–01 Airbus Helicopters:

Amendment 39–23184; Docket No. FAA–2025–0910; Project Identifier MCAI–2023–01167–R.

(a) Effective Date

This airworthiness directive (AD) is effective January 12, 2026.

(b) Affected ADs

This AD replaces AD 2020–06–13, Amendment 39–19882 (85 FR 19080, April 6, 2020).

(c) Applicability

This AD applies to Airbus Helicopters Model AS332C, AS332C1, AS332L, and AS332L1 helicopters, certificated in any category.

(d) Subject

Joint Aircraft System Component (JASC)
Code 6330, Main Rotor Transmission Mount.

(e) Unsafe Condition

This AD was prompted by tests and analyses performed by the manufacturer. The FAA is issuing this AD to prevent fatigue failure of the main gearbox (MGB) suspension bar attachment fittings and bolts by remaining in service beyond their fatigue life. The unsafe condition, if not addressed, could result in failure of an MGB attachment assembly, detachment of an MGB suspension bar, and consequent loss of control of the helicopter.

(f) Compliance

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

(g) Requirements

Except as specified in paragraphs (h) and (i) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, European Union Aviation Safety Agency (EASA) AD 2023–0194R1, dated March 19, 2025 (EASA AD 2023–0194R1).

Note 1 to paragraph (g): EASA AD 2023–0194R1 and Airbus Helicopters material that is referenced in EASA AD 2023–0194R1 refer to MGB suspension bar attachment “bolts” as “screws.”

Note 2 to paragraph (g): Table No. 1 of Airbus Helicopters Alert Service Bulletin No. AS332–53.02.13, Revision 1, dated April 5, 2024, identifies the helicopter group configurations referenced in EASA AD 2023–0194R1.

(h) Exceptions to EASA AD 2023–0194R1

(1) Where EASA AD 2023–0194R1 requires compliance in terms of flight hours, this AD requires using hours time-in-service.

(2) Where EASA AD 2023–0194R1 refers to its effective date, December 17, 2018 (the effective date of EASA AD 2018–0260, dated December 3, 2018), or November 22, 2023 (the effective date of EASA AD 2023–0194, dated November 8, 2023), this AD requires using the effective date of this AD.

(3) Where the material referenced in EASA AD 2023–0194R1 specifies discarding parts, this AD requires removing those parts from service.

(4) This AD does not adopt paragraphs (3) through (5) of EASA AD 2023–0194R1.

(5) Where paragraphs (2) and (6) of EASA AD 2023–0194R1 state “paragraph 3.B.3,” this AD requires replacing that text with “paragraphs 3.B.2. and 3.B.3”.

(6) Where the modification Alert Service Bulletin (ASB), as defined and referenced in EASA AD 2023–0194R1, specifies contacting Airbus Helicopters Technical Support if there is visible damage, a crack, or insufficient clearance after replacing hardware, this AD requires, before further

flight, accomplishing further action in accordance with a method approved by the Manager, International Validation Branch, FAA; EASA; or Airbus Helicopters' EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(7) Where the modification ASB, as defined and referenced in EASA AD 2023–0194R1, specifies to keep parts after removing, for this AD, keeping those parts is not required.

(8) Where the modification ASB, as defined and referenced in EASA AD 2023–0194R1, specifies repairing X3855 frame drilling kit (also identified as a Guide having part number X530P8102101 and referred to as Item “zz”), this AD prohibits using X3855 frame drilling kit for the actions required by this AD if there is any damage that consists of cracks, corrosion, lengthening or deformation of the rods or arms, or excessive wear.

(9) Sections 11 through 14 in Appendix 4.A. of the modification ASB, as defined and referenced in EASA AD 2023–0194R1, are not required by this AD.

(10) This AD does not adopt the “Remarks” section of EASA AD 2023–0194R1.

(i) No Reporting Requirement

Although the material referenced in EASA AD 2023–0194R1 specifies to submit information to the manufacturer, this AD does not include that requirement.

(j) Alternative Methods of Compliance (AMOCs)

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

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

(k) Additional Information

(1) For more information about this AD, contact Camille Seay, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (817) 222–5149; email: camille.l.seay@faa.gov.

(2) For material identified in this AD that is not incorporated by reference, contact Airbus Helicopters, 2701 North Forum Drive, Grand Prairie, TX 75052; phone: (972) 641–0000 or (800) 232–0323; fax: (972) 641–3775; website: airbus.com/en/products-services/helicopters/hcare-services/airbusworld.

(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 the AD specifies otherwise.

(i) European Union Aviation Safety Agency (EASA) AD 2023–0194R1, dated March 19, 2025.

(ii) [Reserved]

(3) For EASA material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: ADs@easa.europa.eu; website: easa.europa.eu. You may find this material on the EASA website at ad.easa.europa.eu.

(4) You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110.

(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 December 3, 2025.

Steven W. Thompson,

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

[FR Doc. 2025–22238 Filed 12–5–25; 8:45 am]

BILLING CODE 4910–13–P

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

[Docket No. FAA–2025–0916; Project Identifier MCAI–2024–00119–R; Amendment 39–23200; AD 2025–24–05]

RIN 2120–AA64

Airworthiness Directives; Airbus Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is superseding Airworthiness Directive (AD) 2024–10–13, which applied to all Airbus Helicopters Model AS332C, AS332C1, AS332L, AS 332L1, AS 332L2, and EC 225LP helicopters. AD 2024–10–13 required visually inspecting the bowls of the left-hand (LH) and right-hand (RH) fuel filters for any cracks and seepage. Depending on the inspection results, AD 2024–10–13 required removing an affected fuel filter from service and replacing that part. AD 2024–10–13 also allowed a certain fuel filter to be installed on any helicopter if certain actions are accomplished. Since the FAA issued AD 2024–10–13, additional inspection criteria were developed. This AD requires the same actions as AD 2024–10–13 but removes some helicopters from the applicability, adds an inspection of the inner surface

of the fuel filter bowls, and revises the tightening torque. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective January 12, 2026.

The Director of the Federal Register approved the incorporation by reference of a certain publications listed in this AD as of January 12, 2026.

ADDRESSES:

AD Docket: You may examine the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA–2025–0916; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

- For European Union Aviation Safety Agency (EASA) material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: ADs@easa.europa.eu; website: easa.europa.eu. You may find this material on the EASA website at ad.easa.europa.eu.

- You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110. It is also available at [regulations.gov](https://www.regulations.gov) under Docket No. FAA–2025–0916.

FOR FURTHER INFORMATION CONTACT:

Deep Gaurav, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (817) 228–3731; email: deep.gaurav@faa.gov.

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to supersede AD 2024–10–13, Amendment 39–22759 (89 FR 56189, July 9, 2024) (AD 2024–10–13). AD 2024–10–13 applied to all Airbus Helicopters Model AS332C, AS332C1, AS332L, AS 332L1, AS 332L2, and EC 225LP helicopters. The FAA issued AD 2024–10–13 to prevent failure of the bowl, in-flight shutdown, and subsequent reduced control of the helicopter.

The NPRM was published in the **Federal Register** on June 2, 2025 (90 FR

23300). The NPRM was prompted by European Union Aviation Safety Agency (EASA) AD 2024–0045, dated February 16, 2024 (EASA AD 2024–0045) (also referred to as the MCAI), issued by EASA, which is the Technical Agent for the Member States of the European Union. The MCAI states new cases of fuel filter cracks were reported on helicopters that had been inspected as required by a previously issued EASA AD. The new cracks were located on the inner surface of the fuel filter bowls and likely resulted from excessive bowl tightening torque. The MCAI further states, following an investigation, Airbus Helicopters expanded the scope of the inspection of the fuel filters to include the inner surface of the bowls and revised the tightening torque.

In the NPRM, the FAA proposed to require the same actions as AD 2024–10–13, and also proposed to remove some helicopters from the applicability, add an inspection of the inner surface of the fuel filter bowls, and revise the tightening torque.

The FAA is issuing this AD to inspect for cracks and seepage on the bowl of the LH and RH fuel filter, which if not addressed, could result in failure of the fuel filter bowl, in-flight shutdown of both engines, and consequent reduced control of the helicopter.

You may examine the MCAI in the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA–2025–0916.

Discussion of Final Airworthiness Directive

Comments

The FAA received no comments on the NPRM or on the determination of the costs.

Conclusion

These products have been approved by the civil aviation authority of another country and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, that authority has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA reviewed the relevant data, considered any comments received, and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products. Except for minor editorial changes, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed EASA AD 2024–0045, which specifies procedures for a one-time inspection of the outer and inner surfaces of the bowls of the LH and RH fuel filters for cracks and seepage. Depending on the inspection results, EASA AD 2024–0045 specifies procedures for replacing an affected part with a serviceable part. EASA AD 2024–0045 allows credit for the inspection of certain helicopters and also allows certain fuel filters to be installed on a helicopter if they have been inspected and no defects found.

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.

Differences Between This AD and the MCAI

Where the MCAI applies to helicopters delivered before February 15, 2024, this AD applies to helicopters with fuel filter part number 4020P25–5 or 704A44620049 installed and with an original airworthiness certificate or original export certificate of airworthiness issued before February 15, 2024.

Costs of Compliance

The FAA estimates that this AD affects 20 helicopters of U.S. registry. Labor rates are estimated at \$85 per hour. Based on these numbers, the FAA estimates the following costs to comply with this AD.

Inspecting the fuel filter bowls (two bowls per helicopter) for cracks and seepage will take 2 work-hours. No parts are required for an estimated cost of \$170 per helicopter and \$3,400 for the U.S. fleet.

Replacing a fuel filter will take 2 work-hours, and parts cost \$6,290 for an estimated cost of \$6,460 per fuel filter replacement.

Authority for This Rulemaking

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

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and

procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

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

For the reasons discussed above, I certify that this AD:

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

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

- 2. The FAA amends § 39.13 by:
- a. Removing Airworthiness Directive 2024–10–13, Amendment 39–22759 (89 FR 56189, July 9, 2024); and
- b. Adding the following new airworthiness directive:

2025–24–05 Amendment 39–23200; Docket No. FAA–2025–0916; Project Identifier MCAI–2024–00119–R.

(a) Effective Date

This airworthiness directive (AD) is effective January 12, 2026.

(b) Affected ADs

This AD replaces AD 2024–10–13, Amendment 39–22759 (89 FR 56189, July 9, 2024).

(c) Applicability

This AD applies to Airbus Helicopters Model AS332C, AS332C1, AS332L, AS 332L1, AS 332L2, and EC 225LP helicopters, certificated in any category, with fuel filter part number 4020P25–5 or 704A44620049 installed and with an original airworthiness certificate or original export certificate of airworthiness issued before February 15, 2024.

(d) Subject

Joint Aircraft System Component (JASC) Code 2821, Aircraft fuel filter/strainer.

(e) Unsafe Condition

This AD was prompted by reports of cracks on the fuel filter bowl (bowl) due to over-torquing. The FAA is issuing this AD to inspect for cracks and seepage on the bowl of the left-hand (LH) and right-hand (RH) fuel filter. The unsafe condition, if not addressed, could result in failure of the fuel filter bowl, in-flight shutdown of both engines, and consequent reduced control of the helicopter.

(f) Compliance

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

(g) Requirements

Except as specified in paragraphs (h) and (i) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, European Union Aviation Safety Agency (EASA) AD 2024–0045, dated February 16, 2024 (EASA AD 2024–0045).

(h) Exceptions to EASA AD 2024–0045

(1) Where EASA AD 2024–0045 requires compliance in terms of flight hours, this AD requires using hours time-in-service.

(2) Where EASA AD 2024–0045 refers to its effective date, this AD requires using the effective date of this AD.

(3) Where paragraph (2) of EASA AD 2024–0045 states “any discrepancy, as defined in the ASB”, for this AD replace that text with “any crack or seepage”.

(4) Where paragraph (2) of EASA AD 2024–0045 specifies “replace the affected part with a serviceable part in accordance with the instructions of the applicable ASB”, this AD requires replacing that text with “remove the affected part from service and replace it with a serviceable part”.

(5) Where the material referenced in EASA AD 2024–0045 uses the term “check”, this AD requires replacing that term with “inspection”.

(6) Where the material referenced in EASA AD 2024–0045 specifies discarding parts, this AD requires removing those parts from service.

(7) Where the material referenced in EASA AD 2024–0045 specifies actions for non-installed equipment or parts, this AD does not require those actions.

(8) This AD does not adopt the “Remarks” section of EASA AD 2024–0045.

(i) No Reporting or Returning Parts Requirement

Although the material referenced in EASA AD 2024–0045 specifies to submit certain

information and return parts to the manufacturer, this AD does not require those actions.

(j) Special Flight Permits

Special flight permits are prohibited.

(k) Alternative Methods of Compliance (AMOCs):

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

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

(l) Additional Information

For more information about this AD, contact Deep Gaurav, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (817) 228–3731; email: deep.gaurav@faa.gov.

(m) Material Incorporated by Reference

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

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

(i) European Union Aviation Safety Agency (EASA) AD 2024–0045, dated February 16, 2024.

(ii) [Reserved]

(3) For EASA material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: ADS@easa.europa.eu; website: easa.europa.eu. You may find this material on the EASA website at ad.easa.europa.eu.

(4) You may view this material at the FAA Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110.

(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 December 2, 2025.

Steven W. Thompson,

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

[FR Doc. 2025–22250 Filed 12–5–25; 8:45 am]

BILLING CODE 4910–13–P

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

[Docket No. FAA-2025-1736; Project Identifier MCAI-2024-00435-R; Amendment 39-23190; AD 2025-23-07]

RIN 2120-AA64

Airworthiness Directives; Airbus Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is superseding Airworthiness Directive (AD) 2020-06-12, which applied to certain Airbus Helicopters Model AS 332L2 and EC 225LP helicopters. AD 2020-06-12 required determining the accumulated hours time-in-service (TIS) of certain part-numbered main gearbox (MGB) suspension bar attachment bolts (bolt) and certain part-numbered MGB suspension bar attachment fittings (fitting), applying a life limit add-on factor, and inspecting the torque of certain MGB suspension bar attachment nuts (nuts). Since the FAA issued AD 2020-06-12, the manufacturer developed a design improvement, and the FAA determined that modifying the helicopter is necessary. This AD retains the actions required by AD 2020-06-12 and requires the modification of the MGB suspension bar, inspection of the torque, and corrective actions. This AD also allows credit for the initial service life calculations if certain requirements are met and prohibits installing a certain bolt after the modification is accomplished on any helicopter. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective January 12, 2026.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of January 12, 2026.

ADDRESSES:

AD Docket: You may examine the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2025-1736; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

- For Airbus Helicopters material identified in this AD, contact Airbus Helicopters, 2701 North Forum Drive, Grand Prairie, TX 75052; phone: (972) 641-0000 or (800) 232-0323; fax: (972) 641-3775; website: airbus.com/en/products-services/helicopters/hcare-services/airbusworld.
- You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N-321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222-5110. It is also available at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2025-1736.

FOR FURTHER INFORMATION CONTACT:

William McCully, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (781) 238-7244; email: william.mccully@faa.gov.

SUPPLEMENTARY INFORMATION:**Background**

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to supersede AD 2020-06-12, Amendment 39-19881 (85 FR 19077, April 6, 2020) (AD 2020-06-12). AD 2020-06-12 applied to Airbus Helicopters Model AS 332L2 and EC 225LP helicopters with a MGB suspension bar front bolt part number (P/N) 332A22-1613-21 or 332A22-1613-20, MGB suspension bar rear bolt P/N 332A22-1614-20, MGB suspension bar front fitting P/N 332A22-1623-01, MGB suspension bar rear left-hand fitting P/N 332A22-1624-02 or 332A22-1624-04, or MGB suspension bar rear right-hand fitting P/N 332A22-1624-03 or 332A22-1624-05 installed. AD 2020-06-12 required determining the accumulated hours TIS of the affected bolts and fittings, applying a life limit add-on factor, and inspecting the torque of the MGB suspension bar attachment nuts. The FAA issued AD 2020-06-12 to address MGB suspension bar bolts and fittings remaining in service beyond their fatigue life and loose MGB suspension bar bolts and fittings, which could result in structural failure of the MGB suspension bar and loss of helicopter control.

The NPRM was published in the **Federal Register** on August 19, 2025 (90 FR 40262). The NPRM was prompted by a series of ADs related to this unsafe condition issued by EASA, which is the Technical Agent for the Member States of the European Union. EASA AD 2022-0021, dated February 1, 2022 (EASA AD 2022-0021), superseded EASA AD 2017-0189 due to Airbus Helicopters

developing a design improvement consisting of installing new links on the fittings of the MGB suspension bars through modifications 0728521, 0728904, 0728496 and 0729044. EASA AD 2022-0021 introduced new service life limits (SLL) for certain post-modification parts and a new tightening torque check.

EASA AD 2022-0021 was subsequently superseded by EASA AD 2023-0147, dated July 19, 2023 (EASA AD 2023-0147), after EASA determined that, for helicopters modified with the new links on the fittings of the MGB suspension bars using earlier revisions of the service information, installing shims on the rear cooling rails of the MGB compartment was necessary. EASA revised AD 2023-0147 and issued EASA AD 2023-0147R1, dated March 12, 2025 (EASA AD 2023-0147R1) (also referred to as “the MCAI”) to address a difficulty with the installation of modification kits for EC 225LP helicopters.

In the NPRM, the FAA proposed to retain the actions of AD 2020-06-12, to include, using updated service information; determining the accumulated hours TIS of certain part-numbered bolts and certain part-numbered fittings; applying a life limit add-on penalty factor; removing any bolt that has reached or exceeded its life limit; inspecting the torque of certain nuts and, depending on the inspection, removing the bolt and nut from service. The NPRM also proposed to require modification of the MGB suspension bar, additional life limit calculations, a tightening torque inspection with new torque values, and removal and replacement of certain affected parts. Modification of the MGB suspension bar is considered terminating action for the proposed life limit calculations if certain requirements are met. The NPRM also proposed to prohibit installing a certain bolt after the modification is accomplished on any helicopter.

The FAA is issuing this AD to prevent MGB suspension bar attachment fittings and bolts remaining in service beyond their fatigue life. The unsafe condition, if not addressed, could result in structural failure of an MGB attachment assembly, detachment of an MGB suspension bar, and consequent loss of control of the helicopter.

You may examine the MCAI in the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2025-1736.

Comments

The FAA received a comment from one individual who requested more information about the bolts. The

following presents the comment received on the NPRM and the FAA's response to the comment.

Request for Additional Information

The individual commenter requested additional information on the differences between the new MGB suspension bar rear bolts and the previous MGB suspension bar front bolts. The commenter acknowledges the affected bolts design may have been improved by installing new links on the fittings of the MGB suspension bars but inquired as to how Airbus Helicopters has ensured that these new bolts have a longer and safer life span.

The FAA infers the commenter is requesting more detailed information regarding the differences between the new and old MGB suspension bar rear bolts, as well as the measures Airbus Helicopters has implemented to ensure the improved performance of the new bolt. Although the FAA does not have specific information on the differences between the bolts and Airbus Helicopters manufacturing requirements, the FAA worked with the State of Design (EASA) to assure that the improved bolts are addressing the unsafe condition. The FAA has not changed this AD as a result of this comment.

Conclusion

These products have been approved by the civil aviation authority of another country and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, that authority has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA reviewed the relevant data, considered any comments received, and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products. Except for minor editorial changes, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed Airbus Helicopters Emergency Alert Service Bulletin (EASB) No. 01.00.86, Revision 4, dated January 6, 2022, for Model AS 332L2 helicopters and Airbus Helicopters EASB No. 04A013, Revision 4, dated January 6, 2022, for Model EC 225LP helicopters. This material specifies procedures for applying an add-on factor to the flying hours logged by the

pins (bolts) and fittings and replacing them if the SLL is exceeded.

The FAA also reviewed Airbus Helicopters Alert Service Bulletin (ASB) No. AS332–53.02.03, Revision 2, dated June 15, 2023, for Model AS 332LP helicopters and Airbus Helicopters ASB No. EC225–53A065, Revision 4, dated May 28, 2024, for Model EC 225LP helicopters. This material specifies procedures to install new links on the attachment brackets of the MGB suspension bars and corresponds to Airbus Helicopters modification 0728496, 0728521, 0728904, and 0729044.

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.

Differences Between This AD and the MCAI

The MCAI allows a 150-hour extension to the life limit of a fitting for Model AS 332L2 helicopters if a dye-penetrant inspection is performed on the fitting and no cracks are found. This AD does not allow that option.

For Model AS 332L2 helicopters, the MCAI requires replacing bolts installed with an incorrect torque value applied before the effective date of the MCAI. This AD requires inspecting the torque of each nut instead, and depending on the outcome, removing the nut and its bolt from service.

The MCAI refers to the front and rear attachment bolts as “pins,” whereas this AD does not.

Costs of Compliance

The FAA estimates that this AD affects 30 helicopters (2 Model AS 332L2 helicopters and 28 Model EC 225LP helicopters) of U.S. registry. The FAA estimates the following costs to comply with this AD. Labor costs are estimated at \$85 per hour.

For Model AS 332L2 Helicopters Only

Determining the adjusted life limit for the fittings takes 0.5 work-hour for an estimated cost of \$43 per helicopter and \$86 for the U.S. fleet.

If required, replacing a fitting (including associated hardware) and applying torque takes 8 work-hours and parts cost \$7,000 for an estimated cost of \$7,680 per helicopter.

For All Applicable Helicopters

Determining the adjusted life limit for the bolts takes 0.5 work-hour for an estimated cost of \$43 per helicopter and \$1,290 for the U.S. fleet.

If required, replacing a bolt (including associated hardware) takes 4 work-hours

and parts cost about \$89 for an estimated cost of \$429 per bolt.

Modifying each MGB suspension bar takes up to 40 work-hours and parts cost up to \$54,445 for an estimated cost of up to \$57,845 (depending on helicopter configuration) per modification (up to four modifications per helicopter).

Performing a tightening torque inspection takes 4 hours for an estimated cost of \$340 per inspection.

Authority for This Rulemaking

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

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

Regulatory Findings

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

For the reasons discussed above, I certify that this AD:

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

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

- 2. The FAA amends § 39.13 by:
 - a. Removing Airworthiness Directive 2020–06–12, Amendment 39–19881 (85 FR 19077, April 6, 2020); and
 - b. Adding the following new airworthiness directive:

2025–23–07 Airbus Helicopters:
Amendment 39–23190; Docket No. FAA–2025–1736; Project Identifier MCAI–2024–00435–R.

(a) Effective Date

This airworthiness directive (AD) is effective January 12, 2026.

(b) Affected ADs

This AD replaces AD 2020–06–12, Amendment 39–19881 (85 FR 19077, April 6, 2020).

(c) Applicability

This AD applies to Airbus Helicopters, certificated in any category, identified in paragraphs (c)(1) and (2) of this AD.

(1) Model AS 332L2 helicopters with a main gearbox (MGB) suspension bar front attachment bolt part number (P/N) 332A22–1613–20 or 332A22–1613–21, MGB suspension bar rear attachment bolt P/N 332A22–1614–20, MGB suspension bar front attachment fitting P/N 332A22–1623–01, MGB suspension bar rear left-hand attachment fitting P/N 332A22–1624–02 or 332A22–1624–04, or MGB suspension bar rear right-hand attachment fitting P/N 332A22–1624–03 or 332A22–1624–05 installed.

(2) Model EC 225LP helicopters with MGB suspension bar front attachment bolt P/N 332A22–1613–21 or MGB suspension bar rear attachment bolt P/N 332A22–1614–20 installed.

Note 1 to paragraph (c): Airbus Helicopters refers to MGB suspension bar attachment bolts as “pins.”

(d) Subject

Joint Aircraft System Component (JASC) Code 6330, Main Rotor Transmission Mount.

(e) Unsafe Condition

This AD was prompted by a report of torque loss on a MGB suspension bar attachment bolt (bolt). The FAA is issuing this AD to prevent MGB suspension bar attachment fittings (fitting) and bolts remaining in service beyond their fatigue life. The unsafe condition, if not addressed, could result in structural failure of an MGB attachment assembly, detachment of an MGB suspension bar, and consequent loss of control of the helicopter.

(f) Compliance

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

(g) Required Actions for Bolts

For helicopters identified in paragraphs (c)(1) and (2) of this AD without Airbus Helicopters modifications 0728521, 0728904, 0728496, and 0729044 installed, within 30 hours time-in-service (TIS) after the effective date of this AD, review records to determine the total hours TIS of each bolt.

(1) Determine the life limit of each bolt by applying its total hours TIS by the add-on factor listed in Table No. 1 of Airbus Helicopters Emergency Alert Service Bulletin (EASB) No. 01.00.86, Revision 4, dated January 6, 2022 (EASB 01.00.86 Rev 4), or Airbus Helicopters EASB No. 04A013, Revision 4, dated January 6, 2022, as applicable to your model helicopter.

(i) Before further flight, remove from service any bolt that has reached or exceeded its life limit, and remove its associated MGB suspension bar attachment nut (nut) and cotter pins from service. Remove the associated convex and concave washers. Thereafter, before each flight, continue to calculate and record the life limit of each bolt on its component history card or equivalent record by applying the add-on factor each time the helicopter accumulates hours TIS and remove from service any bolt before reaching its life limit, along with its associated nut and cotter pins. Remove its associated convex and concave washers.

(ii) For each bolt that has not exceeded its life limit, before each flight, continue to calculate and record the life limit on its component history card or equivalent record by applying the add-on factor each time the helicopter accumulates hours TIS and remove from service any bolt before reaching its life limit, along with its associated nut and cotter pins. Remove the associated convex and concave washers.

(2) Before further flight, if any nut, bolt, or cotter pin was removed from service as a result of the actions in paragraph (g)(1) of this AD, replace those parts with airworthy parts, and install new (never installed) convex and concave washers or reinstall the convex and concave washers that were removed (if washers are airworthy). Torque each newly-installed nut to the minimum allowable torque value of: 735–840 lbf. in (8.3 daN.m to 9.5 daN.m) on the front nuts of the fittings, and 496–566 lbf. in (5.6 daN.m to 6.4 daN.m) on the rear nuts of the fittings.

(h) Required Actions for Fittings

For helicopters identified in paragraph (c)(1) of this AD without Airbus Helicopters modification 0728521, 0728904, 0728496, and 0729044 installed, within 30 hours TIS after the effective date of this AD, review records to determine the total hours TIS of each fitting.

(1) Determine the life limit of each fitting by applying its total hours TIS by the add-on factor listed in Table No. 1 of EASB 01.00.86 Rev 4.

(i) Before further flight, remove from service any fitting that has reached or exceeded its life limit, and remove its associated nuts, and cotter pins from service. Remove its associated convex and concave washers and bolts. Thereafter, before each flight, continue to calculate and record the life limit of each fitting on its component

history card or equivalent record by applying the add-on factor each time the helicopter accumulates hours TIS and remove from service any fitting before reaching its life limit, along with its associated, nuts, and cotter pins. Remove its associated convex and concave washers and bolt.

(ii) For each fitting that has not exceeded its life limit, before each flight, continue to calculate and record the life limit of each fitting on its component history card or equivalent record by applying the add-on factor each time the helicopter accumulates hours TIS and remove from service any fitting before reaching its life limit, along with its associated, nuts and cotter pins from service. Remove its associated bolts, convex and concave washers.

(2) Before further flight, if any fitting or its associated nut, or cotter pin was removed from service as a result of the actions in paragraph (h)(1) of this AD, replace those parts with airworthy parts, and install new (never installed) convex and concave washers and bolt or reinstall the convex and concave washers and bolt that were removed (if the washers and bolt are airworthy). Torque each newly-installed nut using the allowable torque value in paragraph (g)(2) of this AD.

(i) Required Actions for Torque Values

For helicopters identified in paragraph (c)(1) of this AD without Airbus Helicopters modification 0728521, 0728904, 0728496, and 0729044 installed, within 150 hours TIS (without the add-on factor) after the effective date of this AD, inspect the torque of each nut.

(1) If the torque on any nut is higher than the maximum allowable torque stated in paragraph (g)(2) of this AD, before further flight, remove the nut, its associated bolt, and its cotter pins from service.

(2) If the torque on any nut is lower than the minimum allowable torque value stated in paragraph (g)(2) of this AD, before further flight, tighten the nut to the allowable torque stated in paragraph (g)(2) of this AD.

(3) Within 150 hours TIS (without the add-on factor), remove from service any nut its associated bolt, and its cotter pins that were tightened as required by paragraph (i)(2) of this AD, and torque each newly-installed nut using the allowable torque value in paragraph (g)(2) of this AD.

(j) Required Actions for Links

(1) For helicopters identified in paragraph (c)(1) of this AD without Airbus Helicopters modification 0728521, 0728904, 0728496, and 0729044 installed, within 825 hours TIS or 27 months after the effective date of this AD, whichever occurs first, modify the helicopter by installing attachment bracket links for the MGB suspension bars in accordance with the Accomplishment Instructions, paragraphs 3.B.2.a through 3.B.3.i., of Airbus Helicopters Alert Service Bulletin (ASB) No. AS332–53.02.03, Revision 2, dated June 15, 2023 (ASB AS332–53.02.03 Rev 2), except as provided in paragraphs (j)(1)(i) through (ix) of this AD.

Note 2 to the introductory text of paragraph (j)(1): Airbus refers to the installation of the attachment bracket links

for the MGB suspension bar as modification 0728496, 0728521, 0728904, and 0729044.

(i) Instead of discarding parts, you must remove those parts from service.

(ii) Where ASB AS332–53.02.03 Rev 2 uses the term check, this AD requires doing an inspection.

(iii) You are not required to define or record the thickness of the peel shims.

(iv) Instead of contacting Airbus Helicopters if there is damage after removing corrosion, this AD requires that you remove the affected part from service before further flight.

(v) Instead of contacting Airbus Helicopters if there are any cracks on the frames at the attachment bracket fixations, this AD requires that you remove the affected part from service before further flight.

(vi) For purposes of this AD, “correctly stacked” as used in ASB AS332–53.02.03 Rev 2 means the concave washers are installed with the flat side towards the front bracket, and the convex washers are installed with the flat side towards the nuts.

(vii) For purposes of this AD, “correctly engaged” as used in ASB AS332–53.02.03 Rev 2 means the centering pin is engaged on the front plate.

(viii) Instead of contacting Airbus Helicopters if the clearance of J1 or J2 is less than 0.5 mm (0.0196 in) after inspecting the new links of the rear brackets, you must take corrective action until the clearance is at least 0.5 mm using a method approved by the Manager, General Aviation & Rotorcraft Section, International Validation Branch, FAA; or European Union Aviation Safety Agency (EASA); or Airbus Helicopters EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(ix) For the purposes of this AD, new as used in ASB AS332–53.02.03 Rev 2 means the part has never been installed on a helicopter.

(2) For helicopters identified in paragraph (c)(2) of this AD without Airbus Helicopters modification 0728521, 0728904, 0728496, and 0729044 installed, within 1,320 hours TIS or 40 months after the effective date of this AD, whichever occurs first, modify the helicopter by installing bracket links for the MGB suspension bars in accordance with the Accomplishment Instructions, paragraphs 3.B.2. through 3.B.3.i, of Airbus Helicopters ASB No. EC225–53A065, Revision 4, dated May 28, 2024 (ASB EC225–53A065 Rev 4), except as provided in paragraphs (j)(2)(i) through (ix) of this AD.

(i) Instead of discarding parts, you must remove those parts from service.

(ii) Where ASB EC225–53A065 Rev 4 uses the term check, this AD requires doing an inspection.

(iii) You are not required to define or record the thickness of the peel shims.

(iv) Instead of contacting Airbus Helicopters if there is damage after removing corrosion, this AD requires that you remove the affected part from service before further flight.

(v) Instead of contacting Airbus Helicopters if there are any cracks on the frames at the attachment bracket fixations, this AD requires that you remove the affected part from service before further flight.

(vi) For the purposes of this AD, “correctly stacked” as used in ASB EC225–53A065 Rev 4 means the concave washers are installed with the flat side towards the bracket, and the convex washers are installed with the flat side towards the nuts.

(vii) For purposes of this AD, “correctly engaged” as used in ASB EC225–53A065 Rev 4 means the centering pin is engaged on the front plate.

(viii) Instead of contacting Airbus Helicopters if the clearance of J1 or J2 is less than 0.5 mm (0.0196 in) after inspecting the new links of the rear brackets, you must take corrective action until the clearance is at least 0.5 mm using a method approved by the Manager, General Aviation & Rotorcraft Section, International Validation Branch, FAA; or EASA; or Airbus Helicopters EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(ix) Where ASB EC225–53A065 Rev 4 uses the phrase “if necessary”, this AD requires replacing that text with “if applicable”.

(3) For helicopters identified in paragraphs (c)(1) and (2) of this AD that have Airbus Helicopter modification 0728521, 0728904, 0728496, and 0729044 installed before the effective date of this AD, within 27 months for Model AS 332L2 helicopters, and within 40 months for Model EC 225LP helicopters, after the effective date of this AD, modify the helicopter in accordance with the Accomplishment Instructions, paragraphs 3.B.2.c.1.b through 3.B.2.c.2.b of ASB AS332–53.02.03 Rev 2 or ASB EC225–53A065 Rev 4, as applicable to your model helicopter, and tighten to the standard torque value, except instead of discarding parts, you must remove those parts from service.

(4) Modifying the helicopter as required by paragraphs (j)(1) or (2) of this AD terminates the life limit required by paragraphs (g) and (h) of this AD.

(k) Installation Prohibition

As of the effective date of this AD, do not install front bolt P/N 332A22–1613–20 or 332A22–1613–21, rear bolt P/N 332A22–1614–20, front fitting P/N 332A22–1623–01, rear left-hand fitting P/N 332A22–1624–02 or 332A22–1624–04, or rear right-hand fitting P/N 332A22–1624–03 or 332A22–1624–05 on any helicopter, unless:

(1) The part has not exceeded the applicable service life limit after accomplishing the actions required by paragraphs (g)(1) or (h)(1) of this AD, as applicable; and

(2) After installation of the part, the life limit is calculated in accordance with paragraph (g)(1) or (h)(1) of this AD and all other applicable requirements of this AD are accomplished.

(l) Credit for Previous Actions

(1) For Model AS 332L2 helicopters, paragraph (l)(1) of this AD provides credit for the initial life limit calculations required by paragraphs (g)(1) and (h)(1) of this AD, if those calculations were performed before the effective date of this AD using the material identified in paragraphs (l)(1)(i) through (iv) of this AD.

(i) Airbus Helicopters EASB No. 01.00.86, Revision 0, dated July 27, 2017.

(ii) Airbus Helicopters EASB No. 01.00.86, Revision 1, dated August 25, 2017.

(iii) Airbus Helicopters EASB No. 01.00.86, Revision 2, dated March 2, 2020.

(iv) Airbus Helicopters EASB No. 01.00.86, Revision 3, dated August 19, 2021.

(2) For Model EC 225LP helicopters, paragraph (l)(2) of this AD provides credit for the initial life limit calculations required by paragraph (g)(1) of this AD, if those calculations were performed before the effective date of this AD using the material identified in paragraphs (l)(2)(i) through (iv) of this AD.

(i) Airbus Helicopters EASB No. 04A013, Revision 0, dated July 27, 2017.

(ii) Airbus Helicopters EASB No. 04A013, Revision 1, dated August 25, 2017.

(iii) Airbus Helicopters EASB No. 04A013, Revision 2, dated March 2, 2020.

(iv) Airbus Helicopters EASB No. 04A013, Revision 3, dated August 19, 2021.

(m) Alternative Methods of Compliance (AMOCs)

(1) The Manager, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the International Validation Branch, send it to the attention of the person identified in paragraph (n)(1) of this AD. Information may be emailed to AMOC@faa.gov.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(n) Additional Information

(1) For more information about this AD, contact Dan McCully, Aviation Safety Engineer, FAA, 1600 Stewart Avenue Suite 410, Westbury, NY 11590; phone: (781) 238–7244; email: william.mccully@faa.gov.

(2) Material identified in this AD that is not incorporated by reference is available at the address specified in paragraph (o)(3) of this AD.

(o) 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 the AD specifies otherwise.

(i) Airbus Helicopters Alert Service Bulletin No. AS332–53.02.03, Revision 2, dated June 15, 2023.

(ii) Airbus Helicopters Alert Service Bulletin No. EC225–53A065, Revision 4, dated May 28, 2024.

(iii) Airbus Helicopters Emergency Alert Service Bulletin No. 01.00.86, Revision 4, dated January 6, 2022.

(iv) Airbus Helicopters Emergency Alert Service Bulletin No. 04A013, Revision 4, dated January 6, 2022.

(3) For Airbus Helicopters material identified in this AD, contact Airbus

Helicopters, 2701 North Forum Drive, Grand Prairie, TX 75052; phone: (972) 641-0000 or (800) 232-0323; fax: (972) 641-3775; website: airbus.com/en/products-services/helicopters/hcare-services/airbusworld.

(4) You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N-321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222-5110.

(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 December 2, 2025.

Steven W. Thompson,

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

[FR Doc. 2025-22218 Filed 12-5-25; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2025-1363; Project Identifier MCAI-2025-00098-R; Amendment 39-23202; AD 2025-24-06]

RIN 2120-AA64

Airworthiness Directives; Airbus Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain Airbus Helicopters Model AS 350B2, AS 350B3, AS355N, AS355NP, and EC 130 B4 helicopters. This AD was prompted by a report of a loss of cargo load during cargo swing operation on a helicopter due to an incorrect adjustment of the release cable of the cargo swing emergency release control. This AD requires a one-time inspection of the cargo swing emergency release control and, depending on the results, corrective actions. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective January 12, 2026.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of January 12, 2026.

ADDRESSES:

AD Docket: You may examine the AD docket at regulations.gov under Docket No. FAA-2025-1363; or in person at Docket Operations between 9 a.m. and

5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

- For European Union Aviation Safety Agency (EASA) material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: ADs@easa.europa.eu; website: easa.europa.eu. You may find this material on the EASA website at ad.easa.europa.eu.

- You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N-321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222-5110. It is also available at regulations.gov under Docket No. FAA-2025-1363.

FOR FURTHER INFORMATION CONTACT:

Steven Warwick, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (817) 222-5225; email: steven.r.warwick@faa.gov.

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to Airbus Helicopters Model AS 350B2, AS 350B3, AS355N, AS355NP, and EC 130 B4 helicopters equipped with ONBOARD systems 3500LB, having part number (P/N) 704A41811035. The NPRM was published in the **Federal Register** on July 22, 2025 (90 FR 34386). The NPRM was prompted by EASA AD 2025-0025, dated January 23, 2025 (EASA AD 2025-0025) (also referred to as the MCAI), issued by EASA, which is the Technical Agent for the Member States of the European Union. The MCAI states a report was received of a loss of cargo load during cargo swing operation on a helicopter. Subsequent investigation revealed an incorrect adjustment of the release cable of the cargo swing emergency release control.

In the NPRM, the FAA proposed to require a one-time inspection of the cargo swing emergency release control and, depending on the results, corrective actions.

The FAA is issuing this AD to address the adjustment of the cargo swing

emergency release control. The unsafe condition, if not addressed, could result in inflight loss of cargo load and injury to persons on the ground.

You may examine the MCAI in the AD docket at regulations.gov under Docket No. FAA-2025-1363.

Comments

The FAA received a comment from one individual who disagreed with the practice of relying on manufacturer-issued and foreign regulatory documents that are not fully integrated into the rule text. The following presents the comments received on the NPRM and the FAA's response to the comment.

Request To Incorporate Requirements Directly Into the AD

The individual commenter requested that the FAA AD become a stand-alone document. The individual commented that relying on EASA's AD as the base document, and providing exceptions in the FAA's rule, makes the requirements confusing and could lead to possible errors.

The FAA disagrees with the request. 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. This AD incorporates EASA AD 2025-0025 by reference. Incorporating information by reference is a common method of federal rulemaking, that is explicitly permitted under 1 CFR part 51. As stated in the Incorporation by Reference Handbook, June 2023 Edition, incorporation of relevant, usually technical information (such as the MCAI) promotes efficiency. The complete inspection method, measurable thresholds, and corrective actions are included in EASA AD 2025-0025 and the material referenced in EASA AD 2025-0025, which are available at regulations.gov under the Docket No. for this AD, FAA-2025-1363. The FAA has not changed this AD in this regard.

Conclusion

These products have been approved by the CAA of another country and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, that authority has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA reviewed the relevant data, considered any comments received, and determined that air safety

requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products. Except for minor editorial changes, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed EASA AD 2025–0025, which specifies procedures for a one-time inspection of the cargo swing emergency release control and, depending on the results, corrective actions. Corrective actions include adjustment of the cargo swing emergency release control or replacement of the dropping control.

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

Costs of Compliance

The FAA estimates that this AD affects 1,036 helicopters of U.S. registry. Based on these numbers, the FAA estimates the following costs to comply with this AD.

ESTIMATED COSTS				
Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspect cargo swing emergency release control.	1 work-hour × \$85 per hour = \$85	\$0	\$85	\$88,060

The FAA estimates the following costs to do any repairs or replacements that would be required based on the results of the inspection. The agency has no way of determining the number of helicopters that might need this repair.

ON-CONDITION COSTS			
Action	Labor cost	Parts cost	Cost per product
Adjust cargo swing emergency release control	2 work-hours × \$85 per hour = \$170	\$0	\$170
Replace dropping control	1.5 work-hours × \$85 per hour = \$128	3,527	3,655

The FAA has included all known costs in its cost estimate. According to the manufacturer, however, some of the costs of this 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

This AD will not have federalism implications under Executive Order 13132. This AD will not have a

substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

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

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

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

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2025–24–06 Airbus Helicopters: Amendment 39–23202; Docket No. FAA–2025–1363; Project Identifier MCAI–2025–00098–R.

(a) Effective Date

This airworthiness directive (AD) is effective January 12, 2026.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Airbus Helicopters Model AS 350B2, AS 350B3, AS355N, AS355NP, and EC 130 B4 helicopters, certificated in any category, as identified in European Union Aviation Safety Agency AD 2025–0025, dated January 23, 2025 (EASA AD 2025–0025).

(d) Subject

Joint Aircraft System Component (JASC) Code 2500, Cabin Equipment/Furnishings.

(e) Unsafe Condition

This AD was prompted by a report of a loss of cargo load during cargo swing operation on a helicopter due to an incorrect adjustment of the release cable of the cargo swing emergency release control. The FAA is issuing this AD to address the adjustment of the cargo swing emergency release control. The unsafe condition, if not addressed, could result in inflight loss of cargo load and injury to persons on the ground.

(f) Compliance

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

(g) Requirements

Except as specified in paragraphs (h) and (i) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, EASA AD 2025–0025.

(h) Exceptions to EASA AD 2025–0025

(1) Where EASA AD 2025–0025 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where EASA AD 2025–0025 refers to “distance ‘B’”, this AD requires replacing that text with “distance ‘B’, the distance between the ball end and the manual release lever”.

(3) Where EASA AD 2025–0025 refers to “distance ‘C’”, this AD requires replacing that text with “distance ‘C’, the distance between the ball end and the dropping control”.

(4) This AD does not adopt the “Remarks” section of EASA AD 2025–0025.

(i) No Reporting Requirement

Although the material referenced in EASA AD 2025–0025 specifies to submit certain information to the manufacturer, this AD does not require that action.

(j) Special Flight Permits

Special flight permits may be issued in accordance with 14 CFR 21.197 and 21.199 to operate the helicopter to a location where the actions of this AD can be accomplished provided that no external load is carried in the cargo swing.

(k) Alternative Methods of Compliance (AMOCs)

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

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(l) Additional Information

For more information about this AD, contact Steven Warwick, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (817) 222–5225; email: steven.r.warwick@faa.gov.

(m) Material Incorporated by Reference

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

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

(i) European Union Aviation Safety Agency (EASA) AD 2025–0025, dated January 23, 2025.

(ii) [Reserved]

(3) For EASA material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: ADs@easa.europa.eu; website: easa.europa.eu. You may find the EASA material on the EASA website at ad.easa.europa.eu.

(4) You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110.

(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 December 4, 2025.

Steven W. Thompson,

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

[FR Doc. 2025–22279 Filed 12–5–25; 8:45 am]

BILLING CODE 4910–13–P

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

[Docket No. FAA–2025–1735; Project Identifier MCAI–2024–00408–R; Amendment 39–23199; AD 2025–24–04]

RIN 2120–AA64

Airworthiness Directives; Airbus Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is superseding Airworthiness Directive (AD) 2021–20–16, which applied to all Airbus Helicopters Model AS355E, AS 355–F, AS 355–F1, AS355F2, AS355N, and AS355NP helicopters and certain Model AS 350B3 helicopters. AD 2021–20–16 required repetitive cleaning and visual and detailed inspections of the right-hand side of the vertical fin spar and vertical fin upper attachments for discrepancies (cracking) with corrective action, if necessary. Since the FAA issued AD 2021–20–16, Airbus Helicopters developed a modification of the upper fin assembly. This AD requires the same actions as AD 2021–20–16 and replacement of the upper fin assembly with a modified upper fin

assembly, which constitutes a terminating action for the repetitive inspections. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective January 12, 2026.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of January 12, 2026.

ADDRESSES:

AD Docket: You may examine the AD docket at regulations.gov under Docket No. FAA–2025–1735; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

- For European Union Aviation Agency (EASA) material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: ADs@easa.europa.eu; website: easa.europa.eu. You may find the EASA material on the EASA website at ad.easa.europa.eu.

- You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110. It is also available at regulations.gov under Docket No. FAA–2025–1735.

FOR FURTHER INFORMATION CONTACT:

Steven Warwick, Aviation Safety Engineer, FAA, 1600 Stewart Ave., Suite 410, Westbury, NY 11590; phone: (817) 222–5225; email: Steven.R.Warwick@faa.gov.

SUPPLEMENTARY INFORMATION:**Background**

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to supersede AD 2021–20–16, Amendment 39–21754 (86 FR 57550, dated October 18, 2021) (AD 2021–20–16). AD 2021–20–16 applied to Airbus Helicopters Model AS355E, AS 355–F, AS 355–F1, AS355F2, AS355N, and AS355NP helicopters, all serial numbers, and Model AS 350B3 helicopters, all serial numbers except those that have Airbus Helicopters Modification 073148 in production. AD

2021–20–16 required repetitive cleaning and detailed inspections for cracking of the vertical fin spar and vertical fin upper attachments, and corrective action if necessary. The FAA issued AD 2021–20–16 to address cracking in the spar of the upper part of the vertical fin and fractures in the front attachment screws.

The NPRM was published in the **Federal Register** on August 21, 2025 (90 FR 40786). The NPRM was prompted by EASA AD 2024–0139, dated July 12, 2024 (EASA AD 2024–0139) (also referred to as the MCAI), issued by EASA, which is the Technical Agent for the Member States of the European Union. The MCAI states that after a further occurrence of a crack on a Model AS355NP helicopter, EASA concluded there was a need to temporarily reduce the never-exceed-speed (V_{NE}) for all AS355 helicopters. In addition, Airbus Helicopters developed a reinforced upper fin assembly and published service information that provides instructions for this modification. EASA AD 2024–0139 retains the repetitive inspections and V_{NE} limitations in its previous ADs and also requires modification of the helicopter with the reinforced upper fin assembly, which is the terminating action for the inspections and limitations.

In the NPRM, the FAA proposed to require the same actions as AD 2021–20–16 and proposed to require replacement of the upper fin assembly with a modified upper fin assembly, which constitutes a terminating action for the repetitive inspections and limitations.

The FAA is issuing this AD to address cracking in the upper fin spar and fracturing of the front attachment screws. The unsafe condition, if not addressed, could result in in-flight separation of the upper part of the vertical fin and consequent loss of control of the helicopter.

You may examine the MCAI in the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA–2025–1735.

Discussion of Final Airworthiness Directive

Comments

The FAA received a comment from one individual who disagreed with the practice of relying on manufacturer-issued and foreign regulatory documents that are not fully integrated into the rule text. The following presents the comment received on the NPRM and the FAA's response to the comment.

Request To Incorporate Requirements Directly Into the AD

The individual commenter requested that the FAA AD become a stand-alone document. The individual commented that relying on EASA's AD as the base document, and providing exceptions in the FAA's rule, makes the requirements unclear and confusing. The commenter further stated that the AD should comply with plain language guidelines in FAA Order 1000.36.

The FAA disagrees with the request. 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. This AD incorporates EASA AD 2024–0139 by reference. Incorporating information by reference is a common method of federal rulemaking, that is explicitly permitted under 1 CFR 51. As stated in the Incorporation by Reference Handbook, June 2023 Edition, incorporation of relevant, usually technical information (such as the MCAI) promotes efficiency. The commenter did not identify a provision of FAA Order 1000.36A that the IBR practice violates, and none are apparent to the FAA. The complete inspection method, measurable thresholds, and corrective actions are included in EASA AD 2024–0139 and the material referenced in EASA AD 2024–0139, which are available at [regulations.gov](https://www.regulations.gov) under the Docket No. for this AD, FAA–2025–1735. The FAA has not changed this AD in this regard.

Conclusion

These products have been approved by the CAA of another country and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, that authority has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA reviewed the relevant data, considered any comments received, and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products. Except for minor editorial changes, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed EASA AD 2024–0139, which specifies procedures for

amending the rotorcraft flight manual (RFM) and installing a placard to add a speed limitation. EASA AD 2024–0139 allows exceeding the speed limitation on certain maintenance flights and specifies accomplishing an inspection after each flight where the speed is exceeded. EASA AD 2024–0139 also requires repetitively inspecting the right-hand external side around the two top screws of certain upper fin spars for a crack. EASA AD 2024–0139 specifies that installing an upper fin assembly P/N 355A14–0522–1751 constitutes terminating action for the repetitive inspection requirements and the speed limitations. Lastly, EASA AD 2024–0139 prohibits installing affected upper fin assemblies on any helicopter.

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.

Differences Between This AD and the MCAI Referenced Material

While the material referenced in EASA AD 2024–0139 requires accomplishing dye penetrant inspections (DPI), this AD requires a DPI if the affected part has previously been inspected by a DPI method; otherwise, this AD requires a fluorescent penetrant inspection (FPI).

Where EASA AD 2024–0139 and the material referenced in EASA AD 2024–0139 specifies contacting Airbus Helicopters for repair instructions, this AD requires using a method approved by the FAA, EASA, or Airbus Helicopters' EASA Design Organization Approval.

EASA AD 2024–0139 requires informing all flight crew and operating the helicopter accordingly. However, this AD would not specifically require this action because 14 CFR 91.9 requires that no person may operate a civil aircraft without complying with the operating limitations specified in the RFM. Therefore, including a requirement in this AD to operate the helicopter according to the revised RFM would be redundant and unnecessary. Further, compliance with such a requirement in an AD would be impracticable to demonstrate or track on an ongoing basis; therefore, a requirement to operate the airplane in such a manner would be unenforceable.

EASA AD 2024–0139 allows a pilot to perform some actions, and this AD does not.

Costs of Compliance

The FAA estimates that this AD affects 650 helicopters of U.S. registry.

The FAA estimates the following costs to comply with this AD.

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Amend the RFM and install a placard	1 work-hour × \$85 per hour = \$85	\$25	\$110	\$71,500
Clean and inspect the vertical fin spar	2.5 work-hour × \$85 per hour = \$213	0	213	138,450
Modify the upper fin spar	19 work-hour × \$85 per hour = \$1,615	25,360	26,975	17,533,750

The FAA estimates the following costs to do any repairs or replacements

that would be required based on the results of the inspection. The agency has

no way of determining the number of helicopters that might need this repair.

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Perform a DPI or FPI on the upper fin spar	1 work-hours × \$85 per hour = \$85	\$0	\$85

The extent of damage found during the required inspection of the vertical fin spar could vary significantly from helicopter to helicopter. The agency has no way of determining how much damage may be found during these inspections, the cost to repair damaged parts of each helicopter, or the number of helicopters that might need these repairs.

The FAA has included all known costs in its cost estimate. According to the manufacturer, however, some of the costs of this 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 has determined that this AD will not have federalism implications under Executive Order 13132. This AD

will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

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

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

- 2. The FAA amends § 39.13 by:
- a. Removing Airworthiness Directive 2021–20–16, Amendment 39–21754 (86 FR 57550, dated October 18, 2021); and
 - b. Adding the following new airworthiness directive:

2025–24–04 AIRBUS HELICOPTERS:
Amendment 39–23199; Docket No.

FAA–2025–1735; Project Identifier
MCAI–2024–00408–R.

(a) Effective Date

This airworthiness directive (AD) is effective January 12, 2026.

(b) Affected ADs

This AD replaces AD 2021–20–16, Amendment 39–21754 (86 FR 57550, dated October 18, 2021).

(c) Applicability

This AD applies to Airbus Helicopters Model AS 350B3, AS355E, AS 355–F, AS 355–F1, AS355F2, AS355N, and AS355NP helicopters, certificated in any category, as identified in European Union Aviation Safety Agency AD 2024–0139, dated July 12, 2024 (EASA AD 2024–0139).

(d) Subject

Joint Aircraft System Component (JASC) Code 5531, Vertical Stabilizer, Spar/Rib Structure.

(e) Unsafe Condition

This AD was prompted by a report of a structural crack in the vertical attachment spar of the upper tail fin and fractures in its two front attachment screws. The FAA is issuing this AD to address cracking in the upper fin spar and fracturing of the front attachment screws. The unsafe condition, if not addressed, could result in in-flight separation of the upper part of the vertical fin and consequent loss of control of the helicopter.

(f) Compliance

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

(g) Requirements

Except as specified in paragraphs (h) and (i) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, EASA AD 2024–0139.

(h) Exceptions to EASA AD 2024–0139

(1) Where EASA AD 2024–0139 requires compliance in terms of flight hours, this AD requires using hours time-in-service.

(2) Where EASA AD 2024–0139 refers to its effective date or to any of the dates listed in paragraphs (h)(2)(i) through (iv) of this AD, this AD requires using the effective date of this AD.

(i) July 12, 2017 (the effective date of EASA AD 2017–0114, dated June 28, 2017).

(ii) April 23, 2021 (the effective date of EASA AD 2021–0099, dated April 9, 2021).

(iii) April 14, 2023 (the effective date of EASA AD 2023–0075, dated April 7, 2023).

(iv) May 18, 2023 (the effective date of EASA AD 2023–0089, dated May 4, 2023).

(3) Where paragraph (1) of EASA AD 2024–0139 specifies to inform all flight crew and operate the helicopter accordingly, this AD does not require those actions as those actions are already required by existing FAA operating regulations (see 14 CFR 91.505 and 14 CFR 135.21).

(4) Although the material referenced in EASA AD 2024–0139 allows some actions to be performed by a pilot, this AD does not.

(5) Where the material referenced in EASA AD 2024–0139 states “if you are not sure”, this AD requires replacing that text with “to confirm suspected cracks (scratch, line, misalignment, etc.)”.

(6) Where the material referenced in EASA AD 2024–0139 states to do a dye-penetrant inspection (DPI), this AD requires the actions in paragraph (h)(6)(i), (ii), or (iii) of this AD, as applicable:

(i) If the right-hand (RH) side of the spar (a) has previously been inspected by a DPI method, accomplish a DPI of the RH side of the spar (a).

(ii) If the RH side of the spar (a) has not previously been inspected by a DPI, accomplish a fluorescent penetrant inspection (FPI) of the RH-hand side of the spar (a), instead of a DPI.

(iii) If you cannot determine whether the RH side of the spar (a) has previously been inspected by a DPI, clean all surfaces to be inspected and accomplish an FPI of the RH side of the spar (a) instead of a DPI.

Note 1 to paragraph (h)(6)(iii): Work Card 20–02–09–101 (MTC) contains DPI information related to this AD.

Note 2 to paragraph (h)(6)(iii): When entering compliance with the applicable paragraph of the AD into the helicopter maintenance records, explicitly documenting that a dye penetrant inspection was performed improves the accuracy of maintenance records regarding use of dye penetrant inspection dye.

(7) Where the material referenced in EASA AD 2024–0139 refers to damage, for this AD, damage is defined as looseness, corrosion, broken or missing lockwire, loss of protective surface finish, deformation, fracture, crack, or nick.

(8) Where paragraph (8) of EASA AD 2024–0139 states “maintenance flight”, this AD requires replacing that text with “flight to perform an operational check as specified in 14 CFR 91.407”.

(9) Where paragraph (10) of EASA AD 2024–0139 and the material referenced in EASA AD 2024–0139 specify contacting

Airbus Helicopters for repair instructions, this AD requires using a repair method approved by the FAA, EASA, or Airbus Helicopters’ EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(10) Where the material referenced in EASA AD 2024–0139 specifies to discard parts, this AD requires removing those parts from service.

(11) Where paragraph (16) of EASA AD 2024–0139 only allows credit for the initial actions in paragraphs (4) through (9) of EASA AD 2024–0139, this AD allows credit for any action in paragraphs (4) through (9) of EASA AD 2024–0139.

(12) This AD does not adopt the “Remarks” section of EASA AD 2024–0139.

(i) No Reporting Requirement

Although the material referenced in EASA AD 2024–0139 specifies to submit certain information to the manufacturer, this AD does not require that action.

(j) Alternative Methods of Compliance (AMOCs)

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

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local Flight Standards District Office/ certificate holding district office.

(k) Additional Information

For more information about this AD, contact Steven Warwick, Aviation Safety Engineer, FAA, 1600 Stewart Ave., Suite 410, Westbury, NY 11590; phone: (817) 222–5225; email: steven.r.warwick@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 the AD specifies otherwise.

(i) European Union Aviation Safety Agency (EASA) AD 2024–0139, dated July 12, 2024.

(ii) [Reserved]

(3) For EASA material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: ADs@easa.europa.eu; website: easa.europa.eu. You may find the EASA material on the EASA website at ad.easa.europa.eu.

(4) You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110.

(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 November 19, 2025.

Steven W. Thompson,

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

[FR Doc. 2025–22234 Filed 12–5–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 71**

[Docket No. **FAA–2025–0632; Airspace**
Docket No. **24–ASW–23**]

RIN 2120–AA66

Establishment of Class E Airspace; Zuni, NM

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes Class E airspace at Zuni, NM. This action supports new instrument procedures and instrument flight rule (IFR) operations.

DATES: Effective 0901 UTC, May 14, 2026. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

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

FAA Order JO 7400.11K, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at www.faa.gov/air_traffic/publications/. You may also contact the Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8783.

FOR FURTHER INFORMATION CONTACT: Raul Garza Jr., Federal Aviation Administration, Operations Support

Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222-5874.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it establishes Class E airspace extending upward from 700 feet above the surface at Andrew Othole Memorial Airport, Zuni, NM, to support IFR operations at this airport.

History

The FAA published an NPRM for Docket No. FAA-2025-0632 in the **Federal Register** (90 FR 24355; June 10, 2025) proposing to establish Class E airspace at Zuni, NM. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Incorporation by Reference

Class E airspace designations are published in paragraph 6005 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document amends the current version of that order, FAA Order JO 7400.11K, dated August 4, 2025, and effective September 15, 2025. These amendments will be published in the next update to FAA Order JO 7400.11. FAA Order JO 7400.11K, which lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points, is publicly available as listed in the **ADDRESSES** section of this document. and adjustment are therefore included in this action.

The Rule

This action modifies 14 CFR part 71 by establishing Class E airspace extending upward from 700 feet above the surface to within an 8.5-mile radius of Andrew Othole Memorial Airport, Zuni, NM. This action is the result of instrument procedures being developed

for this airport to support IFR operations.

Regulatory Notices and Analyses

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

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1G, "FAA National Environmental Policy Act Implementing Procedures," paragraph B-2.5(a), which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points); and paragraph B-2.5(k), which categorically excludes from further environmental impact review the publication of existing air traffic control procedures that do not essentially change existing tracks, create new tracks, change altitude, or change concentration of aircraft on these tracks. As such, this action is not expected to result in any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

Lists of Subjects in 14 CFR 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

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

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

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

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

§ 71.1 [Amended]

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

Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.

* * * * *

AWP NM E5 Zuni, NM [Establish]

Andrew Othole Memorial Airport, NM
(Lat 35°03'38" N, long 108°56'15" W)

That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the Andrew Othole Memorial Airport, and within 2 miles each side of the 069° bearing from the airport extending from the 8.5-mile radius to 14.3 miles northeast of the airport, and within 2 miles each side of the 249° bearing from the airport extending from the 8.5-mile radius to 15.9 miles southwest of the airport.

* * * * *

Issued in Fort Worth, Texas, on December 1, 2025.

Jerry J. Creecy,

*Acting Manager, Operations Support Group,
ATO Central Service Center.*

[FR Doc. 2025-22145 Filed 12-5-25; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

24 CFR Parts 5, 888, 903, 982, 983, and 985

[Docket No. FR-6092-F-05]

RIN 2577-AD06

Housing Opportunity Through Modernization Act of 2016—Housing Choice Voucher (HCV) and Project-Based Voucher Implementation; Additional Streamlining Changes; Technical Amendments

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Final rule; technical amendments.

SUMMARY: In reviewing HUD's May 7, 2024, final rule Housing Opportunity

Through Modernization Act of 2016-Housing Choice Voucher (HCV) and Project-Based Voucher Implementation; Additional Streamlining Changes, HUD discovered minor errors and provisions that would benefit from clarification. This rule corrects those technical errors, updates references, and makes clarifying amendments.

DATES: This rule is effective January 7, 2026.

FOR FURTHER INFORMATION CONTACT: For information regarding this correction, contact Ryan Jones, Director, Housing Voucher Management and Operations Division, Department of Housing and Urban Development, 451 7th Street SW, Washington, DC 20011; telephone number 202-708-1112 (this is not a toll-free number); email HOTMAVoucher@hud.gov. HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech and communication disabilities. To learn more about how to make an accessible telephone call, please visit <https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs>.

SUPPLEMENTARY INFORMATION:

I. Background

On May 7, 2024, HUD published a final rule amending HUD's regulations to implement changes to the Housing Choice Voucher (HCV) and Project-Based Voucher (PBV) programs made by the Housing Opportunity Through Modernization Act of 2016 (HOTMA) (89 FR 38224) (FR Doc. 2024-08601) (HOTMA Voucher Final Rule). The HOTMA Voucher Final Rule intended to reduce the burden on public housing agencies, by either modifying requirements or simplifying and clarifying existing regulatory language. On May 28, 2024, HUD published a Correction addressing five errors made in the HOTMA Voucher Final Rule. In reviewing the HOTMA Voucher Final Rule and the Correction, HUD identified additional inadvertent errors as well as provisions with unclear language. This rule corrects the inadvertent errors and clarifies regulatory requirements.

II. Changes Made in This Final Rule

The following is an overview of the changes made to 24 CFR parts 5, 888, 903, 982, 983, and 985 in this final rule.

§ 5.100 and § 5.504 Definitions of Responsible Entity

This final rule revises the definition of "Responsible entity" in part 5, subparts A and E. In the HOTMA Voucher Final Rule, HUD intended to amend the definitions to remove

reference to the certificate program only. However, HUD inadvertently added a reference to the Section 235 Program in § 5.100 and removed references to several programs in § 5.504. This final rule corrects the definitions.

§ 888.113 Fair Market Rents for Existing Housing: Methodology

The HOTMA Voucher Final Rule revised § 888.113(h)(1) to clarify that the PHA and owner may mutually agree to apply Small Area fair market rents (Small Area FMRs) to a PBV project where the project was selected before "either or both" the Small Area FMR designation and the PHA administrative policy. Prior to the HOTMA Voucher Final Rule, the regulatory text only stated "both" which inadvertently created confusion with respect to projects selected between the two events (the Small Area FMR designation and the PHA administrative policy extending Small Area FMRs to future PBV projects). HUD made the technical correction to paragraph (h)(1) to clarify that if the PHA is applying the Small Area FMRs to future PBV projects, the PHA may also establish a policy to extend the use of Small Area FMRs to current PBV projects, including those projects selected after the Small Area FMR designation but prior to the effective date of the PHA administrative policy, if the owner is willing to do so.

HUD has subsequently realized that § 888.113(h)(3) and (4) also require technical corrections. The correction in paragraph (h)(3)(ii) reflects the changes made in the HOTMA Voucher Final Rule. A PHA administering an HCV program in either a metropolitan area not subject to the application of Small Area FMRs or in a non-metropolitan area for which HUD publishes Small Area FMRs may now choose to use Small Area FMRs after notification to HUD; HUD is no longer required to approve such PHA requests to voluntarily use Small Area FMRs, per § 888.113(c)(3).

The correction in § 888.113(h)(4) clarifies that the term "effective date" in regard to the PHA administrative policy means the effective date of the policy in the PHA Administrative Plan that has been formally adopted by the PHA Board of Commissioners or other authorized PHA officials in accordance with 24 CFR 982.54(a). The current regulatory language has created confusion because it does not contemplate a situation where the PHA Board adopts the PBV Small Area FMR policy but provides that the policy does not go into effect until a specific date in the future. For example, the Board adopts the revision to the

Administrative Plan on September 7, 2025, but provides in the revised Administrative Plan that the effective date of the new PBV Small Area FMR policy is January 1, 2026. HUD is concerned the existing text could be misconstrued to mean HUD is prohibiting the Board from establishing a future effective date beyond the actual date upon which Board formally adopted the proposed PBV Small Area FMR revision to the Administrative Plan, which was not the intent and which is clarified in this final rule.

§ 903.7 What information must a PHA provide in the Annual Plan?

In this final rule, HUD is simplifying the language of § 903.7(b)(3) by putting a sentence into list format.

§ 982.205 Waiting List: Different Programs

Section 982.205(a)(2)(i) and (ii) are amended to clarify that the reference to the PBV waiting list includes any owner-maintained waiting list. This clarifying language was added throughout the PBV regulations in the HOTMA Voucher Final Rule but was inadvertently left out of the HCV regulations. The correction does not add any new requirements.¹

§ 982.405 and § 982.406 Consistent Inclusion of Tenant-Based Lease Protection Provision and Clarifying Timing

24 CFR 982.404(d) was added in the HOTMA Voucher Final Rule to explain remedies for Housing Quality Standards (HQS) deficiencies identified during inspections other than the initial inspection, because initial inspections have separate requirements; generally, the unit must have no deficiencies before the family can move to and be assisted in the unit, but the PHA may use the alternative inspection option, the non-life-threatening (NLT) deficiencies option, or both (24 CFR 982.405(j), 982.406(e)-(f)) to enable the assisted tenancy to begin earlier. In creating this regulatory structure, HUD did not include a provision mirroring 24 CFR 982.404(d)(3), respecting families' protection from and options for lease termination during a period of withholding or abatement, in each of the paragraphs governing the inspection flexibilities for tenant-based HCV. The inspection flexibilities are governed by parallel provisions in the PBV program, and all of those PBV provisions (24 CFR

¹ See 983.251(c)(7)(ix) "All HCV waiting list administration requirements that apply to the PBV program (24 CFR part 982, subpart E, other than 24 CFR 982.201(e), 982.202(b)(2), and 982.204(d)) apply to owner-maintained waiting lists."

983.103(c)(2)(vi), (c)(3)(viii), and (c)(4)(vi)) do contain a provision mirroring 24 CFR 982.404(d)(3). The omission from 24 CFR 982.405(j), 982.406(e)–(f) is corrected in this final rule by the addition of new paragraphs at §§ 982.405(j)(7), 982.406(e)(7), and 982.406(f)(7). The new paragraphs do not add new requirements. They mirror the existing § 982.404(d)(3) and are included in §§ 982.405–406 for clarity and consistency.

Additionally, HUD is clarifying the description of the PHA policy on termination after a prolonged period of deficiencies in §§ 982.405(j)(6)(ii), 982.406(e)(6)(ii), and 982.406(f)(6)(ii) by changing “The date by which” to “The number of days after which”. This language mirrors the project-based voucher regulations. HUD believes the new language is clearer and also avoids implying by differing language that the PHA is required to enact different policies depending on the type of inspection flexibility and program (tenant-based vs. project-based).

§ 983.3 PBV Definitions

In the Final HOTMA Voucher Rule, HUD made changes to the definitions of “independent entity” in § 982.4 but failed to make the mirroring changes to § 983.3. The definitions should be the same. The § 983.3 definitions should read: “*Independent entity*. See 24 CFR 982.4”.

§ 983.103 Inspecting Units

In the Final HOTMA Voucher Rule, HUD established provisions in § 983.103(c) for initial inspections of existing housing using the NLT option, the alternative inspections option, and the use of both of the foregoing options together. In doing so, each option is described separately in paragraphs (c)(2), (c)(3), and (c)(4), with each laying out the process to execute the HAP contract, inspect and correct deficiencies, occupy, make housing assistance payments (HAP), and remedy continued deficiencies for the PBV units under the option. In some cases, a provision expressly referencing an aspect of the process was unintentionally omitted from one or two options or differed from option to option in a manner that could be misinterpreted as substantively different requirements. HUD is resolving the discrepancies here to ensure the regulations accurately reflect the intended consistency between the three options on matters that are applicable to more than one option. These revisions do not substantively change the regulations, but rather provide consistent verbiage and structure to

prevent confusion when following the regulatory requirements.

§ 983.208 Condition of Contract Units

In codifying provisions of HOTMA that had not previously been implemented, the HOTMA Voucher Final Rule was intended to align corresponding PBV and HCV regulations, except where a provision was inapplicable to one of the programs. Consequently, § 983.208(d)(3) should mirror § 982.404(d)(3) to require families to notify both the PHA and owner of termination of tenancy. Section 983.208(d)(3) is amended here to align with the HCV provision at § 982.404(d)(3), which correctly reflects that notification to the PHA is necessary for the PHA to continue a family’s assistance when the family terminates its assisted tenancy in a unit to which HAPs are abated due to HQS deficiencies. HUD believes the public would have expected reference to this necessary step to comprehensively codify this operation in the regulatory text and makes this change accordingly.

§ 983.212 Substantial Improvement to Units Under a HAP Contract

This final rule amends § 983.212(a)(3)(iii)(C) to add clarifying language which matches the corresponding provision in § 983.157(g)(6)(iii)(C). HUD is also correcting a reference from paragraph (b)(1) to (b)(6).

§ 983.260 Overcrowded, Under-Occupied, and Accessible Units

24 CFR 983.260(c)(1) was intended to only apply where a PHA made an offer of continued housing assistance under § 983.260(b)(1), not where a PHA takes action under § 983.260(b)(2). While this limited applicability is implied by the inclusion of different procedural requirements in § 983.260(b)(2), this rule adds clarifying language to § 983.260(c)(1) to ensure there is no ambiguity regarding the inapplicability of the provision to actions taken under § 983.260(b)(2).

Proposal or Project Selection Date— §§ 983.3, 983.51, and 983.204

This final rule updates language to ensure the consistent use of the term “the proposal or project selection date.” Additionally, § 983.3(b) is amended to use this term instead of “the date of selection.” §§ 983.51 and 983.204 are amended to clarify requirements that apply to both the proposal or project selection date and/or to switch the order of the words “project” and “proposal” for consistent use of the term “the proposal or project selection date”.

Substantial Improvement Corrections— §§ 983.3 and 983.212

This final rule amends §§ 983.3(b) and 983.212(a) to clarify the distinction between completing substantial improvement and development activity for units under a HAP contract. The intention of the HOTMA Voucher Final Rule, as stated in its preamble, was to create separate, distinct processes for completing development activity versus substantial improvement. The current language of § 983.212 provides that development activity is an exception to the option to conduct substantial improvement which could be interpreted as allowing the same work to qualify as both, which would result in the work being disallowed under either process. This final rule clarifies the two distinct processes for completing substantial improvements and development activity for units under a HAP contract.

Technical Corrections

HUD is also making a number of technical corrections in this final rule. In § 983.51, HUD is adding the word “and” between paragraphs (e)(2)(ii) and (iii) to clarify that the paragraphs are a list. In § 983.59, HUD is removing the duplicative word “or” from paragraph (b)(2)(ii) in the list made up of paragraphs (b)(2)(i)–(iv) and removing the capitalization of the word “for” in paragraphs 983.59(b)(1)(iii) and (b)(2)(iii)(C).

In § 983.153(c)(1), HUD is updating an incorrect reference from 983.157(a) to 983.157(b)(2) to correctly cite the paragraph referring to development activity occurring before an Agreement or HAP contract. HUD is also updating a reference in § 983.262(d)(3)(iii) on supporting services from paragraph(c)(2) to (d)(3)(ii). This final rule will correct the citation in § 985.3 from “2 CFR Subpart F” to “2 CFR part 200, subpart F”.

In § 982.4 and § 982.516, HUD is correcting paragraph numbering.

Finally, HUD is correcting words that were inadvertently left out of paragraphs or wrongly included. Section 983.103(c)(4) is missing the word “inspection”. Section 983.206(b)(3) incorrectly referred to “tenant-based utilities” when it should refer to “tenant-paid utilities”.

III. Justification for Final Rulemaking

In general, HUD publishes a rule for public comments before issuing a rule for effect, in accordance with HUD’s regulations on rulemaking at 24 CFR part 10. However, part 10 provides for exceptions to the general rule where

HUD finds that public comment would be “impracticable, unnecessary or contrary to the public interest” (24 CFR 10.1).

HUD finds that good cause exists to publish this final rule for effect without first soliciting public comments. The amendments made in this rule are technical, to provide further clarity, and correct grammar and references. Furthermore, HUD believes that the public comments submitted in response to the HOTMA Voucher Final Rule on these topics, and HUD’s responses to public comments provide HUD with a solid basis to make the conforming changes in this final rule.

IV. Findings and Certifications

Regulatory Review—Executive Orders 12866 and 13563

Executive Orders 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health, and safety effects; distributive impacts; and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. Under Executive Order 12866 (Regulatory Planning and Review), a determination must be made whether a regulatory action is significant and, therefore, subject to review by the Office of Management and Budget (OMB) in accordance with the requirements of the order. In this final rule, HUD is making technical corrections and clarifying amendments to avoid potential confusion. The changes are technical in nature; HUD is not introducing any new regulatory changes or rationales that differ in substance from the HOTMA Voucher Final Rule. This rule was not subject to OMB review. This rule is not a “significant regulatory action” as defined in Section 3(f) of Executive Order 12866 and is not an economically significant regulatory action.

Regulatory Costs—Executive Order 14192

Executive Order 14192 (Unleashing Prosperity Through Deregulation) requires that any new incremental costs associated with new regulations shall, to the extent permitted by law, be offset by the elimination of existing costs associated with at least 10 prior regulations. This interim final rule reduces regulatory burden because it

makes amendments clarifying existing regulations.

Federalism—Executive Order 13132

Executive Order 13132 (Federalism) prohibits an agency from publishing any rule that has federalism implications if the rule either imposes substantial direct compliance costs on state and local governments and is not required by statute, or the rule preempts state law, unless the agency meets the consultation and funding requirements of section 6 of the Executive Order. This final rule makes clarifying amendments. It does not have federalism implications and does not impose substantial direct compliance costs on state and local governments nor does it preempt state law within the meaning of the Executive Order.

Environmental Impact

In assessing the environmental impact of the HOTMA Voucher Final Rule, HUD prepared a Finding of No Significant Impact (FONSI) in accordance with HUD regulations in 24 CFR part 50 that implement section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)). The FONSI is available online at www.regulations.gov. Accordingly, under 24 CFR 50.19(c)(4) this notice is categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321).

Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) (RFA) generally requires an agency to conduct a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements, unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Because HUD has determined that good cause exists to issue this rule without prior public comment, this rule is not subject to the requirement to publish an initial or final regulatory flexibility analysis under the RFA as part of such action.

List of Subjects

24 CFR Part 5

Administrative practice and procedure, Aged, Claims, Crime, Government contracts, Grant programs—housing and community development, Individuals with disabilities, Intergovernmental relations, Loan programs—housing and community development, Low and moderate income housing, Mortgage insurance, Penalties, Pets, Public

housing, Rent subsidies, Reporting and recordkeeping requirements, Social security, Unemployment compensation, Wages.

24 CFR Part 888

Grant programs—housing and community development, rent subsidies.

24 CFR Part 903

Administrative practice and procedure, Public housing, Reporting and recordkeeping requirements.

24 CFR Part 982

Grant programs—housing and community development, Grant programs—Indians, Indians, Public housing, Rent subsidies, Reporting and recordkeeping requirements.

24 CFR Part 983

Grant programs—housing and community development, Low and moderate income housing, Rent subsidies, Reporting and recordkeeping requirements.

24 CFR Part 985

Grant programs—housing and community development, Public housing, Rent subsidies, Reporting and recordkeeping requirements.

For the reasons stated in the preamble, HUD amends 24 CFR parts 5, 888, 903, 982, 983, and 985 as follows:

PART 5—GENERAL HUD PROGRAM REQUIREMENTS; WAIVERS

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

Authority: 12 U.S.C. 1701x; 42 U.S.C. 1437a, 1437c, 1437f, 1437n, 3535(d); 42 U.S.C. 2000bb *et seq.*; 34 U.S.C. 12471 *et seq.*; Sec. 327, Pub. L. 109–115, 119 Stat. 2396; E.O. 13279, 67 FR 77141, 3 CFR, 2002 Comp., p. 258; E.O. 13559, 75 FR 71319, 3 CFR, 2010 Comp., p. 273; E.O. 14015, 86 FR 10007, 3 CFR, 2021 Comp., p. 517.

■ 2. Amend § 5.100 by revising and republishing the definition of “Responsible entity” to read as follows:

§ 5.100 Definitions.

* * * * *

Responsible entity means:

(1) For the public housing program, the Section 8 tenant-based assistance program (part 982 of this title), the Section 8 project-based voucher program (part 983 of this title), and the Section 8 moderate rehabilitation program (part 882 of this title), the PHA administering the program under an ACC with HUD.

(2) For all other Section 8 programs, the Section 8 project owner.

* * * * *

- 3. Amend § 5.504 by revising and republishing the definition of “Responsible entity” to read as follows:

§ 5.504 Definitions.

* * * * *

Responsible entity means the person or entity responsible for administering the restrictions on providing assistance to noncitizens with ineligible immigrations status. The entity responsible for administering the restrictions on providing assistance to noncitizens with ineligible immigration status under the various covered programs is as follows:

(1) For the Section 235 Program, the mortgagee.

(2) For Public Housing, the Section 8 tenant-based assistance, the Section 8 project-based voucher, and the Section 8 Moderate Rehabilitation programs, the PHA administering the program under an ACC with HUD.

(3) For all other Section 8 programs, the Section 236 Program, and the Rent Supplement Program, the owner.

* * * * *

PART 888—SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAM—FAIR MARKET RENTS AND CONTRACT RENT ANNUAL ADJUSTMENT FACTORS

- 4. The authority citation for part 888 continues to read as follows:

Authority: 42 U.S.C. 1437f and 3535d.

- 5. Amend § 888.113 by revising paragraphs (h)(3)(ii) and (4) to read as follows:

§ 888.113 Fair market rents for existing housing: Methodology.

* * * * *

(h) * * *

(3) * * *

(ii) The date that the PHA notified HUD it will use Small Area FMRs for its HCV program, as applicable.

(4) For purposes of this section, the term “effective date” when used in reference to the PHA administrative policy means the effective date of the policy in the PHA Administrative Plan that has been formally adopted by the PHA Board of Commissioners or other authorized PHA officials in accordance with 24 CFR 982.54(a).

* * * * *

PART 903—PUBLIC HOUSING AGENCY PLANS

- 6. The authority citation for part 903 continues to read as follows:

Authority: 42 U.S.C. 1437c; 42 U.S.C. 1437c–1; Pub. L. 110–289; 42 U.S.C. 3535d.

- 7. Amend § 903.7 by revising paragraph (b)(3) to read as follows:

§ 903.7 What information must a PHA provide in the Annual Plan?

* * * * *

(b) * * *

(3) *Other admissions policies.* The PHA’s admission policies that include any other PHA policies that govern eligibility, selection, and admissions for the public housing (see part 960 of this title), tenant-based assistance (see part 982, subpart E of this title), and project-based assistance (see part 982, subpart E of this title except as provided in § 983.3, and part 983, subpart F) programs. (The information requested on site-based waiting lists and deconcentration is applicable only to public housing.)

* * * * *

PART 982—SECTION 8 TENANT-BASED ASSISTANCE: HOUSING CHOICE VOUCHER PROGRAM

- 8. The authority citation for part 982 continues to read as follows:

Authority: 42 U.S.C. 1437f and 3535(d).

§ 982.205 [Amended]

- 9. Amend § 982.205, in paragraphs (a)(2)(i) and (ii), by removing the text “project-based voucher program or moderate rehabilitation”, wherever it appears, and adding, in its place, the text “project-based voucher program (including any owner-maintained waiting list), or moderate rehabilitation”.

- 10. Amend § 982.405 by:

■ a. In paragraph (j)(6)(ii), removing the text “The date by which” and adding, in its place, the text “The number of days after which”; and

■ b. Adding paragraph (j)(7).

The addition reads as follows:

§ 982.405 PHA unit inspection.

* * * * *

(j) * * *

(7) The owner may not terminate the tenancy of the family due to the withholding or abatement of assistance under this paragraph (j). During the period that assistance is abated, the family may terminate the tenancy by notifying the owner and the PHA. If the family chooses to terminate the tenancy, the HAP contract will automatically terminate on the effective date of the tenancy termination or the date the family vacates the unit, whichever is earlier. The PHA must promptly issue the family its voucher to move.

- 11. Amend § 982.406 by:

■ a. In paragraphs (e)(6)(ii), removing the text “The date by which” and

adding, in its place, the text “The number of days after which”;

■ b. Adding paragraph (e)(7);

■ c. In paragraph (f)(6)(ii), removing the text “The date by which” and adding, in its place, the text “The number of days after which”; and

■ d. Adding paragraph (f)(7).

The additions read as follows

§ 982.406 Use of alternative inspections.

* * * * *

(e) * * *

(7) The owner may not terminate the tenancy of the family due to the withholding or abatement of assistance under this paragraph (e). During the period that assistance is abated, the family may terminate the tenancy by notifying the owner and the PHA. If the family chooses to terminate the tenancy, the HAP contract will automatically terminate on the effective date of the tenancy termination or the date the family vacates the unit, whichever is earlier. The PHA must promptly issue the family its voucher to move.

* * * * *

(f) * * *

(7) The owner may not terminate the tenancy of the family due to the withholding or abatement of assistance under this paragraph (f). During the period that assistance is abated, the family may terminate the tenancy by notifying the owner and the PHA. If the family chooses to terminate the tenancy, the HAP contract will automatically terminate on the effective date of the tenancy termination or the date the family vacates the unit, whichever is earlier. The PHA must promptly issue the family its voucher to move.

* * * * *

§ 982.516 [Amended]

- 12. Amend § 982.516 by redesignating paragraphs (f)(i) and (ii) as paragraphs (f)(1) and (2).

PART 983—PROJECT-BASED VOUCHER (PBV) PROGRAM

- 13. The authority citation for part 983 continues to read as follows:

Authority: 42 U.S.C. 1437f and 3535(d).

- 14. In § 983.3, amend paragraph (b) by:

■ a. Revising the definition of “Independent entity”;

■ b. In the definition of “Newly constructed housing”, removing the text “after the date of selection for” and adding, in its place, the text “after the proposal or project selection date for”; and

■ c. Revising the introductory text of the definition of “Substantial improvement”.

The revisions read as follows:

§ 983.3 PBV definitions.

* * * * *

(b) * * *

Independent entity. See 24 CFR 982.4.

* * * * *

Substantial improvement. One of the following activities undertaken at a time beginning from the proposal submission date (for projects subject to competitive selection) or from the project selection date (for projects excepted from competitive selection), or undertaken during the term of the PBV HAP contract, except that development activity performed for rehabilitated housing or newly constructed housing shall not also qualify as substantial improvement:

* * * * *

§ 983.51 [Amended]

■ 15. Amend § 983.51 by:

■ a. Adding the word “and” after the semicolon at the end of paragraph (e)(2)(ii);

■ b. In paragraph (f)(4), removing the text “project or proposal” wherever it appears, and adding, in its place, the text “proposal and project”, and removing the citation to “983.56(c)” and adding, in its place, a citation to “§ 983.56(c)”;

■ c. In the first sentence of paragraph (h), removing the text “project” wherever it appears, and adding, in its place, the text “proposal or project”;

■ d. In paragraph (i), removing the text “proposal”, and adding, in its place, the text “proposal or project”;

■ e. In paragraph (j), removing the text “projects or owners” in the first sentence and adding, in its place, the text “proposals, projects, or owners”, and removing the text “owner proposal” in the second sentence and adding, in its place, the text “proposal or project”;

■ f. In paragraph (k), removing the text “project” and adding, in its place, the text “proposal or project”.

■ 16. Amend § 983.59 by revising paragraph (b)(1)(iii), removing the word “or” after the semicolon at the end of paragraph (b)(2)(ii), and revising paragraph (b)(2)(iii)(C) to read as follows:

§ 983.59 Units excluded from program cap and project cap.

* * * * *

(b) * * *

(1) * * *

(iii) Housing for the Elderly (Section 202 of the Housing Act of 1959);

* * * * *

(2) * * *

(iii) * * *

(C) Housing for the Elderly (Section 202 of the Housing Act of 1959);

* * * * *

■ 17. Amend § 983.103 by:

■ a. Revising the second sentence of paragraph (c)(2)(vi), the last sentence of paragraph (c)(3)(ii), and the second sentence of paragraph (c)(3)(iii);

■ b. In paragraph (c)(3)(v), adding a sentence after the first sentence;

■ c. In paragraph (c)(3)(vi), removing the text “the date by which” and adding, in its place, the text “the number of days after which”; and

■ d. Revising the second sentence of paragraph (c)(3)(viii), heading of paragraph (c)(4), paragraph (c)(4)(i), the first sentence of paragraph (c)(4)(ii), paragraph (c)(4)(iii), the last sentence of paragraph (c)(4)(iv), the third and fourth sentences of paragraph (c)(4)(v), and the first sentence of paragraph (c)(4)(vi) introductory text.

The revisions and addition read as follows:

§ 983.103 Inspecting units.

* * * * *

(c) * * *

(2) * * *

(vi) * * * During the period the assistance is abated, a family may terminate the tenancy by notifying the owner and the PHA, and the PHA must provide the family tenant-based assistance. * * *

(3) * * *

(ii) * * * A family referred from the waiting list may decline to accept an offered unit due to unit conditions and remain on the waiting list.

(iii) * * * If the family reports a deficiency to the PHA prior to the PHA’s inspection, the PHA must inspect the unit within the time period required under paragraph (f) of this section or within 30 days of the proposal or project selection date, whichever time period ends first.

* * * * *

(v) * * * The PHA must not refer families from the PBV waiting list to occupy units with deficiencies. * * *

(viii) * * * During the period the assistance is abated, a family may terminate the tenancy by notifying the owner, and the PHA must provide the family tenant-based assistance. * * *

(4) *Initial inspection—use of both the NLT and alternative inspection options.* * * *

(i) If the owner agrees to both the NLT option and the alternative inspection option, then the PHA notifies all families (any eligible in-place family (§ 983.251(d)) or any family referred

from the PBV waiting list that will occupy the unit before the PHA conducts the HQS inspection) that both the NLT option and the alternative inspection option will be used for the family’s unit. As part of this notification, the PHA must provide the family with the PHA’s list of HQS deficiencies that are considered life-threatening. A family referred from the waiting list may decline to move into a unit due to unit conditions and remain on the waiting list. Following inspection (see paragraph (c)(4)(ii) of this section), the PHA must provide any family referred from the PBV waiting list that will occupy a unit with non-life-threatening deficiencies a list of the non-life-threatening deficiencies identified by the initial HQS inspection and an explanation of the maximum amount of time the PHA will withhold HAP before abating assistance if the owner does not complete the repairs within 30 days. The PHA must also inform the family that if the family accepts the unit and the owner fails to make the repairs within the cure period, which may not exceed 180 days from the effective date of the HAP contract, the PHA will remove the unit from the HAP contract, and the family will be issued a voucher to move to another unit in order to receive voucher assistance. If the PHA’s Administrative Plan provides that the PHA will terminate the PBV HAP contract if the owner fails to correct deficiencies in any unit in the project within the cure period, then, following inspection, the PHA must also provide the notice described in this paragraph to families referred to units without any deficiencies. The family referred from the waiting list may choose to decline the unit and remain on the waiting list.

(ii) The PHA executes the HAP contract with the owner on the basis of an inspection in the previous 24 months using an alternative inspection that meets the requirements of 24 CFR 982.406. * * *

(iii) The PHA may not commence housing assistance payments to the owner until the PHA has inspected all the units under the HAP contract.

(iv) * * * Once the deficiencies are corrected, the PHA must use the withheld housing assistance payments to make payments for the period that payments were withheld.

(v) * * * The owner must correct all life-threatening deficiencies within no more than 24 hours of notification from the PHA. For other deficiencies, the owner must correct the deficiency within no more than 30 calendar days (or any PHA-approved extension) of notification from the PHA. * * *

(vi) The owner may not terminate the tenancy of a family because of the withholding or abatement of assistance payments. * * *

* * * * *

§ 983.153 [Amended]

■ 18. In § 983.153, amend paragraph (c)(1) by removing the citation “983.157(a)” and adding in its place the citation “983.157(b)(2)”.

§ 983.204 [Amended]

■ 19. In § 983.204, amend paragraph (b) by removing the text “owner proposal” and adding, in its place, the text “proposal or project”.

§ 983.206 [Amended]

■ 20. In § 983.206, amend paragraph (b)(3) by removing the text “tenant-based utilities” and adding, in its place, the text “tenant-paid utilities”.

■ 21. Amend § 983.208 by:

■ a. Revising the heading of paragraph (a).

■ b. In paragraph (d)(3), removing the text “the owner” and adding, in its place, the text “the owner and the PHA”.

§ 983.208 Condition of contract units.

(a) *Owner maintenance and operation.* * * *

* * * * *

■ 22. Amend § 983.212 by:

■ a. Revising the introductory text of paragraph (a);

■ b. In paragraph (a)(3)(iii)(C), removing the text “in the case of an absolute” and adding, in its place, the text “in the case of an owner-maintained waiting list, must place the family on the PBV waiting list with an absolute”; and

■ c. In paragraph (a)(4), removing the reference to “(b)(1)” and adding, in its place, a reference to “(b)(6)”.

The revision reads as follows:

§ 983.212 Substantial improvement to units under a HAP contract.

(a) *Substantial improvement to units under a HAP contract.* The owner may undertake substantial improvement on a unit currently under a HAP contract if approved to do so by the PHA. The owner may request PHA approval no earlier than the effective date of the HAP contract. (All work occurring on a unit in a project that is under a HAP contract subject to a rider in accordance with § 983.157 is development activity and is not subject to this section.) The following conditions apply:

* * * * *

§ 983.260 [Amended]

■ 23. In § 983.260, amend the introductory text of paragraph (c)(1) by removing the text “voucher program” and adding, in its place, the text “voucher program in accordance with paragraph (b)(1) of this section”.

§ 983.262 [Amended]

■ 24. In § 983.262, amend paragraph (d)(3)(iii) by removing the reference to “paragraph (c)(2) of this section” and adding, in its place, a reference to “paragraph (d)(3)(ii) of this section”.

PART 985—SECTION 8 MANAGEMENT ASSESSMENT PROGRAM (SEMAP) AND SMALL RURAL PHA ASSESSMENTS

■ 25. The authority citation for part 985 continues to read as follows:

Authority: 42 U.S.C. 1437a, 1437c, 1437f, 1437z–10, and 3535(d).

§ 985.3 Indicators, HUD verification methods and ratings.

■ 26. In § 985.3, amend the second paragraph of the undesignated introductory text by removing the reference to “2 CFR Subpart F” and adding, in its place, a reference to “2 CFR part 200, subpart F”.

Andrew Hughes,

Deputy Secretary.

[FR Doc. 2025–22157 Filed 12–5–25; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket No. USCG–2025–1048]

Special Local Regulations; Marine Events Within the Southeast Coast Guard District

AGENCY: Coast Guard, DHS.

ACTION: Notification of enforcement of regulation.

SUMMARY: The Coast Guard will enforce a special local regulation for the San Juan Harbor Christmas Boat Parade on December 13, 2025, to provide for the safety of life on navigable waterways during this event. Our regulation for marine events within the Southeast Coast Guard District identifies the regulated area for this event in San Juan, PR. During the enforcement period, no person or vessel may enter, transit

through, anchor in, or remain within the regulated area unless authorized by the Coast Guard Patrol Commander or a designated representative.

DATES: The regulations in 33 CFR part 100.701 will be enforced for the location identified in table 1 to § 100.701, paragraph (a), Item 11, from 6 p.m. through 8 p.m. on December 13, 2025.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notification of enforcement, call or email Lieutenant Commander Rachel E. Thomas, Sector San Juan Waterways Management Division, U.S. Coast Guard; telephone (571) 613–1417, email Lieutenant Commander Rachel.E.Thomas@uscg.mil.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce special local regulations in 33 CFR 100.701 for the San Juan Harbor Christmas Boat Parade regulated area identified in table 1 to § 100.701, paragraph (a), Item 11, from 6 p.m. until 8 p.m. on December 13, 2025. This action is being taken to provide for the safety of life on navigable waterways during this event. Our regulation for recurring marine events, Seventh Coast Guard District, § 100.701, paragraph (a), Item 11, specifies the location of the regulated area for the San Juan Harbor Christmas Boat Parade, which encompasses portions of the San Juan Harbor located in San Juan, PR. Under the provisions of 33 CFR 100.701(c) all persons and vessels are prohibited from entering the regulated area, except those persons and vessels participating in the event, unless they receive permission to do so from the Coast Guard Patrol Commander, or designated representative.

Spectator vessels may safely transit outside the regulated area, but may not anchor, block, loiter in, impede the transit of festival participants or official patrol vessels or enter the regulated area without approval from the Coast Guard Patrol Commander or a designated representative. The Coast Guard may be assisted by other Federal, State, or local law enforcement agencies in enforcing this regulation. In addition to this notice of enforcement in the **Federal Register**, the Coast Guard will provide notice of the regulated area via Local Notice to Mariners, Marine Safety Information Bulletins, Broadcast Notice to Mariners, and on-scene designated representatives.

Luis J. Rodríguez,

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

[FR Doc. 2025–22196 Filed 12–5–25; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY**Coast Guard****33 CFR Part 165****[Docket Number USCG–2025–1066]****RIN 1625–AA00****Safety Zone; Port of Los Angeles, Los Angeles, CA.****AGENCY:** Coast Guard, Department of Homeland Security.**ACTION:** Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for navigable waters within a 0.5 nautical mile radius of the container vessel M/ V ONE HENRY HUDSON, in or around the Port of Los Angeles, Los Angeles, CA. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards during firefighting operations onboard the vessel. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port Los Angeles—Long Beach.

DATES: This rule is effective without actual notice from December 8, 2025 through December 28, 2025. For purposes of enforcement, actual notice will be used from November 28, 2025, through December 8, 2025.

ADDRESSES: To view available documents go to <https://www.regulations.gov> and search for USCG–2025–1066.

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, contact LCDR Kevin Kinsella, Sector Los Angeles—Long Beach Waterways Management Division, U.S. Coast Guard; telephone 310–521–3860, or email D11-SMB-SectorLALB-WWM@uscg.mil.

SUPPLEMENTARY INFORMATION:**I. Table of Abbreviations**

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

II. Background and Authority

The Coast Guard received notification of a fire onboard the vessel M/ V ONE HENRY HUDSON in the Port of Los Angeles. The Captain of the Port (COTP) Los Angeles—Long Beach has determined that potential hazards associated with the fire and response operations are a safety concern for

anyone within a 0.5 nautical mile radius of the vessel. Therefore, the COTP is issuing this rule under the authority in 46 U.S.C. 70034, which is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone.

The Coast Guard is issuing this rule without prior notice and comment. As is authorized by 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 it is impracticable and contrary to the public interest. The Coast Guard must establish this safety zone by November 28, 2025, to protect personnel, vessels, and the marine environment. Therefore, we do not have enough time to solicit and respond to comments.

For the same reasons, the Coast Guard finds that under 5 U.S.C. 553(d)(3), good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**.

III. Discussion of the Rule

This rule establishes a safety zone from noon on November 28, 2025, through noon on December 28, 2025. The safety zone will cover all navigable waters within a 0.5 nautical mile radius of the M/ V ONE HENRY HUDSON. No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP or their designated representative.

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)—establishing a safety zone—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.T11–220 to read as follows:

§ 165.T11–220 Safety Zone; Port of Los Angeles, Los Angeles, CA.

(a) *Location.* The following area is a safety zone: All navigable waters from surface to bottom, encompassing a 0.5 nautical mile radius of the M/V ONE HENRY HUDSON in or around the Port of Los Angeles, Los Angeles, CA.

(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 Los Angeles—Long Beach (COTP) in the enforcement of the safety zone.

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

(2) To seek permission to enter, contact the COTP or the COTP's representative on VHF–FM channel 16 or by telephone at (310) 521–3600. Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) *Enforcement period.* This section will be enforced from noon on November 28, 2025, through noon on December 28, 2025.

S. L. Crecy,

Captain, U.S. Coast Guard, Captain of the Port Sector Los Angeles—Long Beach.

[FR Doc. 2025–22178 Filed 12–5–25; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 180**

[EPA–HQ–OPP–2024–0460; FRL–13046–01–OCSPP]

Azoxystrobin; Pesticide Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes a tolerance for residues of azoxystrobin in or on black pepper. Under the Federal Food, Drug, and Cosmetic Act (FFDCA), the American Spice Trade Association (ASTA) submitted a petition to EPA requesting that EPA establish a maximum permissible level for residues of this pesticide in or on the identified commodity.

DATES: This regulation is effective December 8, 2025. Objections and requests for hearings must be received on or before February 6, 2026, and must be filed in accordance with the instructions provided in 40 CFR part 178 (see also Unit I.C. of this document).

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA–HQ–OPP–2024–0460, is available at <http://www.regulations.gov>. Additional information about dockets generally, along with instructions for visiting the docket in person, is available at <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT:

Charles Smith, Director, Registration Division (7505T), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (202) 566–1030; email address: RDfRNotices@epa.gov.

SUPPLEMENTARY INFORMATION:**I. Executive Summary****A. Does this action apply to me?**

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

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

- Pesticide manufacturing (NAICS code 32532).

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

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

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

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

Under FFDCA section 408(g), 21 U.S.C. 346a(g), any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. If you fail to file an objection to the final rule within the time period specified in the final rule, you will have waived the right to raise any issues resolved in the final rule. You must file your objection or request a hearing on this regulation in accordance with the instructions provided in 40 CFR part 178. To ensure proper receipt by EPA, you must identify the docket ID number EPA–HQ–OPP–2024–0460 in the subject line on the first page of your submission. All objections and requests for a hearing must be in writing and must be received by the Hearing Clerk on or before February 6, 2026.

The EPA's Office of Administrative Law Judges (OALJ), in which the Hearing Clerk is housed, urges parties to file and serve documents by electronic means only, notwithstanding any other particular requirements set forth in other procedural rules governing those proceedings. See “Revised Order Urging

Electronic Filing and Service,” dated June 22, 2023, which can be found at <https://www.epa.gov/system/files/documents/2023-06/2023-06-22%20-%20revised%20order%20urging%20electronic%20filing%20and%20service.pdf>. Although the EPA’s regulations require submission via U.S. Mail or hand delivery, the EPA intends to treat submissions filed via electronic means as properly filed submissions; therefore, the EPA believes the preference for submission via electronic means will not be prejudicial. When submitting documents to the OALJ electronically, a person should utilize the OALJ e-filing system at https://yosemite.epa.gov/OA/EAB/EAB-ALJ_Upload.nsf.

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

II. Petitioned-for Tolerance

In the **Federal Register** of July 3, 2025 (90 FR 29515) (FRL–12474–05 OCSPP), EPA issued a document pursuant to FFDCA section 408(d)(3), 21 U.S.C. 346a(d)(3), announcing the filing of a pesticide petition (PP 4E9103) by the American Spice Trade Association (1101 17th Street NW, Suite 700, Washington, DC 20036). The petition requested that 40 CFR 180.507 be amended by establishing a tolerance for residues of the fungicide azoxystrobin in or on pepper, black at 1 part per million (ppm). That document referenced a summary of the petition prepared by the petitioner and included in the docket at <http://www.regulations.gov>.

There were no comments received in response to the notice of filing.

III. Final Tolerance Action

A. Aggregate Risk Assessment and Determination of Safety

Section 408(b)(2)(A)(i) of FFDCA allows EPA to establish a tolerance (the

legal limit for a pesticide chemical residue in or on a food) only if EPA determines that the tolerance is “safe.” Section 408(b)(2)(A)(ii) of FFDCA defines “safe” to mean that “there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is reliable information.” This includes exposure through drinking water and in residential settings, but does not include occupational exposure. Section 408(b)(2)(C) of FFDCA requires EPA to give special consideration to exposure of infants and children to the pesticide chemical residue in establishing a tolerance and to “ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue. . . .”

Consistent with FFDCA section 408(b)(2)(D), and the factors specified therein, EPA has reviewed the available scientific data and other relevant information in support of this action. EPA has sufficient data to assess the hazards of and to make a determination on aggregate exposure for azoxystrobin, including exposure resulting from the tolerance established by this action. EPA’s assessment of exposures and risks associated with azoxystrobin follows.

In an effort to streamline its publications in the **Federal Register**, EPA is not reprinting sections that repeat what has been previously published for tolerance rulemakings of the same pesticide chemical. Where scientific information concerning a particular chemical remains unchanged, the content of those sections would not vary between tolerance rulemaking, and EPA considers referral back to those sections as sufficient to provide an explanation of the information EPA considered in making its safety determination for the new rulemaking.

EPA has previously published several tolerance rulemakings for azoxystrobin in which EPA concluded, based on the available information, that there is a reasonable certainty that no harm would result from aggregate exposure to azoxystrobin and established tolerances for residues of that chemical. EPA is incorporating previously published sections from these rulemakings as described further in this rulemaking, as they remain unchanged.

Specific information on the risk assessment conducted in support of this action can be found in the document titled “Azoxystrobin. Human Health Risk Assessment for the Establishment of Tolerance without U.S. registration for Residues in/on Pepper, Black” and

the documents cited therein, which are available in the docket for this action at <https://www.regulations.gov>.

B. Toxicological Profile

For a discussion of the toxicological profile of azoxystrobin, see Unit III.A. of the final rule published in the **Federal Register** of November 15, 2018 (83 FR 57333) (FRL–9985–45).

C. Toxicological Points of Departure/Levels of Concern

For a summary of the toxicological points of departure/levels of concern used for the risk assessment, see Unit III.B. of the final rule published in the **Federal Register** of November 15, 2018 (83 FR 57333) (FRL–9985–45).

D. Exposure Assessment

For a description of EPA’s approach to and assumptions used for the hazard assessment and residential exposure assessment for azoxystrobin, see Unit III.C. of the final rule published in the **Federal Register** of November 15, 2018 (83 FR 57333) (FRL–9985–45) and for the dietary and aggregate assessments see the final rule published in the **Federal Register** of March 20, 2023 (88 FR 16570) (FRL–10603–01), along with the updates described below.

1. *Dietary exposure from food and feed uses.* EPA’s dietary exposure assessments have been updated to include the additional exposure associated with the petitioned-for tolerance. For the acute dietary exposure assessment, EPA used tolerance-level residues for all commodities, except citrus fruits (which used the highest residues from residue trials), 100 percent crop treated (PCT) for all commodities, and default processing factors with the Dietary Exposure Evaluation Model (DEEM 4.02) for all commodities except where tolerances were established for processed commodities, and utilizing USDA NHANES/WWEIA food consumption data (2005–2010). For the chronic dietary exposure assessment, EPA used tolerance-level residues for all commodities, 100 PCT for all commodities, and default processing factors with DEEM for all commodities except where tolerances were established for processed commodities.

2. *Anticipated residue and percent crop treated (PCT) information.* Section 408(b)(2)(E) of FFDCA authorizes EPA to use available data and information on the anticipated residue levels of pesticide residues in food and the actual levels of pesticide residues that have been measured in food. If EPA relies on such information, EPA must require pursuant to FFDCA section 408(f)(1)

that data be provided 5 years after the tolerance is established, modified, or left in effect, demonstrating that the levels in food are not above the levels anticipated. For the present action, EPA will issue such data call-ins as are required by FFDCA section 408(b)(2)(E) and authorized under FFDCA section 408(f)(1). Data will be required to be submitted no later than 5 years from the date of issuance of these tolerances.

EPA did not use PCT information in the dietary exposure assessment for azoxystrobin. 100 PCT was assumed for all food commodities.

3. *Drinking water exposure.* Drinking water exposures are not impacted by this action, which is for a tolerance without a corresponding U.S. registration (*i.e.*, an import tolerance). The estimated drinking water concentrations (EDWCs) of azoxystrobin are 69.4 parts per billion (ppb) for acute exposure and 20.7 ppb for chronic exposure, which were calculated with the Surface Water Concentration Calculator.

4. *Non-occupational exposure.* Non-occupational/residential exposures are not impacted by the import tolerance in this action. Azoxystrobin is currently registered for use on turf, ornamentals, and antimicrobial uses as a materials preservative in paints and plastics that could result in residential exposures. The residential risk estimate that was used in the aggregate assessment is hand-to-mouth incidental oral exposures to preserved vinyl flooring for children aged 1 to less than 2 years old.

5. *Cumulative exposures.* FFDCA section 408(b)(2)(D)(v) requires that, when considering whether to establish, modify, or revoke a tolerance, the Agency consider “available information” concerning the cumulative effects of a particular pesticide’s residues and “other substances that have a common mechanism of toxicity.” Unlike other pesticides for which EPA has followed a cumulative risk approach based on a common mechanism of toxicity, EPA has not made a common mechanism of toxicity finding as to azoxystrobin and any other substances, and azoxystrobin does not appear to produce a toxic metabolite produced by other substances. For the purposes of this action, therefore, EPA has not assumed that azoxystrobin has a common mechanism of toxicity with other substances.

E. Safety Factor for Infants and Children

Section 408(b)(2)(C) of FFDCA provides that EPA shall apply an additional tenfold (10X) margin of safety for infants and children in the case of threshold effects to account for prenatal

and postnatal toxicity and the completeness of the database on toxicity and exposure unless EPA determines based on reliable data that a different margin of safety will be safe for infants and children. This additional margin of safety is commonly referred to as the Food Quality Protection Act (FQPA) safety factor. In applying this provision, EPA either retains the default value of 10X, or uses a different additional safety factor when reliable data available to EPA support the choice of a different factor.

EPA continues to conclude that there is reliable data to support the reduction of the FQPA safety factor to 1X for all exposure scenarios except acute exposure. For assessing acute dietary risk, EPA continues to retain an FQPA safety factor of 3X. See Unit III.D. of the final rule published in the **Federal Register** of November 15, 2018 (83 FR 57333) (FRL–9985–45) for a discussion of the Agency’s rationale for that determination.

F. Aggregate Risks and Determination of Safety

EPA determines whether acute and chronic dietary pesticide exposures are safe by comparing aggregate exposure estimates to the acute population adjusted dose (aPAD) and chronic population adjusted dose (cPAD). For linear cancer risks, EPA calculates the lifetime probability of acquiring cancer given the estimated aggregate exposure. Short-, intermediate-, and chronic-term risks are evaluated by comparing the estimated aggregate food, water, and residential exposure to the appropriate points of departure (PODs) to ensure that an adequate margin of exposure (MOE) exists.

1. *Acute risk.* Acute dietary risks are below the Agency’s level of concern of 100% of the aPAD; they are 29% of the aPAD for children 1 to 2 years old, the population group receiving the greatest exposure.

2. *Chronic risk.* Chronic dietary risks are below the Agency’s level of concern of 100% of the cPAD; they are 66% of the cPAD for children 1–2 years old, the population group receiving the greatest exposure.

3. *Short- and intermediate-term risk.* Short-term aggregate exposure takes into account short-term residential exposure plus chronic exposure to food and water (considered to be a background exposure level).

The Agency analyzed short-term aggregate risk by aggregating chronic dietary (food and drinking water) exposure with incidental oral hand-to-mouth post-application exposure to children 1 to less than 2 years old from

preserved vinyl flooring uses of azoxystrobin. The combined short-term food, water, and residential exposures result in an aggregate MOE of 200 for children 1 to less than 2 years old, the population group receiving the greatest exposure. Because EPA’s level of concern for azoxystrobin is an MOE of less than 100, this MOE is not of concern.

Intermediate-term aggregate exposure takes into account intermediate-term residential exposure plus chronic exposure to food and water (considered to be a background exposure level). Because no intermediate-term adverse effect was identified, azoxystrobin is not expected to pose an intermediate-term risk. Therefore, the intermediate-term aggregate risk would be equivalent to the chronic dietary exposure estimate.

4. *Aggregate cancer risk for U.S. population.* Based on the lack of evidence of carcinogenicity in two adequate rodent carcinogenicity studies, azoxystrobin is not expected to pose a cancer risk to humans.

5. *Determination of safety.* Based on the risk assessments and information described above, EPA concludes that there is a reasonable certainty that no harm will result to the general population, or to infants and children, from aggregate exposure to azoxystrobin residues.

IV. Other Considerations

A. Analytical Enforcement Methodology

For a discussion of the available analytical enforcement method, see Unit IV.A. of the final rule published in the **Federal Register** of November 15, 2018 (83 FR 57333) (FRL–9985–45). The method may be requested from: Chief, Analytical Chemistry Branch, Environmental Science Center, 701 Mapes Rd., Ft. Meade, MD 20755–5350; telephone number: (410) 305–2905; email address: residuemethods@epa.gov.

B. International Residue Limits

In making its tolerance decisions, EPA seeks to harmonize U.S. tolerances with international standards whenever possible, consistent with U.S. food safety standards and agricultural practices. EPA considers the international maximum residue limits (MRLs) established by the Codex Alimentarius Commission (Codex), as required by FFDCA section 408(b)(4). Codex is a joint United Nations Food and Agriculture Organization/World Health Organization food standards program, and it is recognized as an international food safety standards-setting organization in trade agreements

to which the United States is a party. EPA may establish a tolerance that is different from a Codex MRL; however, FFDCA section 408(b)(4) requires that EPA explain the reasons for departing from the Codex level. The Codex has not established a MRL for azoxystrobin in or on black pepper.

C. Effective and Expiration Date(s)

In general, a tolerance action is effective on the date of publication of the final rule in the **Federal Register**. For actions in the final rule that lower or revoke existing tolerances, EPA will set an expiration date for the existing tolerance of six months after the date of publication of the final rule in the **Federal Register**, in order to allow a reasonable interval for producers in exporting members of the World Trade Organization's (WTO's) Sanitary and Phytosanitary (SPS) Measures Agreement to adapt to the requirements.

V. Conclusion

Therefore, a tolerance is established for residues of azoxystrobin in or on pepper, black at 1 ppm.

VI. 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

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

B. Executive Order 14192: Unleashing Prosperity Through Deregulation

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

C. Paperwork Reduction Act (PRA)

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

D. Regulatory Flexibility Act (RFA)

Since tolerance actions that are established on the basis of a petition

under FFDCA section 408(d), such as the tolerance in this final rule, do not require the issuance of a proposed rule, the requirements of the RFA, 5 U.S.C. 601 *et seq.*, do not apply to this action.

E. Unfunded Mandates Reform Act (UMRA)

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

F. Executive Order 13132: Federalism

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

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

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

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

This action is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because tolerance actions like this one are exempt from review under Executive Order 12866. However, EPA's 2021 *Policy on Children's Health* applies to this action. This rule finalizes tolerance actions under the FFDCA, which requires EPA to give special consideration to exposure of infants and children to the pesticide chemical residue in establishing a tolerance and to "ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue . . ." (FFDCA 408(b)(2)(C)). The Agency's consideration is summarized in Unit III.E.

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

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

J. National Technology Transfer Advancement Act (NTTAA)

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

K. Congressional Review Act (CRA)

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

List of Subjects in 40 CFR Part 180

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

Dated: November 26, 2025.

Charles Smith,

Director, Registration Division, Office of Pesticide Programs.

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

PART 180—TOLERANCES AND EXEMPTIONS FOR PESTICIDE CHEMICAL RESIDUES IN FOOD

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

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

■ 2. In § 180.507, in paragraph (a)(1) amend Table 1 to Paragraph (a)(1) by:

- a. Adding in alphabetical order the entry "Pepper, black"; and
- b. Adding footnote 3 at the end of the table.

The additions read as follows:

§ 180.507 Azoxystrobin; tolerances for residues.

- (a) * * *
- (1) * * *

TABLE 1 TO PARAGRAPH (a)(1)

Commodity	Parts per million
* * * * *	
Pepper, black ³	1

TABLE 1 TO PARAGRAPH (a)(1)—
Continued

Commodity					Parts per million
*	*	*	*	*	*
*	*	*	*	*	*

³ There are no U.S. registrations for use of azoxystrobin on pepper, black as of December 8, 2025.

* * * * *

[FR Doc. 2025–22174 Filed 12–5–25; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 635

[Docket No. 220919–0193; RTID 0648–XF331]

Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; Closure of the General Category December Fishery for 2025

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS closes the General category fishery for Atlantic bluefin tuna (BFT) for the remainder of the December time period. The General category may only retain, possess, or land large medium and giant (*i.e.*, measuring 73 inches (185 centimeters (cm)) curved fork length (CFL) or greater) BFT when the fishery is open. This action applies to Atlantic Tunas General category (commercial) permitted vessels and Atlantic highly migratory species (HMS) Charter/Headboat permitted vessels with a commercial sale endorsement when fishing commercially for BFT. During the closure, fishermen aboard General category permitted vessels and HMS Charter/Headboat permitted vessels may tag and release BFT of all sizes, subject to the requirements of the catch-and-release and tag-and-release programs. On January 1, 2026, the fishery will reopen automatically.

DATES: Effective 11:30 p.m., local time, December 5, 2025, through December 31, 2025.

FOR FURTHER INFORMATION CONTACT: Ann Williamson, ann.williamson@noaa.gov, or Larry Redd, Jr., larry.redd@noaa.gov, by email or phone at 301–427–8503.

SUPPLEMENTARY INFORMATION: Atlantic BFT fisheries are managed under the 2006 Consolidated HMS Fishery Management Plan (FMP) and its amendments, pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act; 16 U.S.C. 1801 *et seq.*) and consistent with the Atlantic Tunas Convention Act (ATCA; 16 U.S.C. 971 *et seq.*). HMS implementing regulations are at 50 CFR part 635. Section 635.27(a) divides the U.S. BFT quota, established by the International Commission for the Conservation of Atlantic Tunas (ICCAT) and as implemented by the United States among the various domestic fishing categories, per the allocations established in the HMS FMP and its amendments. NMFS is required under the Magnuson-Stevens Act at 16 U.S.C. 1854(g)(1)(D) to provide U.S. fishing vessels with a reasonable opportunity to harvest quotas under relevant international fishery agreements such as the ICCAT Convention, which is implemented domestically pursuant to ATCA.

Under § 635.28(a)(1), NMFS files a closure action with the Office of the Federal Register for publication when a BFT quota (or subquota) is reached or is projected to be reached. Retaining, possessing, or landing BFT under that quota category is prohibited on or after the effective date and time of a closure action for that category until the opening of the relevant subsequent quota period or until such date as specified.

As described in § 635.27(a), the current baseline U.S. BFT quota is 1,316.14 metric tons (mt) (not including the 25 mt ICCAT allocated to the United States to account for bycatch of BFT in pelagic longline fisheries in the Northeast Distant Gear Restricted Area per § 635.27(a)(3)). The General category baseline quota is 710.7 mt. The General category baseline quota is suballocated to time periods. Relevant to this action, the baseline subquota for the December time period is 37 mt. To date for 2025, NMFS published one action that adjusted the General category December 2025 time period subquota to 16.5 mt (90 FR 2638, January 13, 2025).

Closure of the December 2025 BFT General Category Fishery

To date, reported landings for the BFT General category December time period total 12.6 mt. As described above, the adjusted subquota for the December time period is 16.5 mt. However, landings estimates from 2024 indicate that the General, Harpoon, and Angling category quotas were exceeded.

Additionally, the 2025 General category January through March time period subquota was exceeded. Thus, under § 635.27(a)(9) and consistent with ICCAT requirements, in order to ensure the overall U.S. quota is not exceeded, NMFS expects to take action at a later date to reduce the various category quotas for 2025 consistent with the estimated overharvest. While that action is not yet final, NMFS must still consider the implications of reduced quotas for various categories, including the General category. If both the 2024 and 2025 U.S. adjusted quotas are exceeded, under ICCAT requirements, the United States could be required to pay back 125 percent of the second year's (2025) overharvest in 2026.

Based on that consideration and the current landings data, as well as average catch rates and anticipated fishing conditions, NMFS has determined that the December time period subquota is projected to be reached and exceeded shortly. Therefore, retaining, possessing, or landing large medium or giant (*i.e.*, measuring 73 inches (185 cm) CFL or greater) BFT by persons aboard vessels permitted in the Atlantic Tunas General category and HMS Charter/Headboat permitted vessels (while fishing commercially) must cease at 11:30 p.m., local time on December 5, 2025.

Pursuant to Executive Order 14276, “Restoring American Seafood Competitiveness,” (April 17, 2025), NMFS is making prudent efforts to identify strategies to expand fishing opportunities within the requirements of the Magnuson-Stevens Act. Should NMFS determine that reasonable fishing opportunities are available at a later date, NMFS may reopen the 2025 December fishery. The BFT General category will automatically reopen January 1, 2026, for the 2026 fishing year January through March time period. This action applies to Atlantic Tunas General category (commercial) permitted vessels and HMS Charter/Headboat permitted vessels with a commercial sale endorsement when fishing commercially for BFT and is taken consistent with the regulations at § 635.28(a)(1).

Monitoring and Reporting

NMFS will continue to monitor the BFT fisheries closely. Per § 635.5(b)(2)(i)(A), dealers are required to submit landing reports within 24 hours of a dealer receiving BFT. Late reporting by dealers compromises NMFS’ ability to timely implement actions such as quota and retention limit adjustments, as well as closures, and may result in enforcement actions. Additionally, and separate from the

dealer reporting requirement, General category and HMS Charter/Headboat permitted vessel owners are required per § 635.5(a)(4) to report their own catch of all BFT retained or discarded dead within 24 hours of the landing(s) or end of each trip, by accessing <https://hmspermits.noaa.gov/home>, using the HMS Catch Reporting app, or calling 888-872-8862 (Monday through Friday from 8 a.m. until 4:30 p.m. Eastern Time).

After the fishery reopens on January 1, 2026, depending on the level of fishing effort and catch rates of BFT, NMFS may determine that adjustments are necessary to ensure available subquotas are not exceeded in 2026 or to enhance scientific data collection from, and fishing opportunities in, all geographic areas as specified under § 635.27(a)(7). If needed, subsequent adjustments will be published in the **Federal Register**. In addition, fishermen may access <https://hmspermits.noaa.gov/home>, for updates on quota monitoring and inseason adjustments.

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act (16 U.S.C. 1855(d)) and regulations at 50 CFR part 635 and this action is exempt from review under Executive Order 12866.

The Assistant Administrator for NMFS (AA) finds that pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice of, and an opportunity for public comment on, this action because it is impracticable and contrary to the public interest for the following reasons. Specifically, the regulations implementing the HMS FMP and amendments provide for inseason retention limit adjustments and fishery closures to respond to the unpredictable nature of BFT availability on the fishing grounds, the migratory nature of this species, and the regional variations in the BFT fishery. Providing prior notice and an opportunity to comment is impracticable and contrary to the public interest as this fishery is currently underway and, based on the most recent

landings information, the 2025 December subquota is projected to be reached shortly. Delaying this action could result in BFT landings that exceed the final 2025 General category quota, which may result in future potential quota reductions for other BFT categories or the General category quota, depending on the magnitude of a potential December subquota overharvest. NMFS notes that the public had an opportunity to comment on the underlying rulemakings that established the U.S. BFT quota and the inseason adjustment and closure criteria.

For all of the above reasons, the AA also finds that pursuant to 5 U.S.C. 553(d)(3), there is good cause to waive the 30-day delay in effective date.

Authority: 16 U.S.C. 971 *et seq.* and 1801 *et seq.*

Dated: December 4, 2025.

Kelly Denit,

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

[FR Doc. 2025-22209 Filed 12-4-25; 4:15 pm]

BILLING CODE 3510-22-P

Proposed Rules

Federal Register

Vol. 90, No. 233

Monday, December 8, 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.

NUCLEAR REGULATORY COMMISSION

10 CFR Part 72

[NRC-2025-0025]

RIN 3150-AL30

List of Approved Spent Fuel Storage Casks: NAC International, Inc., NAC-UMS® Universal Storage System, Certificate of Compliance No. 1015, Renewed Amendment No. 10, and Revision 1 to Renewed Amendment Nos. 5 Through 9

AGENCY: Nuclear Regulatory Commission.

ACTION: Proposed rule.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is proposing to amend its spent fuel regulations by revising the NAC International, Inc., NAC-UMS® Universal Storage System (NAC-UMS®) design listing within the “List of approved spent fuel storage casks” to include Renewed Amendment No. 10, and to revise Renewed Amendment Nos. 5 through 9 to Certificate of Compliance (CoC) No. 1015. The addition of Renewed Amendment No. 10 and Revision 1 to Renewed Amendment Nos. 5 through 9 of the certificate of compliance would correct licensing basis deficiencies and update the address in the CoC to reflect the new address of the applicant’s headquarters offices.

DATES: Submit comments by January 7, 2026. Comments received after this date will be considered if it is practical to do so, but the NRC is able to ensure consideration only for comments received on or before this date.

ADDRESSES: Submit your comments, identified by Docket ID NRC-2025-0025, at <https://www.regulations.gov>. If your material cannot be submitted using <https://www.regulations.gov>, call or email the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

You can read a plain language description of this proposed rule at

<https://www.regulations.gov/docket/NRC-2025-0025>. 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:

Gregory Trussell, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-6244, email: Gregory.Trussell@nrc.gov.

SUPPLEMENTARY INFORMATION:

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- II. Rulemaking Procedure
- III. Background
- IV. Plain Writing
- V. Regulatory Planning and Review (E.O. 12866)
- VI. Availability of Documents

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID: NRC-2025-0025 when contacting the NRC about the availability of information for this action. You may obtain publicly available information related to this action by any of the following methods:

- **Federal Rulemaking Website:** Go to <https://www.regulations.gov> and search for Docket ID NRC-2025-0025. Address questions about NRC dockets to Helen Chang, telephone: 301-415-3228, email: Helen.Chang@nrc.gov. For technical questions contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- **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, 301-415-4737, or by email to PDR.Resource@nrc.gov. For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the “Availability of Documents” section.

- **NRC’s PDR:** The PDR, where you may examine and order copies of

publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to PDR.Resource@nrc.gov or call 1-800-397-4209 or 301-415-4737, between 8 a.m. and 4 p.m. eastern time, Monday through Friday, except Federal holidays.

B. Submitting Comments

The NRC encourages electronic comment submission through the Federal rulemaking website (<https://www.regulations.gov>). Please include Docket ID NRC-2025-0025 in your comment submission.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at <https://www.regulations.gov> as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. Rulemaking Procedure

Because the NRC considers this action to be non-controversial, the NRC is publishing this proposed rule concurrently with a direct final rule in the Rules and Regulations section of this issue of the **Federal Register**. The direct final rule will become effective on February 23, 2026. However, if the NRC receives any significant adverse comment by January 7, 2026, then the NRC will publish a document that withdraws the direct final rule. If the direct final rule is withdrawn, the NRC will address the comments in a subsequent final rule. In general, absent significant modifications to the proposed revisions requiring republication, the NRC will not initiate a second comment period on this action in the event the direct final rule is withdrawn.

A significant adverse comment is a comment where the commenter explains why the rule would be inappropriate, including challenges to the rule's underlying premise or approach, or would be ineffective or unacceptable without a change. A comment is adverse and significant if:

(1) The comment opposes the rule and provides a reason sufficient to require a substantive response in a notice-and-comment process. For example, a substantive response is required when:

(a) The comment causes the NRC to reevaluate (or reconsider) its position or conduct additional analysis;

(b) The comment raises an issue serious enough to warrant a substantive response to clarify or complete the record; or

(c) The comment raises a relevant issue that was not previously addressed or considered by the NRC.

(2) The comment proposes a change or an addition to the rule, and it is apparent that the rule would be ineffective or unacceptable without incorporation of the change or addition.

(3) The comment causes the NRC to make a change (other than editorial) to the rule.

For a more detailed discussion of the proposed rule changes and associated analyses, see the direct final rule published in the Rules and Regulations section of this issue of the **Federal Register**.

III. Background

Section 218(a) of the Nuclear Waste Policy Act of 1982, as amended, requires that “[t]he Secretary [of the Department of Energy] shall establish a demonstration program, in cooperation with the private sector, for the dry storage of spent nuclear fuel at civilian nuclear power reactor sites, with the objective of establishing one or more technologies that the [Nuclear Regulatory] Commission may, by rule, approve for use at the sites of civilian nuclear power reactors without, to the maximum extent practicable, the need for additional site-specific approvals by the Commission.” Section 133 of the Nuclear Waste Policy Act states, in part, that “[t]he Commission shall, by rule, establish procedures for the licensing of any technology approved by the Commission under Section 219(a) [sic: 218(a)] for use at the site of any civilian nuclear power reactor.”

To implement this mandate, the Commission approved dry storage of spent nuclear fuel in NRC-approved casks under a general license by publishing a final rule that added a new subpart K in part 72 of title 10 of the *Code of Federal Regulations* (10 CFR) entitled “General License for Storage of Spent Fuel at Power Reactor Sites” (55 FR 29181; July 18, 1990). This rule also established a new subpart L in 10 CFR part 72 entitled “Approval of Spent Fuel Storage Casks,” which contains procedures and criteria for obtaining

NRC approval of spent fuel storage cask designs. The NRC subsequently issued a final rule on October 19, 2000 (65 FR 62581), that approved the NAC-UMS® design and added it to the list of NRC-approved cask designs in § 72.214 as Certificate of Compliance No. 1015.

IV. Plain Writing

The Plain Writing Act of 2010 (Pub. L. 111–274) requires Federal agencies to write documents in a clear, concise, and well-organized manner. The NRC has written this document to be consistent with the Plain Writing Act as well as the Presidential Memorandum, “Plain Language in Government Writing,” published June 10, 1998 (63 FR 31885). The NRC requests comment on the proposed rule with respect to clarity and effectiveness of the language used.

V. Regulatory Planning and Review (E.O. 12866)

Executive Order (E.O.) 12866, as amended by E.O. 14215, provides that the Office of Information and Regulatory Affairs (OIRA) will determine whether a regulatory action is significant as defined by E.O. 12866 and will review significant regulatory actions. OIRA determined that this proposed rule is not a significant regulatory action under E.O. 12866.

VI. Availability of Documents

The documents identified in the following table are available to interested persons as indicated.

Document	ADAMS accession No./ weblink/ Federal Register citation
Renewed Certificate of Compliance No. 1015, Amendments 5 to 9, Revision 1, and Amendment 10 for the Model No. NAC-UMS® Storage System.	ML25003A177
User Need Memo for Amendment Nos. 5 through 9, Revision 1, and Amendment No. 10 of the Renewed Certificate of Compliance No. 1015 for the NAC-UMS® Universal Storage System.	ML25003A178
Proposed Renewed CoC No. 1015, Amendment No. 5, Revision 1	ML25003A180
Proposed Renewed CoC No. 1015, Amendment No. 5, Revision 1, Appendix A	ML25003A181
Proposed Renewed CoC No. 1015, Amendment No. 5, Revision 1, Appendix B	ML25003A182
Proposed Renewed CoC No. 1015, Amendment No. 6, Revision 1	ML25003A183
Proposed Renewed CoC No. 1015, Amendment No. 6, Revision 1, Appendix A	ML25003A184
Proposed Renewed CoC No. 1015, Amendment No. 6, Revision 1, Appendix B	ML25003A185
Proposed Renewed CoC No. 1015, Amendment No. 7, Revision 1	ML25003A186
Proposed Renewed CoC No. 1015, Amendment No. 7, Revision 1, Appendix A	ML25003A187
Proposed Renewed CoC No. 1015, Amendment No. 7, Revision 1, Appendix B	ML25003A188
Proposed Renewed CoC No. 1015, Amendment No. 8, Revision 1	ML25003A189
Proposed Renewed CoC No. 1015, Amendment No. 8, Revision 1, Appendix A	ML25003A190
Proposed Renewed CoC No. 1015, Amendment No. 8, Revision 1, Appendix B	ML25003A191
Proposed Renewed CoC No. 1015, Amendment No. 9, Revision 1	ML25003A192
Proposed Renewed CoC No. 1015, Amendment No. 9, Revision 1, Appendix A	ML25003A193
Proposed Renewed CoC No. 1015, Amendment No. 9, Revision 1, Appendix B	ML25003A194
Proposed Renewed CoC No. 1015, Amendment No. 10	ML25003A195
Proposed Renewed CoC No. 1015, Amendment No. 10, Appendix A	ML25003A196
Proposed Renewed CoC No. 1015, Amendment No. 10, Appendix B	ML25003A197
Submission of an Amendment Request for NAC-UMS Amendment No. 10 and Revisions to Amendments 5 to 9, dated October 10, 2023.	ML23283A249
Email dated 12–19–2024 related to Applicability of Amendments	ML23291A095
Supplement to Amendment Request, dated February 13, 2024	ML25021A284
	ML24044A221

Document	ADAMS accession No./ weblink/ Federal Register citation
Supplement to Amendment Request, dated June 26, 2024	ML24179A058
Request for Exemption from Certain Requirements	ML24094A060
Email dated 1–30–2025 Regarding planned Adoption of Renewed Amendment No.9, Revision 1	ML25031A348
Email dated 1–14–2025 Adopting Amendment No. 9, Revision 1	ML25014A450
Supplement to Amendment Request, dated July 17, 2025	ML25198A286
Supplement to Amendment Request, dated August 27, 2025	ML25240A911
Preliminary Safety Evaluation Report, Model No. NAC–UMS® Universal Storage System, Renewed CoC No. 1015, Amend- ment Nos. 5 through 9, Revision 1, and Amendment No. 10.	ML25029A237

The NRC may post materials related to this document, including public comments, on the Federal rulemaking website at <https://www.regulations.gov> under Docket ID NRC–2025–0025. In addition, the Federal rulemaking website allows members of the public to receive alerts when changes or additions occur in a docket folder. To subscribe: (1) navigate to the docket folder (NRC–2025–0025); (2) click the “Subscribe” link; and (3) enter an email address and click on the “Subscribe” link.

Dated: November 19, 2025.

For the Nuclear Regulatory Commission.

Michael King,

Acting Executive Director for Operations.

[FR Doc. 2025–22230 Filed 12–5–25; 8:45 am]

BILLING CODE 7590–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–5043; Project Identifier MCAI–2024–00780–R]

RIN 2120–AA64

Airworthiness Directives; Airbus Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for all Airbus Helicopters Model AS332C, AS332C1, AS332L, AS332L1, and SA330J helicopters. This proposed AD was prompted by reports of fatigue cracks found on arms of the tail rotor (TR) pitch change spider due to a load increase originating from degraded bearing stacks. This proposed AD would introduce reduced life limit intervals for the affected bearing stack and would require replacing the affected bearing stack before exceeding these intervals. This proposed AD would also prohibit

the installation of the affected bearing stack on a helicopter, unless certain requirements are met. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this NPRM by January 22, 2026.

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

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

AD Docket: You may examine the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA–2025–5043; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For European Union Aviation Safety Agency (EASA) material identified in this proposed AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: ADS@easa.europa.eu. You may find this material on the EASA website at ad.easa.europa.eu.
- You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110.

FOR FURTHER INFORMATION CONTACT: Michael Yeshiambel, Aviation Safety

Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (316) 946–4133; email: michael.m.yeshiambel@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–2025–5043; Project Identifier MCAI–2024–00780–R” at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

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

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as “PROPIN.” The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this

NPRM. Submissions containing CBI should be sent to Michael Yeshiambel, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2024–0250, dated December 20, 2024 (EASA AD 2024–0250) (also referred to as the MCAI), to correct an unsafe condition on Airbus Helicopters Model SA 330 J, AS 332 C, AS 332 C1, AS 332 L, and AS 332 L1 helicopters. The MCAI states that there were reports of fatigue cracks found on arms of the TR pitch change spider of an affected helicopter. The MCAI further states that subsequent investigation revealed that the cracks resulted from a load increase originating from degraded bearing stacks. Additionally, the MCAI states to address this unsafe condition, reduced life limits are necessary for the affected parts. This condition, if not corrected, could lead to structural failure of the TR assembly, which could result in reduced or loss of control of the helicopter. You may examine the MCAI in the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA–2025–5043.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed EASA AD 2024–0250, which introduces reduced life limit intervals for the affected bearing

stacks and specifies procedures for replacing the affected bearing stacks before exceeding the reduced life limit intervals. EASA AD 2024–0250 also prohibits installing the affected bearing stack on a helicopter, unless certain requirements are met. 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 (CAA) of another country and are approved for operation in the United States. Pursuant to the FAA’s bilateral agreement with this State of Design Authority, that authority has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA is issuing this NPRM after determining that the unsafe condition described previously is likely to exist or develop on other products of the same type design.

Proposed AD Requirements in This NPRM

This proposed AD would require accomplishing the actions specified in EASA AD 2024–0250, described previously, as incorporated by reference, 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 CAA ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating this process with manufacturers and CAAs. As a result, the FAA proposes to incorporate EASA AD 2024–0250 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with EASA AD 2024–0250 in its entirety through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Using common terms that are the same as the heading of a particular section in EASA AD 2024–0250 does not mean that operators need comply only with that section. For example, where the AD requirement refers to “all required actions and compliance times,” compliance with this AD requirement is not limited to the section titled “Required Action(s) and Compliance Time(s)” in EASA AD 2024–0250. Material required by EASA AD 2024–0250 for compliance will be available at www.regulations.gov by searching for and locating Docket No. FAA–2025–5043 after the FAA final rule is published.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 10 helicopters of U.S. registry.

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

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Replace bearing stack	8 work-hours × \$85 per hour = \$680	\$920	\$1,600	\$16,000

The FAA has included all known costs in its cost estimate. According to the manufacturer, however, some 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 Helicopters: Docket No. FAA–2025–5043; Project Identifier MCAI–2024–00780–R.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by January 22, 2026.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all Airbus Helicopters Model AS332C, AS332C1, AS332L, AS332L1, and SA330J helicopters, certificated in any category.

(d) Subject

Joint Aircraft System Component (JASC) Code 6400, Tail Rotor System.

(e) Unsafe Condition

This AD was prompted by reports of fatigue cracks found on arms of the tail rotor pitch change spider due to a load increase originating from degraded bearing stacks. The FAA is issuing this AD to prevent degradation of bearing stacks. The unsafe condition, if not addressed, could lead to structural failure of the tail rotor assembly, which could result in reduced or loss of control of the helicopter.

(f) Compliance

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

(g) Requirements

Except as specified in paragraphs (h) and (i) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, EASA AD 2024–0250, dated December 20, 2024 (EASA AD 2024–0250).

(h) Exceptions to EASA AD 2024–0250

(1) Where EASA AD 2024–0250 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where EASA AD 2024–0250 requires compliance in terms of flight hours, this AD requires using hours time-in-service.

(3) Where the material referenced in EASA AD 2024–0250 specifies “check”, for this AD replace that text with “inspection”.

(4) This AD does not adopt the “Remarks” section of EASA AD 2024–0250.

(i) No Reporting or Return of Parts Requirement

Although the material referenced in EASA AD 2024–0250 specifies to submit certain information and to return parts to the manufacturer, this AD does not require those actions.

(j) Special Flight Permit

Special flight permits are prohibited.

(k) Alternative Methods of Compliance (AMOCs)

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

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

(l) Additional Information

For more information about this AD, contact Michael Yeshiambel, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (316) 946–4133; email: michael.m.yeshiambel@faa.gov.

(m) Material Incorporated by Reference

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

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

(i) European Union Aviation Safety Agency (EASA) AD 2024–0250, dated December 20, 2024.

(ii) [Reserved]

(3) For EASA material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: ADs@easa.europa.eu; website: easa.europa.eu. You may find this EASA material on the EASA website at ad.easa.europa.eu.

(4) You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110.

(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 December 3, 2025.

Steven W. Thompson,

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

[FR Doc. 2025–22162 Filed 12–5–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 61

[Docket No.: FAA–2025–3519; Notice No. 26–01]

RIN 2120–AM12

Sport Pilot Practical Test Standards Alignment

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

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: FAA proposes to revise certain regulations governing airman certification and proposes to incorporate three updated sport pilot practical test standards (PTS) by reference. The proposed update would align the airman testing standards with newly adopted regulatory requirements in the Modernization of Special Airworthiness Certification (MOSAIC) final rule related to the certification of sport pilots and operation of light-sport category aircraft and update the PTS to improve airman certification standard materials.

DATES: Send comments on or before January 7, 2026.

ADDRESSES: Send comments identified by docket number FAA–2025–3519 using any of the following methods:

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

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

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

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

Privacy: In accordance with 5 U.S.C. 553(c), FAA solicits comments from the public to inform its rulemaking process better. FAA posts these comments, without edit, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at www.dot.gov/privacy.

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

FOR FURTHER INFORMATION CONTACT: Ethan Argenbright, General Aviation and Commercial Division/Testing Standards Section, AFS-810, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone (405) 954-6404; email ethan.d.argenbright@faa.gov.

SUPPLEMENTARY INFORMATION:

List of Abbreviations and Acronyms Frequently Used in This Document

ACS—Airman Certification Standards
CFR—Code of Federal Regulations
DOT—Department of Transportation
FAA—Federal Aviation Administration
FR—Federal Register
IBR—Incorporation by reference
MOSAIC—Modernization of Special Airworthiness Certification
NPRM—Notice of proposed rulemaking
PTS—Practical Test Standards
RFA—Regulatory Flexibility Act
U.S.C.—United States Code

I. Executive Summary

A. Overview of Proposed Rule

FAA proposes to update the current language in three PTS related to the certification of sport pilots and operation of light-sport category aircraft to address a conflict between regulations adopted by the MOSAIC final rule and current language in three sport pilot PTS. These updates would align language in the sport pilot PTS that identifies which aircraft can be used to satisfy practical test and proficiency check requirements under part 61 with the new sport pilot operational limits adopted in the MOSAIC final rule. FAA also proposes to make non-substantive, conforming amendments to update minor terminology inconsistencies throughout these three PTS.

Specifically, FAA proposes to update three sport pilot PTS currently listed in

§ 61.14 (a)(12), (13), and (14): (1) Sport Pilot and Sport Pilot Flight Instructor Rating PTS for Airplane Category; Gyroplane Category, and Glider Category (FAA-S-8081-29A); (2) Sport Pilot and Sport Pilot Flight Instructor Rating PTS for Lighter-Than-Air Category (FAA-S-8081-30A); and (3) Sport Pilot and Sport Pilot Flight Instructor PTS for Powered Parachute Category, Weight-Shift-Control Aircraft Category (FAA-S-8081-31A).

The proposed rule would align pilot certification standards in these three PTS with regulatory changes adopted by the MOSAIC final rule by replacing references to “light-sport aircraft” as defined in § 1.1 (General definitions) with “aircraft” to encompass aircraft meeting the performance limits and design requirements for sport pilot operation set forth in new § 61.316. The performance limits and design requirements in § 61.316 expand the aircraft that sport pilots and flight instructors with a sport pilot rating may operate, therefore necessitating revisions to the sport pilot PTS to reflect those expanded aircraft privileges. The proposed changes in the PTS will reduce confusion between “light-sport aircraft” defined in § 1.1, which will be removed upon effectivity of the MOSAIC final rule, and future light-sport category aircraft. This proposal would also align practical test requirements for the certification of pilots and flight instructors with a sport pilot rating seeking to add airplane privileges to their sport pilot certificate.

B. Statement of the Problem

The MOSAIC final rule, upon effectivity, removes the “light-sport aircraft” term defined in § 1.1 and replaces it with separate eligibility requirements for certification of future light-sport category aircraft and sport pilots. MOSAIC will revise and relocate the substantive performance and design requirements for those aircraft that a sport pilot may operate to new § 61.316. Currently, the aforementioned sport pilot PTS contain the term “light-sport aircraft,” characterizing certain tasks under the definitional performance limitations that will be removed upon effectivity rather than the expanded performance and design requirements in new § 61.316. In addition, MOSAIC will require sport pilots and flight instructors with a sport pilot rating seeking to add an airplane or helicopter privilege to their existing sport pilot certificate or flight instructor certificate to accomplish a practical test under §§ 61.307 and 61.405. These regulatory changes necessitate updated sport pilot PTS to prevent inadvertent conflict

between the regulations and the standards set forth in PTS, which could result in conflicting aircraft and testing standards (e.g., which aircraft the sport pilots and sport pilot flight instructors may use to complete the practical test or proficiency check requirements for certain sport pilot privileges). FAA also proposes to update incorrect terminology or guidance references and other edits to improve the quality of the PTS.

C. Summary of the Costs and Benefits

FAA expects no costs for the proposed rule to stakeholders and only minimal costs to the agency. FAA does not anticipate new costs to applicants for an initial certificate, rating, or privilege, or to existing airmen, because there are no substantive changes to the testing processes, areas of operation, or elements upon which airmen are currently tested in order to obtain a certificate. FAA will incur some minimal costs to make changes to the PTS and upload the updated versions to its website, but FAA does not anticipate any other costs to the agency because the process by which testing is conducted or the manner in which PTS and Airman Certification Standards (ACS) are currently implemented is not changing. Aligning the PTS with the MOSAIC final rule ensures consistent application of MOSAIC’s not quantified benefits, such as increased safety from allowing sport pilots to train, test, and fly with larger and more varied aircraft.

II. Authority for This Rulemaking

FAA’s authority to issue rules on aviation safety is found in Title 49 of the United States Code (U.S.C.) Subtitle I, Section 106, which describes the authority of FAA Administrator. Subtitle VII, Aviation Programs, further describes the scope of FAA’s authority. This proposed rulemaking is issued under the authority described in 49 U.S.C. 106(f), which establishes the authority of the Administrator to promulgate and revise regulations, rules, and other official publications related to aviation safety. This proposed rulemaking is promulgated under the authority granted to the Administrator in 49 U.S.C. Subtitle VII, Part A, Subpart iii, Chapter 401, Section 40113 (prescribing general authority of the Administrator of FAA with respect to aviation safety duties and powers to prescribe regulations) and Subpart III, Chapter 447, Sections 44701 (general authority of the Administrator to promote safe flight of civil aircraft in air commerce by prescribing regulations and setting minimum standards for other practices, methods, and

procedures necessary for safety in air commerce and national security), 44702 (general authority of the Administrator to issue airman certificates), and 44703 (general authority of the Administrator to prescribe regulations for the issuance of airman certificates when the Administrator finds, after investigation, an individual is qualified for and physically able to perform the duties related to the position authorized by the certificate). This rulemaking proposal is within the scope of that authority.

III. Background

A. History and Related Regulatory Actions

On July 24, 2025, FAA published the MOSAIC final rule (90 FR 35218). The MOSAIC rulemaking amended rules for the manufacture, certification, operation, maintenance, and alteration of light-sport aircraft, which subsequently increased sport pilot privileges and expanded what aircraft sport pilots may operate.

The MOSAIC final rule restructured certification requirements for light-sport category aircraft, which resulted in FAA removing the “light-sport aircraft” definition from § 1.1. As such, FAA adopted new performance limitations and design requirements for sport pilot operations in § 61.316. While new performance and design limitations in § 61.316, which expand the aircraft sport pilots may operate, are effective 90 days after publication of the MOSAIC final rule, the “light-sport aircraft” definition in § 1.1 will remain effective for 365 days after publication of the MOSAIC final rule.

The sport pilot certificate differs from higher grades of pilot certificates because FAA does not issue category and class ratings on a sport pilot certificate. Upon the successful completion of the practical test for a sport pilot certificate, or a proficiency check as appropriate for the privileges sought, FAA issues the applicant a sport pilot certificate without any category and class ratings and provides the pilot with a logbook endorsement for the category and class of aircraft for which the pilot is authorized to act as pilot-in-command (*i.e.*, the category and class of aircraft in which the practical test was conducted).

Currently, under § 61.321, to obtain privileges to operate an additional category or class of light-sport aircraft, the sport pilot must receive training and an endorsement from an authorized instructor for the additional privilege, pass a proficiency check from an authorized instructor (other than the instructor who trained them), and have

received a logbook endorsement from the instructor who conducted the proficiency check. The logbook endorsement certifies the sport pilot is authorized for the additional category and class light-sport aircraft privilege. Section 61.419 contains mirrored requirements for a certificated flight instructor to complete a proficiency check when seeking to provide training in an additional category or class of aircraft.

Though §§ 61.321 and 61.419 will retain the successful completion of a proficiency requirement for most sport pilot and sport pilot rating privileges (*i.e.*, glider category privileges, rotorcraft category and gyroplane class privileges, lighter-than-air category and airship class privileges, lighter-than-air category and balloon class privileges, powered parachute land or sea class privileges, and weight shift control aircraft category and land or sea class privileges), the MOSAIC final rule will change the requirement for additional airplane privileges.¹ As adopted in the MOSAIC final rule, §§ 61.321(b) and 61.419(e) require the successful completion of a practical test² for the sport pilot and flight instructor certificate, respectively, when adding an airplane single engine land or sea class privilege.

B. Incorporation by Reference

In 2024, FAA published the Airman Certification Standards and Practical Test Standards for Airman; Incorporation by Reference final rule³ to revise certain regulations governing airman certification to incorporate the ACS and PTS by reference into the certification requirements for pilots and flight instructors (as it pertains to part 61). FAA created § 61.14 as a centralized incorporation by reference (IBR) section to streamline the regulations.⁴ This rulemaking proposes to update three sport pilot PTS incorporated currently by reference in § 61.14 (a)(12), (13), and (14).

¹ New §§ 61.321(b) and 61.419(e) also require successful completion of a practical test for sport pilots and flight instructor certificates when seeking a rotorcraft-helicopter with simplified flight controls designation privilege; however, those testing standards were adopted in the MOSAIC final rule.

² A proficiency check is conducted by a flight instructor, whereas a practical test is conducted by a pilot examiner. Pilot examiners must meet additional experience requirements and are specifically trained and approved by FAA. Pilot examiners also receive direct FAA oversight and supervision as designees for such responsibility.

³ 89 FR 22482 (April 2, 2024).

⁴ FAA directs compliance on the respective practical tests and proficiency checks with the appropriate ACS and PTS through §§ 61.43, 61.57, 61.58, 61.321, and 61.419.

IBR is a mechanism that allows Federal agencies to comply with the requirements of the Administrative Procedure Act to publish rules in the **Federal Register** and the Code of Federal Regulations (CFR) by referring to material published elsewhere. Material that is incorporated by reference has the same legal status as if it were published in full in the **Federal Register**. Because 5 U.S.C. 552(a) requires the Director of the Federal Register to approve material to be incorporated by reference, incorporation by reference is governed by the Office of the Federal Register and as promulgated in its regulations at 1 CFR part 51. Specifically, 1 CFR part 51 provides certain requirements a regulatory incorporation by reference must contain. Under 5 U.S.C. 552(a), matter incorporated by reference must be “reasonably available” as a condition of its eligibility. Further, 1 CFR 51.5(a)(2) requires agencies seeking to incorporate material by reference to discuss in the preamble of the proposed rule the ways the material it proposes to incorporate by reference is reasonably available to interested parties and how interested parties can obtain the material. In accordance with 5 U.S.C. 552(a) and 1 CFR part 51, FAA makes the PTS reasonably available for interested parties by providing free online public access to view on FAA Training and Testing website at https://www.faa.gov/training_testing. The PTS are available for download, free of charge, at the provided web address. FAA will continue to provide the PTS to interested parties in this manner. For further information, contact the Training and Certification Group at 202–267–1100, acsptsinquiries@faa.gov, or 800 Independence Avenue SW, Washington, DC 20591.

The PTS require an applicant seeking a certificate or rating to complete specific tasks and maneuvers to a minimum prescribed standard to obtain the applicable certificate or rating. As such, if an applicant does not perform a task to the standard in the applicable ACS or PTS, the applicant cannot obtain the corresponding certificate and rating.

FAA proposes to update PTS, generally summarized as follows:

- Sport Pilot and Sport Pilot Flight Instructor Practical Test Standards for Airplane Category, Rotorcraft Category, and Glider Category; FAA–S–8081–29A, which establishes the aeronautical knowledge, special emphasis areas considered critical to flight safety, and proficiency standards for the sport pilot practical tests and proficiency checks for the airplane, gyroplane, glider, and flight instructor. This PTS contains the

following Areas of Operation: Preflight Preparation; Preflight Procedures; Airport and Seaplane Base Operations; Takeoffs, Landings, and Go-Arounds; Performance Maneuver; Ground Reference Maneuvers; Navigation; Slow Flight and Stalls; Emergency Operations; and Postflight Procedures.

- Sport Pilot and Sport Pilot Flight Instructor Practical Test Standards for Lighter-Than-Air Category; FAA-S-8081-30A, which establishes the aeronautical knowledge, special emphasis areas considered critical to flight safety, and proficiency standards for the sport pilot practical tests and proficiency checks for the airship, balloon, and flight instructor. This PTS contains the following Areas of Operation: Preflight Preparation; Preflight Procedures; Airport Operations; Takeoffs, Landings, and Go-Arounds; Performance Maneuver; Ground Reference Maneuvers; Navigation; Emergency Operations; and Postflight Procedures.

- Sport Pilot and Sport Pilot Flight Instructor Practical Test Standards for Powered Parachute Category and Weight-Shift Control Category; FAA-S-8081-31A, which establishes the aeronautical knowledge, special emphasis areas considered critical to flight safety, and proficiency standards for the sport pilot practical tests and proficiency checks for the weight-shift control, powered parachute, and flight instructor. This PTS contains the following Areas of Operation: Preflight Preparation; Preflight Procedures; Airport and Seaplane Base Operations; Takeoffs, Landings, and Go-Arounds; Performance Maneuver; Ground Reference Maneuvers; Navigation; Slow Flight and Stalls; Emergency Operations; and Postflight Procedures.

Drafts of the three amended PTS to be incorporated by reference are contained in the docket for this NPRM for inspection and comment. The following section provides additional information regarding these three PTS and revisions to the PTS introduced in this proposed rule.

IV. Discussion of the Proposal

FAA proposes minor amendments to 14 CFR part 61, specifically § 61.14(a) and appendix A to part 61, to reflect updated titles and publication dates for the PTS. As previously described, FAA also proposes to revise three sport pilot PTS to update terminology and

regulatory references and align testing standard requirements with newly adopted regulations in the MOSAIC final rule.

A. Amendments to 14 CFR Part 61

Section 61.14 sets forth a centralized section containing the IBR approval language, the standards' publishing information, and a list of the ACS and PTS incorporated by reference. Section 61.14(a) sets forth the PTS currently incorporated by reference in part 61. FAA proposes to amend § 61.14 to update the titles, version letter, and publication dates for the respective PTS discussed herein and set forth in § 61.14(a)(12), (a)(13), and (a)(14).

Appendix A to Part 61—Airman Certification Standards and Practical Test Standards aids applicants and evaluators in identifying which ACS or PTS must be utilized for the certificate or rating the applicant seeks. Similar to the changes proposed for § 61.14, FAA proposes to update the references in appendix A to update the titles, version letters, and publication dates for the respective PTS discussed herein. FAA acknowledges the MOSAIC final rule, upon effectivity, will integrate two new ACS in the Appendix A table that do not appear in this NPRM; FAA will reconcile this proposal with the effective MOSAIC provisions upon finalization of this rulemaking.

B. Updates to the PTS

FAA proposes to amend three PTS (FAA-S-8081-29, FAA-S-8081-30, and FAA-S-8081-31) to prevent conflict between the MOSAIC final rule and the current language in those PTS. FAA also proposes to make additional minor terminology and grammatical amendments to correct language in the PTS. This section discusses the proposed changes that apply to all three PTS and presents Table 1, Record of Changes, detailing other proposed revisions specific to each PTS.

FAA proposes to make the following nine edits in all three referenced PTS:

- Remove references to "light-sport aircraft" and replace with "aircraft" or "aircraft meeting the requirements in § 61.316," where applicable, for consistency with the removal of the definition of "light-sport aircraft" from § 1.1, General definitions, and to align with the new performance limits and design requirements in § 61.316.

- Revise the PTS titles to change references to flight instructors from

"Sport Pilot Flight Instructor" to "Flight Instructors with a Sport Pilot Rating" to align flight instructor references with 14 CFR part 61, subpart K, Flight Instructors with a Sport Pilot Rating. This terminology correction would not impose a new requirement.

- Replace all references of "DPE," "Designated Pilot Examiner," "SAE," "Specialty Aircraft Examiner," "SFIE," "Sport Flight Instructor Examiner," "SPE," "Sport Pilot Examiner," and "examiner" with "pilot examiner" to use the correct terminology consistent with the use of pilot examiners in § 183.23. The term "pilot examiner" is a more general term encompassing a variety of examiner functions and more accurately reflects the functions the pilot examiner serves in the context of these PTS. This terminology correction would not impose a new requirement.

- Add "14 CFR part 73 Special Use Airspace" to the list of references the practical tests standards are based on in the PTS Description section. This reference was inadvertently omitted from prior PTS versions and would not impose a new substantive requirement for applicants, as the relevant content of part 73 is already enumerated in the PTS elements.

- Revise NOTAM acronym from "Notice to Air Missions" to "Notice to Airmen."⁵

- Replace references of "FAA inspector" with "aviation safety inspector" or "ASI" for consistency with FAA standard nomenclature.

- Update the title version letters from "A" to "B."

- Update the publication dates from "November 2023" to "(To be determined publication month) 2025."

- Make multiple non-substantive, technical changes including correcting typos, fixing spacing and numbering errors, updating references in general and web addresses, and correcting terminology.

Table 1, Record of Changes to PTS, inventories the proposed revisions unique to each PTS. These proposed changes include updating terminology, aligning language with other FAA guidance, and conforming language to align with amended regulations. The changes in the table are in addition to the changes previously discussed.

⁵ Per FAA Order 7930.2T NOTAM Reversal effective February 10, 2025.

TABLE 1—RECORD OF CHANGES TO PTS

Location	Proposed change	Rationale
Practical Test Standard (PTS) FAA-S-8081-29A		
Title and Foreword	Replace “Gyroplane” with “Rotorcraft Category Gyroplane” in title.	Specify category and class of PTS applicability.
Introduction: General Information	Remove “make and model” as an alternative to “category/class” for endorsement limitations.	Conform with new § 61.3(m).
Introduction: Flight Instructor Responsibility	Replace “students” with “learners.”	Consistency and standardization of term.
Section 1, Sport Pilot Airplane, (ASEL and ASES).	Revise references to proficiency check requirements for adding sport pilot airplane privileges to require completing a practical test.	Align with § 61.321(b).
Section 1, Sport Pilot Airplane, (ASEL and ASES): VIII. AREA OF OPERATION: SLOW FLIGHT AND STALLS, B. TASK: POWER-OFF STALLS (ASEL and ASES).	Revise element 6	Correct order of recovery steps to align with Airplane Flying Handbook (FAA-H-8083-3), Chapter 5, Full Stalls, Power Off. No substantive change.
	In element 7., remove “(ASES)”	Correct drafting error. No substantive change. This element was and continues to be a requirement for both ASEL and ASES when applicable to the airplane the applicant operates during the practical test in accordance with the airplane’s Pilot’s Operating Handbook.
Section 1, Sport Pilot Airplane, (ASEL and ASES): VIII. AREA OF OPERATION: SLOW FLIGHT AND STALLS, C. TASK: POWER-ON STALLS (ASEL and ASES).	Revise element 6	Correct order of recovery steps to align with Airplane Flying Handbook (FAA-H-8083-3). No substantive change.
Section 1, Sport Pilot Airplane, (ASEL and ASES): X. AREA OF OPERATION: POSTFLIGHT PROCEDURES, A. TASK: AFTER LANDING, PARKING, AND SECURING (ASEL and ASES).	In element 3., insert “and signs” after “markings”	Update terminology for airman testing standard knowledge element consistency.
Section 2, Sport Pilot, Gyroplane: Applicant’s Practical Test Checklist Appointment with Evaluator, Personal Records.	Insert “Letter of Discontinuance (as applicable)” to list of Personal Records.	Align with § 61.43(e).
Section 2, Sport Pilot, Gyroplane: I. AREA OF OPERATION: PREFLIGHT PREPARATION, F. TASK: OPERATION OF SYSTEMS.	Add “FAA-H-8083-21” to list of references ...	Add for reference consistency within Section 2, specific to gyroplane reference materials.
Section 2, Sport Pilot, Gyroplane: II. AREA OF OPERATION: PREFLIGHT PROCEDURES, D. TASK: TAXIING.	In element 4., delete “signals” and add in its place “signs, and lighting” after “markings.”	Update terminology for airman testing standard knowledge element consistency.
Section 2, Sport Pilot, Gyroplane: VIII. AREA OF OPERATION: FLIGHT AT SLOW AIRSPEEDS, A. TASK: STRAIGHT-AND-LEVEL, TURNS, CLIMBS, AND DESCENTS AT SLOW AIRSPEEDS.	Revise element 2	Align with the Rotorcraft Flying Handbook, FAA-H-8083-21, chapter 20, minimum altitude for ground reference maneuvers and remove “safe altitude” because it is not a defined term.
Section 2, Sport Pilot, Gyroplane: X. AREA OF OPERATION: POSTFLIGHT PROCEDURES, A. TASK: AFTER LANDING, PARKING AND SECURING.	In element 3., insert “signs,” after “markings.”	Update terminology for airman testing standard knowledge element consistency.
Section 3, Sport Pilot, Glider: Applicant’s Practical Test Checklist Appointment with Evaluator, Personal Records.	Insert “Letter of Discontinuance (as applicable)” to list of Personal Records.	Align with § 61.43(e).
Section 3, Sport Pilot, Glider, I Area of Operation: Preflight Preparation, Tasks A, B, C, E, and F..	Add “FAA-H-8083-13” to list of references ...	Add for reference consistency within Section 3, specific to glider reference materials.
Section 3, Sport Pilot, Glider, IV Area of Operation: Launches and Landings, Tasks L, M, and N..	Add “FAA-H-8083-13” to list of references ...	Add for reference consistency within Section 3, specific to glider reference materials.
Section 3, Sport Pilot, Glider, VII. Area of Operation: Navigation, Task A, Flight Preparation and Planning..	Add “FAA-H-8083-25” to list of references ...	Add for reference consistency within Section 3, Area of Operation VII.
Section 4, Flight Instructors with a Sport Pilot Rating.	Revise references to proficiency check requirements for adding sport pilot airplane privileges to require completing a practical test.	Align with new § 61.419(e).
Section 4, Flight Instructors with a Sport Pilot Rating: Applicant’s Practical Test Checklist Appointment with Evaluator, Personal Records.	Insert “Letter of Discontinuance (as applicable)” as the eighth bullet, “FAA Form 8060-5, Notice of Disapproval of Application (if applicable).”	Align with § 61.43(e).

TABLE 1—RECORD OF CHANGES TO PTS—Continued

Location	Proposed change	Rationale
Section 4, Flight Instructors with a Sport Pilot Rating: II. AREA OF OPERATION: TECHNICAL SUBJECT AREAS, A. TASK: AEROMEDICAL FACTORS.	In element 1., replace “certificate” with “qualifications.”	Align with § 61.23(c)(1)(iii).
Section 4, Flight Instructors with a Sport Pilot Rating: II. AREA OF OPERATION: TECHNICAL SUBJECT AREAS, A. TASK: AEROMEDICAL FACTORS.	Revise reference to replace “FAA–H–8083–3” with “FAA–H–8083–25.”	Correct reference.
Section 4, Flight Instructors with a Sport Pilot Rating: II. AREA OF OPERATION: TECHNICAL SUBJECT AREAS, D. TASK: LOG-BOOK ENTRIES AND CERTIFICATE ENDORSEMENTS.	Remove element “d. make and model privileges” and designate element “e.” as element “d.”	Conform with new § 61.3(m).
Practical Test Standard (PTS) FAA–S–8081–30A		
Introduction: Single-Seat Aircraft Proficiency Check.	Remove “make and model” references	Conform with new § 61.3(m).
Section 1, Sport Pilot Airship: Applicant’s Practical Test Checklist Appointment with Evaluator, PERSONAL RECORDS.	Insert “Letter of Discontinuance (as applicable)” to list of Personal Records.	Align with § 61.43(e).
Section 2, Sport Pilot Balloon: Applicant’s Practical Test Checklist Appointment with Evaluator, PERSONAL RECORDS.	Insert “Letter of Discontinuance (as applicable)” to list of Personal Records.	Align with § 61.43(e).
Section 2, Sport Pilot Balloon: II. AREA OF OPERATION: PREFLIGHT PROCEDURES, D. TASK: PREFLIGHT INSPECTION.	In element 2.a., add “gondola.”	Align with FAA–H–8083–11B, Balloon Flying Handbook, page G–5, the term gondola is defined as that portion of a gas balloon that carries the pilot, passengers, cargo, ballast, and instruments. Align with § 61.43(e).
Section 3, Flight Instructors with a Sport Pilot Rating: Applicant’s Practical Test Checklist Appointment with Evaluator, PERSONAL RECORDS.	Insert “Letter of Discontinuance (as applicable)” to list of Personal Records.	Align with § 61.43(e).
Section 3, Flight Instructors with a Sport Pilot Rating: Initial Flight Instructor Certification Practical Test—Unsatisfactory Performance.	In the third paragraph, revise the phrase to include unsatisfactory performance.	Update description for consistency.
Section 3, Flight Instructors with a Sport Pilot Rating: Proficiency Check-Satisfactory Performance When Adding an Additional Category/Class.	Insert “class” after the word “category” in the first paragraph.	Conform with amended § 61.419.
Section 3, Flight Instructors with a Sport Pilot Rating: Proficiency Check—Unsatisfactory Performance When Adding an Additional Category/Class.	In the second paragraph, revise the phrase to include unsatisfactory performance.	Update description for consistency.
Section 3, Flight Instructors with a Sport Pilot Rating: II. AREA OF OPERATION: TECHNICAL SUBJECT AREAS, A. TASK: AEROMEDICAL FACTORS.	In element 1., replace “certificate” with “qualifications.”	Conform with § 61.23(c)(1)(iii).
Section 3, Flight Instructors with a Sport Pilot Rating: II. AREA OF OPERATION: TECHNICAL SUBJECT AREAS, D. TASK: LOG-BOOK ENTRIES AND CERTIFICATE ENDORSEMENTS.	Remove element “d. make and model privileges” and designate element “e.” as element “d.”	Conform with new § 61.3(m).
Practical Test Standard (PTS) FAA–S–8081–31A		
Introduction: Single-Seat Aircraft Proficiency Check.	Remove “make and model” references	Conform with new § 61.3(m).
Section 1, Sport Pilot Weight-Shift-Control (WSCL and WSCS): Applicant’s Practical Test Checklist Appointment with Evaluator, PERSONAL RECORDS.	Insert “Letter of Discontinuance (as applicable)” to list of Personal Records.	Align with § 61.43(e).
Section 1, Sport Pilot Weight-Shift-Control (WSCL and WSCS): II. AREA OF OPERATION: PREFLIGHT PROCEDURES, F. TASK: TAXIING (WSCL).	In element 5., remove the word “signals,” and add in its place the phrase “signs, lighting.”	Update terminology for airman testing standard knowledge element consistency.
Section 1, Sport Pilot Weight-Shift-Control (WSCL and WSCS): IV. AREA OF OPERATION: TAKEOFFS, LANDINGS, AND GO-AROUNDS, B. TASK: POWER-ON AND CROSSWIND APPROACH AND LANDING (WSCL and WSCS).	In element 2., remove “(WSCS).”	Align with the Weight-Shift-Control Aircraft Flying Handbook, FAA–H–8083–5, Chapter 11, Power-On and Crosswind Approaches and Landings. No substantive change.

TABLE 1—RECORD OF CHANGES TO PTS—Continued

Location	Proposed change	Rationale
Section 1, Sport Pilot Weight-Shift-Control (WSCL and WSCS), IV. AREA OF OPERATION: TAKEOFFS, LANDINGS, AND GO-AROUNDS, G. TASK: STEEP APPROACH TO A LANDING (WSCL and WSCS).	In element 2., remove “(WSCS).”	Align with airman testing standards Weight-Shift-Control Aircraft Flying Handbook, FAA-H-8083-5, Chapter 11, Steep Approach To a Landing. No substantive change.
Section 1, Sport Pilot Weight-Shift-Control (WSCL and WSCS): X. AREA OF OPERATION: POSTFLIGHT PROCEDURES, A. TASK: AFTER LANDING, PARKING, AND SECURING (WSCL and WSCS).	In element 3., insert “signs,” after the word “markings.”	Update terminology for airman testing standard knowledge element consistency.
Section 2 Sport Pilot Powered Parachute (PPCL and PPCS): Applicant’s Practical Test Checklist Appointment with Evaluator, PERSONAL RECORDS.	Insert “Letter of Discontinuance (as applicable)” to list of Personal Records.	Align with § 61.43(e).
Section 2, Sport Pilot Powered Parachute (PPCL and PPCS): II. AREA OF OPERATION: PREFLIGHT PROCEDURES, F. TASK: TAXIING AND SAILING (PPCS).	Revise element 8	Update terminology for airman testing standard knowledge element consistency.
Section 2, Sport Pilot Powered Parachute (PPCL and PPCS): IV. AREA OF OPERATION: TAKEOFFS, LANDINGS, AND GO AROUNDS, B. TASK: NORMAL APPROACH AND LANDING (PPCL and PPCS).	In element 2., remove “(PPCS).”	Align with the Powered Parachute Flying Handbook, FAA-H-8083-29, Chapter 11, Normal Approach and Landing. No substantive change.
Section 2, Sport Pilot Powered Parachute (PPCL and PPCS): IX. AREA OF OPERATION: POSTFLIGHT PROCEDURES, A. TASK: AFTER LANDING, PARKING, AND SECURING (PPCL and PPCS).	In element 2., insert “signs,” between the words “marking” and “lighting.”	Update terminology for airman testing standard knowledge element consistency.
Section 3, Flight Instructors with a Sport Pilot Rating: Applicant’s Practical Test Checklist Appointment with Evaluator, PERSONAL RECORDS.	Insert “Letter of Discontinuance (as applicable)” to list of Personal Records.	Align with § 61.43(e).
Section 3, Flight Instructors with a Sport Pilot Rating: Proficiency Check-Satisfactory Performance When Adding Additional Category/Class Privileges.	Insert “class” after the word “category” in the first paragraph.	Conform with amended § 61.419.
Section 3, Flight Instructors with a Sport Pilot Rating: II. AREA OF OPERATION: TECHNICAL SUBJECT AREAS, D. TASK: LOG-BOOK ENTRIES AND CERTIFICATE ENDORSEMENTS.	Remove “d. make and model privileges.” and designate element “e.” as element “d.”	Conform with new § 61.3(m).

V. Regulatory Notices and Analyses

A. Regulatory Impact Analysis

Executive Order (E.O.) 12866 (“Regulatory Planning and Review”) and E.O. 13563 (“Improving Regulation and Regulatory Review”) require agencies to regulate in the “most cost-effective manner,” to make a “reasoned determination that the benefits of the intended regulation justify its costs,” and to develop regulations that “impose the least burden on society.” This NPRM is nonsignificant for the purposes of E.O. 12866.

Benefits

The benefits of the proposed rule stem from aligning the sport pilot practical test standards with the MOSAIC final rule published on July 24, 2025, therefore sharing similar benefits to MOSAIC by facilitating the move to performance-based standards that expand the aircraft sport pilots can

utilize. Facilitating the allowance of larger and more varied aircraft for use by sport pilots provides potential safety benefits from stronger airframes and being able to carry additional safety equipment further expanded upon in the MOSAIC final rule preamble.

Costs

FAA estimates that the proposed rule would result in no costs to stakeholders and minimal costs to FAA. The testing standards used by stakeholders are freely available on FAA’s website, and FAA does not require printing or physical copies of these documents. Therefore, once the updated documents are made available after final rule publication, the voluntary choice to print the updated standards by testing centers, companies, or individuals is not considered an incurred cost of this proposed rule. FAA also does not anticipate new costs to applicants for an initial certificate, rating, or privilege and

to existing airmen (e.g., pilots completing proficiency checks or pilots seeking additional certificates or ratings). As the practical tests are already conducted in accordance with the applicable ACS or PTS, and there are no substantive changes to the testing processes, areas of operation, or elements upon which airmen are currently tested to obtain a certificate, the proposed rule does not create a change from the baseline that would induce costs.

FAA would incur a minimal cost to make the proposed updates aligning the PTS documents with the MOSAIC final rule and uploading them to its website. FAA does not anticipate other costs to the agency from these updates because the process by which testing is conducted, or the manner in which PTS and ACS are currently implemented, is not changing. Therefore, FAA considers this to be a no cost rule for stakeholders with only minimal costs to the agency,

but requests comment if other potential costs were not considered.

B. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) of 1980, (5 U.S.C. 601–612), as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121) and the Small Business Jobs Act of 2010 (Pub. L. 111–240), requires Federal agencies to consider the effects of the regulatory action on small business and other small entities and to minimize any significant economic impact. The term “small entities” comprises small businesses and not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

This proposed rule would update three PTS for sport pilots to align with the requirements set forth by the MOSAIC final rule. These changes are made by FAA to its own documents, freely provided and accessible on FAA’s testing standards web pages. Some aviation supply or testing entities may choose to print and sell the PTS, but since FAA does not require physical versions of the standards, any costs to re-print the documents are incurred voluntarily and are not attributable to this proposed rule. Therefore, there are no significant economic impacts to small entities.

If an agency determines a rulemaking will not result in a significant economic impact on a substantial number of small entities, the head of the agency may so certify under section 605(b) of the RFA. Therefore, as provided in section 605(b) and based on the foregoing, the head of FAA certifies this rulemaking would not result in a significant economic impact on a substantial number of small entities.

C. International Trade Impact Assessment

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

international standards and, where appropriate, that they be the basis for U.S. standards.

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

D. Unfunded Mandates Assessment

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) governs the issuance of Federal regulations that require unfunded mandates. An unfunded mandate is a regulation that requires a State, local, or Tribal government or the private sector to incur direct costs without the Federal government having first provided the funds to pay those costs. FAA estimates the proposed rule would not result in the expenditure of \$187,000,000 or more (\$100,000,000 adjusted for inflation using the most current Implicit Price Deflator for the Gross Domestic Product) by State, local, or Tribal governments, in the aggregate, or the private sector, in any one year.

E. Paperwork Reduction Act

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

F. International Compatibility

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

G. Environmental Analysis

The Department has analyzed the environmental impacts of this notice of proposed rulemaking pursuant to the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321 *et seq.*). FAA has determined that this rule is categorically excluded pursuant to FAA Order 1050.1G. Categorical exclusions are categories of actions that the agency has determined normally do not significantly affect the quality of the human environment and therefore do not require either an environmental

assessment (EA) or environmental impact statement (EIS). See DOT Order 5610.1D § 9. In analyzing the applicability of a categorical exclusion, the agency must also consider whether extraordinary circumstances are present that would warrant the preparation of an EA or EIS. Id. § 9(b). This rulemaking, which will align FAA’s sport pilot practical test standards with the recent updates in the MOSAIC final rule, is categorically excluded pursuant to FAA Order 1050.1G § 1.4. Appendix B § B–2.6 contains a categorical exclusion for all FAA regulations unless they “may cause a significant impact on the human environment.” FAA does not anticipate any environmental impacts, and there are no extraordinary circumstances present in connection with this rulemaking.

VI. Executive Order Determinations

A. Executive Order 13132, Federalism

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

B. Executive Order 13175, Consultation and Coordination With Indian Tribal Governments

Consistent with E.O. 13175, Consultation and Coordination with Indian Tribal Governments,⁶ and FAA Order 1210.20, American Indian and Alaska Native Tribal Consultation Policy and Procedures,⁷ FAA ensures Federally Recognized Tribes (Tribes) are given the opportunity to provide meaningful and timely input regarding proposed Federal actions that have the potential to affect uniquely or significantly their respective Tribes. At this point, FAA has not identified any unique or significant effects, environmental or otherwise, on Tribes resulting from this proposed rule.

C. Executive Order 13211, Regulations That Significantly Affect Energy Supply, Distribution, or Use

FAA analyzed this proposed rule under E.O. 13211, Actions Concerning Regulations that Significantly Affect Energy Supply, Distribution, or Use (May 18, 2001). FAA has determined it would not be a “significant energy

⁶ 65 FR 67249 (Nov. 6, 2000).

⁷ FAA Order No. 1210.20 (Jan. 28, 2004), available at www.faa.gov/documentLibrary/media/1210.pdf.

action” under the executive order and would not be likely to have a significant adverse effect on the supply, distribution, or use of energy.

D. Executive Order 13609, Promoting International Regulatory Cooperation

E.O. 13609, Promoting International Regulatory Cooperation, promotes international regulatory cooperation to (1) meet shared challenges involving health, safety, labor, security, environmental, and other issues and to reduce, eliminate, or (2) prevent unnecessary differences in regulatory requirements. FAA has analyzed this action under the policies and agency responsibilities of E.O. 13609 and has determined this action would have no effect on international regulatory cooperation.

E. Executive Order 14192, Unleashing Prosperity Through Deregulation

This proposed rule would not be an E.O. 14192 regulatory action because this rule is not significant under E.O. 12866

VII. Additional Information

A. Comments Invited

FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. FAA also invites comments relating to the economic, environmental, energy, or federalism impacts that might result from adopting the proposals in this document. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should submit only one time if comments are filed electronically, or commenters should send only one copy of written comments if comments are filed in writing.

FAA will file in the docket all comments it receives, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rule. Before acting on this proposal, FAA will consider all comments it receives on or before the closing date for comments. FAA will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. FAA may change this proposal in light of the comments it receives.

B. Incorporation by Reference Material

The proposed updates to the incorporated by reference PTS may be viewed online in the docket to this

rulemaking. For further information, contact the Training and Certification Group at 202–267–1100, acsptsinquiries@faa.gov, or 800 Independence Avenue SW, Washington, DC 20591.

C. Confidential Business Information

Confidential Business Information (CBI) is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as “PROPIN.” FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to the person in the **FOR FURTHER INFORMATION CONTACT** section of this document. Any commentary FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

D. Electronic Access and Filing

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

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

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

E. Small Business Regulatory Enforcement Fairness Act

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

List of Subjects in 14 CFR Part 61

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

The Proposed Amendment

For the reasons discussed in the preamble, the Federal Aviation Administration proposes to amend chapter I of title 14, Code of Federal Regulations as follows:

PART 61—Certification: Pilots, Flight Instructors, and Ground Instructors

- 1. The authority citation for part 61 continues to read as follows:

Authority: 49 U.S.C. 106(f), 40113, 44701–44703, 44707, 44709–44711, 44729, 44903, 45102–45103, 45301–45302; Sec. 2307, Pub. L. 114–190, 130 Stat. 615 (49 U.S.C. 44703 note); sec. 318, Pub. L. 115–254, 132 Stat. 3186 (49 U.S.C. 44703 note); sec. 820, Pub. L. 118–63, 138 Stat. 1330 (49 U.S.C. 44939 note); secs. 815 and 828, Pub. L. 118–63, 138 Stat. 1328, 1336 (49 U.S.C. 44703 note).

- 2. Amend § 61.14 by revising paragraphs (a)(12), (a)(13), and (a)(14) to read as follows:

§ 61.14 Incorporation by Reference.

* * * * *

(a) * * *

(12) FAA–S–8081–29B, Sport Pilot and Flight Instructors with a Sport Pilot Rating Practical Test Standards for Airplane Category, Rotorcraft Category Gyroplane, and Glider Category, [TBD date of IBR Approval]; IBR approved for §§ 61.43, 61.321, and 61.419, and appendix A to this part.

(13) FAA–S–8081–30B, Sport Pilot and Flight Instructors with a Sport Pilot Rating Practical Test Standards for Lighter-Than-Air Category, [TBD date of IBR Approval]; IBR approved for §§ 61.43, 61.321, and 61.419, and appendix A to this part.

(14) FAA-S-8081-31B, Sport Pilot and Flight Instructors with a Sport Pilot Rating Practical Test Standards for Powered Parachute Category and Weight-Shift-Control Aircraft Category,

[TBD date of IBR Approval]; IBR approved for §§ 61.43, 61.321, and 61.419, and appendix A to this part.

* * * * *

■ 3. Revise and republish appendix A to part 61 to read as follows:

Appendix A to Part 61—Airman Certification Standards and Practical Test Standards

If you are seeking this certificate, rating, and/or privilege . . .	Then this ACS/PTS (incorporated by reference, see § 61.14) is applicable:
Airline Transport Pilot Certificate; Airplane Category—Single-Engine Land Rating, Airplane Category—Single-Engine Sea Rating, Airplane Category—Multiengine Land Rating, Airplane Category—Multiengine Sea Rating.	FAA-S-ACS-11A, Airline Transport Pilot and Type Rating for Airplane Category Airman Certification Standards, November 2023.
Airline Transport Pilot Certificate; Rotorcraft Category—Helicopter Rating	FAA-S-8081-20A, Airline Transport Pilot and Aircraft Type Rating Practical Test Standards for Rotorcraft Category Helicopter Rating, November 2023.
Airline Transport Pilot Certificate; Powered-Lift Category	FAA-S-ACS-17, Airline Transport Pilot and Type Rating for Powered-Lift Category Airman Certification Standards, November 2023.
Commercial Pilot Certificate; Airplane Category—Single-Engine Land Rating, Airplane Category—Single-Engine Sea Rating, Airplane Category—Multiengine Land Rating, Airplane Category—Multiengine Sea Rating.	FAA-S-ACS-7B, Commercial Pilot for Airplane Category Airman Certification Standards, November 2023.
Commercial Pilot Certificate; Rotorcraft Category—Helicopter Rating	FAA-S-ACS-16, Commercial Pilot for Rotorcraft Category Helicopter Rating Airman Certification Standards, November 2023.
Commercial Pilot Certificate; Rotorcraft Category—Gyroplane Rating	FAA-S-8081-16C, Commercial Pilot Practical Test Standards for Rotorcraft Category Gyroplane Rating, November 2023.
Commercial Pilot Certificate; Powered-Lift Category	FAA-S-ACS-2, Commercial Pilot for Powered-Lift Category Airman Certification Standards, November 2023.
Commercial Pilot Certificate; Glider Category	FAA-S-8081-23B, Commercial Pilot Practical Test Standards for Glider Category, November 2023.
Commercial Pilot Certificate; Lighter-Than-Air Category—Airship Rating, Lighter-Than-Air Category—Balloon Rating.	FAA-S-8081-18A, Commercial Pilot Practical Test Standards for Lighter-Than-Air Category, November 2023.
Private Pilot Certificate; Airplane Category—Single-Engine Land Rating, Airplane Category—Single-Engine Sea Rating, Airplane Category—Multiengine Land Rating, Airplane Category—Multiengine Sea Rating.	FAA-S-ACS-6C, Private Pilot for Airplane Category Airman Certification Standards, November 2023.
Private Pilot Certificate; Rotorcraft Category—Helicopter Rating	FAA-S-ACS-15, Private Pilot for Rotorcraft Category Helicopter Rating Airman Certification Standards, November 2023.
Private Pilot Certificate; Rotorcraft Category—Gyroplane Rating	FAA-S-8081-15B, Private Pilot Practical Test Standards for Rotorcraft Category Gyroplane Rating, November 2023.
Private Pilot Certificate; Powered-Lift Category	FAA-S-ACS-13, Private Pilot for Powered-Lift Category Airman Certification Standards, November 2023.
Private Pilot Certificate; Glider Category	FAA-S-8081-22A, Private Pilot Practical Test Standards for Glider Category, November 2023.
Private Pilot Certificate; Lighter-Than-Air Category—Airship Rating, Lighter-Than-Air Category—Balloon Rating.	FAA-S-8081-17A, Private Pilot Practical Test Standards for Lighter-Than-Air Category, November 2023.
Private Pilot Certificate; Powered Parachute Category—Land Rating, Powered Parachute Category—Sea Rating, Weight-Shift-Control Aircraft Category—Land Rating, Weight-Shift-Control Aircraft Category—Sea Rating.	FAA-S-8081-32A, Private Pilot Practical Test Standards for Powered Parachute Category and Weight-Shift-Control Category, November 2023.
Recreational Pilot Certificate; Airplane Category—Single-Engine Land Rating, Airplane Category—Single-Engine Sea Rating, Rotorcraft Category—Helicopter Rating, Rotorcraft Category—Gyroplane Rating.	FAA-S-8081-3B, Recreational Pilot Practical Test Standards for Airplane Category and Rotorcraft Category, November 2023.
Sport Pilot Certificate; Airplane Category—Single-Engine Land Privileges, Airplane Category—Single-Engine Sea Privileges, Rotorcraft Category—Gyroplane Privileges, Glider Category.	FAA-S-8081-29B, Sport Pilot and Flight Instructors with a Sport Pilot Rating Practical Test Standards for Airplane Category, Rotorcraft Category Gyroplane, and Glider Category, [TBD date of IBR Approval].
Flight Instructor Certificate with a Sport Pilot Rating; Airplane Category—Single-Engine Privileges, Rotorcraft Category—Gyroplane Privileges, Glider Category.	
Sport Pilot Certificate; Lighter-Than-Air Category—Airship Privileges, Lighter-Than-Air Category—Balloon Privileges.	FAA-S-8081-30B, Sport Pilot and Flight Instructors with a Sport Pilot Rating Practical Test Standards for Lighter-Than-Air Category, [TBD date of IBR Approval].
Flight Instructor Certificate with a Sport Pilot Rating; Lighter-Than-Air Category—Airship Privileges, Lighter-Than-Air Category—Balloon Privileges.	
Sport Pilot Certificate; Powered Parachute Category—Land Privileges, Powered Parachute Category—Sea Privileges, Weight-Shift-Control Aircraft Category—Land Privileges, Weight-Shift-Control Aircraft Category—Sea Privileges.	FAA-S-8081-31B, Sport Pilot and Flight Instructors with a Sport Pilot Rating Practical Test Standards for Powered Parachute Category and Weight-Shift-Control Category, [TBD date of IBR Approval].
Flight Instructor Certificate with a Sport Pilot Rating; Powered Parachute Category Privileges, Weight-Shift-Control Aircraft Category Privileges.	
Instrument Rating—Airplane Instrument Proficiency Check—Airplane	FAA-S-ACS-8C, Instrument Rating—Airplane Airman Certification Standards, November 2023.
Instrument Rating—Helicopter Instrument Proficiency Check—Helicopter	FAA-S-ACS-14, Instrument Rating—Helicopter Airman Certification Standards, November 2023.
Instrument Rating—Powered-Lift Instrument Proficiency Check—Powered-Lift	FAA-S-ACS-3, Instrument Rating—Powered-Lift Airman Certification Standards, November 2023.
Flight Instructor Certificate; Airplane Category—Single Engine Rating Airplane Category—Multiengine Rating.	FAA-S-ACS-25, Flight Instructor for Airplane Category Airman Certification Standards, November 2023.
Flight Instructor Certificate; Rotorcraft Category—Helicopter Rating	FAA-S-ACS-29, Flight Instructor for Rotorcraft Category Helicopter Rating Airman Certification Standards, November 2023.
Flight Instructor Certificate; Rotorcraft Category—Gyroplane Rating	FAA-S-8081-7C, Flight Instructor Practical Test Standards for Rotorcraft Category Gyroplane Rating, November 2023.
Flight Instructor Certificate; Powered-lift Category	FAA-S-ACS-27, Flight Instructor for Powered-Lift Category Airman Certification Standards, November 2023.
Flight Instructor Certificate; Glider Category	FAA-S-8081-8C, Flight Instructor Practical Test Standards for Glider Category, November 2023.
Flight Instructor Certificate; Instrument—Airplane Rating, Instrument—Helicopter Rating.	FAA-S-8081-9E, Flight Instructor Instrument Practical Test Standards for Airplane Rating and Helicopter Rating, November 2023.
Flight Instructor Certificate; Instrument—Powered-Lift Rating	FAA-S-ACS-28, Flight Instructor—Instrument Rating Powered-Lift Airman Certification Standards, November 2023.
Aircraft Type Rating—Airplane	FAA-S-ACS-11A, Airline Transport Pilot and Type Rating for Airplane Category Airman Certification Standards, November 2023.

If you are seeking this certificate, rating, and/or privilege . . .	Then this ACS/PTS (incorporated by reference, see § 61.14) is applicable:
Aircraft Type Rating—Helicopter	FAA-S-8081-20A, Airline Transport Pilot and Aircraft Type Rating Practical Test Standards for Rotorcraft Category Helicopter Rating, November 2023.
Aircraft Type Rating—Powered-Lift	FAA-S-ACS-17, Airline Transport Pilot and Type Rating for Powered-Lift Category Airman Certification Standards, November 2023.
Pilot-in-Command Proficiency Check—Airplane	FAA-S-ACS-11A, Airline Transport Pilot and Type Rating for Airplane Category Airman Certification Standards; November 2023.
Pilot-in-Command Proficiency Check—Helicopter	FAA-S-8081-20A, Airline Transport Pilot and Aircraft Type Rating Practical Test Standards for Rotorcraft Category Helicopter Rating, November 2023.
Pilot-in-Command Proficiency Check—Powered-Lift	FAA-S-ACS-17, Airline Transport Pilot and Type Rating for Powered-Lift Category Airman Certification Standards, November 2023.

Issued under authority provided by 49 U.S.C. 106(f), 44701(a), and 44703 in Washington, DC.

Hugh J. Thomas,

Acting Executive Director, Flight Standards Service.

[FR Doc. 2025-22220 Filed 12-5-25; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2025-5367; Airspace Docket No. 25-AGL-19]

RIN 2120-AA66

Amendment of Class E Airspace; Benton Harbor, MI

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend the Class E airspace at Benton Harbor, MI. The name and geographic coordinates of the Southwest Michigan Regional Airport, Benton Harbor, MI, would also be updated to coincide with the FAA's aeronautical database. The FAA is proposing this action as the result of an airspace review conducted due to the decommissioning of the Keeler very high frequency omnidirectional range (VOR) as part of the VOR Minimum Operational Network (MON) Program. This action would bring the airspace into compliance with FAA orders and support instrument flight rule (IFR) procedures and operations.

DATES: Comments must be received on or before January 22, 2026.

ADDRESSES: Send comments identified by FAA Docket No. FAA-2025-5367 and Airspace Docket No. 25-AGL-19 using any of the following methods:

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

* *Mail:* Send comments to Docket Operations, M-30; U.S. Department of

Transportation, 1200 New Jersey Avenue SE, Room W12-140, West Building Ground Floor, Washington, DC 20590-0001.

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

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

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

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

FOR FURTHER INFORMATION CONTACT: Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222-5711.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

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

safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would amend the Class E airspace at the affected airport to support IFR operations.

Comments Invited

The FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should submit only one time if comments are filed electronically, or commenters should send only one copy of written comments if comments are filed in writing.

The FAA will file in the docket all comments it receives, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, the FAA will consider all comments it received on or before the closing date for comments. The FAA will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. The FAA may change this proposal in light of the comments it receives.

Privacy: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to www.regulations.gov as described in the system of records notice (DOT/ALL-14FDMS), which can be reviewed at www.dot.gov/privacy.

Availability of Rulemaking Documents

An electronic copy of this document may be downloaded through the internet at www.regulations.gov. Recently published rulemaking

documents can also be accessed through the FAA's web page at www.faa.gov/air_traffic/publications/airspace_amendments/.

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for the address, phone number, and hours of operations). An informal docket may also be examined during normal business hours at the Federal Aviation Administration, Air Traffic Organization, Central Service Center, Operations Support Group, 10101 Hillwood Parkway, Fort Worth, TX 76177.

Incorporation by Reference

Class E airspace is published in paragraphs 6002 and 6005 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document proposes to amend the current version of that order, FAA Order JO 7400.11K, dated August 4, 2025, and effective September 15, 2025. These updates would be published subsequently in the next update to FAA Order JO 7400.11. FAA Order JO 7400.11K, which lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points, is publicly available as listed in the **ADDRESSES** section of this document.

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 that would modify the Class E surface airspace and the Class E airspace extending upward from 700 ft. above the surface at Benton Harbor, Michigan, due to an airspace review conducted as part of the decommissioning of the Keeler VOR as part of the VOR MON Program.

For the Southwest Michigan Regional Airport, Benton Harbor, MI, Class E surface area, the proposal would: (1) increase the radius from 4.2 miles to 4.5 miles; (2) update the name of the airport from Ross-Field-Twin Cities Airport to Southwest Michigan Regional Airport and update the geographic coordinates of the airport to coincide with the FAA's aeronautical database; (3) remove the city associated with the airport from the airspace legal description header to comply with changes to FAA Order JO 7400.2R, Procedures for Handling Airspace Matters; and (4) update the outdated term "Airport/Facility Directory" to "Chart Supplement."

For the Southwest Michigan Regional Airport Class E airspace extending upward from 700 ft. above the surface, the proposal would: (1) increase the radius from 6.5 miles to 7 miles; (2) add an extension within 3.7 miles each side of the 090° bearing from the Southwest Michigan RGNL: RWY 28-LOC extending from the 7-mile radius of the airport to 9.3 miles east of the airport; (3) add an extension within 2 miles each side of the 090° bearing from the airport extending from the 7-mile radius to 11.5 miles east of the airport; (4) update the name of the airport from Ross-Field-Twin Cities Airport to Southwest Michigan Regional Airport and update the geographic coordinates of the airport to coincide with the FAA's aeronautical database; and (5) remove the city associated with the airport from the airspace legal description header to comply with changes to FAA Order JO 7400.2R.

Regulatory Notices and Analyses

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

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1G, "FAA National Environmental Policy Act Implementing Procedures" prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration

proposes to amend 14 CFR part 71 as follows:

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

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

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

§ 71.1 [Amended]

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

6002 Class E Airspace Areas Designated as Surface Areas.

* * * * *

AGL MI E2 Benton Harbor, MI [Amended]

Southwest Michigan Regional Airport, MI
(Lat 42°07'42" N, long 086°25'30" W)

Within a 4.5-mile radius of Southwest Michigan Regional Airport. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Chart Supplement.

* * * * *

Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.

* * * * *

AGL MI E5 Benton Harbor, MI [Amended]

Southwest Michigan Regional Airport, MI
(Lat 42°07'42" N, long 086°25'30" W)
Southwest Michigan RGNL: RWY 28-LOC
(Lat 42°07'41" N, long 086°26'15" W)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Southwest Michigan Regional Airport; and within 3.7 miles each side of the 090° from the Southwest Michigan RGNL: RWY 28-LOC extending from the 7-mile radius of the airport to 9.3 miles east of the airport; and within 2 miles each side of the 090° bearing from the airport extending from the 7-mile radius of the airport to 11.5 miles east of the airport.

* * * * *

Issued in Fort Worth, Texas, on December 3, 2025.

Jerry J. Creecy,

*Acting Manager, Operations Support Group,
ATO Central Service Center.*

[FR Doc. 2025–22171 Filed 12–5–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HOMELAND SECURITY**Coast Guard****33 CFR Part 165**

[Docket Number USCG–2025–1069]

RIN 1625–AA00

Safety Zone; Hampton Roads Bridge-Tunnel Expansion Project, Hampton/Norfolk, VA**AGENCY:** Coast Guard, Department of Homeland Security.**ACTION:** Notice of proposed rulemaking.

SUMMARY: The Coast Guard is proposing a temporary rule to provide for safety zones for certain waters near Norfolk Harbor Entrance Reach, near the Hampton Roads Bridge Tunnel expansion project. This action is necessary to provide for the safety of life on navigable waters which are subject to existing safety zones that will expire later this month. This proposed rulemaking would prohibit persons and vessels from entering or occupying the safety zones unless authorized by the Captain of the Port, Sector Virginia or a designated representative or under conditions specified in this rulemaking. We invite your comments.

DATES: Comments and related material must be received by the Coast Guard on or before December 22, 2025.

ADDRESSES: To submit comments and view available documents, go to <https://www.regulations.gov> and search for USCG–2025–1069.

FOR FURTHER INFORMATION CONTACT: If you have questions about this proposed rule, contact LCDR Justin Z. Strassfield, Sector Virginia Waterways Management Division, U.S. Coast Guard; by phone, at (206) 815–7367, or by email, at VirginiaWaterways@uscg.mil.

SUPPLEMENTARY INFORMATION:**I. Table of Abbreviations**

CFR—Code of Federal Regulations
 COTP—U.S. Coast Guard Captain of the Port, Sector Virginia
 DHS—Department of Homeland Security
 FR—Federal Register
 HRBT—Hampton Roads Bridge-Tunnel
 HRCPP—Hampton Roads Connector Partners
 NPRM—Notice of proposed rulemaking
 NSRA—Navigation Safety Risk Assessment §—Section
 U.S.C.—United States Code
 USCG—United States Coast Guard
 USACE—United States Army Corps of Engineers
 VDOT—Virginia Department of Transportation

II. Background and Authority

On September 16, 2021, after providing notice and an opportunity to comment, the Coast Guard promulgated a temporary rule entitled “Safety Zones; Hampton Roads Bridge-Tunnel Expansion Project, Hampton/Norfolk, VA.” See 86 FR 51612. Although the Coast Guard did not receive any comments within the comment period, the rule was preceded by a formal Navigational Safety Risk Assessment and by a series of outreach meetings held jointly by the Coast Guard and the Hampton Roads Connector Partners (HRCPP), the Design-Build contractor for the Hampton Roads Bridge-Tunnel (HRBT) Expansion Project. See <https://www.federalregister.gov/d/2021-20006/p-19> for additional details about the project and the earlier rulemaking.

The 2021 rule, which is codified at 33 CFR 165.519, will expire on December 25, 2025. As substantial work needs to be done to complete the HRBT expansion project, we are now proposing a new temporary rule with a different citation which would provide for safety zones in the current safety zone locations for up to 5 more years, until December 20th of 2030.

III. Discussion of the Rule

The proposed rule would create safety zones which would be identical to those now codified at 33 CFR 165.519 and described at 86 FR 51612 except that the new rule, would have a different citation, a different expiration date, additional means of contacting the designated representatives, and a provision stating that, in the event the rule, or individual safety zones are no longer necessary, the COTP would provide notice that the rule, or any individual safety zones established by the rule, were no longer subject to enforcement. The full proposed regulatory text appears at the end of this document.

IV. Regulatory Analyses

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

A. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term “small entities” comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their

fields, and governmental jurisdictions with populations of less than 50,000. Section 605 of the RFA allows an agency to certify a rule, in lieu of preparing an analysis, if the rulemaking is not expected to have a significant economic impact on a substantial number of small entities. The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule would not have a significant economic impact on a substantial number of small entities for the following reasons.

The Coast Guard is aware that there are some small entities who operate commercial fishing vessels that did fish and set traps in some of the proposed safety zones. There is a possibility that for a very small number of entities the economic impact of this proposed rule caused by exclusion from the safety zone areas they typically fish could constitute an economic impact. However, the Coast Guard concludes that the number of small entities significantly affected would not be substantial given the areas that vessels would be excluded from has already been closed to them for over 4 years.

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

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), if this proposed 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).

B. Collection of Information

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

This proposed rule 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.

V. Public Participation and Request for Comments

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

Submitting comments. We encourage you to submit comments through <https://www.regulations.gov>. To do so, go to <https://www.regulations.gov>, type USCG–2025–1069 in the search box and click “Search.” Next, look for this document in the Search Results column, and click on it. Then click on the Comment option. If you cannot submit

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

Viewing material in the docket. To view available documents, find the docket as described in the previous paragraph, and then select “Supporting & Related Material” in the Document Type column. We will post public comments in our online docket. Additional information is on the <https://www.regulations.gov> Frequently Asked Questions web page.

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

List of Subjects in 33 CFR Part 165

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

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

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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

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

■ 2. Add § 165.T05–1069 to read as follows:

§ 165.T05–1069 Safety Zone; Hampton Roads Bridge-Tunnel Expansion Project, Hampton/Norfolk, VA.

(a) *Definitions.* As used in this section, designated representative means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel and a Federal, State, and local officer designated by or assisting the Captain of the Port, Sector Virginia (COTP) in the enforcement of the safety zone. The term also includes an employee or contractor of Hampton Roads Connector Partners (HRCPP) for the sole purposes of designating and establishing safe transit corridors, to permit passage into or through these safety zones, or to notify vessels and individuals that they have entered a safety zone and are required to leave.

(b) *Locations and zone-specific requirements*—(1) *Zone 1, Hampton Flats Mooring Area*—(i) *Location.* All waters of the Hampton Flats, from surface to bottom, encompassed by a line connecting the following points beginning at 36°59′40.41″ N, 76°22′10.66″ W, thence to 37°00′01.84″ N, 76°21′01.69″ W, thence to 36°59′52.62″ N, 76°20′57.23″ W, thence to 36°59′31.19″ N, 76°22′06.20″ W, and back to the beginning point.

(ii) *Requirements.* No vessel or person may enter or remain in the safety zone without permission of the COTP, HRCPP, or designated representative. Mariners must observe lighted marker buoys along the perimeter and at each of the corners marking the safety zone.

(2) *Zone 2, Phoebus Safe Harbor Area*—(i) *Location.* All waters west of the Phoebus Channel, from surface to bottom, encompassed by a line connecting the following points beginning at 37°00′34.26″ N, 76°19′10.58″ W, thence to 37°00′23.97″ N, 76°19′06.16″ W, thence to 37°00′22.52″ N, 76°19′11.41″ W, thence to 37°00′32.81″ N, 76°19′15.81″ W, and back to the beginning point.

(ii) *Requirements.* No vessel or person may enter or remain in the safety zone during announced enforcement periods without permission of the COTP, HRCPP, or designated representative. Such enforcement periods will be announced by Sector Virginia Broadcast Notice to Mariners and broadcasts on VHF–FM radio. During enforcement periods, mariners shall observe lighted marker buoys along the perimeter and at each of the corners marking the safety zone.

(3) *Zone 3, Willoughby Bay Mooring Area*—(i) *Location.* All waters of Willoughby Bay, from surface to bottom, in the area encompassed by a line connecting the following points beginning at 36°57′48.68″ N, 76°17′08.20″ W, thence to 36°57′44.84″ N, 76°16′44.48″ W, thence to 36°57′35.31″ N, 76°16′42.80″ W, thence to 36°57′28.78″ N, 76°16′51.75″ W, thence to 36°57′33.17″ N, 76°17′19.43″ W, and back to the beginning point.

(ii) *Requirements.* No vessel or person may enter or remain in the safety zone without permission of the COTP, HRCPP, or designated representative. Mariners must observe lighted marker buoys along the perimeter and at each of the corners marking the safety zone.

(4) *Zone 4, North Highway Bridge Trestle and North Island*—(i) *Location.* All waters, from surface to bottom, located within 300 feet of the east or west side of the Hampton Roads Bridge-Tunnel’s north highway bridge trestle, including North Island, to the shore of the City of Hampton. No vessel or

person may enter or remain in the safety zone without permission of the COTP, HRCP, or designated representative.

(ii) *Requirements.* All mariners attempting to enter or depart the Hampton Creek Approach Channel or the Phoebe Channel in the vicinity of the North Island must proceed with extreme caution and maintain a safe distance from construction equipment.

(5) *Zone 5, South Highway Bridge Trestle and South Island—(i) Location.* All waters, from surface to bottom, located within 300 feet from the east or west side of the Hampton Roads Bridge-Tunnel's south highway bridge trestle, including South Island, to the shore of the City of Norfolk.

(ii) *Requirements.* No vessel or person may enter or remain in the safety zone without permission of the COTP, HRCP, or designated representative. HRCP may establish and post visual identification of safe transit corridors that vessels may use to freely proceed through the safety zone. All mariners attempting to enter or depart the Willoughby Bay Approach Channel in the vicinity of the South Island shall proceed with extreme caution and maintain a safe distance from construction equipment.

(6) *Zone 6, Willoughby Bay Bridge—(i) Location.* All waters, from surface to bottom, located along the Willoughby Bay Bridge highway trestle and extending 50 feet to the north side of the bridge and 300 feet to the south side of

the bridge along the length of the highway trestle, from shore to shore within the City of Norfolk.

(ii) *Requirements.* No vessel or person may enter or remain in the safety zone without permission of the COTP, HRCP, or designated representative, except that vessels are allowed to transit through marked safe transit corridors that HRCP shall establish for the purpose of providing navigation access for residents located north of the Willoughby Bay Bridge through the safety zone. All mariners attempting to enter or depart residences or commercial facilities north of the Willoughby Bay Bridge through the safe transit corridors or other areas of the safety zone when granted permission shall proceed with caution and maintain a safe distance from construction equipment.

(c) *General requirements.* (1) Under the general safety zone regulations in subpart C of this part, no vessel or person may enter or remain in any safety zone described in paragraph (b) of this section unless authorized by the COTP, HRCP, or designated representative. If a vessel or person is notified by the COTP, HRCP, or designated representative that they have entered one of these safety zones without permission, they are required to immediately leave in a safe manner following the directions given.

(2) Mariners requesting to transit any of these safety zones must first contact the HRCP designated representative, the on-site foreman, via phone at 7577036060 or VHF-FM channels 13 and 16. If permission is granted, mariners must proceed at their own risk and strictly observe any and all instructions provided by the COTP, HRCP, or designated representative to the mariner regarding the conditions of entry to and exit from any location within the fixed safety zones.

(d) *Enforcement.* The Sector Virginia COTP may enforce the regulations in this section and may be assisted by any Federal, state, county, or municipal law enforcement agency.

(e) *Enforcement period.* The safety zones in this section will be in effect from December 25, 2025 until December 20, 2030. If the Captain of the Port, Sector Virginia determines this rule, or any of the safety zones established by this rule are no longer necessary, we will provide notice by marine broadcasts and local notice to mariners that the rule, or individual safety zones established by the rule, are no longer subject to enforcement.

Peggy M. Britton,

Captain, U.S. Coast Guard, Captain of the Port, Sector Virginia.

[FR Doc. 2025–22175 Filed 12–5–25; 8:45 am]

BILLING CODE 9110–04–P

Notices

Federal Register

Vol. 90, No. 233

Monday, December 8, 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.

CIVIL RIGHTS COLD CASE RECORDS REVIEW BOARD

[Agency Docket Number: CRCRRB-2026-0004-N]

Notice of Formal Determination on Records Release

AGENCY: Civil Rights Cold Case Records Review Board.

ACTION: Notice.

SUMMARY: The Civil Rights Cold Case Records Review Board identified 22 pages of records held by the National Archives and Records Administration related to one civil rights cold case incident to which the Review Board assigned the unique identifier 2024-003-062. On October 24, 2025, the Review Board met and determined that 22 pages in full should be publicly disclosed in the Civil Rights Cold Case Records Collection. By issuing this notice, the Review Board complies with the Civil Rights Cold Case Records Collection Act of 2018 that requires the Review Board to publish in the **Federal Register** its determinations on the disclosure or postponement of records in the Collection no more than 14 days after the date of its decision.

FOR FURTHER INFORMATION CONTACT: Stephannie Oriabure, Chief of Staff, Civil Rights Cold Case Records Review Board, 1800 F Street NW, Washington, DC 20405, (771) 221-0014, info@coldcaserecords.gov.

(Authority: Pub. L. 115-426, 132 Stat. 5489 (44 U.S.C. 2107))

Dated: December 3, 2025.

Stephannie Oriabure,
Chief of Staff.

[FR Doc. 2025-22159 Filed 12-5-25; 8:45 am]

BILLING CODE 6820-SY-P

COMMISSION ON CIVIL RIGHTS

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

AGENCY: U.S. Commission on Civil Rights.

ACTION: Notice of public meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act, that the Utah Advisory Committee (Committee) to the U.S. Commission on Civil Rights will hold a public meeting via Zoom at 3:00 p.m. MT on Tuesday, December 16, 2025. The purpose of the meeting is to discuss the Committee's report on the topic, *The Civil Rights of Students with Disabilities in Utah*.

DATES: Tuesday, December 16, 2025, from 3 p.m.-4 p.m. Mountain Time

ADDRESSES: The meeting will be held via Zoom Webinar.

Registration Link (Audio/Visual):
https://www.zoomgov.com/webinar/register/WN_Qhj4ZRhUSTaKCorarmDoPA.

Join by Phone (Audio Only): (833) 435-1820 USA Toll-Free; Meeting ID: 161 091 7724.

FOR FURTHER INFORMATION CONTACT: Brooke Peery, Designated Federal Officer, at bpeery@usccr.gov or (202) 701-1376.

SUPPLEMENTARY INFORMATION: This committee meeting is available to the public through the registration link above. Any interested member of the public may listen to the meeting. An open comment period will be provided to allow members of the public to make a statement as time allows. Per the Federal Advisory Committee Act, public minutes of the meeting will include a list of persons who are present at the meeting. If joining via phone, callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any charges incurred. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Closed captioning will be available for individuals who are deaf, hard of hearing, or who have certain cognitive or learning impairments. To request additional accommodations,

please email Liliana Schiller, Support Services Specialist, at lschiller@usccr.gov at least 10 business days prior to the meeting.

Members of the public are entitled to submit written comments; the comments must be received within 30 days following the meeting. Written comments may be emailed to Brooke Peery at bpeery@usccr.gov. Persons who desire additional information may contact the Regional Programs Coordination Unit at (202) 701-1376.

Records generated from this meeting may be inspected and reproduced at the Regional Programs Coordination Unit, as they become available, both before and after the meeting. Records of the meeting will be available via the file sharing website, www.box.com. Persons interested in the work of this Committee are directed to the Commission's website, www.usccr.gov, or may contact the Regional Programs Coordination Unit at the above phone number.

Agenda

- I. Welcome & Roll Call
- II. Discussion: The Civil Rights of Students with Disabilities in Utah
- III. Public Comment
- IV. Next Steps
- V. Adjournment

Dated: December 4, 2025.

David Mussatt,
Supervisory Chief, Regional Programs Unit.
[FR Doc. 2025-22195 Filed 12-5-25; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

Census Bureau

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Monthly Wholesale Trade Survey

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us

assess the impact of our information collection requirements and minimize the public's reporting burden. Public comments were previously requested via the **Federal Register** on August 14, 2025 during a 60-day comment period. This notice allows for an additional 30 days for public comments.

Agency: U.S. Census Bureau, Department of Commerce.

Title: Monthly Wholesale Trade Survey.

OMB Control Number: 0607–0190.

Form Number(s): SM4217–A, SM4217–E.

Type of Request: Regular submission, Request for an Extension, without Change, of a Currently Approved Collection.

Number of Respondents: 4,200.

Average Hours per Response: 7 minutes.

Burden Hours: 5,880.

Needs and Uses: The U.S. Census Bureau requests a three-year extension of the Monthly Wholesale Trade Survey (MWTS). The MWTS canvasses firms primarily engaged in merchant wholesale trade that are located in the United States, excluding manufacturers' sales branches and offices (MSBOs). This survey provides the only continuous measure of monthly wholesale sales, end-of-month inventories, and inventories-to-sales ratios. The sales and inventories estimates produced from the MWTS provide current trends of economic activity by kind of business for the United States. Also, the estimates compiled from this survey provide valuable information for economic policy decisions by the government and are widely used by private businesses, trade organizations, professional associations, and other business research and analysis organizations.

Frequency: Monthly.

Respondent's Obligation: Voluntary.

Legal Authority: Title 13 U.S.C., Sections 131 and 182.

This information collection request may be viewed at www.reginfo.gov. Follow the instructions to view the Department of Commerce collections currently under review by OMB.

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 and

entering either the title of the collection or the OMB Control Number 0607–0190.

Sheleen Dumas,

Departmental PRA Compliance Officer, Office of the Under Secretary for Economic Affairs, Commerce Department.

[FR Doc. 2025–22172 Filed 12–5–25; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Siberian Airlines d/b/a S7 Airlines, 633104, Russia, Novosibirskaya obl., g. Ob. prospekt Mozzherina, d. 10 ofis 201; Order Renewing Temporary Denial of Export Privileges

Pursuant to Section 766.24 of the Export Administration Regulations, 15 CFR parts 730–774 ("EAR" or "the Regulations"),¹ I hereby grant the request of the Office of Export Enforcement ("OEE") to renew the temporary denial order ("TDO") issued in this matter on December 6, 2024. I find that renewal of this order is necessary in the public interest to prevent an imminent violation of the Regulations and that renewal for an extended period is appropriate because Siberian Airlines d/b/a S7 Airlines ("Siberian") has engaged in a pattern of repeated, ongoing and/or continuous apparent violations of the EAR.

I. Procedural History

On June 24, 2022, the then-Assistant Secretary of Commerce for Export Enforcement signed an order denying Siberian export privileges for a period of 180 days on the ground that issuance of the order was necessary in the public interest to prevent an imminent violation of the Regulations. The order was issued *ex parte* pursuant to Section 766.24(a) of the Regulations and was

¹ On August 13, 2018, the President signed into law the John S. McCain National Defense Authorization Act for Fiscal Year 2019 ("NDAA"), which includes the Export Control Reform Act of 2018, 50 U.S.C. 4801–4852 ("ECRA"). While Section 1766 of the NDAA repeals the provisions of the Export Administration Act, 50 U.S.C. App. § 2401 *et seq.* ("EAA"), (except for three sections which are inapplicable here), Section 1768 of the NDAA provides, in pertinent part, that all orders, rules, regulations, and other forms of administrative action that were made or issued under the EAA, including as continued in effect pursuant to the International Emergency Economic Powers Act, 50 U.S.C. 1701 *et seq.* ("IEEPA"), and were in effect as of ECRA's date of enactment (August 13, 2018), shall continue in effect according to their terms until modified, superseded, set aside, or revoked through action undertaken pursuant to the authority provided under ECRA. Moreover, Section 4820(a)(5) of ECRA authorizes the issuance of temporary denial orders. 50 U.S.C. 4820(a)(5).

effective upon issuance.² The temporary denial order was subsequently renewed on December 20, 2022, June 15, 2023, December 11, 2023, and December 6, 2024, respectively and were also effective upon issuance.³

On November 5, 2025, BIS, through OEE, submitted a written request for a renewal of the TDO. The written request was made more than 20 days before the TDO's scheduled expiration and, given the temporary suspension of international mail service to Russia, OEE has attempted to deliver a copy of the renewal request to Siberian by alternative means in accordance with Sections 766.5 and 766.24(d) of the Regulations. No opposition to the renewal of the TDO has been received.

II. Renewal of the TDO

A. Legal Standard

Pursuant to Section 766.24, BIS may issue an order temporarily denying a respondent's export privileges upon a showing that the order is necessary in the public interest to prevent an "imminent violation" of the Regulations, or any order, license or authorization issued thereunder. 15 CFR 766.24(b)(1) and 766.24(d). "A violation may be 'imminent' either in time or degree of likelihood." 15 CFR 766.24(b)(3). BIS may show "either that a violation is about to occur, or that the general circumstances of the matter under investigation or case under criminal or administrative charges demonstrate a likelihood of future violations." *Id.* As to the likelihood of future violations, BIS may show that the violation under investigation or charge "is significant, deliberate, covert and/or likely to occur again, rather than technical or negligent[.]" *Id.* A "lack of information establishing the precise time a violation may occur does not preclude a finding that a violation is imminent, so long as there is sufficient reason to believe the likelihood of a violation." *Id.*

If BIS believes that renewal of a denial order is necessary in the public interest to prevent an imminent violation, it may file a written request for renewal, with any modifications if appropriate. 15 CFR 766.24(d)(1). The written request,

² The TDO was published in the **Federal Register** on June 29, 2022 (87 FR 38709).

³ The December 20, 2022 renewal order was published in the **Federal Register** on December 23, 2022 (87 FR 78921). The June 15, 2023 renewal order was published in the **Federal Register** on June 21, 2023 (88 FR 40205). The December 11, 2023 renewal order was published in the **Federal Register** on December 14, 2023 (88 FR 86626). The December 6, 2024 renewal order was published in the **Federal Register** on December 13, 2024 (89 FR 100952).

which must be filed no later than 20 days prior to the TDO's expiration, should set forth the basis for BIS's belief that renewal is necessary, including any additional or changed circumstances. *Id.* "In cases demonstrating a pattern of repeated, ongoing and/or continuous apparent violations, BIS may request the renewal of a temporary denial order for an additional period not exceeding one year." ⁴ *Id.*

B. The TDO and BIS's Request for Renewal

The U.S. Commerce Department, through BIS, responded to the Russian Federation's ("Russia's") further invasion of Ukraine by implementing a sweeping series of stringent export controls that severely restrict Russia's access to technologies and other items that it needs to sustain its aggressive military capabilities. These controls primarily target Russia's defense, aerospace, and maritime sectors and are intended to cut off Russia's access to vital technological inputs, atrophy key sectors of its industrial base, and undercut Russia's strategic ambitions to exert influence on the world stage. Effective February 24, 2022, BIS imposed expansive controls on aviation-related (e.g., Commerce Control List Categories 7 and 9) items to Russia, including a license requirement for the export, reexport or transfer (in-country) to Russia of any aircraft or aircraft parts specified in Export Control Classification Number ("ECCN") 9A991 (Section 746.8(a)(1) of the EAR).⁵ BIS will review any export or reexport license applications for such items under a policy of denial. See Section 746.8(b). Effective March 2, 2022, BIS excluded any aircraft registered in,

owned, or controlled by, or under charter or lease by Russia or a national of Russia from being eligible for license exception Aircraft, Vessels, and Spacecraft ("AVS") (Section 740.15 of the EAR).⁶ Accordingly, any U.S.-origin aircraft or foreign aircraft that includes more than 25% controlled U.S.-origin content, and that is registered in, owned, or controlled by, or under charter or lease by Russia or a national of Russia, is subject to a license requirement before it can travel to Russia.

OEE's request for renewal for a period of one year is based upon the facts underlying the issuance of the TDO and the renewal orders subsequently issued in this matter on December 20, 2022, June 15, 2023, December 11, 2023, and December 6, 2024, as well as other evidence developed during this investigation. This evidence demonstrates that Siberian has continued, and continues, to act in blatant disregard for U.S. export controls and the terms of previously issued TDOs. Specifically, the initial TDO, issued on June 24, 2022, was based on evidence that Siberian engaged in conduct prohibited by the Regulations by operating multiple aircraft subject to the EAR and classified under ECCN 9A991.b on flights into Russia after March 2, 2022 from destinations including, but not limited to, Atyrau, Kazakhstan, Bishkek, Kyrgyzstan, and Urgench, Uzbekistan, without the required BIS authorization.⁷ Further evidence indicated that Siberian also operated aircraft subject to the EAR on domestic flights within Russia, in apparent violation of Section 736.2(b)(10) of the Regulations.

As discussed in the prior renewal orders, BIS presented evidence indicating that, after the initial TDO issued, Siberian continued to operate aircraft subject to the EAR and classified under ECCN 9A991.b on flights both into and out of Russia, in violation of the Regulations and the TDO itself.⁸ The December 20, 2022 renewal order detailed flights into and out of Russia from/to Bangkok, Thailand, Antalya, Türkiye, and Urgench, Uzbekistan.⁹ The June 15, 2023 order documented a similar pattern of prohibited conduct.¹⁰ Similarly, the December 11, 2023 order detailed flights into and out of Russia from/to Bangkok, Thailand, Fergana, Uzbekistan, and Istanbul, Türkiye.¹¹ Additionally, the December 6, 2024 renewal order detailed flights into and out of Russia from/to Bangkok, Thailand, Beijing, China, and Istanbul, Türkiye.¹²

Since that time, Siberian has continued to engage in conduct prohibited by the applicable TDO and Regulations. In its November 5, 2025 request for renewal of the TDO, BIS submitted evidence that Siberian continues to operate aircraft subject to the EAR and classified under ECCN 9A991.b, both on flights into and within Russia, in violation of the December 6, 2024 renewal order and/or the Regulations. Specifically, BIS's evidence and related investigation demonstrates that Siberian continues to operate aircraft subject to the EAR, including, but not limited to, on flights into and out of Russia from/to Istanbul, Türkiye, Dubai, United Arab Emirates, and Fergana, Uzbekistan. Information about those flights includes, but is not limited to, the following:

Tail No.	Serial No.	Aircraft type	Departure/arrival cities	Dates
RA-73668	41709	737-8LP (B738)	Istanbul, TR/Novosibirsk, RU	October 18, 2025.
RA-73668	41709	737-8LP (B738)	Novosibirsk, RU/Fergana/UZ	October 17, 2025.
RA-73668	41709	737-8LP (B738)	Antalya, TR/Novosibirsk, RU	October 17, 2025.
RA-73670	41710	737-8LP (B738)	Dubai AE/Novosibirsk, RU	October 22, 2025.
RA-73670	41710	737-8LP (B738)	Sochi, RU/Novosibirsk, RU	October 21, 2025.
RA-73670	41710	737-8LP (B738)	Tashkent, UZ/Novosibirsk, RU	October 14, 2025.
RA-73667	41707	737-8LP (B738)	Moscow, RU/Irkutsk, RU	October 22, 2025.
RA-73667	41707	737-8LP (B738)	Fergana, UZ/Irkutsk, RU	October 10, 2025.
RA-73667	41707	737-8LP (B738)	Rayong Pattaya, TH/Irkutsk, RU	October 9, 2025.

⁴ 88 FR 59791 (Aug. 30, 2023).

⁵ 87 FR 12226 (Mar. 3, 2022).

⁶ 87 FR 13048 (Mar. 8, 2022).

⁷ Publicly available flight tracking information shows, for example, that on March 10, 2022, serial number ("SN"), 41400 flew from Atyrau, Kazakhstan to Moscow, Russia. On May 1, 2022, SN 41707 flew from Bishkek, Kyrgyzstan to Novosibirsk, Russia and, on March 4, 2022, SN 41841 flew from Urgench, Uzbekistan to Moscow, Russia.

⁸ Engaging in conduct prohibited by a denial order violates the Regulations. 15 CFR 764.2(a) and (k).

⁹ Publicly available flight tracking information shows, for example, that on November 30, 2022, SN 41709 flew from Bangkok, Thailand to Irkutsk, Russia. SN 41707 flew from Antalya, Türkiye to Novosibirsk, Russia on November 19, 2022, and from Urgench, Uzbekistan to Moscow, Russia on December 10, 2022.

¹⁰ Publicly available flight tracking information shows that SN 41707 flew from Istanbul, Türkiye to Moscow, Russia on May 20, 2023. Additionally, SN 41709 flew from Beijing, China to Irkutsk, Russia on May 27, 2023. Further, SN 41710 flew from Bangkok, Thailand to Irkutsk, Russia on May 20, 2023.

¹¹ Publicly available flight tracking information shows that SN 41709 flew from Bangkok, Thailand to Irkutsk, Russia on December 4, 2023. In addition, SN 41710 flew from Fergana, Uzbekistan to Irkutsk, Russia on December 1, 2023. On November 16, 2023 SN 40233 flew from Istanbul, Türkiye to Moscow, Russia.

¹² Publicly available flight tracking information shows that on November 21, SN 41709 flew from Bangkok, Thailand to Novosibirsk, Russia and SN 41710 flew from Beijing, China to Irkutsk, Russia. In addition, SN 4170 flew from Istanbul, Türkiye to Moscow, Russia on November 20, 2025.

III. Findings

Under the applicable standard set forth in Section 766.24 of the Regulations and my review of the entire record, I find that the evidence presented by BIS convincingly demonstrates that Siberian has acted in violation of the Regulations and the TDO; that such violations have been significant and deliberate; and that given the foregoing and the nature of the matters under investigation, there is a likelihood of imminent violations. Moreover, I find that renewal for an extended period is appropriate because Siberian has engaged in a pattern of repeated, ongoing and/or continuous apparent violations of the EAR. Therefore, renewal of the TDO for one year is necessary in the public interest to prevent imminent violation of the Regulations and to give notice to companies and individuals in the United States and abroad that they should avoid dealing with Siberian, in connection with export and reexport transactions involving items subject to the Regulations and in connection with any other activity subject to the Regulations.

IV. Order

It is therefore ordered: First, Siberian Airlines d/b/a S7 Airlines, 633104, Russia, Novosibirskaya obl., g. Ob. prospekt Mozzherina, d. 10 ofis 201, when acting for or on their behalf, any successors or assigns, agents, or employees may not, directly or indirectly, participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as “item”) exported or to be exported from the United States that is subject to the EAR, or in any other activity subject to the EAR including, but not limited to:

A. Applying for, obtaining, or using any license (except directly related to safety of flight), license exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the EAR except directly related to safety of flight and authorized by BIS pursuant to Section 764.3(a)(2) of the Regulations, or engaging in any other activity subject to the EAR except directly related to safety of flight and authorized by BIS pursuant to Section 764.3(a)(2) of the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the EAR, or from any other activity subject to the EAR except directly related to safety of flight and authorized by BIS pursuant to Section 764.3(a)(2) of the Regulations.

Second, that no person may, directly or indirectly, do any of the following:

A. Export, reexport, or transfer (in-country) to or on behalf of Siberian any item subject to the EAR except directly related to safety of flight and authorized by BIS pursuant to Section 764.3(a)(2) of the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by Siberian of the ownership, possession, or control of any item subject to the EAR that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby Siberian acquires or attempts to acquire such ownership, possession or control except directly related to safety of flight and authorized by BIS pursuant to Section 764.3(a)(2) of the Regulations;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from Siberian of any item subject to the EAR that has been exported from the United States except directly related to safety of flight and authorized by BIS pursuant to Section 764.3(a)(2) of the Regulations;

D. Obtain from Siberian in the United States any item subject to the EAR with knowledge or reason to know that the item will be, or is intended to be, exported from the United States except directly related to safety of flight and authorized by BIS pursuant to Section 764.3(a)(2) of the Regulations; or

E. Engage in any transaction to service any item subject to the EAR that has been or will be exported from the United States and which is owned, possessed or controlled by Siberian, or service any item, of whatever origin, that is owned, possessed or controlled by Siberian if such service involves the use of any item subject to the EAR that has been or will be exported from the United States except directly related to safety of flight and authorized by BIS pursuant to Section 764.3(a)(2) of the Regulations. For purposes of this paragraph, servicing means installation, maintenance, repair, modification, or testing.

Third, that, after notice and opportunity for comment as provided in section 766.23 of the EAR, any other person, firm, corporation, or business organization related to Siberian by ownership, control, position of responsibility, affiliation, or other

connection in the conduct of trade or business may also be made subject to the provisions of this Order.

In accordance with the provisions of Sections 766.24(e) of the EAR, Siberian may, at any time, appeal this Order by filing a full written statement in support of the appeal with the Office of the Administrative Law Judge, U.S. Coast Guard ALJ Docketing Center, 40 South Gay Street, Baltimore, Maryland 21202–4022.

In accordance with the provisions of Section 766.24(d) of the EAR, BIS may seek renewal of this Order by filing a written request not later than 20 days before the expiration date. A renewal request may be opposed by Siberian as provided in Section 766.24(d), by filing a written submission with the Assistant Secretary of Commerce for Export Enforcement, which must be received not later than seven days before the expiration date of the Order.

A copy of this Order shall be provided to Siberian, and shall be published in the **Federal Register**.

This Order is effective immediately and shall remain in effect for one year.

Dated: December 2025.

David Peters,

Assistant Secretary of Commerce for Export Enforcement.

[FR Doc. 2025–22199 Filed 12–5–25; 8:45 am]

BILLING CODE 3510–DT–P

DEPARTMENT OF COMMERCE

International Trade Administration

Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review and Join Annual Inquiry Service List

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

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

Each year during the anniversary month of the publication of an antidumping duty (AD) or countervailing duty (CVD) order, finding, or suspended investigation, an interested party, as defined in section 771(9) of the Tariff Act of 1930, as amended (the Act), may request, in

accordance with 19 CFR 351.213, that the U.S. Department of Commerce (Commerce) conduct an administrative review of that AD or CVD order, finding, or suspended investigation.

All deadlines for the submission of comments or actions by Commerce discussed below refer to the number of calendar days from the applicable starting date.

Respondent Selection

In the event 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 on U.S. Customs and Border Protection (CBP) data for U.S. imports during the period of review (POR). We intend to release the CBP data under administrative protective order (APO) to all parties having an APO within five days of publication of the initiation notice and to make our decision regarding respondent selection within 35 days of publication of the initiation Federal Register notice. Therefore, we encourage all parties interested in commenting on respondent selection to submit their APO applications on the date of publication of the initiation notice, or as soon thereafter as possible. Commerce invites comments regarding the CBP data and respondent selection within five days of placement of the CBP data on the record of the review.

In the event Commerce decides it is necessary to limit individual examination of respondents and conduct respondent selection under section 777A(c)(2) of the Act:

1. In general, Commerce finds that determinations concerning whether particular companies should be “collapsed” (i.e., 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 a 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 this AD proceeding (i.e., investigation, administrative review, new shipper review, or changed circumstances review).

2. For any company subject to a 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.

3. 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.

4. Further, if companies are requested to complete a Quantity and Value 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 a proceeding where Commerce considered collapsing that entity, complete quantity and value data for that collapsed entity must be submitted.

Deadline for Withdrawal of Request for Administrative Review

Pursuant to 19 CFR 351.213(d)(1), a party that requests 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 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 Section D responses.

Opportunity to Request a Review: Commerce exercised its discretion to toll all deadlines affected by the partial federal government closure from October 1, 2025, through the resumption of operations on November 13, 2025.² Accordingly, not later than December 31, 2025,³ interested parties may request administrative review of the following orders, findings, or suspended investigations, with anniversary dates in November and December for the following periods. With regard to properly filed requests for review that have already been filed for AD and CVD orders or suspension agreements with October anniversary dates, Commerce will consider such requests as timely filed.

Antidumping Duty Proceedings for November 2025

ARGENTINA: Oil Country Tubular Goods, A-357-824	11/1/24-10/31/25
ARMENIA: Aluminum Foil, A-831-804	11/1/24-10/31/25
AUSTRIA: Strontium Chromate, A-433-813	11/1/24-10/31/25
BRAZIL: Aluminum Foil, A-351-856	11/1/24-10/31/25
FRANCE: Strontium Chromate, A-427-830	11/1/24-10/31/25
GERMANY: Thermal Paper, A-428-850	11/1/24-10/31/25

¹ See Trade Preferences Extension Act of 2015, Public Law 114-27, 129 Stat. 362 (2015).

² Due to the lapse in appropriations and Federal Government shutdown, on November 14, 2025,

Commerce tolled all deadlines in administrative proceedings by 47 days. See Memorandum,

“Deadlines Affected by the Shutdown of the Federal Government,” dated November 14, 2025.

³ Or the next business day, if the deadline falls on a weekend, Federal holiday or any other day when Commerce is closed.

INDIA: Paper File Folders, A-533-910	11/1/24-10/31/25
Welded Stainless Pressure Pipe, A-533-867	11/1/24-10/31/25
INDONESIA: Coated Paper Suitable For High-Quality Print Graphics Using Sheet-Fed Presses, A-560-823	11/1/24-10/31/25
Monosodium Glutamate, A-560-826	11/1/24-10/31/25
ITALY: Forged Steel Fittings, A-475-839	11/1/24-10/31/25
JAPAN: Aluminum Lithographic Printing Plates, A-588-881	5/1/24-10/31/25
Thermal Paper, A-588-880	11/1/24-10/31/25
MEXICO: Certain Freight Rail Couplers and Parts Thereof, A-201-857	11/1/24-10/31/25
Circular Welded Non-Alloy Steel Pipe, A-201-805	11/1/24-10/31/25
Oil Country Tubular Goods, A-201-856	11/1/24-10/31/25
Seamless Refined Copper Pipe and Tube, A-201-838	11/1/24-10/31/25
Steel Concrete Reinforcing Bar, A-201-844	11/1/24-10/31/25
OMAN: Aluminum Foil, A-523-815	11/1/24-10/31/25
REPUBLIC OF KOREA: Circular Welded Non-Alloy Steel Pipe, A-580-809	11/1/24-10/31/25
Thermal Paper, A-580-911	11/1/24-10/31/25
REPUBLIC OF TÜRKİYE: Aluminum Foil, A-489-844	11/1/24-10/31/25
RUSSIA: Aluminum Foil, A-821-828	11/1/24-10/31/25
Ferrosilicon, A-821-838	6/28/24-10/31/25
Oil Country Tubular Goods, A-821-833	11/1/24-10/31/25
Sodium Nitrite, A-821-836	11/1/24-10/31/25
SOCIALIST REPUBLIC OF VIETNAM: Paper File Folders, A-552-834	11/1/24-10/31/25
SPAIN: Thermal Paper, A-469-824	11/1/24-10/31/25
TAIWAN: Certain Circular Welded Non-Alloy Steel Pipe, A-583-814	11/1/24-10/31/25
Certain Hot-Rolled Carbon Steel Flat Products, A-583-835	11/1/24-10/31/25
THAILAND: Certain Hot-Rolled Carbon Steel Flat Products, A-549-817	11/1/24-10/31/25
THE PEOPLE'S REPUBLIC OF CHINA: Aluminum Lithographic Printing Plates, A-570-156	5/1/24-10/31/25
Certain Hot-Rolled Carbon Steel Flat Products, A-570-865	11/1/24-10/31/25
Certain Coated Paper Suitable For High-Quality Print Graphic Using Sheet-Fed Presses, A-570-958	11/1/24-10/31/25
Diamond Sawblades and Parts Thereof, A-570-900	11/1/24-10/31/25
Fresh Garlic, A-570-831	11/1/24-10/31/25
Forged Steel Fittings, A-570-067	11/1/24-10/31/25
Lightweight Thermal Paper, A-570-920	11/1/24-10/31/25
Monosodium Glutamate, A-570-992	11/1/24-10/31/25
Paper Clips, A-570-826	11/1/24-10/31/25
Paper File Folders, A-570-147	11/1/24-10/31/25
Polyethylene Terephthalate (Pet) Film, A-570-924	11/1/24-10/31/25
Pure Magnesium in Granular Form, A-570-864	11/1/24-10/31/25
Refined Brown Aluminum Oxide, A-570-882	11/1/24-10/31/25
Certain Cut-to-Length Carbon Steel Plate, A-570-849	11/1/24-10/31/25
Seamless Carbon and Alloy Steel Standard, Line, And Pressure Pipe, A-570-956	11/1/24-10/31/25
Seamless Refined Copper Pipe and Tube, A-570-964	11/1/24-10/31/25
Sodium Gluconate, Gluconic Acid, and Derivative Products, A-570-071	11/1/24-10/31/25
UKRAINE: Certain Hot-Rolled Carbon Steel Flat Products, A-823-811	11/1/24-10/31/25
UNITED ARAB EMIRATES: Polyethylene Terephthalate (Pet) Film, A-520-803	11/1/24-10/31/25

Countervailing Duty Proceedings for November 2025

INDIA: Paper File Folders, C-533-911	1/1/24-12/31/24
Welded Stainless Pressure Pipe, C-533-868	1/1/24-12/31/24
INDONESIA: Certain Coated Paper Suitable For High-Quality Print Graphics Using Sheet-Fed Presses, C-560-824	1/1/24-12/31/24
OMAN: Aluminum Foil, C-523-816	1/1/24-12/31/24
REPUBLIC OF KOREA: Oil Country Tubular Goods, C-580-913	1/1/24-12/31/24
REPUBLIC OF TÜRKİYE: Aluminum Foil, C-489-845	1/1/24-12/31/24
Steel Concrete Reinforcing Bar, C-489-819	1/1/24-12/31/24
RUSSIA: Ferrosilicon, C-821-839	6/28/24-12/31/24
Oil Country Tubular Goods, C-821-834	1/1/24-12/31/24
THE PEOPLE'S REPUBLIC OF CHINA: Aluminum Lithographic Printing Plates, C-570-157	3/1/24-12/31/24
Certain Coated Paper Suitable For High-Quality Print Graphic Using Sheet-Fed Presses, C-570-959	1/1/24-12/31/24
Chlorinated Isocyanurates, C-570-991	1/1/24-12/31/24
Forged Steel Fittings, C-570-068	1/1/24-12/31/24
Lightweight Thermal Paper, C-570-921	1/1/24-12/31/24
Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe, C-570-957	1/1/24-12/31/24
Sodium Gluconate, Gluconic Acid, and Derivative Products, C-570-072	1/1/24-12/31/24

Suspension Agreements for November 2025

UKRAINE: Certain Cut-To-Length Carbon Steel Plate, A-823-808	11/1/24-10/31/25

Antidumping Duty Proceedings for December 2025

BRAZIL: Carbon Steel Butt-Weld Pipe Fittings, A-351-602 12/1/24-11/30/25.	
CHILE: Certain Preserved Mushrooms, A-337-804	12/1/24-11/30/25
GERMANY: Non-Oriented Electrical Steel, A-428-843	12/1/24-11/30/25
INDIA: Carbazole Violet Pigment 23, A-533-838	12/1/24-11/30/25
Certain Hot-Rolled Carbon Steel Flat Products, A-533-820	12/1/24-11/30/25
Commodity Matchbooks, A-533-849	12/1/24-11/30/25
Forged Steel Fittings, A-533-891	12/1/24-11/30/25

Stainless Steel Wire Rod, A-533-808	12/1/24-11/30/25
Utility Scale Wind Towers, A-533-897	12/1/24-11/30/25
INDONESIA: Certain Frozen Warmwater Shrimp, A-560-842	5/30/24-11/30/25
Certain Hot-Rolled Carbon Steel Flat Products, A-560-812	12/1/24-11/30/25
Polyester Textured Yarn, A-560-838	12/1/24-11/30/25
JAPAN: Non-Oriented Electrical Steel, A-588-872	12/1/24-11/30/25
Prestressed Concrete Steel Wire Strand, A-588-068	12/1/24-11/30/25
Welded Large Diameter Line Pipe, A-588-857	12/1/24-11/30/25
OMAN: Circular Welded Carbon-Quality Steel Pipe, A-523-812	12/1/24-11/30/25
MALAYSIA: Utility Scale Wind Towers, A-557-821	12/1/24-11/30/25
Polyester Textured Yarn, A-557-823	12/1/24-11/30/25
PAKISTAN: Circular Welded Carbon-Quality Steel Pipe, A-535-903	12/1/24-11/30/25
REPUBLIC OF KOREA: Certain Superabsorbent Polymers, A-580-914	12/1/24-11/30/25
Forged Steel Fittings, A-580-904	12/1/24-11/30/25
Non-Oriented Electrical Steel, A-580-872	12/1/24-11/30/25
Welded ASTM A-312 Stainless Steel Pipe, A-580-810	12/1/24-11/30/25
Welded Line Pipe, A-580-876	12/1/24-11/30/25
REPUBLIC OF TÜRKIYE: Welded Line Pipe, A-489-822	12/1/24-11/30/25
RUSSIA: Certain Hot-Rolled Flat-Rolled Carbon-Quality Steel Products, A-821-809	12/1/24-11/30/25
SINGAPORE: Acetone, A-559-808	12/1/24-11/30/25
SOCIALIST REPUBLIC OF VIETNAM: Polyester Textured Yarn, A-552-832	12/1/24-11/30/25
Uncovered Innerspring Units, A-552-803	12/1/24-11/30/25
SOUTH AFRICA: Uncovered Innerspring Units, A-791-821	12/1/24-11/30/25
SPAIN: Acetone, A-469-819	12/1/24-11/30/25
SWEDEN: Non-Oriented Electrical Steel, A-401-809	12/1/24-11/30/25
TAIWAN: Carbon Steel Butt-Weld Pipe Fittings, A-583-605	12/1/24-11/30/25
Non-Oriented Electrical Steel, A-583-851	12/1/24-11/30/25
Steel Wire Garment Hangers, A-583-849	12/1/24-11/30/25
Welded ASTM A-312 Stainless Steel Pipe, A-583-815	12/1/24-11/30/25
THAILAND: Carbon and Alloy Steel Threaded Rod, A-549-840	12/1/24-11/30/25
Polyester Textured Yarn A-549-843	12/1/24-11/30/25
Truck and Bus Tires, A-549-848	5/20/24-11/30/25
THE PEOPLE'S REPUBLIC OF CHINA: Aluminum Wire and Cable, A-570-095	12/1/24-11/30/25
Carbazole Violet Pigment 23, A-570-892	12/1/24-11/30/25
Cased Pencils, A-570-827	12/1/24-11/30/25
Crystalline Silicon Photovoltaic Cells, Whether Or Not Assembled Into Modules, A-570-979	12/1/24-11/30/25
Hand Trucks and Certain Parts Thereof, A-570-891	12/1/24-11/30/25
Honey, A-570-863	12/1/24-11/30/25
Malleable Cast Iron Pipe Fittings, A-570-881	12/1/24-11/30/25
Mattresses, A-570-092	12/1/24-11/30/25
Melamine, A-570-020	12/1/24-11/30/25
Multilayered Wood Flooring, A-570-970	12/1/24-11/30/25
Non-Oriented Electrical Steel, A-570-996	12/1/24-11/30/25
Refillable Stainless Steel Kegs, A-570-093	12/1/24-12/15/24
Silicomanganese, A-570-828	12/1/24-11/30/25
Vertical Metal File Cabinets, A-570-110	12/1/24-11/30/25
UNITED ARAB EMIRATES: Circular Welded Carbon-Quality Steel Pipe, A-520-807	12/1/24-11/30/25

Countervailing Duty Proceedings for December

ECUADOR: Certain Frozen Warmwater Shrimp, C-331-806	4/1/24-12/31/24
INDIA: Carbazole Violet Pigment 23, C-533-839	1/1/24-12/31/24
Certain Frozen Warmwater Shrimp, C-533-921	4/1/24-3/31/25
Certain Hot-Rolled Carbon Steel Flat Products, C-533-821	1/1/24-12/31/24
Commodity Matchbooks, C-533-849	1/1/24-12/31/24
Forged Steel Fittings, C-533-892	1/1/24-12/31/24
Utility Scale Wind Towers, C-533-898	1/1/24-12/31/24
INDONESIA: Certain Hot-Rolled Carbon Steel Flat Products, C-560-813	1/1/24-12/31/24
REPUBLIC OF TÜRKIYE: Welded Line Pipe, C-489-823	1/1/24-12/31/24
SOCIALIST REPUBLIC OF VIETNAM: Certain Frozen Warmwater Shrimp, C-552-838	4/1/24-12/31/24
TAIWAN: Non-Oriented Electrical Steel, C-583-852	1/1/24-12/31/24
THAILAND: Certain Hot-Rolled Carbon Steel Flat Products, C-549-818	1/1/24-12/31/24
THE PEOPLE'S REPUBLIC OF CHINA: Aluminum Wire and Cable, C-570-096	1/1/24-12/31/24
Crystalline Silicon Photovoltaic Cells, Whether Or Not Assembled Into Modules, C-570-980	1/1/24-12/31/24
Melamine, C-570-021	1/1/24-12/31/24
Mobile Access Equipment and Subassemblies Thereof, C-570-140	1/1/24-12/31/24
Non-Oriented Electrical Steel, C-570-997	1/1/24-12/31/24
Multilayered Wood Flooring, C-570-971	1/1/24-12/31/24
Refillable Stainless Steel Kegs, C-570-094	1/1/24-12/15/24
Vertical Metal File Cabinets, C-570-111	1/1/24-12/31/24

Suspension Agreements for December

MEXICO: Sugar, A-201-845	12/1/24-11/30/25
MEXICO: Sugar, C-201-846	1/1/25-12/31/25

In accordance with 19 CFR 351.213(b), an interested party as defined by section 771(9) of the Act may request in writing that Commerce conduct an administrative review. For both AD and CVD reviews, the interested party must specify the individual producers or exporters covered by an AD finding or an AD or CVD order or suspension agreement for which it is requesting a review. In addition, a domestic interested party or an interested party described in section 771(9)(B) of the Act must state why it desires Commerce to review those particular producers or exporters. If the interested party intends for Commerce to review sales of merchandise by an exporter (or a producer if that producer also exports merchandise from other suppliers) which was produced in more than one country of origin and each country of origin is subject to a separate order, then the interested party must state specifically, on an order-by-order basis, which exporter(s) the request is intended to cover.

Note that, for any party Commerce was unable to locate in prior segments, Commerce will not accept a request for an administrative review of that party absent new information as to the party's location. Moreover, if the interested party who files a request for review is unable to locate the producer or exporter for which it requested the review, the interested party must provide an explanation of the attempts it made to locate the producer or exporter at the same time it files its request for review, in order for Commerce to determine if the interested party's attempts were reasonable, pursuant to 19 CFR 351.303(f)(3)(ii).

As explained in *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (June 6, 2003), and *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (October 24, 2011), Commerce clarified its practice with respect to the collection of final antidumping duties on imports of merchandise where intermediate firms are involved. The public should be aware of this clarification in determining whether to request an administrative review of merchandise subject to AD findings and orders.⁴

Commerce no longer considers the non-market economy (NME) entity as an exporter conditionally subject to an AD

administrative review.⁵ Accordingly, the NME entity will not be under review unless Commerce specifically receives a request for, or self-initiates, a review of the NME entity.⁶ In administrative reviews of AD orders on merchandise from NME countries where a review of the NME entity has not been initiated, but where an individual exporter for which a review was initiated does not qualify for a separate rate, Commerce will issue a final decision indicating that the company in question is part of the NME entity. However, in that situation, because no review of the NME entity was conducted, the NME entity's entries were not subject to the review and the rate for the NME entity is not subject to change as a result of that review (although the rate for the individual exporter may change as a function of the finding that the exporter is part of the NME entity). Following initiation of an AD administrative review when there is no review requested of the NME entity, Commerce will instruct CBP to liquidate entries for all exporters not named in the initiation notice, including those that were suspended at the NME entity rate.

All requests must be filed electronically in Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS) on Enforcement and Compliance's ACCESS website at <https://access.trade.gov>.⁷ Further, in accordance with 19 CFR 351.303(f)(1)(i), a copy of each request must be served on the petitioner and each exporter or producer specified in the request. Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).⁸

Commerce will publish in the **Federal Register** a notice of "Initiation of Administrative Review of Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation" for requests received by the last day of December 2025. If Commerce does not

receive, by the last day of December 2025, a request for review of entries covered by an order, finding, or suspended investigation listed in this notice and for the period identified above, Commerce will instruct CBP to assess antidumping or countervailing duties on those entries at a rate equal to the cash deposit of estimated antidumping or countervailing duties required on those entries at the time of entry, or withdrawal from warehouse, for consumption and to continue to collect the cash deposit previously ordered.

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 provisional-measures "gap" period of the order, if such a gap period is applicable to the period of review.

Establishment of and Updates to the Annual Inquiry Service List

On September 20, 2021, Commerce published the final rule titled "*Regulations to Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws*" in the **Federal Register**.⁹ On September 27, 2021, Commerce also published the notice entitled "*Scope Ruling Application; Annual Inquiry Service List; and Informational Sessions*" in the **Federal Register**.¹⁰ The *Final Rule* and *Procedural Guidance* provide that Commerce will maintain an annual inquiry service list for each order or suspended investigation, and any interested party submitting a scope ruling application or request for circumvention inquiry shall serve a copy of the application or request on the persons on the annual inquiry service list for that order, as well as any companion order covering the same merchandise from the same country of origin.¹¹

In accordance with the *Procedural Guidance*, for orders published in the **Federal Register** before November 4, 2021, Commerce created an annual inquiry service list segment for each order and suspended investigation. Interested parties who wished to be added to the annual inquiry service list for an order submitted an entry of appearance to the annual inquiry

⁵ See *Antidumping Proceedings: Announcement of Change in Department Practice for Respondent Selection in Antidumping Duty Proceedings and Conditional Review of the Nonmarket Economy Entity in NME Antidumping Duty Proceedings*, 78 FR 65963 (November 4, 2013).

⁶ In accordance with 19 CFR 351.213(b)(1), parties should specify that they are requesting a review of entries from exporters comprising the entity, and to the extent possible, include the names of such exporters in their request.

⁷ See *Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures*, 76 FR 39263 (July 6, 2011).

⁸ See *Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings; Final Rule*, 88 FR 67069 (September 29, 2023).

⁴ See Enforcement and Compliance's website at <https://www.trade.gov/us-antidumping-and-countervailing-duties>.

⁹ See *Regulations to Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws*, 86 FR 52300 (September 20, 2021) (*Final Rule*).

¹⁰ See *Scope Ruling Application; Annual Inquiry Service List; and Informational Sessions*, 86 FR 53205 (September 27, 2021) (*Procedural Guidance*).

¹¹ *Id.*

service list segment for the order in ACCESS and, on November 4, 2021, Commerce finalized the initial annual inquiry service lists for each order and suspended investigation. Each annual inquiry service list has been saved as a public service list in ACCESS, under each case number, and under a specific segment type called “AISL-Annual Inquiry Service List.”¹²

As mentioned in the *Procedural Guidance*, beginning in January 2022, Commerce will update these annual inquiry service lists on an annual basis when the *Opportunity Notice* for the anniversary month of the order or suspended investigation is published in the **Federal Register**.¹³ Accordingly, Commerce will update the annual inquiry service lists for the above-listed AD and CVD proceedings. All interested parties wishing to appear on the updated annual inquiry service list must take one of the two following actions: (1) new interested parties who did not previously submit an entry of appearance must submit a new entry of appearance at this time; (2) interested parties who were included in the preceding annual inquiry service list must submit an amended entry of appearance to be included in the next year’s annual inquiry service list. For these interested parties, Commerce will change the entry of appearance status from “Active” to “Needs Amendment” for the annual inquiry service lists corresponding to the above-listed proceedings. This will allow those interested parties to make any necessary amendments and resubmit their entries of appearance. If no amendments need to be made, the interested party should indicate in the area on the ACCESS form requesting an explanation for the amendment that it is resubmitting its entry of appearance for inclusion in the annual inquiry service list for the following year. As mentioned in the *Final Rule*,¹⁴ once the petitioners and foreign governments have submitted an entry of appearance for the first time, they will automatically be added to the

updated annual inquiry service list each year.

Interested parties have 30 days after the date of this notice to submit new or amended entries of appearance. Commerce will then finalize the annual inquiry service lists five business days thereafter. For ease of administration, please note that Commerce requests that law firms with more than one attorney representing interested parties in a proceeding designate a lead attorney to be included on the annual inquiry service list.

Commerce may update an annual inquiry service list at any time as needed based on interested parties’ amendments to their entries of appearance to remove or otherwise modify their list of members and representatives, or to update contact information. Any changes or announcements pertaining to these procedures will be posted to the ACCESS website at <https://access.trade.gov>.

Special Instructions for Petitioners and Foreign Governments

In the *Final Rule*, Commerce stated that, “after an initial request and placement on the annual inquiry service list, both petitioners and foreign governments will automatically be placed on the annual inquiry service list in the years that follow.”¹⁵ Accordingly, as stated above and pursuant to 19 CFR 351.225(n)(3), the petitioners and foreign governments will not need to resubmit their entries of appearance each year to continue to be included on the annual inquiry service list. However, the petitioners and foreign governments are responsible for making amendments to their entries of appearance during the annual update to the annual inquiry service list in accordance with the procedures described above.

Notification to Interested Parties

This notice is not required by statute but is published as a service to the international trading community.

Dated: December 3, 2025.

Scot Fullerton,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2025–22201 Filed 12–5–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

Rescission of Antidumping and Countervailing Duty Administrative Reviews

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

SUMMARY: Based upon the timely withdrawal of all review requests, the U.S. Department of Commerce (Commerce) is rescinding the administrative reviews covering the periods of review (PORs) of the antidumping duty (AD) and countervailing duty (CVD) orders identified in the table below.

DATES: Applicable December 8, 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

Pursuant to 19 CFR 351.221(c)(1)(i),¹ based upon timely requests for review, Commerce initiated administrative reviews of certain companies for the PORs and the AD and CVD orders listed in the table below. All requests for these reviews have been timely withdrawn.²

Rescission of Review

Pursuant to 19 CFR 351.213(d)(1), Commerce will rescind an administrative review, in whole or in part, if the parties that requested the review withdraw their review requests within 90 days of the date of publication of the notice of initiation for the requested review. All parties withdrew their requests for the reviews listed in the table below within the 90-day

¹ See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 90 FR 14081 (March 28, 2025); *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 90 FR 17568 (April 28, 2025); *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 90 FR 21459 (May 20, 2025); *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 90 FR 26967 (June 25, 2025); *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 90 FR 21459 (July 25, 2025); and *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 90 FR 41043 (August 22, 2025).

² The letters withdrawing the review requests may be found in Enforcement and Compliance’s Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>.

¹² This segment has been combined with the ACCESS Segment Specific Information (SSI) field which will display the month in which the notice of the order or suspended investigation was published in the **Federal Register**, also known as the anniversary month. For example, for an order under case number A–000–000 that was published in the **Federal Register** in January, the relevant segment and SSI combination will appear in ACCESS as “AISL-January Anniversary.” Note that there will be only one annual inquiry service list segment per case number, and the anniversary month will be pre-populated in ACCESS.

¹³ See *Procedural Guidance*, 86 FR at 53206.

¹⁴ See *Final Rule*, 86 FR at 52335.

¹⁵ *Id.*

deadline. No other parties requested administrative reviews of these AD/CVD orders for the PORs noted in the table.

Therefore, in accordance with 19 CFR 351.213(d)(1), Commerce is rescinding,

in their entirety, the administrative reviews listed in the table below.

	Period of review
AD Proceedings	
Belgium: Stainless Steel Plate in Coil, A-423-808	5/1/2024-4/30/2025
Italy: Mattresses, A-475-845	3/1/2024-6/30/2025
Republic of Korea: Polyester Staple Fiber, A-580-839	5/1/2024-4/30/2025
Republic of Türkiye: Quartz Surface Products, A-489-837	6/1/2024-5/31/2025
Socialist Republic of Vietnam: Utility Scale Wind Towers, A-552-814	2/1/2024-1/31/2025
South Africa: Common Alloy Aluminum Sheet, A-791-825	4/1/2024-3/31/2025
Taiwan: Passenger Vehicle and Light Truck Tires, A-549-869	7/1/2024-6/30/2025
The People's Republic of China: Certain Crystalline Silicon Photovoltaic Products, A-570-010	2/1/2024-1/31/2025
CVD Proceedings	
Republic of Türkiye: Circular Welded Carbon Steel Pipes and Tubes, C-489-502	1/1/2024-12/31/2024
Quartz Surface Products, C-489-838	1/1/2024-12/31/2024

Assessment

Commerce will instruct U.S. Customs and Border Protection (CBP) to assess antidumping and/or countervailing duties on all appropriate entries during the PORs noted above for each of the listed administrative reviews at rates equal to the cash deposit of estimated antidumping or countervailing duties, as applicable, required at the time of entry, or withdrawal of merchandise from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of this rescission notice in the **Federal Register** for rescinded administrative reviews of AD/CVD orders on countries other than Canada and Mexico. For rescinded administrative reviews of AD/CVD orders on Canada or Mexico, Commerce intends to issue assessment instructions to CBP no earlier than 41 days after the date of publication of this rescission notice in the **Federal Register**, in accordance with 19 CFR 356.8(a).

Notification to Importers

This notice serves as the only reminder to importers of merchandise subject to AD orders of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties and/or countervailing duties prior to liquidation of the relevant entries during the POR. Failure to comply with this requirement could result in the presumption that reimbursement of antidumping duties and/or countervailing duties occurred and the subsequent assessment of doubled antidumping duties.

Notification Regarding Administrative Protective Order (APO)

This notice also serves as the only reminder to parties subject to an APO of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in these segments of these proceedings. Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

Notification to Interested Parties

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Dated: December 3, 2025.

Scot Fullerton,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2025-22200 Filed 12-5-25; 8:45 am]

BILLING CODE 3510-DS-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 September anniversary dates. In accordance with Commerce's regulations, we are initiating those administrative reviews.

DATES: Applicable December 8, 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 September 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

¹ See Trade Preferences Extension Act of 2015, Public Law 114–27, 129 Stat. 362 (2015).

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 proceeding² 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, 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 September 30, 2026.⁴

	Period to be reviewed
AD Proceedings	
INDIA: Certain Lined Paper Products, A-533-843	9/1/24-8/31/25
Cellpage Ventures Private Limited	
Dinakar Process Private Limited	
ITC Limited ⁵	
JC Stationery (P) Ltd	
Kokuyo Riddhi Paper Products Private Limited	
Lotus Global Private Limited	
M/s. Bhaskar Paper Products	
Navneet Education Ltd.	
Pioneer Stationery Private Limited	
PP Bafna Ventures Private Limited	
SAB International	
SGM Paper Products	
Super Impex	
INDIA: Mattresses, A-533-919	3/1/2024-8/31/25
Charles Fibres Private Limited	
Cocomats International	

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.

⁴ Due to the lapse in appropriations and Federal Government shutdown, on November 14, 2025, Commerce tolled all deadlines in administrative proceedings by 47 days. See Memorandum, "Deadlines Affected by the Shutdown of the Federal Government," dated November 14, 2025. Additionally, due to a backlog of documents that

were electronically filed via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS) during the Federal Government shutdown, on November 24, 2025, Commerce tolled all deadlines in administrative proceedings by an additional 21 days. See Memorandum, "Tolling of all Case Deadlines," dated November 24, 2025.

	Period to be reviewed
Duroflex Private Limited Manglam Arts Parshva Mattress and Foam Raj Mahal Fabrics Sheela Foam Limited Varahamurti Flexirub Industries Pvt. Ltd.	
ISRAEL: Brass Rod, A-508-814	12/14/23-8/31/25
Finkelstein Metals Ltd.	
MEXICO: Heavy Walled Rectangular Welded Carbon Steel Pipes and Tubes, A-201-847	9/1/24-8/31/25
Aceros del Toro S.A. de C.V. Aceros El Fraile S.A. de C.V. Arco Metal S.A. de C.V. Border Assembly S. de R.L. de C.V. Buffalo Tube S.A. de C.V. Fortacero S.A. de C.V. Forza Steel S.A. de C.V. Grupo Collado S.A. de C.V. Industrias Monterrey, S.A. de C.V. Maquilacero S.A. de C.V. P.J. Trailers Company S.A. de C.V. Perfiles y Herrajes LM S.A. de C.V. Placa y Fierro de Monterrey S.A. de C.V. Productos Laminados de Monterrey S.A. de C.V. PYTCO S.A. de C.V. Regiomontana de Perfiles y Tubos S.A. de C.V. Ternium S.A. de C.V. Tuberia Nacional, S.A. de C.V. Tuberias Procarsa S.A. de C.V.	
MEXICO: Mattresses, A-201-859	3/1/24-8/31/25
Abastecedora de Colchones y Accesorios S.A. de C.V. Artaban Therapedic S.A. de C.V. Baja Fur S.A. de C.V. Blaco Export S.A. de C.V. Espumas de Oriente S.A. de C.V. Espumas Industriales Monterrey S.A. de C.V. Flexifoam S.A. de C.V. Furniture Manufacturing International S. de R.L. de C.V. Hill-rom de México S. de R.L. de C.V. Ikano Industry México JHC de México S. de R.L. de C.V. Kuka Sleep S.A. de C.V. Lester, SA de CV Operacion de Calidad S. de R.L. de C.V. Rasmussen de Tecate S.A. de C.V. Rogers Foam México S. de R.L. de C.V. Servicios de Fabricas International S. de R.L. de C.V. Ship321 S.A. de C.V. Ureblock S.A. de C.V. Welldex Distribution, S.A. de C.V.	
REPUBLIC OF KOREA: Certain Cold-Rolled Steel Flat Products, A-580-881	9/1/24-8/31/25
AJU Steel Co., Ltd. Ameri-Source Korea Dai Yang Metal Co., Ltd. DCM Corporation DK GNS Co., Ltd. Dongbu Incheon Steel Co., Ltd. Dongbu Steel Co., Ltd. Dongkuk Industries Co., Ltd. Dongkuk Steel Mill Co., Ltd. GS Global Corporation Hanawell Co., Ltd. Hankum Co., Ltd. Hwashin Co. Ltd. Hyosung TNC Corporation Hyundai Corporation Hyundai Steel Company JMP Co., Ltd. KG Dongbu Steel Co., Ltd. Korinox Co., Ltd. Mikwang Precision Manufacture Co., Ltd. Okaya Korea Co., Ltd. POSCO; POSCO International Corporation POSCO Coated and Colored Steel Co., Ltd.	

	Period to be reviewed
Samhwan Steel Co., Ltd. Samsung C & T Corporation Samsung Electronics Co., Ltd. Samsung STS Co., Ltd. SeAH Changwon Integrated Special Steel Corporation SeAH Coated Metal Corporation SeAH Steel Corporation Shin Steel Co., Ltd. Shin Young Co., Ltd. Signode Korea Inc. SK Networks Co., Ltd. Soon Hong Trading Co., Ltd. Sungjin Co., Ltd. Taesan Corporation TCC Steel Corporation TI Automotive Ltd. Wolverine Korea Co., Ltd. REPUBLIC OF KOREA: Certain Oil Country Tubular Goods, A-580-870	9/1/24-8/31/25
AJU Besteel Co., Ltd. Dong-A Steel Co., Ltd. HiSteel Co., Ltd. Husteel Co., Ltd. Hyundai Steel Company ILJIN Steel Corporation K Steel Corporation on Behalf of MS Keonwoo Metals Co., Ltd. Kukje Steel Co., Ltd. Kumkang Kind Co., Ltd. MSTEEL Co., Ltd. NEXTEEL Co. Ltd. Nissei Trading Co., Ltd. POSCO International Corporation SeAH Steel Corporation Sung Won Steel Co., Ltd. TGS Pipe Co. Ltd. REPUBLIC OF KOREA: Heavy Walled Rectangular Welded Carbon Pipes and Tubes, A-580-880	9/1/24-8/31/25
Dong-A Steel Co., Ltd. HiSteel Co., Ltd. Kukje Steel Co., Ltd. NEXTEEL Co., Ltd. SeAH Steel Corporation SOCIALIST REPUBLIC OF VIETNAM: Certain Oil Country Tubular Goods, A-552-817	9/1/24-8/31/25
SeAH Steel VINA Corporation Pusan Pipe America, Inc. SOCIALIST REPUBLIC OF VIETNAM: Frozen Fish Fillets, ⁶ A-552-801	8/1/24-7/31/25
Minh Tam Seafoods Import Export Company 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 Thang Binh Dong Thap or Thanh Binh Dong Thap Ltd.); Vinh Phuoc Food Company Limited (also known as Vinh Phuoc or VP Food) ⁷ SPAIN: Methionine, A-469-822	9/1/24-8/31/25
Adisseo Espana S.A. TAIWAN: Forged Steel Fittings, A-583-863	9/1/24-8/31/25
Both-Well Steel Fittings, Co., Ltd. THE PEOPLE'S REPUBLIC OF CHINA: Certain Freight Rail Couplers and Parts Thereof, A-570-145 ⁸	7/1/24-6/30/25
THE PEOPLE'S REPUBLIC OF CHINA: Certain Magnesite Carbon Bricks, A-570-954 Autong Industry Co., Ltd. Beijing Holland Co., Ltd. Beijing Intercontinental Trading Co., Ltd. Dandong Xinxing Carbon Co., Ltd. Dashiqiao Sanqiang Refractory Co., Ltd. Fengchi Imp. and Exp. Co., Ltd. Fengchi Imp. and Exp. Co., Ltd. of Haicheng City Fengchi Mining Co., Ltd. of Haicheng City Fengchi Refractories Co., of Haicheng City Haicheng Donghe Taidi Refractory Co., Ltd. Henan Hongtai Kiln Refractory Co., Ltd. Henan Xintuo Refractory Co., Ltd. Kehantek, Ltd. Liaoning Fucheng Refractories Liaoning Zhongmei High Temperature Material Co., Ltd. Liaoning Zhongmei Holding Co., Ltd. Luoyang Dayang High-Performance Material Co., Ltd.	9/1/24-8/31/25

	Period to be reviewed
Orind Special Refractories Pvt. Ltd. Puyang Refractories Co., Ltd. Puyang Refractories Group Co., Ltd. Qingdao Wonjin Special Refractory Material Co., Ltd. RHI Refractories Liaoning Co., Ltd. Seawon Trading Company Limited Shandong Minye Refractory Fibre Co., Ltd. Shandong Refractories Group Co., Ltd. Shanxi Xinrong International Trade Co., Ltd. Shenglong Refractories Co., Ltd. Sinosteel Luoyang Institute Of Refractories Research Co., Ltd. Tangshan Strong Refractories Co., Ltd. The Economic Trading Group Of Haicheng Houying Corp. Ltd. Thermstrong Corporation Tianjin New Century Refractories Co., Ltd. Wonjin Refractory Co., Ltd. Wugang Refractory Co., Ltd. Xinyi New Century Refractories Co., Ltd. Yingkou Baolong Industrial Co., Ltd. Yingkou Guangyang Refractories Co., Ltd. Yingkou Heping Samwha Minerals, Co., Ltd. Yingkou Heping Sanhua Materials Co., Ltd. Yingkou Hongyu Wonjin Refractory Material Co., Ltd. Yingkou Jiamei Refractories Co., Ltd. Yingkou Mei'ao Mining Product Co., Ltd. Yingkou Qinghua Group Import & Export Co., Ltd. Zhengzhou Rongsheng Import And Export Co., Ltd. Zhengzhou Rongsheng Refractory Co., Ltd. Zhongfu Metallurgical Materials Co., Ltd. Zibo Fubang Wonjin Refractory Technology Co., Ltd. Zibo Hengsen Refractory Co., Ltd. Zibo Hitech Material Co., Ltd. Zibo Jiuqiang Refractory Co., Ltd. Zibo Soaring Refractory & Insulation Materials Co., Ltd. THE PEOPLE'S REPUBLIC OF CHINA: Steel Racks, A-570-088 Ateel Display Industries (Xiamen) Co., Ltd Changzhou Tianyue Storage Equipment Co., Ltd CTC Universal (Zhangzhou) Industrial Co., Ltd David Metal Craft Manufactory Ltd Fujian Ever Glory Fixtures Co., LTD Fujian First Industry and Trade Co., Ltd Guangdong Wireking Housewares and Hardware Co., Ltd Hebei Minmetals Co., Ltd Hebei Nova Intelligent Logistics Equipment Co., Ltd Hebei Wuxin Garden Products Co., Ltd Huanghua Hualing Hardware Products Co., Ltd Huanghua Xingyu Hardware Products Co., Ltd Huanghua Xinxing Furniture Co., Ltd Huangua Haixin Hardware Products Co., Ltd Huangua Qingxin Hardware Products Co., Ltd i-Lift Equipment Ltd Jiangsu Baigeng Logistics Equipments Co., Ltd Jiangsu JISE Intelligent Storage Equipment Co., Ltd Jiangsu Kingmore Storage Equipment Manufacturing Co., Ltd. Jiangsu Nova Intelligent Logistics Equipment Co., Ltd Johnson (Suzhou) Metal Products Co., Ltd Master Trust (Xiamen) Import and Export Co., Ltd Nanjing Dongsheng Shelf Manufacturing Co., Ltd Nanjing Ironstone Storage Equipment Co., Ltd Nanjing Jinshidai Storage Equipment Co., Ltd. Nanjing Kingmore Logistics Equipment Manufacturing Co., Ltd Ningbo Beilun Songyi Warehouse Equipment Manufacturing Co., Ltd. Ningbo Jiabo Rack Co., Ltd. Ningbo Lede Hardware Co., Ltd Ningbo Xinguang Rack Co., Ltd Qingdao Rockstone Logistics Appliance Co., Ltd Redman Corporation Redman Import & Export Limited Suzhou (China) Sunshine Hardware & Equipment Imp. & Exp. Co. Ltd. Tianjin Master Logistics Equipment Co., Ltd Waken Display System Co., Ltd Xiamen Baihuide Manufacturing Co., Ltd Xiamen Ever Glory Fixtures Co., Ltd	9/1/24-8/31/25

	Period to be reviewed
Xiamen Golden Trust Industry & Trade Co., Ltd Xiamen Huiyi Beauty Furniture Co., Ltd Xiamen Kingfull Imp and Exp Co., Ltd. (d.b.a) Xiamen Kingfull Displays Co., Ltd Xiamen LianHong Industry and Trade Co., Ltd Xiamen Luckyroc Industry Co., Ltd Xiamen Luckyroc Storage Equipment Manufacture Co., Ltd Xiamen Meitoushan Metal Product Co., Ltd Xiamen Power Metal Display Co., Ltd Xiamen XinHuiYuan Industrial & Trade Co., Ltd Xiamen Yiree Display Fixtures Co., Ltd Yuanda Storage Equipment Ltd Zhangjiagang Better Display Co., Ltd Zhangzhou Hongcheng Hardware & Plastic Industry Co., Ltd. UNITED KINGDOM: Certain Cold-Rolled Steel Flat Products, A-412-824 Liberty Performance Steels Ltd. Tata Steel UK Ltd.	9/1/24-8/31/25
CVD Proceedings	
INDIA: Certain Lined Paper Products, C-533-844 PP Bafna Ventures Private Limited Super Impex	1/1/24-12/31/24
ISRAEL: Brass Rod, C-508-815 Finkelstein Metals Ltd.	9/29/23-12/31/24
REPUBLIC OF KOREA: Certain Cold-Rolled Steel Flat Products, C-580-882 AJU Steel Co., Ltd. Amerisource Korea BC Trade Busung Steel Co., Ltd. Cenit Co., Ltd. Daewoo Logistics Corp. Dai Yang Metal Co., Ltd. DK GNS Co., Ltd. Dongbu Incheon Steel Co., Ltd. Dongbu Steel Co., Ltd. Dong Jin Machinery Dongkuk Industries Co., Ltd. Dongkuk Steel Mill Co., Ltd. Eunsan Shipping and Air Cargo Co., Ltd. Euro Line Global Co., Ltd. Golden State Corp. GS Global Corp. Hanawell Co., Ltd. Hankum Co., Ltd. Hyosung TNC Corp. Hyuk San Profile Co., Ltd. Hyundai Group Hyundai Steel Company Iljin NTS Co., Ltd. Iljin Steel Corp. Jeen Pung Industrial Co., Ltd. JS Steel Co., Ltd JT Solution KG Dongbu Steel Co., Ltd. (formerly Dongbu Steel Co., Ltd.) Kolon Global Corporation Nauri Logistics Co., Ltd. Okaya (Korea) Co., Ltd. PL Special Steel Co., Ltd. POSCO; POSCO International Corporation POSCO C&C Co., Ltd. POSCO Daewoo Corp. Samsung C&T Corp. Samsung STS Co., Ltd. SeAH Steel Corp. SM Automotive Ltd. SK Networks Co., Ltd. Taihan Electric Wire Co., Ltd. TGS Pipe Co., Ltd. TI Automotive Ltd. Topco Global Co., Ltd. Union Steel Co., Ltd. Xeno Energy Young Steel Co., Ltd.	1/1/24-12/31/24

	Period to be reviewed
REPUBLIC OF TÜRKİYE: Certain Oil Country Tubular Goods, C-489-817	1/1/24-12/31/24
Borusan Birleşik Boru Fabrikalari Sanayi ve Ticaret A.Ş.	
THE PEOPLE'S REPUBLIC OF CHINA: Steel Racks, C-570-089	1/1/24-12/31/24
Ateel Display Industries (Xiamen) Co., Ltd.	
Changzhou Olive Textiles Co. Ltd.	
CTC Universal (Zhangzhou) Industrial Co., Ltd.	
David Metal Craft Manufactory Ltd.	
Fujian Ever Glory Fixtures Co., Ltd.	
Guangdong Wireking Housewares and Hardware Co., Ltd.	
Hebei Wuxin Garden Products Co., Ltd.	
Huanghua Xinxing Furniture Co., Ltd.	
i-Lift Equipment Ltd.	
Jiangsu Stars International Group	
Jiangsu Starshine Industry Equipment Co., Ltd.	
Jishui Fengyi Supply Chain Management Co., Ltd.	
Johnson (Suzhou) Metal Products Co., Ltd.	
Master Trust (Xiamen) Import and Export Co., Ltd.	
Nanjing Dongsheng Shelf Manufacturing Co., Ltd.	
Nanjing Ironstone Storage Equipment Co., Ltd.	
Nanjing Kingmore Logistics Equipment Manufacturing Co., Ltd.	
Nanjing Urgo Logistics Equipment Co., Ltd.	
Ningbo Xinguang Rack Co., Ltd.	
Redman Corporation	
Redman Import & Export Limited	
Shenzhen Top China Imp. & Exp. Co., Ltd.	
Suzhou (China) Sunshine Hardware & Equipment Imp. & Exp. Co. Ltd.	
Tianjin Master Logistics Equipment Co., Ltd.	
Xiamen Baihuide Manufacturing Co., Ltd.	
Xiamen Ever Glory Fixtures Co., Ltd.	
Xiamen Golden Trust Industry & Trade Co., Ltd.	
Xiamen Kingfull Imp and Exp Co., Ltd. (d.b.a) Xiamen Kingfull Displays Co., Ltd.	
Xiamen LianHong Industry and Trade Co., Ltd.	
Xiamen Luckyroc Industry Co., Ltd.	
Xiamen Luckyroc Storage Equipment Manufacture Co., Ltd.	
Xiamen Meitoushan Metal Products Co., Ltd.	
Xiamen Power Metal Display Co., Ltd.	
Xiamen XinHuiYuan Industrial & Trade Co., Ltd.	
Xiamen Yiree Display Fixtures Co., Ltd.	
Zhangjiagang Better Display Co., Ltd.	
Zhuxi County Xinyu Trading Co. Ltd.	

Suspension Agreements

None.

⁵ Though the request for review included "ITC Limited-Education and Stationary Products Business," the correct name of the company is ITC Limited. See *Certain Lined Paper Products from India: Final Results of Antidumping Duty Administrative Review; 2022-2023*, 90 FR 13852 (March 27, 2025). "ITC Limited-Education and Stationary Products Business," is a division of ITC Limited, and not a legal entity.

⁶ In the initiation notice published on September 25, 2025 (90 FR 46173), Commerce inadvertently omitted Minh Tam Seafoods Import Export Company and footnote 6. Both are now included here.

⁷ This initiation excludes certain fish fillets from the Socialist Republic of Vietnam produced and exported to the United States by these producers and exporters. Specifically, both the producer and exporter must be a company identified here for the exclusion to apply. The exclusion does not apply to subject merchandise produced by one of these companies but exported by a company not identified here. Similarly, the exclusion does not apply to subject merchandise exported by one of the companies identified here but produced by a company not identified.

⁸ In the initiation notice that published on August 22, 2025 (90 FR 41043), Commerce inadvertently listed TXX Company as a company under

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

administrative review. Commerce hereby clarifies that TXX Company should have been listed as TTX Company. Further, we note that in the August initiation notice we initiated reviews for Amsted Rail Company, Inc., Freightcar America, Greenbrier Central LLC, Strato, Inc., Trinity Industries, TTX Company and Wabtec Corporation. All of these companies appear to be U.S. importers and as such are not subject to administrative review. Thus, we hereby correct the August initiation notice and remove these companies from the August initiation notice.

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*,⁹ 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).¹⁰

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*.¹¹ 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 otherwise specified by Commerce.¹² 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: December 3, 2025.

Scot Fullerton,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2025–22202 Filed 12–5–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Highly Migratory Species Dealer Reporting Family of Forms

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. Public comments were previously requested via the **Federal Register** on April 28, 2025, during a 60-day comment period. This notice allows for an additional 30 days for public comments.

Agency: National Oceanic and Atmospheric Administration, Commerce.

Title: Highly Migratory Species Dealer Reporting Family of Forms.

OMB Control Number: 0648–0040.

Form Number(s): None.

Type of Request: Regular submission (revision and extension of an existing collection).

Number of Respondents: 2,141.

Average Hours per Response: 5 minutes each for catch document, statistical document, and re-export certificate; 15 minutes for catch document/statistical document/re-export certificate validation by government official; 120 minutes for authorization of non-governmental catch document/statistical document/re-export certificate validation; 2 minutes for daily Atlantic bluefin tuna landing reports; 3 minutes for daily Atlantic bluefin tuna landing reports from pelagic longline and purse seine vessels; 1 minute for Atlantic bluefin tuna tagging; 15 minutes for biweekly electronic Atlantic bluefin tuna dealer landing reports; 15 minutes for HMS international trade biweekly electronic

⁹ 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.

¹⁰ See *Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings; Final Rule*, 88 FR 67069 (September 29, 2023).

¹¹ 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.

¹² See 19 CFR 351.302.

reports; 15 minutes for weekly electronic HMS dealer landing reports (e-dealer); 30 minutes for weekly electronic HMS dealer landing reports using the file upload method (e-dealer); 5 minutes for negative weekly electronic HMS dealer landing reports (e-dealer); 15 minutes for voluntary fishing vessel and catch forms; 2 minutes for provision of HMS dealer email address.

Total Annual Burden Hours: 6,863 hours.

Needs and Uses: This is a request for a revision and extension of an existing information collection, HMS Dealer Family of Forms (0648–0040). This information collection covers reports from seafood dealers regarding purchases, sales, imports, exports, or re-exports of Atlantic highly migratory species (HMS), including federally managed bigeye, albacore, yellowfin, and skipjack (BAYS) tunas, Bluefin tuna (BFT), sharks, and swordfish (SWO). Domestic catch/landing data are necessary to effectively manage domestic fisheries. This information, consistent with the stated purpose of Executive Order (E.O.) 14276 of ensuring the integrity of the seafood supply chain, is used to monitor quotas, estimate fishing mortality, and identify the geographic and temporal distribution of fish and fisheries. The International Commission requires international trade-tracking programs for the Conservation of Atlantic Tunas (ICCAT). As part of this revision, the process for collecting email addresses from new HMS dealers has been updated. Previously, new HMS dealers were asked to submit their email addresses via email or phone. However, it is now a standard part of the annual dealer permit application process to collect email addresses. Consequently, there is no longer a need for new HMS dealers to provide their emails separately. Therefore, the burden estimates associated with collecting email addresses are no longer applicable for this ICR. The overall goal of these trade-tracking programs is to reduce illegal, unreported, and unregulated (IUU) fishing for the covered species and improve the management of associated fisheries. This goal aligns with the policies outlined in Executive Orders (E.O.) 14276, which seeks to combat IUU fishing and protect U.S. seafood markets from unfair trade practices, and E.O. 14303, which ensures that federal decisions are based on the most credible, reliable, and impartial data available.

Affected Public: Business or other for-profit organizations.

Frequency: Daily and biweekly for bluefin tuna dealer reports; weekly for

swordfish, sharks, and BAYS tuna dealer reports and negative reports; biweekly for trade reports; and as needed for submission of non-governmental validation authorizations and validation of catch and statistical reports and re-export certifications.

Respondent's Obligation: Mandatory. **Legal Authority:** Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*), and the Atlantic Tunas Convention Act of 1975 (16 U.S.C. 971 *et seq.*).

This information collection request may be viewed at www.reginfo.gov. Follow the instructions to view the Department of Commerce collections currently under review by OMB.

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 and entering either the title of the collection or the OMB Control Number 0648–0040.

Sheleen Dumas,

Departmental PRA Compliance Officer, Office of the Under Secretary for Economic Affairs, Commerce Department.

[FR Doc. 2025–22170 Filed 12–5–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF349]

Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Geophysical Surveys Related to Oil and Gas Activities in the Gulf of America (Formerly Gulf of Mexico)

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

ACTION: Notice; issuance of letter of authorization.

SUMMARY: In accordance with the Marine Mammal Protection Act (MMPA), as amended, its implementing regulations, and NMFS' MMPA regulations for taking marine mammals incidental to geophysical surveys related to oil and gas activities in the Gulf of America, originally published as “Taking Marine Mammals Incidental to Geophysical Surveys Related to Oil and

Gas Activities in the Gulf of Mexico,” notification is hereby given that a Letter of Authorization (LOA) has been issued to WesternGeco LLC (WesternGeco) for the take of marine mammals incidental to geophysical survey activity in the Gulf of America (GOA).

DATES: The LOA is effective December 3, 2025 through April 19, 2026.

ADDRESSES: The LOA, LOA request, and supporting documentation are available online at: <https://www.fisheries.noaa.gov/action/incidental-take-authorization-oil-and-gas-industry-geophysical-survey-activity-gulf-america>. In case of problems accessing these documents, please call the contact listed below (see **FOR FURTHER INFORMATION CONTACT**).

FOR FURTHER INFORMATION CONTACT: Jenna Harlacher, Office of Protected Resources, NMFS, (301) 427–8401.

SUPPLEMENTARY INFORMATION:

Background

Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and either regulations are issued or, if the taking is limited to harassment, a notice of a proposed authorization is provided to the public for review.

An authorization for incidental takings shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s), will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses (where relevant), and if the permissible methods of taking and requirements pertaining to the mitigation, monitoring and reporting of such takings are set forth. NMFS has defined “negligible impact” in 50 CFR 216.103 as an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival.

Except with respect to certain activities not pertinent here, the MMPA defines “harassment” as: any act of pursuit, torment, or annoyance which (i) has the potential to injure a marine mammal or marine mammal stock in the wild (Level A harassment); or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to,

migration, breathing, nursing, breeding, feeding, or sheltering (Level B harassment).

On January 19, 2021, we issued a final rule with regulations to govern the unintentional taking of marine mammals incidental to geophysical survey activities conducted by oil and gas industry operators, and those persons authorized to conduct activities on their behalf (collectively “industry operators”), in U.S. waters of the GOA¹ over the course of 5 years (86 FR 5322, January 19, 2021). The rule was based on our findings that the total taking from the specified activities over the 5-year period will have a negligible impact on the affected species or stock(s) of marine mammals and will not have an unmitigable adverse impact on the availability of those species or stocks for subsistence uses, and became effective on April 19, 2021.

The regulations at 50 CFR 217.180 *et seq.* allow for the issuance of LOAs to industry operators for the incidental take of marine mammals during geophysical survey activities and prescribe the permissible methods of taking and other means of effecting the least practicable adverse impact on marine mammal species or stocks and their habitat (often referred to as mitigation), as well as requirements pertaining to the monitoring and reporting of such taking. Under 50 CFR 217.186(e), issuance of an LOA shall be based on a determination that the level of taking will be consistent with the findings made for the total taking allowable under these regulations and a determination that the amount of take authorized under the LOA is of no more than small numbers.

NMFS subsequently discovered that the 2021 rule was based on erroneous take estimates. We conducted another rulemaking using correct take estimates and other newly available and pertinent information relevant to the analyses supporting some of the findings in the 2021 final rule and the taking allowable under the regulations. We issued a final rule in April 2024, effective May 24, 2024 (89 FR 31488, April 24, 2024).

The 2024 final rule made no changes to the specified activities or the specified geographical region in which those activities would be conducted, nor to the original 5-year period of effectiveness. In consideration of the

new information, the 2024 rule presented new analyses supporting affirmation of the negligible impact determinations for all species, and affirmed that the existing regulations, which contain mitigation, monitoring, and reporting requirements, are consistent with the “least practicable adverse impact” standard of the MMPA.

Summary of Request and Analysis

WesternGeco plans to conduct a three-dimensional (3D) ocean bottom node (OBN) survey over 200 lease blocks in the Green Canyon and Walker Ridge areas, with water depths ranging from approximately 1,400 to 3,200 meters (m). See section F of the LOA application for a map of the area.

WesternGeco would use one of the following source configurations: a conventional airgun array source consisting of 28 elements with a total volume of 5,000 cubic inches (in³) or a combination of the conventional airgun array source and a low-frequency tuned pulse source (TPS). Please see WesternGeco’s application for additional detail.

The TPS was not included in the acoustic exposure modeling developed in support of the rule. However, the TPS was previously described and evaluated in support of previous LOAs, and we rely on those analyses here (86 FR 37309, 37310, July 15, 2021; see also 87 FR 55790, 55791, September 12, 2022). For additional detail regarding sources, see section C of the LOA application. Based on this information we have determined there will be no effects of a magnitude or intensity different from those evaluated in support of the rule. NMFS therefore expects that use of modeling results supporting the final rule relating to use of airgun arrays are expected to be conservative as a proxy for use in evaluating potential impacts of use of the TPS.

Consistent with the preamble to the final rule, the survey effort proposed by WesternGeco in its LOA request was used to develop LOA-specific take estimates based on the acoustic exposure modeling results described in the preamble (89 FR 31488, April 24, 2024). Because WesternGeco plans to use the specified 28-element, 5,000 in³ airgun array source for either source configuration, this source was used to evaluate the appropriate proxy array. In order to generate the appropriate take numbers for authorization, the following information was considered: (1) survey type; (2) location (by modeling zone);²

(3) number of days; (4) source; and (5) month.³ To determine the most appropriate proxy array from the exposure modeling, the directionally dependent source level in a plane parallel to the sea surface was compared to the three airgun array sources which were originally modeled, including the 4,130, 5,110, and 8,000 in³ arrays. Out of these three proxies, the source which had the smallest relative error (arithmetic mean difference taken over the azimuthal or vessel bearing angle) was chosen as the most representative proxy. In this case, the 5110 in³ had the lowest mean error (0.9 decibel) and was the airgun array proxy that was selected. The acoustic exposure modeling performed in support of the rule provides 24-hour exposure estimates for each species, specific to each modeled source and survey type in each zone and month.

No 3D OBN surveys were included in the modeled survey types, and use of existing proxies (*i.e.*, two-dimensional (2D), 3D narrow-azimuth (NAZ), 3D wide-azimuth (WAZ), Coil) is generally conservative for use in evaluation of 3D OBN survey effort, largely due to the greater area covered by the modeled proxies. Summary descriptions of these modeled survey geometries are available in the preamble to the proposed rule (83 FR 29212, 29220, June 22, 2018). Coil was selected as the best available proxy survey type in this case because the spatial coverage of the planned survey is most similar to the coil survey pattern. Among the different parameters of the modeled survey patterns (*e.g.*, area covered, line spacing, number of sources, shot interval, total simulated pulses), NMFS considers area covered per day to be most influential on daily modeled exposures exceeding Level B harassment criteria. Although WesternGeco is not proposing to perform a survey using the coil geometry, the coil proxy is most representative of the effort planned by WesternGeco in terms of predicted Level B harassment exposures.

The survey will take place over approximately 100 days with 80 days of sound source operation, with 30 days planned in Zone 5 and 50 days planned in Zone 7. The monthly distribution of survey days is not known in advance, though we assume that the planned 80 days of source operation would occur contiguously. Take estimates for each

¹ Pursuant to Executive Order 14172, “Restoring Names That Honor American Greatness,” and Department of the Interior Secretarial Order 3423, “The Gulf of America,” the body of water formerly known as the Gulf of Mexico is now called the Gulf of America. Accordingly, NMFS amended the incidental take regulations to reflect the change. See 90 FR 38001 (August 7, 2025).

² For purposes of acoustic exposure modeling, the GOA was divided into seven zones. Zone 1 is not included in the geographic scope of the rule.

³ Acoustic propagation modeling was performed for two seasons: Winter (December–March) and Summer (April–November). Marine mammal density data is generally available on a monthly basis, and therefore further refines take estimates temporally.

species are based on the time period that produces the greatest value.

For the Rice's whale, take estimates based on the modeling yielded results that are not realistically likely to occur when considered in light of other relevant information concerning Rice's whale habitat preferences considered during the rulemaking process. NMFS' 2024 final rule provided detailed discussion regarding Rice's whale habitat (see, *e.g.*, 89 FR 31508, 31519, April 24, 2024). In summary, recent survey data, sightings, and acoustic data support Rice's whale occurrence in waters throughout the GOA between approximately 100 m and 400 m depth along the continental shelf break, and associated habitat-based density modeling has identified similar habitat (*i.e.*, approximately 100 to 400 m water depths along the continental shelf break) as being Rice's whale habitat (Garrison *et al.*, 2023; Soldevilla *et al.*, 2022, 2024).

Although Rice's whales may occur outside of the general depth range expected to provide suitable habitat, we expect that any such occurrence would be rare. WesternGeco's planned activities will occur in water depths of approximately 1,400 to 3,200 m in the central GOA. Thus, NMFS does not expect there to be the reasonable potential for take of Rice's whale in

association with this survey and, accordingly, does not authorize take of Rice's whale through the LOA.

Based on the results of our analysis, NMFS has determined that the level of taking expected for this survey and authorized through the LOA is consistent with the findings made for the total taking allowable under the regulations. See table 1 in this notice and table 6 of the rule (89 FR 31488, April 24, 2024).

Small Numbers Determination

Under the rule, NMFS may not authorize incidental take of marine mammals in an LOA if it will exceed "small numbers." In short, when an acceptable estimate of the individual marine mammals taken is available, if the estimated number of individual animals taken is up to, but not greater than, one-third of the best available abundance estimate, NMFS will determine that the numbers of marine mammals taken of a species or stock are small (see 89 FR 31535, May 24, 2024). For more information please see NMFS' discussion of small numbers in the 2021 final rule (86 FR 5438, January 19, 2021).

The take numbers for authorization are determined as described above in the Summary of Request and Analysis section. Subsequently, the total

incidents of harassment for each species are multiplied by scalar ratios (except in the cases where the take estimate has been rounded up to reflect a group size) to produce a derived product that better reflects the number of individuals likely to be taken within a survey (as compared to the total number of instances of take), accounting for the likelihood that some individual marine mammals may be taken on more than 1 day (see 86 FR 5404, January 19, 2021). The output of this scaling, where appropriate, is incorporated into adjusted total take estimates that are the basis for NMFS' small numbers determinations, as depicted in table 1.

This product is used by NMFS in making the necessary small numbers determinations through comparison with the best available abundance estimates (see discussion at 86 FR 5391, January 19, 2021). For this comparison, NMFS' approach is to use the maximum theoretical population, determined through review of current stock assessment reports (SAR; <https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-stock-assessments>) and model-predicted abundance information (<https://seamap.env.duke.edu/models/Duke/GOM/>). Information supporting the small numbers determinations is provided in table 1.

TABLE 1—TAKE ANALYSIS

Species	Authorized take	Scaled take ¹	Abundance ²	Percent abundance
Rice's whale	0	n/a	51	n/a
Sperm whale	295	125	2,451	5.1
<i>Kogia</i> spp	³ 313	94.1	1,385	8.2
Beaked whales	1,033	104	1,038	10.1
Rough-toothed dolphin	1,382	397	4,853	8.2
Bottlenose dolphin	703	202	166,538	0.1
Clymene dolphin	1,875	538	6,136	8.8
Atlantic spotted dolphin	202	58	21,506	0.3
Pantropical spotted dolphin	14,871	4268	50,209	8.5
Spinner dolphin	166	48	2,991	1.6
Striped dolphin	5,341	1,533	16,102	9.5
Fraser's dolphin	572	164.2	1,665	9.9
Risso's dolphin	164	48	1,974	2.4
Blackfish ⁴	4,081	1,204	9,535	12.6
Short-finned pilot whale	148	44	3,277	1.3

¹ Scalar ratios were applied to "Authorized Take" values as described at 86 FR 5322, 5404 (January 19, 2021) to derive scaled take numbers shown here.

² Best abundance estimate. For most taxa, the best abundance estimate for purposes of comparison with take estimates is considered here to be the model-predicted abundance (Garrison *et al.*, 2023). For Rice's whale, Atlantic spotted dolphin, and Risso's dolphin, the larger estimated SAR abundance estimate is used.

³ Includes 20 takes by Level A harassment and 293 takes by Level B harassment. Scalar ratio is applied to takes by Level B harassment only; small numbers determination made on basis of scaled Level B harassment take plus authorized Level A harassment take.

⁴ The "blackfish" guild includes melon-headed whales, false killer whales, pygmy killer whales, and killer whales.

Based on the analysis contained herein of WesternGeco's proposed survey activity described in its LOA application and the anticipated take of marine mammals, NMFS finds that

small numbers of marine mammals will be taken relative to the affected species or stock sizes (*i.e.*, less than one-third of the best available abundance estimate)

and therefore the taking is of no more than small numbers.

Authorization

NMFS has determined that the level of taking for this LOA request is consistent with the findings made for the total taking allowable under the incidental take regulations and that the amount of take authorized under the LOA is of no more than small numbers. Accordingly, we have issued an LOA to WesternGeco authorizing the take of marine mammals incidental to its geophysical survey activity, as described above.

Dated: December 4, 2025.

Kimberly Damon-Randall,

*Director, Office of Protected Resources,
National Marine Fisheries Service.*

[FR Doc. 2025-22198 Filed 12-5-25; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Office of Education Higher Education Scholarship, Fellowship, and Internship Programs**

AGENCY: National Oceanic & Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of information collection, request for comment.

SUMMARY: The Department of Commerce, in accordance with the Paperwork Reduction Act of 1995 (PRA), invites the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. The purpose of this notice is to allow for 60 days of public comment preceding submission of the collection to OMB.

DATES: To ensure consideration, comments regarding this proposed information collection must be received on or before February 6, 2026.

ADDRESSES: Interested persons are invited to submit written comments to Adrienne Thomas, NOAA PRA Officer, at NOAA.PRA@noaa.gov. Please reference OMB Control Number 0648-0568 in the subject line of your comments. All comments received are part of the public record and will generally be posted on <https://www.regulations.gov> without change. Do not submit Confidential Business

Information or otherwise sensitive or protected information.

FOR FURTHER INFORMATION CONTACT:

Requests for additional information or specific questions related to collection activities should be directed to John Baek, Senior Education Evaluator, NOAA Office of Education, 1315 East-West Hwy., Silver Spring, MD 20910, 202-743-0332, or John.Baek@noaa.gov.

SUPPLEMENTARY INFORMATION:**I. Abstract**

This request is for extension and revision of a current information collection.

The National Oceanic and Atmospheric Administration (NOAA) Office of Education is sponsoring the information collection herein described. The Administrator of NOAA is authorized by section 4002 of the America COMPETES Act, Public Law 110-69, to establish and administer a Graduate Sciences Program and two undergraduate scholarship programs to enhance understanding of ocean, coastal, Great Lakes, and atmospheric science and stewardship by the general public and other coastal stakeholders, including underrepresented groups in ocean and atmospheric science and policy careers. In addition, NOAA's Administrator is authorized by section 214 of the Consolidated Appropriations Act, 2005, Public Law 108-447, to establish and administer the Ernest F. Hollings Undergraduate Scholarship Program to support undergraduate studies in oceanic and atmospheric science, research, technology, and education that support NOAA's mission and programs.

The NOAA Office of Education collects, evaluates, and assesses student data and information for the purpose of selecting successful candidates for scholarships, fellowships and internships, generating internal NOAA reports, and articles to demonstrate the success of its program.

The purpose of the NOAA Educational Partnership Program with Minority Serving Institutions (EPP/MSI) is to educate, train and graduate students in NOAA mission-aligned disciplines to build a pool of candidates eligible for the future NOAA workforce. The EPP/MSI program is strongly committed to broadening the participation of Minority Serving Institutions such as Historically Black Colleges and Universities, Hispanic-Serving Institutions, Indian Tribally Controlled Colleges and Universities, Alaska Native-Serving Institutions, and Native Hawaiian-Serving Institutions. The EPP/MSI program has five program

components: The Undergraduate Scholarship Program (USP); the Cooperative Science Centers (CSCs); Graduate Fellowship Program (GFP); the Graduate Sciences Program (GSP); and the Environmental Entrepreneurship Program (EEP). The GSP and EEP programs are no longer actively supporting students, however alumni of those programs may provide updates to EPP/MSI of educational and career changes.

The NOAA Office of Education requires all applicants to NOAA's Undergraduate Scholarship Programs to complete an application in order to be considered. The application package requires two faculty and/or academic advisors to complete a student scholar reference form in support of the scholarship application. Undergraduate scholarship recipients are required to complete a Student Scholarship Training Record to track their time, attendance, and accomplishments during their internships. Student scholar alumni are also requested to provide information to NOAA for internal tracking purposes. This information informs NOAA whether NOAA-funded students pursue and complete post-graduate NOAA-related science degrees, are employed by NOAA or a NOAA contractor, or in fields related to NOAA's mission.

NOAA EPP/MSI CSC grant award recipients are required to update the student tracker database with the required student information in order to assess compliance with award performance measures. While supported by NOAA scholarship and internship programs, the Office of Education surveys students and mentors to gain feedback on experiences and to assess program impact. Feedback collected from surveys will be used to improve programs to ensure the highest quality experience for supported students.

The collected data supports the Office of Education's program performance measures. To measure the impact of these programs, the data collected are compared to the available data in the national education databases (e.g., National Science Foundation and National Center for Education Statistics) and NOAA workforce management database. Furthermore, the student data collection identifies degree and NOAA mission-aligned discipline pipeline areas, guiding NOAA's effort to recruit for its mission-aligned educational and training programs and future workforce.

This information collection includes several changes to the type and amount of information being collected as described below:

1. Removal of the Hollings Preparation Program Application and Surveys
2. Removal of Student Opportunities Optional Demographic Data Collection

II. Method of Collection

Electronic applications and electronic forms are required from participants, and the primary methods of submission are email and internet transmission of electronic forms. Less than 1% of the application and reference forms may be mailed.

III. Data

OMB Control Number: 0648–0568.

Form Number(s): None.

Type of Review: Regular submission (extension and revision of a current information collection).

Affected Public: Individuals or households; business or other for-profit; not-for-profit institutions; Federal, State, Local or Tribal Government.

Estimated Number of Respondents: 4,294.

Estimated Time per Response:
Hollings and EPP/MSI Application—12 hours; Hollings and EPP/MSI Reference—1 hour; Alumni Update Form—0.1 hours; Student Tracker Form—28 hours; EPP/MSI Graduate Fellowship Application—12 hours; EPP/MSI Graduate Fellowship References—1 hour; Student Training Record Form—0.5 hours; Hollings and EPP/MSI Student Surveys—0.25 hours; Hollings and EPP/MSI Applicant Survey—0.1 hours; Hollings and EPP/MSI Mentor Surveys—0.5 hours.

Estimated Total Annual Burden Hours: 11,902.50.

Estimated Total Annual Cost to Public: \$75 in recordkeeping/reporting costs.

Respondent's Obligation: Voluntary or Required to Obtain or Retain Benefits.

Legal Authority: The America COMPETES Act, Public Law 110–69, Section 4002; The Consolidated Appropriations Act, 2005, Public Law 108–447, Section 214; Executive Orders 13985 and 14035.

IV. Request for Comments

We are soliciting public comments to permit the Department/Bureau to: (a) Evaluate whether the proposed information collection is necessary for the proper functions of the Department, including whether the information will have practical utility; (b) Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used; (c) Evaluate ways to enhance the quality, utility, and clarity of the information to

be collected; and (d) Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

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 information collection request. 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 may 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.

Sheleen Dumas,

Departmental PRA Compliance Officer, Office of the Under Secretary for Economic Affairs, Commerce Department.

[FR Doc. 2025–22237 Filed 12–5–25; 8:45 am]

BILLING CODE 3510–12–P

INTERNATIONAL DEVELOPMENT FINANCE CORPORATION

Notice of Public Hearing

AGENCY: U.S. International Development Finance Corporation.

ACTION: Announcement of public hearing.

SUMMARY: The Board of Directors of U.S. International Development Finance Corporation (DFC), in accordance with the Better Utilization of Investments Leading to Development (BUILD) Act of 2018, will hold a public hearing to provide an opportunity for stakeholders to present their views. Those wishing to attend, present at, or submit a written statement to the Board prior to the public hearing must provide advance notice to the agency as detailed below.

DATES: 10:00 a.m. EST, Friday, December 12, 2025.

ADDRESSES: The public hearing will take place virtually. Access information will be provided at the time of attendee registration.

Registration: To attend, present at, or submit a written statement to the Board prior to the public hearing, individuals must notify DFC Corporate Secretary Heather Carroll at corporate.secretary@dfc.gov by 5:00 p.m. EST, Friday, December 5, 2025.

Notices of intent to attend or present at the public hearing must include the

individual's name, title, organization, address, email address, phone number, and a concise summary of the subject matter to be presented. Oral presentations may not exceed five minutes and may be reduced proportionately, if necessary, to afford all participants an opportunity to be heard.

Written statements submitted to the Board prior to the public hearing must include the individual's name, title, organization, address, email address, and phone number. Statements must be typewritten, double-spaced, and less than ten pages in length.

Lisa Wischkaemper,

Administrative Counsel, Office of the General Counsel.

[FR Doc. 2025–22212 Filed 12–5–25; 8:45 am]

BILLING CODE P

DEPARTMENT OF DEFENSE

Department of the Air Force

Notice of Record of Decision for the Environmental Impact Statement for Authorizing Changes to the Falcon Launch Program at Vandenberg Space Force Base, California

AGENCY: Department of the Air Force.

ACTION: Notice of Record of Decision.

SUMMARY: On October 10, 2025, the Department of the Air Force (DAF) signed the Record of Decision (ROD) for the Environmental Impact Statement for Authorizing Changes to the Falcon Launch Program at Vandenberg Space Force Base (VSFB), CA.

FOR FURTHER INFORMATION CONTACT: Ms. Hilary Rummel, NEPA Project Manager, by email at hilary.rummel.ctr@us.af.mil or VSFB Public Affairs office by phone at 1–805–606–3595.

SUPPLEMENTARY INFORMATION: The DAF has decided to increase the annual Falcon launch cadence at VSFB through launch and landing operations at SLC–4 and SLC–6, including modification of SLC–6 for Falcon 9 and Falcon Heavy launch vehicles to support future U.S. Government and commercial launch service needs. The overall launch cadence will increase from 50 Falcon 9 launches per year at SLC–4 to up to 100 launches per year for Falcon 9 and Falcon Heavy at both SLCs combined. Falcon Heavy, which has not previously launched from VSFB, would launch and land up to five times per year from and at SLC–6. The DAF will authorize SpaceX to construct a new hangar south of the HIF and north of SLC–6 to

support Falcon 9 and Falcon Heavy integration and processing.

The DAF decision documented in the ROD was based on matters discussed in the Final Environmental Impact Statement, inputs from the public and regulatory agencies, and other relevant factors. The Final Environmental Impact Statement was made available to the public on October 14, 2025 through the project website (www.vsfbfalconlaunches.com), and a Notice of Availability was published in the **Federal Register** (Volume 90, Number 223, Page 52660) on November 21, 2025.

Authority: 42 U.S.C. 4321, *et seq.* and Department of Defense National Environmental Policy Act Implementing Procedures.

Crystle C. Poge,

Air Force Federal Register Liaison Officer.

[FR Doc. 2025–22193 Filed 12–5–25; 8:45 am]

BILLING CODE 3911–44–P

DEPARTMENT OF DEFENSE

Department of the Air Force

[25–0005956–AFRL/RQ Bravo Data Systems]

Notice of Intent To Grant a Partially Exclusive Patent License

AGENCY: Department of the Air Force, Department of Defense.

ACTION: Notice of intent.

SUMMARY: Pursuant to the Bayh-Dole Act and implementing regulations, the Department of the Air Force hereby gives notice of its intent to grant a partially exclusive (the field to include NAICS code industry sectors: 22 Utilities; 31–33 Manufacturing; 54 Professional, Scientific, and Technical Services; 92 Public Administration patent license to Bravo Data Systems, having a place of business at 2673 Big Woods Trail, Beavercreek, OH 45431.

DATES: Written objections must be filed no later than fifteen (15) calendar days after the date of publication of this Notice.

ADDRESSES: Submit written objections to Joshua Laravie, AFRL/RQ; 2130 8th Street, Wright-Patterson AFB, OH 45433; Ph: 937–266–9023; Email: afrl.rq.orta@us.af.mil. Include Docket No. 25–0005956–AFRL/RQ in the subject line of the message.

FOR FURTHER INFORMATION CONTACT: Joshua Laravie, AFRL/RQ; 2130 8th Street, Wright-Patterson AFB, OH 45433; Ph: 937–266–9023; Email: afrl.rq.orta@us.af.mil.

Abstract of patent application(s): An instrumented wind tunnel. The wind tunnel receives a test subject which can be a model of an object to be tested with dynamic airflow. The test subject is fitted with at least one sensor to deliver data to a chassis, which in turn uses a network having at least 10 Gb/s capability to deliver the data to a RAM cache. The RAM cache can push the data to multiple viewers for real time monitoring of wind tunnel tests. The operator can then make live adjustments of the test conditions.

Intellectual property: U.S. Patent No. 11,933,694, issued on Mar. 19, 2024 and entitled WIND TUNNEL HAVING LOW LATENCY DATA PUBLISHING.

The Department of the Air Force may grant the prospective license unless a timely objection is received that sufficiently shows the grant of the license would be inconsistent with the Bayh-Dole Act or implementing regulations. A competing application for a patent license agreement, completed in compliance with 37 CFR 404.8 and received by the Air Force within the period for timely objections, will be treated as an objection and may be considered as an alternative to the proposed license.

Authority: 35 U.S.C. 209; 37 CFR 404.

Crystle C. Poge,

Air Force Federal Register Liaison Officer.

[FR Doc. 2025–22173 Filed 12–5–25; 8:45 am]

BILLING CODE 3911–44–P

DEPARTMENT OF DEFENSE

Department of the Air Force

Notice of Record of Decision for the Environmental Impact Statement 492nd Special Operations Wing Beddown at Davis-Monthan Air Force Base, Arizona

AGENCY: Department of the Air Force.

ACTION: Notice of Record of Decision.

SUMMARY: On September 11, 2025, the Department of the Air Force (DAF) signed the Record of Decision (ROD) for the 492nd (492) Special Operations Wing (SOW) Beddown at Davis-Monthan Air AFB, AZ Environmental Impact Statement.

FOR FURTHER INFORMATION CONTACT: Mr. Nicolas Post (AFCEC/CIEE), 2261 Hughes Avenue, STE. 155, JBSA Lackland, TX 78236–9853 (380) 459–0507; nicolas.post@us.af.mil.

SUPPLEMENTARY INFORMATION: The DAF has decided to relocate the 492 SOW from Hurlbert Field, Florida to Davis-Monthan AFB, Arizona along with other units and personnel. The proposed 492

SOW Beddown will result in changes to personnel, airfield operations, airspace use, range use, and require completion of facilities and infrastructure projects.

The DAF decision documented in the ROD was based on matters discussed in the Final Environmental Impact Statement, inputs from the public and regulatory agencies, and other relevant factors. The Final Environmental Impact Statement was made available to the public on March 14, 2025 through a Notice of Availability in the **Federal Register** (90 FR 12158) with a waiting period that ended on April 14, 2025.

Authority: 42 U.S.C. 4321, *et seq.* and Department of Defense National Environmental Policy Act Implementing Procedures.

Crystle C. Poge,

Air Force Federal Register Liaison Officer.

[FR Doc. 2025–22176 Filed 12–5–25; 8:45 am]

BILLING CODE 3911–44–P

DEPARTMENT OF DEFENSE

Department of the Army

Performance Review Board Membership

AGENCY: Department of the Army, DoD.

ACTION: Notice.

SUMMARY: Notice is given of the names of members of a Performance Review Board for the Department of the Army.

DATES: Applicable November 26, 2025.

FOR FURTHER INFORMATION CONTACT: Barbara Smith, Civilian Senior Leader Management Office, 102 Army Pentagon, Washington, DC 20310–0102, email: barbara.m.smith.civ@army.mil or Phone: (703) 693–1126.

SUPPLEMENTARY INFORMATION: Section 4314(c)(1) through (5) of Title 5, U.S.C., requires each agency to establish, in accordance with regulations, one or more Senior Executive Service performance review boards. The boards shall review and evaluate the initial appraisal of senior executives' performance by supervisors and make recommendations to the appointing authority or rating official relative to the performance of these executives.

The Department of the Army Performance Review Board will be composed of a subset of the following individuals:

1. Mr. Derrick Anderson, Principal Deputy Assistant Secretary of the Army (Manpower and Reserve Affairs)
2. HON Marc Anderson, Assistant Secretary of the Army (Financial Management and Comptroller)

3. Mr. Michael Bailey, Director, Chemical Biological Center, U.S. Army Combat Capabilities Development Command
4. Mr. Peter Bechtel, Assistant Deputy Chief of Staff, G-3/5/7, Deputy Chief of Staff, G-3/5/7
5. BG Christine Beeler, Program Executive Officer, U.S. Army Acquisition Support Center
6. Ms. Julie Blanks, Executive Director for Manpower and Reserve Affairs, Assistant Secretary of the Army (Manpower and Reserve Affairs)
7. Mr. Nicholas Boone, Director, Geotechnical and Structures Lab, U.S. Army Corps of Engineers
8. Mr. John Bradsher, Director, Operations and Integration, U.S. Army Intelligence and Security Command
9. LTG Gregory J. Brady, The Inspector General, U.S. Army Office of the Inspector General
10. Mr. Timothy Bridges, Executive Director for Navy Installations Command, U.S. Dept of Navy
11. LTG E. Miles Brown, Deputy Commanding General, U.S. Army Transformation and Training Command
12. MG Timothy D. Brown, Commander, U.S. Army Intelligence and Security Command
13. Ms. Kimberly Buehler, Director, Small Business Programs, Office of the Secretary of the Army
14. Mr. Brian Butler, Deputy to the Commander, U.S. Army Tank-Automotive and Armaments Command
15. Mr. James B. Byrn, Chief of Legislative Liaison
16. Mr. Michael Cadieux, Director, CCDC Ground Vehicle Systems Center, U.S. Army Combat Capabilities Development Command
17. Ms. Holly Carey, Deputy Director and Sr Advisor for Army Budget, Office of the Secretary of the Army (Financial Management and Comptroller)
18. LTG Robert Collins, Military Deputy/Director, Army Acquisition Corps, Office of the Assistant Secretary of the Army (Acquisition, Logistics and Technology)
19. Ms. Robin Colosimo, Deputy Assistant Secretary of the Army (Project, Planning, and Review), Office of the Assistant Secretary of the Army (Civil Works)
20. Ms. Diana Connolly, Director, Office of Analytics Integration
21. Mr. Richard De Fatta, Deputy to the Commander, U.S. Army Space and Missile Defense Command/Army Forces Strategic Command
22. Ms. Karen Durham-Aguilera, Executive Director, U.S. Army National Cemeteries
23. Dr. Elizabeth Fleming, Director, Engineer Research and Development Center, U.S. Army Corps of Engineers
24. Mr. Michael Formica, Executive Deputy to the Commander, U.S. Army Transformation and Training Command
25. Mr. D. Lee Forsgren, Principal Deputy Assistant Secretary of the Army (Civil Works), Office of the Assistant Secretary of the Army (Civil Works)
26. Dr. Karl Friedl, Senior Research Scientist (Performance Physiology), U.S. Army Research Institute of Environmental Medicine
27. LTG Sean A. Gainey, Commanding General, U.S. Army Space and Missile Defense Command
28. BG Kirk E. Gibbs, Deputy Chief of Engineers, Office of the Chief of Engineers/Deputy Commanding General, U.S. Army Corps of Engineers
29. LTG William H. Graham, Chief of Engineers/Commanding General, U.S. Army Corps of Engineers
30. Ms. Elizabeth Griffin, Director of Human Resources, U.S. Army Corps of Engineers
31. HON Jordan Gillis, Assistant Secretary of the Army (Installations, Energy and Environment)
32. Mr. Terence E. Hagans II, Chief of Staff to the Secretary of the Army
33. HON Brent Ingraham, Assistant Secretary of the Army (Acquisitions, Logistics and Technology)
34. Ms. Laurel Rebecca Hodson, Director, Army Communications and Outreach Office
35. MG Jason E. Kelly, Deputy Commanding General for Civil and Emergency Operations, U.S. Army Corps of Engineers
36. Mr. David Kim, Director of Support, U.S. Force Modernization, U.S. Army Intelligence and Security Command
37. Ms. Candice Kinn, Principal Deputy Assistant Secretary of the Army (Financial Management and Comptroller), Office of the Assistant Secretary of the Army (Financial Management and Comptroller)
38. Mr. Daniel Klippstein, Assistant Deputy Chief of Staff, G-9, Office of the Deputy Chief of Staff, G-9
39. Mr. Norman Lawrence, Deputy to the Commanding General, U.S. Army Intelligence Center of Excellence and Fort Huachuca, U.S. Army Transformation and Training Command
40. Dr. David Markowitz, Deputy Chief of Information Officer/Chief Data Officer and Analytics Officer, Office of the Chief Information Officer
41. Mr. Patrick Mason, Deputy Assistant Secretary of the Army for Defense Exports and Cooperation, Office of Assistant Secretary of the Army (Acquisition, Logistics, and Technology)
42. Mr. David May, Senior Cyber Intelligence Advisor, Cyber Center of Excellence, U.S. Army Transformation and Training Command
43. Ms. Elizabeth Millard-Harkema, Director, Resources Integration, Deputy Chief of Staff, G-2
44. Dr. Alexander Miller, (S&T) Advisor and Chief Technology Officer, Office of the Chief of Staff of the Army
45. Mr. Bruce B. Miller, The Auditor General, U.S. Army Audit Agency
46. Ms. Hong Miller, Chief Human Capital Officer, U.S. Army Transformation and Training Command
47. Ms. Liz Miranda, Executive Deputy to the Commanding General, U.S. Army Materiel Command
48. Mr. Lawrence Mixon, Special Assistant to the Program Executive Officer (Intelligence, Electronic Warfare and Sensors), Office of the Program Executive Officer (Intelligence, Electronic Warfare and Sensors)
49. Mr. Michael Monteleone, Director, All Domain Sensing Cross-Functional Team, U.S. Army Transformation and Training Command
50. Mr. Eric Moore, Deputy to the Commanding General, U.S. Army Combat Capabilities Development Command
51. Mr. Adam Nucci, Principal Director, Policy Resources and Analysis, Office of the Chief Information Officer
52. Ms. Karen Pane, Director of Human Resources Agency, U.S. Army Civilian Human Resources Agency
53. Dr. Anne Petrock, Senior Research Scientist (Warheads Technology), U.S. Army Combat Capabilities Development Command
54. Mr. Brandon Pugh, Principal Cyber Advisor to the Secretary of the Army, Office of the Secretary of the Army
55. MG Mark C. Quander, Deputy Commanding General, Military Programs and International Operations, U.S. Army Corps of Engineers
56. Ms. Diane Randon, Assistant Deputy Chief of Staff, G-2, Office of the Deputy Chief of Staff, G-2

57. Mr. Daniel Reilly, Deputy to the Commanding General, U.S. Army Sustainment Command, U.S. Army Materiel Command
58. Dr. Peter Reynolds, Senior Research Scientist (Physical Sciences), U.S. Army Combat Capabilities Development Command
59. Mr. J. Randall Robinson, Executive Deputy to the Commanding General, U.S. Army Installation Management Command
60. LTG Joseph A. Ryan, Commanding General, U.S. Army Western Hemisphere Command
61. Dr. Robert Sadowski, Senior Research Scientist (Robotics), U.S. Army Combat Capabilities Development Command
62. Mr. Matthew Sannito, Administrative Assistant to the Secretary of the Army, Office of the Administrative Assistant
63. Mr. Bryan Shone, Assistant Deputy Chief of Staff, G-8, Office of the Deputy Chief of Staff, G-8
64. Mr. Christopher Sims, Chief of Staff to the Deputy Under Secretary of the Army, Office of the Secretary of the Army
65. Mr. Thomas Smith, Chief, Engineering and Construction Division, U.S. Army Corps of Engineers
66. Mr. Robert Steinrauf, Director, Plans and Resources Directorate, Office of the Deputy Chief of Staff, G-1
67. Mr. Stephen Suh, Deputy Director of Administration and Management, Office of the Director of Administration and Management
68. Mr. Stephen Sullivan, Director, Resource Management and Material, Office of the Chief, Army Reserve
69. Mr. Douglas Tamilio, Director, CCDC Soldier Center, U.S. Army Combat Capabilities Development Command
70. HON Adam Telle, Assistant Secretary of the Army (Civil Works)
71. Mr. Brian Toland, Command Counsel, Headquarters, U.S. Army Materiel Command
72. Mr. Jesse Tolleson, Principal Deputy Assistant Secretary of the Army (Acquisitions, Logistics and Technology), Office of the Assistant Secretary of the Army (Acquisitions, Logistics and Technology)
73. Dr. Jeff Waksman, Principal Deputy Assistant Secretary of the Army (Installations, Energy and Environment), Office of the Assistant Secretary of the Army (Installations, Energy and Environment)

74. Mr. Roy Wallace, Assistant Deputy Chief of Staff, G-1, Office of the Deputy Chief of Staff, G-1
75. Mr. Joseph Welch, Capability Portfolio Executive (CPE), C2, Counter C2, Office of the Capability Portfolio Executive
76. Ms. Kathryn Yurkanin, Principal Deputy Chief of Legislative Liaison, Office of the Chief, Legislative Liaison
77. Mr. Daniel Zevitz, Principal Deputy General Counsel, Office of General Counsel

James W. Satterwhite Jr.,

Army Federal Register Liaison Officer.

[FR Doc. 2025-22150 Filed 12-5-25; 8:45 am]

BILLING CODE 3711-CC-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP26-30-000]

Enable Mississippi River Transmission, LLC; Notice of Request Under Blanket Authorization and Establishing Intervention and Protest Deadline

Take notice that on November 21, 2025, Enable Mississippi River Transmission, LLC (EMRT), 1300 Main Street, Houston, Texas 77002, filed in the above referenced docket, a prior notice request pursuant to sections 157.205, 157.208, 157.211, and 157.216 of the Commission's regulations under the Natural Gas Act (NGA), and EMRT's blanket certificate issued in Docket No. CP82-489-000, for authorization to: (1) abandon approximately 1.2 miles of 10- and 12-inch-diameter Line A-145 pipeline; (2) construct approximately 1.57 miles of new 20-inch-diameter pipeline (Castle Bluff Lateral); (3) construct a new measurement and regulation station; and (4) construct additional appurtenant facilities. All of the above facilities are located in Jefferson and St. Louis Counties, Missouri (Ameren—EMRT Castle Bluff Project). The project will allow EMRT to provide up to 188,000 thousand standard cubic feet per day (Mscf/d) of transportation capacity of which Union Electric Company d/b/a Ameren Missouri (Ameren) has contracted for 45,000 million British thermal units per day of incremental firm natural gas transportation service and park and loan service to Ameren's existing Castle Bluff Energy Center site. The estimated cost for the project is \$17,108,248, all as more fully set forth in the request which

is on file with the Commission and open to public inspection.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (<http://www.ferc.gov>). From the Commission's Home Page on the internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field.

User assistance is available for eLibrary and the Commission's website during normal business hours from FERC Online Support at (202) 502-6652 (toll free at 1-866-208-3676) or email at ferconlinesupport@ferc.gov, or the Public Reference Room at (202) 502-8371, TTY (202) 502-8659. Email the Public Reference Room at public.referenceroom@ferc.gov.

Any questions concerning this request should be directed to Blair Lichtenwalter, Senior Director, Certificates, Enable Mississippi River Transmission, LLC, P.O. Box 4967, Houston, Texas 77210-4967, by phone at (713) 989-2605, or by email at Blair.Lichtenwalter@energytransfer.com.

Public Participation

There are three ways to become involved in the Commission's review of this project: you can file a protest to the project, you can file a motion to intervene in the proceeding, and you can file comments on the project. There is no fee or cost for filing protests, motions to intervene, or comments. The deadline for filing protests, motions to intervene, and comments is 5:00 p.m. Eastern Time on February 2, 2026. How to file protests, motions to intervene, and comments is explained below.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation (OPP) at (202) 502-6595 or OPP@ferc.gov.

Protests

Pursuant to section 157.205 of the Commission's regulations under the NGA,¹ any person² or the Commission's

¹ 18 CFR 157.205.

² Persons include individuals, organizations, businesses, municipalities, and other entities. 18 CFR 385.102(d).

staff may file a protest to the request. If no protest is filed within the time allowed or if a protest is filed and then withdrawn within 30 days after the allowed time for filing a protest, the proposed activity shall be deemed to be authorized effective the day after the time allowed for protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request for authorization will be considered by the Commission.

Protests must comply with the requirements specified in section 157.205(e) of the Commission's regulations,³ and must be submitted by the protest deadline, which is 5:00 p.m. Eastern Time on February 2, 2026. A protest may also serve as a motion to intervene so long as the protestor states it also seeks to be an intervenor.

Interventions

Any person has the option to file a motion to intervene in this proceeding. Only intervenors have the right to request rehearing of Commission orders issued in this proceeding and to subsequently challenge the Commission's orders in the U.S. Circuit Courts of Appeal.

To intervene, you must submit a motion to intervene to the Commission in accordance with Rule 214 of the Commission's Rules of Practice and Procedure⁴ and the regulations under the NGA⁵ by the intervention deadline for the project, which is 5:00 p.m. Eastern Time on February 2, 2026. As described further in Rule 214, your motion to intervene must state, to the extent known, your position regarding the proceeding, as well as your interest in the proceeding. For an individual, this could include your status as a landowner, ratepayer, resident of an impacted community, or recreationist. You do not need to have property directly impacted by the project in order to intervene. For more information about motions to intervene, refer to the FERC website at <https://www.ferc.gov/resources/guides/how-to/intervene.asp>.

All timely, unopposed motions to intervene are automatically granted by operation of Rule 214(c)(1). Motions to intervene that are filed after the intervention deadline are untimely and may be denied. Any late-filed motion to intervene must show good cause for being late and must explain why the time limitation should be waived and provide justification by reference to factors set forth in Rule 214(d) of the

Commission's Rules and Regulations. A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies (paper or electronic) of all documents filed by the applicant and by all other parties.

Comments

Any person wishing to comment on the project may do so. The Commission considers all comments received about the project in determining the appropriate action to be taken. To ensure that your comments are timely and properly recorded, please submit your comments on or before 5:00 p.m. Eastern Time on February 2, 2026. The filing of a comment alone will not serve to make the filer a party to the proceeding. To become a party, you must intervene in the proceeding.

How To File Protests, Interventions, and Comments

There are two ways to submit protests, motions to intervene, and comments. In both instances, please reference the Project docket number CP26–30–000 in your submission.

(1) You may file your protest, motion to intervene, and comments by using the Commission's eFiling feature, which is located on the Commission's website (www.ferc.gov) under the link to Documents and Filings. New eFiling users must first create an account by clicking on "eRegister." You will be asked to select the type of filing you are making; first select "General" and then select "Protest", "Intervention", or "Comment on a Filing"; or⁶

(2) You can file a paper copy of your submission by mailing it to the address below. Your submission must reference the Project docket number CP26–30–000.

To file via USPS: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

To file via any other courier: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

The Commission encourages electronic filing of submissions (option 1 above) and has eFiling staff available to assist you at (202) 502–8258 or FercOnlineSupport@ferc.gov.

Protests and motions to intervene must be served on the applicant either

by mail at: Blair Lichtenwalter, Senior Director, Certificates, Enable Mississippi River Transmission, LLC, P.O. Box 4967, Houston, Texas 77210–4967, or by email (with a link to the document) at Blair.Lichtenwalter@energytransfer.com. Any subsequent submissions by an intervenor must be served on the applicant and all other parties to the proceeding. Contact information for parties can be downloaded from the service list at the eService link on FERC Online.

Tracking the Proceeding

Throughout the proceeding, additional information about the project will be available from OPP at (202) 502–6595 or on the FERC website at www.ferc.gov using the "eLibrary" link as described above. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

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. For more information and to register, go to www.ferc.gov/docs-filing/esubscription.asp.

(Authority: 18 CFR 2.1)

Dated: December 3, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–22232 Filed 12–5–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP26–16–000]

Texas Gas Transmission, LLC; Notice of Scoping Period Requesting Comments on Environmental Issues for the Proposed Carnation Project

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental document that will discuss the environmental impacts of the Carnation Project involving construction and operation of facilities by Texas Gas Transmission, LLC (Texas Gas) in Hamilton County, Ohio. The Commission will use this environmental document in its decision-making process to determine whether the

³ 18 CFR 157.205(e).

⁴ 18 CFR 385.214.

⁵ 18 CFR 157.10.

⁶ Additionally, you may file your comments electronically by using the eComment feature, which is located on the Commission's website at www.ferc.gov under the link to Documents and Filings. Using eComment is an easy method for interested persons to submit brief, text-only comments on a project.

project is in the public convenience and necessity.

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. As part of the National Environmental Policy Act (NEPA) review process, the Commission takes into account concerns the public may have about proposals and the environmental impacts that could result from its action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. 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. Additional information about the Commission’s NEPA process is described below in the *NEPA Process and Environmental Document* section of this notice.

By this notice, the Commission requests 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 January 2, 2026. Comments may be submitted in written form. Further details on how to submit comments are provided in the *Public Participation* section of this notice.

Your comments should focus on the potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. 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.

If you submitted comments on this project to the Commission before the opening of this docket on October 31, 2025, you will need to file those comments in Docket No. CP26–16–000 to ensure they are considered as part of this proceeding.

This notice is being sent to the Commission’s current environmental mailing list for this project. State and local government representatives should notify their constituents of this proposed project and encourage them to comment on their areas of concern.

If you are a landowner receiving this notice, a pipeline company representative may contact you about the acquisition of an easement to construct, operate, and maintain the

proposed facilities. The company would seek to negotiate a mutually acceptable easement agreement. You are not required to enter into an agreement. However, if the Commission approves the project, the Natural Gas Act conveys the right of eminent domain to the company. Therefore, if you and the company do not reach an easement agreement, the pipeline company could initiate condemnation proceedings in court. In such instances, compensation would be determined by a judge in accordance with state law. The Commission does not subsequently grant, exercise, or oversee the exercise of that eminent domain authority. The courts have exclusive authority to handle eminent domain cases; the Commission has no jurisdiction over these matters.

Texas Gas provided landowners with a fact sheet prepared by the FERC entitled “An Interstate Natural Gas Facility On My Land? What Do I Need To Know?” which addresses typically asked questions, including the use of eminent domain and how to participate in the Commission’s proceedings. This fact sheet along with other landowner topics of interest are available for viewing on the FERC website (www.ferc.gov) under the Natural Gas, Landowner Topics link.

Public Participation

There are three methods you can use to submit your comments to the Commission. Please carefully follow these instructions so that your comments are properly recorded. The Commission encourages electronic filing of comments and has staff available to assist you at (866) 208–3676 or FercOnlineSupport@ferc.gov.

(1) You can file your comments electronically using the *eComment* feature, which is located on the Commission’s website (www.ferc.gov) under the link to FERC Online. Using *eComment* is an easy method for submitting brief, text-only comments on a project;

(2) You can file your comments electronically by using the *eFiling* feature, which is located 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 will be asked to select the type of filing you are making; a comment on a particular project is considered a “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 (CP26–16–000) 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.

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*.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502–6595 or OPP@ferc.gov.

Summary of the Proposed Project

Texas Gas proposes to add compression at the Crosby-Harrison Compressor Station in Hamilton County, Ohio; and modify the nearby New Haven regulator facilities also in Hamilton County, Ohio. The Carnation Project (Project) would increase the capacity of Texas Gas’s interstate natural gas transmission system by about 170,000 dekatherms per day. According to Texas Gas, the Project would help ensure a dependable natural gas supply for Southwest Ohio during periods of peak demand and constrained transportation capacity.

At the Crosby-Harrison Compressor Station, Texas Gas proposes to install one new 14,189-horsepower compressor unit and associated facilities including one discharge filter separator, one emergency generator, and one unit blowdown silencer. Texas Gas would also construct one electrical building and one storage building and install air compressor and receivers, associated piping and controls, and other auxiliary facilities.

At the New Haven Regulators Facility, Texas Gas proposes to install two new single-run regulators with associated piping and controls on the MLS 26–1TT and MLS 26–2TT pipelines. About 20 feet of aboveground piping and 150 feet of below ground piping would be installed on the mainline pipelines.

The general location of the project facilities is shown in appendix 1.¹

Land Requirements for Construction

Construction of the proposed facilities would disturb about 32.13 acres of land. At the Crosby-Harrison Compressor Station, Texas Gas would utilize the entirety of its 29.54-acre site. At the New Haven Regulators Facility site, Texas Gas would require the use of about 2.59 acres of land. Modifications to the Crosby-Harrison Compressor Station would not result in the expansion of the existing fence line and would not require the permanent use of additional lands. Following construction, Texas Gas would permanently maintain an additional 0.29-acre of land for the modified regulators.

NEPA Process and the Environmental Document

Any environmental document issued by the Commission will discuss impacts that could occur as a result of the construction and operation of the proposed project under the relevant general resource areas:

- geology and soils;
- water resources and wetlands;
- vegetation and wildlife;
- threatened and endangered species;
- cultural resources;
- land use;
- air quality and noise; and
- reliability and safety.

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 impacts 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 study and 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 the EIS will present Commission staff's independent analysis of the issues. If Commission staff prepares an EA, a *Notice of Schedule for the Preparation of 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 EIS/Notice of Schedule* will be issued, which will open up an additional comment period. 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 eLibrary² and the Commission's natural gas environmental documents web page (<https://www.ferc.gov/industries-data/natural-gas/environmental-environmental-documents>). If eSubscribed, you will receive instant email notification when the environmental document is issued.

With this notice, the Commission is asking agencies with jurisdiction by law and/or special expertise with respect to the environmental issues of this project to formally cooperate in the preparation of the environmental document.³

Agencies that would like to request cooperating agency status should follow the instructions for filing comments provided under the *Public Participation* section of this notice.

Consultation Under Section 106 of the National Historic Preservation Act

In accordance with the Advisory Council on Historic Preservation's implementing regulations for section 106 of the National Historic Preservation Act, the Commission is using this notice to initiate consultation with the applicable State Historic Preservation Office(s), and to solicit their views and those of other government agencies, interested Indian tribes, and the public on the project's potential effects on historic properties.⁴ The environmental document for this project will document findings on the impacts on historic properties and summarize the status of consultations under section 106.

² For instructions on connecting to eLibrary, refer to the last page of this notice.

³ Cooperating agency responsibilities are addressed in Section 107(a)(3) of NEPA (42 U.S.C. 4336(a)(3)).

⁴ The Advisory Council on Historic Preservation's regulations are at Title 36, Code of Federal Regulations, Part 800. Those regulations define historic properties as any prehistoric or historic district, site, building, structure, or object included in or eligible for inclusion in the National Register of Historic Places.

Environmental Mailing List

The environmental mailing list includes federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American Tribes; other interested parties; and local libraries and newspapers. This list also includes all affected landowners (as defined in the Commission's regulations) who are potential right-of-way grantors, whose property may be used temporarily for project purposes, or who own homes within certain distances of aboveground facilities, and anyone who submits comments on the project and includes a mailing address with their comments. Commission staff will update the environmental mailing list as the analysis proceeds to ensure that Commission notices related to this environmental review are sent to all individuals, organizations, and government entities interested in and/or potentially affected by the proposed project.

If you need to make changes to your name/address, or if you would like to remove your name from the mailing list, please complete one of the following steps:

(1) Send an email to GasProjectAddressChange@ferc.gov stating your request. You must include the docket number CP26-16-000 in your request. If you are requesting a change to your address, please be sure to include your name and the correct address. If you are requesting to delete your address from the mailing list, please include your name and address as it appeared on this notice. *This email address is unable to accept comments.*

OR

(2) Return the attached "Mailing List Update Form" (appendix 2).

Additional Information

Additional information about the project is available from the FERC website at www.ferc.gov using the eLibrary link. Click on the eLibrary link, click on "General Search" and enter the docket number in the "Docket Number" field. Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at FercOnlineSupport@ferc.gov or (866) 208-3676, or for TTY, contact (202) 502-8659. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

Public sessions or site visits will be posted on the Commission's calendar located at <https://www.ferc.gov/news->

¹ The appendices referenced in this notice will not appear in the **Federal Register**. Copies of the appendices were sent to all those receiving this notice in the mail and are available at www.ferc.gov using the link called "eLibrary." For instructions on connecting to eLibrary, refer to the last page of this notice. For assistance, contact FERC at FERCOnlineSupport@ferc.gov or call toll free, (886) 208-3676 or TTY (202) 502-8659.

events/events along with other related information.

(Authority: 18 CFR 2.1)

Dated: December 3, 2025.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2025–22235 Filed 12–5–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2503–192]

Duke Energy Carolinas, LLC; Notice of Availability of Environmental Assessment

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's (Commission) regulations, 18 CFR part 380, Commission staff reviewed Duke Energy Carolina's LLC's (licensee) non-project use of project lands and water application for the Keowee-Toxaway Hydroelectric Project No. 2503, and has prepared an Environmental Assessment (EA).¹ The licensee requests Commission approval to grant Pickens Regional Joint Water System a 0.37 acre easement to construct, operate, and maintain a raw water intake facility with a gross maximum instantaneous water withdrawal rate of 16.5 million gallons per day (MGD) and a gross maximum average annual withdrawal rate of 12 MGD. Proposed construction within the project boundary includes screened intake pipes, shoreline stabilization, and a floating dock. The Keowee-Toxaway Project is located on the Toxaway, Keowee, and Little Rivers in Transylvania County, North Carolina, and Oconee and Pickens counties, South Carolina, and is not located on federal lands. The proposed water withdrawal facility easement would be located on Lake Keowee northeast of the Oconee Nuclear Station and southwest of Warpath Landing.

The EA contains Commission staff's analysis of the potential environmental effects of the non-project use of project lands and water, and concludes that with appropriate environmental protective measures, the proposed action would not constitute a major federal action that would significantly affect the quality of the human environment.

¹ The unique identification number for documents relating to this environmental review is EAXX-019-20-000-1753198064.

The EA may be viewed on the Commission's website at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number (P-2503) in the docket number field to access the document. For assistance, contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll-free at 1-866-208-3676, or for TTY, (202) 502-8659.

You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502-6595 or OPP@ferc.gov.

For further information, contact Robert Ballantine at 202-502-6289 or robert.ballantine@ferc.gov.

(Authority: 18 CFR 2.1)

Dated: December 3, 2025.

Carlos D. Clay,
Deputy Secretary.

[FR Doc. 2025–22181 Filed 12–5–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG26–87–000.

Applicants: Golden Fields Solar VI, LLC.

Description: Golden Fields Solar VI, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 12/2/25.

Accession Number: 20251202–5190.

Comment Date: 5 p.m. ET 12/23/25.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER23–2829–003.

Applicants: Omnis Pleasants, LLC.

Description: Compliance filing: Omnis Pleasants, LLC, Compliance Settlement Effect. 8/7/2023 to be effective 8/7/2023.

Filed Date: 12/3/25.

Accession Number: 20251203–5049.

Comment Date: 5 p.m. ET 12/24/25.

Docket Numbers: ER23–2829–004.

Applicants: Omnis Pleasants, LLC.

Description: Compliance filing: Omnis Pleasants, LLC, Compliance Replace

Interim Effect. 8/1/2024 to be effective 8/1/2024.

Filed Date: 12/3/25.

Accession Number: 20251203–5050.

Comment Date: 5 p.m. ET 12/24/25.

Docket Numbers: ER25–2695–001.

Applicants: Kelso 2 Solar LLC.

Description: Notice of Non-Material Change in Status of Kelso 2 Solar LLC.

Filed Date: 12/2/25.

Accession Number: 20251202–5197.

Comment Date: 5 p.m. ET 12/23/25.

Docket Numbers: ER26–108–000.

Applicants: Carousel Energy Storage, LLC.

Description: Amendment to 10/10/2025 Carousel Energy Storage, LLC tariff filing.

Filed Date: 11/25/25.

Accession Number: 20251125–5392.

Comment Date: 5 p.m. ET 12/16/25.

Docket Numbers: ER26–109–000.

Applicants: Chugwater Energy Center, LLC.

Description: Supplement to 10/10/2025, Chugwater Energy Center, LLC tariff filing.

Filed Date: 11/25/25.

Accession Number: 20251125–5393.

Comment Date: 5 p.m. ET 12/16/25.

Docket Numbers: ER26–640–000.

Applicants: Golden Fields Solar VI, LLC.

Description: 205(d) Rate Filing: Certificate of Concurrence and Request for Waivers and Blanket Approvals to be effective 12/31/9998.

Filed Date: 12/2/25.

Accession Number: 20251202–5183.

Comment Date: 5 p.m. ET 12/23/25.

Docket Numbers: ER26–641–000.

Applicants: Arizona Public Service Company.

Description: 205(d) Rate Filing: Rate Schedule No. 322, LGIA w/Co Bar Solar to be effective 2/1/2026.

Filed Date: 12/2/25.

Accession Number: 20251202–5191.

Comment Date: 5 p.m. ET 12/23/25.

Docket Numbers: ER26–642–000.

Applicants: Morongo Transmission LLC.

Description: 205(d) Rate Filing: Operating Cost True-Up 2026 to be effective 1/1/2026.

Filed Date: 12/2/25.

Accession Number: 20251202–5194.

Comment Date: 5 p.m. ET 12/23/25.

Docket Numbers: ER26–644–000.

Applicants: Evergy Kansas Central, Inc.

Description: 205(d) Rate Filing: Nemaha Marshall Electric Cooperative Delivery Point Facilities Agreement to be effective 1/1/2026.

Filed Date: 12/3/25.

Accession Number: 20251203–5051.

Comment Date: 5 p.m. ET 12/24/25.
Docket Numbers: ER26–645–000.
Applicants: Sierra Pacific Power Company.
Description: 205(d) Rate Filing: SPPC-Harney Funding Agreement Filing to be effective 12/4/2025.
Filed Date: 12/3/25.
Accession Number: 20251203–5053.
Comment Date: 5 p.m. ET 12/24/25.
Docket Numbers: ER26–646–000.
Applicants: Midcontinent Independent System Operator, Inc.
Description: 205(d) Rate Filing: 2025–12–03_SA 4599 DEI–DEI GIA (R1044) to be effective 11/25/2025.
Filed Date: 12/3/25.
Accession Number: 20251203–5058.
Comment Date: 5 p.m. ET 12/24/25.
Docket Numbers: ER26–647–000.
Applicants: PJM Interconnection, L.L.C.
Description: 205(d) Rate Filing: Amendment to ISA, Service Agreement No. 5690; Queue No. AF1–184 to be effective 2/2/2026.
Filed Date: 12/3/25.
Accession Number: 20251203–5061.
Comment Date: 5 p.m. ET 12/24/25.
Docket Numbers: ER26–648–000.
Applicants: Atlas Solar VI, LLC.
Description: 205(d) Rate Filing: Atlas Solar VI, LLC MBR Application to be effective 12/29/2025.
Filed Date: 12/3/25.
Accession Number: 20251203–5076.
Comment Date: 5 p.m. ET 12/24/25.
Docket Numbers: ER26–649–000.
Applicants: Atlas Solar V, LLC.
Description: 205(d) Rate Filing: Atlas Solar V, LLC MBR Application to be effective 12/29/2025.
Filed Date: 12/3/25.
Accession Number: 20251203–5077.
Comment Date: 5 p.m. ET 12/24/25.
Docket Numbers: ER26–650–000.
Applicants: True Source Power LLC.
Description: Initial Rate Filing: Application for Market-Based Rate Authority with Expedited Treatment to be effective 1/1/2026.
Filed Date: 12/3/25.
Accession Number: 20251203–5082.
Comment Date: 5 p.m. ET 12/24/25.
Docket Numbers: ER26–651–000.
Applicants: Southwest Power Pool, Inc.
Description: 205(d) Rate Filing: 3127R9 Montana-Dakota Utilities Co. NITSA NOA to be effective 2/1/2026.
Filed Date: 12/3/25.
Accession Number: 20251203–5114.
Comment Date: 5 p.m. ET 12/24/25.
Docket Numbers: ER26–652–000.
Applicants: Evergy Metro, Inc.
Description: 205(d) Rate Filing: Baldwin City Delivery Point Facilities Agreement to be effective 1/1/2026.

Filed Date: 12/3/25.
Accession Number: 20251203–5131.
Comment Date: 5 p.m. ET 12/24/25.
Docket Numbers: ER26–653–000.
Applicants: Avista Corporation.
Description: Compliance filing: Avista Corp Order 904 Compliance Filing to be effective 12/3/2025.
Filed Date: 12/3/25.
Accession Number: 20251203–5158.
Comment Date: 5 p.m. ET 12/24/25.
Docket Numbers: ER26–654–000.
Applicants: AEP Texas Inc.
Description: 205(d) Rate Filing: AEPTX-Hyfuels Green Lake Wind Amended Agreement to be effective 11/13/2025.
Filed Date: 12/3/25.
Accession Number: 20251203–5166.
Comment Date: 5 p.m. ET 12/24/25.

The filings are accessible in the Commission's eLibrary system (<https://elibrary.ferc.gov/idmws/search/fercgensearch.asp>) by querying the docket number.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502–6595 or OPP@ferc.gov.

Dated: December 3, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–22179 Filed 12–5–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 9951–057]

STS Hydropower, LLC; Charter Township of Van Buren, Michigan, Notice of Application Accepted for Filing, Soliciting Motions To Intervene and Protests, Ready for Environmental Analysis, and Soliciting Comments, Recommendations, Preliminary Terms and Conditions, and Preliminary Fishway Prescriptions

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

- a. *Type of Application:* New Major License.
- b. *Project No.:* 9951–057.
- c. *Date Filed:* April 29, 2025.
- d. *Applicant:* STS Hydropower, LLC and the Charter Township of Van Buren, Michigan (applicants).
- e. *Name of Project:* French Landing Hydroelectric Project.
- f. *Location:* On the Huron River in Wayne County, Michigan.
- g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791 (a)–825(r).
- h. *Applicant Contact:* Jody Smet, Senior Vice President Regulatory Affairs, Chief Compliance Officer, STS Hydropower, LLC, 7315 Wisconsin Avenue, Suite 1100W, Bethesda, MD 20814; telephone at (804) 382–1764; email at jody.smet@eaglecreekre.com.
- i. *FERC Contact:* Rebecca Brodeur, Project Coordinator, Great Lakes Branch, Division of Hydropower Licensing; telephone at (202) 502–8392; email at rebecca.brodeur@ferc.gov.
- j. *Deadline for filing motions to intervene, protests, comments, recommendations, preliminary terms and conditions, and preliminary fishway prescriptions:* February 2, 2026, by 5:00 p.m. Eastern Time. *Deadline for filing reply comments:* March 18, 2026, by 5:00 p.m. Eastern Time.

The Commission strongly encourages electronic filing. Please file motions to intervene, protests, comments, recommendations, preliminary terms and conditions, and preliminary fishway prescriptions using the Commission's eFiling system at <https://ferconline.ferc.gov/FEROnline.aspx>. Commenters can submit brief comments up to 10,000 characters, without prior registration, using the eComment system at <https://ferconline.ferc.gov/QuickComment.aspx>. For assistance, please contact FERC Online Support at FEROnlineSupport@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: French Landing Hydroelectric Project (P-9951-057).

The Commission's Rules of Practice require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. This application has been accepted for filing and is now ready for environmental analysis.

l. The existing project consists of a 1,123.5-foot-long dam that includes two 22.2-foot-long Tainter gates with crest elevations of 652 feet National Geodetic Vertical Datum of 1929 (NGVD29), a powerhouse that includes trashracks with 2-inch clear bar spacing and a 1,650-kilowatt Francis turbine-generator unit, a 181.1-foot-long spillway with a crest elevation of 652 feet NGVD29, and east and west embankments, including an 18-foot-long stoplog gate in the west embankment. The dam creates an impoundment (Belleville Lake) that has a surface area of 1,270 acres at a normal maximum surface elevation of 651.5 feet NGVD29. From the impoundment, water flows through the powerhouse to a tailrace that discharges to the Huron River.

The generator is connected to the regional electric grid by 525-foot-long 4.16-kilovolt (kV) transmission line and a 4.16/41.6-kV step-up transformer.

Project recreation facilities include: (1) French Landing Park with a hand-carry boat impoundment access site on the northern shoreline of the impoundment, pavilion with picnic tables, two paved parking areas that can accommodate a total of 19 vehicles, boardwalk with a fishing platform, and restroom; (2) an approximately 1,150 foot-long portage route that extends from an impoundment take-out site on the southern shoreline of the impoundment to a put-in site on the southern bank of the Huron River; and

(3) a tailrace fishing access site immediately downstream of the powerhouse on the southern bank of the tailrace.

The applicants propose to: (1) continue operating the project in a run-of-river mode; (2) develop an operation compliance monitoring plan, invasive species management plan, and recreation management plan; (3) continue to maintain the project recreation facilities; and (4) enhance the portage route trail and stairs to the put-in site.

m. A copy of the application can be viewed on the Commission's website at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document (P-9951). For assistance, contact FERC Online Support.

You may also register online at <https://ferconline.ferc.gov/FEROnline.aspx> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

n. Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, and .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

All filings must (1) bear in all capital letters the title "PROTEST," "MOTION TO INTERVENE," "COMMENTS," "REPLY COMMENTS," "RECOMMENDATIONS," "PRELIMINARY TERMS AND CONDITIONS," or "PRELIMINARY FISHWAY PRESCRIPTIONS;" (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name of the person submitting the filing; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, recommendations, terms and conditions or prescriptions must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular

application. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed on the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502-6595 or OPP@ferc.gov.

o. The applicant must file on or before 5:00 p.m. Eastern Time on February 2, 2026: (1) a copy of the water quality certification; (2) a copy of the request for certification, including proof of the date on which the certifying agency received the request; or (3) evidence of waiver of water quality certification.

p. *Procedural schedule:* The application will be processed according to the following schedule. Revisions to the schedule will be made as appropriate.

Milestone	Target date
Filing of Motions to Intervene, Protests, Comments, Recommendations, Preliminary Terms and Conditions, and Preliminary Fishway Prescriptions.	February 2026.
Filing of Reply Comments	March 2026.

q. Final amendments to the application must be filed with the Commission on or before 5:00 p.m. Eastern Time on January 2, 2026.

(Authority: 18 CFR 2.1)

Dated: December 3, 2025.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2025-22227 Filed 12-5-25; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP26-277-000.

Applicants: Horizon Pipeline Company, L.L.C.

Description: 4(d) Rate Filing: Removal of Terminated Agreement—Elgin Energy Center LLC to be effective 1/5/2026.

Filed Date: 12/3/25.

Accession Number: 20251203-5052.

Comment Date: 5 p.m. ET 12/15/25.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

Filings in Existing Proceedings

Docket Numbers: RP24-1103-005.

Applicants: Columbia Gas Transmission, LLC.

Description: Compliance filing: Compliance to Stipulation and Agreement of Settlement to be effective 4/1/2025.

Filed Date: 12/3/25.

Accession Number: 20251203-5108.

Comment Date: 5 p.m. ET 12/15/25.

Any person desiring to protest in any of the above proceedings must file in accordance with Rule 211 of the Commission's Regulations (18 CFR 385.211) on or before 5:00 p.m. Eastern time on the specified comment date.

The filings are accessible in the Commission's eLibrary system (<https://elibrary.ferc.gov/idmws/search/fercgensearch.asp>) by querying the docket number.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or OPP@ferc.gov.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502-6595 or OPP@ferc.gov.

Dated: December 3, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025-22180 Filed 12-5-25; 8:45 am]

BILLING CODE 6717-01-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-R03-OW-2025-2004; FRL-12999-01-R3]

Virginia—Waters of the Northern Neck Peninsula Vessel Sewage No-Discharge Zone; Tentative Affirmative Determination

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of tentative determination.

SUMMARY: Pursuant to the Clean Water Act, the Commonwealth of Virginia has determined that the protection and enhancement of the quality of the waters of the Northern Neck peninsula require greater environmental protection. As such, Virginia has submitted an application to the U.S. Environmental Protection Agency (EPA or Agency), Region 3, for a determination that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available, so that Virginia may completely prohibit the discharge from all vessels of any sewage, whether treated or not, into such waters. The proposed no-discharge zone includes waters in the counties of Richmond, Lancaster, Northumberland, and Westmoreland. Through this notice, the EPA is soliciting public comment on the Agency's tentative determination that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the waters subject to the proposed no-discharge zone.

DATES: Comments must be received on or before January 7, 2026.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-R03-OW-2025-2004, at <https://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from 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>.

FOR FURTHER INFORMATION CONTACT:

Byron Riggins, Wetlands Branch, Water Division (3WD10), U.S. Environmental Protection Agency, Region 3, Four Penn Center, 1600 John F Kennedy Blvd, Philadelphia, PA 19103-2852; telephone number: (215) 814-5146; email address: riggins.byron@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Background

Notice is hereby given that the Commonwealth of Virginia has submitted an application to the U.S. Environmental Protection Agency, Region 3, for a determination under Clean Water Act section 312(f)(3) that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the waters within the Northern Neck peninsula, including waters in Richmond, Lancaster, Northumberland, and Westmoreland Counties (hereafter, "the Northern Neck").

The EPA's role under Clean Water Act section 312(f)(3) is to review state applications to determine whether adequate pump-out and treatment facilities are reasonably available. Applications submitted pursuant to section 312(f)(3) must include specific information, as outlined in EPA's implementing regulations found at 40 CFR 140.4(a), related to the need for a complete prohibition of vessel sewage discharges, the location and operational details of available pump-out facilities, and the vessel population and usage of the proposed waters. Virginia's application is available electronically in Docket ID No. EPA-R03-OW-2025-2004 through <https://www.regulations.gov>.

After consideration of all comments received, if the EPA makes a final determination that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the Northern Neck, Virginia may completely prohibit the discharge from all vessels of any sewage, whether treated or not, into those waters through designation of a vessel sewage no-discharge zone. Vessels with installed toilets are required to operate U.S. Coast Guard-approved marine sanitation devices (MSDs). MSDs are either flow-through

systems—Type I or Type II MSDs—that treat sewage before discharging to surrounding waters or holding tanks—Type III MSDs—that retain sewage onboard. Upon designation of a vessel sewage no-discharge zone, vessels with flow-through systems that operate within the zone's boundaries would need to retrofit to holding tanks to prevent any overboard discharge. These vessels' holding tanks would then need to be pumped out at available facilities. In lieu of retrofitting, vessel operators may instead comply with U.S. Coast Guard regulations found at 33 CFR 159.7(b) that specify the acceptable methods of securing a flow-through MSD to demonstrate compliance with a no-discharge zone. The EPA must determine whether adequate facilities are reasonably available to those vessels that would require access to pump-out facilities to support the designation of a no-discharge zone.

II. Application Information

A. Proposed Waters and Certification of Need

As described in its application, the Commonwealth of Virginia has determined that the protection and enhancement of the quality of the waters of the Northern Neck require greater environmental protection than is afforded by the applicable Federal standard. The proposed no-discharge zone encompasses various waterbodies in the rural watersheds of Virginia's Coastal Plain, specifically on the Northern Neck peninsula, in the counties of Richmond, Lancaster, Northumberland, and Westmoreland. All subject waters are tidal and drain directly into the Chesapeake Bay or indirectly via the Rappahannock or Potomac Rivers. The following waterbodies are included in the proposed no-discharge zone: Rosier Creek, Mattox Creek and Monroe Bay, Nomini Creek and Currioman Bay, Lower Machodoc Creek, Ragged Point, Gardner Creek, Jackson Creek, Bonum Creek, Yeocomico River, Judith Sound, Coan River and the Glebe, Cod Creek, Little Wicomico River, Great Wicomico River and Ingram Bay, Cloverdale Creek, Dividing Creek, Indian Creek, Dyer Creek, Tabbs Creek, Antipoison Creek, Windmill Point Resort, Little Oyster and Windmill Point Creek, Mosquito Creek, Carter Creek, Corrotoman River, Greenvale Creek, Deep Creek, Mulberry Creek, Lancaster Creek (including Morattico Creek), and Farnham Creek. Additional details on the geographic extent of the proposed waters, including maps and the geographic coordinates of the water bodies' boundaries, are

provided in Virginia's application, which is available in the docket.

The waters of the Northern Neck have extensive shellfish harvest and aquaculture acreage, including five of the top 20 aquaculture sites in Virginia. Additionally, these waters are important for recreational activities like boating, fishing, and swimming. However, many of these waters are poorly flushed and lack environmentally important submerged aquatic vegetation. The shellfish growing areas have also been compromised by bacterial impairment, resulting in non-attainment of water quality standards. More specifically, each of the waterbodies included in the proposed no-discharge zone contain areas with current or recent shellfish harvest closures or restrictions. In its application, Virginia indicates that the designation of a no-discharge zone would complement other water quality improvement programs underway in Virginia, such as the establishment of best management practices and Total Maximum Daily Loads, by addressing pollutant loadings from vessels.

B. Adequacy and Availability of Pump-out Facilities

The EPA's analysis of the reasonable availability of adequate facilities considers the number of recreational and commercial vessels that use the proposed waters on both a regular and transient basis. To estimate the number of vessels operating in the proposed waters, Virginia queried datasets maintained by the Virginia Department of Wildlife Resources (DWR) and the United States Coast Guard (USCG) and determined that there are approximately 11,000 vessels that may be using the proposed waters. Because duplicates are expected across the two datasets, this is likely an overestimate of the vessel population. About 9,658 of these vessels are used for recreational purposes. This vessel count is limited to those vessels that are 16 feet in length or greater under the assumption that smaller vessels would not have an installed toilet onboard. Recreational vessel traffic is seasonal, largely occurring between April and November, with little traffic during the winter season. Using a similar approach to the one described in the state of Maryland's application to the EPA to designate certain waters in Anne Arundel County as a no-discharge zone, Virginia also estimated that there are about 892 transient vessels. Virginia reasons that vessel traffic patterns may be similar since they are neighboring states on the Chesapeake Bay but notes that the Northern Neck likely experiences significantly less transient traffic as it is a less developed area. Like

the resident recreational vessel traffic, transient vessel traffic also decreases during the winter and increases during the summer. However, transient traffic is also high during spring and fall months when boaters are relocating their vessels.

To estimate how many of these 10,550 recreational and transient vessels have MSDs onboard, Virginia used the "Recreational Vessel Worksheet" from the EPA's *Guidance for Vessel Sewage No-Discharge Zone Applications (Clean Water Act Section 312(f))*. The Worksheet provides default values for the percent of vessels, by length, that are expected to have an MSD onboard. Based on these calculations, about 3,105 recreational and transient vessels are likely to require pump-out services if a no-discharge zone is designated.

Virginia also estimates that there are 494 commercial vessels that may operate in the waters of the Northern Neck peninsula, including 352 fishing vessels, 14 tug/barge/construction vessels, 10 search and rescue/military vessels, 6 research vessels, 8 passenger vessels (tours/ferries/charters), and 104 vessels of unspecified type. Virginia indicates that the seasonality of commercial vessel traffic varies by vessel type but generally follows similar patterns to recreational and transient traffic except for the commercial fishing fleet, which has year-round operations that track with the oyster harvesting season and other key fisheries. Following conversations with vessel operators and their representatives, Virginia estimates that, at most, 10 percent of the 494 commercial vessels (*i.e.*, about 50 commercial vessels) would require pump-out services if a no-discharge zone is designated. This is based on a determination that most of these vessels currently manage sewage in a manner that would not be meaningfully impacted by a no-discharge zone. The vessels carry portable toilets that are emptied at dump stations; are equipped with holding tanks that are already being pumped out; do not have installed toilets onboard; or are equipped flow-through MSDs but operate for a limited time in the proposed waters before transiting out to areas where sewage can be discharged.

In support of its application, Virginia provided information on the stationary and portable pump-out facilities that are available to service vessels operating in the waters of the Northern Neck, as summarized in table 1 of this document. Of the 25 marinas with pump-out facilities, 24 are publicly accessible, while one is a private, members-only facility. Nineteen facilities store

pumped out sewage in a holding tank or on-site septic tank with removal by a licensed septage hauler to a wastewater treatment facility, four discharge directly to a public sewer system, and two maintain private on-site waste treatment facilities. All of the facilities have at least one universal connection for pumping out, while most of the facilities have several other connection options as well. The Virginia Department of Health performs annual inspections of marinas to ensure pump-out facilities are operable, and specific design and operation requirements are addressed in Virginia's Administrative Code (12VAC5-570).

Virginia expects that few vessels, if any, may be excluded from accessing available pump-out facilities. The mean low water depth at the facilities is comparable to the surrounding waterbodies and there are no identified height restrictions. Because the facilities are not evenly distributed across the waters proposed for designation, Virginia's application included Automatic Identification System data to approximate vessel traffic and density in the region. The data shows that pump-out facilities are largely located in the areas experiencing the most traffic, except for Antipoison Creek and Dividing Creek. These two creeks, as well as those waters with the least vessel traffic and no pump-out facilities, are surrounded by forest and agricultural land with light residential use. As such, these waters are primarily used for transit to and from the mainstem of the Chesapeake Bay and would not have adequate traffic to support an economically viable marina. Vessel operators in waters without pump-out facilities may either travel to adjacent waterways to access facilities (between 5.5 and 10.9 miles) or travel outside of the no-discharge zone, if approved, (between 0.25 and 3.2 miles) to discharge sewage. Vessel operators with pump-out facilities nearby would also have the option to travel outside of the no-discharge zone to discharge, in lieu of using available facilities.

To determine whether sewage pump-out capacity for vessels is sufficient to meet demand during periods of peak usage in the waters of the Northern Neck, the EPA compared the number of vessels anticipated as needing pump-out service during peak usage with the number of vessels supported by existing pump-out facilities within the proposed no-discharge zone. In its application, Virginia provided a completed copy of the "Recreational Vessel Worksheet" discussed earlier in this notice. The worksheet included the 50 commercial vessels expected to require pump-out

services because recreational, transient, and commercial vessels are expected to access the same pump-out facilities. Based on the total number of vessels operating during peak usage (e.g., a holiday weekend), the number of vessels serviced per hour by each facility, and the hours of operation for each facility, the Worksheet generates a recommended number of pump-out facilities to provide a reliable level of service for the vessel population within a proposed no-discharge zone. For purposes of the analysis, neither EPA nor Virginia included the one private pump-out facility because it is unclear how many vessel operators have access to it. However, it does provide 24-hour services during the weekends to members free of charge. The Worksheet assumes that 40 percent of recreational vessels would be operating during peak usage, such as a holiday weekend. As such, both Virginia and the EPA applied the peak occupancy rate of 40 percent to the recreational and transient vessel population of 3,105, which results in an estimated 1,242 of these vessels requiring pump-out service during peak usage. In its application, Virginia uses two approaches to calculate the number of commercial vessels that may be operating during peak usage. The first applies this same 40 percent modifier while the other conservatively includes all 50 commercial vessels that are expected to require pump-out services if the no-discharge zone is approved. For purposes of this analysis, the EPA considered the more conservative approach. As such, 1,292 vessels are expected to require access to pump-out facilities during peak usage, but up to 1,456 vessels may be served by existing pump-out facilities (see Section 7.0 of Virginia's application, available in the docket, for the complete calculations). The EPA therefore expects that adequate facilities are available to meet expected demand during periods of peak usage. Additionally, the ongoing cost for recreational vessels to access these facilities is minimal, with most publicly accessible facilities (18 of the 24 facilities) charging 10 dollars or less per pump-out. Information regarding each pump-out facility, including location, operating hours, and fees, can be found in table 1 of this document.

Because commercial vessels incur additional types of costs associated with accessing pump-out facilities that recreational vessels do not, the EPA evaluated the adequacy and reasonable availability of facilities for commercial vessels using the "No-Discharge Zone Cost Analysis Tool" (the Tool) from the EPA's *Guidance for Vessel Sewage No-*

Discharge Zone Applications (Clean Water Act Section 312(f)). The Tool, which relies on a combination of default values and information provided in Virginia's application, may be used to forecast how frequently the demand for pump-out facilities (i.e., the volume of sewage produced by commercial vessels) is projected to exceed commercial vessel pump-out facility capacity (i.e., the volume of sewage that can be pumped out) across a typical year. This screening analysis is complemented by the cost analysis portion of the Tool, which generates an estimate of the percent increase in baseline operating costs that commercial vessels may incur as a result of using pump-out facilities if the no-discharge zone is established. For purposes of the analysis, the EPA divided the commercial vessel population into five categories: tugboats (used for tugs/tows/barges/construction vessels), commercial fishing vessels, excursion vessels (used for tour and charter vessels), ferries, and offshore vessels (used for research and search and rescue vessels). The EPA used information provided by Virginia to determine the number of vessels in each category that may be affected by a no-discharge zone designation. The EPA conservatively included all 14 tugboats and five excursion vessels. Ten percent of the commercial fishing fleet was included based on information provided by Virginia regarding vessel sizes and operational profiles. Of the three ferries, only one was included in the analysis because the others do not have bathroom facilities onboard. Finally, the offshore vessel category included all six research vessels but just one search and rescue vessel, since Virginia does not expect these vessels to be affected. Regarding available pump-out facilities, the EPA included only the 24 publicly accessible facilities. Default values were used for the cost inputs except for the offshore vessel category, for which default values are unavailable. Instead, the EPA used publicly available information regarding the 93-foot vessel the R/V Virginia from the Virginia Institute of Marine Science to approximate the cost inputs, such as annual baseline operating costs and vessel speed, for this vessel type.

The EPA's screening analysis showed that demand for pump-out services, represented by the volume of sewage to be pumped per day, is far exceeded by available pump-out capacity in the proposed no-discharge zone over a model year, and therefore should accommodate both recreational and commercial vessels. The EPA also

considered the various costs incurred by commercial vessels associated with accessing facilities, including pump-out fees and lost revenue due to the time spent pumping out. The Tool estimates that the expected increase in baseline operating costs would be 0.2 percent for tugboats, 1.8 percent for commercial fishing vessels, 2.3 percent for excursion vessels, and 1.3 percent for offshore vessels. The increase is largely attributable to lost revenue due to the time it takes to pump out sewage from a vessel; therefore, savings may be achieved if the vessel operators are able to time pump-out activities to minimize cost impacts. The true percent increase is also likely lower because the EPA used conservative values in populating the Tool. Based on the outputs of the “Recreational Vessel Worksheet” and the Tool, the EPA tentatively determined that facilities are reasonably available to these vessels. A copy of the completed Tool that includes the calculations and additional details regarding the underlying assumptions is available in the docket.

Finally, the EPA evaluated whether waste would be treated in conformance with Federal law if a no-discharge zone is established. Within the Northern Neck, sewage from vessels is treated across seven wastewater treatment facilities that are permitted under the Virginia Pollutant Elimination Discharge System (VPDES). VPDES permits are reviewed by the Virginia

Department of Environmental Quality, revised (if necessary), and reissued every five years if the facilities comply with local, state, and Federal regulations. While two of these WWTPs—Reedville and Town of Colonial Beach—have had VPDES violations within the last five years, Reedville WWTP is now subject to a consent order intended to bring that facility into compliance. The EPA tentatively determines that, upon implementation of appropriate corrective actions, the Colonial Beach WWTP could be operated consistent with Federal, state, and local requirements. The seven facilities have design capacities ranging from 0.030 million gallons per Day (MGD) to 10 MGD, with average actual flows ranging from 0.006 MGD to 5.392 MGD. Virginia estimates that the volume of sewage produced by vessels during a peak weekend would be approximately 24 thousand gallons or 0.012 MGD over two days. During a 68-month period between 2019 and 2024, only the Town of Colonial Beach WWTP had average monthly flows nearing design capacity during two of the months. The average monthly flow otherwise represented an average of 47 percent of design capacity. Based on this information, Virginia indicated that it does not anticipate any facilities would exceed capacity due to increased volumes that may result from establishment of a no-discharge zone.

III. Determination

In summary, the EPA makes a tentative determination that adequate facilities for the safe and sanitary removal of sewage are reasonably available to vessels that operate within the waters of the Northern Neck peninsula identified in Virginia’s application. This tentative determination is based on an assessment of whether existing pump-out facilities could meet the expected demand during periods of peak usage, as well as a consideration of the costs associated with accessing those facilities. The EPA tentatively finds that existing pump-out capacity is adequate, accessing pump-out facilities would incur minimal costs, and sewage is handled in conformance with Federal law by the pump-out facilities and associated wastewater treatment facilities.

Based on the information above, the EPA Region 3 hereby makes a tentative affirmative determination that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are available for the waters of the Northern Neck peninsula in, Virginia, including waters in Richmond, Lancaster, Northumberland, and Westmoreland Counties as identified in Virginia’s application. The EPA is seeking public comment on the contents of the Commonwealth of Virginia’s application and the EPA’s tentative affirmative determination.

TABLE 1—LIST OF PUMP-OUT FACILITIES

Name	Location	Contact information	Days and hours of operation	Water depth (ft)	Fee
Blue Compass Marina at Horn Harbor (CB-3).	836 Horn Harbor Rd., Burgess, VA 22432.	804-453-3351	April-Oct: M-F: 8 a.m.–9 p.m.; Sat-Sun: 9:30 a.m.–4 p.m.; Nov-March: W-Sun: 11 a.m.–4 p.m.; 24/7 call ahead service.	7	\$0.
Buzzard Point Dry Storage & Marina (CB-7).	468 Buzzard Point Rd., Reedville, VA 22539.	804-453-3545	Late March-Dec **: M-Sat: 8 a.m.–5 p.m.; Sun: 8 a.m.–4 p.m.	8.5	\$5.
Carter’s Cove Marina (RAP-3).	347 Carters Cove Drive, Weems, VA 22576.	804-438-5299	April-Nov: 9 a.m.–5 p.m. daily **	5	Free for slip holders; \$5 for non-slip holders.
Chesapeake Boat Basin (CB-10).	1686 Waverly Ave., Kilmarnock, VA 22482.	804-436-1234	M-Sat: 8 a.m.–5 p.m.; Sun: 8 a.m.–3 p.m.; Closed Sun & Mon in Jan & Feb **.	13	\$5.
Coan River Marina (POT-9)	3170 Lake Rd., Lottsburg, VA 22511.	804-529-6767	April-Oct: M-F: 8:30 a.m.–5 p.m.; Sat: 9:30 a.m.–2 p.m.; November-March **: M-F: 9:30 a.m.–4 p.m.	7	\$10 for MSDs; \$5 for Portable Toilets.
Cockrell’s Marine Railway Inc. (CB-12).	309 Railway Dr., Heathsville, VA 22473.	804-453-3560	Daily: 6:00 a.m.–6:00 p.m.	5	Holding tank size dependent: \$5–20.
Coles Point Marina (POT-6)	190 Plantation Drive, Hague, VA 22469.	804-472-4011	April-Oct: M-Th: 9 a.m.–5 p.m.; F&Sat: 8 a.m.–7 p.m.; Sun: 9 a.m.–4 p.m.; Nov-March **: M-Sat: 9 a.m.–5 p.m.; Sun: 9 a.m.–12 p.m.	6	\$20.
Colonial Beach Yacht Center (POT-5).	1787 Castlewood Drive, Colonial Beach, VA 22443.	804-224-7230	April-Oct: M-Sun (except T): 10 a.m.–4 p.m.; Nov-March **: F-Sun: 10 a.m.–4 p.m.	5	\$5.
Fairport Marina (CB-8)	252 Polly Cove Rd., Reedville, VA 22539.	804-453-5002	M, T, Sat, Sun: 9 a.m.–5 p.m.; W-F: 9 a.m.–10 p.m.	8	Holding tank size dependent: \$5–10.
Indian Creek Country & Yacht Club (CB-9).	362 Club Drive, Kilmarnock, VA 22482.	804-435-1340	Not open to the public: Members & Invitees Only.	6	Free for members and guests.
Ingram Bay Marina (CB-4) ...	545 Harveys Neck Rd., Heathsville, VA 22473.	804-580-7292	9 a.m.–5 p.m. daily	6	\$5.
Jenning’s Boatyard Inc. (CB-5).	169 Boatyard Road, Reedville, VA 22539.	804-453-7181	M-F: 8 a.m.–5 p.m.; Sat: 8 a.m.–12 p.m.	9	\$5.
Lewisetta Marina (POT-10) ..	369 Church Lane, Lottsburg, VA 22511.	804-529-7299	Daily: 7 a.m.–5 p.m.	9	\$5.

TABLE 1—LIST OF PUMP-OUT FACILITIES—Continued

Name	Location	Contact information	Days and hours of operation	Water depth (ft)	Fee
Monroe Bay & Winkie Doodle Marinas (POT-7).	551 Lafayette Street, Westmoreland, VA 22443.	804-224-7544	April-Oct: Daily: 8 a.m.–8 p.m	5.5	\$0.
Olverson's Lodge Creek Marina (POT-8).	1161 Melrose Rd., Lottsburg, VA 22511.	804-529-5071	M-Sat: 8 a.m.–5 p.m.; Sun: 8 a.m.–2 p.m ..	10	\$5.
Reedville Marina—Crazy Crab Restaurant (CB-11).	902 Main St., Reedville, VA 22539.	804-453-6789	April-Oct: Daily: 9 a.m.–5 p.m	14	\$5.
Smith Point Marina (CB-2) ...	989 Smith Point Rd., Reedville, VA 22539.	804-453-4077	April-Dec: Daily: 8 a.m.–4 p.m.; Nov–Mar **: M–F: 8 a.m.–4 p.m.	4.5	Slip Holders: Free; non-slip holders: \$10.
Tides Inn & Lodge (RAP-6) ..	480 King Carter Drive, Irvington, VA, 22480.	804-438-4418	Mid-March-Dec: Daily: 8 a.m.–7 p.m.; Jan–Mid-March: Daily: 8 a.m.–4 p.m.	8	\$0.
White Point Marina (POT-4)	175 Marina Drive, Kinsale, VA 22488.	(804) 472-2977	March 15–Nov 15: M–F: 7:30 a.m.–4 p.m.; Sat & Sun: 7:30 a.m.–5 p.m.	8	\$5.
Yankee Point Marina (RAP-5).	1303 Oak Hill Rd., Lancaster, VA 22503.	804-462-7635	May 1–Sept 30: M–TR: 8 a.m.–4:30 p.m.; Sat–Sun: 7 a.m.–6 p.m.; Oct 1–April 30: M–F: 8 a.m.–4:30 p.m.; Sat: 9 a.m.–4 p.m.	8.5	Holding tank size dependent: \$10+.

Amy Van Blarcom-Lackey,

Regional Administrator, Region III.

[FR Doc. 2025–22152 Filed 12–5–25; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL PERMITTING IMPROVEMENT STEERING COUNCIL

Agency Information Collection

Activities: Emergency Request for Temporary Reinstatement

AGENCY: Federal Permitting Improvement Steering Council.

ACTION: Notice of emergency request.

SUMMARY: The Federal Permitting Improvement Steering Council (Permitting Council) Executive Director seeks emergency clearance from the Office of Management and Budget (OMB) to reinstate an expired collection of information while it pursues the normal clearance process. Emergency clearance is necessary to continue the listing of covered projects and implement Chapter 41 of the Fixing America's Surface Transportation Act (FAST-41). The Permitting Council publishes this notice in accordance with 5 CFR 1320.13 and seeks the collection of information in accordance with 42 U.S.C. 4370m–2(a)(1).

DATES: In accordance with 5 CFR 1320.13(b), the Permitting Council is requesting approval or disapproval from OMB by close of business, November 28, 2025.

FOR FURTHER INFORMATION CONTACT: Anderson Tran at *anderson.tran@permitting.gov*, or (202) 748–3727.

SUPPLEMENTARY INFORMATION:

Background: Established in 2015 by Title 41 of the Fixing America's Surface Transportation Act (FAST-41), 42 U.S.C. 4370m *et seq.*, the Permitting Council is a unique Federal agency

charged with improving the transparency and predictability of the Federal environmental review and authorization process for certain infrastructure projects. The Permitting Council is comprised of the Permitting Council Executive Director, who serves as the Council Chair; 13 Federal agency Council members (including deputy secretary-level designees of the Secretaries of Agriculture, Army, Commerce, Interior, Energy, Transportation, Defense, Homeland Security, and Housing and Urban Development, the Administrator of the Environmental Protection Agency, and the Chairs of the Federal Energy Regulatory Commission, Nuclear Regulatory Commission, and the Advisory Council on Historic Preservation); and the Chair of the Council on Environmental Quality and the Director of the OMB. 42 U.S.C. 4370m–1(a) & (b).

The Permitting Council coordinates Federal environmental reviews and authorizations for projects that seek and qualify for FAST-41 coverage. FAST-41 covered projects are entitled to comprehensive permitting timetables and transparent, collaborative management of those timetables on the Federal Permitting Dashboard in compliance with FAST-41 procedural requirements. 42 U.S.C. 4370m–2(c) & (d). Sponsors of FAST-41 covered projects also benefit from the direct engagement of the Permitting Council Executive Director and the Permitting Council members in timely identification and resolution of permitting issues that affect covered projects' permitting timetables.

FIN Collection: FAST-41 is a voluntary program for project sponsors to have additional support through the environmental review and permitting process. The first step to becoming a

covered project under FAST-41 is to submit a FAST-41 Initiation Notice (FIN), required by 42 U.S.C. 4370m–2(a)(1). The FIN is required to include the purpose of the project, a brief description, statements of technical and financial feasibility, a statement of anticipated federal financing, reviews, and authorizations, and an assessment of whether the project meets the statutory definition of a “covered project” under FAST-41. 42 U.S.C. 4370m–2(a)(1)(C).

The FIN is a collection of information necessary for the administration of FAST-41. Such a collection of information is required to have approval under the Paperwork Reduction Act. Approval for the FIN was originally provided to the General Services Administration (GSA) in 2018 under OMB control number 3090–0316 and was transferred to the Permitting Council in 2020 and became OMB control number 3121–0001. The approval subsequently expired on January 31, 2021. The Permitting Council now seeks to properly reinstate approval for the FIN collection of information; however, to allow for continued agency operations and to avoid harm to the public, the Permitting Council is seeking a temporary approval for the collection of information in accordance with 5 CFR 1320.13 while it pursues the normal approval process.

Authority: 44 U.S.C. 3501 *et seq.*; 5 CFR 1320.13; 42 U.S.C. 4370m–2(a)(1).

Dated: November 28, 2025.

Emily Domenech,

Executive Director, Federal Permitting Improvement Steering Council.

[FR Doc. 2025–22197 Filed 12–5–25; 8:45 am]

BILLING CODE 6820–PL–P

FEDERAL MARITIME COMMISSION**Performance Review Board****AGENCY:** Federal Maritime Commission.**ACTION:** Notice.

SUMMARY: The Federal Maritime Commission (Commission) is hereby giving notice of the names of the members appointed to the Commission's Performance Review Board.

FOR FURTHER INFORMATION CONTACT:

Shelita R. Aldrich, Director, Office of Human Resources, Chief Human Capital Officer, Federal Maritime Commission, 800 North Capitol Street NW, Washington, DC 20573.

SUPPLEMENTARY INFORMATION: Section 4314(c) (1) through (5) of title 5, U.S.C., requires each agency to establish, in accordance with regulations prescribed by the Office of Personnel Management, one or more performance review boards. The board shall review and evaluate the initial appraisal of a senior executive's performance by the supervisor, along with any recommendations to the appointing authority relative to the performance of the senior executive.

The members of the Performance Review Board are:

1. Max Vekich, Commissioner
2. Mary T. Hoang, Chief of Staff
3. Phillip C. Hughey, General Counsel
4. Cindy R. Hennigan, Deputy Managing Director
5. John G. Crews, Director, Bureau of Enforcement, Investigations & Compliance
6. Mohammad A. Usman, Chief Information Officer

By the Commission.

David Eng,
Secretary.

[FR Doc. 2025-22183 Filed 12-5-25; 8:45 am]

BILLING CODE P

FEDERAL MARITIME COMMISSION

[Docket No. 25-27]

Elite Logistics Corp., Complainant v. Tanera Transport LLC, Respondent; Notice of Filing of Complaint and Assignment

Notice is given that a complaint has been filed with the Federal Maritime Commission (the "Commission") by Elite Logistics Corp. (the "Complainant") against Tanera Transport LLC (the "Respondent"). Complainant states that the Commission has jurisdiction over the complaint pursuant to the Shipping Act of 1984, 46 U.S.C. 40101-41309, and 46 CFR part 502 and section 515.23.

Complainant is a corporation organized and existing under the laws of the state of California with its principal place of business in Long Beach, California.

Complainant identifies Respondent as a limited liability company organized under the laws of the state of California with its principal place of business in Diamond Bar, California.

Complainant alleges that Respondent violated 46 U.S.C. 41102(c). Complainant alleges these violations arose from Respondent's refusal to pay for completed transportation services, which constitute a failure to observe just and reasonable practices in connection with the handling and delivery of property.

An answer to the complaint must be filed with the Commission within 25 days after the date of service.

The full text of the complaint can be found in the Commission's electronic Reading Room at <https://www2.fmc.gov/readingroom/proceeding/25-27/>. This proceeding has been assigned to the Office of Administrative Law Judges. The initial decision of the presiding judge shall be issued by December 4, 2026, and the final decision of the Commission shall be issued by June 21, 2027.

(Authority: 46 U.S.C. 41301; 46 CFR 502.61(c))

Served: December 4, 2025.

David Eng,
Secretary.

[FR Doc. 2025-22207 Filed 12-5-25; 8:45 am]

BILLING CODE 6730-02-P

FEDERAL RESERVE SYSTEM

Agency Information Collection Activities: Announcement of Board Approval Under Delegated Authority and Submission to OMB

AGENCY: Board of Governors of the Federal Reserve System.

SUMMARY: The Board of Governors of the Federal Reserve System (Board) is adopting a proposal to extend for three years, without revision, the Federal Reserve Membership and Bank Stock Applications (FR 2083, FR 2083A, FR 2083B, FR 2083C, FR 2030, FR 2030a, FR 2056, FR 2086, FR 2086a, and FR 2087; OMB No. 7100-0042).

FOR FURTHER INFORMATION CONTACT: Federal Reserve Board Clearance Officer—Nuha Elmaghrabi—Office of the Chief Data Officer, Board of Governors of the Federal Reserve System, nuha.elmaghrabi@frb.gov, (202) 452-3884.

Office of Management and Budget (OMB) Desk Officer for the Federal Reserve Board, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, 725 17th Street NW, Washington, DC 20503, or by fax to (202) 395-6974.

SUPPLEMENTARY INFORMATION: On June 15, 1984, OMB delegated to the Board authority under the Paperwork Reduction Act (PRA) to approve and assign OMB control numbers to collections of information conducted or sponsored by the Board. Board-approved collections of information are incorporated into the official OMB inventory of currently approved collections of information. The OMB inventory, as well as copies of the PRA Submission, supporting statements (which contain more detailed information about the information collections and burden estimates than this notice), and approved collection of information instrument(s) are available at <https://www.reginfo.gov/public/do/PRAMain>. These documents are also available on the Federal Reserve Board's public website at <https://www.federalreserve.gov/apps/reportingforms/review> or may be requested from the agency clearance officer, whose name appears above. On the page displayed at the link above, you can find the supporting information by referencing one of the collection identifiers, FR 2083, FR 2083A, FR 2083B, FR 2083C, FR 2030, FR 2030a, FR 2056, FR 2086, FR 2086a, or FR 2087.

Final Approval Under OMB Delegated Authority of the Extension for Three Years, Without Revision, of the Following Information Collection

Collection title: Federal Reserve Membership and Bank Stock Applications.

Collection identifier: FR 2083, FR 2083A, FR 2083B, FR 2083C, FR 2030, FR 2030a, FR 2056, FR 2086, FR 2086a, and FR 2087.

OMB control number: 7100-0042.

General description of collection: The Federal Reserve Membership and Bank Stock Applications are comprised of the following application reporting forms:

- Application to the Board of Governors of the Federal Reserve System for Membership in the Federal Reserve System (FR 2083);
- Application for Federal Reserve Bank Stock (for use by state banks converting to a state member bank; national banks which already subscribe to Federal Reserve Bank stock should not complete this application when converting to a state member bank) (FR 2083A);

- Application for Federal Reserve Bank Stock (for use by mutual savings banks) (FR 2083B); and
- Certificate of Organizers or of Directors (FR 2083C), (FR 2083, FR 2083A, FR 2083B, and FR 2083C, together, the Federal Reserve Membership Application).
- Application for Federal Reserve Bank Stock (for use by new national banks) (FR 2030);
- Application for Federal Reserve Bank Stock (for use by nonmember state banks converting into national banks and federal savings associations that have elected to operate as a covered savings association (CSA)) (FR 2030a);
- Application for Adjustment in the Holding of Federal Reserve Bank Stock (for use by member banks that will survive a merger or consolidation with another bank) (FR 2056);
- Application for Cancellation of Federal Reserve Bank Stock (for use by member banks in voluntary liquidation) (FR 2086);
- Application for Cancellation of Federal Reserve Bank Stock (for use by member banks converting into or merging into member or nonmember banks and CSAs terminating an election to operate as a CSA) (FR 2086a); and
- Application for Cancellation of Federal Reserve Bank Stock (for use by insolvent member banks) (FR 2087), (FR 2030, 2030a, FR 2056, FR 2086, FR 2086a, and FR 2087, together, the Federal Reserve Bank Stock Applications).

Frequency: Event-generated.

Respondents: The Federal Reserve Membership Application panel comprises state-chartered banks converting to a state member bank, national banks converting to a state charter, and mutual savings banks applying for membership in the Federal Reserve System. The Federal Reserve Bank Stock Applications respondent panel comprises national banks seeking to purchase Federal Reserve Bank stock, nonmember state banks converting into a national bank, federal savings associations that have elected to operate as a CSA, CSAs terminating an election to operate as a CSA, and member banks seeking to increase, decrease, or cancel their Federal Reserve Bank stock holdings.

Total estimated number of respondents: FR 2083, FR 2083A, FR 2083B, FR 2083C: 32; FR 2030: 11; FR 2030a: 16; FR 2056: 177; FR 2086: 1; FR 2086a: 90; and FR 2087: 1.

Estimated average hours per response: FR 2083, FR 2083A, FR 2083B, FR 2083C: 6.21; FR 2030: 0.66; FR 2030a: 0.63; FR 2056: 0.78; FR 2086: 0.56; FR 2086a: 0.55; and FR 2087: 0.53.

Total estimated annual burden hours: 406.

Current actions: On May 31, 2025, the Board published a notice in the **Federal Register** (90 FR 36051) requesting public comment for 60 days on the extension, without revision, of the FR 2083, FR 2083A, FR 2083B, FR 2083C, FR 2030, FR 2030a, FR 2056, FR 2086, FR 2086a, and FR 2087. The comment period for this notice expired on September 29, 2025. The Board did not receive any comments.

Board of Governors of the Federal Reserve System, December 4, 2025.

Erin M. Cayce,

Assistant Secretary of the Board.

[FR Doc. 2025–22259 Filed 12–5–25; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL RESERVE SYSTEM

Agency Information Collection Activities: Announcement of Board Approval Under Delegated Authority and Submission to OMB

AGENCY: Board of Governors of the Federal Reserve System.

SUMMARY: The Board of Governors of the Federal Reserve System (Board) is adopting a proposal to extend for three years, without revision, the Reporting and Disclosure Requirements Associated with Regulation G (FR G; OMB No. 7100–0299).

FOR FURTHER INFORMATION CONTACT:

Federal Reserve Board Clearance Officer—Nuha Elmaghribi—Office of the Chief Data Officer, Board of Governors of the Federal Reserve System, nuha.elmaghribi@frb.gov, (202) 452–3884.

Office of Management and Budget (OMB) Desk Officer for the Federal Reserve Board, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, 725 17th Street NW, Washington, DC 20503, or by fax to (202) 395–6974.

SUPPLEMENTARY INFORMATION: On June 15, 1984, OMB delegated to the Board authority under the Paperwork Reduction Act (PRA) to approve and assign OMB control numbers to collections of information conducted or sponsored by the Board. Board-approved collections of information are incorporated into the official OMB inventory of currently approved collections of information. The OMB inventory, as well as copies of the PRA Submission, supporting statements (which contain more detailed information about the information collections and burden estimates than

this notice), and approved collection of information instrument(s) are available at <https://www.reginfo.gov/public/do/PRAMain>. These documents are also available on the Federal Reserve Board's public website at <https://www.federalreserve.gov/apps/reportingforms/review> or may be requested from the agency clearance officer, whose name appears above. On the page displayed at the link above, you can find the supporting information by referencing the collection identifier, FR G.

Final Approval Under OMB Delegated Authority of the Extension for Three Years, Without Revision, of the Following Information Collection

Collection title: Reporting and Disclosure Requirements Associated with Regulation G.

Collection identifier: FR G.

OMB control number: 7100–0299.

General description of collection:

Regulation G—Disclosure and Reporting of CRA-Related Agreements (12 CFR part 207) implements section 711 of the Gramm-Leach-Bliley Act, which requires insured depository institutions (IDIs), affiliates of IDIs, and nongovernmental entities or persons (NGEPs) to disclose written agreements entered into in connection with fulfillment of the Community Reinvestment Act. The Board accounts for the financial institution paperwork burden associated with Regulation G only for Board-supervised institutions.

Frequency: Quarterly, annually, and on occasion.

Respondents: State member banks and their subsidiaries; bank holding companies; savings and loan holding companies; affiliates of bank holding companies and savings and loan holding companies, other than banks, savings associations, and subsidiaries of banks and savings associations; and NGEPs that enter into covered agreements with any of the aforementioned entities.

Total estimated number of respondents: 2.

Total estimated annual burden hours: 26.

Current actions: On July 31, 2025, the Board published a notice in the **Federal Register** (90 FR 36052) requesting public comment for 60 days on the extension, without revision, of the FR G. The comment period for this notice expired on September 29, 2025. The Board did not receive any comments.

Board of Governors of the Federal Reserve System, December 4, 2025.

Erin M. Cayce,

Assistant Secretary of the Board.

[FR Doc. 2025–22262 Filed 12–5–25; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL RESERVE SYSTEM**Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company**

The notificants listed below have applied under the Change in Bank Control Act (Act) (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the applications are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at <https://www.federalreserve.gov/foia/request.htm>. Interested persons may express their views in writing on the standards enumerated in paragraph 7 of the Act.

Comments received are subject to public disclosure. In general, comments received will be made available without change and will not be modified to remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would not be appropriate for public disclosure.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Benjami W. McDonough, Deputy Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551-0001, not later than December 23, 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. *Barrett W. Sogard, individually, and as trustee of the Barrett W. Sogard 2020 Irrevocable GST (POS) Trust u/a dtd 7/31/2020, as trustee of the Barrett W. Sogard 2020 Irrevocable GST (TMS) Trust u/a dtd 7/31/2020, and as trustee of the Barrett W. Sogard Irrevocable Trust u/a dtd 12/16/2015, all of Gainesville, Florida; Isabella M. Sogard, individually, and as trustee of the Isabella M. Sogard 2020 Irrevocable GST (POS) Trust u/a dtd 7/31/2020, as*

trustee of the Isabella M. Sogard 2020 Irrevocable GST (TMS) Trust u/a dtd 7/31/2020, and as trustee of the Isabella M. Sogard Irrevocable Trust u/a dtd 12/16/2015, all of Lake Oswego, Oregon; Oliver T. Sogard, individually, and as trustee of the Oliver T. Sogard 2020 Irrevocable GST (POS) Trust u/a dtd 7/31/2020, as trustee of the Oliver T. Sogard 2020 Irrevocable GST (TMS) Trust u/a dtd 7/31/2020, and as trustee of the Oliver T. Sogard Irrevocable Trust u/a dtd 12/16/2015, all of Horseheads, New York; and Thomas P. Sogard, individually, and as trustee of the Thomas P. Sogard 2020 Irrevocable GST (POS) Trust u/a dtd 7/31/2020, as trustee of the Thomas P. Sogard 2020 Irrevocable GST (TMS) Trust u/a dtd 7/31/2020, and as trustee of the Thomas P. Sogard Irrevocable Trust u/a dtd 12/16/2015, all of Charleston, South Carolina; to join the Sogard Family Shareholder Group, a group acting in concert, to retain voting shares of American State Bank Holding Company, Inc., and thereby indirectly retain voting shares of American State Bank & Trust Company of Williston, both of Williston, North Dakota.

Board of Governors of the Federal Reserve System.

Michele Taylor Fennell,

Associate Secretary of the Board.

[FR Doc. 2025-22251 Filed 12-5-25; 8:45 am]

BILLING CODE 6210-01-P

FEDERAL RESERVE SYSTEM**Agency Information Collection Activities: Announcement of Board Approval Under Delegated Authority and Submission to OMB**

AGENCY: Board of Governors of the Federal Reserve System.

SUMMARY: The Board of Governors of the Federal Reserve System (Board) is adopting a proposal to extend for three years, with revision, the United States Currency Program Surveys (FR 3054; OMB No. 7100-0332).

DATES: The revisions are effective January 7, 2026.

FOR FURTHER INFORMATION CONTACT: Federal Reserve Board Clearance Officer—Nuha Elmaghrahi—Office of the Chief Data Officer, Board of Governors of the Federal Reserve System, nuha.elmaghrahi@frb.gov, (202) 452-3884.

Office of Management and Budget (OMB) Desk Officer for the Federal Reserve Board, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235,

725 17th Street NW, Washington, DC 20503, or by fax to (202) 395-6974.

SUPPLEMENTARY INFORMATION: On June 15, 1984, OMB delegated to the Board authority under the Paperwork Reduction Act (PRA) to approve and assign OMB control numbers to collections of information conducted or sponsored by the Board. Board-approved collections of information are incorporated into the official OMB inventory of currently approved collections of information. The OMB inventory, as well as copies of the PRA Submission, supporting statements (which contain more detailed information about the information collections and burden estimates than this notice), and approved collection of information instrument(s) are available at <https://www.reginfo.gov/public/do/PRAMain>. These documents are also available on the Federal Reserve Board's public website at <https://www.federalreserve.gov/apps/reportingforms/review> or may be requested from the agency clearance officer, whose name appears above. On the page displayed at the link above, you can find the supporting information by referencing the collection identifier, FR 3054.

Final Approval Under OMB Delegated Authority of the Extension for Three Years, With Revision, of the Following Information Collection

Collection title: United States Currency Program Surveys.

Collection identifier: FR 3054.

OMB control number: 7100-0332.

General description of collection: The U.S. Currency Program Surveys are used to obtain information specifically tailored to the Federal Reserve's operational and fiscal agency responsibilities. The Board's current U.S. Currency Program set of information collections, collectively referred to as FR 3054, are comprised of the following: Ad Hoc Currency Surveys (FR 3054a); Currency Quality Sampling Survey (FR 3054b); Currency Quality Survey (FR 3054c); Currency Functionality and Perception Survey (FR 3054d); and Currency Education Usability Survey (FR 3054e). All collections except FR 3054c are conducted on an ad hoc basis.

Frequency: The FR 3054a, FR 3054e, FR 3054f, and FR 3054g are event-generated and may be conducted up to 10 times per year. The FR 3054b is event-generated and may be conducted up to 1 time per year. The FR 3054c is conducted 2 times per year. The FR 3054d is event-generated and conducted up to 5 times per year.

Respondents: Financial institutions (including depository institutions, currency exchanges, or central banks), law enforcement, nonfinancial businesses (retailers, banknote equipment manufacturers, or global wholesale bank note dealers), and individuals within the general public.

Total estimated number of respondents: FR 3054a, 400; FR 3054b, 500; FR 3054c, 25; FR 3054d, 1; FR 3054e, 250; FR 3054f, 5,000; FR 3054g, 4,000.

Estimated average hours per response: FR 3054a, 2; FR 3054b, 0.5; FR 3054c, 30; FR 3054d, 30; FR 3054e, 1.5; FR 3054f, 0.5; FR 3054g, 0.5.

Total estimated change in burden: 37,525.

Total estimated annual burden hours: 58,650.

Current actions: On July 31, 2025, the Board published a notice in the **Federal Register** (90 FR 36053) requesting public comment for 60 days on the extension, with revision, of the FR 3054. The Board proposed to change the name of the information collection from “Payment Systems Surveys” to “United States Currency Program Surveys” to more accurately describe the effort that the collections support.

The Board also proposed to revise FR 3054a and FR 3054e by splitting both into short-form and long-form collections and proposing implementation of the Short-form Currency Program Surveys (FR 3054f) and the Short-form Currency Education Usability Surveys (FR 3054g). These revisions would allow the four information collections (FR 3054a, FR 3054e, FR 3054f, FR 3054g) to more accurately account for the burden and number of respondents, while gathering the necessary data to support the introduction of a new set of banknotes.

The Board proposed to decrease the estimated number of respondents for FR 3054a, increase the frequency, increase the average hours per response, and rename the collection from “Ad Hoc Currency Surveys” to “Long-form Currency Program Surveys.” FR 3054a will continue to cover the same topics, but will focus on utilizing long-form collection methods, such as focus groups and interviews, while the short-form collection methods will continue as part of a new collection, the proposed FR 3054f.

The Board proposed to correct FR 3054d by decreasing the number of respondents, and increasing the estimated duration to accurately reflect the number and length of meetings held between the Board, FedCash Services, Bureau of Engraving and Printing, and banknote equipment manufacturers.

This proposed revision returns FR 3054d to the burden hours that previously existed prior to 2020.

The Board proposed for FR 3054e to increase the estimated average hours per response and rename the collection from “Currency Education Usability Survey” to “Long-form Currency Education Usability Surveys.” Similar to FR 3054a, FR 3054e would continue to cover the same topics, but would focus on long-form collection methods, while the short-form collection methods would continue as part of a new collection (the proposed FR 3054g).

The Board proposed to establish a new information collection, the “Short-form Currency Program Surveys” (FR 3054f). This new collection will allow the Board to cover the same topics as the revised FR 3054a, but through quicker collection methods with a higher number of respondents.

The Board proposed to establish a second new collection, the “Short-form Currency Education Usability Surveys” (FR 3054g). FR 3054g would cover the same topics as FR 3054e using quicker and broader collection methods. The comment period for this notice expired on September 29, 2025. The Board did not receive any comments. The revisions will be implemented as proposed.

Board of Governors of the Federal Reserve System, December 4, 2025.

Erin M. Cayce,

Assistant Secretary of the Board.

[FR Doc. 2025–22260 Filed 12–5–25; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL RESERVE SYSTEM

Agency Information Collection Activities: Announcement of Board Approval under Delegated Authority and Submission to OMB

AGENCY: Board of Governors of the Federal Reserve System.

SUMMARY: The Board of Governors of the Federal Reserve System (Board) is adopting a proposal to extend for three years, with revision, the Financial Statements for Holding Companies (FR Y–9; OMB No. 7100–0128) and to revise, without extension, the Capital Assessments and Stress Testing Reports (FR Y–14A/Q/M; OMB No. 7100–0341).

DATES: The revisions are effective March 31, 2026.

FOR FURTHER INFORMATION CONTACT: Federal Reserve Board Clearance Officer—Nuha Elmaghrabi—Office of the Chief Data Officer, Board of Governors of the Federal Reserve

System, nuha.elmaghrabi@frb.gov, (202) 452–3884.

Office of Management and Budget (OMB) Desk Officer for the Federal Reserve Board, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, 725 17th Street NW, Washington, DC 20503, or by fax to (202) 395–6974.

SUPPLEMENTARY INFORMATION: On June 15, 1984, OMB delegated to the Board authority under the Paperwork Reduction Act (PRA) to approve and assign OMB control numbers to collections of information conducted or sponsored by the Board. Board-approved collections of information are incorporated into the official OMB inventory of currently approved collections of information. The OMB inventory, as well as copies of the PRA Submission, supporting statements (which contain more detailed information about the information collections and burden estimates than this notice), and approved collection of information instrument(s) are available at <https://www.reginfo.gov/public/do/PRAMain>. These documents are also available on the Federal Reserve Board’s public website at <https://www.federalreserve.gov/apps/reportingforms/review> or may be requested from the agency clearance officer, whose name appears above. On the page displayed at the link above, you can find the supporting information by referencing the collection identifier, FR Y–9 or FR Y–14A/Q/M.

Final Approval Under OMB Delegated Authority of the Extension for Three Years, With Revision of the Following Information Collection

Collection title: Financial Statements for Holding Companies.¹

Collection identifier: FR Y–9 reports.

OMB control number: 7100–0128.

General description of collection: The Board requires bank holding companies, most savings and loan holding companies, securities holding companies, and U.S. intermediate holding companies (collectively, HCs) to provide standardized financial statements through one or more of the FR Y–9 reports. The information collected on the FR Y–9 reports is necessary for the Board to identify emerging financial risks and monitor the safety and soundness of HC operations.

The Consolidated Financial Statements for Holding Companies (FR

¹ In addition to the FR Y–9, the Board proposes to revise without extension the Capital Assessments and Stress Testing Reports (FR Y–14A/Q/M; OMB No. 7100–0341) as a part of this clearance package.

Y–9C) consists of standardized financial statements for HCs similar to the Call Reports filed by commercial banks. The FR Y–9C collects consolidated data and is filed quarterly by top-tier HCs with total consolidated assets of \$3 billion or more.

The Parent Company Only Financial Statements for Large Holding Companies (FR Y–9LP), must be submitted quarterly by each HC that files the FR Y–9C, as well as by each of its subsidiary HCs. The report consists of standardized financial statements, including the following schedules: Income Statement, Cash Flow Statement, Balance Sheet, Investments in Subsidiaries and Associated Companies, Memoranda, and Notes to the Parent Company Only Financial Statements.

The Parent Company Only Financial Statements for Small Holding Companies (FR Y–9SP), is filed semiannually by HCs with total consolidated assets of less than \$3 billion. In a banking organization with total consolidated assets of less than \$3 billion that has tiered HCs, each HC in the organization must submit, or have the top-tier HC submit on its behalf, a separate FR Y–9SP. This report collects basic balance sheet and income data for the parent company, as well as data on its intangible assets and intercompany transactions.

The Financial Statements for Employee Stock Ownership Plan Holding Companies (FR Y–9ES) is filed annually by each employee stock ownership plan (ESOP) that is also an HC. The report collects financial data on the ESOP's benefit plan activities. The FR Y–9ES consists of four schedules: Statement of Changes in Net Assets Available for Benefits, Statement of Net Assets Available for Benefits, Memoranda, and Notes to the Financial Statements.

The instructions to each of the FR Y–9C, FR Y–9LP, FR Y–9SP, and FR Y–9ES state that respondent HCs should retain workpapers and other records used in the preparation of the reports for a period of three years following submission. In addition, HCs must maintain in their files a manually signed and attested printout of the data submitted under each form for a period of three years.

The Supplement to the Consolidated Financial Statements for Holding Companies (FR Y–9CS) is a voluntary, free-form supplemental report that the Board may utilize to collect critical additional data deemed to be needed from HCs in an expedited manner. The FR Y–9CS data collections are used to assess and monitor emerging issues

related to HCs, and the report is intended to supplement the other FR Y–9 reports. The data requested by the FR Y–9CS would depend on the Board's data needs in any given situation. For example, changes made by the Financial Accounting Standards Board may introduce into generally accepted accounting principles new data items that are not currently collected by the other FR Y–9 reports. The Board could use the FR Y–9CS report to collect these data until the items are implemented into the other FR Y–9 reports.

Frequency: Quarterly, semiannual, annual, and as needed.

Respondents: HCs.

Total estimated number of respondents:

Reporting

FR Y–9C (non-advanced approaches holding companies with less than \$5 billion in total assets): 107; FR Y–9C (non-advanced approaches holding companies with \$5 billion or more in total assets): 236; FR Y–9C (advanced approaches holding companies): 9; FR Y–9LP: 411; FR Y–9SP: 3,596; FR Y–9ES: 73; FR Y–9CS: 236.

Recordkeeping

FR Y–9C: 352; FR Y–9LP: 411; FR Y–9SP: 3,596; FR Y–9ES: 73; FR Y–9CS: 236.

Estimated average hours per response:

Reporting

FR Y–9C (non-advanced approaches holding companies with less than \$5 billion in total assets): 35.59; FR Y–9C (non-advanced approaches holding companies with \$5 billion or more in total assets): 44.23; FR Y–9C (advanced approaches holding companies): 50.76; FR Y–9LP: 5.27; FR Y–9SP: 5.45; FR Y–9ES: 0.50; FR Y–9CS: 0.50.

Recordkeeping

FR Y–9C: 1; FR Y–9LP: 1; FR Y–9SP: 0.50; FR Y–9ES: 0.50; FR Y–9CS: 0.50.

Total estimated change in burden:

794.

Total estimated annual burden hours: 115,283.

Current actions: On October 2, 2024, the Board published an initial notice in the **Federal Register** (89 FR 80244) requesting public comment for 60 days on the extension, with revision, of the FR Y–9 and a revision, without extension of the FR Y–14. The proposal would (1) add line items to the FR Y–9C to capture additional data on exposures to nondepository financial institutions (NDFIs) from HCs with assets of \$10 billion or more, (2) provide additional clarity on reportable loans to NDFIs and other loans, (3) add an item

to the FR Y–9C to capture the amount of structured financial products guaranteed by U.S. Government or sponsored agencies, (4) permit HCs to use electronic signatures to comply with the FR Y–9C signature and attestation requirement, and (5) instruct FR Y–9LP filers to report leases in accordance with Accounting Standards Update (ASU) 2016–02. These proposed revisions would be consistent with revisions to the Federal Financial Institutions Examination Council (FFIEC) Consolidated Reports of Condition and Income (Call Reports) that were effective December 31, 2024.² In addition, the October 2024 proposal would revise, without extension, the FR Y–14Q to align one item with the proposed FR Y–9C NDFI line items. The comment period for this notice expired on December 2, 2024; one comment letter was received from a banking trade association and one letter was received from a public interest law firm. The letters generally were supportive of the proposed revisions, emphasised the need for consistency across regulatory reports, and made certain specific recommendations. After considering the comments received on the proposal, the Board is proceeding with the revisions but with certain modifications as discussed below.

Detailed Discussion of Public Comments

I. Modifications to Effective Date and FR Y–9C Instructions

A. Modified Effective Date

One commenter requested that the effective date of the FR Y–9C revisions related to the reporting of loans to NDFIs, and the reporting of purpose and non-purpose loans secured by securities reported in Schedule HC–C, item 9.b.(1), be effective as of December 31, 2024, and that firms be permitted to report on a best efforts basis until June 30, 2025. The commenter noted that this period of best efforts reporting is beneficial to firms who are actively developing new processes and procedures to comply with the new reporting requirements. Additionally, the commenter stated that this reporting timeline should be extended to other applicable regulatory reporting forms based on FR Y–9 reporting and impacted by the currently proposed changes, including the Report of Selected Assets and Liabilities of Domestically Chartered Commercial Banks and U.S. Branches and Agencies of Foreign Banks (FR 2644) and Consolidated Report of Condition and

² FFIEC 031/041/051 (OMB No. 7100–0036). See 89 FR 45046 (May 22, 2024).

Income for Edge and Agreement Corporations (FR 2886b).

In response, the Board acknowledges the commenter's request, however, due to the proposal being finalized after the June 30, 2025, as of date, the Board is adopting the changes starting March 31, 2026. However, beginning with the December 31, 2025 report date, HCs may choose, on a best-efforts basis, to report the existing FR Y-9C NDFI line items using the new NDFI definitions.

B. Modified Schedule HC-C, Item 9.b.(1) Instructions

One commenter noted that the proposed instructions of Schedule HC-C, line item 9.b.(1), state to exclude loans to (1) "banks in foreign countries that act as brokers and dealers in securities" and (2) "depository institutions for the purpose of purchasing or carrying securities" from this line item. However, the commenter noted that this is contrary to other instructions for this line item, which state that firms should include "all purpose and non-purpose securities-based margin loans, regardless of borrower type." Therefore, to avoid possible inconsistencies in reporting, the commenter requested that the Board remove exclusions (1) and (2) from the instructions of Schedule HC-C line item 9.b.(1), and implement parallel changes to the Call Report instructions.

The Board notes that Schedule HC-C item 9.b.(1) should reflect balances of loans to banks in foreign countries and loans to depository institutions currently reflected on Schedule HC-C, item 2, "Loans to Depository Institutions and acceptances of other banks" and consistent with the Call Report instructions. Therefore, current exclusions (1) and (2) will be removed in the instructions of Schedule HC-C line item 9.b.(1).

II. Other Recommendations for Future Consideration

The commenters requested several clarifications and revisions to the proposed instructions of Schedule HC-C, items 9.a and 9.b.(1) as described below and also requested that any corresponding changes be made to the Call Report instructions.

Recommendations Related to NDFIs

The commenters requested more clarity on the definition of NDFIs, with one commenter highlighting specific entity types for further consideration, as follows.

A. Loans to Securitization Vehicles

The commenter noted that the proposed instructions for FR Y-9C

Schedule HC-C line item 9.a, loans to NDFIs, subparagraph (5) states to include "loans to securitization vehicles." However, the commenter noted that there are instances where the underlying assets of a securitization vehicle are a financial product, which holding companies would denote as a loan to an NDFI. In the case where the underlying asset is a physical asset such as automobiles or planes, the reporting treatment is less clear as this would not typically be considered an NDFI. Therefore, the commenter requested clarification on whether loans to all securitization vehicles should be reported as loans to NDFIs, or only when the underlying assets are financial products.

B. Loans to Financial Entities That Provide Services Similar to Those of Traditional Banks

The commenter requested clarification on whether loans that are made to certain entities that provide services similar to those of traditional banks, but in which there is no financing, and no acceptance of deposits, should be classified as loans to NDFIs. The commenter also requested clarification on whether loans to central counterparties (CCPs) should be reported as loans to NDFIs.

C. Loans to Leasing and Renting Companies

The commenter noted that in the proposed instructions of the FR Y-14Q NDFI proposal, Schedule H.1 Field 120, NDFI Obligor Type includes "Leasing and non-real estate rental" and the proposed inclusion of these obligor types in the FR Y-14Q could be interpreted to indicate that the Board intends these items to be reported as NDFIs for the purposes of the FR Y-9C. However, the commenter stated there are leasing and renting companies who do not provide any financing or banking activities, for example, equipment or automobile renting companies. Therefore, the commenter requested clarification on whether all loans to rental and leasing companies, including leasing and non-real estate rental, should be included in line item 9.a, loans to NDFIs.

In addition to these definitional considerations, a commenter suggested requiring more granular information on the terms and conditions of loans to NDFIs, such as interest rates, collateral, and maturity dates, and also to collect data on the purpose of loans to NDFIs to provide insights into the flow of funds within the financial system. This commenter suggested that the Board (1) engage with accounting standard-setting

bodies to ensure reporting forms remain current with evolving accounting standards and (2) provide clear guidance to financial institutions on implementing the revised reporting requirements, including illustrative examples and frequently asked questions.

Recommendations Related to Loans for Purchasing or Carrying Securities

One commenter noted that the instructions for Schedule HC-C item 9.b.(1) reflects in subparagraph (1) "all loans, whether secured or unsecured, to any other borrower for the purpose of purchasing or carrying securities." The commenter also noted that subparagraph (2) of the instructions for the same line item reflects the inclusion of "all purpose and non-purpose securities-based margin loans, regardless of borrower type, that are predominately secured (greater than 50% of underlying collateral) by securities with readily determinable fair values." The commenter mentioned that while subparagraph (1) appears clear that "all loans, whether secured or unsecured, to any other borrower for the purpose of purchasing or carrying securities" should be reported, the inclusion of "purpose loans" in subparagraph (2) may create confusion that only those predominately secured by securities with readily determinable fair values should be reported in Schedule HC-C item 9.b.(1). The commenter requested that the instructions clarify that all loans for the purpose of purchasing or carrying securities (all purpose loans) are reported in Schedule HC-C line item 9.b.(1) and remove the language indicating "purpose loans" in subparagraph (2) of Schedule HC-C line item 9.b.(1).

In addition, the commenter noted that the proposed language in subparagraph (2) of the instructions for Schedule HC-C, item 9.b.(1), further limits non-purpose loans that are included in this line item, by restricting inclusion to just those structured as "margin loans" and "that are predominately secured by securities with readily determinable fair values", which would introduce entirely new and burdensome criteria for the classification of loans on Schedule HC-C. Specifically, the commenter stated that the proposed instructions incorporate collateral market values assessment (*i.e.*, assessing whether they have readily determinable fair value) and credit risk management practices (through only margin loans) as a criteria for line item 9.b.(1) and it is not clear in the proposed instructions whether the collateral market value

assessment should be performed for each reporting period. The commenter also stated the proposed instructions would be burdensome to implement as they are not aligned with the existing classification methods of items in Schedule HC–C, which are classified using borrower type, purpose, and collateral. The commenter requested that the Board remove the provisions regarding “margin loans” and “predominately secured by securities with readily determinable fair values” from subparagraph (2) in the instructions of Schedule HC–C line item 9.b.(1) to clarify that all non-purpose securities-based loans, regardless of borrower type, are included in this item.

The commenter noted that Schedule HC–C, item 9.b.(1) would be revised to include all non-purpose margin loans, if they are secured predominantly by securities with readily determinable fair value. However, the commenter also noted that the current FR Y–14Q, Schedule H.1 instructions provide that loans reported on Schedule HC–C, item 9.b.(1), loans for purchasing or carrying securities, would be excluded from Schedule H.1.

The commenter also noted that the FR Y–14Q instructions also provide that non-purpose loans reportable in the relevant FR Y–9C, Schedule HC–C categories would be reported in the FR Y–14Q, regardless of whether those loans are “graded” and that “for the purposes of this schedule, non-purpose loans are loans collateralized by securities made for any purpose other than purchasing or carrying securities.” Therefore, the commenter stated that for fourth quarter 2024 reporting, firms are planning to align the relevant reporting of items in the FR Y–9C and FR Y–14, consistent with the existing instructions.

All FR Y–9C and FR Y–14 respondents should report according to the most current report form and instructions published on the Board’s public website, until the proposed revisions are effective.

III. Conclusion

In response to the comments received, the Board is proceeding with the proposed revisions, with modifications as described in Sections I above, to align the FR Y–9C with the relevant Call Report revisions that were effective December 31, 2024.³ Furthermore, no comments were received regarding the proposed reporting of guaranteed structured financial products on the FR Y–9C, the adoption of standards for electronic signatures, the reporting of

leases on the FR Y–9LP consistent with ASU 2016–02, or the revision of the FR Y–14Q line item, and these revisions will be finalized as proposed. In response to commenters request for consistency across reports, the FR Y–14 instructions will include direct reference to relevant FR Y–9C memoranda items. All the revisions are effective as of the March 31, 2026, report date. However, beginning with the December 31, 2025 report date, HCs may choose, on a best-efforts basis, to report the existing FR Y–9C NDFI line items using the new NDFI definitions.

The recommendations noted in Section II will continue to be considered by staff and clarifications or revisions related to the instructions of Schedule HC–C, items 9.a and 9.b.(1) may be proposed at a later date. Staff would consider whether proposed changes should be aligned with the Call Reports, subject to the PRA notice and comment process.

Board of Governors of the Federal Reserve System, December 4, 2025.

Erin M. Cayce,

Assistant Secretary of the Board.

[FR Doc. 2025–22264 Filed 12–5–25; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL RESERVE SYSTEM

Agency Information Collection Activities: Announcement of Board Approval Under Delegated Authority and Submission to OMB

AGENCY: Board of Governors of the Federal Reserve System.

SUMMARY: The Board of Governors of the Federal Reserve System (Board) is adopting a proposal to extend for three years, with revision, the Recordkeeping and Disclosure Requirements Associated with the Consumer Financial Protection Bureau’s (CFPB) Regulation E (CFPB E; OMB No. 7100–0200).

DATES: The revisions are effective January 7, 2026.

FOR FURTHER INFORMATION CONTACT: Federal Reserve Board Clearance Officer—Nuha Elmaghrahi—Office of the Chief Data Officer, Board of Governors of the Federal Reserve System, nuha.elmaghrahi@frb.gov, (202) 452–3884.

Office of Management and Budget (OMB) Desk Officer for the Federal Reserve Board, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, 725 17th Street NW, Washington, DC 20503, or by fax to (202) 395–6974.

SUPPLEMENTARY INFORMATION: On June 15, 1984, OMB delegated to the Board authority under the Paperwork Reduction Act (PRA) to approve and assign OMB control numbers to collections of information conducted or sponsored by the Board. Board-approved collections of information are incorporated into the official OMB inventory of currently approved collections of information. The OMB inventory, as well as copies of the PRA Submission, supporting statements (which contain more detailed information about the information collections and burden estimates than this notice), and approved collection of information instrument(s) are available at <https://www.reginfo.gov/public/do/PRAMain>. These documents are also available on the Federal Reserve Board’s public website at <https://www.federalreserve.gov/apps/reportingforms/review> or may be requested from the agency clearance officer, whose name appears above. On the page displayed at the link above, you can find the supporting information by referencing the collection identifier, CFPB E.

Final Approval Under OMB Delegated Authority of the Extension for Three Years, With Revision, of the Following Information Collection

Collection title: Recordkeeping and Disclosure Requirements Associated with the CFPB’s Regulation E.

Collection identifier: CFPB E.

OMB control number: 7100–0200.

General description of collection: Board-supervised institutions must provide meaningful disclosures about the basic terms, costs, and rights relating to electronic fund transfer services involving a customer’s account and must maintain certain records.

Frequency: Event-generated, monthly, and annually.

Respondents: State member banks and their subsidiaries, subsidiaries of bank holding companies, U.S. branches and agencies of foreign banks (other than federal branches, federal agencies, and insured state branches of foreign banks), commercial lending companies owned or controlled by foreign banks, and organizations operating under section 25 or 25A of the Federal Reserve Act (12 U.S.C. 601–604a; 611–631).

Total estimated number of respondents: 815.

Total estimated change in burden: 0.

Total estimated annual burden hours: 165,426.

Current actions: On July 31, 2025, the Board published a notice in the **Federal Register** (90 FR 36057) requesting public comment for 60 days on the

³ See 89 FR 45046 (May 22, 2024).

extension, with revision, of the CFPB E. The Board proposed to revise the CFPB E to account for one recordkeeping provision in Section 1005.13(b) of Regulation E that has not previously been cleared by the Board under the PRA. The comment period for this notice expired on September 29, 2025. The Board did not receive any comments. The revisions will be implemented as proposed.

Board of Governors of the Federal Reserve System, December 4, 2025.

Erin M. Cayce,

Assistant Secretary of the Board.

[FR Doc. 2025–22258 Filed 12–5–25; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL RESERVE SYSTEM

Agency Information Collection Activities: Announcement of Board Approval Under Delegated Authority and Submission to OMB

AGENCY: Board of Governors of the Federal Reserve System.

SUMMARY: The Board of Governors of the Federal Reserve System (Board) is adopting a proposal to extend for three years, without revision, the Reporting, Recordkeeping, and Disclosure Requirements Associated with Regulation BB (FR BB; OMB No. 7100–0197).

FOR FURTHER INFORMATION CONTACT: Federal Reserve Board Clearance Officer—Nuha Elmaghrabi—Office of the Chief Data Officer, Board of Governors of the Federal Reserve System, nuha.elmaghrabi@frb.gov, (202) 452–3884.

Office of Management and Budget (OMB) Desk Officer for the Federal Reserve Board, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, 725 17th Street NW, Washington, DC 20503, or by fax to (202) 395–6974.

SUPPLEMENTARY INFORMATION: On June 15, 1984, OMB delegated to the Board authority under the Paperwork Reduction Act (PRA) to approve and assign OMB control numbers to collections of information conducted or sponsored by the Board. Board-approved collections of information are incorporated into the official OMB inventory of currently approved collections of information. The OMB inventory, as well as copies of the PRA Submission, supporting statements (which contain more detailed information about the information collections and burden estimates than this notice), and approved collection of

information instrument(s) are available at <https://www.reginfo.gov/public/do/PRAMain>. These documents are also available on the Federal Reserve Board's public website at <https://www.federalreserve.gov/apps/reportingforms/review> or may be requested from the agency clearance officer, whose name appears above. On the page displayed at the link above, you can find the supporting information by referencing the collection identifier, FR BB.

Final Approval Under OMB Delegated Authority of the Extension for Three Years, Without Revision, of the Following Information Collection

Collection title: Reporting, Recordkeeping, and Disclosure Requirements Associated with Regulation BB.

Collection identifier: FR BB.

OMB control number: 7100–0197.

General description of collection: The Community Reinvestment Act (CRA) was enacted in 1977 and is implemented by Regulation BB—Community Reinvestment (12 CFR 228). The CRA directs the Board, the Federal Deposit Insurance Corporation, and the Office of the Comptroller of the Currency to evaluate financial institutions' (banks and savings associations) records of helping to meet the credit needs of their entire communities, including low- and moderate-income areas, consistent with the safe and sound operation of the institutions. The reporting, recordkeeping, and disclosure requirements in the Board's regulation apply to state member banks (SMBs).

Frequency: Annually.

Respondents: SMBs, with the exception of certain special purpose banks.

Total estimated number of respondents: Assessment area delineation, 152; small business and small farm loan data, 148; community development loan data, 152; Home Mortgage Disclosure Act (HMDA) out of Metropolitan Statistical Areas (MSA) loan data, 140; request for designation as a wholesale or a limited purpose bank, 1; strategic plan approval request, 2; affiliate lending data, 5; data on lending by a consortium or third party, 12; small business and small farm loan register, 148; consumer loan data, 36; other loan data, 26; public file and public notice, 704.

Estimated average hours per response: Assessment area delineation, 2; small business and small farm loan data, 8; community development loan data, 13; HMDA out of MSA loan data, 253; request for designation as a wholesale or

a limited purpose bank, 4; strategic plan approval request, 275; affiliate lending data, 38; data on lending by a consortium or third party, 17; small business and small farm loan register, 219; consumer loan data, 326; other loan data, 25; public file and public notice, 10.

Total estimated annual burden hours: 91,670.

Current actions: On July 31, 2025, the Board published a notice in the **Federal Register** (90 FR 36056) requesting public comment for 60 days on the extension, without revision, of the FR BB. The comment period for this notice expired on September 29, 2025. The Board did not receive comments.

Board of Governors of the Federal Reserve System, December 4, 2025.

Erin M. Cayce,

Assistant Secretary of the Board.

[FR Doc. 2025–22261 Filed 12–5–25; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL RESERVE SYSTEM

Agency Information Collection Activities: Announcement of Board Approval Under Delegated Authority and Submission to OMB

AGENCY: Board of Governors of the Federal Reserve System.

SUMMARY: The Board of Governors of the Federal Reserve System (Board) is adopting a proposal to extend for three years, without revision, the Recordkeeping and Disclosure Requirements Associated with the Consumer Financial Protection Bureau's (CFPB) and the Board's Regulation V (FR V; OMB No. 7100–0308).

FOR FURTHER INFORMATION CONTACT: Federal Reserve Board Clearance Officer—Nuha Elmaghrabi—Office of the Chief Data Officer, Board of Governors of the Federal Reserve System, nuha.elmaghrabi@frb.gov, (202) 452–3884.

Office of Management and Budget (OMB) Desk Officer for the Federal Reserve Board, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, 725 17th Street NW, Washington, DC 20503, or by fax to (202) 395–6974.

SUPPLEMENTARY INFORMATION: On June 15, 1984, OMB delegated to the Board authority under the Paperwork Reduction Act (PRA) to approve and assign OMB control numbers to collections of information conducted or sponsored by the Board. Board-approved collections of information are incorporated into the official OMB

inventory of currently approved collections of information. The OMB inventory, as well as copies of the PRA Submission, supporting statements (which contain more detailed information about the information collections and burden estimates than this notice), and approved collection of information instrument(s) are available at <https://www.reginfo.gov/public/do/PRAMain>. These documents are also available on the Federal Reserve Board's public website at <https://www.federalreserve.gov/apps/reportingforms/review> or may be requested from the agency clearance officer, whose name appears above. On the page displayed at the link above, you can find the supporting information by referencing the collection identifier, FR V.

Final Approval Under OMB Delegated Authority of the Extension for Three Years, Without Revision, of the Following Information Collection

Collection title: Recordkeeping and Disclosure Requirements Associated with the CFPB's and the Board's Regulations V.

Collection identifier: FR V.

OMB control number: 7100-0308.

General description of collection: The CFPB's Regulation V and the Board's Regulation V implement in part the Fair Credit Reporting Act (FCRA), which was enacted in 1970 based on a Congressional finding that the banking system is dependent on fair and accurate credit reporting. The FCRA requires consumer reporting agencies to adopt reasonable procedures that are fair and equitable to the consumer with regard to the confidentiality, accuracy, relevancy, and proper utilization of consumer information. The Board continues to be responsible for renewing every three years the information collection requirements contained in the CFPB's Regulation V for institutions with \$10 billion or less in assets that are identified in 15 U.S.C. 1681s(b)(1)(A)(ii) and for consumers of these institutions, as well as for the identity theft red flags provisions in the Board's Regulation V for institutions of any size that are identified in 15 U.S.C. 1681s(b)(1)(A)(ii).

Frequency: Event-generated.

Respondents: Individuals and all depository institutions identified in 15 U.S.C. 1681s(b)(1)(A)(ii).

Total estimated number of respondents: 282,070.

Total estimated annual burden hours: 403,418.

Current actions: On July 31, 2025, the Board published a notice in the **Federal Register** (90 FR 36055) requesting

public comment for 60 days on the extension, without revision, of the FR V. The comment period for this notice expired on September 29, 2025. The Board did not receive any comments.

Board of Governors of the Federal Reserve System, December 4, 2025.

Erin M. Cayce,

Assistant Secretary of the Board.

[FR Doc. 2025-22263 Filed 12-5-25; 8:45 am]

BILLING CODE 6210-01-P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The public portions of the applications listed below, as well as 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, Benjamin W. McDonough, Deputy Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551-0001, not later than January 7, 2026.

A. Federal Reserve Bank of Atlanta (Erien O. Terry, Assistant Vice President) 1000 Peachtree Street NE, Atlanta, Georgia 30309. Comments can also be sent electronically to Applications.Comments@atl.frb.org:

1. *Pinnacle Financial Corporation, Elberton, Georgia*; to merge with Morris State Bancshares, Inc., and thereby indirectly acquire Morris Bank, both of Dublin, Georgia.

B. 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. *Stearns Financial Services, Inc. Employee Stock Ownership Plan and Trust, Saint Cloud, Minnesota*; to acquire up to 25.02 percent of the voting shares of Stearns Financial Services, Inc., and thereby indirectly acquire voting shares of Stearns Bank National Association, both of Saint Cloud, Minnesota.

Board of Governors of the Federal Reserve System.

Michele Taylor Fennell,

Associate Secretary of the Board.

[FR Doc. 2025-22252 Filed 12-5-25; 8:45 am]

BILLING CODE P

FEDERAL RETIREMENT THRIFT INVESTMENT BOARD

Notice of Board Meeting

DATES: December 18, 2025, at 11:00 a.m. ET.

ADDRESSES: Telephonic. Dial-in (listen only) information: Number: 1-202-599-1426, Code: 156 683 720#; or via web: <https://www.frtib.gov/>.

FOR FURTHER INFORMATION CONTACT:

James Kaplan, Director, Office of External Affairs, (202) 864-7150.

SUPPLEMENTARY INFORMATION:

Board Meeting Agenda

Open Session

1. Approval of the November 20, 2025, Board Meeting Minutes
2. Monthly Reports
 - (a) Participant Report
 - (b) Investment Report
 - (c) Legislative Report
3. Quarterly Reports
 - (d) Vendor Risk Management
4. Enterprise Risk Management
5. 2026 Board Calendar Review

Closed Session

6. Information covered under 5 U.S.C. 552b(c)(6).

Authority: 5 U.S.C. 552b(e)(1).

Dated: December 3, 2025.

Dharmesh Vashee,

General Counsel, Federal Retirement Thrift Investment Board.

[FR Doc. 2025-22151 Filed 12-5-25; 8:45 am]

BILLING CODE P

GENERAL SERVICES ADMINISTRATION

[OMB Control No. 3090-0086; Docket No. 2025-0001; Sequence No. 15]

Submission for OMB Review; General Services Administration Acquisition Regulation; Proposal To Lease Space, GSA Form 1364 and Lessor's Annual Cost Statement, GSA Form 1217

AGENCY: Office of Acquisition Policy, General Services Administration (GSA).

ACTION: Notice; request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, and the Office of Management and Budget (OMB) regulations, GSA invites the public to comment on an extension of a previously approved information collection requirement regarding OMB Control No. 3090-0086, Proposal to Lease Space, GSA Form 1364 and Lessor's Annual Cost Statement, GSA Form 1217.

DATES: Submit comments on or before January 7, 2026.

ADDRESSES: Written comments and recommendations for this information collection should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting "Currently under Review—Open for Public Comments" or by using the search function.

FOR FURTHER INFORMATION CONTACT: Ms. Amy Lara, 816-589-3783, General Services Acquisition Policy Division, by email at gsarpolicy@gsa.gov.

SUPPLEMENTARY INFORMATION:

A. Purpose

The information collected is used by contracting officers to evaluate lease proposals and negotiate lease contract terms and conditions in a competitive or non-competitive environment. As this information is still currently required, GSA seeks to have this information collection extended for three years.

B. Annual Reporting Burden

Public reporting burden for Proposal to Lease Space, GSA Form 1364 and Lessor's Annual Cost Statement, GSA Form 1217, is estimated to average 3.225 hours per response, including the time for reviewing instructions, searching

existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The annual reporting burden is estimated as follows:

Total annual responses: 1,332.

Preparation hours per response: 3.225.

Total response burden hours: 5,095.

C. Public Comments

A 60-day notice was published in the *Federal Register* at 90 FR 48055 on October 3, 2025. No public comments were received.

Jeffrey A. Koses,

Senior Procurement Executive, Office of Acquisition Policy, Office of Government-wide Policy.

[FR Doc. 2025-22236 Filed 12-5-25; 8:45 am]

BILLING CODE P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[CMS-1855-NC]

Medicare and Medicaid Programs; Announcement of Application From a Hospital Requesting Waiver for Organ Procurement Service Area

AGENCY: Centers for Medicare & Medicaid Services (CMS), HHS.

ACTION: Notice with request for comment.

SUMMARY: This notice acknowledges the receipt of an application from a hospital that has requested a waiver of statutory requirements that would otherwise require the hospital to enter into an agreement with its designated organ procurement organization (OPO). This notice requests comments from OPOs and the general public for our consideration in determining whether we should grant the requested waiver.

DATES: To be assured consideration, comments must be received at one of the addresses provided below, by February 6, 2026.

ADDRESSES: In commenting, refer to file code CMS-1855-NC.

Comments, including mass comment submissions, must be submitted in one of the following three ways (please choose only one of the ways listed):

1. *Electronically.* You may submit electronic comments on this regulation to <https://www.regulations.gov>. Follow the "Submit a comment" instructions.
2. *By regular mail.* You may mail written comments to the following

address ONLY: Centers for Medicare & Medicaid Services, Department of Health and Human Services, Attention: CMS-1855-NC, P.O. Box 8010, Baltimore, MD 21244-8010.

Please allow sufficient time for mailed comments to be received before the close of the comment period.

3. *By express or overnight mail.* You may send written comments to the following address ONLY: Centers for Medicare & Medicaid Services, Department of Health and Human Services, Attention: CMS-1855-NC, Mail Stop C4-26-05, 7500 Security Boulevard, Baltimore, MD 21244-1850.

For information on viewing public comments, see the beginning of the **SUPPLEMENTARY INFORMATION** section.

FOR FURTHER INFORMATION CONTACT: Lindsay Pulliam, (410) 786-8674.

SUPPLEMENTARY INFORMATION:

Inspection of Public Comments: All comments received before the close of the comment period are available for viewing by the public, including any personally identifiable or confidential business information that is included in a comment. We post all comments received before the close of the comment period on the following website as soon as possible after they have been received: <https://www.regulations.gov>. Follow the search instructions on that website to view public comments. CMS will not post on *Regulations.gov* public comments that make threats to individuals or institutions or suggest that the individual will take actions to harm the individual. CMS continues to encourage individuals not to submit duplicative comments. We will post acceptable comments from multiple unique commenters even if the content is identical or nearly identical to other comments.

I. Background

Organ Procurement Organizations (OPOs) are not-for-profit organizations that are responsible for the procurement, preservation, and transport of organs to transplant centers throughout the country. Qualified OPOs are designated by the Centers for Medicare & Medicaid Services (CMS) to recover or procure organs in CMS-defined exclusive geographic service areas, under section 371(b)(1) of the Public Health Service Act (42 U.S.C. 273(b)(1)) and our regulations at 42 CFR 486.306. Once an OPO has been designated for an area, hospitals in that area that participate in Medicare and Medicaid are required to work with that OPO in providing organs for transplant, pursuant to section 1138(a)(1)(C) of the

Social Security Act (the Act) and our regulations at 42 CFR 482.45.

Section 1138(a)(1)(A)(iii) of the Act provides that a hospital must establish protocols which require the hospital to notify the designated OPO (for the service area in which it is located) of potential organ donors. Under section 1138(a)(1)(C) of the Act, every hospital must have an agreement only with its designated OPO to identify potential donors.

Section 1138(a)(2)(A) of the Act provides that a hospital may submit a request to the Secretary of the Department of Health and Human Services (the Secretary) for a waiver of the above requirements. If the requested waiver meets certain conditions specified in section 1138(a)(2)(A) of the Act, the Secretary shall grant the waiver and allow the hospital to have an agreement with an OPO other than the one designated by CMS. The Secretary may consider factors described in section 1138(a)(2)(B) of the Act when determining whether to grant the hospital's request for a waiver.

Section 1138(a)(2)(A) of the Act states that the Secretary shall grant a waiver if he determines that the waiver—(1) is expected to increase organ donations; and (2) will ensure equitable treatment of patients referred for transplants within the service area served by the designated OPO and within the service area served by the OPO with which the hospital seeks to enter into an agreement under the waiver. In making a waiver determination, section 1138(a)(2)(B) of the Act provides that the Secretary may consider factors that include but are not limited to: (1) cost effectiveness; (2) improvements in quality; (3) whether there has been any change in a hospital's designated OPO due to the changes made in definitions for metropolitan statistical areas; and (4) the length and continuity of a hospital's relationship with an OPO other than the hospital's designated OPO. The regulations identifying the relevant considerations are codified in 42 CFR 486.308(e) and (f).

II. Solicitation of Public Comments

Section 1138(a)(2)(D) of the Act states the Secretary shall publish a public notice of any waiver application received from a hospital within 30 days of receiving such application and offer interested parties the opportunity to submit written comments to the Secretary during the 60-day period beginning on the date such notice is published.

As part of the process of determining whether to grant a waiver, we will review the comments received. During

the review process, we may consult with relevant parties, including but not limited to, the Health Resources and Services Administration's Division of Transplantation, the United Network for Organ Sharing, and our regional offices. If necessary, we may request clarifying information from the applying hospital or others. We will then make a final determination on the waiver request and notify the hospital and the designated and requested OPOs.

III. Hospital Waiver Request

As permitted by § 486.308(e), the following hospital has requested a waiver to enter into an agreement with an OPO other than the OPO designated for the service area in which the hospital is located:

Sparks Family Hospital Inc. doing business as Northern Nevada Medical Center, Sparks, Nevada, is requesting a waiver to work with: Nevada Donor Network, Inc. (NVLV), 2055 E Sahara Ave., Las Vegas, NV 89104.

The Hospital's Designated OPO is: Donor Network West (CADN), 12667 Alcosta Blvd. #500, San Ramon, CA 94583.

IV. Collection of Information Requirements

This document does not impose information collection requirements, that is, reporting, recordkeeping, or third-party disclosure requirements. Consequently, there is no need for review by the Office of Management and Budget under the authority of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

V. Response to Comments

We will consider all comments we receive by the date and time specified in the **DATES** section of this document.

The Administrator of the Centers for Medicare & Medicaid Services (CMS), Mehmet Oz, having reviewed and approved this document, authorizes Vanessa Garcia, who is the **Federal Register** Liaison, to electronically sign this document for purposes of publication in the **Federal Register**.

Vanessa Garcia,

Federal Register Liaison, Centers for Medicare & Medicaid Services.

[FR Doc. 2025–22187 Filed 12–5–25; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS–10861 and CMS–10611]

Agency Information Collection Activities: Submission for OMB Review; 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 a second opportunity for public comment on the notice. Interested persons are invited to send comments regarding the burden estimate 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 on the collection(s) of information must be received by the OMB desk officer by January 7, 2026.

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.

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: <http://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing>

FOR FURTHER INFORMATION CONTACT: William Parham at (410) 786-4669.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501-3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. 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 (44 U.S.C. 3506(c)(2)(A)) requires federal agencies to publish a 30-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 that summarizes the following proposed collection(s) of information for public comment.

1. *Type of Information Collection Request:* Revision of a currently approved collection; *Title of Information Collection:* Medicare Health Outcomes Survey Field Test; *Use:* CMS is required to collect and report quality and performance of Medicare health plans under provisions of the Social Security Act. Specifically, Section 1851(d) of the Act (Providing Information to Promote Informed Choice) requires CMS to collect data for MA plan comparison, including data on enrollee satisfaction and health outcomes, and report this information and other plan quality and performance indicators to Medicare beneficiaries prior to the annual enrollment period.⁶ The HOS meets the requirement for collecting and publicly reporting quality and other performance indicators, as HOS survey measures are incorporated into the Medicare Part C Star Ratings that are published each fall for consumers on the Medicare website.

The data collected in this field test will be used by CMS to inform decisions on possible changes to HOS content and survey administration procedures. The items in the questionnaire reflect current health priorities and would provide CMS with data to study new longitudinal PROMs, cross-sectional measures, and enhancements to existing HOS measures for MA plans to use as a focus of their quality improvement efforts. Potential new measures derived from new HOS items will go through the Measures Under Consideration (MUC) process and rulemaking before they are

added to Star Ratings. *Form Number:* CMS-10861 (OMB control number: 0938-1464); *Frequency:* Once; *Affected Public:* Individuals and Households; *Number of Respondents:* 50; *Number of Responses:* 6,800; *Total Annual Hours:* 1,700. (For questions regarding this collection, contact Alyssa Rosen at (410) 786-8559 or Alyssa.rosen@cms.hhs.gov).

2. *Type of Information Collection Request:* Reinstatement without change of a previously approved collection; *Title of Information Collection:* Hospital Notice: Medicare Outpatient Observation Notice (MOON); *Use:* The Medicare Outpatient Observation Notice (MOON), serves as the written notice component of this mandatory notification process. The standardized content of the MOON includes all informational elements required by statute, in language understandable to beneficiaries, and fulfills the regulatory requirements at 42 CFR part 489.20(y).

The MOON is a standardized notice delivered to people entitled to Medicare benefits under Title XVIII of the Act who receive more than 24 hours of observation services, informing them that their hospital stay is outpatient and not inpatient, and the implications of being an outpatient. *Form Number:* CMS-10611 (OMB control number 0938-1308); *Frequency:* Annually; *Affected Public:* Private sector, Business or other for-profits and Not-for-profits institutions; *Number of Respondents:* 5,817; *Number of Responses:* 2,073,991; *Total Annual Hours:* 518,498. (For questions regarding this collection, contact: Stephanie Simons at 206-615-2420 or stephanie.simons@cms.hhs.gov).

William N. Parham, III,

Director, Division of Information Collections and Regulatory Impacts, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2025-22138 Filed 12-5-25; 8:45 am]

BILLING CODE 4120-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS-10609]

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 February 6, 2026.

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**).

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: Medicaid Program Face-to-Face Requirements for Home Health Services and Supporting Regulations; *Use*: Physicians (or for medical equipment, authorized non-physician practitioners (NPPs) including nurse practitioners, clinical nurse specialists, and physician assistants) must document that there was a face-to-face encounter with the Medicaid beneficiary prior to the physician making a certification that home health services are required. The burden associated with this requirement is the time and effort to complete this documentation. The burden also includes writing, typing, or dictating the face-to-face documentation and signing/dating the documentation.

Section 3708 of the Coronavirus Aid, Relief, and Economic Security (CARES) Act permits nurse practitioners (NPs), clinical nurse specialists (CNSs), and physician assistants (PAs) to certify the need for home health services and to order services in the Medicare and Medicaid programs. As such, under CMS–5531–IFC, CMS amended 42 CFR 440.70 to remove the requirement that the NPPs have to communicate the clinical finding of the face-to-face encounter to the ordering physician. With expanding authority to order home

health services, the CARES Act also provided that such practitioners are now capable of independently performing the face-to-face encounter for the patient for whom they are the ordering practitioner, in accordance with state law.

Form Number: CMS–10609 (OMB control number: 0938–1319); *Frequency*: Occasionally; *Affected Public*: Private sector; *Number of Respondents*: 381,785; *Total Annual Responses*: 2,495,355; *Total Annual Hours*: 416,724. (For policy questions regarding this collection contact Alexandra Eitel at 410–786–0790.)

William N. Parham, III,

Director, Division of Information Collections and Regulatory Impacts, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2025–22188 Filed 12–5–25; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifiers: CMS–10398 Nos. 17, 37, and 96]

Medicaid and Children's Health Insurance Program (CHIP) Generic Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: On May 28, 2010, the Office of Management and Budget (OMB) issued Paperwork Reduction Act (PRA) guidance related to the “generic” clearance process. Generally, this is an expedited process by which agencies may obtain OMB's approval of collection of information requests that are “usually voluntary, low-burden, and uncontroversial collections,” do not raise any substantive or policy issues, and do not require policy or methodological review. The process requires the submission of an overarching plan that defines the scope of the individual collections that would fall under its umbrella. On October 23, 2011, OMB approved our initial request to use the generic clearance process under control number 0938–1148 (CMS–10398). It was last approved on April 26, 2021, via the standard PRA process which included the publication of 60- and 30-day **Federal Register** notices. The scope of the April 2021 umbrella accounts for Medicaid and

CHIP State plan amendments, waivers, demonstrations, and reporting. This **Federal Register** notice seeks public comment on one or more of our collection of information requests that we believe are generic and fall within the scope of the umbrella. Interested persons are invited to submit 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 December 22, 2025.

ADDRESSES: When commenting, please reference the applicable form number (CMS–10398 #____) and the OMB control number (0938–1148). 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: CMS–10398 #____/OMB control number: 0938–1148, 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/PRAListing>.

FOR FURTHER INFORMATION CONTACT: William N. Parham at (410) 786–4669.

SUPPLEMENTARY INFORMATION: Following is a summary of the use and burden associated with the subject information collection(s). More detailed information can be found in the collection's supporting statement and associated materials (see **ADDRESSES**).

Generic Information Collections

1. *Title of Information Collection:* CHIP State Plan Eligibility; *Type of Information Collection Request:* Revision of a currently approved collection; *Use:* The revised template (General Eligibility—Incarcerated CHIP Beneficiaries) and an associated implementation guide are intended to conform with Division G, Title I, Section 205 of the Consolidated Appropriations Act of 2024 which expands the prohibition of terminating an individual's CHIP eligibility because they are an inmate of a public institution to targeted low-income pregnant women. Effective January 1, 2026, states must cease terminating CHIP eligibility for targeted low-income pregnant women but may instead suspend their coverage during the enrollee's incarceration. States that elect to suspend coverage may implement either a benefits or eligibility suspension. *Form Number:* CMS–10398 #17 (OMB control number: 0938–1148); *Frequency:* Once and Occasionally; *Affected Public:* State, Local, or Tribal Governments; *Number of Respondents:* 56; *Total Annual Responses:* 56; *Total Annual Hours:* 2,800. (For policy questions regarding this collection contact: Mary Beth Hance at 443–934–2613.)

2. *Title of Information Collection:* Medicaid Managed Care Rate Development Guide; *Type of Information Collection Request:* Revision of a currently approved collection; *Use:* States must submit to CMS for review and approval all rate certifications for managed care plans. The state's actuary is responsible for certifying that the managed care program's capitation rates are actuarially sound for a specific time period and documents the rate development process and the final certified capitation rates in a rate certification. The Medicaid Managed Care Rate Development Guides outline the rate development standards and CMS' expectations for documentation included in rate certifications such as descriptions of base data used, trend factors to base data, projected benefit and non-benefit costs, and any other considerations or adjustments used when setting capitation rates. CMS is required to update the rate guide at least annually. To meet this requirement the 2026–2027 rate guide revises the 2025–2026 rate guide. *Form Number:* CMS–10398 #37 (OMB control number: 0938–1148); *Frequency:* Once and Occasionally; *Affected Public:* State, Local, or Tribal Governments; *Number of Respondents:* 47; *Total Annual*

Responses: 137; *Total Annual Hours:* 754. (For policy questions regarding this collection contact: Rebecca Burch Mack at 303–844–7355.)

3. *Title of Information Collection:* Medicaid and the Children's Health Insurance Program (CHIP) Parity Tools; *Type of Information Collection Request:* New; *Use:* CMS has created a set of tools in the form of Excel workbook templates with accompanying instructions, both to assist states in complying with Mental Health Parity and Addiction Equity Act requirements and to simplify and standardize collecting information for state and CMS review. The tools will be made available for optional state use. CMS encourages states to use the tools and provide feedback to CMS. CMS will require that states use these tools as applicable to the state's program(s), and submit them to CMS, at a future date, which will be communicated through notice and comment rulemaking. *Form Number:* CMS–10398 #96 (OMB control number: 0938–1148); *Frequency:* Once and on occasion; *Affected Public:* Private Sector and State, Local, or Tribal Governments; *Number of Respondents:* 525; *Total Annual Responses:* 83; *Total Annual Hours:* 1,925. (For policy questions regarding this collection contact: Marlana Thieler at 410–786–6274.)

William N. Parham, III,

Director, Division of Information Collections and Regulatory Impacts, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2025–22184 Filed 12–5–25; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[CMS–3474–FN]

Medicare and Medicaid Programs: Approval of Application by DNV Healthcare, Inc. for Initial CMS Approval of Its Ambulatory Surgical Center (ASC) Accreditation Program

AGENCY: Centers for Medicare & Medicaid Services (CMS), HHS.

ACTION: Notice.

SUMMARY: This notice acknowledges the approval of an application from DNV Healthcare, Inc. for initial CMS approval of its Ambulatory Surgical Centers as a national accrediting organization that wishes to participate in the Medicare or Medicaid programs.

DATES: The decision announced in this notice is applicable from December 8, 2025 to December 10, 2029.

FOR FURTHER INFORMATION CONTACT:

Joy Webb (410) 786–1667.

Kristin Shifflett (410) 786–4133.

SUPPLEMENTARY INFORMATION:

I. Background

Ambulatory Surgical Centers (ASCs) are distinct entities that operate exclusively for the purpose of furnishing outpatient surgical services to patients. Under the Medicare program, eligible beneficiaries may receive covered services from an ASC provided certain requirements are met. Section 1832(a)(2)(F)(i) of the Social Security Act (the Act) establishes distinct criteria for a facility seeking designation as an ASC. Regulations concerning provider agreements are at 42 CFR part 489, and those pertaining to activities relating to the survey and certification of facilities are at 42 CFR part 488. The regulations at 42 CFR part 416 specify the conditions that an ASC must meet in order to participate in the Medicare program, the scope of covered services, and the conditions for Medicare payment for ASCs.

Generally, to enter into an agreement, an ASC must first be certified by a State survey agency (SA) as complying with the conditions or requirements set forth in part 416 of our Medicare regulations. Thereafter, the ASC is subject to regular surveys by an SA to determine whether it continues to meet these requirements.

Section 1865(a)(1) of the Act provides that, if a provider entity demonstrates through accreditation by a Centers for Medicare & Medicaid Services (CMS) approved national accrediting organization (AO) that all applicable Medicare conditions are met or exceeded, we may deem that provider entity as having met the requirements. Accreditation by an AO is voluntary and is not required for Medicare participation.

If an AO is recognized by the Secretary of the Department of Health and Human Services as having standards for accreditation that meet or exceed Medicare requirements, any provider entity accredited by the national accrediting body's approved program may be deemed to meet the Medicare conditions. The AO applying for approval of its accreditation program under part 488, subpart A, must provide CMS with reasonable assurance that the AO requires the accredited provider entities to meet requirements that are at least as stringent as the Medicare conditions. Our regulations concerning the approval of AOs are set forth at § 488.5.

This is DNV Healthcare, Inc.'s (DNV's) initial application and does not

have a current term for the ASC program.

II. Application Approval Process

Section 1865(a)(3)(A) of the Act provides a statutory timetable to ensure that our review of applications for CMS approval of an accreditation program is conducted in a timely manner. The Act provides us 210 days after the date of receipt of a complete application, with any documentation necessary to make the determination, to complete our survey activities and application process. Within 60 days after receiving a complete application, we must publish a notice in the **Federal Register** that identifies the national accrediting body making the request, describes the request, and provides no less than a 30-day public comment period. At the end of the 210-day period, we must publish a notice in the **Federal Register** approving or denying the application. Due to the federal lapse in appropriated funding, certain parts of CMS operations were temporarily halted on September 30, 2025. This lapse in funding led to a government shutdown, and operations in particular areas have remained non-operational. Therefore, this notice was impacted and did not publish on or before October 15, 2025 (the 210-day statutory requirement).

III. Provisions of the Proposed Notice

On April 28, 2025, CMS published a proposed notice in the **Federal Register** (90 FR 17599), announcing DNV's request for initial approval of its Medicare ASC accreditation program. In the April 28, 2025, proposed notice, we detailed our evaluation criteria. Under section 1865(a)(2) of the Act and in our regulations at § 488.5, we conducted a review of DNV's initial ASC accreditation application in accordance with the criteria specified by our regulations, which include, but are not limited to the following:

- An administrative review of DNV's: (1) corporate policies; (2) financial and human resources available to accomplish the proposed surveys; (3) procedures for training, monitoring, and evaluation of its ASC surveyors; (4) ability to investigate and respond appropriately to complaints against accredited ASCs; and (5) survey review and decision-making process for accreditation.

- The equivalency of DNV's standards for ASCs as compared with Medicare's Conditions for Coverage (CfCs) for ASCs.

- DNV's survey process to determine the following:

- ++ The composition of the survey team, surveyor qualifications, and the

ability of the organization to provide continuing surveyor training.

- ++ The comparability of DNV's processes to those of State agencies, including survey frequency, and the ability to investigate and respond appropriately to complaints against accredited facilities.

- ++ DNV's processes and procedures for monitoring an ASC found out of compliance with DNV's program requirements. These monitoring procedures are used only when DNV identifies noncompliance. If noncompliance is identified through validation reviews or complaint surveys, the State survey agency monitors corrections as specified at § 488.9(c)(1).

- ++ DNV's capacity to report deficiencies to the surveyed facilities and respond to the facility's plan of correction in a timely manner.

- ++ DNV's capacity to provide CMS with electronic data and reports necessary for the effective validation and assessment of the organization's survey process.

- ++ The adequacy of DNV's staff and other resources, and its financial viability.

- ++ DNV's capacity to adequately fund required surveys.

- ++ DNV's policies with respect to whether surveys are announced or unannounced, to ensure that surveys are unannounced.

- ++ DNV's policies and procedures to avoid conflicts of interest, including the appearance of conflicts of interest, involving individuals who conduct surveys or participate in accreditation decisions.

- ++ DNV's agreement to provide CMS with a copy of the most current accreditation survey together with any other information related to the survey as CMS may require (including corrective action plans).

IV. Analysis of and Responses to Public Comments on the Proposed Notice

In accordance with section 1865(a)(3)(A) of the Act, the April 28, 2025, proposed notice also solicited public comments regarding whether DNV's requirements met or exceeded the Medicare CfCs for ASCs. No comments were received in response to our proposed notice.

V. Provisions of the Final Notice

A. Differences Between DNV's Standards and Requirements for Accreditation and Medicare Conditions and Survey Requirements

We compared DNV's ASC accreditation requirements and survey

process with the Medicare CfCs at 42 CFR part 416, and the survey and certification process requirements of parts 488 and 489. Our review and evaluation of DNV's ASC application, which were conducted as described in section III. of this final notice, yielded the following areas where, as of the date of this notice, DNV has completed revising its standards and certification processes in order to do all of the following:

- Meet the standard's requirements of all of the following regulations:

- ++ Section 416.42(a)(1)(ii) to clarify as defined at § 410.69(b) who must examine the patient for anesthesia risk.

- ++ Section 416.42(c)(1) to revise to include an attestation from the State's Governor to opt-out of the physician supervision requirements.

- ++ Sections 416.43(a)(2) and (c)(2) to revise to include how the ASC will measure, analyze and track adverse patient events.

- ++ Section 416.43(c)(3) to revise that staff are familiar with the ASC's preventive strategies.

- ++ Section 416.44(b)(1) to ensure ASCs meet the provisions applicable to Ambulatory Health Care Occupancies and address the Life Safety Code (LSC) Tentative Interim Amendments (TIAs), TIA 12-2, TIA 12-3, and TIA 12-4 requirements.

- ++ Section 416.44(c) to incorporate the requirement for ASCs to comply with Health Care Facilities Code (HCFC) NFPA 99, and Tentative Interim Amendments (TIAs), TIA 12-2, TIA 12-3, TIA 12-4, TIA 12-5 and TIA 12-6 and remove for Ambulatory Health Care Occupancies for consistency.

- ++ Section 416.44(d) to clarify LSC policies to include the requirement that the ASC medical staff and governing body coordinates, develops, and revises ASC policies and procedures to specify the types of emergency equipment required for use in the ASC's operating room.

- ++ Section 416.44(e) to clarify policies to include the requirement that personnel trained in the use of emergency equipment and in cardiopulmonary resuscitation must be available whenever there is a patient in the ASC.

- ++ Section 416.45(a) to revise policies to allow the ASC's governing body to make privileging decisions and to solicit recommendations from qualified medical personnel.

- ++ Section 416.50(d)(5) to ensure that the ASC investigates all grievances made by the patient, patient representative and patient surrogate.

- ++ Section 416.51(a) to specify that infection control standards adhere to

professionally acceptable standards of practice.

++ Section 416.51(b)(3) to ensure that the ASC's infection control program provides a plan of action for infections and communicable diseases and immediately implements corrective and preventive measures.

++ Section 416.52 to ensure that each patient has the appropriate pre-surgical and post-surgical assessments completed and that all elements of the discharge requirements are done.

We also reviewed DNV's comparable survey processes, which were conducted as described in section III. of this final notice, and yielded the following areas where, as of the date of this notice, DNV has completed revising its survey processes in order to demonstrate that it uses survey processes that are comparable to state survey agency processes by:

++ Ensuring DNV's policies allow for the survey team to include at least one RN or Physician with hospital or ASC survey experience.

++ Updating DNV's policy and procedures to include 488.26(b) for determining manner and degree, when evaluating multiple standards and elevating to a higher deficiency level.

++ Providing clarification to DNV's policy on timeframes for notifying CMS of terminations and withdrawals.

++ A process to ensure that during survey, an Infection Control Worksheet is completed to confirm safe injection practices.

B. Term of Approval

Based on our review described in section III. and section V. of this final notice, we approve DNV as an initial national accreditation organization for ASCs that request participation in the Medicare program. The decision announced in this final notice is effective December 8, 2025 to December 10, 2029. In accordance with § 488.5(e)(2)(i) the term of the approval will not exceed 6 years. Generally, when an AO is seeking an initial approval for a specific program type, CMS may approve for a term no greater than 4 years.

VI. Collection of Information and Regulatory Impact Statement

This document does not impose information collection requirements, that is, reporting, recordkeeping or third-party disclosure requirements. Consequently, there is no need for review by the Office of Management and Budget under the authority of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

The Administrator of the Centers for Medicare & Medicaid Services (CMS), Mehmet Oz, having reviewed and approved this document, authorizes Vanessa Garcia, who is the Federal Register Liaison, to electronically sign this document for purposes of publication in the **Federal Register**.

Vanessa Garcia,

Federal Register Liaison, Center for Medicare & Medicaid Services.

[FR Doc. 2025–22203 Filed 12–5–25; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2025–N–6461]

Technology-Enabled Meaningful Patient Outcomes (TEMPO) for Digital Health Devices Pilot

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration's (FDA's) Center for Devices and Radiological Health (CDRH) is announcing its Technology-Enabled Meaningful Patient Outcomes (TEMPO) for Digital Health Devices Pilot ("TEMPO pilot"), in connection with the Center for Medicare and Medicaid Innovation (CMMI) Advancing Chronic Care with Effective, Scalable Solutions (ACCESS) model, to promote access to certain digital health devices while safeguarding patient safety.

DATES: FDA is seeking statements of interest for participation in the TEMPO pilot beginning January 2, 2026. See below for instructions on how to submit a statement of interest for participation in the TEMPO pilot.

FOR FURTHER INFORMATION CONTACT: Jessica Paulsen, Center for Devices and Radiological Health, Food and Drug Administration, 301–796–6883, FDA-TEMPOPilot@fda.hhs.gov.

SUPPLEMENTARY INFORMATION:

I. TEMPO Pilot

FDA is announcing its TEMPO pilot, in connection with the CMMI ACCESS model (Ref. 1), to promote access to certain digital health devices while safeguarding patient safety. Through the CMMI ACCESS model, the Centers for Medicare and Medicaid Services (CMS) will test a new payment option that emphasizes patient outcomes, enabling clinicians to offer innovative technology-supported care to improve patients' health and prevent and manage

chronic disease (Ref. 1). The CMMI ACCESS model introduces Outcome-Aligned Payments, which are recurring payments for managing a patient's qualifying condition, with payment tied to achieving measurable health outcomes (Ref. 1). CMS has designed the CMMI ACCESS model to include several safeguards to support clinical quality and accountability; under the CMMI ACCESS model, CMS will monitor performance and may terminate organizations who fail to meet quality, safety, or outcome standards, and will publish risk-adjusted outcomes in a public directory (Ref. 1).

In general, if the manufacturer of a digital health device wishes to offer its device for an intended use to improve patient outcomes (e.g., measurable changes in chronic disease outcomes), the device must, among other things, be authorized by FDA for that use. If a manufacturer seeks to offer its device for an intended use to improve patient outcomes such that it may be used to provide care covered by the CMMI ACCESS model, FDA generally expects the device to be FDA-authorized for that use. However, manufacturers of certain digital health devices that are not already authorized by FDA for such use may request to participate in FDA's TEMPO pilot by following the procedures described in this notice and requesting that FDA exercise enforcement discretion and not enforce certain applicable requirements when their device is offered to or by CMMI ACCESS participants¹ for an intended use to improve patient outcomes, to be used in providing care expected to be covered by the CMMI ACCESS model. For example, such manufacturers might request that FDA exercise enforcement discretion and not enforce premarket authorization requirements, investigational device exemption (IDE) requirements, requirements under 21 CFR parts 50 and 56, or other applicable requirements. As is often the case when FDA exercises enforcement discretion and informs a manufacturer that FDA does not intend to enforce certain applicable requirements, FDA will work with participants in the TEMPO pilot to identify the circumstances when enforcement discretion may be appropriate for that manufacturer's device, including, for example, when the labeling includes appropriate cautions, and when FDA requests that certain records be maintained (as may

¹ This may include, for example, when the manufacturer is itself a participating organization under the CMMI ACCESS model, or when the manufacturer offers the device to other entities that are participants under the CMMI ACCESS model for an intended use to improve patient outcomes.

be informed by certain types of documentation described in 21 CFR 812.140 and 812.150).

FDA recognizes that real-world data (RWD) may be collected in the course of clinical practice during the treatment and management of patients, particularly with the use of digital health devices. Under certain circumstances, RWD may be used to generate real-world evidence (RWE) that can help inform or augment FDA's understanding of the benefit-risk profile of devices at various points in their life cycle. These data may also be supportive of FDA's review of devices, along with other information needed in a marketing submission. FDA expects that manufacturers participating in the TEMPO pilot will collect RWD relating to the intended uses of their devices to improve patient outcomes while offering the devices for use in providing care covered by the CMMI ACCESS model, share the data with FDA during their participation in the TEMPO pilot, and, using the data collected during their participation in the TEMPO pilot (along with other information), seek appropriate marketing authorization from FDA.

As the TEMPO pilot is a pilot, FDA plans to limit participation, and currently expects to select up to about ten manufacturers based in the United States² in each of the four clinical use areas identified in this notice (see below). To further help us gain insights, we hope to have broad representation among participants, with manufacturers of all sizes, types, and maturities.

In selecting participants, FDA intends to evaluate whether the digital health device would not present a potential for serious risk to the health, safety, or welfare of patients. Given the nature of the pilot, FDA will select digital health products that meet the definition of a device in section 201(h) of the Federal Food, Drug, and Cosmetic (FD&C) Act (21 U.S.C. 321(h)) (including those that are artificial-intelligence-enabled), and are intended to be used in conjunction with clinician-supervised outpatient treatment to patients with conditions in one of the following four CMMI ACCESS clinical use areas: early cardio-kidney-metabolic (hypertension, dyslipidemia, obesity or overweight with marker of central obesity, or prediabetes), cardio-kidney-metabolic (diabetes, chronic kidney disease, or atherosclerotic cardiovascular disease), musculoskeletal (chronic

musculoskeletal pain), or behavioral health (depression or anxiety). These digital health devices may rely on off-the-shelf platforms such as general-purpose computing platforms or wearable products (that may or may not be regulated wearable devices).

To request to participate in the TEMPO pilot, a manufacturer should contact FDA at [fda.hhs.gov](mailto:FDA-TEMPOPilot@fda.hhs.gov). This communication should be titled "Statement of Interest for Participation in the TEMPO Pilot," and should identify the manufacturer and the manufacturer's device, including any current authorizations or prior FDA interactions (e.g., relevant submission numbers) related to the device; include a proposed indications for use statement identifying the intended use to improve patient outcomes in a clinical use area consistent with participation in the CMMI ACCESS program; and include a request that FDA give the manufacturer a statement that FDA does not intend to enforce certain legal requirements (e.g., a statement that FDA does not intend to enforce premarket authorization requirements, IDE requirements, and requirements under 21 CFR parts 50 and 56). FDA will collect statements of interest for participation in the TEMPO pilot beginning [January 2, 2026]. Upon receipt of the statement of interest, FDA will follow up with certain potential pilot participants who reflect a broad spectrum of manufacturers to request additional information to help enable FDA to make a decision concerning participation. FDA expects to begin to send follow-up requests around [March 2, 2026]. The types of information that would be helpful to submit may vary depending on the specific device, but we believe the following general types of information may be helpful:

1. A device description, including proposed indications for use and proposed claims clearly describing the intended use to improve patient outcomes for which the manufacturer wishes to offer the device in connection with the CMMI ACCESS model;

2. Data to demonstrate the device is adequately safe and can function as designed, and to support a reasonable expectation that the device could provide patient benefit (e.g., a bibliography and copies of publications and a summary of unpublished information relevant to an evaluation of the safety of the device, and to justifying a reasonable expectation that the device could provide patient benefit);

3. Information about the manufacturer's quality management system;

4. A plan that sufficiently mitigates risks to patients and provides for the collection, monitoring, analysis, and reporting of real-world performance data;

5. Proposed performance goals and a statistical analysis plan for patient outcomes;

6. A proposed timeline for data collection and submission to FDA of a premarket notification (510(k)) or other type of marketing submission (as applicable) for the device for the intended use for which the manufacturer offers the device in connection with the CMMI ACCESS model; and

7. A proposed interim reporting plan, including frequency (such as every 6 months), to report (for example) adverse events, new risks, and progress with respect to timelines.

FDA will inform manufacturers who have submitted a statement of interest about FDA's decision. As part of the TEMPO pilot, FDA will offer and encourage pilot participants to engage in "sprint" discussions with the goal of reaching mutual agreement on a specific topic within a set time period (e.g., 45 days) that may relate to the planned marketing submission.³ The number, format, and duration of interactions within a sprint discussion may vary based on project needs. Although data collected during participation in the TEMPO pilot are intended to be supportive of a marketing submission to FDA, additional data may also be needed to support a marketing submission. Participation in the TEMPO pilot is not an indication of whether FDA will issue a positive decision for any future marketing submission.

II. Paperwork Reduction Act of 1995

This notice refers to previously approved collections of information found in FDA regulations. 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 (44 U.S.C. 3501–3521). The collections of information in 21 CFR part 820 (Quality System Regulation) and relating to device master files have been approved under OMB control number 0910–0073; the collections of information in 21 CFR part 812 (Investigational Device Exemptions)

³ For additional information regarding sprint discussions, see Section IV.A of FDA's guidance document entitled "Breakthrough Devices Program; Guidance for Industry and Food and Drug Administration Staff," September 15, 2023, available at <https://www.fda.gov/regulatory-information/search-fda-guidance-documents/breakthrough-devices-program>.

² FDA intends to select manufacturers based in the United States for participation in the TEMPO pilot to facilitate FDA's oversight of participating manufacturers, for example, to facilitate inspections and/or access to records.

have been approved under OMB control number 0910–0078; the collections of information in part 807, subpart E (Premarket Notification Procedures), have been approved under OMB control number 0910–0120; the collections of information under 21 CFR part 801 (Device Labeling) have been approved under OMB control number 0910–0485; and the collections of information in 21 CFR 860, subpart D (De Novo Classification) have been approved under OMB control number 0910–0844.

III. References

The following reference is on display at the Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240–402–7500, 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 addresses in this document, please note that websites are subject to change over time.

1. CMS, “ACCESS (Advancing Chronic Care with Effective, Scalable Solutions) Model,” available at <https://www.cms.gov/priorities/innovation/innovation-models/access> (last accessed on December 1, 2025).

Lowell M. Zeta,

Acting Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–22190 Filed 12–5–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2025–N–5791]

Revocation of Emergency Use of a Drug Product During the COVID–19 Pandemic; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the revocation of the Emergency Use Authorization (EUA) (the Authorization) issued to Genentech, Inc. (Genentech) for Actemra (tocilizumab). FDA revoked this Authorization on August 8, 2025, under the Federal Food, Drug, and Cosmetic Act (FD&C Act). The revocation, including an explanation of the reasons for the revocation, are reprinted in this document.

DATES: The authorization is revoked as of August 8, 2025.

ADDRESSES: Submit written requests for a single copy of the revocation to the Office of Executive Programs, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, 6th Floor, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your request or include a Fax number to which the revocation may be sent. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the revocation.

FOR FURTHER INFORMATION CONTACT: Andrea Gormley, Center for Drug Evaluation and Research, Food and Drug Administration, 10001 New Hampshire Ave., 2nd Floor, Silver Spring, MD 20993–0002, 301–796–2210 (this is not a toll free number).

SUPPLEMENTARY INFORMATION:

I. Background

Section 564 of the FD&C Act (21 U.S.C. 360bbb–3) allows FDA to strengthen the public health protections against biological, chemical, nuclear, and radiological agents. Among other things, section 564 of the FD&C Act allows FDA to authorize the use of an unapproved medical product or an unapproved use of an approved medical product in certain situations.

On June 24, 2021, FDA issued an Authorization to Genentech for Actemra (EUA 099), subject to the terms of the Authorization. Notice of the issuance of the Authorization was published in the **Federal Register** on August 5, 2021 (86

FR 42850), as required by section 564(h)(1) of the FD&C Act.

The authorization of a drug for emergency use under section 564 of the FD&C Act may, pursuant to section 564(g)(2) of the FD&C Act, be revoked when the criteria under section 564(c) of the FD&C Act for issuance of such authorization are no longer met (section 564(g)(2)(B) of the FD&C Act), or other circumstances make such revocation appropriate to protect the public health or safety (section 564(g)(2)(C) of the FD&C Act).

II. The Revocation

On August 8, 2025, the Agency approved a supplemental Biologics License Application (BLA) to BLA 125276, which expanded the approved indication for COVID–19 to the following: ACTEMRA® (tocilizumab) is an interleukin–6 (IL–6) receptor antagonist indicated for the treatment of: Coronavirus Disease 2019 (COVID–19), Hospitalized adult and pediatric patients aged 2 years and older with coronavirus disease 2019 (COVID–19) who are receiving systemic corticosteroids and require supplemental oxygen, non-invasive or invasive mechanical ventilation, or extracorporeal membrane oxygenation (ECMO).

Based on this approval, FDA concluded that BLA 125276 for Actemra is an adequate, approved, and available alternative to Actemra’s emergency use for the treatment of COVID–19 for the purposes of section 564(c)(3) of the Act. Accordingly, FDA revoked EUA 099 for Actemra, pursuant to section 564(g)(2) of the Act. The revocation in its entirety follows and provides explanations of the reasons for revocation, as required by section 564(h)(1) of the FD&C Act.

III. Electronic Access

An electronic version of this document and the full text of the Authorizations are available on the internet at: <https://www.regulations.gov/>.

BILLING CODE 4164–01–P



August 8, 2025

Hoffman-La Roche, Ltd.
C/O Genentech, Inc.
Attention: Dhushy Thambipillai
Regulatory Program Manager
1 DNA Way, Building 45-1
South San Francisco, CA 94080

RE: Emergency Use Authorization 099

Dear Ms. Thambipillai:

This letter is to notify you of the revocation of the Emergency Use Authorization (EUA) authorizing the emergency use of Genentech, Inc.'s ("Genentech") Actemra (tocilizumab), issued initially on June 24, 2021, and amended on October 27, 2022 and December 21, 2022.

The authorization of a drug for emergency use under section 564 of the Federal Food, Drug, and Cosmetic Act (the Act) (21 U.S.C. 360bbb-3) may, pursuant to section 564(g)(2) of the Act, be revised or revoked when the criteria under section 564(b)(1) of the Act no longer exist, the criteria under section 564(c) of the Act for issuance of such authorization are no longer met, or other circumstances make such revision or revocation appropriate to protect the public health or safety.

FDA has determined that the criteria for issuance of the authorization for Actemra under section 564(c) of the Act are no longer met. Under section 564(c)(3) of the Act, an EUA may be issued only if FDA concludes there is no adequate, approved¹, and available alternative to the product for diagnosing, preventing, or treating the disease or condition.

On August 8, 2025, the Agency approved a supplemental Biologics License Application (BLA) to BLA 125276, which expanded the approved indication for COVID-19 to the following:

¹ In the context of section 564, the term "approved" refers to a product that is approved, licensed, or cleared under section 505, 510(k), or 515 of the Act or section 351 of the Public Health Service Act. See section 564(a)(2) of the Act.

Page 2 – Ms. Thambipillai, Genentech, Inc.

ACTEMRA® (tocilizumab) is an interleukin-6 (IL-6) receptor antagonist indicated for the treatment of:

Coronavirus Disease 2019 (COVID-19)

Hospitalized adult and pediatric patients aged 2 years and older with coronavirus disease 2019 (COVID-19) who are receiving systemic corticosteroids and require supplemental oxygen, non-invasive or invasive mechanical ventilation, or extracorporeal membrane oxygenation (ECMO).

Based on this approval, FDA has concluded that BLA 125276 for Actemra is an adequate, approved, and available alternative to Actemra's emergency use for the treatment of COVID-19 for the purposes of section 564(c)(3) of the Act.

Accordingly, FDA revokes EUA 099 for Actemra, pursuant to section 564(g)(2) of the Act. As of the date of this letter, the Actemra that was authorized by FDA for emergency use under EUA 099 is no longer authorized by FDA.

Notice of this revocation will be published in the *Federal Register*, pursuant to section 564(h)(1) of the Act.

Sincerely,



George F. Tidmarsh, M.D., Ph.D.
Director
Center for Drug Evaluation and Research
U.S. Food and Drug Administration

Lowell M. Zeta,

*Acting Deputy Commissioner for Policy,
Legislation, and International Affairs.*

[FR Doc. 2025-22211 Filed 12-5-25; 8:45 am]

BILLING CODE 4164-01-C

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA-2007-D-0369]

Product-Specific Guidance on Estradiol; 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 new draft guidance for industry entitled “Draft Guidance on Estradiol” and a revised draft guidance for industry entitled “Draft Guidance on Estradiol.” The new draft guidance and the revised draft guidance, when finalized, will provide product-specific recommendations on, among other things, the design of bioequivalence (BE) studies to support abbreviated new drug applications (ANDAs) for estradiol vaginal inserts and estradiol vaginal tablets.

DATES: Submit either electronic or written comments on the draft guidance by February 6, 2026 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-2007-D-0369 for “Draft Guidance on Estradiol.” 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 Division of Drug Information, Center for Drug Evaluation and Research, Food and Drug Administration, 10001 New Hampshire Ave., Hillandale Building, 4th Floor, Silver Spring, MD 20993-0002. Send one self-addressed adhesive label to assist that office in processing your requests. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the draft guidance document.

FOR FURTHER INFORMATION CONTACT: Joseph Kotsybar, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 75, Rm. 3623A, Silver Spring, MD 20993-0002, 240-402-1062, PSG-Questions@fda.hhs.gov.

SUPPLEMENTARY INFORMATION:

I. Background

In the **Federal Register** of June 11, 2010 (75 FR 33311), FDA announced the availability of a guidance for industry entitled “Bioequivalence Recommendations for Specific

Products” that explained the process that would be used to make product-specific guidances available to the public on FDA’s website at <https://www.fda.gov/drugs/guidance-compliance-regulatory-information/guidances-drugs>.

As described in that guidance, FDA adopted this process as a means to develop and disseminate product-specific guidances and provide a meaningful opportunity for the public to consider and comment on those guidances. This notice announces the availability of a new draft product-specific guidance on generic estradiol vaginal inserts and a revised draft product-specific guidance on generic estradiol vaginal tablets.

FDA initially approved new drug application (NDA) 208564 IMVEXXY (estradiol) in May 2018. We are now issuing a draft guidance for industry on, among other things, BE recommendations for generic estradiol vaginal inserts that use IMVEXXY as the reference listed drug (RLD) (“Draft Guidance on Estradiol” (vaginal inserts)). FDA initially approved NDA 020908 VAGIFEM (estradiol) in March 1999. We are also now issuing a revised draft guidance for industry on, among other things, BE recommendations for generic estradiol vaginal tablets that use VAGIFEM as the RLD (“Draft Guidance on Estradiol” (vaginal tablets)).

In December 2018 and May 2020, TherapeuticsMD, Inc. submitted citizen petitions requesting, among other things, that FDA not approve any ANDA referencing IMVEXXY (estradiol vaginal inserts) unless certain criteria are met and that FDA issue a product-specific guidance for generic estradiol vaginal inserts that recommends studies consistent with those requested in the petitions and includes certain BE recommendations for generic estradiol vaginal inserts that are consistent with the then-current version of “Draft Guidance on Estradiol” (vaginal tablets) (Docket No. FDA-2018-P-4714 and Docket No. FDA-2020-P-1334, available at <https://www.regulations.gov>). FDA is separately responding to TherapeuticsMD, Inc.’s citizen petitions.

These draft guidances are being issued consistent with FDA’s good guidance practices regulation (21 CFR 10.115). The draft guidances, when finalized, will represent the current thinking of FDA on “Draft Guidance on Estradiol” (vaginal inserts; vaginal tablets). They do not establish any rights for any person and are 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 any 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 these guidances contain no collection of information, they do 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 (44 U.S.C. 3501-3521). The collections of information in 21 CFR part 312 for investigational new drugs have been approved under OMB control number 0910-0014. The collections of information in 21 CFR part 314 for applications for FDA approval to market a new drug and in 21 CFR part 320 for bioavailability and bioequivalence requirements have been approved under OMB control number 0910-0001.

III. Electronic Access

Persons with access to the internet may obtain the draft guidance at <https://www.fda.gov/drugs/guidance-compliance-regulatory-information/guidances-drugs>, <https://www.fda.gov/regulatory-information/search-fda-guidance-documents>, or <https://www.regulations.gov>.

Lowell M. Zeta,

Acting Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025-22249 Filed 12-5-25; 8:45 am]

BILLING CODE 4164-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[CMS-3477-PN]

Medicare and Medicaid Programs; Continued Approval of the American Association for Accreditation of Ambulatory Surgery Facilities’ Rural Health Clinic Accreditation Program

AGENCY: Centers for Medicare & Medicaid Services (CMS), Department of Health and Human Services (HHS).

ACTION: Notice with request for comment.

SUMMARY: This notice acknowledges the receipt of an application from the American Association for Accreditation of Ambulatory Surgery Facilities (DBA “QUAD A”) for continued recognition

as a national accrediting organization (AO) for rural health clinics that wish to participate in the Medicare or Medicaid programs. The statute requires that, within 60 days of receipt of an organization's complete application, the Secretary, through the Centers for Medicare & Medicaid Services (CMS), publishes a notice that identifies the AO making the request, describes the nature of the request, and provides at least a 30-day public comment period.

DATES: To be assured consideration, comments must be received at one of the addresses provided below, by January 7, 2026.

ADDRESSES: In commenting, refer to file code CMS-3477-PN. Comments, including mass comment submissions, must be submitted in one of the following three ways (please choose only one of the ways listed):

1. *Electronically.* You may submit electronic comments on this regulation to <http://www.regulations.gov>. Follow the "Submit a comment" instructions.

2. *By regular mail.* You may mail written comments to the following address ONLY:

Centers for Medicare & Medicaid Services, Department of Health and Human Services, Attention: CMS-3477-PN, P.O. Box 8013, Baltimore, MD 21244-8013.

Please allow sufficient time for mailed comments to be received before the close of the comment period.

3. *By express or overnight mail.* You may send written comments to the following address ONLY:

Centers for Medicare & Medicaid Services, Department of Health and Human Services, Attention: CMS-3477-PN, Mail Stop C4-26-05, 7500 Security Boulevard, Baltimore, MD 21244-1850.

For information on viewing public comments, see the beginning of the **SUPPLEMENTARY INFORMATION** section.

FOR FURTHER INFORMATION CONTACT: Caecilia Andrews (410) 786-2190.

SUPPLEMENTARY INFORMATION:

Inspection of Public Comments: All comments received before the close of the comment period are available for viewing by the public, including any personally identifiable or confidential business information that is included in a comment. We post all comments received before the close of the comment period on the following website as soon as possible after they have been received: <http://www.regulations.gov>. Follow the search instructions on that website to view public comments. CMS will not post on *Regulations.gov* public comments that make threats to individuals or institutions or suggest that the

commenter will take actions to harm an individual. CMS continues to encourage individuals not to submit duplicative comments. We will post acceptable comments from multiple unique commenters even if the content is identical or nearly identical to other comments.

I. Background

Under the Medicare program, eligible beneficiaries may receive covered services in a rural health clinic (RHC) provided certain requirements are met. Sections 1861(aa) and 1905(l)(1) of the Social Security Act (the Act), establish distinct criteria for facilities seeking designation as an RHC. Regulations concerning provider agreements are at 42 CFR part 489 and those pertaining to activities relating to the general provisions for survey and certification of facilities are at 42 CFR part 488, subpart A. The regulations at 42 CFR part 491, subpart A specify the conditions that an RHC must meet to participate in the Medicare program, and 42 CFR 405, subpart X sets forth the scope of covered services and the conditions for Medicare payment for RHCs.

Generally, to enter into an agreement with Medicare, an RHC must first be certified by a State survey agency as complying with the conditions or requirements set forth in 42 CFR part 491. Thereafter, the RHC is subject to regular surveys by a State survey agency to determine whether it continues to meet these requirements.

However, there is an alternative to surveys by State agencies. Section 1865(a)(1)(A) of the Act provides that, if a provider entity demonstrates through accreditation by an approved national AO that all applicable Medicare conditions are met or exceeded, we must deem that provider entity as having met the requirements. Accreditation by an AO is voluntary and is not required for Medicare participation.

Our regulations concerning the approval of accrediting organizations are set forth at 42 CFR 488.5 (Application and re-application procedures for national accrediting organizations).

The QUAD A is requesting continued CMS-approval for its RHC program. QUAD A's current term of approval expires March 23, 2026.

II. Approval of Deeming Organization

Section 1865(a)(2) of the Act and our regulations at § 488.5 require that our review and approval of a national accrediting organization's application consider, among other factors, the

applying accrediting organization's requirements for accreditation; survey procedures; resources for conducting required surveys; capacity to furnish information for use in enforcement activities; monitoring procedures for provider entities found not in compliance with the conditions or requirements; and ability to provide us with the necessary data for validation.

Section 1865(a)(3)(A) of the Act further requires that we publish, within 60 days of receipt of an organization's complete application, a notice identifying the national accrediting body making the request, describing the nature of the request, and providing at least a 30-day public comment period. Due to the Federal lapse in appropriated funding, certain parts of CMS operations were temporarily halted on September 30, 2025. Therefore, this notice was impacted and did not publish on or before October 24, 2025 (60 days of the receipt of the complete application). We have 210 days from the receipt of a complete application to publish notice of approval or denial of the application.

The purpose of this proposed notice is to inform the public of QUAD A's request for continued CMS-approval for its RHC accreditation program. This notice also solicits public comments on whether QUAD A's requirements meet or exceed the Medicare conditions for certification (CfCs) for RHCs.

III. Evaluation of Deeming Authority Request

QUAD A submitted all the necessary materials to enable us to make a determination concerning its request for continued approval of its RHC accreditation program. This application was determined to be complete on August 25, 2025. Under section 1865(a)(2) of the Act and our regulations at § 488.5, our review and evaluation of QUAD A may include:

- The equivalency of QUAD A's standards for RHCs as compared with CMS' RHC CfCs.
- QUAD A's survey process to determine the following:
 - ++ QUAD A's capacity to adequately fund the required surveys.
 - ++ The comparability of QUAD A's processes to those of State agencies, including survey frequency, and the ability to investigate and respond appropriately to complaints against accredited RHCs.

++ QUAD A's processes and procedures for monitoring RHCs found out of compliance with QUAD A's program requirements. These monitoring procedures are used only when QUAD A identifies noncompliance. If noncompliance is

identified through validation reviews or complaint surveys, the State survey agency monitors corrections as specified at 42 CFR 488.9(c).

++ QUAD A's capacity to report deficiencies to the surveyed RHCs and respond to the RHC's plan of correction in a timely manner.

++ QUAD A's capacity to provide us with electronic data and reports necessary for effective validation and assessment of the organization's survey process.

++ The adequacy of QUAD A's staff and other resources, and its financial viability.

++ QUAD A's policies with respect to whether surveys are announced or unannounced, to ensure that surveys are unannounced.

++ QUAD A's policies and procedures to avoid conflicts of interest, including the appearance of conflicts of interest, involving individuals who conduct surveys or participate in accreditation decisions.

++ QUAD A's agreement to provide us with a copy of the most current accreditation survey together with any other information related to the survey as we may require (including corrective action plans).

IV. Collection of Information Requirements

This document does not impose information collection requirements, that is, reporting, recordkeeping, or third-party disclosure requirements. Consequently, there is no need for review by the Office of Management and Budget under the authority of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

V. Response to Comments

Because of the large number of public comments we normally receive on **Federal Register** documents, we are not able to acknowledge or respond to them individually. We will consider all comments we receive by the date and time specified in the **DATES** section of this preamble, and, when we proceed with a subsequent document, we will respond to the comments in the preamble to that document.

The Administrator of CMS, Mehmet Oz, having reviewed and approved this document, authorizes Trenesha Fultz-Mimms, who is the Federal Register Liaison, to electronically sign this document for purposes of publication in the **Federal Register**.

Trenesha Fultz-Mimms,

Federal Register Liaison, Center for Medicare & Medicaid Services.

[FR Doc. 2025-22219 Filed 12-5-25; 8:45 am]

BILLING CODE 4120-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

[Document Identifier: OS-0937-0198-30D]

Agency Information Collection Request. 30-Day Public Comment Request

AGENCY: Office of the Secretary, HHS.

ACTION: Notice.

SUMMARY: In compliance with the requirement of the Paperwork Reduction Act of 1995, the Office of the Secretary (OS), Department of Health and Human Services, submitted an Information Collection Request (ICR) to the Office of Management and Budget (OMB) for review and approval. OMB will accept further comments from the public during the review and approval period.

DATES: Comments on the ICR must be received on or before January 7, 2026.

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:

Sheila Garrity, Director, Office of Research Integrity, ORI_Public_Comments@hhs.gov. When submitting comments or requesting information, please include the document identifier 0937-0198-30D and project title for reference.

SUPPLEMENTARY INFORMATION: Interested persons are invited to send comments regarding this burden estimate or any other aspect of this collection of information, including any of the following subjects: (1) The necessity and utility of the proposed information collection for the proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

Title of the Collection: Public Health Service Policies on Research Misconduct (42 CFR part 93).

Type of Collection: Revision.

OMB No. 0937-0198.

Abstract: The Office of Research Integrity (ORI) is seeking a revision of its collection instruments to reflect updates in the Public Health Service Policies on Research Misconduct (42

CFR part 93) published on September 17, 2024. The purpose of the Institutional Assurance and Annual Report on Possible Research Misconduct form PHS-6349 is to provide data on the amount of research misconduct activity (e.g., allegations of research misconduct and assessments, inquiries, and/or investigations of such allegations) occurring at institutions conducting PHS-supported research. These data enable the ORI to monitor institutional compliance with the PHS regulation. Form PHS-6349 has undergone minor revisions, but its function is unchanged. The purpose of the Assurance of Compliance by Sub-Award Recipients form PHS-6315 establishes an assurance of compliance for a sub-awardee institution. Form PHS-6315 is being discontinued. In its place, ORI developed a new form, the Research Integrity Assurance Establishment form PHS-7091. This form allows all institutions subject to 42 CFR part 93 to establish an assurance with ORI, regardless of sub-awardee status. Additionally, ORI developed a second new form, the Institutional Record Transmittal form PHS-7092, which accounts for the varied types of information collection that can occur during the course of institutional research misconduct proceedings. ORI continues to utilize the Small Institution Statement to assist small institutions as part of the assurance process, which has been updated to reflect new regulatory language. This statement is an addendum that can be included with form PHS-6349 and PHS-7091, where applicable.

Need and Proposed Use: The information is needed to fulfill section 493 of the Public Health Service Act (42 U.S.C. 289b), which requires assurances from institutions that apply for financial assistance under the Public Health Service Act for any project or program that involves the conduct of biomedical or behavioral research. In addition, the information is also required to fulfill the assurance and annual reporting requirements of 42 CFR part 93. ORI uses the information to monitor institutional compliance with the regulation. Lastly, the information may be used to respond to congressional requests for information to prevent misuse of Federal funds and to protect the public interest.

In accordance with 5 CFR Part § 1320.8(d), 60-day notice was published on September 30, 2025, in the **Federal Register** Volume 90, Number 187, Pages 46901-46902 to solicit public comment on the revision of form PHS-6349, the new collection instruments (the Institutional Record Transmittal

form PHS-7092 and the Research Integrity Assurance Establishment form PHS-7091), and the discontinuance of PHS-6315 reflecting changes in the 2024 Final Rule, 42 CFR part 93. There was one public comment. This comment did not change ORI's burden estimates and without passion or prejudice, ORI is

proceeding with this 30-day comment period regarding three-year OMB approval for its revised and new collection instruments. Regarding the frequency of response for the collection instrument, form PHS-6349 must be submitted by institutions conducting PHS-supported research on an annual

basis; form PHS-7091 must be submitted by institutions to ORI once when seeking an ORI assurance for the first time; PHS-7091 must be submitted to ORI by an institution on a case-by-case basis at the conclusion of institutional research misconduct proceedings.

ESTIMATED ANNUALIZED BURDEN HOUR TABLE

Forms (if necessary)	Respondents (if necessary)	Number of respondents	Number of responses per respondents	Average burden per response (minutes)	Total burden hours
Research Integrity Assurance and Annual Report on Possible Research Misconduct (PHS-6349).	Awardee Institutions	6,619	1	10/60	1,103
Research Integrity Assurance Establishment form (PHS-7091).	New Awardee Institutions ..	428	1	10/60	71
Institutional Record Transmittal form (PHS-7092)	Institutions	230	1	10/60	38
Total		7277			1,212

Catherine Howard,

Paperwork Reduction Act Reports Clearance Officer, Office of the Secretary.

[FR Doc. 2025-22153 Filed 12-5-25; 8:45 am]

BILLING CODE 4150-28-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES**Performance Review Board Members**

AGENCY: Department of Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: The Department of Health and Human Services (HHS) is publishing the names of the Performance Review Board Members (PRB) who are reviewing performance of Senior Executive Service members, Title 42 executives, Senior Level, and Scientific Professional employees for Fiscal Year 2025.

FOR FURTHER INFORMATION CONTACT: Dedrick Rivers, Program Manager, Executive Performance Management, Department of Health and Human Services, 330 C Street SW, Washington, DC 20201, (202) 389-2501.

SUPPLEMENTARY INFORMATION: Title 5, U.S.C. 4314(c)(4) of the Civil Service Reform Act of 1978 (Pub. L. 95-454) requires agencies to publish PRB member appointments in the **Federal Register**. HHS is appointing the following individuals to a roster for potential service on the Department's Performance Review Boards (PRBs) for calendar years 2025 and 2026.

The PRBs will review individual performance appraisals and organizational assessments for Senior Executive Service, Senior Level/Senior Technical, and Title 42 executive

equivalent employees. Based on these reviews, the boards will recommend performance ratings and rating-based compensation to the HHS Secretary.

Last name	First name
ACOSTA	OLGA M.
ADAMS	STEVEN A.
AIYELAWO	PIUS A.
ALLEN	KIMBERLY M.
ALLEN	MICHAEL T.
ALMARAZ	SANTIAGO.
AMES	KAREN W.
AMLOTTE	JOSEPH H.
ANAEDOZIE	ONYEKACHUKWU C.
ANTHONY	ELISE S.
ARAMANDA	ALEXANDER F.
ARCHER	WILLIAM R.
ARCHEVAL	ANTHONY F.
ARMSTRONG	REBEKAH W.
ATENCIO	JILL L.
BABSKI	DIANNE P.
BALLANCE	CHRISTINA V.
BAUGH	CYNTHIA R.
BECKERMAN	PETER C.
BEGAY	DUWAYNE R.
BELL	WILLIAM D.
BENFORD	JOFFREY Q.
BENNETT	JASON E.
BENSON	KARI L.
BERGEVIN	DOUGLAS D.
BHARGAVA	DEEPAK.
BODDEN	CHERYL L.
BOOTH	JON G.
BOTTERILL	JULIE M.
BOULANGER	JENNIFER L.
BOVELL	STEPHANIE M.
BOWERS	TONYA E.
BOYLAN	MICHELLE M.
BRADWAY	COURTNEY B.
BRADY	MICHAEL P.
BRANDT	ERIN E.
BRANDT	KIMBERLY L.
BRATCHER-BOWMAN ..	NIKKI R.
BRAUER	RANDY S.
BRAXTON	MAKOTO P.
BRILLMAN	DANIEL M.
BROOKS	JOHN H.
BROWN	MARK N.
BRUCE	DUANE N.
BRUCE	MELISSA J.
BUCKHAM	MATTHEW A.
BUCKLEY	VICKI E.
BULLS	MICHELLE P.

Last name	First name
BURNS	WILLIAM S.
BURNSZYNSKI	JENNIFER C.
BUSH	LAINA M.
BUSH	MARGARET M.
BUZZELLI	MATTHEW J.
CABEZAS	MIRIAM G.
CANTWELL	KATHLEEN M.
CAPOZZOLA	CHRISTA A.
CARLTON	STEPHANIE J.
CARRION	SONYA M.
CARTER	CATHY T.
CASTAGNA	EVANGELYN L.
CHADWICK-GALLO	CARMELITA S.
CHAMP-GELBMANN	JANE M.
CHAPMAN	LYNDA W.
CHASAN SLOAN	DEBORAH M.
CHEE	DARLENE.
CHERTMAN	WILLY J.
CHESLEY	FRANCIS D.
CHILLAKURU	ANIL K.
CHON	KATHERINE Y.
CHONG	ZABEEN G.
CLASSAY	MICHELLE.
CLIFFORD	CHAD T.
COCHRAN	NORRIS W.
CODERRE	THOMAS R.
COLEMAN	KATHRYN A.
COLLINS	ROBIN R.
COMFORT	KAREN T.
CONROY	GLENDA J.
COOPER	FREDERICK L.
COOPER	RENEE L.
COPPENBARGER	CHRISTOPHER K.
COSTELLO	ANNE M.
COTTON	BEVERLY M.
COX	JORDAN P.
CRANSTON	SEANA C.
CRAYER	JAMES M.
CRAWFORD	GREGORY O.
CROCHUNIS	LEE A.
CRONIN	KELLY.
CUMMISKEY	KEVIN F.
CURTIS	JILLIAN E.
CUTHBERT	NATHANIEL W.
CZAJKOWSKI	JOHN B.
D SOUZA	IVOR L.
DANIELSON	TODD D.
DAVIS	KEVIN E.
DAVIS	NATHANIEL M.
DAY	JAMES.
DE LEON	DIANA F.
DECKER	PAIGE N.
DELONE	SARAH E.
DEMIRSOY	IPEK K.

Last name	First name	Last name	First name	Last name	First name
DEMPSEY	ANTIGONE H.	JOHN	HANOCK P.	OELSCHLAEGER	ALLISON M.
DESAI	RUJUL H.	JOHN	KURT E.	OLSON	CAROLYN F.
DEVOSS	ELIZABETH.	JOHNSON	ALFRED C.	OLSON	KAREN E.
DEVOY	BRIDGET K.	JOHNSON	DAVID M.	O'NEILL	MARK P.
DICKEY	AVIS D.	JOHNSON	JENNIFER D.	OSTERHUES	ERIC J.
DILLARD	LISA A.	JOHNSON	JOHN A.	OXNER	JULIE A.
DISRAELLY	DEENA S.	JOHNSON	LENORA E.	PANCHOLI	MAMATHA S.
DOOLEY	SEAN M.	JOHNSTON	DARCIE L.	PAPULA	DENNIS M.
DORAN	SAMUEL E.	JOYNER	ARLENE R.	PARISH	ELIZABETH E.
DOWNS	TANETTE N.	KAVANAGH	LAURA D.	PARKER HALVERSON ..	PAMELA.
DRIGGS	SCOTT S.	KAWAZOE	ROBIN I.	PASCOL	WILLIAM H.
DRIVING HAWK	JAMES R.	KEANE	THOMAS E.	PATTERSON	SARA S.
DUPEE	JENNIFER M.	KECKLER	JUSTIN J.	PERRY	TERRANCE W.
DUPRE	BRIAN A.	KENNEDY	ELLIOT J.	PESTORIUS	FREDERICK P.
DURAN	VANESSA S.	KEVENEY	SEAN R.	PETILLO	JOHN J.
DURST	KELLEY A.	KIMBLE	ADRIENNE R.	PHILLIPS	RICHARD A.
DUVALL	KEVIN M.	KLEIN	ROGER D.	PIERCE	JULIA A.
ECOFFEY	STACEY.	KLEINSCHMIDT	ARTHUR G.	PIKA	JOSEPH T.
EDMONDS	AMANDA B.	KLOMP	GERARD R.	PLAUGHER	MARK J.
ELDER	MARK D.	KNAPP	CAPRICE A.	POOLE	CHRISTOPHER A.
ELLINGTON	RENATA D.	KNOX	JOHN K.	POPE	KRISTIN M.
ENGELHARDT	TIMOTHY J.	KOUFOPOULOS	PETER N.	POSNACK	STEVEN.
ENGELS	THOMAS J.	KOZMA	BETHANY A.	PRIETO	MOLLY O.
ESPIRITU	RACHELE C.	KRAM	ANTHONY S.	PRIGODICH	CHERYL E.
FABBRICATORE JR	JOHN E.	KREPICH	CHRISTOPHER M.	PROTZEL BERMAN	PAMELA I.
FAENSON	INNA.	KROOP	SETH R.	PURDUE	MICHELE L.
FAHEY	BRIAN M.	KROPA	HALLEY E.	RABIN	BRIAN.
FAIRCLOTH	JORDAN.	LANKFORD	DAVID W.	RACINE WELLS	LISA A.
FALLAHKHAIR	MICHAEL B.	LAROCHE	DARRELL W.	RANCOURT	ANNE R.
FIGLIOLA	ANTHONY M.	LATTA	EDWARD T.	RATHGEB	COLLEEN C.
FINK	DOROTHY A.	LAZARE	MARY M.	REAGAN	MELANIE A.
FISHMAN	ELIOT Z.	LAZIO	JENNIFER L.	REDFORD	DANA Y.
FITZGERALD	DENIS J.	LEGIER	JAMIE W.	RICE	GAREY R.
FOGLER	SARAH.	LEIPHART	KRISTINE L.	RITTER	CHRISTINA S.
FOSTER	ROBERT F.	LEONARD	CONNIE L.	RIVERA	RODNEY W.
FOWLER	LIESL I.	LIMAGE	JULIA E.	ROBINSON	SHEILA R.
FROHBOESE	ROBINSUE.	LIN	SUE C.	ROBINSON	WILMA M.
FRYE	DANIEL R.	LIU	BETH C.	ROLFES	ELLEN M.
FRYE	EUGENE F.	LONNERDAL	NILS D.	ROSAS	LUCILA G.
FULTON	CLAYTON W.	LOWERY	AMBER E.	ROWAN	ALEXANDER K.
GAIKOWSKI	DIXIE D.	MABRY	SHIRLEY M.	RUDOLPH	NOEMI V.
GALLOWAY	SUMMER E.	MACIAS	DANIEL.	RUIZ	MARIA M.
GARCIA	TAMYRA C.	MACRAE	JAMES.	SAMPLES	WILLIAM R.
GARDNER	JOHNATHAN J.	MAJEWSKI	LISA C.	SANFORD	BARBARA.
GARRITY	SHEILA R.	MALONE	KEVIN P.	SCHARF BELL	HELGA M.
GAWALT	ANN G.	MANTOAN	PATRICIA M.	SCOTT	ALICIA R.
GEIGER	REBEKAH E.	MARTIN	CHRISTOPHER E.	SCOTT	JOHN A.
GHARPUREY	MADHULIKA M.	MARTINO	NICOLE H.	SCOTT	MARIE C.
GILES	JOHN F.	MATHIS	J INGRID.	SHANBHAG	KRISHNAKANT N.
GOLDHABER	BEN L.	MAZANEC	BRIAN M.	SHAPIRO	JENNIFER R.
GOODGER	BRIAN K.	MCCOY	QUENTIN T.	SHAPIRO	NEIL K.
GOULDING	MICHAEL I.	MCGILL	BRIAN T.	SHATTO	JOHN D.
GRADISON	ANDREW K.	MCGOWAN	COLLEEN A.	SHIRDON	PATRICK A.
GRAHAM	GRACE R.	MCQUEEN	SHERRI G.	SHUY	CAITRIN M.
GRECO KONE	REBECCA C.	MEDNICK	DAVID.	SIGOUNAS	GEORGE.
GREENE	JONATHAN N.	MENDOZA	MARTIN.	SINGLETON	SHANNON M.
GRIMSLEY	HEATHER S.	METER	ERIN M.	SKILES	DENNIS A.
HAILSTONE	MITCHELL E.	METTLER	ERIK P.	SMAGH	KALWANT S.
HALL	RANDALL J.	MILLER	BEVERLY A.	SMITH	BENNY L.
HAMMARLUND	JOHN T.	MILLER	COURTNEY L.	SMITH	JENNIFER B.
HARIDOPOLOS	STEPHANIE E.	MILLS	GEORGE G.	SMITH	LAURIE J.
HARRIS	SHELLY R.	MIMNAUGH	EMILY C.	SMITH	MARISA.
HAUCK	HEATHER L.	MINOR	CLARK D.	SMITH	MICHAEL W.
HAYES WALLER	BERNITA K.	MIRANDA	TERESA V.	SMITH	PHILLIP B.
HEFFLER	STEPHEN K.	MITAL	MICHELE.	SORIANO	JOHN D.
HENDERSON	GRAEME S.	MONROE	MICHELLE A.	SPEAR	STEFANIE N.
HENDRIKSSON	MARLA.	MORRIS	THOMAS F.	SPI TALNIC	PAUL I.
HILL	KRISTI W.	MOSHTAHEDIAN	ERICA D.	STANNARD	PAULA M.
HOFFMANN	GEORGE C.	MUELLER	ERIN O.	STEVENS	MARK D.
HOGLE	MARK P.	MULCAHY	GERARD J.	SUPPLEE	LAUREN H.
HOLZERLAND	WILLIAM H.	MURPHY	BRADEN J.	SUTTON	ABRAHAM J.
HONEY	KRISTEN T.	MYERS	ELISABETH C.	SUTTON	ERIN E.
HOOVER	CAMILLE M.	NAIR	SUMA.	SUVA	JERRY F.
HORN	DAVID C.	NELSON	MAY D.	SWYGERT	TIFFANY T.
HOWE	RORY C.	NELSON	PETER J.	TABE-BEDWARD	HENRIETTA A.
HOWE	RYAN P.	NEWBOLD	PATRICK.	TAGALICOD	ROBERT S.
HURD	RAYMOND B.	NICHOLLS	RICHARD J.	TAKASH	ANDREA M.
HUTCHINSON	KIM.	NOELTE	KATE C.	TAMMERO	MICHAEL A.
HUTTINGER	ALEXANDRA L.	NOOKALA	MADHAVI L.	TARTAKOVSKY	MICHAEL.
IBARRA PRATT	ELENITA Y.	NOONAN	TIMOTHY R.	TAYLOR	CAROLYN C.
IMMAN	REESE C.	NOVY	STEVEN D.	THOMAS	FRED.
IWUGO	JENEEN M.	O CONNOR	JUDIT.	THOMAS	TISON V.
JACKSON	SHANNON C.	O'CONNELL	CHRISTOPHER M.	THORNBRUGH	MITCHELL L.

Last name	First name
TIGNOR	BETH B.
TOMOYASU	NAOMI J.
TOTA	KENNETH T.
TOVEN	JEFFREY P.
TRAUTMAN	TRACEY J.
TRAVERSE	SCOTT B.
TRESS	DEBORAH W.
TRIBBLE SPENCER	KELLY R.
TRITZ	KAREN L.
TURNER	AMY J.
TWOHIE	ANNE-MARIE D.
VAN ABSHER	ELIZABETH S.
VASUDEVAN	SUNIL.
VAYDA	TARA L.
VERBETEN	JOHN E.
VERNO	MARTHA D.
VICENTE	WENDY S.
VITOLO	SARA M.
WAGNER	JOHN E.
WAKEFIELD	MARLENE E.
WALLACE	JULIA J.
WALLACE	MARY H.
WARD LUND	DEBRA L.
WEAHKEE	ROSE L.
WEAVER	BRENT.
WEAVER	GRETCHEN H.
WEIR	SHANA D.
WELLS	NATHAN T.
WENDEL	JENNIFER C.
WHEELAND	DANIEL G.
WILKINS	SHANITA L.
WILLIAMS	JEFFERY.
WILLIAMS	KEVIN D.
WILLIAMS	OLIVIA L.
WILLIAMS	RASHEED D.
WILLIS	NICOLE M.
WILSON	THOMAS.
WITKOFKY	NINA B.
WORSTELL	MEGAN L.
WRIGHT	DAVID R.
WU	JEFFREY C.
XAVIER	SOOSAI M.
YARBOROUGH	LA MONTE R.
YOUNG	LARRY D.
ZETA	LOWELL M.
ZORN	MATTHEW C.

Charles H. McEnerney III,

*Executive Director, Executive Resources
(Acting).*

[FR Doc. 2025–22182 Filed 12–5–25; 8:45 am]

BILLING CODE 4151–17–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; PAR Panel: Limited Competition Grants for the Clinical and Translational Science Awards (CTSA) Program.

Date: January 12, 2026.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Priya Srinivasan, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, priya.srinivasan@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: December 3, 2025.

Sterlyn H. Gibson,

Program Specialist, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–22166 Filed 12–5–25; 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; Small Business: Health Services and Systems.

Date: January 7, 2026.

Time: 9:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Michael J. McQuestion, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3114,

Bethesda, MD 20892, 301–480–1276, mike.mcquestion@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: December 3, 2025.

Sterlyn H. Gibson,

Program Specialist, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–22194 Filed 12–5–25; 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: Cardiovascular and Respiratory Sciences Integrated Review Group; Integrative Myocardial Physiology/Pathophysiology A Study Section.

Date: January 27, 2026.

Time: 9:00 a.m. to 7:30 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Abdelouahab Aitouche, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4222, Bethesda, MD 20892, 301–435–2365, aitouchea@csr.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: December 3, 2025.

Sterlyn H. Gibson,

Program Specialist, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–22167 Filed 12–5–25; 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; Topics in Health Services Research: Maternal, Reproductive, and Child Health, and Substance Use.

Date: January 28, 2026.

Time: 9:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: June Lee Gin, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 480-2589, june.gin@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: December 3, 2025.

Sterlyn H. Gibson,

Program Specialist, Office of Federal Advisory Committee Policy.

[FR Doc. 2025-22165 Filed 12-5-25; 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; Topics in Clinical Data Management, Analysis, Informatics and Digital Health A.

Date: January 16, 2026.

Time: 9:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Rhoda Keese Moise, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, 304-594-0702, rhoda.moise@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: December 3, 2025.

Sterlyn H. Gibson,

Program Specialist, Office of Federal Advisory Committee Policy.

[FR Doc. 2025-22168 Filed 12-5-25; 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; Health Services and Systems: Career Development Award Grant Review: Aging and Mental Health.

Date: January 27, 2026.

Time: 9:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Shareen Iqbal, MPH, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Research, 301 North Stonestreet Avenue, MSC 6021, National Institute on Drug Abuse, NIH, Bethesda, MD 20892, (301) 496-6937, shareen.iqbal@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: December 3, 2025.

Sterlyn H. Gibson,

Program Specialist, Office of Federal Advisory Committee Policy.

[FR Doc. 2025-22164 Filed 12-5-25; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HOMELAND SECURITY**U.S. Customs and Border Protection****Accreditation and Approval of AmSpec LLC (Peñuelas, PR), as a Commercial Gauger and Laboratory**

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of AmSpec LLC (Peñuelas, PR), as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that AmSpec LLC (Peñuelas, PR), has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of September 10, 2024.

DATES: AmSpec LLC (Peñuelas, PR), was approved and accredited as a commercial gauger and laboratory as of September 10, 2024. The next triennial inspection date will be scheduled for September 2027.

FOR FURTHER INFORMATION CONTACT: Dr. Justin Shey, Laboratories and Scientific Services, U.S. Customs and Border Protection, 1331 Pennsylvania Avenue NW, Suite 1501A North, Washington, DC 20004, tel. 202-344-1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that AmSpec LLC, Road 127 Km 15.6, Peñuelas, PR 00624, has been approved to gauge petroleum

and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13.

AmSpec LLC (Peñuelas, PR), is approved for the following gauging procedures for petroleum and certain

petroleum products from the American Petroleum Institute (API):

API chapters	Title
3	Tank Gauging.
7	Temperature Determination.
8	Sampling.
11	Physical Properties Data.
12	Calculation of Petroleum Quantities.
17	Marine Measurement.

AmSpec LLC (Peñuelas, PR), is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	ASTM	Title
27-01	D287	Standard Test Method for API Gravity of Crude Petroleum and Petroleum Products (Hydrometer Method).
27-02	D1298	Standard Test Method for Density, Relative Density, or API Gravity of Crude Petroleum and Liquid Petroleum Products by Hydrometer Method.
27-03	D4006	Standard Test Method for Water in Crude Oil by Distillation.
27-04	D95	Standard Test Method for Water in Petroleum Products and Bituminous Materials by Distillation.
27-06	D473	Standard Test Method for Sediment in Crude Oils and Fuel Oils by the Extraction Method.
27-08	D86	Standard Test Method for Distillation of Petroleum Products at Atmospheric Pressure.
27-11	D445	Standard Test Method for Kinematic Viscosity of Transparent and Opaque Liquids (and Calculation of Dynamic Viscosity).
27-13	D4294	Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy-Dispersive X-ray Fluorescence Spectrometry.
27-14	D2622	Standard Test Method for Sulfur in Petroleum Products by Wavelength Dispersive X-Ray Fluorescence Spectrometry.
27-48	D4052	Standard Test Method for Density, Relative Density, and API Gravity of Liquids by Digital Density Meter.
27-50	D93	Standard Test Methods for Flash Point by Pensky-Martens Closed Cup Tester.
27-54	D1796	Standard Test Method for Water and Sediment in Fuel Oils by the Centrifuge Method (Laboratory Procedure).
27-58	D5191	Standard Test Method for Vapor Pressure of Petroleum Products and Liquid Fuels (Mini Method).
N/A	D97	Standard Test Method for Pour Point of Petroleum Products.
N/A	D482	Standard Test Method for Ash from Petroleum Products.
N/A	D524	Standard Test Method for Ramsbottom Carbon Residue of Petroleum Products.
N/A	D664	Standard Test Method for Acid Number of Petroleum Products by Potentiometric Titration.

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344-1060. The inquiry may also be sent to CBPGaugersLabs@cbp.dhs.gov. Please reference the website listed below for a complete listing of CBP approved gaugers and accredited laboratories. <http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories>.

Patricia A. Coleman,
Deputy Assistant Commissioner, Laboratories and Scientific Services.

[FR Doc. 2025-22204 Filed 12-5-25; 8:45 am]

BILLING CODE P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA-2025-0002]

Changes in Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, Department of Homeland Security.

ACTION: Notice.

SUMMARY: New or modified Base (1-percent annual chance) Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, and/or regulatory floodways (hereinafter referred to as flood hazard determinations) as shown on the indicated Letter of Map Revision (LOMR) for each of the communities listed in the table below are finalized. Each LOMR revises the Flood Insurance Rate Maps (FIRMs), and in some cases the Flood Insurance Study (FIS) reports, currently in effect for the listed communities.

DATES: Each LOMR was finalized as in the table below.

ADDRESSES: Each LOMR is available for inspection at both the respective Community Map Repository address

listed in the table below and online through the FEMA Map Service Center at <https://msc.fema.gov>.

FOR FURTHER INFORMATION CONTACT:

David N. Bascom, Acting Director, Engineering and Modeling Division, National Flood Insurance Program, Resilience, FEMA, 400 C Street SW, Washington, DC 20472, or (email) david.bascom@fema.dhs.gov; or visit the FEMA Mapping and Insurance eXchange (FMIX) online at https://www.floodmaps.fema.gov/fhm/fmx_main.html.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) makes the final flood hazard determinations as shown in the LOMRs for each community listed in the table below. Notice of these modified flood hazard determinations has been published in newspapers of local circulation and 90 days have elapsed since that publication. The Assistant Administrator for the Federal Insurance Directorate, Resilience, has resolved any appeals resulting from this notification.

The modified flood hazard determinations are made pursuant to section 206 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C.

4001 *et seq.*, and with 44 CFR part 65. The current effective community number is shown and must be used for all new policies and renewals.

The new or modified flood hazard information is the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to remain qualified for participation in the National Flood Insurance Program (NFIP).

This new or modified flood hazard information, together with the floodplain management criteria required

by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities.

This new or modified flood hazard determinations are used to meet the floodplain management requirements of the NFIP. The changes in flood hazard determinations are in accordance with 44 CFR 65.4.

Interested lessees and owners of real property are encouraged to review the final flood hazard information available at the address cited below for each community or online through the FEMA Map Service Center at <https://msc.fema.gov>.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Elizabeth Asche,

Assistant Administrator, Federal Insurance Directorate, Resilience Federal Emergency Management Agency, Department of Homeland Security.

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.
Alabama:					
Lee (FEMA Docket No.: B-2542).	City of Auburn (25-04-4206P).	The Honorable Ron Anders Jr., Mayor, City of Auburn, 144 Tichenor Avenue, Suite 1, Auburn, AL 36830.	City Hall, 144 Tichenor Avenue, Auburn, AL 36830.	Oct. 8, 2025	010144
Lee (FEMA Docket No.: B-2542).	Unincorporated areas of Lee County (25-04-4206P).	The Honorable Jeff Colley, Chair, Lee County Board of Commissioners, P.O. Box 2266, Opelika, AL 36801.	Lee County Emergency Management Agency, 908 Avenue B, Opelika, AL 36801.	Oct. 8, 2025	010250
Arizona:					
Coconino (FEMA Docket No.: B-2531).	City of Flagstaff (24-09-0911P).	The Honorable Becky Daggett, Mayor, City of Flagstaff, 211 West Aspen Avenue, Flagstaff, AZ 86001.	City Hall, 211 West Aspen Avenue, Flagstaff, AZ 86001.	Aug. 13, 2025	040020
Maricopa (FEMA Docket No.: B-2531).	City of Phoenix (24-09-0695P).	The Honorable Kate Gallego, Mayor, City of Phoenix, 200 West Washington Street, Phoenix, AZ 85003.	City Hall, 200 West Washington Street, Phoenix, AZ 85003.	Aug. 8, 2025	040051
Maricopa (FEMA Docket No.: B-2531).	Unincorporated areas of Maricopa County (24-09-0759P).	Jennifer Pokorski, County Manager, Maricopa County, 301 West Jefferson Street, Phoenix, AZ 85003.	Maricopa County Flood Control District, 2801 West Durango Street, Phoenix, AZ 85009.	Aug. 22, 2025	040037
Pinal (FEMA Docket No.: B-2531).	Unincorporated areas of Pinal County (24-09-1070P).	The Honorable Stephen Q. Miller, Chair, Pinal County Board of Supervisors, P.O. Box 827, Florence, AZ 85132.	Pinal County Assessor's Office, 31 North Street #E, Florence, AZ 85132.	Aug. 13, 2025	040077
California:					
Sacramento (FEMA Docket No.: B-2531).	City of Galt (24-09-0242P).	Chris Erias, Interim City Manager, City of Galt, 380 Civic Drive, Galt, CA 95632.	Public Works Department, 495 Industrial Avenue, Galt, CA 95632.	Aug. 25, 2025	060264
San Diego (FEMA Docket No.: B-2531).	City of Carlsbad (24-09-0108P).	The Honorable Keith Blackburn, Mayor, City of Carlsbad, 1200 Carlsbad Village Drive, Carlsbad, CA 92008.	Building and Development Department, 1635 Faraday Avenue, Carlsbad, CA 92008.	Aug. 11, 2025	060285
San Mateo (FEMA Docket No.: B-2531).	City of Brisbane (23-09-0435P).	The Honorable Cliff Lentz, Mayor, City of Brisbane, 50 Park Place, Brisbane, CA 94005.	City Hall, 50 Park Place, Brisbane, CA 94005.	Aug. 14, 2025	060314
Solano (FEMA Docket No.: B-2531).	City of Vacaville (25-09-0052P).	The Honorable John Carli, Mayor, City of Vacaville, 650 Merchant Street, Vacaville, CA 95688.	City Hall, 650 Merchant Street, Vacaville, CA 95688.	Aug. 18, 2025	060373
Colorado:					
Adams (FEMA Docket No.: B-2531).	Unincorporated areas of Adams County (24-08-0369P).	The Honorable Lynn Baca, Chair, Adams County Board of Commissioners, 4430 South Adams County Parkway, Brighton, CO 80601.	Adams County Community and Economic Development, 4430 South Adams County Parkway, 1st Floor, Suite W2000, Brighton, CO 80601.	Aug. 15, 2025	080001
Arapahoe (FEMA Docket No.: B-2531).	City of Aurora (24-08-0369P).	The Honorable Mike Coffman, Mayor, City of Aurora, 15151 East Alameda Parkway, Aurora, CO 80012.	Engineering Department, 15151 East Alameda Parkway, Suite 3200, Aurora, CO 80012.	Aug. 15, 2025	080002
Boulder (FEMA Docket No.: B-2531).	Unincorporated areas of Boulder County (25-08-0185P).	The Honorable Marta Loachamin, Chair, Boulder County Board of Commissioners, P.O. Box 471, Boulder, CO 80306.	Boulder County, Community Planning & Permitting Building, 2045 13th Street, Boulder, CO 80302.	Aug. 14, 2025	080023
El Paso (FEMA Docket No.: B-2531).	City of Colorado Springs (24-08-0260P).	The Honorable Yemi Mobolade, Mayor, City of Colorado Springs, 30 South Nevada Avenue, Suite 601, Colorado Springs, CO 80903.	Pikes Peak Regional Building Department, 2880 International Circle, Colorado Springs, CO 80910.	Aug. 21, 2025	080060
Pueblo (FEMA Docket No.: B-2531).	City of Pueblo (23-08-0781P).	The Honorable Heather Graham, Mayor, City of Pueblo, 1 City Hall Place, Pueblo, CO 81003.	Public Works Department, 211 East D Street, Pueblo, CO 81003.	Sep. 1, 2025	085077

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.
Pueblo (FEMA Docket No.: B–2531).	Unincorporated areas of Pueblo County (23–08–0781P).	The Honorable Zach Swearingen, Chair, Pueblo County Board of County Commissioners, 215 West 10th Street, Pueblo, CO 81003.	Pueblo County, Planning and Development Department, 201 West 8th Street, Suite 110, Pueblo, CO 81003.	Sep. 1, 2025	080147
Florida:					
Marion (FEMA Docket No.: B–2538).	City of Ocala (24–04–6051P).	The Honorable Ben Marciano, Mayor, City of Ocala, 110 Southeast Watula Avenue, Ocala, FL 34471.	Stormwater Engineering Department, 1805 Northeast 30th Avenue, Building 300, Ocala, FL 34470.	Sep. 18, 2025	120330
Palm Beach (FEMA Docket No.: B–2546).	Unincorporated areas of Palm Beach County (24–04–3617P).	Verdenia C. Baker, Palm Beach County Administrator, 301 North Olive Avenue, Suite 1101, West Palm Beach, FL 33401.	Palm Beach County Vista Center, Building Division, 2300 North Jog Road, West Palm Beach, FL 33411.	Sep. 15, 2025	120192
Polk (FEMA Docket No.: B–2546).	City of Auburndale (24–04–3249P).	The Honorable Dorothea Taylor Bogert, Mayor, City of Auburndale, 1 Bobby Green Plaza, Auburndale, FL 33823.	City Hall, 1 Bobby Green Plaza, Auburndale, FL 33823.	Sep. 18, 2025	120262
Polk (FEMA Docket No.: B–2546).	Unincorporated areas of Polk County (24–04–3249P).	Bill Beasley, Polk County Manager, 330 West Church Street, Bartow, FL 33830.	Polk County Land Development Division, 330 West Church Street, Bartow, FL 33830.	Sep. 18, 2025	120261
Illinois:					
Kendall (FEMA Docket No.: B–2542).	Village of Oswego (25–05–0705P).	The Honorable Ryan Kauffman, Village President, Village of Oswego, 100 Parkers Mill, Oswego, IL 60543.	Village Hall, 100 Parkers Mill, Oswego, IL 60543.	Sep. 19, 2025	170345
Kendall (FEMA Docket No.: B–2542).	Unincorporated areas of Kendall County (25–05–0705P).	The Honorable Matt Kellogg, Chair, Kendall County Board, 807 West John Street, Yorkville, IL 60560.	Kendall County Planning, Building and Zoning Department, 807 West John Street, Yorkville, IL 60560.	Sep. 19, 2025	170341
Idaho:					
Lemhi (FEMA Docket No.: B–2531).	City of Salmon (23–10–0430P).	Breann Green, City Administrator, City of Salmon, 200 Main Street, Salmon, ID 83467.	Building Department, 200 Fulton Street, Suite 204, Salmon, ID 83467.	Aug. 29, 2025	160093
Lemhi (FEMA Docket No.: B–2531).	Unincorporated areas of Lemhi County (23–10–0430P).	The Honorable Lynn Bowerman, Chair, Lemhi County Board of County Commissioners, 206 Courthouse Drive, Salmon, ID 83467.	Lemhi County Building Department, 200 Fulton Street, Suite 204, Salmon, ID 83467.	Aug. 29, 2025	160092
Louisiana: Lafayette (FEMA Docket No.: B–2542).	Town of Duson (24–06–2322P).	The Honorable Johnny Thibodeaux, Mayor, Town of Duson, 498 Toby Mouton Road, Duson, LA 70529.	Town Hall, 498 Toby Mouton Road, Duson, LA 70529.	Sep. 18, 2025	220104
Nevada: Clark (FEMA Docket No.: B–2531).	City of Boulder City (24–09–0732P).	The Honorable Joe Hardy, Mayor, City of Boulder City, 401 California Avenue, Boulder City, NV 89005.	City Hall, 401 California Avenue, Boulder City, NV 89005.	Aug. 14, 2025	320004
North Carolina:					
Durham (FEMA Docket No.: B–2538).	City of Durham (24–04–1754P).	The Honorable Leonardo Williams, Mayor, City of Durham, 101 City Hall Plaza, Durham, NC 27701.	Durham City-County Planning Department, 101 City Hall Plaza, Durham, NC 27701.	Aug. 21, 2025	370086
Durham (FEMA Docket No.: B–2542).	City of Durham (25–04–0232P).	The Honorable Leonardo Williams, Mayor, City of Durham, 101 City Hall Plaza, Durham, NC 27701.	Durham City-County Planning Department, 101 City Hall Plaza, Durham, NC 27701.	Sep. 26, 2025	370086
Durham (FEMA Docket No.: B–2538).	Unincorporated areas of Durham County (24–04–1754P).	The Honorable Nida Allam, Chair, Durham County, Board of Commissioners, 200 East Main Street, Durham, NC 27701.	Durham City-County Planning Department, 101 City Hall Plaza, Durham, NC 27701.	Aug. 21, 2025	370085
Texas:					
Bexar (FEMA Docket No.: B–2546).	City of San Antonio (24–06–2442P).	The Honorable Ron Nirenberg, Mayor, City of San Antonio, P.O. Box 839966, San Antonio, TX 78283.	Public Works Department, Storm Water Division, 1901 South Alamo Street, 2nd Floor, San Antonio, TX 78204.	Sep. 22, 2025	480045
Collin (FEMA Docket No.: B–2538).	City of Plano (24–06–0008P).	The Honorable John B. Muns, Mayor, City of Plano, 1520 K Avenue, Plano, TX 75074.	City Hall, 1520 K Avenue, Plano, TX 75074.	Sep. 22, 2025	480140
Navarro (FEMA Docket No.: B–2542).	City of Corsicana (24–06–0096P).	The Honorable Mike Fletcher, Mayor, City of Corsicana, 200 North 12th Street, Corsicana, TX 75110.	City Hall, 200 North 12th Street, Corsicana, TX 75110.	Sep. 17, 2025	480498
Navarro (FEMA Docket No.: B–2542).	Unincorporated areas of Navarro County (24–06–0096P).	The Honorable H.M. Davenport, Jr., Navarro County Judge, 300 West 3rd Avenue, Suite 102, Corsicana, TX 75110.	Navarro County Courthouse, 300 West 3rd Avenue, Corsicana, TX 75110.	Sep. 17, 2025	480950
Tarrant (FEMA Docket No.: B–2538).	City of Fort Worth (24–06–2325P).	The Honorable Mattie Parker, Mayor, City of Fort Worth, 100 Fort Worth Trail, Fort Worth, TX 76102.	Department of Transportation and Public Works—Stormwater Management Division, 100 Fort Worth Trail, Fort Worth, TX 76102.	Sep. 18, 2025	480596
Wisconsin: Outagamie (FEMA Docket No.: B–2538).	City of Appleton (24–05–0370P).	The Honorable Jake Woodford, Mayor, City of Appleton, 100 North Appleton Street, Appleton, WI 54911.	City Hall, 100 North Appleton Street, Appleton, WI 54911.	Sep. 16, 2025	555542

[FR Doc. 2025–22239 Filed 12–5–25; 8:45 am]

BILLING CODE 9110–12–P

**DEPARTMENT OF HOMELAND
SECURITY****Federal Emergency Management
Agency****[Docket ID FEMA–2025–0002; Internal
Agency Docket No. FEMA–B–2573]****Proposed Flood Hazard
Determinations****AGENCY:** Federal Emergency
Management Agency, Department of
Homeland Security.**ACTION:** Notice.

SUMMARY: Comments are requested on proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the preliminary FIRM, and where applicable, the FIS report that the Federal Emergency Management Agency (FEMA) has provided to the affected communities. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: Comments are to be submitted on or before March 9, 2026.

ADDRESSES: The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location <https://hazards.fema.gov/femaportal/prelimdownload> and the respective

Community Map Repository address listed in the tables below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

You may submit comments, identified by Docket No. FEMA–B–2573, to David N. Bascom, Acting Director, Engineering and Modeling Division, National Flood Insurance Program, Resilience, FEMA, 400 C Street SW, Washington, DC 20472, or (email) david.bascom@fema.dhs.gov.

FOR FURTHER INFORMATION CONTACT:

David N. Bascom, Acting Director, Engineering and Modeling Division, National Flood Insurance Program, Resilience, FEMA, 400 C Street SW, Washington, DC 20472, or (email) david.bascom@fema.dhs.gov; or visit the FEMA Mapping and Insurance eXchange (FMIX) online at https://www.floodmaps.fema.gov/fhm/fmx_main.html.

SUPPLEMENTARY INFORMATION: FEMA proposes to make flood hazard determinations for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These flood hazard determinations are used to meet the floodplain management requirements of the NFIP.

The communities affected by the flood hazard determinations are provided in the tables below. Any request for reconsideration of the

revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the flood hazard determinations also will be considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of the SRP only may be exercised after FEMA and local communities have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Additional information regarding the SRP process can be found online at https://www.floodsrp.org/pdfs/srp_overview.pdf.

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where applicable, FIS report for each community are available for inspection at both the online location <https://hazards.fema.gov/femaportal/prelimdownload> and the respective Community Map Repository address listed in the tables. For communities with multiple ongoing Preliminary studies, the studies can be identified by the unique project number and Preliminary FIRM date listed in the tables. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, “Flood Insurance.”)

Elizabeth Asche,

*Assistant Administrator, Federal Insurance
Directorate, Resilience, Federal Emergency
Management Agency, Department of
Homeland Security.*

Community	Community map repository address
Tehama County, California and Incorporated Areas Project: 19–09–0026S Preliminary Date: August 01, 2025	
City of Red Bluff	Community Development Department, 555 Washington Street, Red Bluff, CA 96080.
Unincorporated Areas of Tehama County	Tehama County Building and Safety Department, 444 Oak Street, Room H, Red Bluff, CA 96080.

[FR Doc. 2025–22245 Filed 12–5–25; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2025–0002; Internal Agency Docket No. FEMA–B–2575]

Proposed Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, Department of Homeland Security.

ACTION: Notice.

SUMMARY: Comments are requested on proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the preliminary FIRM, and where applicable, the FIS report that the Federal Emergency Management Agency (FEMA) has provided to the affected communities. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: Comments are to be submitted on or before March 9, 2026.

ADDRESSES: The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location <https://hazards.fema.gov/femaportal/prelimdownload> and the respective

Community Map Repository address listed in the tables below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

You may submit comments, identified by Docket No. FEMA–B–2575, to David N. Bascom, Acting Director, Engineering and Modeling Division, National Flood Insurance Program, Resilience, FEMA, 400 C Street SW, Washington, DC 20472, or (email) david.bascom@fema.dhs.gov.

FOR FURTHER INFORMATION CONTACT:

David N. Bascom, Acting Director, Engineering and Modeling Division, National Flood Insurance Program, Resilience, FEMA, 400 C Street SW, Washington, DC 20472, or (email) david.bascom@fema.dhs.gov; or visit the FEMA Mapping and Insurance eXchange (FMIX) online at https://www.floodmaps.fema.gov/fhm/fmx_main.html.

SUPPLEMENTARY INFORMATION: FEMA proposes to make flood hazard determinations for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These flood hazard determinations are used to meet the floodplain management requirements of the NFIP.

The communities affected by the flood hazard determinations are provided in the tables below. Any request for reconsideration of the

revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the flood hazard determinations also will be considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of the SRP only may be exercised after FEMA and local communities have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Additional information regarding the SRP process can be found online at https://www.floodsrp.org/pdfs/srp_overview.pdf.

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where applicable, FIS report for each community are available for inspection at both the online location <https://hazards.fema.gov/femaportal/prelimdownload> and the respective Community Map Repository address listed in the tables. For communities with multiple ongoing Preliminary studies, the studies can be identified by the unique project number and Preliminary FIRM date listed in the tables. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, “Flood Insurance.”)

Elizabeth Asche,

Assistant Administrator, Federal Insurance Directorate, Resilience Federal Emergency Management Agency, Department of Homeland Security.

Community	Community map repository address
Huron County, Michigan (All Jurisdictions)	
Project: 14–05–2711S Preliminary Date: November 30, 2023 and July 11, 2025	
City of Caseville	Caseville City Hall, 6767 Main Street, Caseville, MI 48725.
City of Harbor Beach	City Hall, 766 State Street, Harbor Beach, MI 48441.
Township of Caseville	Caseville City Hall, 6767 Main Street, Caseville, MI 48725.
Township of Chandler	Chandler Township Hall, 5004 W Filion Road, Elkton, MI 48731.
Township of Fairhaven	Fairhaven Township Hall, 9811 Main Street, Bay Port, MI 48720.
Township of Gore	Gore Township Hall, 5139 North Lakeshore Road, Port Hope, MI 48468.
Township of Hume	Hume Township Hall, 1918 Oak Beach Road, Port Austin, MI 48467.
Township of Huron	Huron Township Hall, 7951 Pioneer Drive, Port Hope, MI 48468.
Township of Lake	Lake Township Hall, 4988 West Kinde Road, Caseville, MI 48725.

Community	Community map repository address
Township of McKinley	McKinley Township Hall, 3000 Caseville Road, Bay Port, MI 48720.
Township of Meade	Meade Township Hall, 2119 West Filion Road, Filion, MI 48432.
Township of Pointe Aux Barques	Pointe Aux Barques Township Hall, 9036 Linwood Drive, Port Austin, MI 48467.
Township of Port Austin	Port Austin Township Hall, 8751 North Hellems Road, Port Austin, MI 48467.
Township of Rubicon	Rubicon Township Hall, 4425 Main Street, Port Hope, MI 48468.
Township of Sand Beach	Sand Beach Township Hall, 1170 South Lakeshore Road, Harbor Beach, MI 48441.
Township of Sebewaing	Sebewaing Fire Hall, 14 East Sharpsteen Street, Sebewaing, MI 48759.
Township of Sherman	Sherman Township Fire Hall, 4599 South Ruth Road, Ruth, MI 48470.
Village of Port Austin	Port Austin Village Hall, 17 West State Street, Port Austin, MI 48467.
Village of Port Hope	Village Fire Hall, 4250 Lakeshore Road, Port Hope, MI 48468.
Village of Sebewaing	Municipal Building, 222 North Center Street, Sebewaing, MI 48759.

[FR Doc. 2025–22242 Filed 12–5–25; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2025–0002; Internal Agency Docket No. FEMA–B–2572]

Proposed Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, Department of Homeland Security.

ACTION: Notice.

SUMMARY: Comments are requested on proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the preliminary FIRM, and where applicable, the FIS report that the Federal Emergency Management Agency (FEMA) has provided to the affected communities. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: Comments are to be submitted on or before March 9, 2026.

ADDRESSES: The Preliminary FIRM, and where applicable, the FIS report for each community are available for

inspection at both the online location <https://hazards.fema.gov/femaportal/prelimdownload> and the respective Community Map Repository address listed in the tables below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

You may submit comments, identified by Docket No. FEMA–B–2572, to David N. Bascom, Acting Director, Engineering and Modeling Division, National Flood Insurance Program, Resilience, FEMA, 400 C Street SW, Washington, DC 20472, or (email) david.bascom@fema.dhs.gov.

FOR FURTHER INFORMATION CONTACT:

David N. Bascom, Acting Director, Engineering and Modeling Division, National Flood Insurance Program, Resilience, FEMA, 400 C Street SW, Washington, DC 20472, or (email) david.bascom@fema.dhs.gov; or visit the FEMA Mapping and Insurance eXchange (FMIX) online at https://www.floodmaps.fema.gov/fhm/fmx_main.html.

SUPPLEMENTARY INFORMATION: FEMA proposes to make flood hazard determinations for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These flood hazard determinations are

used to meet the floodplain management requirements of the NFIP.

The communities affected by the flood hazard determinations are provided in the tables below. Any request for reconsideration of the revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the flood hazard determinations also will be considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of the SRP only may be exercised after FEMA and local communities have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Additional information regarding the SRP process can be found online at https://www.floodsrp.org/pdfs/srp_overview.pdf.

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where applicable, FIS report for each community are available for inspection at both the online location <https://hazards.fema.gov/femaportal/prelimdownload> and the respective Community Map Repository address listed in the tables. For communities with multiple ongoing Preliminary studies, the studies can be identified by the unique project number and Preliminary FIRM date listed in the tables. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Elizabeth Asche,

*Assistant Administrator, Federal Insurance
Directorate, Resilience Federal Emergency
Management Agency, Department of
Homeland Security.*

Community	Community map repository address
Howard County, Indiana and Incorporated Areas Project: 15-05-1087S Preliminary Date: March 23, 2023	
Unincorporated Areas of Howard County	Kokomo—Howard County Plan Commission, 224 N Main Street, Kokomo, IN 46901.

[FR Doc. 2025-22241 Filed 12-5-25; 8:45 am]

BILLING CODE 9110-12-P

**DEPARTMENT OF HOMELAND
SECURITY**

**Federal Emergency Management
Agency**

[Docket ID FEMA-2025-0002]

Final Flood Hazard Determinations

AGENCY: Federal Emergency
Management Agency, Department of
Homeland Security.

ACTION: Notice.

SUMMARY: Flood hazard determinations, which may include additions or modifications of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or regulatory floodways on the Flood Insurance Rate Maps (FIRMs) and where applicable, in the supporting Flood Insurance Study (FIS) reports have been made final for the communities listed in the table below.

The FIRM and FIS report are the basis of the floodplain management measures that a community is required either to adopt or to show evidence of having an effect in order to qualify or remain qualified for participation in the Federal

Emergency Management Agency's (FEMA's) National Flood Insurance Program (NFIP).

DATES: The date of February 20, 2026 has been established for the FIRM and, where applicable, the supporting FIS report showing the new or modified flood hazard information for each community.

ADDRESSES: The FIRM, and if applicable, the FIS report containing the final flood hazard information for each community is available for inspection at the respective Community Map Repository address listed in the tables below and will be available online through the FEMA Map Service Center at <https://msc.fema.gov> by the date indicated above.

FOR FURTHER INFORMATION CONTACT: David N. Bascom, Acting Director, Engineering and Modeling Division, National Flood Insurance Program, Resilience, FEMA, 400 C Street SW, Washington, DC 20472, or (email) david.bascom@fema.dhs.gov; or visit the FEMA Mapping and Insurance eXchange (FMIX) online at https://www.floodmaps.fema.gov/fhm/fmx_main.html.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) makes the final determinations listed below for the new or modified

flood hazard information for each community listed. Notification of these changes has been published in newspapers of local circulation and 90 days have elapsed since that publication. The Assistant Administrator for the Federal Insurance Directorate, Resilience, has resolved any appeals resulting from this notification.

This final notice is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67. FEMA has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the new or revised FIRM and FIS report available at the address cited below for each community or online through the FEMA Map Service Center at <https://msc.fema.gov>.

The flood hazard determinations are made final in the watersheds and/or communities listed in the table below.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Elizabeth Asche,

*Assistant Administrator, Federal Insurance
Directorate, Resilience Federal Emergency
Management Agency, Department of
Homeland Security.*

Community	Community map repository address
Bullock County, Alabama and Incorporated Areas Docket No.: FEMA-B-2319	
City of Union Springs	City Hall, 212 Prairie Street North, Union Springs, AL 36089.
Unincorporated Areas of Bullock County	Bullock County Revenue Commission's Office, 217 North Prairie Street, #102, Union Springs, AL 36089.
Elmore County, Alabama and Incorporated Areas Docket No.: FEMA-B-2319	
City of Tallassee	City Hall, 3 Freeman Avenue, Tallassee, AL 36078.
City of Wetumpka	City Hall, 408 South Main Street, Wetumpka, AL 36092.
Unincorporated Areas of Elmore County	Elmore County Highway Department, 155 County Shop Road, Wetumpka, AL 36092.

Community	Community map repository address
Macon County, Alabama and Incorporated Areas Docket No.: FEMA-B-2319	
City of Tuskegee	Municipal Complex, 101 Fonville Street, Tuskegee, AL 36083.
Town of Franklin	Franklin Police Department, 1660 Alabama Highway 49, Tuskegee, AL 36083.
Town of Notasulga	Town Hall, 76 West Main Street, Notasulga, AL 36866.
Town of Shorter	Town Hall, 2427 Old Federal Road, Shorter, AL 36075.
Unincorporated Areas of Macon County	Macon County Courthouse, 101 East Rosa Parks Avenue, Tuskegee, AL 36083.
Montgomery County, Alabama and Incorporated Areas Docket No.: FEMA-B-2319	
City of Montgomery	City Hall, 103 North Perry Street, Montgomery, AL 36104.
Town of Pike Road	Town Hall, 9575 Vaughn Road, Pike Road, AL 36064.
Unincorporated Areas of Montgomery County	Montgomery County Courthouse Annex, 100 South Lawrence Street, Montgomery, AL 36104.
Washington County, Wisconsin and Incorporated Areas Docket No.: FEMA-B-2448	
City of West Bend	City Hall, 1115 South Main Street, West Bend, WI 53095.
Unincorporated Areas of Washington County	Washington County Public Agency Center, 333 East Washington Street, Suite 2300, West Bend, WI 53095.
Village of Germantown	Village Hall, N112 W17001 Mequon Road, Germantown, WI 53022.
Village of Kewaskum	Village Hall, 204 First Street, Kewaskum, WI 53040.
Village of Newburg	Village Hall, 620 West Main Street, Newburg, WI 53060.
Village of Richfield	Richfield Village Hall, 4128 Hubertus Road, Hubertus, WI 53033.

[FR Doc. 2025-22246 Filed 12-5-25; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY**Federal Emergency Management Agency****[Docket ID FEMA-2025-0002; Internal Agency Docket No. FEMA-B-2568]****Proposed Flood Hazard Determinations****AGENCY:** Federal Emergency Management Agency, Department of Homeland Security.**ACTION:** Notice.

SUMMARY: Comments are requested on proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the preliminary FIRM, and where applicable, the FIS report that the Federal Emergency Management Agency (FEMA) has provided to the affected communities. The FIRM and FIS report

are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: Comments are to be submitted on or before March 9, 2026.

ADDRESSES: The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location <https://hazards.fema.gov/femaportal/prelimdownload> and the respective Community Map Repository address listed in the tables below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

You may submit comments, identified by Docket No. FEMA-B-2568, to David N. Bascom, Acting Director, Engineering and Modeling Division, National Flood Insurance Program, Resilience, FEMA, 400 C Street SW, Washington, DC 20472, or (email) david.bascom@fema.dhs.gov.

FOR FURTHER INFORMATION CONTACT: David N. Bascom, Acting Director, Engineering and Modeling Division, National Flood Insurance Program, Resilience, FEMA, 400 C Street SW, Washington, DC 20472, or (email) david.bascom@fema.dhs.gov; or visit

the FEMA Mapping and Insurance eXchange (FMIX) online at https://www.floodmaps.fema.gov/fhm/fmx_main.html.

SUPPLEMENTARY INFORMATION: FEMA proposes to make flood hazard determinations for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These flood hazard determinations are used to meet the floodplain management requirements of the NFIP.

The communities affected by the flood hazard determinations are provided in the tables below. Any request for reconsideration of the revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the flood hazard determinations also will be

considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of the SRP only may be exercised after FEMA and local communities have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an

appeal. Additional information regarding the SRP process can be found online at https://www.floodsrp.org/pdfs/srp_overview.pdf.

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where applicable, FIS report for each community are available for inspection at both the online location <https://hazards.fema.gov/femaportal/prelimdownload> and the respective Community Map Repository address listed in the tables. For communities with multiple ongoing Preliminary studies, the studies can be identified by

the unique project number and Preliminary FIRM date listed in the tables. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Elizabeth Asche,

Assistant Administrator, Federal Insurance Directorate, Resilience, Federal Emergency Management Agency, Department of Homeland Security.

Community	Community map repository address
Cochise County, Arizona and Incorporated Areas Project: 21-09-0016S Preliminary Date: June 27, 2025	
City of Bisbee	City Hall, 118 Arizona Street, Bisbee, AZ 85603.
City of Douglas	Department of Public Works, 425 East 10th Street, Douglas, AZ 85607.
Unincorporated Areas of Cochise County	Cochise County Engineering and Natural Resource Department, 1415 Melody Lane, Building F, Bisbee, AZ 85603.
Pima County, Arizona and Incorporated Areas Project: 20-09-0006S Preliminary Date: September 16, 2025	
City of Tucson	County—City Public Works Center, 201 North Stone Avenue, 4th and 6th Floor North, Tucson, AZ 85701.
Town of Marana	Marana Municipal Complex, 11555 West Civic Center Drive, Marana, AZ 85653.
Town of Oro Valley	Municipal Offices, 11000 North La Cañada Drive, Oro Valley, AZ 85737.
Town of Sahuarita	Town Hall, 375 West Sahuarita Center Way, Sahuarita, AZ 85629.
Unincorporated Areas of Pima County	County—City Public Works Center, 201 North Stone Avenue, 9th Floor, Tucson, AZ 85701.

[FR Doc. 2025-22243 Filed 12-5-25; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA-2025-0002; Internal Agency Docket No. FEMA-B-2566]

Changes in Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, Department of Homeland Security.

ACTION: Notice.

SUMMARY: This notice lists communities where the addition or modification of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or the regulatory floodway (hereinafter referred to as flood hazard determinations), as shown on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting

Flood Insurance Study (FIS) reports, prepared by the Federal Emergency Management Agency (FEMA) for each community, is appropriate because of new scientific or technical data. The FIRM, and where applicable, portions of the FIS report, have been revised to reflect these flood hazard determinations through issuance of a Letter of Map Revision (LOMR), in accordance with Federal Regulations. The current effective community number is shown in the table below and must be used for all new policies and renewals.

DATES: These flood hazard determinations will be finalized on the dates listed in the table below and revise the FIRM panels and FIS report in effect prior to this determination for the listed communities.

From the date of the second publication of notification of these changes in a newspaper of local circulation, any person has 90 days in which to request through the community that the Assistant Administrator for the Federal Insurance Directorate, Resilience, reconsider the

changes. The flood hazard determination information may be changed during the 90-day period.

ADDRESSES: The affected communities are listed in the table below. Revised flood hazard information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

Submit comments and/or appeals to the Chief Executive Officer of the community as listed in the table below.

FOR FURTHER INFORMATION CONTACT: David N. Bascom, Acting Director, Engineering and Modeling Division, National Flood Insurance Program, Resilience, FEMA, 400 C Street SW, Washington, DC 20472, or (email) david.bascom@fema.dhs.gov; or visit the FEMA Mapping and Insurance eXchange (FMIX) online at https://www.floodmaps.fema.gov/fhm/fmx_main.html.

SUPPLEMENTARY INFORMATION: The specific flood hazard determinations are not described for each community in this notice. However, the online location and local community map repository address where the flood hazard determination information is available for inspection is provided.

Any request for reconsideration of flood hazard determinations must be submitted to the Chief Executive Officer of the community as listed in the table below.

The modifications are made pursuant to section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR part 65.

The FIRM and FIS report are the basis of the floodplain management measures

that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

These flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. The flood hazard determinations are in accordance with 44 CFR 65.4.

The affected communities are listed in the following table. Flood hazard determination information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below.

Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Elizabeth Asche,

Assistant Administrator, Federal Insurance Directorate, Resilience, Federal Emergency Management Agency, Department of Homeland Security.

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Date of modification	Community No.
Florida:						
Alachua	Unincorporated areas of Alachua County (24-04-5305P)	Michele L. Lieberman, Alachua County Manager, 12 Southeast 1st Street, Gainesville, FL 32601	Alachua County Public Works Department, 5620 Northwest 120th Lane, Gainesville, FL 32653	https://msc.fema.gov/portal/advanceSearch	Jan. 5, 2026	120001
Lake	Town of Lady Lake (25-04-1165P)	William Lawrence, Town Manager, Town of Lady Lake, 409 Fennell Boulevard, Lady Lake, FL 32159	Town Hall, 409 Fennell Boulevard, Lady Lake, FL 32159	https://msc.fema.gov/portal/advanceSearch	Dec. 31, 2025	120613
Lake	Unincorporated areas of Lake County (25-04-1165P)	The Honorable Leslie Campione, Chair, Lake County Board of Commissioners, 315 West Main Street, Tavares, FL 32778	Lake County Public Works Department, 323 North Sinclair Avenue, Tavares, FL 32778	https://msc.fema.gov/portal/advanceSearch	Dec. 31, 2025	120421
Manatee	Unincorporated areas of Manatee County (24-04-1636P)	Charlie Bishop, Manatee County Administrator, 1112 Manatee Avenue West, Bradenton, FL 34205	Manatee County Administration Building, 1112 Manatee Avenue West, Bradenton, FL 34205	https://msc.fema.gov/portal/advanceSearch	Dec. 29, 2025	120153
Manatee	Unincorporated areas of Manatee County (24-04-1605P)	Charlie Bishop, Manatee County Administrator, 1112 Manatee Avenue West, Bradenton, FL 34205	Manatee County Administration Building, 1112 Manatee Avenue West, Bradenton, FL 34205	https://msc.fema.gov/portal/advanceSearch	Jan. 16, 2026	120153
Monroe	Unincorporated areas of Monroe County (25-04-4970P)	The Honorable Jim Scholl, Mayor, Monroe County Board of Commissioners, 530 Whitehead Street, Key West, FL 33040	Monroe County Building Department, 2798 Overseas Highway, Suite 300, Marathon, FL 33050	https://msc.fema.gov/portal/advanceSearch	Jan. 9, 2026	125129
Monroe	Unincorporated areas of Monroe County (25-04-4972P)	The Honorable Jim Scholl, Mayor, Monroe County Board of Commissioners, 530 Whitehead Street, Key West, FL 33040	Monroe County Building Department, 2798 Overseas Highway, Suite 300, Marathon, FL 33050	https://msc.fema.gov/portal/advanceSearch	Jan. 2, 2026	125129
Pasco	Unincorporated areas of Pasco County (24-04-2232P)	Mike Carballa, Pasco County Administrator, 8731 Citizens Drive, New Port Richey, FL 33654	Pasco County Government Center, 8731 Citizens Drive, New Port Richey, FL 33654	https://msc.fema.gov/portal/advanceSearch	Jan. 2, 2026	120230
Pasco	Unincorporated areas of Pasco County (24-04-2418P)	Mike Carballa, Pasco County Administrator, 8731 Citizens Drive, New Port Richey, FL 33654	Pasco County Government Center, 8731 Citizens Drive, New Port Richey, FL 33654	https://msc.fema.gov/portal/advanceSearch	Jan. 8, 2026	120230
Sarasota	City of North Port (24-04-4492P)	Jerome Fletcher, Manager, City of North Port, 4970 City Hall Boulevard, North Port, FL 34286	City Hall, 4970 City Hall Boulevard, North Port, FL 34286	https://msc.fema.gov/portal/advanceSearch	Dec. 31, 2025	120279

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Date of modification	Community No.
Sarasota	Unincorporated areas of Sarasota County (24-04-4492P)	Jonathan R. Lewis, Sarasota County Administrator, 1660 Ringling Boulevard, Sarasota, FL 34236	Sarasota County Government Center, 1001 Sarasota Center Boulevard, Sarasota, FL 34240	https://msc.fema.gov/portal/advanceSearch	Dec. 31, 2025	125144
Indiana: Hamilton	City of Westfield (24-05-0299P)	The Honorable Scott Willis, Mayor, City of Westfield, 2728 East 171st Street, Westfield, IN 46074	Community Services Department, 2728 East 171st Street, Westfield, IN 46074	https://msc.fema.gov/portal/advanceSearch	Dec. 30, 2025	180083
Hamilton	Unincorporated areas of Hamilton County (24-05-0299P)	The Honorable Steve Dillinger, President, Hamilton County Board of Commissioners, 1 Hamilton County Square, Suite 157, Noblesville, IN 46060	Hamilton County Planning Commission, 1 Hamilton County Square, Suite 13, Noblesville, IN 46060	https://msc.fema.gov/portal/advanceSearch	Dec. 30, 2025	180080
Michigan: Kent	Township of Ada (24-05-2541P)	Julius Suchy, Township Manager, Township of Ada, 7330 Thornapple River Drive, Ada, MI 49301	Township Hall, 7330 Thornapple River Drive, Ada, MI 49301	https://msc.fema.gov/portal/advanceSearch	Jan. 2, 2026	260248
Minnesota: Hennepin	City of Edina (25-05-1025P)	The Honorable James Hovland, Mayor, City of Edina, 4801 West 50th Street, Edina, MN 55424	Public Works Department, 7450 Metro Boulevard, Edina, MN 55439	https://msc.fema.gov/portal/advanceSearch	Dec. 26, 2025	270160
North Carolina: Mecklenburg ..	City of Charlotte (25-04-3020P)	The Honorable Vi Alexander Lyles, Mayor, City of Charlotte 600 East 4th Street, Charlotte, NC 28202	Mecklenburg County Stormwater Services, 2145 Suttle Avenue, Charlotte, NC 28208	https://msc.fema.gov/portal/advanceSearch	Jan. 14, 2026	370159
South Carolina: Lancaster	Unincorporated areas of Lancaster County (25-04-2258P)	The Honorable Dennis Marstall, County Administrator, Lancaster County, 101 North Main Street, Lancaster, SC 29720	Lancaster County Stormwater Department, 101 North Main Street, Lancaster, SC 29720	https://msc.fema.gov/portal/advanceSearch	Jan. 8, 2026	450120
Richland	City of Columbia (24-04-1753P)	The Honorable Daniel J. Rickenmann, Mayor, City of Columbia, 1737 Main Street, Columbia, SC 29201	Engineering Department, 1401 Main Street, 5th Floor, Columbia, SC 29201	https://msc.fema.gov/portal/advanceSearch	Jan. 12, 2026	450172
Richland	Unincorporated areas of Richland County (24-04-1753P)	The Honorable Jessica Mackey, Chair, Richland County Council, P.O. Box 192, Columbia, SC 29201	Richland County Administration Building, 2020 Hampton Street, Columbia, SC 29204	https://msc.fema.gov/portal/advanceSearch	Jan. 12, 2026	450170
Sumter	Unincorporated areas of Sumter County (25-04-1056P)	The Honorable James T. McCain, Jr., Chair, Sumter County Council, 317 West Bartlette Street, Sumter, SC 29150	Sumter County Courthouse, 13 East Canal Street, Sumter, SC 29150	https://msc.fema.gov/portal/advanceSearch	Jan. 8, 2026	450182
Tennessee: Rutherford	City of Murfreesboro (25-04-2322P)	The Honorable Shane McFarland, Mayor, City of Murfreesboro, 111 West Vine Street, Murfreesboro, TN 37130	Planning Department, 111 West Vine Street, Murfreesboro, TN 37130	https://msc.fema.gov/portal/advanceSearch	Jan. 14, 2026	470168
Rutherford	Unincorporated areas of Rutherford County (25-04-2322P)	The Honorable Joe Carr, Mayor, Rutherford County, 1 Public Square, Room 101, Murfreesboro, TN, 37130	Rutherford County Planning and Engineering Department, 1 South Public Square, Room 200, Murfreesboro, TN, 37130	https://msc.fema.gov/portal/advanceSearch	Jan. 14, 2026	470165
Texas: Collin	City of Anna (24-06-2600P)	The Honorable Pete Cain, Mayor, City of Anna, P.O. Box 776, Anna, TX 75409	City Hall, 120 West 7th Street, Suite 142, Anna, TX 75409	https://msc.fema.gov/portal/advanceSearch	Jan. 2, 2026	480132
Collin	City of Celina (24-06-1206P)	The Honorable Ryan Tubbs, Mayor, City of Celina, 142 North Ohio Street, Celina, TX 75009	City Hall, 142 North Ohio Street, Celina, TX 75009	https://msc.fema.gov/portal/advanceSearch	Jan. 12, 2026	480133

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Date of modification	Community No.
Collin	Unincorporated areas of Collin County (24-06-1206P)	The Honorable Chris Hill, Collin County Judge, 2300 Bloomdale Road, 1st Floor, McKinney, TX 75071	Collin County Engineering Building, 4690 Community Avenue, Suite 200, McKinney, TX 75071	https://msc.fema.gov/portal/advanceSearch	Jan. 12, 2026	480130
Collin and Denton.	City of Frisco (25-06-0844P)	The Honorable Jeff Cheney, Mayor, City of Frisco, 6101 Frisco Square Boulevard, Frisco, TX 75034	Engineering Development Department, 6101 Frisco Square Boulevard, Frisco, TX 75034	https://msc.fema.gov/portal/advanceSearch	Jan. 12, 2026	480134
Harris	City of Houston (24-06-2261P)	The Honorable John Whitmire, Mayor, City of Houston, P.O. Box 1562, Houston, TX 77251	Floodplain Management Office, 1002 Washington Avenue, Houston, TX 77002	https://msc.fema.gov/portal/advanceSearch	Jan. 5, 2026	480296
Johnson	Unincorporated areas of Johnson County (25-06-0711P)	The Honorable Christopher Boedeker, Johnson County Judge, 2 North Main Street, Cleburne, TX 76033	Johnson County Department of Public Works, 2 North Mill Street, Suite 305, Cleburne, TX 76033	https://msc.fema.gov/portal/advanceSearch	Jan. 8, 2026	480879
Montgomery ...	City of Conroe (24-06-2734P)	The Honorable Duke W. Coon, Mayor, City of Conroe, P.O. Box 3066, Conroe, TX 77305	City Hall, 300 West Davis Street, Conroe, TX 77301	https://msc.fema.gov/portal/advanceSearch	Jan. 7, 2026	480484
Montgomery ...	Unincorporated areas of Montgomery County (24-06-2734P)	The Honorable Mark J. Keough, Montgomery County Judge, 501 North Thompson Street, Suite 401, Conroe, TX 77301	Montgomery County Government Building, 501 North Thompson Street, Suite 100, Conroe, TX 77301	https://msc.fema.gov/portal/advanceSearch	Jan. 7, 2026	480483
Tarrant	City of Fort Worth (25-06-0686P)	The Honorable Mattie Parker, Mayor, City of Fort Worth, 100 Fort Worth Trail, Fort Worth, TX 76102	Department of Transportation and Public Works, Stormwater Management Division, 100 Fort Worth Trail, Fort Worth, TX 76102	https://msc.fema.gov/portal/advanceSearch	Jan. 5, 2026	480596

[FR Doc. 2025-22240 Filed 12-5-25; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA-2025-0002; Internal Agency Docket No. FEMA-B-2571]

Proposed Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, Department of Homeland Security.

ACTION: Notice.

SUMMARY: Comments are requested on proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the preliminary FIRM, and

where applicable, the FIS report that the Federal Emergency Management Agency (FEMA) has provided to the affected communities. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: Comments are to be submitted on or before March 9, 2026.

ADDRESSES: The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location <https://hazards.fema.gov/femaportal/prelimdownload> and the respective Community Map Repository address listed in the tables below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

You may submit comments, identified by Docket No. FEMA-B-2571, to David N. Bascom, Acting Director, Engineering and Modeling Division, National Flood Insurance Program, Resilience, FEMA, 400 C Street SW, Washington, DC 20472, or (email) david.bascom@fema.dhs.gov.

FOR FURTHER INFORMATION CONTACT:

David N. Bascom, Acting Director, Engineering and Modeling Division, National Flood Insurance Program, Resilience, FEMA, 400 C Street SW, Washington, DC 20472, or (email) david.bascom@fema.dhs.gov; or visit the FEMA Mapping and Insurance eXchange (FMIX) online at https://www.floodmaps.fema.gov/fhm/fmx_main.html.

SUPPLEMENTARY INFORMATION: FEMA proposes to make flood hazard determinations for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These flood hazard determinations are used to meet the floodplain management requirements of the NFIP.

The communities affected by the flood hazard determinations are provided in the tables below. Any request for reconsideration of the revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the flood hazard determinations also will be considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and

technical data and provide recommendations for resolution. Use of the SRP only may be exercised after FEMA and local communities have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Additional information regarding the SRP process can be found online at https://www.floodsrp.org/pdfs/srp_overview.pdf.

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where applicable, FIS report for each community are available for inspection at both the online location <https://hazards.fema.gov/femaportal/prelimdownload> and the respective

Community Map Repository address listed in the tables. For communities with multiple ongoing Preliminary studies, the studies can be identified by the unique project number and Preliminary FIRM date listed in the tables. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Elizabeth Asche,
Assistant Administrator, Federal Insurance Directorate, Resilience, Federal Emergency Management Agency, Department of Homeland Security.

Community	Community map repository address
Sonoma County, California and Incorporated Areas Project: 24-09-0004S Preliminary Date: June 27, 2025	
City of Santa Rosa	Building Division, City Hall, Room 3, 100 Santa Rosa Avenue, Santa Rosa, CA 95404.
Unincorporated Areas of Sonoma County	Sonoma County Permit and Resource Management Building, 2550 Ventura Avenue, Santa Rosa, CA 95403.

[FR Doc. 2025-22244 Filed 12-5-25; 8:45 am]
BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID: FEMA-2025-0114; OMB No. 1660-0024]

Agency Information Collection Activities: Submission for OMB Review, Comment Request; Federal Assistance for Offsite Radiological Emergency Preparedness and Planning

AGENCY: Federal Emergency Management Agency, Department of Homeland Security.

ACTION: 30-Day notice of extension and request for comments.

SUMMARY: The Federal Emergency Management Agency (FEMA) will submit the information collection abstracted below to the Office of Management and Budget for review and clearance in accordance with the requirements of the Paperwork Reduction Act of 1995. FEMA invites the general public to take this opportunity to comment on an extension of a currently approved information collection. In accordance with the requirements of the Paperwork Reduction Act of 1995, this notice seeks

comments concerning all information collections related to FEMA Radiological Emergency Preparedness Program requirements.

DATES: Comments must be submitted on or before January 7, 2026.

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: Renae Connell, Emergency Management Specialist, FEMA/National Preparedness Division (NPD)/Technological Hazards Division (THD), 202.657.2294 and renae.connell@fema.dhs.gov. You may contact the Information Management Division for copies of the proposed collection of information at email address: FEMA-Information-Collections-Management@fema.dhs.gov.

SUPPLEMENTARY INFORMATION:

Overview: The Federal Emergency Management Agency (FEMA) runs the Radiological Emergency Preparedness (REP) Program. This program helps State, Tribal, and local governments plan, train, and prepare for emergencies involving commercial nuclear power facilities. It ensures that these

governments can respond to and recover from such incidents. *Legal Background:* Section 109 of the NRC Authorization Act of 1980 (Pub. L. 96-295) requires the Nuclear Regulatory Commission (NRC) to include emergency preparedness as a condition for licensing nuclear power plants. This means that before a plant can operate, there must be an emergency response plan that meets FEMA and NRC standards. If there is no State or local plan, an alternative plan must provide reasonable assurance that public health and safety are protected. *Regulations:* The NRC has set regulations in 10 CFR part 50, which include 16 planning standards for emergency plans. FEMA has similar standards in 44 CFR part 350. FEMA reviews offsite emergency plans and preparedness in communities around commercial nuclear power facilities. States must conduct joint exercises involving local governments, the State, and the NRC licensee to ensure these plans are effective (see 44 CFR part 350.9). *Reasonable Assurance:* FEMA defines "reasonable assurance" as having adequate plans and preparedness to protect public health and safety in the event of an incident at a commercial nuclear power facility. This includes having the right procedures, trained personnel, facilities, equipment, and regular drills and exercises. FEMA works with other Federal agencies, State, Tribal, and local governments, and industry stakeholders

to make this determination. *Voluntary Participation*: While participation in offsite radiological emergency planning is voluntary, those who choose to participate must follow the program requirements in 44 CFR part 350 and the joint NRC/FEMA document NUREG-0654/FEMA-REP-1, Rev. 2, "Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants," and the REP Program Manual (RPM) provides detailed guidance on these requirements.

This proposed information collection previously published in the **Federal Register** on August 21, 2025, at 90 FR 40835 with a 60-day public comment period. No comments were received. The purpose of this notice is to notify the public that FEMA will submit the information collection abstracted below to the Office of Management and Budget for review and clearance.

Collection of Information

Title: Federal Assistance for Offsite Radiological Emergency Preparedness and Planning.

Type of Information Collection: Extension, without change, of a currently approved information collection.

OMB Number: 1660-0024.

FEMA Forms: There are no forms for this collection; rather the regulatory text details the information to be transmitted to FEMA.

Abstract: The intent of this request is to collect comments on the extension, without change, of a currently approved information collection under an OMB control number. This control number represents all information collections related to FEMA REP Program requirements described in 44 CFR parts 350 and 352.

Affected Public: State, Local or Tribal Government.

Estimated Number of Respondents: 104.

Estimated Number of Responses: 104.

Estimated Total Annual Burden

Hours: 3,400.

Estimated Total Annual Respondent Cost: \$258,706.

Estimated Respondents' Operation and Maintenance Costs: \$0.

Estimated Respondents' Capital and Start-Up Costs: \$0.

Estimated Total Annual Cost to the Federal Government: \$736,064.

Comments

Comments may be submitted as indicated in the **ADDRESSES** caption above. Comments are solicited to (a)

evaluate whether the proposed data collection is necessary for the proper performance of the Agency, including whether the information shall have practical utility; (b) 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; (c) enhance the quality, utility, and clarity of the information to be collected; and (d) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Russell R. Bard,

Acting Senior Director for Information Management, Office of the Chief Administrative Officer, Mission Support, Federal Emergency Management Agency, Department of Homeland Security.

[FR Doc. 2025-22228 Filed 12-5-25; 8:45 am]

BILLING CODE 9111-21-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA-2025-0002]

Final Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, Department of Homeland Security.

ACTION: Notice.

SUMMARY: Flood hazard determinations, which may include additions or modifications of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or regulatory floodways on the Flood Insurance Rate Maps (FIRMs) and where applicable, in the supporting Flood Insurance Study (FIS) reports have been made final for the communities listed in the table below.

The FIRM and FIS report are the basis of the floodplain management measures that a community is required either to adopt or to show evidence of having an effect in order to qualify or remain qualified for participation in the Federal Emergency Management Agency's (FEMA's) National Flood Insurance Program (NFIP).

DATES: The date of September 3, 2025 has been established for the FIRM and, where applicable, the supporting FIS

report showing the new or modified flood hazard information for each community.

ADDRESSES: The FIRM, and if applicable, the FIS report containing the final flood hazard information for each community is available for inspection at the respective Community Map Repository address listed in the tables below and will be available online through the FEMA Map Service Center at <https://msc.fema.gov> by the date indicated above.

FOR FURTHER INFORMATION CONTACT:

David N. Bascom, Acting Director, Engineering and Modeling Division, National Flood Insurance Program, Resilience, FEMA, 400 C Street SW, Washington, DC 20472, or (email) david.bascom@fema.dhs.gov; or visit the FEMA Mapping and Insurance eXchange (FMIX) online at https://www.floodmaps.fema.gov/fhm/fmx_main.html.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) makes the final determinations listed below for the new or modified flood hazard information for each community listed. Notification of these changes has been published in newspapers of local circulation and 90 days have elapsed since that publication. The Assistant Administrator for the Federal Insurance Directorate, Resilience, has resolved any appeals resulting from this notification.

This final notice is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67. FEMA has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the new or revised FIRM and FIS report available at the address cited below for each community or online through the FEMA Map Service Center at <https://msc.fema.gov>.

The flood hazard determinations are made final in the watersheds and/or communities listed in the table below.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Elizabeth Asche,

Assistant Administrator, Federal Insurance Directorate, Resilience, Federal Emergency Management Agency, Department of Homeland Security.

Community	Community map repository address
San Diego County, California and Incorporated Areas Docket No.: FEMA-B-2449	
City of San Diego	Stormwater Department, 9370 Chesapeake Drive, Suite 100, San Diego, CA 92123.
City of Santee	City Hall, Engineering Department, 10601 Magnolia Avenue, Santee, CA 92071.
Unincorporated Areas of San Diego County	San Diego County Operations Center, 5510 Overland Avenue, Suite 410, MS 0326, San Diego, CA 92123.

[FR Doc. 2025-22247 Filed 12-5-25; 8:45 am]
BILLING CODE 9110-12-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-7092-N 40; OMB Control No.: 2506-0117]

30-Day Notice of Proposed Information Collection: Comment Request Consolidated Plan, Annual Action Plan and Annual Performance Report

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: January 7, 2026.

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 om 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 March 17, 2025 at 90 FR 12334.

A. Overview of Information Collection

Title of Information Collection: Consolidated Plan, Annual Action Plan and Annual Performance Report.

OMB Approval Number: 2506-0117.

Type of Request: Reinstatement, with change.

Form Number: N/A.

Description of the need for the information and proposed use: The Department’s collection of this information is in compliance with statutory provisions of the Cranston Gonzalez National Affordable Housing Act of 1990 that requires participating jurisdictions to submit a Comprehensive Housing Affordability Strategy (Section 105(b)); the 1974 Housing and Community Development Act, as amended, that requires states and localities to submit a Community Development Plan (Section 104(b)(4) and Section 104(m)); and statutory provisions of these Acts that requires states and localities to submit applications and reports for these formula grant programs. The information is needed to provide HUD with preliminary assessment as to the statutory and regulatory eligibility of proposed grantee projects for informing citizens of intended uses of program funds.

Information collection	Number of respondents	Frequency of response	Responses per annum	Burden hour per response	Annual burden hours	Hourly cost per response	Annual cost
Consolidated Plan and Annual Action Plan:							
• Localities	1,250	1	1,250	230	287,500	\$48.59	\$13,969,625.00
• States	50	1	50	556	27,800	48.59	1,350,802.00
Annual Performance Report:							
• Localities	1,250	1	1,250	75	93,750	48.59	4,555,312.50
• States	50	1	50	185	9,250	48.59	449,457.50
Total	1,300				418,300	48.59	20,325,197.00

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.

C. 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. 2025–22169 Filed 12–5–25; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–6482–N–02]

Housing Trust Fund: Fiscal Year 2025 Allocation Notice

AGENCY: Office of the Assistant Secretary for Community Planning and Development, U.S. Department of Housing and Urban Development (HUD).

ACTION: Notice of Fiscal Year 2025 funding awards.

SUMMARY: This notice announces the formula allocation amount for each eligible Housing Trust Fund (HTF) grantee. The Housing and Economic Recovery Act of 2008 (HERA) established the Housing Trust Fund to be administered by HUD. Pursuant to the Federal Housing Enterprises Financial Security and Soundness Act of 1992 (the Act), as amended by HERA, eligible HTF grantees are the 50 states, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the Commonwealth of Northern Mariana Islands, and the United States Virgin Islands. American Samoa, Guam, the Commonwealth of Northern Mariana Islands, and the United States Virgin Islands declined the 2025 HTF grant allocation. As such, the allocation amount for each grantee is reflected as zero in Appendix A.

FOR FURTHER INFORMATION CONTACT:

Peter Huber, Acting Director, Office of Affordable Housing Programs, Room 7160, Department of Housing and Urban Development, 451 Seventh Street SW,

Washington, DC 20410–7000; telephone (202) 285–5130. (This is not a toll-free number). HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit <https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs>.

SUPPLEMENTARY INFORMATION: Section 1131 of HERA, Division A amended the Act to add a new section 1337 entitled “Affordable Housing Allocations” and a new section 1338 entitled “Housing Trust Fund.” Congress authorized the Housing Trust Fund (HTF) with the stated purpose of: (1) Increasing and preserving the supply of rental housing for extremely low-income families with incomes between 0 and 30 percent of area median income and very low-income families with incomes between 30 and 50 percent of area median income, including homeless families, and (2) increasing homeownership for extremely low-income and very low-income families. Section 1337 of the Act (12 U.S.C. 4567) requires Federal National Mortgage Association (Fannie Mae) and Federal Home Loan Mortgage Corporation (Freddie Mac) to set-aside 4.2 basis points (.042 percent) of the unpaid principal of their new mortgage purchases annually to fund the HTF and the Capital Magnet Fund. Each year, 65% of the amounts set aside by Fannie Mae and Freddie Mac are then allocated to the HTF.

Section 1338 of the Act (12 U.S.C. 4568) directs HUD to establish, through regulation, the formula for the distribution of amounts made available for the HTF. The provisions in section 1338(c)(3) of the Act (12 U.S.C. 4568(c)(3)) specify the factors to be used for the formula and priority for certain factors. The HTF implementing regulations are at 24 CFR part 93. The factors and methodology HUD uses to allocate HTF funds among eligible grantees are established in the HTF regulation at 24 CFR 93.50, 93.51, and 93.52.

The funding announced for Fiscal Year 2025 through this notice is \$223,024,239.90. Appendix A to this

notice provides the HTF allocation amount for each grantee.

Bryan W. Horn,

Acting Principal Deputy Assistant Secretary for Community Planning and Development.

Appendix A: FY 2025 Housing Trust Fund Allocation Amounts

Grantee	FY 2025 allocation
1. Alabama	\$3,001,259.36
2. Alaska	3,134,373.20
3. Arizona	3,463,424.30
4. Arkansas	3,001,259.36
5. California	23,448,689.68
6. Colorado	3,311,032.38
7. Connecticut	3,134,373.20
8. Delaware	3,134,373.20
9. District of Columbia	3,134,373.20
10. Florida	8,528,463.49
11. Georgia	4,805,897.84
12. Hawaii	3,134,373.20
13. Idaho	3,001,259.36
14. Illinois	6,654,452.74
15. Indiana	3,296,362.68
16. Iowa	3,134,373.20
17. Kansas	3,134,373.20
18. Kentucky	3,134,373.20
19. Louisiana	3,134,373.20
20. Maine	3,134,373.20
21. Maryland	3,419,311.15
22. Massachusetts	4,595,705.43
23. Michigan	4,395,993.44
24. Minnesota	3,134,373.20
25. Mississippi	3,001,259.36
26. Missouri	3,242,186.84
27. Montana	3,134,373.20
28. Nebraska	3,134,373.20
29. Nevada	3,134,373.20
30. New Hampshire	3,134,373.20
31. New Jersey	5,685,377.90
32. New Mexico	3,134,373.20
33. New York	14,344,327.16
34. North Carolina	4,712,236.50
35. North Dakota	3,134,373.20
36. Ohio	4,886,255.62
37. Oklahoma	3,134,373.20
38. Oregon	3,195,793.58
39. Pennsylvania	5,658,299.76
40. Rhode Island	3,001,259.36
41. South Carolina	3,134,373.20
42. South Dakota	3,001,259.36
43. Tennessee	3,286,783.59
44. Texas	9,611,392.27
45. Utah	3,134,373.20
46. Vermont	3,134,373.20
47. Virginia	4,144,711.61
48. Washington	4,255,055.41
49. West Virginia	3,134,373.20
50. Wisconsin	3,295,885.42
51. Wyoming	3,134,373.20
52. Puerto Rico	688,461.35
53. American Samoa	0
54. Guam	0
55. Northern Marianas	0
56. Virgin Islands	0
Total	223,024,239.90

[FR Doc. 2025–22177 Filed 12–5–25; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service**

[Docket No. FWS-R4-ES-2025-0836;
FXES11140400000-267-FF04EF4000]

**Receipt of Incidental Take Permit
Application and Proposed Habitat
Conservation Plan for 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 Pulte Home Company, LLC (Sand & Silica North project) (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 multi-family development and the associated clearing and infrastructure 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 January 7, 2026.

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-2025-0836 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-2025-0836.

- **U.S. mail:** Public Comments

Processing, Attn: Docket No. FWS-R4-ES-2025-0836; U.S. Fish and Wildlife

Service, MS: PRB/3W; 5275 Leesburg Pike; Falls Church, VA 22041-3803.

FOR FURTHER INFORMATION CONTACT: Erin Gawera, Jacksonville Ecological Services Field Office, by phone 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 Pulte Home Company (Sand & Silica North project) (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 the federally listed threatened federally listed sand skinks (*Neopseps* (= *Plestiodon*) *reynoldsi*) and blue-tailed mole skinks (*Eumeces egregius lividus*) (skinks) incidental to the construction of a multi-family development and the associated clearing and infrastructure 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 18.4 acres (ac) of occupied nesting, foraging, and sheltering skink habitat incidental to the construction and operation of a multi-family development on 295.00 acs, on Parcel #s 27-26-23-000000-022000, 27-26-24-000000-022000, 27-26-25-000000-013000 and portions of 27-26-25-000000-011000 & 27-26-26-000000-011000 in Sections 23, 24, 25, & 26, Township 26 South, Range 27 East, Polk County, Florida.

The applicant proposes to mitigate for take of the skinks by purchasing credits equivalent to 36.8 ac of skink-occupied habitat within a Service-approved skink 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 a multi-family development and the associated clearing and infrastructure, would have a minor effect on skinks and the human environment and that extraordinary circumstances in 43 CFR 46.215 do not apply. Reasonably foreseeable effects encompass effects of implementation of the action including effects of the action in addition to other past, present, and reasonably foreseeable future effects.

Therefore, we have preliminarily determined that the proposed ESA section 10(a)(1)(B) permit would be a low-effect ITP that may qualify for application of a categorical exclusion (516 DM 8.5(C)(2)), pursuant to NEPA, 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 the comments 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 PER20580789 to Pulte Home Company, LLC (Sand & Silica North project).

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).

Jose Rivera,

*Manager, Division of Environmental Review,
Florida Ecological Services Field Office, U.S.
Fish and Wildlife Service.*

[FR Doc. 2025–22186 Filed 12–5–25; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–AKR–ANIA–CAKR–DENA–GAAR–
KOVA–LACL–WRST–40394; PPAKAKROR4,
PPMPRL1Y.LS0000]

Request for Nominations for the National Park Service Alaska Region Subsistence Resource Commission Program

AGENCY: National Park Service, Interior.

ACTION: Request for nominations.

SUMMARY: The National Park Service (NPS) is seeking nominations for individuals to represent subsistence users on the following Subsistence Resource Commissions (SRC): the Aniakchak National Monument SRC, the Cape Krusenstern National Monument SRC, the Denali National Park SRC, the Gates of the Arctic National Park SRC, the Kobuk Valley National Park SRC, the Lake Clark National Park SRC, and the Wrangell-St. Elias National Park SRC.

DATES: Nominations must be postmarked by March 9, 2026.

ADDRESSES: Nominations should be sent to: Eva Patton, Regional Subsistence Program Manager, National Park Service Alaska Regional Office, 240 W 5th Avenue, Anchorage, AK 99501, or eva_patton@nps.gov.

FOR FURTHER INFORMATION CONTACT: Eva Patton via telephone at (907) 644–3601. 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: The NPS SRC program is authorized under section 808 of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3118). The SRCs hold meetings to develop NPS subsistence program recommendations and advise on related regulatory proposals and resource management issues.

Each SRC is composed of nine members: (a) three members appointed by the Secretary of the Interior; (b) three members appointed by the Governor of the State of Alaska; and (c) three members appointed by a Regional Advisory Council (RAC), established pursuant to 16 U.S.C. 3115, which has jurisdiction within the area in which the park is located. Each of the three members appointed by the RAC must be a member of either the RAC or a local advisory committee within the region who also engages in subsistence uses within the park or national monument.

We are now seeking nominations for those members of each of the SRCs listed above. These members are to be appointed by the Secretary of the Interior.

Members will be appointed for a term of three years. Members of the SRC serve without compensation. However, while away from their homes or regular places of business in the performance of services for the SRC, and as approved by the Designated Federal Officer (DFO), members may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service are allowed such expenses under Section 5703 of Title 5 of the United States Code.

Members are expected to make every effort to attend all meetings. Members may not appoint deputies or alternates.

All those interested in serving as members, including current members whose terms are expiring, must follow the same nomination process.

Nominations should be typed and should include a resume providing an adequate description of the nominee's qualifications, including information that would enable the Department of the Interior to make an informed decision regarding meeting the membership requirements of the SRC, and to permit the Department to contact a potential member.

Authority: 5 U.S.C. Ch. 10.

Alma Rippis,

Chief, Office of Policy.

[FR Doc. 2025–22233 Filed 12–5–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

[RR040U2100, XXXR4081X3,
RX.05940913.FY19400]

Notice To Reopen the Glen Canyon Dam Adaptive Management Work Group Call for Nominations

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice to reopen a call for nominations.

SUMMARY: A request for nominations was published by the Department of the Interior in the **Federal Register** on September 10, 2025, for specific positions on the Glen Canyon Dam Adaptive Management Work Group (AMWG) Federal advisory committee. The nomination period ended on October 27, 2025. This notice reopens the nomination period until January 15, 2026.

DATES: The nomination period for the notice published on September 9, 2025, at 90 FR 43627, is reopened. Nominations for the vacant positions are due on or before January 15, 2026.

ADDRESSES: Send nomination packages to Wayne G. Pullan, Regional Director, U.S. Bureau of Reclamation, 125 South State Street, Room 8100, Salt Lake City, UT 84138, or via email to bor-sha-ucr-gcdamp@usbr.gov.

FOR FURTHER INFORMATION CONTACT: Ms. Kathleen Callister, Acting Designated Federal Officer, at (801) 524–3781, or by email at kcallister@usbr.gov.

SUPPLEMENTARY INFORMATION:

Nomination Process: Nominations should include a resume that provides an adequate description of the nominee's qualifications, particularly information that will enable the Department of the Interior to evaluate the nominee's potential to meet the membership requirements of the AMWG and permit the Department of the Interior to contact a potential member. The *Membership Criteria* section in the notice published on September 10, 2025 (90 FR 43627), provides specific information to be included in nomination packages.

Authority: 5 U.S.C. Ch. 10.

Wayne G. Pullan,

Regional Director, Interior Region 7: Upper Colorado Basin, Bureau of Reclamation.

[FR Doc. 2025-22231 Filed 12-5-25; 8:45 am]

BILLING CODE 4332-90-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1414]

Certain Semiconductor Devices and Products Containing the Same; Notice of Request for Submissions on the Public Interest

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that on December 2, 2025, the presiding administrative law judge (“ALJ”) issued an Initial Determination on Violation of Section 337. The ALJ also issued a Recommended Determination on Remedy and Bond 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:

Joelle P. Justus, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-2593. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: Section 337 of the Tariff Act of 1930 provides that, if the Commission finds a violation, it shall exclude the articles concerned from the United States unless, after considering the effect of such exclusion upon the public health and welfare, competitive conditions in the United States economy, the production of like or directly competitive articles in the United

States, and United States consumers, it finds that such articles should not be excluded from entry. (19 U.S.C. 1337(d)(1)). A similar provision applies to cease and desist orders. (19 U.S.C. 1337(f)(1)).

The Commission is soliciting submissions on public interest issues raised by the recommended relief should the Commission find a violation, specifically: a limited exclusion order directed to certain semiconductor devices and products containing the same imported, sold for importation, and/or sold after importation by respondents Innoscience (Suzhou) Technology Holding Co., Ltd.; Innoscience (Suzhou) Semiconductor Co., Ltd.; Innoscience (Zhuhai) Technology Company, Ltd.; and Innoscience America, Inc.; and cease and desist orders directed to each respondent. Parties are to file public interest submissions pursuant to 19 CFR 210.50(a)(4).

The Commission is interested in further development of the record on the public interest in this investigation. Accordingly, members of the public and interested government agencies are invited to file submissions of no more than five (5) pages, inclusive of attachments, concerning the public interest in light of the ALJ’s Recommended Determination on Remedy and Bond issued in this investigation on December 2, 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 January 5, 2026.

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-1414”) 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: December 3, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025–22161 Filed 12–5–25; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1430]

Certain Urine Splash Guards and Components Thereof; Notice of a Commission Decision To Review in Part an Initial Determination Granting in Part Complainant's Motion for Summary Determination of a Violation of Section 337; Request for Written Submissions on Remedy, the Public Interest, and Bonding

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission ("Commission") has determined to review in part an initial determination ("ID") issued by the presiding Administrative Law Judge ("ALJ"), granting in part complainant's motion for summary determination of a violation of section 337 of the Tariff Act of 1930, as amended. The Commission requests written submissions from the parties, interested government agencies, and other interested persons on the issues of remedy, the public interest, and bonding, under the schedule set forth below.

FOR FURTHER INFORMATION CONTACT: Houda Morad, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 708–4716. 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: The Commission instituted this investigation on January 13, 2025, based on a complaint filed by Kids By Parents, Inc. ("Complainant") of Potomac, Maryland. 90 FR 2745–46 (Jan. 13, 2025). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337) ("section 337"), in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain urine splash guards and components thereof by reason of the infringement of claims 1 and 2 of U.S. Patent No. 7,870,619 ("the '619 patent") and claims 1–3 of U.S. Patent No. 11,812,901 ("the '901 patent") (collectively, "the Asserted Patents"). *Id.* at 2745. The complaint further alleges that a domestic industry exists. *Id.* The notice of investigation names the following as respondents: (1) Hezeyunjiangjixieshebeiyouxiangongsi (d/b/a Maomaohouse) ("Maomaohouse") of Shenzhen, China; Guangzhou Lesenyu Dianzishangwu Youxiangongsi (d/b/a Le Sengyu) ("Le Sengyu") of Guangzhou, China; Hefeiweifengshidaishidaimaoyiyouxiangongsi (d/b/a HealthSTEC) ("HealthSTEC") of Hefei City, China; ShenzhenShi Julonghui Trading Co., Ltd. (d/b/a Edermurs) ("Edermurs") of Shenzhen, China; and ShenzhenShi Lishian Keji Youxiangongsi (d/b/a Lishian) ("Lishian") of Shenzhen, China (collectively, "the Defaulting Respondents"); and (2) ShenzhenShi Dijiaotuman Trading Co., Ltd. (d/b/a Tigaman) ("Tigaman") of Shenzhen, China; Junyaxincai wuzixunyouxiangongsi (d/b/a Junyixin) ("Junyixin") of Xiamen City, China; ShenzhenShiranbodianziyouxiangongsi (d/b/a Eurbus) ("Eurbus") of Shenzhen, China; Shenzhen Paisi Industrial Co., Ltd. (d/b/a Sunyoka123) ("Sunyoka123") of Shenzhen, China; and Shenzhen Sibaite Industrial Co., Ltd. (d/b/a SeLucky) ("SeLucky") of Shenzhen, China (collectively, "the Settling Respondents"). *Id.* at 2746. The Office of Unfair Import Investigations ("OUII") is also a party to the investigation. *Id.*

The Commission previously terminated the Settling Respondents based on settlement. *See* Order No. 5 (Mar. 11, 2025), *unreviewed by Comm'n Notice* (Apr. 1, 2025) (Sunyoka123); Order No. 6 (Mar. 11, 2025), *unreviewed by Comm'n Notice* (Apr. 1, 2025) (SeLucky); Order No. 7 (Mar. 11, 2025), *unreviewed by Comm'n Notice* (Apr. 1, 2025) (Eurbus); Order No. 10 (Apr. 1, 2025), *unreviewed by Comm'n Notice* (Apr. 22, 2025) (Tigaman); Order No. 11

(Apr. 1, 2025), *unreviewed by Comm'n Notice* (Apr. 22, 2025) (Junyixin).

On May 6, 2025, the ALJ issued an ID finding the Defaulting Respondents in default for failure to respond to the complaint, notice of investigation, and order to show cause. *See* Order No. 13 (May 6, 2025), *unreviewed by Comm'n Notice* (May 28, 2025).

On June 30, 2025, Complainant filed a motion for summary determination of a violation of section 337 against the Defaulting Respondents. Complainant also requested entry of a general exclusion order ("GEO"), cease and desist orders ("CDOs"), and a bond of one hundred percent (100%) of the entered value of infringing articles imported during the period of Presidential review. On July 10, 2025, OUII filed a response in support of the motion. No other responses were filed.

On September 17, 2025, the ALJ issued the subject ID (Order No. 16) granting in part Complainant's motion for summary determination of violation of section 337 by the Defaulting Respondents. Specifically, the ALJ granted Complainant's motion with respect to claims 1 and 2 of the '619 patent and claims 1 and 2 of the '901 patent, but not with respect to claim 3 of the '901 patent. The ALJ also issued a recommended determination ("RD") recommending that the Commission issue a GEO and CDOs against Maomaohouse, Le Sengyu, HealthSTEC, and Lishian, but not Edermurs. The ALJ further recommended that the Commission set a bond of one hundred percent (100%) of the entered value of infringing articles during the period of Presidential review. No petition for review of the subject ID was filed.

Also on September 17, 2025, the ALJ issued Order No. 17 requesting that the parties file a joint submission by September 30, 2025, as to whether further proceedings are warranted with respect to claim 3 of the '901 patent. *See* Order No. 17 (Sept. 17, 2025). On September 25, 2025, Complainant and OUII filed a response indicating that Complainant would seek to partially terminate the investigation as to claim 3 of the '901 patent.

On September 29, 2025, Complainant filed a motion for partial termination of the investigation as to claim 3 of the '901 patent based on withdrawal of the complaint as to that claim. On the same day, the ALJ issued an ID granting the motion thereby terminating the investigation before the ALJ. *See* Order No. 18 (Sept. 29, 2025).

Having reviewed the record of the investigation, the Commission has determined to review in part the subject ID (Order No. 16). Specifically, the

Commission has determined to review the ID's findings relating to the domestic industry requirement. The Commission has determined not to review the remainder of the subject ID.

In connection with the final disposition of this investigation, the statute authorizes issuance of, *inter alia*, (1) an exclusion order that could result in the exclusion of the subject articles from entry into the United States; and/or (2) cease and desist orders that could result in the respondents being required to cease and desist from engaging in unfair acts in the importation and sale of such articles. Accordingly, the Commission is interested in receiving written submissions that address the form of remedy, if any, that should be ordered. If a party seeks exclusion of an article from entry into the United States for purposes other than entry for consumption, the party should so indicate and provide information establishing that activities involving other types of entry either are adversely affecting it or likely to do so. For background, see *Certain Devices for Connecting Computers via Telephone Lines*, Inv. No. 337-TA-360, USITC Pub. No. 2843, Comm'n Op. at 7-10 (Dec. 1994).

The statute requires the Commission to consider the effects of that remedy upon the public interest. The public interest factors the Commission will consider include the effect that an exclusion order and cease and desist orders would have on: (1) the public health and welfare, (2) competitive conditions in the U.S. economy, (3) U.S. production of articles that are like or directly competitive with those that are subject to investigation, and (4) U.S. consumers. The Commission is therefore interested in receiving written submissions that address the aforementioned public interest factors in the context of this investigation.

If the Commission orders some form of remedy, the U.S. Trade Representative, as delegated by the President, has 60 days to approve, disapprove, or take no action on the Commission's determination. See Presidential Memorandum of July 21, 2005, 70 FR 43251 (July 26, 2005). During this period, the subject articles would be entitled to enter the United States under bond, in an amount determined by the Commission and prescribed by the Secretary of the Treasury. The Commission is therefore interested in receiving submissions concerning the amount of the bond that should be imposed if a remedy is ordered.

Written Submissions: Parties to the investigation, interested government

agencies, and any other interested parties are encouraged to file written submissions on the issues of remedy, the public interest, and bonding. Such submissions should address the recommended determination by the ALJ on remedy and bonding.

In the initial submission, Complainant is also requested to identify the remedy sought and Complainant and OUII are requested to submit proposed remedial orders for the Commission's consideration. Complainant is further requested to state the dates that the Asserted Patents expire, to provide the HTSUS subheadings under which the accused products are imported, and to supply the identification information for all known importers of the products at issue in this investigation. All initial written submissions from the parties and/or third parties and interested government agencies, and proposed remedial orders from the parties must be filed no later than close of business on December 19, 2025. All reply submissions must be filed no later than the close of business on January 5, 2026. All submissions from third parties and/or interested government agencies are limited to 10 pages. No further submissions on any of these issues will be permitted unless otherwise ordered by the Commission.

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/documents/handbook_on_filing_procedures.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 with the Commission and served on any parties to the investigation within two business days of any confidential filing. 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.

The Commission vote for this determination took place on December 3, 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: December 3, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025-22160 Filed 12-5-25; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701-TA-502 and 731-TA-1227 (Second Review)]

Steel Concrete Reinforcing Bar From Mexico and Turkey; Revised Schedule for the Subject Proceeding

AGENCY: United States International Trade Commission.

ACTION: Notice.

DATES: November 26, 2025.

FOR FURTHER INFORMATION CONTACT: Kenneth Gatten III (202-708-1447), 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 proceeding may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION: Effective September 2, 2025, the Commission established a schedule for the conduct of the subject proceeding (90 FR 42440, September 2, 2025). Due to the lapse in appropriations and ensuing cessation of Commission operations, the Commission is revising its schedule as follows: responses to the notice of institution are due November 18, 2025; comments concerning the adequacy of responses to the notice of institution and whether the Commission should conduct an expedited or full review are due December 30, 2025.

For further information concerning this proceeding, see the Commission's notice cited above and the Commission's Rules of Practice and Procedure, part 201, subparts A and B (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

Authority: This proceeding is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.62 of the Commission's rules.

By order of the Commission.

Issued: December 3, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025–22136 Filed 12–5–25; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–449 and 731–TA–1118–1121 (Third Review)]

Light-Walled Rectangular Pipe and Tube From China, Mexico, South Korea, and Turkey; Notice of Commission Determination To Conduct Full Five-Year Reviews

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice that it will proceed with full reviews pursuant to the Tariff Act of 1930 to determine whether revocation of the countervailing duty order on light-walled rectangular pipe and tube from China and revocation of the

antidumping duty orders on light-walled rectangular pipe and tube from China, Mexico, South Korea, and Turkey would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time. A schedule for the reviews will be established and announced at a later date.

DATES: November 24, 2025.

FOR FURTHER INFORMATION CONTACT:

Kenneth Gatten III (202–708–1447), 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 these reviews may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>.

For further information concerning the conduct of these reviews and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

SUPPLEMENTARY INFORMATION: On November 24, 2025, the Commission determined that it should proceed to full reviews in the subject five-year reviews pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)).¹ The Commission found that both the domestic and respondent interested party group responses from Mexico to its notice of institution (90 FR 28771, July 1, 2025) were adequate, and determined to conduct a full review of the order on imports from Mexico. The Commission also found that the respondent interested party group responses from China, South Korea, and Turkey were inadequate but determined to conduct full reviews of the orders on imports from those countries in order to promote administrative efficiency in light of its determinations to conduct a full review of the order with respect to Mexico. A record of the Commissioners' votes will be available from the Office

¹ Due to the lapse in appropriations and ensuing cessation of Commission operations, the Commission tolled its schedule for this proceeding.

of the Secretary and at the Commission's website.

Authority: These reviews are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to § 207.62 of the Commission's rules.

By order of the Commission.

Issued: December 3, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025–22156 Filed 12–5–25; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Lead in General Industry Standard

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Occupational Safety & Health Administration (OSHA)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that the agency receives on or before January 7, 2026.

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: Nicole Bouchet by telephone at 202–693–0213, or by email at DOL_PRA_PUBLIC@dol.gov.

SUPPLEMENTARY INFORMATION: The purpose of this standard and its information collection requirements is to provide protection for workers from the adverse effects associated with occupational exposure to the carcinogen lead. Employers must monitor exposure to lead, provide medical surveillance, train employees about the hazards of lead, and establish and maintain accurate records of worker exposure to lead. These records are used by employers, workers, physicians, and the Government to ensure that workers are not being harmed by exposure to lead. For additional substantive information

about this ICR, see the related notice published in the **Federal Register** on April 14, 2025 (90 FR 15591).

Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. See 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Agency: DOL-OSHA.

Title of Collection: Lead in General Industry Standard.

OMB Control Number: 1218-0092.

Affected Public: Private Sector—Businesses or other for-profits.

Total Estimated Number of Respondents: 60,569.

Total Estimated Number of Responses: 4,042,988.

Total Estimated Annual Time Burden: 1,250,537 hours.

Total Estimated Annual Other Costs Burden: \$210,232,946.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Nicole Bouchet,

Senior Paperwork Reduction Act Analyst.

[FR Doc. 2025-22215 Filed 12-5-25; 8:45 am]

BILLING CODE 4510-26-P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Additional Requirements for Special Dipping and Coating Operations (Dip Tanks)

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Occupational Safety & Health Administration (OSHA)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that the agency receives on or before January 7, 2026.

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: Nicole Bouchet by telephone at 202-693-0213, or by email at DOL_PRA_PUBLIC@dol.gov.

SUPPLEMENTARY INFORMATION: This standard applies to dipping and coating operations conducted by employers involved in procedures that prevent injury and death among workers exposed to hazards associated with such support operations. The information collection requirement contained in the standard is to ensure that workers are aware of the safe distance to be when electrostatic paint detearing equipment is being used. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on March 11, 2025 (90 FR 11753).

Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who

are to respond, including the use of automated collection techniques or other forms of information technology.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. See 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Agency: DOL-OSHA.

Title of Collection: Additional Requirements for Special Dipping and Coating Operations (Dip Tanks).

OMB Control Number: 1218-0237.

Affected Public: Private Sector—Businesses or other for-profits.

Total Estimated Number of Respondents: 10.

Total Estimated Number of Responses: 10.

Total Estimated Annual Time Burden: 1 hour.

Total Estimated Annual Other Costs Burden: \$0.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Nicole Bouchet,

Senior Paperwork Reduction Act Analyst.

[FR Doc. 2025-22221 Filed 12-5-25; 8:45 am]

BILLING CODE 4510-26-P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Occupational Exposure to Noise Standard

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Occupational Safety & Health Administration (OSHA)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that the agency receives on or before January 7, 2026.

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: Nicole Bouchet by telephone at 202–693–0213, or by email at DOL_PRA_PUBLIC@dol.gov.

SUPPLEMENTARY INFORMATION: The purpose of the Occupational Noise Standard and its information collection requirements are to provide protection to workers from adverse health effects associated with occupational exposure to noise. The standard requires employers to establish and maintain accurate records of worker exposure to noise and audiometric testing performed in compliance with this standard. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on June 9, 2025 (90 FR 24297).

Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency’s estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. See 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that

information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Agency: DOL–OSHA.

Title of Collection: Occupational Exposure to Noise Standard.

OMB Control Number: 1218–0048.

Affected Public: Private Sector—Businesses or other for-profits.

Total Estimated Number of Respondents: 285,510.

Total Estimated Number of Responses: 17,424,368.

Total Estimated Annual Time Burden: 2,443,146 hours.

Total Estimated Annual Other Costs Burden: \$43,851,245.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Nicole Bouchet,

Senior Paperwork Reduction Act Analyst.

[FR Doc. 2025–22214 Filed 12–5–25; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Hazardous Conditions Complaints

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Mine Safety & Health Administration (MSHA)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that the agency receives on or before January 7, 2026.

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: Nicole Bouchet by telephone at 202–693–0213, or by email at DOL_PRA_PUBLIC@dol.gov.

SUPPLEMENTARY INFORMATION: Under Section 103(g) of the Federal Mine Safety and Health Act of 1977, as amended (Mine Act), a representative of miners, or any individual miner where there is no representative of miners,

may submit a written or oral notification of alleged violation or imminent danger of the Mine Act or a mandatory standard or of an imminent danger. The notifier has the right to obtain an immediate inspection by MSHA. A copy of the notice must be provided to the operator, with individual miner names redacted. MSHA regulations at 30 CFR part 43 implement section 103(g) of the Mine Act. These regulations provide the procedures for submitting notification of the alleged violation and the actions that MSHA must take after receiving the notice. Although the regulations contain a review procedure (required by section 103(g)(2) of the Mine Act) whereby a miner or a representative of miners may in writing request a review if no citation or order is issued as a result of the original notice, the option is so rarely used that it was not considered in the burden estimates. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on September 25, 2025 (90 FR 46261).

Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency’s estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. See 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Agency: DOL–MSHA.

Title of Collection: Hazardous Conditions Complaints.
OMB Control Number: 1219–0014.
Affected Public: Individuals or Households.

Total Estimated Number of Respondents: 2,249.

Total Estimated Number of Responses: 2,249.

Total Estimated Annual Time Burden: 450 hours.

Total Estimated Annual Other Costs Burden: \$0.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Nicole Bouchet,

Senior Paperwork Reduction Act Analyst.

[FR Doc. 2025–22216 Filed 12–5–25; 8:45 am]

BILLING CODE 4510–43–P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Cleanup Program for Accumulations of Coal and Float Coal Dusts, Loose Coal, and Other Combustibles

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Mine Safety & Health Administration (MSHA)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that the agency receives on or before January 7, 2026.

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:

Nicole Bouchet by telephone at 202–693–0213, or by email at DOL_PRA_PUBLIC@dol.gov.

SUPPLEMENTARY INFORMATION: The ICR pertains to a process that includes a written cleanup program for each mine that will be maintained in the underground mine file at the appropriate District Office. This cleanup program is used as a tool to help abate significant or persistent problems. This tool gives the Agency leverage in

abating violations by including cleanup program revisions to address hazards detected in the mine. Mine operators will need to show compliance in order to abate violations. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on September 25, 2025 (90 FR 46260).

Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency’s estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. See 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Agency: DOL–MSHA.

Title of Collection: Cleanup Program for Accumulations of Coal and Float Coal Dusts, Loose Coal, and Other Combustibles.

OMB Control Number: 1219–0151.

Affected Public: Private Sector—Businesses or other for-profits.

Total Estimated Number of Respondents: 146.

Total Estimated Number of Responses: 132.

Total Estimated Annual Time Burden: 197 hours.

Total Estimated Annual Other Costs Burden: \$0.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Nicole Bouchet,

Senior Paperwork Reduction Act Analyst.

[FR Doc. 2025–22222 Filed 12–5–25; 8:45 am]

BILLING CODE 4510–43–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104301; File No. SR–IEX–2025–30]

Self-Regulatory Organizations; Investors Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the Exchange’s Compliance Rule Regarding the National Market System Plan Governing the Consolidated Audit Trail To Be Consistent With the Bona Fide Market Maker Exception Under Regulation SHO

December 3, 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 November 24, 2025, the Investors Exchange LLC (“IEX” or the “Exchange”) filed with the Securities and Exchange Commission (“Commission”) the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

Pursuant to the provisions of Section 19(b)(1) of the Act,³ and Rule 19b–4 thereunder,⁴ the Exchange is filing with the Commission a proposed rule change to amend Rule 11.630(a)(2) of the Exchange’s compliance rule (“CAT Compliance Rule”) regarding the National Market System Plan Governing the Consolidated Audit Trail (the “CAT NMS Plan” or “Plan”)⁵ to be consistent with the amendment to the CAT NMS Plan that requires broker-dealers with a reporting obligation to CAT to report whether an original receipt or origination of an order to sell an equity security is a short sale for which a market maker is claiming the bona fide market making exception in Rule

¹ 15 U.S.C. 78a.

² 17 CFR 240.19b–4.

³ 15 U.S.C. 78s(b)(1).

⁴ 17 CFR 240.19b–4.

⁵ Unless otherwise specified, capitalized terms used in this rule filing are defined as set forth in the CAT Compliance Rule.

203(b)(2)(iii) of Regulation SHO (“BFMM Locate Exception”).⁶

The text of the proposed rule change is available at the Exchange’s website at <https://www.iexexchange.io/resources/regulation/rule-filings> and at the principal office of the Exchange.

II. Self-Regulatory Organization’s Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization’s Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of this proposed rule change is to amend Rule 11.630(a)(2) of the CAT Compliance Rule to be consistent with the amendment to the CAT NMS Plan related to the BFMM Locate Exception. In 2023, the Commission amended the CAT NMS Plan to require the reporting to the CAT of reliance on the BFMM Locate Exception.⁷ Specifically, the Commission added paragraph (D) to Section 6.4(d)(ii) of the CAT NMS Plan, which requires each Participant, through its Compliance Rule, to require its Industry Members⁸ to record and report to the Central Repository the following:

for the original receipt or origination of an order to sell an equity security, whether the order is for a short sale effected by a market maker in connection with bona fide market making activities in the security for which the exception in Rule 203(b)(2)(iii) of Regulation SHO is claimed.

Accordingly, the Exchange proposes to amend its CAT Compliance Rule to reflect this additional CAT reporting requirement. Specifically, the Exchange proposes to add paragraph (G) to Rule 11.630(a)(2), which would require each Industry Member to record and report to the Central Repository the following:

for the original receipt or origination of an order to sell an equity security, whether the order is for a short sale effected by a market maker in connection with bona fide market making activities in the security for which the exception in Rule 203(b)(2)(iii) of Regulation SHO is claimed.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the provisions of Section 6(b)(5) of the Act,⁹ which require, among other things, that the Exchange’s rules must be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, and, in general, to protect investors and the public interest, and Section 6(b)(8) of the Act,¹⁰ which requires that the Exchange’s rules not impose any burden on competition that is not necessary or appropriate.

The Exchange believes that this proposal is consistent with the Act because it is consistent with the amendment to the CAT NMS Plan approved by the Commission and is designed to assist the Exchange and its Industry Members in meeting regulatory obligations pursuant to the Plan. In approving the Plan, the Commission noted that the Plan “is necessary and appropriate in the public interest, for the protection of investors and the maintenance of fair and orderly markets, to remove impediments to, and perfect the mechanism of a national market system, or is otherwise in furtherance of the purposes of the Act.”¹¹ To the extent that this proposal implements the Plan as amended, and applies specific requirements to Industry Members, the Exchange believes that this proposal furthers the objectives of the Plan, as identified by the Commission, and is therefore consistent with the Act.

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. The Exchange notes that the proposed rule change is consistent with the amendment to the CAT NMS Plan approved by the Commission and is designed to assist the Exchange in meeting its regulatory obligations pursuant to the Plan. The Exchange also notes that the amendment to the CAT Compliance Rule will apply equally to

all Industry Members that trade equity securities. In addition, all national securities exchanges and FINRA are proposing these amendments to their CAT Compliance Rules. Therefore, this is not a competitive rule filing, and, therefore, it does not impose a burden on competition.

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

Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act¹² and subparagraph (f)(6) of Rule 19b–4 thereunder.¹³

A proposed rule change filed under Rule 19b–4(f)(6)¹⁴ normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),¹⁵ the Commission may designate a shorter time if such action is consistent with 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 Commission believes that waiving 30-day operative delay is consistent with the protection of investors and the public interest because the proposal seeks to amend the Exchange’s CAT Compliance Rule to reflect the requirement in the CAT NMS Plan that industry members report for the original receipt or origination of an order to sell an equity security, whether the order is for a short sale effected by a market maker in connection with bona fide market making activities in the security for which the exception in Rule 203(b)(2)(iii) of Regulation SHO is

¹² 15 U.S.C. 78s(b)(3)(A)(iii).

¹³ 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

¹⁴ 17 CFR 240.19b–4(f)(6).

¹⁵ 17 CFR 240.19b–4(f)(6)(iii).

⁶ See Securities Exchange Act Rel. No. 98738 (Oct. 13, 2023), 88 FR 75100 (Nov. 1, 2023); Securities Exchange Act Rel. No. 98739 (Oct. 13, 2023), 88 FR 75079 (Nov. 1, 2023).

⁷ *Id.*

⁸ See IEX Rule 11.610(u).

⁹ 15 U.S.C. 78f(b)(6).

¹⁰ 15 U.S.C. 78f(b)(8).

¹¹ See Securities Exchange Act Release No. 79318 (Nov. 15, 2016), 81 FR 84696, 84697 (Nov. 23, 2016).

claimed.¹⁶ The proposal does not introduce any novel regulatory issues. Accordingly, the Commission designates the proposed rule change to be operative upon filing.¹⁷

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-IEX-2025-30 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.
- All submissions should refer to file number SR-IEX-2025-30. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<https://www.sec.gov/rules/sro.shtml>). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-IEX-2025-30 and

should be submitted on or before December 29, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁸

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2025-22143 Filed 12-5-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-104302; File No. SR-CboeEDGX-2025-035]

Self-Regulatory Organizations; Cboe EDGX Exchange, Inc.; Notice of Designation of a Longer Period for Commission Action on Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change, as Modified by Amendment No. 1, To Amend Rule 11.21 To Allow a Retail Member Organization To Enter a Retail Order Onto the Exchange in a Principal Capacity

December 3, 2025.

On May 21, 2025, Cboe EDGX Exchange, Inc. ("Exchange") filed with the Securities and Exchange Commission ("Commission"), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 19b-4 thereunder,² a proposed rule change to (i) amend Rule 11.21(a)(2) to allow a Retail Member Organization to enter a Retail Order onto the Exchange in a principal capacity, provided the requirements of proposed Rule 11.21(g) are satisfied; (ii) codify in proposed new Rule 11.21(g) additional requirements a Retail Member Organization must comply with in order to enter Retail Orders as principal; and (iii) amend Rule 11.21(b)(6) to require that Retail Member Organizations have in place policies and procedures reasonably designed to ensure compliance with proposed Rule 11.21(g), as well as to ensure that the Retail Member Organization can, upon request by the Exchange, produce documentation evidencing compliance with the requirements of Rule 11.21(g).³ The Commission has not received any comments on the proposed rule change. On July 25, 2025, pursuant to Section 19(b)(2) of the Act,⁴ the Commission designated a longer period within which

to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to disapprove the proposed rule change.⁵ On September 4, 2025, the Exchange submitted Amendment No. 1 to the proposed rule change, which amended and superseded the proposed rule change in its entirety.⁶ On September 5, 2025, the Commission published notice of Amendment No. 1 and instituted proceedings under Section 19(b)(2)(B) of the Act⁷ to determine whether to approve or disapprove the proposed rule change, as modified by Amendment No. 1.⁸

Section 19(b)(2) of the Act⁹ provides that, after initiating proceedings, the Commission shall issue an order approving or disapproving the proposed rule change not later than 180 days after the date of publication of the notice of filing of the proposed rule change. The Commission may extend the period for issuing an order approving or disapproving the proposed rule change, however, by not more than 60 days if the Commission determines that a longer period is appropriate and publishes the reasons for such determination. The proposed rule change was published for comment in the **Federal Register** on June 10, 2025.¹⁰ The 180th day after publication of the Notice is December 7, 2025. The Commission is extending the time period for approving or disapproving the proposed rule change for an additional 60 days.

The Commission finds that it is appropriate to designate a longer period within which to issue an order approving or disapproving the proposed rule change so that it has sufficient time to consider the proposed rule change and the issues raised therein. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,¹¹ designates February 5, 2026, as the date by which the Commission shall either approve or disapprove the proposed rule change, as modified by Amendment

⁵ See Securities Exchange Act Release No. 103546 (July 25, 2025), 90 FR 35954 (July 30, 2025) (designating September 8, 2025 as the date by which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove the proposed rule change).

⁶ The full text of Amendment No. 1 is available on the Commission's website at <https://www.sec.gov/comments/sr-cboeedx-2025-035/sr-cboeedx2025035-648447-1943494.pdf>.

⁷ 15 U.S.C. 78s(b)(2)(B).

⁸ See Securities Exchange Act Release No. 103878 (Sept. 5, 2025), 90 FR 43668 (Sept. 10, 2025).

⁹ 15 U.S.C. 78s(b)(2).

¹⁰ See *supra* note 3.

¹¹ 15 U.S.C. 78s(b)(2).

¹⁶ See *supra* note 6.

¹⁷ For purposes only of waiving the 30-day operative delay, the Commission also has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

¹⁸ 17 CFR 200.30-3(a)(12) and (59).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ See Securities Exchange Act Release No. 103182 (June 4, 2025), 90 FR 24476 (June 10, 2025) ("Notice").

⁴ 15 U.S.C. 78s(b)(2).

No. 1 (File No. SR–ChoeEDGX–2025–035).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹²

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–22144 Filed 12–5–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104300; File No. SR–MEMX–2025–33]

Self-Regulatory Organizations; MEMX LLC; Notice of Filing and Immediate Effectiveness of a Proposal To Amend Exchange Rule 11.6(q)(1), Round Lot, To Conform With the Amendment to the Definition of Round Lot Under Rule 600 of Regulation NMS Recently Approved by the Commission

December 3, 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 November 25, 2025, MEMX LLC (“MEMX” or the “Exchange”) filed with the Securities and Exchange Commission (the “Commission”) the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Exchange filed the proposal as a “non-controversial” proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act³ and Rule 19b–4(f)(6) thereunder.⁴ The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

The Exchange is filing with the Commission a proposed rule change to amend Rule 11.6(q)(1), Round Lot, to conform with a recent amendment to the definition of round lot under Rule 600 of Regulation NMS recently approved by the Commission.⁵ The Exchange also proposes to make conforming, non-substantive changes to Exchange Rules 11.9(b)(2)(A)–(D) and Exchange Rule 11.20(d)(1). The text of the proposed rule change is provided in

Exhibit 5 and is available on the Exchange’s website at <https://info.memxtrading.com/regulation/rules-and-filings/>.

II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Rule 11.6(q)(1), Round Lot, to conform with the definition of round lot under Rule 600 of the Regulation NMS that is to be implemented in November 2025.⁶ The Exchange also proposes to make conforming non-substantive changes to Rules 11.9(b)(2)(A)–(D), Priority of Orders, Dissemination, and Rule 11.20(d)(1), Continuous, Two-Sided Quote Obligation.

In 2020, the Commission adopted amendments to Regulation NMS to modernize the NMS information provided within the national market system for the benefit of market participants and to better achieve Section 11A’s goals of assuring “the availability to brokers, dealers, and investors of information with respect to quotations for and transactions in securities that is prompt, accurate, reliable, and fair” (“MDI Rules”).⁷ These changes included an amendment to Rule 600 of Regulation NMS to include a definition of “round lot” that assigns each NMS stock to a round lot size based on the stock’s average closing price.⁸ Prior to this change, a “round lot” was not defined in the Act or Regulation NMS. The definition of a “round lot” was included in the rules of the individual exchanges, including Exchange Rule 11.6(q)(1), which defined a “Round Lot” as 100 shares or any multiple thereof, but the rules also

generally allowed the exchanges, or the primary listing exchange for the security, discretion to define “round lot” otherwise.

On September 18, 2024, the Commission accelerated the implementation of the round lot definition.⁹ The Commission also revised the round lot definition as set forth below.¹⁰ Rule 600(b)(93) of Regulation NMS, as adopted by the MDI Rules and as amended in 2024,¹¹ defines a round lot for NMS stocks¹² that have an average closing price on the primary listing exchange during the prior Evaluation Period¹³ of: (1) \$250.00 or less per share as 100 shares; (2) \$250.01 to \$1,000.00 per share as 40 shares; (3) \$1,000.01 to \$10,000.00 per share as 10 shares; and (4) \$10,000.01 or more per share as 1 share.¹⁴ For any security that becomes an NMS Stock during an operative period, as described in Rule 600(b)(93)(iv),¹⁵ a round lot is 100 shares. Adjustments to the round lot size for a security will occur on a semiannual basis and the calculation of the average closing price on the primary listing exchange will be based on a one month “Evaluation Period.”¹⁶ The revised definition of round lot is to be implemented on November 3, 2025, the first business day of November 2025.¹⁷

The Exchange now proposes to amend Exchange Rule 11.6(q)(1), Round Lot, to conform with the definition of round lot under Rule 600 of the Regulation NMS. Exchange Rule 11.6(q)(1) provides that “[O]ne hundred (100) shares or any multiple thereof shall constitute a Round Lot, unless an alternative number of shares is established as a Round Lot by the listing exchange for the security.” The Exchange now

⁹ See *supra* note 5.

¹⁰ See *supra* note 5.

¹¹ See *supra* note 5.

¹² “NMS stock” is defined under Regulation NMS as any NMS security other than an option. 17 CFR 242.600(b)(65).

¹³ Rule 600(b)(93)(iii) of Regulation NMS defines the Evaluation Period as “(A) all trading days in March for the round lot assigned on the first business day in May and (B) all trading days in September for the round lot assigned on the first business day of November during which the average closing price of an NMS stock on the primary listing exchange shall be measured by the primary listing exchange to determine the round lot for each NMS stock.”

¹⁴ See *supra* note 5.

¹⁵ Pursuant to Rule 600(b)(93)(iv) of Regulation NMS the round lot assigned under the section “shall be operative on (A) the first business day of May for the March Evaluation Period and continue through the last business day of October of the calendar year, and (B) the first business day of November for the September Evaluation Period and continue through the last business day of April of the next calendar year.”

¹⁶ See *supra* note 5.

¹⁷ See *supra* note 5.

¹² 17 CFR 200.30–3(a)(57).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b–4.

³ 15 U.S.C. 78s(b)(3)(A).

⁴ 17 CFR 240.19b–4.

⁵ See Securities Exchange Act Release No. 101070 (September 18, 2024), 89 FR 81620 (October 8, 2024) (S7–30–22).

⁶ See *supra* note 5.

⁷ See Securities Exchange Act Release No. 90610 (December 9, 2020), 86 FR 18596 (April 9, 2021) (“MDI Adopting Release”).

⁸ See *id.*

proposes to replace this sentence with a sentence that explicitly refers to the definition of round lot under Rule 600 of Regulation NMS. As a result, the above sentence will be deleted and replaced with the following, “[a] Round Lot for each NMS Stock shall be the size assigned by the primary listing market pursuant to Rule 600 of Regulation NMS under the Exchange Act.” Again, this change is being proposed solely to conform the Exchange’s definition of “Round Lot” under Exchange Rule 11.6(q)(1) to the new definition of Round Lot under Rule 600 of Regulation NMS.

The Exchange also proposes to make conforming non-substantive changes to Exchange Rules 11.9(b)(2)(A)–(D), Priority of Orders, Dissemination, and Exchange Rule 11.20(d)(1), Continuous, Two-Sided Quote Obligation. The Exchange proposes to capitalize the term “round lot” in Rule 11.9(b)(2)(A)–(D). In addition, the Exchange proposes to amend Exchange Rule 11.20(d)(1) to conform with the Exchange’s definition of Round Lot. Exchange Rule 11.20(d)(1) currently provides that “[u]nless otherwise designated, a ‘normal unit of trading’ shall be 100 shares.” The Exchange proposes to replace the aforementioned sentence with a sentence that conforms to the newly adopted definition of Round Lot in the Exchange’s Rulebook. As a result, the above sentence will be deleted and replaced with the following: “[u]nless otherwise designated, a ‘normal unit of trading’ shall be a Round Lot as defined in Exchange Rule 11.6(q)(1).”

The purpose of these changes is to provide greater clarity to Exchange Members¹⁸ and the public regarding the Exchange’s Rulebook. The Exchange does not propose any additional rule changes. The proposed rule changes will be implemented immediately.

2. Statutory Basis

The Exchange believes the proposed rule changes are consistent with the Securities Exchange Act of 1934 (the “Act”) and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.¹⁹ Specifically, the Exchange believes the proposed rule changes are 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. Additionally, the Exchange believes the proposed rule changes are consistent with the Section 6(b)(5)²¹ requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange proposes to amend Exchange Rule 11.6(q)(1), Round Lot, to conform with the definition of round lot under Rule 600 of the Regulation NMS that is to be implemented in November 2025.²² This change is proposed solely to conform the Exchange’s definition of “Round Lot” under Exchange Rule 11.6(q)(1) to the new definition of Round Lot under Rule 600 of Regulation NMS. The Exchange also proposes to make conforming, non-substantive changes to Exchange Rules 11.9(b)(2)(A)–(D), Priority of Orders, Dissemination, and Exchange Rule 11.20(d)(1), Continuous, Two-Sided Quote Obligation. These changes are limited to capitalizing the term “round lot” in Exchange Rules 11.9(b)(2)(A)–(D) and amending Exchange Rule 11.20(d)(1) to conform with the Exchange’s definition of round lot.

The proposed changes do not amend the operation of the affected rules. The proposed rule changes would reduce potential investor and market participant confusion and therefore remove impediments to and perfect the mechanism of a free and open market and a national market system by ensuring that the Exchange’s rules properly reflect the requirements of Rule 600 of Regulation NMS. The Exchange also believes that the proposed rule changes would remove impediments to and perfect the mechanism of a free and open market by ensuring that persons subject to the Exchange’s jurisdiction, regulators, and the investing public can more easily navigate and understand the Exchange’s rules. The proposed rule changes would not be inconsistent with the public interest or the protection of investors because investors will not be harmed and, in fact, would benefit from the increased transparency and clarity, thereby reducing potential confusion.

B. Self-Regulatory Organization’s Statement on Burden on Competition

The Exchange does not believe that the proposed rule changes will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change to amend the definition of round lot is not intended to address competitive issues; rather, the proposed change is concerned solely with amending the Exchange’s Rule to conform with the definition of round lot under Rule 600 of the Regulation NMS. The proposed rule changes to capitalize the term “round lot” in Exchange Rules 11.9(b)(2)(A)–(D) and amend Exchange Rule 11.20(d)(1) to conform with the Exchange’s definition of round lot are conforming and non-substantive in nature, and are not intended to address competitive issues.

C. Self-Regulatory Organization’s Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The proposed rule change is filed for immediate effectiveness pursuant to Section 19(b)(3)(A) of Act²³ and Rule 19b–4(f)(6)²⁴ thereunder. The Exchange designates that the proposed rule change effects a change that (i) does not significantly affect the protection of investors or the public interest; (ii) does not impose any significant burden on competition; and (iii) by its terms, does not become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest.²⁵

A proposed rule change filed under Rule 19b–4(f)(6) normally may not become operative prior to 30 days after the date of filing. However, Rule 19b–4(f)(6)(iii)²⁶ permits the Commission to designate a shorter time if such action is consistent with the protection of investors and the public interest. The

²³ 15 U.S.C. 78s(b)(3)(A).

²⁴ 17 CFR 240.19b–4(f)(6).

²⁵ In addition, Rule 19b–4(f)(6)(iii) requires the Exchange to give the Commission written notice of the Exchange’s 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.

²⁶ 17 CFR 240.19b–4(f)(6)(iii).

¹⁸ See Exchange Rule 1.5(p). A “Member” is defined as “any registered broker or dealer that has been admitted to membership in the Exchange.”

¹⁹ 15 U.S.C. 78f(b).

²⁰ 15 U.S.C. 78f(b)(5).

²¹ *Id.*

²² See *supra* note 5.

Exchange has requested that the Commission waive the 30-day operative delay period. The Commission believes that waiver of the 30-day operative delay period is consistent with the protection of investors and the public interest. Specifically, the proposal would conform the Exchange's definition of round lot with Rule 600 of Regulation NMS and would make other non-substantive changes. The Commission believes that the proposal would reduce potential investor and market participant confusion by aligning the Exchange's definition of round lot with Regulation NMS's definition. For these reasons, the Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest, and designates the proposed rule change to be operative upon filing with the Commission.²⁷

At any time within 60 days of the filing of this 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-MEMX-2025-33 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.

All submissions should refer to file number SR-MEMX-2025-33. This file number should be included on the subject line if email is used. To help the

Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<https://www.sec.gov/rules/sro.shtml>). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection.

All submissions should refer to file number SR-MEMX-2025-33 and should be submitted on or before December 29, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²⁸

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2025-22142 Filed 12-5-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-104299; File No. SR-PEARL-2025-47]

Self-Regulatory Organizations; MIAx PEARL, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Exchange Rule 517A, Aggregate Risk Manager for EEMs ("ARM-E"), and Rule 517B, Aggregate Risk Manager for Market Makers ("ARM-M")

December 3, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act" or "Exchange Act")¹ and Rule 19b-4 thereunder,² notice is hereby given that on November 20, 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 MIAx Pearl. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Rule 517A, Aggregate Risk Manager for

EEMs³ ("ARM-E"), and Rule 517B, Aggregate Risk Manager for Market Makers⁴ ("ARM-M") to adopt a new Origin Multiplier to be used when calculating EEM Trade Percentage⁵ and MM Trade Percentage.⁶

The text of the proposed rule change is available on the Exchange's website at <https://www.miaxglobal.com/markets/us-equities/pearl-equities/rule-filings>, and at MIAx Pearl'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, MIAx Pearl 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. MIAx Pearl 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 517A, Aggregate Risk Manager for EEMs ("ARM-E"), and Rule 517B, Aggregate Risk Manager for Market Makers ("ARM-M"), to enhance the Aggregate Risk Manager ("ARM") protections available to Members⁷ on the Exchange. ARM is post-trade risk protection functionality designed to assist Members in managing risk by limiting the number of contracts that a Member executes in an option class within a specific period of time, as determined by the Member. The

³ The term "Electronic Exchange Member" or "EEM" means the holder of a Trading Permit who is a Member representing as agent Public Customer Orders or Non-Customer Orders on the Exchange and those non-Market Maker Members conducting proprietary trading. Electronic Exchange Members are deemed "members" under the Exchange Act. See Exchange Rule 100.

⁴ The term "Market Maker" or "MM" means a Member registered with the Exchange for the purpose of making markets in options contracts traded on the Exchange and that is vested with the rights and responsibilities specified in Chapter VI of the MIAx Pearl Exchange Rules. See Exchange Rule 100.

⁵ See Exchange Rule 517A(c)(1).

⁶ See Exchange Rule 517B(c)(1).

⁷ The term "Member" means an individual or organization that is registered with the Exchange pursuant to Chapter II of the MIAx Pearl Rules for purposes of trading on the Exchange as an "Electronic Exchange Member" or "Market Maker." Members are deemed "members" under the Exchange Act. See Exchange Rule 100.

²⁷ For purposes only of waiving the operative delay for this proposal, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

²⁸ 17 CFR 200.30-3(a)(12) and (59).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

Exchange now proposes to enhance ARM functionality by adopting a new Origin Multiplier which will be used during the calculation of the EEM Trade Percentage and MM Trade Percentage as described below.

ARM-E

ARM-E protects MIAx Pearl Electronic Exchange Members (“EEMs”) and assists them in managing risk by maintaining a counting program (“EEM Counting Program”)⁸ for each participating EEM who has submitted an order in an EEM Specified Option Class⁹ using a specified market participant identifier (“MPID”)¹⁰ of the EEM and delivered via the MEO Interface¹¹ (an “EEM ARM Eligible Order”).¹² The EEM Counting Program counts the number of contracts executed by an EEM from an EEM ARM Eligible Order (the “EEM ARM Contracts”) within a specified time period that has been established by the EEM (the “EEM Specified Time Period”).¹³ The EEM Specified Time Period cannot exceed 15 seconds.¹⁴

The EEM may also establish for each EEM Specified Option Class an EEM Allowable Engagement Percentage (the “EEM Allowable Engagement Percentage”).¹⁵ When an execution occurs, the number of contracts traded is divided by the size of the original order to determine the contract execution percentage.¹⁶ The System¹⁷ will look back over the Specified Time Period to determine the sum of contract execution percentages from such EEM ARM Eligible Order.¹⁸

The System will engage the ARM-E in a particular EEM Specified Option Class when the EEM Counting Program has determined that an EEM has executed during the EEM Specified Time Period a sum of EEM ARM Percentages from an EEM ARM Eligible Order equal to or above their EEM Allowable Engagement Percentage.

To determine whether the EEM’s executed contracts from an EEM Arm

Eligible Order is equal to or above their EEM Allowable Engagement Percentage the following will occur: (1) for each execution of a contract from an EEM ARM Eligible Order in an EEM Specified Option Class, the EEM Counting Program will determine the percentage that the number of contracts executed in that trade represents relative to the original size of the EEM ARM Eligible Order which was traded (the “EEM Trade Percentage”); and (2) the EEM Counting Program will add the individual EEM Trade Percentages in the EEM Specified Option Class to determine the realized engagement percentage by the EEM (the “EEM Realized Engagement Percentage”). When the EEM Realized Engagement Percentage equals or exceeds the EEM Allowable Engagement Percentage ARM-E will be triggered.

ARM-E will then (i) automatically cancel the EEM ARM Eligible Orders in all series of that particular EEM Specified Option Class and (ii) reject new orders by the EEM in all series of that particular EEM Specified Option Class submitted using the MEO Interface until the EEM sends a notification to the System of the intent to reengage and submits a new order in the EEM Specified Option Class.¹⁹

The Exchange now proposes to allow EEMs to establish an Origin Multiplier which will be used during the calculation of the EEM Trade Percentage. EEMs will be able to select an Origin Multiplier to be applied during the calculation of the trade percentage of each option execution. An Origin Multiplier may be established for the following origins: (i) Priority Customer; (ii) Firm; (iii) Broker-Dealer; (iv) Market Maker; (v) Non-Member Market Maker; and (vi) Non-Priority Customer. The Origin Multiplier to be applied will be determined by the origin of the contra party to the trade.

The minimum Origin Multiplier value that may be used is 0 and the maximum value is 10. The Origin Multiplier value may be adjusted in 0.1 increments. An Origin Multiplier may be established at the MPID level by supplying a value for each origin type listed above. Origin Multipliers may also be set at the combined MPID and class level for individual classes. Additionally, if an EEM is using ARM and does not set an Origin Multiplier, the Exchange will use a default value of 1 for all origins.

The Exchange now proposes to amend paragraph (c)(1) of Rule 517A to provide that, “for each execution of a contract from an EEM ARM Eligible Order in an EEM Specified Option Class, the EEM

Counting Program will determine the percentage that the number of contracts executed in that trade, multiplied by the Origin Multiplier, represents relative to the original size of the EEM ARM Eligible Order which was traded (the ‘EEM Trade Percentage’).”

Additionally, the Exchange proposes to adopt new paragraph (c)(3) to Exchange Rule 517A to provide that, an EEM may establish an Origin Multiplier to be applied during the calculation of the EEM Trade Percentage of each option execution. An Origin Multiplier may be established for the following origins: (i) Priority Customer; (ii) Firm; (iii) Broker-Dealer; (iv) Market Maker; (v) Non-Member Market Maker; and (vi) Non-Priority Customer. The Origin Multiplier may be established by MPID for all classes and for any combination of MPID and class. The Origin Multiplier to be applied will be determined by the origin of the contra party to the trade. The minimum Origin Multiplier value is 0 and the maximum value is 10. If an EEM is using ARM and does not set an Origin Multiplier the Exchange will use a default value of 1 for all origins.

ARM-M

ARM-M protects MIAx Pearl Market Makers and assists them in managing risk by maintaining a counting program (“MM Counting Program”) for each Market Maker who has submitted an order in an option class (an “MM Option Class”) delivered via the MEO Interface (an “MM ARM Eligible Order”).²⁰ The MM Counting Program counts the number of contracts executed by a Market Maker from an MM ARM Eligible Order (the “MM ARM Contracts”) within a specified time period that has been established by the Market Maker or as a default setting, as defined below (the “MM Specified Time Period”).²¹ The MM Specified Time Period cannot exceed 15 seconds whether established by the Market Maker or as a default setting.²²

The Market Maker may also establish for each MM Option Class an MM Allowable Engagement Percentage.²³ When an execution occurs, the number of contracts traded is divided by the size of the original order to determine the trade percentage.²⁴ The System will look back over the Specified Time Period to determine the sum of contract

⁸ See Exchange Rule 517A(a).

⁹ An “EEM Specified Option Class” is a class which the EEM has designated as a class to be protected via ARM-E. See Exchange Rule 517A(a).

¹⁰ The term “MPID” means unique market participant identifier. See Exchange Rule 100.

¹¹ The term “MEO Interface” means a binary order interface used for submitting certain order types (as set forth in Rule 516) to the MIAx Pearl System. See Exchange Rule 100.

¹² See Exchange Rule 517A(a).

¹³ See Exchange Rule 517A(a).

¹⁴ *Id.*

¹⁵ See Exchange Rule 517A(c).

¹⁶ See Exchange Rule 517A(c)(1).

¹⁷ The term “System” means the automated trading system used by the Exchange for the trading of securities. See Exchange Rule 100.

¹⁸ See Exchange Rule 517A(c).

¹⁹ See Exchange Rule 517A(b).

²⁰ See Exchange Rule 517B(a).

²¹ *Id.*

²² *Id.*

²³ See Exchange Rule 517B(c).

²⁴ See Exchange Rule 517B(c)(1).

execution percentages from such MM ARM Eligible Order.²⁵

The System will engage the ARM-M in a particular MM Option Class when the MM Counting Program has determined that a Market Maker has executed during the MM Specified Time Period a sum of MM ARM Percentages from an MM ARM Eligible Order equal to or above their MM Allowable Engagement Percentage.

To determine whether the Market Maker's executed contracts from an MM ARM Eligible Order is equal to or above their MM Allowable Engagement Percentage the following will occur: (1) for each execution of a contract from an MM ARM Eligible Order in an MM Option Class, the MM Counting Program will determine the percentage that the number of contracts executed in that trade represents relative to the original size of the MM ARM Eligible Order which was traded (the "MM Trade Percentage"); and (2) the MM Counting Program will add the individual MM Trade Percentages in the MM Option Class to determine the realized engagement percentage by the Market Maker (the "MM Realized Engagement Percentage"). When the MM Realized Engagement Percentage equals or exceeds the MM Allowable Engagement Percentage ARM-M will be triggered.

ARM-M will then (i) automatically cancel the MM ARM Eligible Orders in all series of that particular MM Option Class and (ii) reject new orders by the Market Maker in all series of that particular MM Option Class submitted using the MEO Interface, until the EEM sends a notification to the System of the intent to reengage and submits a new order in the EEM Specified Option Class.²⁶

The Exchange now proposes to allow Market Makers to establish an Origin Multiplier which will be used during the calculation of the MM Trade Percentage. Market Makers will be able to select an Origin Multiplier to be applied during the calculation of the trade percentage of each option execution. An Origin Multiplier may be established for the following origins: (i) Priority Customer; (ii) Firm; (iii) Broker-Dealer; (iv) Market Maker; (v) Non-Member Market Maker; and (vi) Non-Priority Customer. The Origin Multiplier to be applied will be determined by the origin of the contra party to the trade.

The minimum Origin Multiplier value that may be used is 0 and the maximum

value is 10. The Origin Multiplier value may be adjusted in 0.1 increments. An Origin Multiplier may be established at the MPID level by supplying a value for each origin type listed above. Origin Multipliers may also be set at the combined MPID and class level for individual classes. Additionally, the Exchange will establish a default value of 1 for all origins.

The Exchange now proposes to amend paragraph (c)(1) of Rule 517B to provide that, "for each execution of a contract from an MM ARM Eligible Order in an MM Option Class, the MM Counting Program will determine the percentage that the number of contracts executed in that trade, multiplied by the Origin Multiplier, represents relative to the original size of the MM ARM Eligible Order which was traded (the 'MM Trade Percentage')."

Additionally, the Exchange proposes to adopt new paragraph (c)(3) to Exchange Rule 517B to provide that, a Market Maker may establish an Origin Multiplier to be applied during the calculation of the MM Trade Percentage of each option execution. An Origin Multiplier may be established for the following origins: (i) Priority Customer; (ii) Firm; (iii) Broker-Dealer; (iv) Market Maker; (v) Non-Member Market Maker; and (vi) Non-Priority Customer. The Origin Multiplier may be established by MPID for all classes and for any combination of MPID and class. The Origin Multiplier to be applied will be determined by the origin of the contra party to the trade. The minimum Origin Multiplier value is 0 and the maximum value is 10. The Exchange will establish a default Origin Multiplier of 1 for all origins.

ARM-E and ARM-M are designed to mitigate the exposure risk of resting orders on the Exchange. The Exchange believes this proposal will allow Members to continue to be protected from the risks that the Aggregate Risk Manager is designed to mitigate, and allow Members to more precisely tailor their risk protection settings by using the Origin Multiplier.

Currently, the origin code is provided by the Exchange on the Pearl Liquidity Feed (PLF), which is a data feed that allows subscribers to receive real-time updates from the MIAAX Pearl Options Market, with the origin code being provided in the Order Message notification.²⁷ Additionally, the

Clearing Trade Drop (CTD) Port provides the origin code in clearing trade messages.²⁸ The Clearing Trade Drop is a messaging interface that provides real-time clearing trade information to the parties of a trade (and/or entitled designated recipients) on the MIAAX Pearl Options Market.

2. Statutory Basis

The Exchange believes that its proposed rule change is consistent with Section 6(b) of the Act²⁹ in general, and furthers the objectives of Section 6(b)(5) of the Act³⁰ 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 regulating, clearing, settling, processing information with respect to, and 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.

Currently, to determine whether a Members' executed contracts is equal to or above the Allowable Engagement Percentage the Exchange calculates the trade percentage by calculating the percentage that the number of contracts executed in a trade represents relative to the original size of the ARM Eligible Order to determine the Realized Engagement Percentage. When the Realized Engagement Percentage equals or exceeds the Allowable Engagement Percentage ARM is engaged. The Exchange now proposes to adjust the trade percentage by applying the Origin Multiplier during that calculation as illustrated below.

Example 1

Allowable Engagement Percentage: 150%.

Origin Multiplier

- Priority Customer: 0.1.
- Firm: 2.
- Broker-Dealer: 2.
- Market Maker: 2.
- Non-Member Market Maker: 3.
- Non-Priority Customer: 1.

²⁸ See Clearing Trade Drop for Options CTD Interface Specification, version 1.2d (7/25/2023) available online at https://www.miaxglobal.com/sites/default/files/page-files/Pearl_Clearing_Trade_Drop_CTD_v1.2d.pdf.

²⁹ 15 U.S.C. 78f(b).

³⁰ 15 U.S.C. 78f(b)(5).

²⁵ See Exchange Rule 517B(c).

²⁶ See Exchange Rule 517B(b).

²⁷ See Pearl Liquidity Feed (PLF) Interface Specification, version 1.2 (10/5/2020) available online at https://www.miaxglobal.com/sites/default/files/2022-05/PEARL_Liquidity_Feed_PLF_v1.2.pdf.

Order size	Contra party origin	Origin multiplier	Trade size	Trade percentage	Realized engagement percentage	ARM
100	Priority Customer	0.1	80	8	8	OK.
100	MM	2	15	30	38	OK.
50	Firm	2	15	60	98	OK.
50	Non-Member Market Maker	3	15	90	188	Trigger Protection.

In the above example ARM would be triggered when the Realized Engagement Percentage (188%) equals or exceeds the Allowable Engagement Percentage (150%).

The Exchange believes the proposed changes remove impediments to and perfects the mechanism of a free and open market and a national market system and, in general, protects investors and the public interest by providing Members with an additional risk management tool. Members who are Market Makers have a heightened obligation on the Exchange and are obligated to submit continuous two-sided quotations in a certain number of series in their appointed classes for a certain percentage of time in each trading session.³¹ Additionally, EEMs may also submit a large volume of orders that rest on the book and will also benefit from being able to more precisely tailor their risk protection settings. Without adequate risk management tools Members could reduce the size of their available liquidity which could undermine the quality of the markets available to customers and other market participants. The ability of a Member to more precisely configure their ARM settings is a valuable risk management tool.

The proposed rule change removes impediments to and perfects the mechanism of a free and open market by giving Members the ability to further refine their ARM risk protections. ARM is post-trade risk protection functionality designed to assist Members in managing risk by limiting the number of contracts that a Member executes in an option class within a specified period of time. When the Realized Engagement Percentage equals or exceeds the Member's Allowable Engagement Percentage setting, the ARM protection is triggered. Technically, Members have the ability to perform the actions described in this proposal independently of the Exchange by utilizing the Clearing Trade Drop to ascertain the origin of the contra party to their trades and then by submitting a

Mass Cancel Request to the Exchange.³² The Exchange's proposal simplifies this sequence by providing Members greater control over their configuration settings and refining the risk mitigation process.

Accordingly, the proposal is designed to provide Members with greater control over their liquidity in the market thereby removing impediments to and helping perfect the mechanisms of a free and open market and a national market system and, in general, protecting investors and the public interest. In addition, the Exchange believes that this proposal should encourage Members to provide greater liquidity with tighter spreads, knowing that the proposed ARM protection settings allow them to anticipate real-time changes to supply and demand based on origin type. As a result, the proposal has the potential to promote just and equitable principles of trade.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange believes that the proposed rule change will foster competition by providing Members with the ability to specifically customize their use of the Exchange's risk management tools in order to compete for executions and order flow.

Additionally, the Exchange believes that the proposed rule change should promote competition as it is designed to allow Members greater flexibility and control of their risk exposure. The Exchange does not believe the proposed rule change will impose a burden on intra-market competition as this risk protection feature is equally available to all Members of the Exchange.

For all the reasons stated, the Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act, and believes the

proposed change will enhance competition.

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 Act³³ and Rule 19b-4(f)(6)³⁴ 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 after the date of the filing, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act³⁵ and subparagraph (f)(6) of Rule 19b-4 thereunder.³⁶

A proposed rule change filed under Rule 19b-4(f)(6)³⁷ under the Act normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b-4(f)(6)(iii),³⁸ the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has requested that the Commission waive the 30-day operative delay so that the proposed rule change may become operative immediately upon filing. The Exchange states that Members may benefit from the proposed risk management tool by providing Members with an additional risk management tool which should encourage Members to provide greater

³³ 15 U.S.C. 78s(b)(3)(A).

³⁴ 17 CFR 240.19b-4(f)(6).

³⁵ 15 U.S.C. 78s(b)(3)(A)(iii).

³⁶ 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.

³⁷ 17 CFR 240.19b-4(f)(6).

³⁸ 17 CFR 240.19b-4(f)(6)(iii).

³¹ See Exchange Rule 605.

³² See Section 4.1.3, Liquidity Mass Cancel Request, of the MEO Interface Specification, version 2.1a (4/8/2024) available online at https://www.miaxglobal.com/miax_express_orders_meo_v2.1a.pdf.

liquidity with tighter spreads. The Exchange states that the waiver of the operative delay will promote a fair and orderly market and is consistent with the protection of investors and the public interest. For these reasons, and because the proposed rule change does not raise any novel regulatory issues, the Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest. Accordingly, the Commission hereby waives the 30-day operative delay and designates the proposed rule change to be operative upon filing.³⁹

At any time within 60 days of the filing of this 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-PEARL-2025-47 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-2025-47. 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-2025-47 and should be submitted on or before December 29, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁴⁰

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025-22149 Filed 12-5-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-104303]

Order Granting Temporary Exemptive Relief, Pursuant to Sections 13(f)(3) and 36(a)(1) of the Securities Exchange Act of 1934 From Compliance With Rule 13f-2 and Form SHO, and Pursuant to Section 36(a)(1) of the Securities Exchange Act of 1934 From Certain Aspects of Rule 10c-1a

December 3, 2025.

I. Introduction

On October 13, 2023, the Securities Exchange Commission ("Commission") adopted Rule 13f-2 and related Form SHO¹ and Rule 10c-1a² (collectively, "Rules") under the Securities Exchange Act of 1934 ("Exchange Act"). Rule 13f-2 requires institutional investment managers that meet or exceed certain specified thresholds to file Form SHO, in accordance with the form's instructions, with the Commission within 14 calendar days after the end of each calendar month with regard to certain equity securities via the Commission's Electronic Data Gathering, Analysis, and Retrieval ("EDGAR") system.³ The Commission will publish, on an aggregated basis, certain information regarding each equity security reported by institutional investment managers on Form SHO and filed with the Commission via the EDGAR system.⁴ Rule 10c-1a requires, among other things, that any covered

person who agrees to a covered securities loan on behalf of itself or another person must report, within certain time periods, certain information to a registered national securities association ("RNSA") or rely on a reporting agent to fulfill its reporting obligations under certain conditions.⁵ Rule 10c-1a also requires that an RNSA implement rules regarding the format and manner of its collection of Rule 10c-1a information,⁶ make publicly available certain data pertaining to reported securities,⁷ and comply with certain data retention and availability requirements.⁸

On February 7, 2025, the Commission granted, pursuant to Section 13(f)(3) of the Exchange Act, a temporary exemption from compliance with Rule 13f-2 and Form SHO reporting until January 2, 2026.⁹ On July 28, 2025, the Commission granted, pursuant to Section 36(a)(1) of the Exchange Act, a temporary exemption from compliance with the requirement in Rule 10c-1a for covered persons to report information to the RNSA ("reporting date"), until September 28, 2026, and the requirement in Rules 10c-1a(g) and (h)(3) for the RNSA to publicly report Rule 10c-1a information ("dissemination date"), until March 29, 2027.¹⁰

On August 25, 2025, in response to the petition for review filed by the National Association of Private Fund Managers, the Managed Funds Association, and the Alternative Investment Management Association (collectively, "Petitioners"), the U.S. Court of Appeals for the Fifth Circuit ("Court") remanded, without vacatur, the Rules to the Commission to allow the agency to consider and quantify the cumulative economic impact of the Rules, consistent with the Court's opinion.¹¹ The Court otherwise denied the petition for review.

⁵ See 17 CFR 240.10c-1a(a).

⁶ See 17 CFR 240.10c-1a(f).

⁷ See 17 CFR 240.10c-1a(g).

⁸ See 17 CFR 240.10c-1a(h).

⁹ See Order Granting Temporary Exemption Pursuant to Section 13(f)(3) of the Securities Exchange Act of 1934 From Compliance with Rule 13f-2 and Form SHO, Release No. 34-102380, 90 FR 9568 (Feb. 13, 2025). The original compliance date for Rule 13f-2 and for reporting on Form SHO had been January 2, 2025.

¹⁰ See Order Granting Temporary Exemptive Relief, Pursuant to Section 36(a)(1) of the Securities Exchange Act of 1934, from Certain Aspects of Rule 10c-1a, Release No. 34-103560 (July 28, 2025), 90 FR 36087 (July 31, 2025).

¹¹ *Nat'l Ass'n. Priv. Fund Managers et al. v. SEC*, No. 23-60626, slip op. (5th Cir. Aug. 25, 2025). Petitioners did not challenge, and therefore the Court did not address, an amendment to the Consolidated Audit Trail National Market System

Continued

³⁹ 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).

⁴⁰ 17 CFR 200.30-3(a)(12) and (59).

¹ Short Position and Short Activity Reporting by Institutional Investment Managers, Release No. 34-98738, 88 FR 75100 (Nov. 1, 2023).

² Reporting of Securities Loans, Release No. 34-98737, 88 FR at 75644 (Nov. 3, 2023).

³ See 17 CFR 240.13f-2(a).

⁴ See 17 CFR 240.13f-2(a)(3).

II. Discussion and Exemptive Relief

In light of the Court's remand and for the reasons discussed below, the Commission is providing a temporary exemption, pursuant to Sections 13(f)(3) and 36(a)(1) of the Exchange Act, from compliance with Rule 13f-2 and Form SHO reporting until January 2, 2028. Additionally, the Commission is providing a temporary exemption, pursuant to Section 36(a)(1) of the Exchange Act, from compliance with Rule 10c-1a with respect to the reporting date until September 28, 2028, and with respect to the dissemination date until March 29, 2029.

Section 13(f)(3) of the Exchange Act authorizes the Commission, by rule or order, to exempt, conditionally or unconditionally, any institutional investment manager or security, or any class of institutional investment managers or securities from any or all of the provisions of Section 13(f) of the Exchange Act or the rules thereunder.¹² Section 36(a)(1) of the Exchange Act authorizes the Commission, by rule, regulation, or order, to exempt, conditionally or unconditionally, any person, security, or transaction, or any class or classes of persons, securities, or transactions, from any provision or provisions of the Exchange Act, or of any rule or regulation thereunder, to the extent that such exemption is necessary or appropriate in the public interest, and is consistent with the protection of investors.¹³

The Commission finds these temporary exemptions to be necessary in the public interest and consistent with the protection of investors because they will allow the Commission time to respond to the Court's opinion and take any further appropriate actions, which may include proposing amendments to the Rules. In addition, the temporary exemptions will allow these actions to occur in a manner that could minimize potential costs entities may incur to comply with any provisions of the Rules that could change.

III. Conclusion

Accordingly, *it is hereby ordered*, pursuant to Sections 13(f)(3) and 36(a)(1) of the Exchange Act, that the Commission grants the temporary

exemptive relief, as set forth in this Order, from compliance with Rule 13f-2 and Form SHO reporting effective January 2, 2026, and ending January 2, 2028. As such, Form SHO reports for the January 2028 reporting period would be required to be filed within 14 calendar days after the end of January 2028.

It is further ordered, pursuant to Section 36(a)(1) of the Exchange Act, that the Commission grants the temporary exemptive relief, as set forth in this Order, from compliance with Rule 10c-1a regarding the reporting date until September 28, 2028, and from compliance with Rules 10c-1a(g) and (h)(3) regarding the dissemination date until March 29, 2029.

By the Commission.

Dated: December 3, 2025.

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2025-22158 Filed 12-5-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-104298; File No. SR-CboeBZX-2025-148]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Its Fee Schedule

December 3, 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 November 20, 2025, Cboe BZX Exchange, Inc. (the "Exchange" or "BZX") 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

The Exchange proposes to amend its Fees Schedule to adopt twelve new fee codes and three volume-based tier incentive programs in connection with the implementation of the Exchange's new Complex order functionality. 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/equities/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 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 modify its Fees Schedule to adopt fees in connection with its handling of Complex orders.³

The Exchange proposes to adopt twelve new fee codes in connection with this new Complex order functionality, which will be added to the Fee Codes and Associated Fees table of the Fees Schedule. These fee codes represent the fees applicable to Complex orders, as described below. In addition, the Exchange proposes to adopt three new volume-based tier incentive programs, which will be added to Footnotes 10, 11, and 12, as described below.

Fee Codes Changes

Customer Pricing for Transactions on Complex Order Book

The Exchange proposes to adopt three fee codes for Customer⁴ Complex orders that trade on the BZX Options complex order book ("COB") (i.e., fee codes ZA, ZB, and ZC). As proposed, the Exchange

³ The Exchange introduced complex order handling effective October 13, 2025; see Securities Exchange Act Release No. 104000 (September 18, 2025), 90 FR 45819 (September 23, 2025) (SR-CboeBZX-2025-126). The Exchange initially filed the proposed fee changes on September 26, 2025 (SR-CboeBZX-2025-136). On November 20, 2025, the Exchange withdrew that filing and submitted SR-CboeBZX-2025-147. On November 20, 2025, the Exchange withdrew that filing and submitted this filing.

⁴ "Customer" applies to any order for the account of a Priority Customer. See the Exchange's Fee Schedule available at: https://www.cboe.com/us/options/membership/fee_schedule/bzx/.

Plan to require reporting to the Consolidated Audit Trail ("CAT") of reliance on the bona fide market making exception in Regulation SHO. See Notice of the Text of the Amendment to the National Market System Plan Governing the Consolidated Audit Trail for Purposes of Short Sale-Related Data Collection, Release No. 34-98739, 88 FR 75079 (Nov. 1, 2023). The compliance date for that requirement was, and remains, July 1, 2025.

¹² 15 U.S.C. 78m(f)(3).

¹³ 15 U.S.C. 78mm(a)(1).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

will apply fee code ZA to Customer Complex orders that are executed on the COB with a Non-Customer⁵ as the contra-party in Penny Program Securities⁶ and will provide such orders a rebate of \$0.40 per contract. The Exchange will apply fee code ZB to Customer Complex orders that are executed on the COB with a Non-Customer as the contra-party in Non-Penny Program Securities⁷ and will provide such orders a rebate of \$0.80 per contract. The Exchange will apply fee code ZC to Customer Complex orders that are executed on the COB with another Customer as the contra-party and will not assess a fee or provide any rebate for such orders; there is no proposed distinction between pricing for such orders in Penny Program Securities and Non-Penny Program Securities.

Complex Order Legs Into Simple Book

As described in Rule 21.18, which will become operative in connection with the Exchange's implementation of its complex order functionality,⁸ in addition to complex orders executing against other complex orders on the COB, complex orders will, in certain circumstances instead "leg" into the BZX Options Simple Book⁹ and execute against interest resting on the Simple Book. The Exchange proposes to adopt three fee codes for complex order legs into the Simple Book (*i.e.*, fee codes ZD, ZO, ZP). As proposed, the Exchange will apply fee code ZD to Customer Complex orders that are not executed on the COB but instead leg into the Simple Book and will not assess a fee or provide any rebate for such orders. The Exchange will apply fee code ZO to Non-Customer Complex orders in Penny Program Securities that are not executed on the COB but instead leg into the Simple Book and will not assess a fee or provide any rebate for such orders. The Exchange will apply fee code ZP to Non-Customer Complex orders in Non-Penny Program Securities that are not executed on the COB but instead leg into the Simple Book and will not assess a fee or provide any rebate for such orders.

⁵ "Non-Customer" applies to any transaction that is not a Customer order. *Id.*

⁶ "Penny Program Securities" are those issues quoted pursuant to Exchange Rule 21.5(d). *Id.*

⁷ The term "Non-Penny Pilot Security" applies to those issues that are not Penny Program Securities quoted pursuant to Exchange Rule 21.5(d).

⁸ See Securities Exchange Act Release No. 104000 (September 18, 2025), 90 FR 45819 (September 23, 2025) (SR-CboeBZX-2025-126).

⁹ The term "Simple Book" means the electronic book of simple options orders maintained by the Trading System. See Rule 16.1.

Complex Trades at the Open and Simple Order Trades With Complex Order

The Exchange proposes to adopt fee codes OC and ZE. As proposed, the Exchange will apply fee code OC to Complex orders that trade at the open and will not assess a fee or provide any rebate for such orders. The Exchange will apply fee code ZE to Simple order trades with a Complex order and will not assess a fee or provide any rebate for such orders.

Non-Customer Pricing—Non-Customer as Contra-Party

Finally, the Exchange proposes to adopt four fee codes to cover all Complex order transactions between Non-Customers on the COB (*i.e.*, fee codes ZF, ZG, ZH, and ZJ). As proposed, the Exchange would apply fee code ZF to Non-Customer Complex orders executed on the COB that add liquidity in Penny Program Securities and would charge such orders a fee of \$0.50 per contract. The Exchange will apply fee code ZG to Non-Customer Complex orders executed on the COB that remove liquidity in Penny Program Securities and would charge such orders a fee of \$0.50 per contract. The Exchange will apply fee code ZH to Non-Customer complex orders executed on the COB that add liquidity in Non-Penny Program Securities and would charge such orders a fee of \$0.90 per contract. Last, the Exchange would apply fee code ZJ to Non-Customer complex orders executed on the COB that remove liquidity in Non-Penny Program Securities and will charge such orders a fee of \$0.90 per contract.

New Volume Tier Programs

As discussed above, in addition to setting forth the proposed fees and rebates in the Fee Codes and Associated Fees table, the Exchange proposes to amend Footnotes 10, 11, and 12 and adopt three volume-based tier incentive programs.¹⁰

First, the Exchange proposes to adopt Complex order Customer (contra Non-Customer) Penny Volume Tiers, applicable to qualifying Complex Customer (contra Non-Customer) orders in Penny Program Securities yielding fee code ZA, to Footnote 10 of the Fee Schedule.¹¹ Under the proposed Complex order Customer (contra Non-Customer) Penny Volume Tiers, the Exchange proposes to offer three tiers.

¹⁰ Currently, Footnotes 10, 11, and 12 are marked as "Reserved"; the proposed change deletes the Reserved language.

¹¹ The Exchange proposes to append a reference to Footnote 10 to fee code ZA within the Fee Codes and Associated Fees table.

The specific tiers and corresponding rebates, as proposed, are as follows:

- Tier 1 provides a rebate of \$0.43 per contract for all qualifying orders yielding fee code ZA (*i.e.*, Customer contra Non-Customer complex orders in Penny Program Securities), where a Member has an ADV¹² in Complex Customer orders $\geq 0.10\%$ of average OCV;¹³
- Tier 2 provides a rebate of \$0.45 for all qualifying orders yielding fee code ZA where a Member has (1) an ADV in Complex Customer orders $\geq 0.15\%$ of average OCV; and (2) an ADAV¹⁴ in Market Maker orders $\geq 0.35\%$ of average OCV; and
- Tier 3 provides a rebate of \$0.47 per contract for all qualifying orders yielding fee code ZA where a Member has (1) an ADV in Complex Customer orders $\geq 0.25\%$ of average OCV; and (2) has an ADAV in Market Maker orders $\geq 0.35\%$ of average OCV.

Next, the Exchange proposes to adopt Complex order Customer (contra Non-Customer) Non-Penny Volume Tiers, applicable to qualifying Complex Customer (contra Non-Customers) orders in Non-Penny Program Securities yielding fee code ZB, to Footnote 11 of the Fee Schedule.¹⁵ Under the proposed Complex order Customer (contra Non-Customer) Non-Penny Volume Tiers, the Exchange proposes to offer three tiers. The specific tiers and corresponding rebates, as proposed, are as follows:

- Tier 1 provides a rebate of \$0.84 per contract for all qualifying orders yielding fee code ZB (*i.e.*, Customer contra Non-Customer complex orders in Non-Penny Program Securities), where a Member has an ADV in Complex Customer orders $\geq 0.10\%$ of average OCV;
- Tier 2 provides a rebate of \$0.88 for all qualifying orders yielding fee code ZB where a Member has (1) an ADV in Complex Customer orders $\geq 0.15\%$ of average OCV; and (2) an ADAV in

¹² "ADV" means average daily volume calculated as the number of contracts added or removed, combined, per day.

¹³ "OCC Customer Volume" or "OCV" means the total equity and ETF options volume that clears in the Customer range at the Options Clearing Corporation ("OCC") for the month for which the fees apply, excluding volume on any day that the Exchange experiences an Exchange System Disruption and on any day with a scheduled early market close. Average OCV is the average daily OCV for the month (*i.e.*, total OCV divided by the number of trading days in the month); for example, in a month with 20 trading days, if OCV is 1,040,000,000, the average OCV would be 1,040,000,000/20, or 52,000,000.

¹⁴ "ADAV" means average daily added volume calculated as the number of contracts added.

¹⁵ The Exchange proposes to append a reference to Footnote 11 to fee code ZB within the Fee Codes and Associated Fees table.

Market Maker orders $\geq 0.35\%$ of average OCV; and

- Tier 3 provides a rebate of \$0.92 per contract for all qualifying orders yielding fee code ZB where a Member has (1) an ADV in Complex Customer orders $\geq 0.25\%$ of average OCV; and (2) an ADAV in Market Maker orders $\geq 0.35\%$ of average OCV.

Finally, the Exchange proposes to adopt a Complex order Non-Customer Penny Add Volume Tier, applicable to qualifying Complex Non-Customer orders in Penny Program Securities that add liquidity yielding fee code ZF, to Footnote 12 of the Fee Schedule.¹⁶ Under the proposed Complex order Non-Customer Penny Add Volume Tier, the Exchange proposes to assess a fee of \$0.49 per contract for all qualifying orders yielding fee code ZF where a Member has (1) an ADV in Complex Customer orders $\geq 0.15\%$ of average OCV; and (2) an ADAV in Market Maker orders $\geq 0.35\%$ of average OCV.

Other Clarifying Changes

Finally, the Exchange proposes clarifying changes to the required criteria for the Customer Penny Add Volume Tiers (set forth in Footnote 1), Customer Penny Take Volume Tier (set forth in Footnote 2), Market Maker Penny Add Volume Tiers (set forth in Footnote 6), Market Maker Non-Penny Add Volume Tiers (set forth in Footnote 7), and Professional Penny Add Volume Tiers (set forth in Footnote 9), to denote that the required criteria relates to Simple orders rather than Complex orders. There are no changes to the programs, including any fee assessed or rebate offered under the programs, as a result of the proposal.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the “Act”) and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.¹⁷ Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)¹⁸ requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in

securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)¹⁹ requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers. The Exchange also believes the proposed rule change is consistent with Section 6(b)(4) of the Act,²⁰ which requires that Exchange rules provide for the equitable allocation of reasonable dues, fees, and other charges among its Members and other persons using its facilities.

The Exchange’s proposal establishes fees and rebates regarding complex orders, which is new functionality that will be adopted by the Exchange.²¹ The Exchange’s planned launch of a complex order book is a competitive offering, and the Exchange believes that its proposed pricing will incentivize its use.

The Exchange operates in a highly competitive market in which market participants can readily direct order flow to competing venues if they deem fee levels at a particular venue to be excessive or incentives to be insufficient. The proposed rule change reflects a competitive pricing structure designed to incentivize market participants to direct their order flow to the Exchange, which the Exchange believes would enhance market quality to the benefit of all Members.

Fee Codes

With respect to the proposal to adopt a rebate for Customer orders that interact with Non-Customer orders on the COB (*i.e.*, yielding fee codes ZA or ZB), the Exchange believes this is reasonable because it encourages participation on the COB by entry of Customer orders to the Exchange. The rebate for Customer complex orders is designed to encourage Customer orders entered into the Exchange, which is reasonable for the reasons further discussed below. The Exchange notes that the proposed rebate is in-line with rebates offered by other options exchanges for similar transactions, albeit slightly higher, which the Exchange believes is reasonable given it will be a new venue for trading complex orders and thus offering slightly higher

incentives may attract order flow from incumbent exchanges.²² The Exchange also believes it is reasonable, equitable and not unreasonably discriminatory not to assess a fee or provide a rebate for Customer-to Customer orders (*i.e.*, yielding fee code ZC) because other options exchanges similarly do not charge or provide a rebate for such orders.²³

With respect to the fees applicable to Non-Customer Complex orders (*i.e.*, fee codes ZF, ZG, ZH, or ZJ), the Exchange believes the proposed fees are reasonable and equitable, as they are similar to fees charged by at least one other options exchange for similar transactions.²⁴ The Exchange notes that while the proposed fees for Non-Customer complex orders that add or remove liquidity in Non-Penny Program Securities is slightly higher than similar fees charged by other options exchange, the Exchange believes such fees remain reasonable as such fees are part of a balanced pricing structure which supports the development of the Exchange’s complex order offering. The proposed fees are not unreasonably discriminatory as compared to Customer orders for the reasons described below, and *vis-à-vis* other Non-Customer orders because all types of Non-Customer

²² See, *e.g.*, NYSE Arca Options Fees and Charges, Trade-Related Charges for Standard Options, Transaction Fee for Electronic Executions—Per Contract, Electronic Complex, which provides Customers a standard rebate of \$0.39 per contract for Customer vs. Non-Customer complex order electronic executions in penny issues and a standard rebate of \$0.75 per contract for Customer vs. Non-Customer complex order electronic executions in non-penny issues. See also EDGX Options Fee Schedule, which provides for a standard rebate of \$0.39 per contract for complex Customer (contra Non-Customer) orders in Penny Program Securities and a standard rebate of \$0.75 per contract for complex Customer (contra Non-Customer) orders in Non-Penny Program Securities.

²³ See, *e.g.*, NYSE Arca Options Fees and Charges, Trade-Related Charges for Standard Options, Transaction Fee for Electronic Executions—Per Contract, Electronic Complex, which assesses no fee or provides no rebate for Customer vs. Customer orders in all issues. See also EDGX Options Fee Schedule, which assesses no fee or provides no rebate for Customer (contra Customer) complex orders.

²⁴ See, *e.g.*, NYSE Arca Options Fees and Charges, Trade-Related Charges for Standard Options, Transaction Fee for Electronic Executions—Per Contract, Electronic Complex, which assesses Non-Customers a standard transaction fee of \$0.50 per contract for Customer vs. Non-Customer and Non-Customer vs. Non-Customer complex order electronic executions in penny issues and a standard transaction fee of \$0.85 per contract for Customer vs. Non-Customer and Non-Customer vs. Non-Customer complex order electronic executions in non-penny issues, with a \$0.12 per contract surcharge applied to any electronic Non-Customer Complex Order that executes against a Customer Complex Order (the “Non-Customer Complex Surcharge”).

¹⁶ The Exchange proposes to append a reference to Footnote 12 to fee code ZF within the Fee Codes and Associated Fees table.

¹⁷ 15 U.S.C. 78f(b).

¹⁸ 15 U.S.C. 78f(b)(5).

¹⁹ *Id.*

²⁰ 15 U.S.C. 78f(b)(4).

²¹ See Securities Exchange Act Release No. 104000 (September 18, 2025), 90 FR 45819 (September 23, 2025) (SR-ChoeBZX–2025–126).

orders will be charged identical fees as proposed.

Similarly, the Exchange believes that fees which include different rates for Penny Program Securities and Non-Penny Program Securities are well-established in the options industry, including on the Exchange's current Fee Schedule.²⁵ The Exchange believes it is reasonable, equitably allocated and non-discriminatory to impose higher fees in Non-Penny Program Securities than Penny Program Securities because Penny Program Securities and Non-Penny Program Securities have different liquidity, spread and trading characteristics. In particular, spreads in Penny Program Securities are tighter than those in Non-Penny Program Securities (which trade in increments of \$0.05 or greater). The wider spreads in Non-Penny Program Securities allow for greater profit potential.

Providing Customers a rebate or no charge for complex orders depending on contra-party, while assessing Non-Customers a fee for complex orders, is reasonable because of the desirability of Customer activity. The proposed new fees and rebates for complex orders are generally intended to encourage greater Customer trade volume to the Exchange. Customer order flow enhances liquidity on the Exchange for the benefit of all market participants and benefits all market participants by providing more trading opportunities, which attracts market makers and other liquidity providers. An increase in the activity of these market participants in turn facilitates tighter spreads, which may cause an additional corresponding increase in order flow from other market participants. The practice of incentivizing increased Customer order flow through a fee and rebate schedule in order to attract professional liquidity providers is, and has been, commonly practiced in the options markets, and the Exchange.²⁶ The proposed fee and rebate schedule is designed to incentivize Customer order flow. Other competing exchanges offer different fees and rebates for orders executed on behalf of different market participants (*i.e.*, orders with different origin codes).²⁷ Other competing exchanges also charge different rates for transactions on their complex order books for customers versus their non-customers in a manner similar to the

proposal, including the provision of rebates to customers.²⁸

The Exchange believes establishing a rebate or no charge for Customer orders depending on contra-party and a fee for Non-Customer Orders is also equitable and not unfairly discriminatory. This is because the Exchange's proposal will apply the same to all similarly situated participants. Moreover, all similarly situated Complex orders are subject to the same proposed Fee Schedule, and access to the Exchange is offered on terms that are not unfairly discriminatory. In addition, the proposed changes are equitable and not unfairly discriminatory because, while other market participants (Non-Customers) will be assessed a fee, Customers will receive a rebate or be assessed no charge because an increase in Customer order flow may bring greater volume and liquidity, which benefits all market participants by providing more trading opportunities and tighter spreads.

The Exchange believes it is reasonable to provide that Customer and Non-Customer orders that leg into the Simple Book (yielding fee codes ZO, ZP, or ZC), Simple orders that trade with Complex orders (yielding fee code ZE), and Complex trades at the open (yielding fee code OC) will be executed without application of any fee and rebate is reasonable, equitably allocated, and not unreasonably discriminatory. Specifically, the Exchange believes it is reasonable to provide that Customer and Non-Customer orders that leg into the Simple Book and that Simple order trades with Complex orders will be executed without application of any fee and rebate, as other options exchanges do not, in certain instances, charge a fee or provide a rebate for such orders.²⁹ Further, the Exchange believes its proposal is equitable and not unreasonably discriminatory as it will

apply equally to all orders that leg into the Simple Book and all Simple order trades trade with Complex orders.

Similarly, the Exchange believes that it is reasonable to provide that Complex trades at the open (yielding fee code OC) will be executed without application of any fee and rebate is reasonable, as the Exchange currently applies a similar fee structure for another type of trade at the open.³⁰ The Exchange believes its proposal is equitable and not unreasonably discriminatory as it will apply equally to all Complex trades at the open.

Volume Tiers

The Exchange believes the proposed volume-based tier incentive programs are reasonable, equitable, and not unfairly discriminatory. The Exchange notes that relative volume-based incentives and discounts have been widely adopted by exchanges,³¹ including the Exchange,³² and are reasonable, equitable and non-discriminatory because they are open to all members on an equal basis and provide additional benefits or discounts that are reasonably related to (i) the value to an exchange's market quality and (ii) associated higher levels of market activity, such as higher levels of liquidity provision and/or growth patterns. Additionally, the Exchange operates in a highly competitive market. The Exchange is only one of several options venues to which market participants may direct their order flow, and it represents a small percentage of the overall market. Competing options exchanges offer similar tiered pricing structures to that of the Exchange, including schedules of rebates and fees that apply based upon members achieving certain volume and/or growth

³⁰ See BZX Options Fee Schedule, fee code "BO" which assesses no fee and provides no rebate for RUT trades on the open.

³¹ See *e.g.*, MIA Options Fee Schedule, Section 1(a)(i), which provides reduced fees (ranging from \$0.03 to \$0.32) for Market Maker orders that reach various percentage thresholds of volume; and Section 1(a)(iii), which provides certain credits (ranging from \$0.00 to \$0.28) for Customer orders, including agency orders submitted to an exchange auction, that reach various percentage thresholds; and Cboe EDGX Options Exchange Fee Schedule, Footnote 1, Customer Volume Tiers; and Footnote 2, Market Maker Volume Tiers; and Footnote 4, Firm Penny Program Cross-Asset Tier, all of which provide various tier with different, incrementally more difficult criteria, many of which are based on average volumes as a percentage of average OCV.

³² See *i.e.*, Cboe BZX Options Exchange Fee Schedule, Footnote 1, Customer Penny Add Volume Tiers; Footnote 2, Customer Penny Take Volume Tier; Footnote 6, Market Maker Penny Add Volume Tiers; and Footnote 7, Market Maker Non-Penny Add Volume Tiers.

²⁵ *Id.*

²⁶ See the Exchange's Fee Schedule, available at: https://www.cboe.com/us/options/membership/fee_schedule/bzx/; see also, *e.g.*, MIA Options Exchange Fee Schedule and EDGX Options Fee Schedule.

²⁷ *Id.*

²⁸ *Id.*

²⁹ See Nasdaq ISE, Section 3, Note 10, which provides there will be no fee charged or rebate provided when trading against non-Priority Customer Complex Orders that leg into the regular order book; Note 11, which provides Market Makers that qualify for Market Maker Plus in Select Symbols will not pay any fee nor receive any rebate in the symbols for which they qualify for Market Maker Plus when trading against Priority Customer Complex Orders that leg into the regular order book; and Note 18, which provides there will be no fee charged or rebate provided in Non-Select Symbols when trading against Priority Customer Complex Orders that leg into the regular order book. See also Nasdaq ISE, Section 4, Note 1, which provides that no Priority Customer Complex Order rebates will be provided in Non-Select Symbols if any leg of the order trades with interest on the regular order book, irrespective of order size. See also EDGX Options Fee Schedule which provides there will be no fee charged or rebate provided for Complex Customer order legs into Simple Book.

thresholds and offer comparable pricing to members for achieving such tiers.

Specifically, the Exchange believes its proposal to adopt Complex order Customer (contra Non-Customer) Penny and Non-Penny Volume Tiers programs, set forth in Footnotes 10 and 11 respectively, is reasonable because it provides the opportunity for Members to receive a rebate by providing for increased volume-based criteria they can reach for, similar to programs at other options exchanges.³³ The Exchange believes the programs will serve as a reasonable means to encourage Members to increase their remove order volume on the Exchange, particularly in connection with additional Customer order flow to the Exchange in order to benefit from the provided rebate. The Exchange also notes that any overall increased liquidity that may result from the proposed tier incentives benefits all investors by offering additional flexibility for all investors to enjoy cost savings, supporting the quality of price discovery, promoting market transparency and improving investor protection.

The Exchange also believes the proposed change to adopt Complex order Customer (contra Non-Customer) Penny and Non-Penny Volume Tiers programs is equitable and not unfairly discriminatory because it applies uniformly to all Members that may qualify for the tiers (*i.e.*, Market-Makers ("MMs")), who will have the opportunity to meet the tier criteria and receive the corresponding enhanced rebate if such criteria is met. The Exchange believes it is equitable and not unfairly discriminatory to include tier criteria designed to incentivize MM

order flow, as an increase in MM activity facilitates tighter spreads, which may lead to additional increase of order flow from other market participants, further contributing to a deeper, more liquid market to the benefit of all market participants by creating a more robust and well-balanced market ecosystem.

The Exchange also believes that it is equitable and not unfairly discriminatory to apply the proposed program to Customer order flow, as compared to other market participant order flow, because Customer order flow enhances liquidity on the Exchange for the benefit of all market participants. Specifically, Customer liquidity benefits all market participants by providing more trading opportunities, which attract MMs. As noted above, an increase in the activity of MMs in turn facilitates tighter spreads, which may cause an additional corresponding increase in order flow from other market participants. The rebates offered to Members for Customer order flow under the proposed program are intended to attract more Customer trading volume to the Exchange.

The Exchange also believes its proposal to adopt a Complex order Non-Customer Penny Add Volume Tier program, set forth in Footnote 12, is reasonable because it provides the opportunity for Members to receive a reduced fee by providing for increased volume-based criteria they can reach for. As noted above, relative volume-based incentives and discounts have been widely adopted by exchanges, including the Exchange. The Exchange believes the proposed program will serve as a reasonable means to encourage Members to increase their add volume on the Exchange in order to benefit from the reduced fee. The Exchange also notes that any overall increased liquidity that may result from the proposed tier incentives benefits all investors by offering additional flexibility for all investors to enjoy cost savings, supporting the quality of price discovery, promoting market transparency and improving investor protection.

The Exchange believes the proposed change to adopt a Complex order Non-Customer Penny Add Volume Tier program is equitable and not unfairly discriminatory because it applies uniformly to all Members that may qualify for the tier (*i.e.*, MMs), who will

have the opportunity to meet the tier criteria and receive the corresponding enhanced rebate [*sic*] if such criteria is met. The Exchange believes it is equitable and not unfairly discriminatory to include tier criteria designed to incentivize MM order flow, as an increase in MM activity facilitates tighter spreads, which may lead to additional increase of order flow from other market participants, further contributing to a deeper, more liquid market to the benefit of all market participants by creating a more robust and well-balanced market ecosystem.

The Exchange also believes that it is equitable and not unfairly discriminatory to apply the proposed program to Non-Customer order flow, as compared to Customer order flow, because Non-Customers can include members that are MMs with quoting obligations, which other market participants do not have. Further, these rebates are intended to incentivize Non-Customers to trade more on the Exchange, thereby providing more trading opportunities for all market participants.

The Exchange also notes that the proposed tiers will not adversely impact any Member's pricing or their ability to qualify for other rebate tiers. Rather, should a Member not meet the proposed criteria for a tier, the Member will merely not receive the corresponding enhanced rebate or reduced fee. Furthermore, the existing rebate and fees will continue to uniformly apply to all Members that meet the required criteria, as amended, per each respective tier.

Other Clarifying Changes

The Exchange believes the proposed modification to specify within current volume-based tier program that the required criteria is specific to Simple orders (as opposed to Complex orders) is reasonable, equitable, and not unfairly discriminatory. As noted above, there are no changes to the programs, including any fee assessed or rebate provided. The proposed change is non-substantive and merely clarifies the existing criteria in light of the Exchange's planned implementation of its new complex order functionality.

B. Self-Regulatory Organization's Statement on Burden on Competition

³³ See NYSE Arca Options Fees and Charges, Trade-Related Charges for Standard Options, Transaction Fee for Electronic Executions—Per Contract, Electronic Complex, Customer Complex Credit Tiers, which provide certain credits ranging from \$0.41 to \$0.50 (for penny issues) and from \$0.77 to \$0.90 (for non-penny issues) for electronic executions of Customer Complex interest against Non-Customer Complex interest for OTP Holders and OTP Firms that meet applicable volume-based qualifications. *See also* EDGX Options Fee Schedule, Customer Volume Tiers applicable to fee code ZA which provide certain rebates per contract ranging from \$0.40 to \$0.50 for Complex Customer (contra Non-Customer) orders in Penny Program Securities and fee code ZB which provide certain rebates per contract ranging from \$0.80 to \$1.00 for Complex Customer (contra Non-Customer orders) in Non-Penny Program Securities, for Members that meet applicable volume-based qualifications.

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange does not believe the proposed changes will impose any burden on intramarket competition. Particularly, the proposed fee code changes apply to all participants, as applicable (e.g., based on capacity and order). As discussed above, while different fees are assessed to different market participants in some circumstances, these different market participants have different obligations and different circumstances as discussed above. For example, preferential pricing to Customer orders is a long-standing options industry practice which serves to enhance Customer order flow, thereby attracting MMs to facilitate tighter spreads and trading opportunities to the benefit of all market participants.

Similarly, the proposed amendments to adopt the Complex order Customer (contra Non-Customer) Penny and Non-Penny Volume Tiers programs apply uniformly to all Members that may qualify for the tiers (i.e., MMs), who will have the opportunity to meet each of the respective program's tier's criteria and receive the corresponding enhanced rebate for the tier if such criteria is met. As noted above, an increase in MM activity facilitates tighter spreads, which may lead to additional increase of order flow from other market participants, further contributing to a deeper, more liquid market to the benefit of all market participants by creating a more robust and well-balanced market ecosystem.

As discussed above, in regards to applying the proposed programs to Customer order flow, Customer order flow enhances liquidity on the Exchange for the benefit of all market participants. Specifically, Customer liquidity benefits all market participants by providing more trading opportunities, which attracts MMs. An increase in the activity of these market participants in turn facilitates tighter spreads, which may cause an additional corresponding increase in order flow from other market participants. The rebates offered to Customers under the programs are intended to attract more Customer trading volume to the Exchange.

The Complex order Non-Customer Penny Add Volume Tier program applies uniformly to all Members that may qualify for the tier (i.e., MMs), who will have the opportunity to meet the program's tier criteria and receive the corresponding reduced fee for the tier if such criteria is met. All Members that qualify for the tier are able to increase

their applicable order flow to attempt to achieve the program's tier. Should a Member not meet the criteria, the Member will merely not receive that corresponding enhanced rebate or reduced fee, as applicable. As noted above, an increase in MM activity facilitates tighter spreads, which may lead to additional increase of order flow from other market participants, further contributing to a deeper, more liquid market to the benefit of all market participants by creating a more robust and well-balanced market ecosystem.

Finally, the proposed clarifying change will not impose any burden on intramarket competition. As noted above, there are no changes to the programs, including any fee assessed or rebate provided. The proposed change is non-substantive and merely clarifies the existing criteria in light of the Exchange's planned implementation of its new complex order functionality.

The Exchange also does not believe that the proposed rule change will impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. As previously discussed, the Exchange operates in a highly competitive market. Members have numerous alternative venues that they may participate on and direct their order flow, including 17 other options exchanges and off-exchange venues. Additionally, the Exchange represents a small percentage of the overall market. Based on publicly available information, no single options exchange has more than 14% of the market share.³⁴ Therefore, no exchange possesses significant pricing power in the execution of option order flow. Indeed, participants can readily choose to send their orders to other exchange and off-exchange venues if they deem fee levels at those other venues to be more favorable. Moreover, the Commission has repeatedly expressed its preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. Specifically, in Regulation NMS, the Commission highlighted the importance of market forces in determining prices and SRO revenues and, also, recognized that current regulation of the market system "has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies."³⁵ The

fact that this market is competitive has also long been recognized by the courts. In *NetCoalition v. Securities and Exchange Commission*, the D.C. Circuit stated as follows: "[n]o one disputes that competition for order flow is 'fierce.' . . . As the SEC explained, '[i]n the U.S. national market system, buyers and sellers of securities, and the broker-dealers that act as their order-routing agents, have a wide range of choices of where to route orders for execution'; [and] 'no exchange can afford to take its market share percentages for granted' because 'no exchange possesses a monopoly, regulatory or otherwise, in the execution of order flow from broker dealers'. . . .'"³⁶ Accordingly, the Exchange does not believe its proposed fee change imposes any burden on competition that is 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

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) of the Act³⁷ and paragraph (f) of Rule 19b-4³⁸ 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:

³⁴ See Cboe Global Markets U.S. Options Monthly Market Volume Summary (September 25, 2025), available at https://markets.cboe.com/us/options/market_statistics/.

³⁵ See Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496, 37499 (June 29, 2005).

³⁶ *NetCoalition v. SEC*, 615 F.3d 525, 539 (D.C. Cir. 2010) (quoting Securities Exchange Act Release No. 59039 (December 2, 2008), 73 FR 74770, 74782-83 (December 9, 2008) (SR-NYSEArca-2006-21)).

³⁷ 15 U.S.C. 78s(b)(3)(A).

³⁸ 17 CFR 240.19b-4(f).

Electronic Comments

- Use the Commission's internet comment form (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include file number SR-CboeBZX-2025-148 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.

All submissions should refer to file number SR-CboeBZX-2025-148. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<https://www.sec.gov/rules/sro.shtml>). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-CboeBZX-2025-148 and should be submitted on or before December 29, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.³⁹

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025-22148 Filed 12-5-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meetings

TIME AND DATE: 12:30 p.m. on Thursday, December 11, 2025.

PLACE: The meeting will be held via remote means and at the Commission's headquarters, 100 F Street NE, Washington, DC 20549.

STATUS: This meeting will be closed to the public.

MATTERS TO BE CONSIDERED:

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the closed meeting. Certain staff members who have an interest in the matters also may be present.

In the event that the time, date, or location of this meeting changes, an announcement of the change, along with the new time, date, and/or place of the meeting will be posted on the Commission's website at <https://www.sec.gov>.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(3), (5), (6), (7), (8), 9(B) and (10) and 17 CFR 200.402(a)(3), (a)(5), (a)(6), (a)(7), (a)(8), (a)(9)(ii) and (a)(10), permit consideration of the scheduled matters at the closed meeting.

The subject matter of the closed meeting will consist of the following topics:

Institution and settlement of injunctive actions;

Institution and settlement of administrative proceedings;

Resolution of litigation claims; and

Other matters relating to examinations and enforcement proceedings.

At times, changes in Commission priorities require alterations in the scheduling of meeting agenda items that may consist of adjudicatory, examination, litigation, or regulatory matters.

CONTACT PERSON FOR MORE INFORMATION:

For further information, please contact Vanessa A. Countryman from the Office of the Secretary at (202) 551-5400.

Authority: 5 U.S.C. 552b.

Dated: December 4, 2025.

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025-22208 Filed 12-4-25; 4:15 pm]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-104297; File No. SR-PHLX-2025-63]

Self-Regulatory Organizations; Nasdaq PHLX LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend PHLX Equity 4, Rule 3301A(b) To Specify That the "Time-in-Force" Order Attribute of "Immediate-or-Cancel" Is Not Available to Post-Only Orders or Midpoint Peg Post-Only Orders Entered Through the CORE FIX Protocol, and To Correct a Clerical Error Regarding the Availability of the Trade Now Order Attribute for Midpoint Peg Post-Only Orders

December 3, 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 November 24, 2025, Nasdaq PHLX LLC ("PHLX" or "Exchange") filed with the Securities and Exchange Commission ("SEC" or "Commission") the proposed rule change as described in Items I, II, and III, below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend PHLX Equity 4, Rule 3301A(b) to specify that the "Time-in-Force" Order Attribute of "Immediate-or-Cancel" is not available to Post-Only Orders or Midpoint Peg Post-Only Orders entered through the CORE FIX protocol, and to correct a clerical error regarding the availability of the Trade Now Order Attribute for Midpoint Peg Post-Only Orders.

The text of the proposed rule change is available on the Exchange's website at <https://listingcenter.nasdaq.com/rulebook/PHLX/rulefilings>, and at the principal office of the Exchange.

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's rules provide participants five Order³ entry protocols:

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ The term "Order" means an instruction to trade a specified number of shares in a specified NMS stock submitted to "PSX" or "System" by a participant. See PHLX Equity 1, Section 1(e). "PSX" or "System" is the automated system for order execution and trade reporting owned and operated by the Exchange. See PHLX Equity 1, Section 1(a).

³⁹ 17 CFR 200.30-3(a)(12).

OUCH,⁴ RASH,⁵ FIX,⁶ FLITE,⁷ and CORE FIX.⁸ Due to differences in the technical designs and capabilities of these protocols, they offer market participants different functionalities and experiences with respect to order handling. That is, order handling behaviors on the Exchange vary, in certain circumstances, depending upon the particular protocol that a Participant chooses to utilize to enter its Orders in connection with particular Order Types⁹ and Order Attributes.¹⁰

Currently, PHLX Equity 4, Rule 3301A(b)(4)(C) and Rule 3301A(b)(6)(C)

⁴ The OUCH Order entry protocol is a proprietary protocol that allows subscribers to quickly enter orders into the System and receive executions. OUCH accepts limit Orders from members, and if there are matching Orders, they will execute. Non-matching Orders are added to the Limit Order Book, a database of available limit Orders, where they are matched in price-time priority. OUCH only provides a method for members to send Orders and receive status updates on those Orders. See <https://www.nasdaqtrader.com/Trader.aspx?id=OUCH>.

⁵ RASH (Routing and Special Handling) is a proprietary protocol that allows participants to enter Orders, cancel existing Orders and receive executions while providing smart order routing and special handling features. RASH also allows participants to use advanced functionality, including discretion, random reserve, pegging and routing. See <https://www.nasdaqtrader.com/Trader.aspx?id=RASH>.

⁶ FIX is a vendor-neutral standard message protocol that defines an electronic message exchange for communicating securities transactions between two parties. The Exchange's FIX implementation acts like a router, converting incoming FIX messages into OUCH messages and back again. See <https://www.nasdaqtrader.com/Trader.aspx?id=FIX> and https://www.nasdaqtrader.com/content/ProductsServices/Trading/Protocols_quickref.pdf.

⁷ FIX Lite or "FLITE" is an Order entry protocol based on a subset of FIX. See <https://www.nasdaqtrader.com/Trader.aspx?id=FLITE> and https://www.nasdaqtrader.com/content/ProductsServices/Trading/Protocols_quickref.pdf.

⁸ CORE FIX is a proprietary order entry protocol that will allow participants to code for FIX, while enjoying the faster direct access to the Exchange that is offered by OUCH. The CORE FIX order entry protocol became effective on PHLX on September 23, 2025, but it has not yet become operative on the Exchange. See <https://www.nasdaqtrader.com/TraderNews.aspx?id=ETA2025-57> and Securities Exchange Act Release No. 104020 (Sept. 23, 2025), 90 FR 46446 (Sept. 26, 2025) (File No. SR-PHLX-2025-46) (Self-Regulatory Organizations; Nasdaq PHLX LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend PHLX Equity 4, Rules 3100, 3301A, 3301B, and 3307 To Add the CORE FIX Order Entry Protocol) ("2025 Filing").

⁹ An "Order Type" is a standardized set of instructions associated with an Order that define how it will behave with respect to pricing, execution, and/or posting to the PSX Book when submitted to the System. See PHLX Equity 1, Section 1(e). The "PSX Book" is a montage for quotes and orders that collects and ranks all quotes and orders submitted by participants. See PHLX Equity 1, Section 1(a)(1).

¹⁰ An "Order Attribute" is a further set of variable instructions that may be associated with an Order to further define how it will behave with respect to pricing, execution, and/or posting to the PSX Book when submitted to PSX. See PHLX Equity 1, Section 1(e).

specify that a Post-Only Order and a Midpoint Peg Post-Only Order, respectively, with a Time-in-Force of Immediate-or-Cancel ("IOC")¹¹ may not be entered through RASH or FIX. The Exchange proposes to amend these rules to specify that these exclusions also apply to orders entered through the CORE FIX protocol. In other words, a Post-Only Order or a Midpoint Peg Post-Only Order with a Time-in-Force of IOC may not be entered through RASH, FIX, or CORE FIX.

Additionally, the Exchange wishes to correct a clerical error in PHLX Equity 4, Rule 3301A(b)(6)(C) regarding the availability of the Trade Now Order Attribute for Midpoint Peg Post-Only Orders. In 2024 the Exchange removed the Trade Now Order Attribute from the list of Order Attributes available for Midpoint Peg Post-Only Orders.¹² However, the Exchange mistakenly did not make this change to its rulebook on the Exchange's website. Therefore, earlier this year, when the Exchange modified this same rule as part of its filing to add the CORE FIX order entry protocol to the Exchange, the Exchange mistakenly modified this deleted rule text to add CORE FIX to the list of order entry protocols through which the Trade Now Order Attribute is available for Midpoint Peg Post Only Orders.¹³ The Exchange proposes to correct this clerical error by again removing the Trade Now Order Attribute from the list of order attributes available for Midpoint Peg Post-Only Orders.

The Exchange will announce the implementation date of the new CORE FIX Order Entry Protocol, including the functionality described in this filing, in an Equity Trader Alert at least 30 days prior to implementation. At present, the Exchange expects that the new CORE FIX functionality will be ready for implementation in the first quarter of 2026, although that time frame is subject to change.

The Exchange will remove from its rulebook the incorrect language in PHLX Equity 4, Rule 3301A(b)(6)(C) regarding the availability of the Trade Now Order Attribute for Midpoint Peg Post-Only Orders 30 days after the date of this filing.

¹¹ An order with an IOC Order Attribute is to be executed in whole or in part upon receipt. Any portion not so executed is cancelled.

¹² See Securities Exchange Act Release No. 100061 (May 3, 2024), 89 FR 39671 (May 9, 2024) (File No. SR-PHLX-2024-22) (Self-Regulatory Organizations; Nasdaq PHLX LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the Trade Now Order Attribute, at Equity 4, Rule 3301B and Rule 3301A) ("2024 Filing").

¹³ See 2025 Filing.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,¹⁴ in general, and furthers the objectives of Section 6(b)(5) of the Act,¹⁵ in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest.

As a preliminary matter, the Exchange notes that this proposal is not novel. Earlier this year The Nasdaq Stock Market LLC made a similar change to its rulebook when it established CORE FIX on its equities market.¹⁶ The CORE FIX functionality under Nasdaq Equity 4, Rule 4702(b)(4)(C)¹⁷ and Nasdaq Equity 4, Rule 4702(b)(5)(C)¹⁸ is substantially similar to the CORE FIX functionality proposed by PHLX in the present filing. Additionally, removing Trade Now from the list of Order Attributes available for Midpoint Peg Post-Only Orders would effectuate one of the changes made by the Exchange, and noticed by the Commission, in the 2024 Filing.

It is consistent with the Act to amend the rulebook to specify the functionality of the new CORE FIX order entry protocol. What the current filing does is specify that Post-Only Orders and Midpoint Peg Post-Only Orders with a Time-in-Force of IOC that are submitted through CORE FIX will be rejected, just as such orders are rejected when entered through RASH or FIX. Participants who wish to avail themselves of the Time-in-Force of IOC for Post-Only Orders and Midpoint Peg Post-Only Orders may continue to do so by utilizing other order entry protocols for that purpose.

It is also consistent with the Act to correct the rulebook to remove Trade Now from the list of Order Attributes available for a Midpoint Peg Post-Only

¹⁴ 15 U.S.C. 78f(b).

¹⁵ 15 U.S.C. 78f(b)(5).

¹⁶ See Securities Exchange Act Release No. 102661 (Mar. 13, 2025), 90 FR 12858 (Mar. 19, 2025) (File No. SR-NASDAQ-2025-027) (Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change to Amend Equity 4, Rules 4120, 4702 4703, and 4757) ("Nasdaq Filing").

¹⁷ As amended in the Nasdaq Filing, this Nasdaq rule reads as follows: "The following Order Attributes may be assigned to a Post-Only Order . . . Time-in-Force; provided, however, that a Post-Only Order with a Time-in-Force of IOC may not be entered through CORE FIX, RASH, QIX, or FIX."

¹⁸ As amended in the Nasdaq Filing, this Nasdaq rule reads as follows: "The following Order Attributes may be assigned to a Midpoint Peg Post-Only Order . . . Time-in-Force; provided, however, that a Midpoint Peg Post-Only Order with a Time-in-Force of IOC may not be entered through CORE FIX, RASH, QIX, or FIX."

Order. This is a change that was already filed and noticed by the Commission in 2024.¹⁹ Inadvertently including this deleted rule text in the 2025 Filing was a clerical error, and correcting this mistake helps avoid potential confusion among market participants.

Finally, this proposal is consistent with the Act and is designed to promote just and equitable principles of trade because it ensures that the rulebook accurately reflects the functionality of the of Time-in-Force Order Attribute of IOC for Post-Only Orders and Midpoint Peg Post-Only Orders. Specifying in the rulebook that this Order Attribute is not available for Post-Only Orders and Midpoint Peg Post-Only Orders entered through CORE FIX will help market participants choose the most appropriate order entry protocol to achieve their trading objectives. Also, removing once again Trade Now from the list of Order Attributes available for Midpoint Peg Post-Only Orders corrects a clerical error in the rulebook, which in turn led to a mistake in the 2025 Filing, and thus ensures that the rulebook matches what the Exchange filed, and the Commission noticed, in the 2024 Filing.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. As a general principle, the proposed changes are reflective of the significant competition among exchanges and non-exchange venues for order flow. In this regard, a proposed change that amends and clarifies the Exchange's rules regarding its Order Types and Order Attributes is pro-competitive because it bolsters the efficiency, functionality, and overall attractiveness of the Exchange in an absolute sense and relative to its peers. Moreover, the proposed changes will not unduly burden intra-market competition among various Exchange participants. Participants will experience no competitive impact from this change, as the change will apply equally to all participants, and participants remain free to use other order entry protocols if they wish to continue to avail themselves of the Time-in-Force of IOC for Post-Only Orders or Midpoint Peg Post-Only Orders. Likewise, correcting the rulebook by removing Trade Now from the list of Order Attributes available for Midpoint Peg Post-Only Orders will not burden intra-market competition among

various Exchange participants. Participants will experience no competitive impact from this change, as the change will apply equally to all participants, and it is merely correcting a clerical error made by the Exchange in the 2025 Filing, and thus implementing a change that the Exchange made, and the Commission noticed, in the 2024 Filing.

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

Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act²⁰ and subparagraph (f)(6) of Rule 19b-4 thereunder.²¹

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

²⁰ 15 U.S.C. 78s(b)(3)(A)(iii).

²¹ 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

- Send an email to rule-comments@sec.gov. Please include file number SR-PHLX-2025-63 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.

All submissions should refer to file number SR-PHLX-2025-63. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<https://www.sec.gov/rules/sro.shtml>). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-PHLX-2025-63 and should be submitted on or before December 29, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²²

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025-22147 Filed 12-5-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-104296; File No. SR-DTC-2025-018]

Self-Regulatory Organizations; The Depository Trust Company; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Decommission the DTax Service

December 3, 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 November 26, 2025, The Depository Trust Company ("DTC") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II and III below, which Items have been prepared by the clearing agency. DTC filed the proposed rule change pursuant to

²² 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

¹⁹ See 2024 Filing.

Section 19(b)(3)(A) of the Act³ and Rule 19b-4(f)(4) thereunder.⁴ The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Clearing Agency's Statement of the Terms of Substance of the Proposed Rule Change

The proposed rule change⁵ would (i) amend the Distributions Guide to remove references to the Domestic Tax Reporting System ("DTax"), a product offering of DTCC Solutions LLC ("DTCC Solutions")⁶ that is accessible via DTC's inquiry functions on the DTC Participant Terminal System ("PTS") and Participant Browser Service ("PBS")⁷, and, consequently, (ii) remove from the Guide to the DTC Fee Schedule⁸ ("Fee Guide") the DTax definition included in the glossary.

II. Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the clearing agency included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The clearing agency has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

(A) Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The proposed rule change would (i) amend the Distributions Guide to remove references to DTax, a product offering of DTCC Solutions that is accessible via DTC's inquiry functions on PTS and PBS, and, consequently, (ii) remove from the Fee Guide the DTax definition included in the glossary, as described below.

³ 15 U.S.C. 78s(b)(3)(A).

⁴ 17 CFR 240.19b-4(f)(4).

⁵ Each term not otherwise defined herein has its respective meaning as set forth in the Rules, By-Laws and Organization Certificate of DTC ("Rules") or the DTC Corporate Actions Distributions Service Guide ("Distributions Guide"), available at www.dtcc.com/legal/rules-and-procedures.

⁶ DTCC Solutions LLC is an affiliate of DTC that provides data and information services to support post-trade processing.

⁷ PTS and PBS are user interfaces that provide direct terminal connectivity into various DTC services. PTS is mainframe-based and PBS is web-based with a mainframe back-end.

⁸ Available at www.dtcc.com/-/media/Files/Downloads/legal/fee-guides/DTC-FeeSchedule.pdf.

Background

DTax was introduced by DTC in 1998 to provide Participants with issuer-sourced income classification data to support brokers and other intermediaries in preparing Internal Revenue Service (IRS) form 1099 tax reports. DTC offered the service for several years as an optional tool for tax reporting. In 2005, DTC filed a proposed rule change⁹ to discontinue DTax as a DTC-offered service and, instead, the service was offered by DTCC Solutions. However, to accommodate Participants, DTax remained accessible via DTC's inquiry functions via the DTC PTS and PBS interfaces.

DTCC Solutions has decided to decommission the DTax service effective December 4, 2025 ("Decommission Date"), based on limited client usage and the availability of alternative data-sourcing solutions. Affected clients have been notified via Important Notice, and DTCC Solutions will continue to support DTax until the Decommission Date. In response to the upcoming decommissioning of DTax, DTC proposes to update its Distributions and Fee Guides to remove provisions and references regarding the accessibility of DTax via DTC's PTS and PBS inquiry functions, as described below.

Proposed Changes

Distributions Guide

DTC proposes to remove from the Distributions Guide all provisions relating to DTax, including deleting (i) "Domestic Tax Reporting (DTAX)" under the "About the Distributions Service" section and (ii) the entire text of the section titled "The Domestic Tax Reporting Service ("DTax")," which describes the service and the associated PTS and PBS functions for accessing information related to the service.

Fee Guide

DTC also proposes to eliminate references to DTax included in the glossary of the Fee Guide.¹⁰ Because DTC did not charge a fee to access DTax via PTS or PBS, there is no associated fee to remove, and the historic glossary reference, originally included when DTax was offered as a DTC service, will be deleted on the Decommission Date.

Implementation

The proposed rule change would be implemented on December 4, 2025, in

⁹ Securities Exchange Act Release No. 52977 (Dec. 19, 2005), 70 FR 76474 (Dec. 27, 2005) (SR-DTC-2005-20).

¹⁰ See Fee Guide, *supra* note 8 at 28.

alignment with DTCC Solutions' retirement of DTax.

2. Statutory Basis

Section 17A(b)(3)(F) of the Act requires that the rules of the clearing agency be designed, *inter alia*, to promote the prompt and accurate clearance and settlement of securities transactions.¹¹

As described above, the proposed rule change would (i) amend the Distributions Guide, to remove mentions of DTax and, consequently, (ii) remove from the Fee Guide the DTax definition. These amendments will align DTC's Guides with the upcoming retirement of DTax by DTCC Solutions. Removing obsolete references will ensure that DTC's Distributions and Fee Guides accurately reflect the PTS and PBS service functions currently available to Participants. By keeping the Guides accurate, Participants are better able to access and use DTC services, promoting more efficient and effective clearance and settlement. Therefore, DTC believes that the proposed rule change would help promote the prompt and accurate clearance and settlement of securities transactions, consistent with the requirements of the Act, in particular Section 17A(b)(3)(F) of the Act, cited above.

Rule 17ad-22(e)(21)¹² promulgated under the Act requires, *inter alia*, that DTC, a covered clearing agency, establish, implement, maintain and enforce written policies and procedures reasonably designed to, as applicable, be efficient and effective in meeting the requirements of its Participants and the markets it serves. As described above, the DTax section of the Distributions Guide currently details an informational service offered by DTCC Solutions, including data on reclassification of income for U.S. tax reporting purposes, accessible via DTC's PTS and PBS functions. Because DTax is operated by DTCC Solutions rather than DTC and is being decommissioned by DTCC Solutions, removal of the DTax references from DTC's Guides ensures that DTC's Guides accurately reflect the PTS and PBS services supported by DTC. Accordingly, DTC believes that the proposed rule change would help promote efficiency and effectiveness in a manner consistent with Rule 17ad-22(e)(21).

(B) Clearing Agency's Statement on Burden on Competition

DTC does not believe that the proposed rule change would have any

¹¹ 15 U.S.C. 78q-1(b)(3)(F).

¹² 17 CFR 240.17ad-22(e)(21).

impact or impose any burden on competition because, as described above, the proposed rule change is limited to removing obsolete references to DTax from the Distributions Guide and Fee Guide. DTax is a DTCC Solutions service and is not a service operated by DTC and the proposed changes are intended solely to align DTC's Guides with the current scope of its PTS and PBS services. Because DTax is being retired by DTCC Solutions and has no operational connection to DTC, the inability to access the service via DTC's PTS and PBS functions should have no effect on the rights or obligations of Participants. Therefore, DTC believes that the proposed rule change would not favor or disadvantage any Participant.

(C) Clearing Agency's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

DTC has not received or solicited any written comments relating to this proposal. If any written comments are received, they will be publicly filed as an Exhibit 2 to this filing, as required by Form 19b-4 and the General Instructions thereto.

Persons submitting written comments are cautioned that, according to Section IV (Solicitation of Comments) of the Exhibit 1A in the General Instructions to Form 19b-4, the Commission does not edit personal identifying information from comment submissions.

Commenters should submit only information that they wish to make available publicly, including their name, email address, and any other identifying information.

All prospective commenters should follow the Commission's instructions on *How to Submit Comments*, available at www.sec.gov/regulatory-actions/how-to-submit-comments. General questions regarding the rule filing process or logistical questions regarding this filing should be directed to the Main Office of the Commission's Division of Trading and Markets at tradingandmarkets@sec.gov or 202-551-5777.

DTC reserves the right to not respond to any comments received.

III. Date of Effectiveness of the Proposed Rule Change, and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A) of the Act¹³ and paragraph (f) of Rule 19b-4 thereunder.¹⁴ 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-DTC-2025-018 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street, NE, Washington, DC 20549.

All submissions should refer to File Number SR-DTC-2025-018. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<https://www.sec.gov/rules/sro.shtml>). Copies of the filing will be available for inspection and copying at the principal office of DTC and on DTCC's website (<https://www.dtcc.com/legal/sec-rule-filings.aspx>). 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-DTC-2025-018 and should be submitted on or before December 29, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁵

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025-22146 Filed 12-5-25; 8:45 am]

BILLING CODE 8011-01-P

SMALL BUSINESS ADMINISTRATION

Reporting and Recordkeeping Requirements Under OMB Review

AGENCY: U.S. Small Business Administration.

ACTION: 30-Day notice.

SUMMARY: The Small Business Administration (SBA) is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act and OMB procedures, SBA is publishing this notice to allow all interested members of the public an additional 30 days to provide comments on the proposed collection of information.

DATES: Submit comments on or before December 31, 2025.

ADDRESSES: Written comments and recommendations for this information collection request should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection request by selecting "Small Business Administration"; "Currently Under Review," then select the "Only Show ICR for Public Comment" checkbox. This information collection can be identified by title and/or OMB Control Number.

FOR FURTHER INFORMATION CONTACT: You may obtain a copy of the information collection and supporting documents from the Interim Agency Clearance Officer at Shauniece.Carter@sba.gov; (202) 921-2198, or from www.reginfo.gov/public/do/PRAMain.

SUPPLEMENTARY INFORMATION: The Small Business Regulatory Enforcement Fairness Act of 1996, 15 U.S.C. 657(b)(2)(B), requires the SBA National Ombudsman to establish a means for SBA to receive comments on regulatory and compliance actions from small entities regarding their disagreements with a Federal Agency action. The Ombudsman uses it to obtain the agency's response, encourages a fresh look by the agency at a high level, and build a smaller business-friendly regulatory environment. The form has been updated to include several key enhancements aimed at improving clarity and user protection. Instructions have been modified for ease of use and to guide small business entities through the completion process. A non-retaliation policy has been incorporated to reinforce SBREFA protections for small business entities who choose to submit a comment and to emphasize the Office of the National Ombudsman's

¹³ 15 U.S.C. 78s(b)(3)(A).

¹⁴ 17 CFR 240.19b-4(f).

¹⁵ 17 CFR 200.30-3(a)(12).

commitment to a safe and supportive environment. Additionally, the confidentiality clause has been revised to provide clear language and reflect the appropriate statutes governing confidentiality.

Solicitation of Public Comments

SBA is requesting comments on (a) whether the collection of information is necessary for the agency to properly perform its functions; (b) whether the burden estimates are accurate; (c) whether there are ways to minimize the burden, including through the use of automated techniques or other forms of information technology; and (d) whether there are ways to enhance the quality, utility, and clarity of the information.

OMB Control No: 3245–0313.

Title: Federal Agency Comment Form.

Description of Respondents: Small Business Owners.

Form Number: SBA Form 1993.

Total Estimated Annual Responses: 1,000.

Total Estimated Annual Hour Burden: 333.

Shauniece Carter,

Interim Agency Clearance Officer.

[FR Doc. 2025–22266 Filed 12–5–25; 8:45 am]

BILLING CODE 8026–09–P

DEPARTMENT OF STATE

[Public Notice 12877]

30-Day Notice of Proposed Information Collection: Application for Employment as a Locally Employed Staff or Family Member

ACTION: Notice of request for public comment and submission to OMB of proposed collection of information.

SUMMARY: The Department of State has submitted the information collection described below to the Office of Management and Budget (OMB) for approval. In accordance with the Paperwork Reduction Act of 1995 we are requesting comments on this collection from all interested individuals and organizations. The purpose of this Notice is to allow 30 days for public comment.

DATES: Submit comments up to January 7, 2026.

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:

Direct requests for additional information regarding the collection listed in this notice, including requests for copies of the proposed collection instrument and supporting documents, to PERT/OE, 2401 E Street NW, Suite 800, Washington, DC 20037, who may be reached on (202) 984–2135 or at PERT-OE-Recruitment@state.gov.

SUPPLEMENTARY INFORMATION:

- *Title of Information Collection:* Employment Application for Locally Employed Staff or Family Member.
- *OMB Control Number:* 1405–0189.
- *Type of Request Renewal of a Currently Approved Collection.*
- *Originating Office:* Bureau of Personnel and Training, Office of Overseas Employment (PERT/OE).
- *Form Number:* DS–174.
- *Respondents:* The respondents are locals who live in 175 countries abroad and who are applying for a position at the U.S. Embassy, Consulate or Mission in their country. In addition, family members who are accompanying their sponsors to assignments in the U.S. Embassies, Consulates or Mission abroad.
- *Estimated Number of Respondents:* 600,000.
- *Estimated Number of Responses:* 600,000.
- *Average Time per Response:* 15 minutes.
- *Total Estimated Burden Time:* 150,000 hours.
- *Frequency:* On occasion.
- *Obligation to Respond:* Required to Obtain a Benefit.

We are soliciting public comments to permit the Department to:

- Evaluate whether the proposed information collection is necessary for the proper functions of the Department.
- Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used.
- Enhance the quality, utility, and clarity of the information to be collected.
- Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Please note that comments submitted in response to this Notice are public record. Before including any detailed personal information, you should be aware that your comments as submitted, including your personal information, will be available for public review.

Abstract of Proposed Collection

The information solicited is used to establish eligibility and qualifications at U.S. Embassies, Consulates, and Missions abroad. The respondents are locals who live in the 175 countries abroad and who are applying for a position at the U.S. Embassy, Consulate or Mission in their country. In addition, Family members who are accompanying their partners to assignments in the U.S. Embassies, Consulates or Mission abroad. The authority is the Foreign Service Act of 1980, as amended, and 22 U.S.C 2669(c).

Methodology

Candidates for employment use the DS–0174 to apply for Mission-advertised positions around the world. Mission recruitments generate approximately 1 million applications per year, the majority of which are collected electronically using an applicant management system, Electronic Recruitment Application (ERA). Data that HR and hiring officials extract from the DS–0174 determine employment eligibility and qualifications for the position, and selections according to Federal Policies.

Darren Hultman

Deputy Assistant Secretary, Personnel and Training, Department of State.

[FR Doc. 2025–22210 Filed 12–5–25; 8:45 am]

BILLING CODE 4710–15–P

SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Consumptive Uses of Water

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: This notice lists Approvals by Rule for projects by the Susquehanna River Basin Commission during the period set forth in **DATES**.

DATES: November 1 through 30, 2025.

ADDRESSES: Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110–1788.

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General Counsel and Secretary to the Commission, telephone: (717) 238–0423, ext. 1312; fax: (717) 238–2436; email: joyler@srbc.gov. Regular mail inquiries may be sent to the above address.

SUPPLEMENTARY INFORMATION: This notice lists the projects, described below, receiving approval for the consumptive use of water pursuant to

the Commission's approval by rule process set forth in 18 CFR 806.22 (e) and (f) for the time period specified above.

Approvals by Rule—Issued Under 18 CFR 806.22(e)

1. Nestle Purina PetCare Company; Nestle Purina PetCare Company; ABR–202511001; Hampden Township, Cumberland County, Pa.; Consumptive Use of Up to 0.0800 mgd; Approval Date: November 12, 2025.

2. BEST BEV, LLC; Waverly Canning Facility; ABR–202511002; Waverly Village, Tioga County, Ny.; Consumptive Use of Up to 0.2000 mgd; Approval Date: November 18, 2025.

Approvals by Rule—Issued Under 18 CFR 806.22(f)

1. RENEWAL—Coterra Energy Inc.; Pad ID: KingD P1; ABR–201009010.R3; Dimock Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: November 23, 2025.

2. RENEWAL—Coterra Energy Inc.; Pad ID: Maiolini P3; ABR–201008114.R3; Dimock and Auburn Townships, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: November 23, 2025.

3. RENEWAL—Coterra Energy Inc.; Pad ID: StockholmK P2; ABR–201008134.R3; Rush Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: November 23, 2025.

4. RENEWAL—Coterra Energy Inc.; Pad ID: Teel P2; ABR–201508004.R2; Dimock Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: November 23, 2025.

5. RENEWAL—Coterra Energy Inc.; Pad ID: WarrinerR P4; ABR–201008123.R3; Dimock Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: November 23, 2025.

6. RENEWAL—Expand Operating LLC; Pad ID: Chamberlin; ABR–201008088.R3; Stevens Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: November 23, 2025.

7. RENEWAL—Pennsylvania General Energy Company, L.L.C.; Pad ID: COP Tract 729 Pad C; ABR–201008051.R3; Cummings Township, Lycoming County, Pa.; Consumptive Use of Up to 3.0000 mgd; Approval Date: November 23, 2025.

8. RENEWAL—Pennsylvania General Energy Company, L.L.C.; Pad ID: COP Tract 729 Pad D; ABR–201008052.R3; Cummings Township, Lycoming County, Pa.; Consumptive Use of Up to

3.0000 mgd; Approval Date: November 23, 2025.

9. RENEWAL—Repsol Oil & Gas USA, LLC; Pad ID: AYERS (05 005) K; ABR–201008129.R3; Orwell Township, Bradford County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: November 23, 2025.

10. RENEWAL—Repsol Oil & Gas USA, LLC; Pad ID: CARPENTER (03 023) K; ABR–201008141.R3; Columbia Township, Bradford County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: November 23, 2025.

11. RENEWAL—Repsol Oil & Gas USA, LLC; Pad ID: DCNR 587 (02 019); ABR–201008072.R3; Ward Township, Tioga County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: November 23, 2025.

12. RENEWAL—Repsol Oil & Gas USA, LLC; Pad ID: Hedrick 702; ABR–201007092.R3; Union Township, Tioga County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: November 23, 2025.

13. RENEWAL—Repsol Oil & Gas USA, LLC; Pad ID: STROPE (05 026) G; ABR–201008152.R3; Windham and Warren Townships, Bradford County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: November 23, 2025.

14. RENEWAL—Repsol Oil & Gas USA, LLC; Pad ID: YOUNG (05 080) R; ABR–201007080.R3; Warren Township, Bradford County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: November 23, 2025.

15. RENEWAL—Seneca Resources Company, LLC; Pad ID: Fuleihan 417; ABR–201008073.R3; Delmar Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: November 23, 2025.

16. RENEWAL—Seneca Resources Company, LLC; Pad ID: Sticklin 610; ABR–201007113.R3; Delmar Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: November 23, 2025.

17. RENEWAL—Coterra Energy Inc.; Pad ID: CosnerW P1; ABR–201009047.R3; Springville Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: November 26, 2025.

18. RENEWAL—Coterra Energy Inc.; Pad ID: Teel P4; ABR–20080701.R3; Springville Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: November 26, 2025.

19. RENEWAL—LPR Energy, LLC; Pad ID: Lightner East Drilling Pad #1; ABR–201009087.R3; Juniata Township, Blair County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: November 26, 2025.

20. RENEWAL—PPG Operations LLC; Pad ID: Coldstream Affiliates #1MH; ABR–201007051.R3; Goshen Township, Clearfield County, Pa.; Consumptive Use of Up to 3.0200 mgd; Approval Date: November 26, 2025.

21. RENEWAL—PPG Operations LLC; Pad ID: Whitetail #1–5MH; ABR–201008112.R3; Goshen Township, Clearfield County, Pa.; Consumptive Use of Up to 3.0200 mgd; Approval Date: November 26, 2025.

22. RENEWAL—Repsol Oil & Gas USA, LLC; Pad ID: DCNR 594 (02 205); ABR–201008040.R3; Bloss Township, Tioga County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: November 26, 2025.

23. RENEWAL—Repsol Oil & Gas USA, LLC; Pad ID: DETWEILER (02 100) R; ABR–201008023.R3; Covington Township, Tioga County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: November 26, 2025.

24. RENEWAL—Repsol Oil & Gas USA, LLC; Pad ID: ROY (03 062) L; ABR–201008089.R3; Wells Township, Bradford County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: November 26, 2025.

25. RENEWAL—Repsol Oil & Gas USA, LLC; Pad ID: Sparrow Hawk; ABR–201009044.R3; Covington Township, Tioga County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: November 26, 2025.

26. RENEWAL—Repsol Oil & Gas USA, LLC; Pad ID: Swingle 725; ABR–201007129.R3; Canton Township, Bradford County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: November 26, 2025.

27. RENEWAL—Repsol Oil & Gas USA, LLC; Pad ID: Yaggie 704; ABR–201006113.R3; Union Township, Tioga County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: November 26, 2025.

28. RENEWAL—BKV Operating, LLC; Pad ID: Baker 2H; ABR–201008137.R3; Forest Lake Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: November 28, 2025.

29. RENEWAL—Expand Operating LLC; Pad ID: Tama; ABR–201010057.R3; North Towanda Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: November 28, 2025.

30. RENEWAL—Seneca Resources Company, LLC; Pad ID: Hotchkiss 472; ABR–201009045.R3; Charleston Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: November 28, 2025.

31. RENEWAL—EQT ARO LLC; Pad ID: Brooks Family Pad A; ABR–201508002.R2; Cascade Township,

Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: November 30, 2025.

Authority: Public Law 91–575, 84 Stat. 1509 *et seq.*, 18 CFR parts 806 and 808.

Dated: December 4, 2025.

Jason E. Oyler,

General Counsel and Secretary to the Commission.

[FR Doc. 2025–22254 Filed 12–5–25; 8:45 am]

BILLING CODE 7040–01–P

SUSQUEHANNA RIVER BASIN COMMISSION

General Permit Notice

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: This notice lists General Permits approved by the Susquehanna River Basin Commission during the period set forth in **DATES**.

DATES: November 1–30, 2025.

ADDRESSES: Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110–1788.

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General Counsel and Secretary to the Commission, telephone: (717) 238–0423, ext. 1312; fax (717) 238–2436; email: joyler@srbc.gov. Regular mail inquiries may be sent to the above address.

SUPPLEMENTARY INFORMATION: This notice lists General Permits for projects, described below, pursuant to 18 CFR 806.17(c)(4), for the time period specified above.

1. Pennsylvania Fish & Boat Commission—Spring Creek Sportsmen Association, General Permit Approval of Coverage No. GP–03–202511016, Cass Township, Huntingdon County, Pa.; Cooperative Fish Nursery withdrawal approved up to 0.375 mgd (peak day) from Roaring Run; Approval Date: November 19, 2025.

2. Pennsylvania Fish & Boat Commission—PA Wildlife Habitat Unlimited, General Permit Approval of Coverage No. GP–03–202511017, Huston Township, Clearfield County, Pa.; Cooperative Fish Nursery withdrawal approved up to 0.288 mgd (peak day) from unnamed tributary to Mountain Lick Creek and 0.288 mgd (peak day) from Mountain Lick Creek; Approval Date: November 25, 2025.

Authority: Public Law 91–575, 84 Stat. 1509 *et seq.*, 18 CFR parts 806 and 808.

Dated: December 4, 2025.

Jason E. Oyler,

General Counsel and Secretary to the Commission.

[FR Doc. 2025–22255 Filed 12–5–25; 8:45 am]

BILLING CODE 7040–01–P

SUSQUEHANNA RIVER BASIN COMMISSION

Actions Taken at the December 4, 2025 Meeting

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: As part of its regular business meeting held on December 4, 2025 in Harrisburg, Pennsylvania, the Commission approved the applications of certain water resources projects and took additional actions, as set forth in the **SUPPLEMENTARY INFORMATION** below.

DATES: December 4, 2025.

ADDRESSES: Susquehanna River Basin Commission, 4423 N Front Street, Harrisburg, PA 17110–1788.

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General Counsel and Secretary, telephone: (717) 238–0423, ext. 1312, fax: (717) 238–2436; email: joyler@srbc.gov. Regular mail inquiries may be sent to the above address. See also the Commission website at www.srbc.gov.

SUPPLEMENTARY INFORMATION: The Commission took the following actions at its December 4, 2025 business meeting: (1) adopted *Resolution 2025–07* approving the 2026 Regulatory Program Fee Schedule; (2) approved two grant amendments; (3) adopted *Resolution 2025–08* for the emergency certificate extension for Mott’s LLP—Aspers Plant; and (4) approved 14 regulatory program projects and tabled one project as listed below.

Project Applications Approved:

1. *Project Sponsor:* Aqua Pennsylvania, Inc. Project Facility: Monroe Manor System, Monroe Township, Snyder County, Pa. Application for renewal of groundwater withdrawal of up to 0.392 mgd (30-day average) from Well 6 (Docket No. 20101202).

2. *Project Sponsor and Facility:* College Township Water Authority, College Township, Centre County, Pa. Application for renewal of groundwater withdrawal of up to 1.800 mgd (30-day average) from Spring Creek Park Well 1 (Docket No. 19990302).

3. *Project Sponsor and Facility:* Coterra Energy Inc. (Susquehanna River), Susquehanna Depot Borough,

Susquehanna County, Pa. Application for renewal of surface water withdrawal of up to 1.500 mgd (peak day) (Docket No. 20201201).

4. *Project Sponsor and Facility:* Elizabethville Area Authority, Elizabethville Borough and Washington Township, Dauphin County, Pa. Applications for renewal of groundwater withdrawals (30-day averages) of up to 0.038 mgd from Well 3, 0.031 mgd from Well 4, and 0.036 mgd from Well 5 (Docket Nos. 19930907 and 19981203).

5. *Project Sponsor:* Essential Power Rock Springs, LLC. Project Facility: Rock Springs Generation Facility, Oakwood District, Cecil County, Md. Application for renewal of consumptive use of up to 0.262 mgd (peak day) (Docket No. 20001203).

6. *Project Sponsor and Facility:* Expand Operating LLC (Towanda Creek), Monroe Township and Monroe Borough, Bradford County, Pa. Application for renewal of surface water withdrawal of up to 1.500 mgd (peak day) (Docket No. 20201202).

7. *Project Sponsor and Facility:* Expand Operating LLC (Wyalusing Creek), Rush Township, Susquehanna County, Pa. Application for renewal with modification of surface water withdrawal of up to 3.000 mgd (peak day) (Docket No. 20220604).

8. *Project Sponsor and Facility:* Indian Trail Mountain Spring Water, Gratz Borough, Dauphin County, Pa. Application for renewal of consumptive use of up to 0.092 mgd (peak day) (Docket No. 20001205).

9. *Project Sponsor and Facility:* Moccasin Run Golf Club, Inc., West Fallowfield Township, Chester County, Pa. Application for renewal with modification of consumptive use of up to 0.249 mgd (30-day average) (Docket No. 20001204).

10. *Project Sponsor and Facility:* Pennsylvania Grain Processing LLC, Clearfield Borough, Clearfield County, Pa. Application for groundwater withdrawal of up to 0.259 mgd (30-day average) from Well GW–1, and modification to add a source (Well GW–1) for consumptive use (Docket No. 20220909).

11. *Project Sponsor and Facility:* RES Coal LLC, Boggs Township, Clearfield County, Pa. Application for renewal with modification of consumptive use of up to 0.099 mgd (30-day average) (Docket No. 20120613).

12. *Project Sponsor:* Schuylkill County Municipal Authority. Project Facility: Tremont Service Area, Tremont Borough and Tremont Township, Schuylkill County, Pa. Applications for renewal of groundwater withdrawals

(30-day averages) of up to 0.194 mgd from Well 4 and 0.087 mgd from Well 15 (Docket Nos. 19950103 and 19990902).

13. *Project Sponsor and Facility*: State College Borough Water Authority, Benner Township, Centre County, Pa. Applications for renewal of groundwater withdrawals (30-day averages) of up to 1.440 mgd from Well 71, 1.224 mgd from Well 73, 1.584 mgd from Well 78, and 0.576 mgd from Well 79 (Docket No. 19940903).

Project Tabled:

14. *Project Sponsor and Facility*: Aquaport, LLC, Old Lycoming Township, Lycoming County, Pa. Application for groundwater withdrawal of up to 0.250 mgd (30-day average) from Well 1.

Authority: Public Law 91–575, 84 Stat. 1509 *et seq.*, 18 CFR parts 806, 807, and 808.

Dated: December 4, 2025.

Jason E. Oyler,

General Counsel and Secretary to the Commission.

[FR Doc. 2025–22253 Filed 12–5–25; 8:45 am]

BILLING CODE 7040–01–P

SUSQUEHANNA RIVER BASIN COMMISSION

Minor Modification Approval

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: This notice lists the minor modifications approved for previously approved projects by the Susquehanna River Basin Commission during the period set forth in **DATES**.

DATES: November 1 through 30, 2025.

ADDRESSES: Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110–1788.

FOR FURTHER INFORMATION CONTACT:

Jason E. Oyler, General Counsel and Secretary to the Commission, telephone: (717) 238–0423, ext. 1312; fax (717) 238–2436; email: joyler@srbc.gov. Regular mail inquiries may be sent to the above address.

SUPPLEMENTARY INFORMATION: This notice lists previously approved projects, receiving approval of minor modification or a corrective modification, described below, pursuant to 18 CFR 806.18 or to Commission Resolution Nos. 2013–11 and 2015–06, for the time period specified above.

1. Farmers Pride, Inc.—Bell & Evans—Plant 1, Docket No. 20250926, Bethel Township, Lebanon County, Pa.; modification approval to change

authorized water use; Approval Date: November 26, 2025.

Authority: Public Law 91–575, 84 Stat. 1509 *et seq.*, 18 CFR parts 806 and 808.

Dated: December 4, 2025.

Jason E. Oyler,

General Counsel and Secretary to the Commission.

[FR Doc. 2025–22257 Filed 12–5–25; 8:45 am]

BILLING CODE 7040–01–P

SUSQUEHANNA RIVER BASIN COMMISSION

Grandfathering Registration Notice

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: This notice lists Grandfathering Registration for projects by the Susquehanna River Basin Commission during the period set forth in **DATES**.

DATES: November 1 through 30, 2025.

ADDRESSES: Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110–1788.

FOR FURTHER INFORMATION CONTACT:

Jason E. Oyler, General Counsel and Secretary to the Commission, telephone: (717) 238–0423, ext. 1312; fax: (717) 238–2436; email: joyler@srbc.gov. Regular mail inquiries may be sent to the above address.

SUPPLEMENTARY INFORMATION: This notice lists GF Registration for projects, described below, pursuant to 18 CFR part 806, subpart E, for the time period specified above:

1. Farmers Pride, Inc.—Bell & Evans—Plant 1, GF Certificate No. GF–202511307, Bethel Township, Lebanon County, Pa.; consumptive use; Reissue Date: November 26, 2025.

Authority: Public Law 91–575, 84 Stat. 1509 *et seq.*, 18 CFR parts 806 and 808.

Dated: December 4, 2025.

Jason E. Oyler,

General Counsel and Secretary to the Commission.

[FR Doc. 2025–22256 Filed 12–5–25; 8:45 am]

BILLING CODE 7040–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. FAA–2025–0269]

Agency Information Collection

Activities: Requests for Comments; Clearance of a Renewed Approval of Information Collection: Notice of Construction, Alteration and Deactivation of Airports

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the FAA invites public comments about our intention to request the Office of Management and Budget (OMB) approval to renew an information collection. The **Federal Register** Notice with a 60-day comment period soliciting comments on the following collection of information was published on September 18, 2025. The collection allows users of both federally obligated and non-obligated airports to activate and deactivate landing areas, change traffic patterns, change use types, and realign landing areas. The information to be collected will be used to understand the impact of proposed actions on existing and planned operating procedures, determine potential hazardous effects and objections, and identify any mitigating measures needed to enhance safe air navigation.

DATES: Written comments should be submitted by January 7, 2026.

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:

Jason Knipp, Office of Airports Safety and Standards, by email at: Jason.Knipp@faa.gov; phone: 816–329–3103.

SUPPLEMENTARY INFORMATION:

Public Comments Invited: You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for FAA’s performance; (b) the accuracy of the estimated burden; (c) ways for FAA to enhance the quality, utility and clarity of the information collection; and (d)

ways that the burden could be minimized without reducing the quality of the collected information.

OMB Control Number: 2120–0036.

Title: Notice of Landing Area Proposal.

Form Numbers: 7480–1.

Type of Review: Renewal of an information collection.

Background: The **Federal Register** Notice with a 60-day comment period soliciting comments on the following collection of information was published on September 18, 2025 (90 FR 45098). Title 14 Code of Federal Regulations Part 157, Notice of Construction, Alteration, Activation, and Deactivation of Airports, requires that each person who intends to establish, construct, deactivate, or change the status of an airport, runway, or taxiway notify the FAA of such activity. The FAA uses the information collected to determine the effect the proposed action will have on existing airports and on the safe and efficient use of airspace by aircraft, the effects on the existing structure of airspace or contemplated traffic patterns of neighboring airports, the effects on the projected programs of the FAA, and the effects that existing or proposed manmade objects (on file with the FAA) and natural objects within the affected area will have on the airport proposal. The FAA collects this information via an online reporting tool available on the FAA website or via FAA Form 7480–1.

Respondents: Approximately 552 annually.

Frequency: Information is collected on occasion.

Estimated Average Burden per Response: 1 hour.

Estimated Total Annual Burden: 552 hours.

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

Christopher Criswell,

*Manager, Airport Data and Airspace Branch,
Office of Airport Safety and Standards.*

[FR Doc. 2025–22265 Filed 12–5–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. FAA–2025–0492]

Agency Information Collection Activities: Requests for Comments; Clearance of Renewed Approval of Information Collection: FAA Advisory Circular 120–119, Voluntary Safety Management System for Other Regulated Entities Transporting Dangerous Goods by Air

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FAA invites public comments about our intention to request the Office of Management and Budget (OMB) approval to renew an information collection. The **Federal Register** Notice with a 60-day comment period soliciting comments on the following collection of information was published on June 17, 2025. The collection involves entities that voluntarily follow the guidance in FAA Advisory Circular (AC) 120–119, *Voluntary Safety Management System (SMS) for Other Regulated Entities Transporting Dangerous Goods by Air*, on how to use the FAA regulatory SMS principles as a basis to develop and implement a voluntary SMS program and how to submit such a voluntary program to the FAA for acceptance.

DATES: Written comments should be submitted by January 7, 2026.

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: Shelby Geller by email at: hazmatinfo@faa.gov; phone: 405–954–0088.

SUPPLEMENTARY INFORMATION:

Public Comments Invited: You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for FAA’s performance; (b) the accuracy of the estimated burden; (c) ways for FAA to

enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information.

OMB Control Number: 2120–0811.

Title: FAA Advisory Circular 120–119, Voluntary Safety Management System for Other Regulated Entities Transporting Dangerous Goods by Air.

Form Numbers: No FAA forms are associated with this collection.

Type of Review: Renewal of an information collection.

Background: The **Federal Register** Notice with a 60-day comment period soliciting comments on the following collection of information was published on June 17, 2025 (90 FR 25739). AC 120–119 provides information on how entities subject to the regulatory requirements of Title 49 of the Code of Federal Regulations (CFR) parts 171–180 (*e.g.*, entities performing functions such as, but not limited to, handling or shipping of dangerous goods by air and hereinafter referred to as an Other Regulated Entity or ORE) may choose to voluntarily implement an SMS as described in Title 14 CFR, Part 5, *Safety Management Systems*. Each ORE that elects to participate in the FAA’s voluntary SMS program develops an SMS implementation plan, which is submitted to the FAA for approval. Once implemented, the ORE collects and analyzes safety data and maintains training and communications records for its SMS.

Respondents: The FAA estimates one new respondent and four continual respondents annually.

Frequency: Information is collected on occasion. Respondents who voluntarily elect to participate in the voluntary SMS program submit a one-time implementation plan and occasionally provide updated SMS information after implementation.

Estimated Average Burden per Response: 4,160 hours for new respondents and 170 hours for continual respondents.

Estimated Total Annual Burden: 4,160 hours for new respondents and 680 hours for continual respondents.

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

Walter Burrows,

Acting Executive Director, FAA, Office of Hazardous Materials Safety.

[FR Doc. 2025–22191 Filed 12–5–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****[Docket No: FAA–2025–5379]****Deadline for Submitting Intent To Use Airport Improvement Program (AIP) Apportioned Funds for Fiscal Year (FY) 2026****AGENCY:** Federal Aviation Administration (FAA), U.S. Department of Transportation.**ACTION:** Federal Register notice.

SUMMARY: Title 49 U.S.C. 47105(f) provides that every sponsor of an airport for which AIP funds are apportioned shall notify the Secretary, by such time and in a form prescribed by the Secretary, of its intent to submit a grant application for its available entitlement funds. This notice establishes the annual national deadline and requirements for every airport sponsor to signal their intent to submit applications for FY 2026 AIP entitlement funds. This is necessary to ensure the FAA has sufficient time to convert and carry over (protect) undeclared apportionment funds.

FOR FURTHER INFORMATION CONTACT:

Jesse Carriger, Director (Acting), Office of Airport Planning and Programming, at (202) 267–9194.

SUPPLEMENTARY INFORMATION: Pursuant to 49 U.S.C. 47105(f), each airport sponsor receiving apportioned funds must inform the Secretary of its intention to apply for these funds, including any unused funds from previous years (protected carryover). Each airport sponsor must submit notifications for each airport receiving an entitlement amount to their FAA Regional Airports Division/Airports District Office by the national deadline of February 27, 2026. This notification is essential for the efficient planning and management of the AIP. The FAA will carry over and protect any undeclared apportioned funds after this date. Undeclared apportioned funds will be unavailable to the sponsor until the next fiscal year.

The notification must be in writing and include the total amount planned for eligible projects during the FY and confirmation of which projects listed in their Capital Improvement Plans for the current FY will proceed.

State aviation agencies in the FAA's State Block Grant Program must also notify the FAA by this date, with information consistent with the latest Memorandum of Agreement. This should include a plan for both entitlement and state apportionment funds.

Funds from previous FYs that are still available may not be immediately accessible to sponsors when the FAA initiates the AIP for a new fiscal year. The FAA can only issue grants when sufficient funds are appropriated.

Airport sponsors must submit applications for entitlement-only grants on or before May 1, 2026. These applications should be based on construction bids (or negotiated agreements) but may be based on estimates. Final bid dates should be coordinated with your local Region or Airport District Office (ADO), as appropriate, to ensure all grants can be issued based on bids. The submitted applications must comply with statutory pre-grant requirements, including the National Environmental Policy Act and Buy American requirements. If you are unable to meet the required dates, please contact your ADO.

Issued in Washington, DC, on December 3, 2025.

Jesse Carriger,

Director (Acting), Office of Airport Planning and Programming.

[FR Doc. 2025–22139 Filed 12–5–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION**Federal Motor Carrier Safety Administration****National Hazardous Materials Route Registry**

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Notice; revisions to the listing of designated and restricted routes for hazardous materials.

SUMMARY: This notice provides revisions to the National Hazardous Materials Route Registry (NHMRR) reported to FMCSA from April 1, 2024, through March 31, 2025. The NHMRR is a listing, as reported by State and Tribal governments, of all designated and restricted roads and preferred highway routes for transportation of highway route-controlled quantities of Class 7 radioactive materials (HRCQ/RAM) and non-radioactive hazardous materials (NRHM).

DATES: *Effective date:* December 8, 2025.

FOR FURTHER INFORMATION CONTACT: Ms. Melissa Williams, Hazardous Materials Division, Office of Enforcement and Compliance, FMCSA, 1200 New Jersey Ave. SE, Washington, DC 20590, (202) 366–4163, melissa.williams@dot.gov. Office hours are from 9 a.m. to 5 p.m.,

ET, Monday through Friday, except for Federal holidays.

Legal Basis and Background

Paragraphs (a)(2) and (b) of section 5112 of title 49 United States Code (U.S.C.) permit States and Tribal governments to designate and limit highway routes over which hazardous materials (HM) may be transported, provided the State or Tribal government complies with standards prescribed by the Secretary of Transportation (the Secretary) and meets publication requirements in section 5112(c). To establish standards under paragraph (b), the Secretary must consult with the States, and, under section 5112(c), coordinate with the States to “update and publish periodically” a list of currently effective HM highway routing designations and restrictions. The requirements that State and Tribal governments must follow to establish, maintain, or enforce routing designations for the transport of placardable quantities of NRHM are set forth in 49 CFR part 397, subpart C. Subpart D of part 397 sets out the requirements for designating preferred routes for HRCQ/RAM shipments as an alternative, or in addition, to Interstate System highways. For HRCQ/RAM shipments, § 397.101 defines a *preferred route* as an interstate highway for which no alternative route is designated by the State; a route specifically designated by the State; or both (see § 397.65 for the definitions of *NRHM* and *routing designations*).

Under a delegation from the Secretary,¹ FMCSA has authority to implement 49 U.S.C. 5112.

Currently, § 397.73 establishes public information and reporting requirements for NRHM. States or Tribal governments are required to furnish information regarding any new or changed routes to FMCSA within 60 days after establishment. Under § 397.103, a state routing designation for HRCQ/RAM routes (preferred routes) as an alternative, or in addition, to an Interstate System highway, is effective when the authorized routing agency provides FMCSA with written notification, FMCSA acknowledges receipt in writing, and the route is published in FMCSA's NHMRR. The Office of Management and Budget has approved these collections of information under control number 2126–0014, Transportation of Hazardous Materials, Highway Routing.

In this notice, FMCSA is merely performing the ministerial function of updating and publishing the NHMRR

¹ 49 CFR 1.87(d)(2).

based on input from its State and Tribal partners under 49 U.S.C. 5112(c)(1). Accordingly, this notice serves only to provide the most recent revisions to the NHMRR; it does not establish any new public information and reporting requirements.

Updates to the NHMRR

FMCSA published the full NHMRR in a **Federal Register** notice on April 29, 2015 (80 FR 23859). Since publication of the 2015 notice, FMCSA has published seven updates to the NHMRR in **Federal Register** notices on August 8, 2016 (81 FR 52518), August 9, 2018 (83 FR 39500), September 24, 2019 (84 FR 50098), June 3, 2020 (84 FR 34284), June 17, 2021 (86 FR 32306), May 11, 2022 (87 FR 28859), and July 16, 2024 (89 FR 57987).

This notice provides revisions to the NHMRR, reported to FMCSA from April 1, 2024, through March 31, 2025. The revisions to the NHMRR listings in this notice supersede and replace corresponding NHMRR listings published in the April 29, 2015, notice and corresponding revisions to the NHMRR listings published in the

August 8, 2016, August 9, 2018, September 24, 2019, June 3, 2020, June 17, 2021, May 11, 2022, and July 16, 2024, notices. Continue to refer to the April 29, 2015, notice for additional background on the NHMRR and the August 8, 2016, notice for the procedures for State and Tribal government routing agencies to update their Route Registry listings and contact information.

The full current NHMRR for each State is posted on FMCSA's website at: <https://www.fmcsa.dot.gov/regulations/hazardous-materials/national-hazardous-materials-route-registry>.

Revisions to the NHMRR in This Notice

In accordance with the requirements of §§ 397.73 and 397.103, the NHMRR is revised as follows:

Table 2—District of Columbia—Designated NRHM Routes

A new Route Order Designator “C” added and assigned a “0” restriction.

Table 3—Michigan—Restricted NRHM Routes

Route Order Designator “A” was updated and now classes 1, 6.2, and 7 are restricted on the Ambassador Bridge.

Table 4—California—Designated HRCQ RAM Routes

Route Order Designator “O” was added and assigned a “P” designation. Route Order Designator “P” was added and assigned a “P” designation.

Route Order Key

Each listing in the NHMRR includes codes to identify each route designation and each route restriction reported by the State. Designation codes identify the routes along which a driver may or must transport specified HM. Among the designation codes is one for preferred routes, which apply to the transportation of HRCQ/RAM. Restriction codes identify the routes along which a driver may not transport specified HM shipments. Table 1 presents information on each restriction and designation code. Tables 2, 3 and 4 presents information on the revisions to the route registry.

TABLE 1—RESTRICTION/DESIGNATION KEY

Restrictions	Designations
0—ALL Hazardous Materials 1—Class 1—Explosives 2—Class 2—Gas 3—Class 3—Flammable 4—Class 4—Flammable Solid/Combustible 5—Class 5—Organic 6—Class 6—Poison 7—Class 7—Radioactive 8—Class 8—Corrosives 9—Class 9—Dangerous (Other) i—Poisonous Inhalation Hazard (PIH)	A—ALL NRHM Hazardous Materials B—Class 1—Explosives I—Poisonous Inhalation Hazard (PIH) P—*Preferred Route* Class 7—Radioactive

Revisions to the National Hazardous Materials Route Registry (March 31, 2023)

TABLE 2—DISTRICT OF COLUMBIA—DESIGNATED NRHM ROUTES

Designation date	Route order	Route description	City	County	Designation (A, B, I, P)	FMCSA comment
4/2/2024	C	Add I-295 Oxon Run Creek to I-695	SE	DC	A	

TABLE 3—MICHIGAN—RESTRICTED NRHM ROUTES

Designation date	Route order	Route description	City	County	Restriction (0–9 and i)	FMCSA comment
8/29/2024	D	Ambassador Bridge from [Detroit] Porter St. to Can-ada [Windsor].	Detroit	Wayne	1, 6.2, 7	

TABLE 4—CALIFORNIA—HRCQ RAM ROUTES

Designation date	Route order	Route description	City	County	Designation (A, B, I, P)	FMCSA comment
03/20/24	O	State Route 58 from Interstate Highway 15 to State Route 223.	Barstow	Kern	P	
03/20/24	P	State Route 223 from State Route 58 to Interstate Highway 5.	Bakersfield ...	Kern	P	

End of Revisions to the National Hazardous Materials Route Registry.

Derek Barrs,
Administrator.

[FR Doc. 2025–22192 Filed 12–5–25; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

[Docket No. DOT–OST–2025–1426]

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Department of Transportation (DOT).

ACTION: Notice of information collection; request for comment.

SUMMARY: Under the Paperwork Reduction Act of 1995 (PRA), this notice announces that DOT is forwarding the Information Collection Request (ICR) abstracted below to the Office of Management and Budget (OMB) for review and comment. The ICR describes the information collection and its expected burden. On September 25, 2025, DOT published a notice providing a 60-day period for public comment on the ICR.

DATES: Interested persons are invited to submit comments on or before January 7, 2026.

ADDRESSES: Written comments and recommendations for the proposed ICR should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular ICR by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

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: The PRA, 44 U.S.C. 3501–3520, and its implementing regulations, 5 CFR part 1320, require Federal agencies to issue

two notices seeking public comment on information collection activities before OMB may approve paperwork packages. See 44 U.S.C. 3506, 3507; 5 CFR 1320.8 through 1320.12. On [date], DOT published a 60-day notice in the **Federal Register** soliciting comment on the ICR for which it is now seeking OMB approval. See 90 FR 46301. DOT received no relevant comments in response to this 60-day notice.

Before OMB decides whether to approve the proposed collection of information, it must provide 30 days for public comment. Federal law requires OMB to approve or disapprove paperwork packages between 30 and 60 days after the 30-day notice is published. 44 U.S.C. 3507(b)–(c); 5 CFR 1320.10(b); see also 60 FR 44978, 44983, Aug. 29, 1995. OMB believes the 30-day notice informs the regulated community to file relevant comments and affords the agency adequate time to digest public comments before it renders a decision. 60 FR 44983, Aug. 29, 1995. Therefore, respondents should submit their respective comments to OMB within 30 days of publication to best ensure having their full effect.

Comments are invited on the following ICR regarding: (1) whether the information collection activities are necessary for DOT to properly execute its functions, including whether the information will have practical utility; (2) the accuracy of DOT’s estimates of the burden of the information collection activities, including the validity of the methodology and assumptions used to determine the estimates; (3) ways for DOT to enhance the quality, utility, and clarity of the information being collected; and (4) ways to minimize the burden of information collection activities on the public, including the use of automated collection techniques or other forms of information technology.

The summary below describes the ICR that DOT will submit for OMB clearance as the PRA requires:

Title: Fast Track Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery.

OMB Control Number: 2104–0573.

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.

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.

Under 44 U.S.C. 3507(a) and 5 CFR 1320.5(b) and 1320.8(b)(3)(vi), DOT informs all interested parties that a respondent is not required to respond to, conduct or sponsor a collection of information unless it displays a currently valid OMB control number.

Karyn Gorman,

Chief Privacy Officer.

[FR Doc. 2025–22205 Filed 12–5–25; 8:45 am]

BILLING CODE 4910–9X–P

DEPARTMENT OF THE TREASURY**Bureau of the Fiscal Service****Extension of a Currently Approved Information Collection: Management of Federal Agency Disbursements**

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, 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. Currently the Bureau of the Fiscal Service within the Department of the Treasury is soliciting comments concerning the Management of Federal Agency Disbursements.

DATES: Written comments should be received on or before February 6, 2026 to be assured of consideration.

ADDRESSES: Direct all written comments and requests for additional information to Bureau of the Fiscal Service, Bruce A. Sharp, Room #4006–A, P.O. Box 1328, Parkersburg, WV 26106–1328, or bruce.sharp@fiscal.treasury.gov.

SUPPLEMENTARY INFORMATION:

Title: Management of Federal Agency Disbursements.

OMB Number: 1530–0016.

Form Number: None.

Abstract: Part 208 This regulation requires that most Federal payments be made by *Electronic Funds Transfer (EFT)*; sets forth waiver requirements; and provides for a low-cost Treasury-designated account to individuals at a financial institution that offers such accounts.

Current Actions: Extension of a currently approved collection.

Type of Review: Regular.

Affected Public: Individuals or Households, Business or other for-profit institutions, Not-for-profit Institutions.

Estimated Number of Respondents: 1,300.

Estimated Time per Respondent: 15 minutes.

Estimated Total Annual Burden Hours: 25.

Request for Comments: Comments submitted in response to this notice will

be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: 1. 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; 2. the accuracy of the agency's estimate of the burden of the collection of information; 3. ways to enhance the quality, utility, and clarity of the information to be collected; 4. 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 5. estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Dated: December 4, 2025.

Bruce A. Sharp,

Bureau PRA Clearance Officer.

[FR Doc. 2025–22224 Filed 12–5–25; 8:45 am]

BILLING CODE 4810–AS–P

DEPARTMENT OF THE TREASURY**Bureau of the Fiscal Service****Extension of a Currently Approved Information Collection: Direct Deposit Sign-Up Forms**

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, 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. Currently the Bureau of the Fiscal Service within the Department of the Treasury is soliciting comments concerning the Direct Deposit Sign-Up Forms.

DATES: Written comments should be received on or before February 6, 2026 to be assured of consideration.

ADDRESSES: Direct all written comments and requests for additional information to Bureau of the Fiscal Service, Bruce A.

Sharp, Room #4006–A, P.O. Box 1328, Parkersburg, WV 26106–1328, or bruce.sharp@fiscal.treasury.gov.

SUPPLEMENTARY INFORMATION:

Title: Direct Deposit Sign-Up Forms.

OMB Number: 1530–0006.

Form Number: SF–1199A, FS Form 1200 (English/Spanish), FS Form 1200VADE, FS Form 1201L, FS Form 1201S.

Abstract: This series of forms is used by recipients to authorize the deposit of Federal payments into their accounts at financial institutions. The information on the forms routes the direct deposit payment to the correct account at the financial institution.

Current Actions: Extension of a currently approved collection.

Type of Review: Regular.

Affected Public: Individuals or Households, Business or other Not-for Profit, Federal Government.

Estimated Number of Respondents: 406,175.

Estimated Time per Respondent: 10 minutes.

Estimated Total Annual Burden Hours: 67,786.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: 1. 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; 2. the accuracy of the agency's estimate of the burden of the collection of information; 3. ways to enhance the quality, utility, and clarity of the information to be collected; 4. 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 5. estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Dated: December 4, 2025.

Bruce A. Sharp,

Bureau PRA Clearance Officer.

[FR Doc. 2025–22223 Filed 12–5–25; 8:45 am]

BILLING CODE 4810–AS–P



FEDERAL REGISTER

Vol. 90

Monday,

No. 233

December 8, 2025

Part II

Department of Commerce

National Oceanic and Atmospheric Administration

50 CFR Part 648

Magnuson-Stevens Fishery Conservation and Management Act Provisions;
Fisheries of the Northeastern United States; Northeast Multispecies
Fishery; Framework Adjustment 69; Proposed Rule

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 648****[Docket No. 251118–0171]****RIN 0648–BN23****Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Framework Adjustment 69**

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS proposes regulations to implement specifications and management measures in Framework Adjustment 69 to the Northeast Multispecies Fishery Management Plan, except for measures specific to Atlantic cod; approve Northeast multispecies (groundfish) sectors and allocations; establish recreational measures for several stocks; update common pool possession limits; and clarify and correct existing regulations. This action is necessary to respond to updated scientific information and achieve the goals and objectives of the fishery management plan. The proposed measures are intended to help prevent overfishing, rebuild overfished stocks, achieve optimum yield, and ensure that management measures are based on the best scientific information available.

DATES: Comments must be received by 5 p.m. EST on January 7, 2026.

ADDRESSES: A plain language summary of this proposed rule is available at: <https://www.regulations.gov/docket/NOAA-NMFS-2025-0004>. You may submit comments, identified by NOAA–NMFS–2025–0004, by the following method:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to <https://www.regulations.gov> and type NOAA–NMFS–2025–0004 in the Search box (note: copying and pasting the FDMS Docket Number directly from this document may not yield search results). Click on the “Comment” icon, complete the required fields, and enter or attach your comments.

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be

considered. All comments received are a part of the public record and will generally be posted for public viewing on <https://www.regulations.gov> without change. All personal identifying information (e.g., name, address), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. You may submit anonymous comments by entering “N/A” in the required fields if you wish to remain anonymous.

Copies of Framework Adjustment 69, including the draft Environmental Assessment, the Regulatory Impact Review, and the Regulatory Flexibility Act Analysis prepared by the New England Fishery Management Council in support of this action, are available from Dr. Cate O’Keefe, Executive Director, New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950. The supporting documents are also accessible via the internet at: <https://www.nefmc.org/management-plans/northeast-multispecies> or <https://www.regulations.gov>. Copies of each sector’s approved operations plan and contracts from fishing years 2023–2024; the Sector Operations Plan, Contract, and Environmental Assessment Requirements guidance document for fishing years 2025–2026; and other supporting documents are available from the NMFS Greater Atlantic Regional Fisheries Office (GARFO), by contacting Heather Nelson at heather.nelson@noaa.gov. These documents are also accessible via the GARFO website.

Written comments regarding the burden-hour estimates or other aspects of the collection-of-information requirements contained in this proposed rule may be submitted to <https://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: Liz Sullivan, Fishery Policy Analyst, phone: 978–282–8493; email: Liz.Sullivan@noaa.gov.

SUPPLEMENTARY INFORMATION: The Northeast Multispecies Fishery Management Plan (FMP) regulates the commercial and recreational fishing of 13 species of groundfish through the use of various management programs designed to promote the long-term sustainability of the groundfish fishery. The FMP includes the annual specification of catch limits for each applicable component of the fishery.

The directed groundfish fishery is divided into the recreational and commercial components, and the commercial fishery is further divided between sectors and the common pool (see “Sectors” below for more information). Annually, the commercial groundfish fishery has a value of approximately \$40 million (ex-vessel revenue from the most recent complete fishing year). Recreational fisheries, including the recreational groundfish fishery, contribute substantial value to the regional and national economies.

In April of 2024, the New England Fishery Management Council (Council) began development of Amendment 25 to revise the management of Atlantic cod in the Northeast Multispecies FMP from the current management system of two stocks to four stocks. Contemporaneously, the Council decided to address implementing measures in the next framework adjustment. Framework 69 was developed in connection with Amendment 25. The specifications and measures in Framework 69 that were specific to Atlantic cod were dependent on Amendment 25 and would have been necessary to effectuate Amendment 25 changes, if Amendment 25 was approved and implemented by NMFS. Other measures contained within Framework 69 are independent of Amendment 25, and could therefore be implemented (if approved) regardless of the decision on Amendment 25.

The Council reviewed the proposed regulations for Framework 69 and deemed them consistent with, and necessary to implement, Framework 69 in a February 26, 2025, letter from Council Chairman Rick Bellavance to Regional Administrator Michael Pentony. On May 16, 2025, the Secretary of Commerce disapproved Amendment 25, after review of the Amendment consistent with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

Under the provisions of the Magnuson-Stevens Act, the Greater Atlantic Regional Fisheries Office’s Regional Administrator reviews proposed regulations for consistency with the FMP, plan amendments, the Magnuson-Stevens Act and other applicable law. The Regional Administrator is required to publish proposed regulations consistent with the Council’s recommendations, with such technical changes as may be necessary for clarity and an explanation of those changes for public comment (section 304(b)(1)(A) of the Magnuson-Stevens Act). After public comment, the Regional Administrator may publish

revisions to the proposed regulations along with an explanation of any differences between the proposed and final regulations (section 304(b)(3) of the Magnuson-Stevens Act; 50 CFR 648.90(a)).

Because the Secretary disapproved Amendment 25, NMFS is excluding from the Framework 69 proposed rule any measures that were dependent on the approval of Amendment 25 in accordance with the Magnuson-Stevens Act and the specification regulations. These exclusions are technical in nature, reflect the disapproval of Amendment 25, and remove measures that NMFS would have implemented under its responsibility to carry out the Magnuson-Stevens Act consistent with the FMP's provisions. The exclusions are necessary for clarity and will prevent confusion about the remaining measures that are necessary and appropriate for implementing the fishery's specifications. The excluded measures include status determination criteria and specifications for the four Atlantic cod stocks, common pool accountability measures (AM) for those four Atlantic cod stocks, and other management measures that were dependent on the revised stock structure.

Summary of Proposed Measures

This proposed action would implement the management measures in Framework Adjustment 69 to the Northeast Multispecies FMP that were not dependent on the approval of Amendment 25. The Regional Administrator is seeking comments on the proposed regulations and intends to promulgate the final regulations after careful consideration of any submitted comments. Through Framework 69, and based on Council recommendations, NMFS proposes to:

- Set the shared U.S./Canada quotas for Georges Bank (GB) yellowtail flounder for fishing years 2025 and 2026 and eastern GB haddock for fishing year 2025;
- Set specifications, including catch limits for seven groundfish stocks: Gulf of Maine (GOM) haddock, American plaice, witch flounder, pollock, and Atlantic halibut for fishing years 2025–2027; GB yellowtail flounder for fishing years 2025–2026; and GB haddock for fishing year 2025;
- Remove a requirement for sectors to submit State and Federal permit information to NMFS; and
- Modify the catch threshold for implementing the Atlantic sea scallop fishery's AMs for GB yellowtail flounder and northern windowpane flounder.

This action also proposes regulatory changes and other measures that are not part of Framework 69, but that may be considered and implemented under section 305(d) authority in the Magnuson-Stevens Act to make changes necessary to carry out the FMP. NMFS is proposing these changes in conjunction with the Framework 69 proposed measures for expediency purposes. Through this rulemaking, NMFS proposes to:

- Approve sector operations plans and allocate quota to sectors;
- Remove a requirement for weekly reporting by sectors;
- Set recreational management measures for GOM cod and GOM haddock;
- Update the common pool possession and trip limits for stocks to reflect potential fishing year 2025 limits; and
- Revise existing regulatory text to correct and increase readability and clarity of existing regulations.

On May 2, 2025, NMFS published an emergency rule that temporarily implemented specifications and management measures for 2025 for two stocks of cod, approved sector operations plans, and allocated sector quota for the 2025 fishing year (90 FR 18804). The basis of the 2025 quotas for GOM cod and GB cod were those recommended by the Council in Framework 69. In the emergency rule, NMFS acknowledged the significant administrative challenges and disruptions to NMFS, the sectors, and fishing participants that would be caused by transitioning from two stock units of cod to four stock units mid-fishing year. The specifications for GOM cod and GB cod (including the U.S./Canada quotas) remain in place as set by the emergency rule, and are not proposed to change in this rule. Some measures in the emergency rule, such as the U.S./Canada quotas and specifications for GB haddock, were already part of the Council's recommendations for Framework 69, and so are proposed here as well. If approved, those measures would replace those implemented by the emergency rule. While the emergency rule authorized sector operations plans and allocated quota for 180 days, this rule proposes to approve the two-year (2025–2026) sector operations plans and allocate quota for the full 2025 fishing year. Similarly, this proposes to update common pool possession limits for groundfish stocks for the full fishing year. If approved in the final rule, these measures would replace those set by the May 2 emergency rule.

Fishing Years 2025 Shared U.S./Canada Quotas

Management of Transboundary Georges Bank Stocks

Eastern GB cod, eastern GB haddock, and GB yellowtail flounder are shared stocks that are jointly managed with Canada under the United States/Canada Resource Sharing Understanding (Understanding). As part of the Understanding, the Transboundary Management Guidance Committee (TMGC) is a joint government-industry committee made up of representatives from the United States and Canada that acts to provide management guidance for U.S. and Canadian domestic management authorities. Each year, the TMGC recommends a shared quota for each stock based on the most recent stock information and the TMGC's harvest strategy. The TMGC's harvest strategy for setting catch levels is to maintain a low to neutral risk (less than 50 percent) of exceeding the fishing mortality limit for each stock. The harvest strategy also specifies that, when stock conditions are poor, fishing mortality should be further reduced to promote stock rebuilding. The shared quotas are allocated between the United States and Canada based on a formula that considers historical catch (10-percent weighting) and the current resource distribution (90-percent weighting). For historical information about the TMGC see: <http://www.bio.gc.ca/info/intercol/tmgc-cogst/index-en.php>.

Since the inception of the Understanding, the Transboundary Resource Assessment Committee (TRAC) has been tasked with collaboratively assessing the shared stocks and providing information necessary to support management of shared resources by the TMGC. In 2024, the TRAC was unable to produce joint assessments for any of the shared stocks. Instead, scientific staff from the Department of Fisheries and Oceans Canada (DFO) and NMFS's Northeast Fisheries Science Center worked to provide domestically produced assessment information for each stock to the TMGC for consideration. During an intersessional meeting on May 22, 2024, NMFS and DFO agreed to move towards a new scientific process that would be based on compilation of U.S. and Canadian domestic assessment information rather than development of single joint assessments for each stock. The new process is planned to be in place in 2025 for setting fishing year 2026 quotas.

For GB yellowtail flounder, the Council's Scientific and Statistical

Committee (SSC) also recommends an acceptable biological catch (ABC) for the stock. The ABC is typically used to inform the U.S. TMGC’s discussions with Canada for the annual shared quota. Although the stock is jointly managed with Canada, and the TMGC recommends annual shared quotas, the Council may not recommend catch limits that would exceed the SSC’s recommendation. The SSC does not recommend ABCs for eastern GB cod and haddock, because they are management units of the total GB cod and haddock stocks. The SSC recommends overall ABCs for the total GB cod and haddock stocks. The shared U.S./Canada quota for eastern GB cod and haddock is included in these overall ABCs, and must be consistent with the SSC’s recommendation for the

total GB stocks. However, this year’s TMGC meeting took place before the SSC had provided a recommendation for the total GB haddock ABC, and the SSC took the TMGC recommendation into consideration when making its recommendation.

For eastern GB haddock, because the U.S. domestic stock assessment provided advice for the full GB stock, an apportionment methodology was needed to provide advice for the eastern portion of the stock. This methodology was developed by the Northeast Fisheries Science Center in collaboration with Canadian scientists. The result of this methodology was that 100 percent of the full GB stock would be apportioned into the eastern area. This approach was presented to the SSC at its July 2024 meeting, and the SSC

considered the approach to be appropriate for spatial apportionment of the biomass of these stocks and consistent with previous U.S./Canada resource sharing allocation calculations. The TMGC considered the results of the apportionment methodology when making its recommendations for shared quotas for 2025.

U.S./Canada Quotas

The TMGC met in October 2024 to recommend shared quotas for 2025 based on the available domestic assessment information from both countries, and made recommendations for eastern GB haddock and GB yellowtail flounder. The Council adopted these recommendations in Framework 69. The emergency rule set U.S./Canada quotas for eastern GB cod.

Table 1 -- Proposed 2025 Fishing Year U.S./Canada Quotas (metric tons (mt), live weight) and Percent of Quota Allocated to Each Country

Quota	Eastern GB Haddock	GB Yellowtail Flounder
Total Shared Quota	7,410 mt	200 mt
U.S. Quota	1,556 mt (21 percent)	96 mt (48 percent)
Canadian Quota	5,854 mt (79 percent)	104 mt (52 percent)

The proposed 2025 U.S. quotas for eastern GB haddock would represent a 50-percent decrease compared to 2024; the proposed GB yellowtail flounder would represent a 35-percent increase. For a more detailed discussion of the TMGC’s 2025 catch advice, including a description of each country’s quota share, see the TMGC’s guidance document that is posted at: <https://www.greateratlantic.fisheries.noaa.gov/>.

The regulations implementing the U.S./Canada Resource Sharing Understanding at § 648.85(a) require deducting any overages of the U.S. quota for eastern GB cod, eastern GB haddock, or GB yellowtail flounder from the U.S. quota in the following fishing year. If catch information for the 2024 fishing year indicates that the U.S. fishery exceeded its quota for any of the shared stocks, NMFS will reduce the respective U.S. quotas for the 2025 fishing year in a future management action, as close to May 1, 2025, as practicable. If any fishery that is allocated a portion of the U.S. quota exceeds its allocation and causes an

overage of the overall U.S. quota, the overage reduction would be applied only to that fishery’s allocation in the following fishing year. This ensures that catch by one component of the overall fishery does not negatively affect another component of the overall fishery.

Catch Limits for Fishing Years 2025–2027

Summary of the Proposed Catch Limits

Tables 2 through 12 show the proposed catch limits for the 2025–2027 fishing years. Specifications are proposed and, if approved, adopted for three years (although in some cases the Council or NMFS may opt to adopt specifications for less than three years); however, any specifications for fishing years beyond 2025 are projections that will be considered and reaffirmed or adjusted in the annual framework for that fishing year. A brief summary of how these catch limits were developed is provided below. More details on the proposed catch limits for each

groundfish stock can be found in appendix II (Calculation of Northeast Multispecies Annual Catch Limits, FY 2025–FY 2027) to the Framework 69 Environmental Assessment (see **ADDRESSES** for information on how to get this document).

Through Framework 69, the Council recommends catch limits, including overfishing limits (OFL), for GOM haddock, American plaice, witch flounder, pollock, and Atlantic halibut for the 2025–2027 fishing years; GB yellowtail founder for the 2025–2026 fishing years; and GB haddock for the 2025 fishing year, based on stock assessments completed in 2024. Catch limits for other groundfish stocks were previously set by Framework 65 (88 FR 56527; August 18, 2023) and Framework 66 (89 FR 35755; May 2, 2024). Table 2 provides an overview of which catch limits, if any, would change, as proposed in Framework 69, the framework that set other stocks’ catch limits, as well as when the stock was most recently assessed. Table 3 provides the percent change in the 2025 catch

limit compared to the 2024 fishing year. Because the GOM cod and GB cod quotas were set by the May 2, 2025 emergency action, they are not included in tables 2 and 3.

All specifications projected for fishing year 2025 in previous frameworks were

considered for reaffirmation or adjustment, as warranted by the best scientific information available in the adopting framework, and any updates in this action. The previously projected and adopted specifications are proposed for reaffirmation, consistent with the

considerations and determinations in the adopting frameworks, Framework 66 and Framework 65, because none of the underlying scientific information has changed in any significant way.

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Table 2 -- Changes to Catch Limits, as Proposed in Framework 69

Stock	Most Recent Assessment	Proposed Change in Framework 69
GB Haddock	2024	New 2025 ABC
GOM Haddock	2024	New 2025-2027 ABC
GB Yellowtail Flounder	2024	New 2025-2026 ABC
SNE/MA Yellowtail Flounder	2022	Reaffirmed 2025 catch limit set by Framework 65
CC/GOM Yellowtail Flounder	2022	Reaffirmed 2025 catch limit set by Framework 65
American Plaice	2024	New 2025-2027 ABC
Witch Flounder	2024	New 2025-2027 ABC
GB Winter Flounder	2022	Reaffirmed 2025 catch limit set by Framework 65
GOM Winter Flounder	2022	Reaffirmed 2025 catch limit set by Framework 65
SNE/MA Winter Flounder	2022	Reaffirmed 2025 catch limit set by Framework 65
Redfish	2023	Reaffirmed 2025-2026 catch limits set by Framework 66
White Hake	2022	Reaffirmed 2025 catch limit set by Framework 66
Pollock	2024	New 2025-2027 ABC
N. Windowpane Flounder	2023	Reaffirmed 2025-2026 catch limits set by Framework 66
S. Windowpane Flounder	2023	Reaffirmed 2025-2026 catch limits set by Framework 66
Ocean Pout	2022	Reaffirmed 2025 catch limits set by Framework 65
Atlantic Halibut	2024	New 2025-2027 ABC
Atlantic Wolffish	2022	Reaffirmed 2025 catch limits set by Framework 65

N = northern; S = southern; SNE = Southern New England; MA = Mid-Atlantic; CC = Cape Cod

Table 3 -- Proposed Fishing Years 2025-2027 Overfishing Limits and Acceptable Biological Catches (mt, live weight)

Stock	2025		Percent change from 2024	2026		2027	
	OFL	U.S. ABC		OFL	U.S. ABC	OFL	U.S. ABC
GB Haddock	8,034	1,556	-78%	-	-	-	-
GOM Haddock	4,430	3,410	+42%	4,709	3,634	4,700	3,631
GB Yellowtail Flounder	UNK	96	+36%	UNK	96	-	-
SNE/MA Yellowtail Flounder	345	40	0%	-	-	-	-
CC/GOM Yellowtail Flounder	1,184	915	-8%	-	-	-	-
American Plaice	11,048	8,697	+58%	8,866	6,979	7,368	5,791
Witch Flounder	UNK	1,526	+21%	UNK	1,526	UNK	1,526
GB Winter Flounder	2,100	1,490	-4%	-	-	-	-
GOM Winter Flounder	1,072	804	0%	-	-	-	-
SNE/MA Winter Flounder	1,536	627	0%	-	-	-	-
Redfish	10,982	8,273	0%	11,177	8,418	-	-
White Hake	2,591	1,921	-1%	-	-	-	-
Pollock	16,585	12,733	-9%	14,583	11,170	13,383	10,252
N. Windowpane Flounder	UNK	136	0%	UNK	136	-	-
S. Windowpane Flounder	284	213	0%	284	213	-	-
Ocean Pout	125	87	0%	-	-	-	-
Atlantic Halibut	UNK	35	-55%	UNK	35	UNK	35
Atlantic Wolffish	124	93	0%	-	-	-	-

UNK = Unknown

Note: An empty cell indicates no OFL/ABC is adopted for that year. These catch limits would be set in a future action.

BILLING CODE 3510-22-C*Overfishing Limits and Acceptable Biological Catches*

The OFL is calculated to set the maximum amount of fish that can be caught in a year without constituting overfishing. The ABC is typically set lower than the OFL to account for scientific uncertainty. For GB haddock and GB yellowtail flounder, the total ABC is reduced by the amount of the Canadian quota (see table 1 for the Canadian and U.S. shares of these stocks). Although the TMGC recommendations were only for fishing

year 2025, the portion of the shared quota that would be allocated to Canada in fishing year 2025 was used to project the U.S. portions of the ABCs for GB yellowtail flounder for 2026. This avoids artificially inflating the U.S. ABC up to the total ABC for the 2026 fishing year. The TMGC will make new recommendations for 2026, which would replace the GB yellowtail flounder quotas set in this action. While this is generally done for GB haddock as well, this year the Council opted to not set a quota for this stock beyond 2025. During development of Framework 69, members of the fishing industry raised

concerns about the proportion of GB haddock that was estimated to occur in the eastern U.S./Canada area, relative to the full stock. Based on SSC recommendations, the Council proposed a fishing year 2025 OFL of 8,034 mt and a total ABC of 7,410, which resulted in a U.S. ABC of 1,556 mt after the Canadian share was addressed. NMFS is evaluating the Council's proposal and fishing industry's concerns, and will consider public comments on this proposed rule, to determine whether the U.S. ABC should be increased above 1,556 mt. NMFS will provide the final

GB haddock U.S. ABC in the final rule for this action.

Although GB winter flounder, white hake, and Atlantic halibut are not jointly managed with Canada, there is some Canadian catch of these stocks. Because the total ABC must account for all sources of fishing mortality, expected Canadian catch of GB winter flounder (38 mt), white hake (57 mt), and Atlantic halibut (71 mt) is deducted from the total ABC. The U.S. ABC is the amount available to the U.S. fishery after accounting for Canadian catch (see table 3). For stocks without Canadian catch, the U.S. ABC is equal to the total ABC.

The OFLs are currently unknown for GB yellowtail flounder, witch flounder, northern windowpane flounder, and Atlantic halibut. For 2025, the SSC recommended maintaining the unknown OFL for GB yellowtail flounder and witch flounder. Empirical stock assessments are used for these five stocks, and these assessments no longer provide quantitative estimates of the status determination criteria, nor have appropriate proxies for status determination criteria been developed. For each of these stocks, the Council has relied on the SSC to provide advice on the likelihood of preventing overfishing and promoting rebuilding under the proposed ABCs. Based on the SSC's recommendation, NMFS has preliminarily determined that these ABCs are based on the best scientific information available and, therefore, provide a sufficient limit for preventing overfishing and are consistent with the National Standards. This action does not propose any changes to the status determination criteria for these stocks.

Annual Catch Limits

Development of Annual Catch Limits (ACL)

The U.S. ABC for each stock is divided among the various fishery components to account for all sources of fishing mortality. For stocks with a recreational allocation, the U.S. ABC is first divided between the commercial and recreational fisheries, before being further divided into sub-components and sub-ACLs. An estimate of catch expected from State waters and the other sub-component (e.g., Federal commercial non-groundfish fisheries and some recreational groundfish fisheries, if there is not a recreational allocation) is deducted from the U.S. ABC. The remaining portion of the U.S. ABC is distributed to the fishery components that receive an allocation for the stock. Components of the fishery that receive an allocation have a sub-

ACL set by reducing their portion of the ABC (the sub-ABC) to account for management uncertainty and are subject to AMs if they exceed their respective catch limit during the fishing year. This process is described fully in appendix II of the Framework 69 EA (see ADDRESSES).

Sector and Common Pool Allocations

For stocks allocated to sectors, the commercial groundfish sub-ACL is further divided into the non-sector (common pool) sub-ACL and the sector sub-ACL based on the total vessel enrollment in sectors and the cumulative potential sector contributions (PSC) associated with those sectors. This action does not change an individual's qualifying fishing history or the manner in which an individual vessel's PSC contributes to a sector's cumulative PSC. The sector and common pool sub-ACLs proposed in this action are based on fishing year 2025 PSCs and fishing year 2025 sector rosters. All permits enrolled in a sector, and the vessels associated with those permits, had until April 30, 2025, to withdraw from a sector and fish in the common pool for the 2025 fishing year. In addition to the enrollment delay, all permits that changed ownership after the roster deadline were able to join a sector (or change sector) through April 30, 2025.

Management Uncertainty Buffer for Sectors

Amendment 23 (87 FR 75852; December 9, 2022) implemented a measure to set the management uncertainty buffer for the sector sub-ACL for each allocated groundfish stock to zero. In years that the at-sea monitoring (ASM) coverage target is set at 100 percent, the management uncertainty buffer will default to zero for the sector sub-ACL for allocated stocks, unless the Council's consideration of the 100-percent coverage target warrants specifying a different management uncertainty buffer in order to prevent exceeding the sub-ACL. The process by which the Council evaluates and sets management uncertainty buffers was unchanged by Amendment 23, and the Council may adjust management uncertainty buffers in future actions.

As established in Amendment 23, the ASM coverage target is dependent on the level of funding for ASM and observers, and NMFS evaluates overall annual appropriations from Congress to finalize the ASM coverage target. NMFS also provides the target as soon as it can each year so that sectors can establish their rosters and meet annual deadlines.

On March 21, 2025, the Regional Administrator announced that the preliminary fishing year 2025 ASM coverage target will be 100 percent. NMFS is currently evaluating whether the preliminary coverage target can be met given the level of 2025 appropriations funding for reimbursing sectors for the cost of monitoring, and will announce the final ASM coverage target in the final rule.

The removal of the management uncertainty buffer for the sectors alone is not likely to cause the ABC or OFL to be exceeded. The fishery would remain accountable for remaining within the sub-ACLs allocated to it. Further, the revised management uncertainty buffers apply only to sectors and not to the common pool component of the fishery or other sub-ACLs or sub-components for any stocks. Therefore, uncertainty buffer would continue to exist for the stock's ACL, but the sector-specific buffer would be removed.

Framework 66 approved an additional measure that, for fishing year 2025, the management uncertainty buffer for white hake would default to zero for the sector sub-ACL if the ASM target is 90 percent or higher. If the final ASM coverage target is set below 90 percent, all stocks would have sectors' sub-ABCs reduced to account for management uncertainty (see table 4). If the final ASM coverage target is set at 100 percent for fishing year 2025, sectors' sub-ABCs would not be reduced for any allocated stocks (see table 5). Tables 6 and 7 display the ACLs and sub-ACLs for all stocks with the management uncertainty buffer left in place for fishing years 2026 and 2027, respectively, but this would be updated in a future action based on the coverage target for that fishing year. Although this rule does not propose specifications for GB cod and GOM cod, those two stocks are included in tables 4 and 5 for completeness, and to show adjustments based on changes in sector rosters since the publication of the emergency rule.

Common Pool Total Allowable Catches

The common pool sub-ACL for each allocated stock (except for SNE/MA winter flounder) is further divided into trimester total allowable catches (TAC). The Trimester TAC AM for the common pool fishery requires that, once NMFS projects that 90 percent of the trimester TAC is caught for a stock, the trimester TAC area for that stock will be closed for the remainder of the trimester. These closures apply to all common pool vessels fishing on a groundfish trip with gear capable of catching the pertinent stock. Any uncaught portion of the TAC in Trimester 1 or Trimester 2 is carried

forward to the next trimester. Overages of the Trimester 1 or Trimester 2 TAC are deducted from the Trimester 3 TAC. Any overages of the total common pool sub-ACL are deducted from the following fishing year's common pool sub-ACL for that stock. Uncaught portions of any trimester TAC may not be carried over into the following fishing year. Table 8 summarizes the common pool trimester TACs proposed in this action.

Incidental catch TACs are also specified for certain stocks of concern (*i.e.*, stocks that are overfished or subject to overfishing) for common pool vessels fishing in the special management programs (*i.e.*, special access programs (SAP) and the Regular B Days-at-Sea (DAS) Program), in order to limit the catch of these stocks under each program. Tables 9 through 11 summarize the proposed incidental catch TACs for each stock and the

distribution of these TACs to each special management program.

Although this rule does not propose specifications for GB cod and GOM cod, the common pool trimester TACs and incidental catch TACs of those two stocks are included in tables 8 through 11 for completeness, and to show adjustments based on changes in sector rosters since the publication of the emergency rule.

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Table 4 -- Proposed Catch Limits for the 2025 Fishing Year with management uncertainty buffer left in place (mt, live weight)

Stock	Total ACL	Groundfish sub-ACL	Sector sub-ACL	Common Pool sub-ACL	Recreational sub-ACL	Midwater Trawl Fishery	Scallop Fishery	Small-Mesh Fisheries	State Waters sub-component	Other sub-component
	A to H	A+B+C	A	B	C	D	E	F	G	H
GB Cod*	186	140	135	5					16	31
GOM Cod*	327	297	169	7	120				30	0.0
GB Haddock	1,478	1,441	1,408	33		29			0	7.8
GOM Haddock	3,217	3,152	2,022	54	1,075	32			34	0.0
GB Yellowtail Flounder	93	76	71	5.0			14.9	1.8	0.0	0.0
SNE/MA Yellowtail Flounder	38	33	24	9.0			2.7		0.2	2.0
CC/GOM Yellowtail Flounder	873	808	761	48					28	37
American Plaice	8,264	8,221	7,966	255					0	44
Witch Flounder	1,452	1,406	1,352	54					7.6	38
GB Winter Flounder	1,446	1,431	1,360	71					0	15
GOM Winter Flounder	772	607	514	93					153	12.1
SNE/MA Winter Flounder	604	441	375	66					19	144
Redfish	7,859	7,859	7,762	98					0	0
White Hake	1,825	1,816	1,795	21					0	10
Pollock	12,170	10,705	10,588	117					764	700
N. Windowpane Flounder	127	94	na	94			27		0.0	6.8
S. Windowpane Flounder	205	30	na	30			71		6.4	98
Ocean Pout	83	49	na	49					0	34
Atlantic Halibut	34	23	na	23					9.1	1.6
Atlantic Wolffish	87	87	na	87					0	0

na: not allocated to sectors

* Specifications for GB cod and GOM cod were set by emergency action and are not proposed in this rule. They are included here for completeness and to reflect allocations based on final 2025 rosters.

Table 5 -- Proposed Catch Limits for the 2025 Fishing Year with management uncertainty buffer removed for sectors (mt, live weight)

Stock	Total ACL	Groundfish sub-ACL	Sector sub-ACL	Common Pool sub-ACL	Recreational sub-ACL	Midwater Trawl Fishery	Scallop Fishery	Small-Mesh Fisheries	State Waters sub-component	Other sub-component
	A to H	A+B+C	A	B	C	D	E	F	G	H
GB Cod*	194	147	142	5					16	31
GOM Cod*	336	306	178	7	120				30	0.0
GB Haddock	1,552	1,515	1,482	33		29			0	7.8
GOM Haddock	3,324	3,258	2,129	54	1,075	32			34	0.0
GB Yellowtail Flounder	95	79	74	5.0			14.9	1.8	0.0	0.0
SNE/MA Yellowtail Flounder	40	35	26	9.0			2.7		0.2	2.0
CC/GOM Yellowtail Flounder	913	848	801	48					28	37
American Plaice	8,684	8,640	8,385	255					0	44
Witch Flounder	1,523	1,477	1,424	54					7.6	38
GB Winter Flounder	1,488	1,473	1,402	71					0	15
GOM Winter Flounder	799	634	541	93					153	12.1
SNE/MA Winter Flounder	624	461	395	66					19	144
Redfish	8,268	8,268	8,170	98					0	0
White Hake	1,920	1,910	1,889	21					0	10
Pollock	12,727	11,263	11,145	117					764	700
N. Windowpane Flounder	127	94	na	94			27		0.0	6.8
S. Windowpane Flounder	205	30	na	30			71		6.4	98
Ocean Pout	83	49	na	49					0	34
Atlantic Halibut	34	23	na	23					9.1	1.6
Atlantic Wolffish	87	87	na	87					0	0

na: not allocated to sectors

For bold stocks, management uncertainty buffer would be removed if ASM target is 90 percent or higher. For all other allocated stocks, it is removed only if ASM target is 100.

* Specifications for GB cod and GOM cod were set by emergency action and are not proposed in this rule. They are included here for completeness and to reflect allocations based on final 2025 rosters.

Table 6 -- Proposed Catch Limits for the 2026 Fishing Year* (mt, live weight)

Stock	Total ACL	Groundfish sub-ACL	Sector sub-ACL	Common Pool sub-ACL	Recreational sub-ACL	Midwater Trawl Fishery	Scallop Fishery	Small-Mesh Fisheries	State Waters sub-component	Other sub-component
	A to H	A+B+C	A	B	C	D	E	F	G	H
GOM Haddock	3,429	3,359	2,155	58	1,146	34			36	0.0
GB Yellowtail Flounder	93	76	71	5.0			15	1.8	0.0	0.0
American Plaice	6,632	6,597	6,393	204					0	35
Witch Flounder	1,452	1,406	1,352	54					7.6	38
Redfish	7,997	7,997	7,898	99					0	0
Pollock	10,676	9,391	9,288	103					670	614
N. Windowpane Flounder	127	94	na	94			27		0.0	6.8
S. Windowpane Flounder	205	30	na	30			71		6.4	98
Atlantic Halibut	34	23	na	23					9.1	1.6

na: not allocated to sectors

* Northeast multispecies stocks not included in table 6 do not have catch limits approved or proposed for fishing year 2026.

Table 7 -- Proposed Catch Limits for the 2027 Fishing Year* (mt, live weight)

Stock	Total ACL	Groundfish sub-ACL	Sector sub-ACL	Common Pool sub-ACL	Recreational sub-ACL	Midwater Trawl Fishery	Scallo p Fishery	Small-Mesh Fisheries	State Waters sub-component	Other sub-component
	A to H	A+B+C	A	B	C	D	E	F	G	H
GOM Haddock	3,426	3,356	2,153	58	1,145	34			36	0.0
American Plaice	5,503	5,474	5,304	170					0	29
Witch Flounder	1,452	1,406	1,352	54					8	38
Pollock	9,798	8,619	8,525	94					615	564
Atlantic Halibut	34	23	na	23					9	1.6

na: not allocated to sectors

* Northeast multispecies stocks not included in table 7 do not have catch limits approved or proposed for fishing year 2027.

Table 8 -- Proposed Fishing Years 2025-2027 Common Pool Trimester TACs (mt, live weight)

Stock	2025			2026			2027		
	Trimester 1	Trimester 2	Trimester 3	Trimester 1	Trimester 2	Trimester 3	Trimester 1	Trimester 2	Trimester 3
GB Cod*	1.3	1.6	1.8						
GOM Cod*	3.4	2.3	1.2						
GB Haddock	8.9	10.9	13.2						
GOM Haddock	14.7	14.1	25.6	15.7	15.1	27.3	15.6	15.1	27.2
GB Yellowtail Flounder	1.0	1.5	2.6	1.0	1.5	2.6			
SNE/MA Yellowtail Flounder	1.9	2.5	4.6						
CC/GOM Yellowtail Flounder	27.1	12.4	8.1						
American Plaice	188.5	20.4	45.8	151.3	16.4	36.8	125.5	13.6	30.5
Witch Flounder	29.6	10.8	13.5	29.6	10.8	13.5	29.6	10.8	13.5
GB Winter Flounder	5.7	17.0	48.2						
GOM Winter Flounder	34.5	35.5	23.3						
Redfish	24.4	30.2	42.9	24.8	30.8	43.6			
White Hake	7.9	6.5	6.5						
Pollock	32.8	41.1	43.4	28.8	36.0	38.1	26.4	33.0	34.9

* Specifications for GB cod and GOM cod were set by emergency action and are not proposed in this rule. The resulting trimester TACs are included here for completeness and to reflect allocations based on final 2025 rosters.

Table 9 -- Proposed Common Pool Incidental Catch TACs for the 2025-2027 Fishing Years (mt, live weight)

Stock	Percentage of Common Pool sub- ACL	2025	2026	2027
GB Cod*	1.68	0.08	0.00	0.00
GOM Cod*	1	0.07	0.00	0.00
GB Yellowtail Flounder	2	0.10	0.10	0.00
CC/GOM Yellowtail Flounder	1	0.48	0.00	0.00
American Plaice	5	12.74	10.22	8.48
Witch Flounder	5	2.69	2.69	2.69
SNE/MA Winter Flounder	1	0.66	0.00	0.00

* Specifications for GB cod and GOM cod were set by emergency action and are not proposed in this rule. The resulting incidental catch TACs are included here for completeness and to reflect allocations based on final 2025 rosters.

Table 10 -- Percentage of Incidental Catch TACs Distributed to Each Special Management Program

Stock	Regular B DAS Program (percent)	Eastern U.S./CA Haddock SAP (percent)
GB Cod	60	40
GOM Cod	100	n/a
GB Yellowtail Flounder	50	50
CC/GOM Yellowtail Flounder	100	n/a
American Plaice	100	n/a
Witch Flounder	100	n/a
SNE/MA Winter Flounder	100	n/a

Table 11 -- Proposed Fishing Years 2025-2027 Incidental Catch TACs for Each Special Management Program (mt, live weight)

Stock	Regular B DAS Program			Eastern U.S./Canada Haddock SAP		
	2025	2026	2027	2025	2026	2027
GB Cod*	0.05	0.00	0.00	0.03	0.00	0.00
GOM Cod*	0.07	0.00	0.00	n/a	n/a	n/a
GB Yellowtail Flounder	0.05	0.05	0.00	0.05	0.05	0.00
CC/GOM Yellowtail Flounder	0.48	0.00	0.00	n/a	n/a	n/a
American Plaice	12.74	10.22	8.48	n/a	n/a	n/a
Witch Flounder	2.69	2.69	2.69	n/a	n/a	n/a
SNE/MA Winter Flounder	0.66	0.00	0.00	n/a	n/a	n/a

* Specifications for GB cod and GOM cod were set by emergency action and are not proposed in this rule. The resulting incidental catch TACs are included here for completeness and to reflect allocations based on final 2025 rosters.

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Sectors

The Northeast multispecies sector program is defined and regulated in 50 CFR part 648. The Northeast Multispecies FMP defines a sector as “a group of persons holding limited access Northeast multispecies permits who have voluntarily entered into a contract and agree to certain fishing restrictions for a specified period of time, and that have been granted a portion of the [total allowable catch] TACs [*sic*] in order to achieve objectives consistent with applicable goals and objectives of the FMP” (§ 648.2 “Sector”). Sectors are self-selecting, meaning participation is voluntary, and each sector can choose its members.

The Northeast multispecies sector management system includes an annual allocation of available catch for a portion of the Northeast multispecies stocks to each approved sector. These annual sector allocations are known as annual catch entitlements (ACE) and are portions of a stock’s ACL available to commercial Northeast multispecies sector vessels. A sector’s ACE is based on the collective fishing history of the permits held by the sector’s members. Sectors may receive allocations of large-mesh Northeast multispecies stocks with the exception of Atlantic halibut, windowpane flounder, Atlantic wolffish, and ocean pout, which are non-allocated species managed under separate effort controls. A sector determines how to harvest its ACE. In addition to the sectors, there are several State-operated permit banks that each receive an allocation based on the fishing history of permits they hold. Allocations in State-operated permit banks may be leased to fishermen enrolled in sectors. State-operated permit banks are no longer approved through the sector approval process, but current State-operated permit banks contribute to the total allocation under the sector system.

Sector Operations Plans

Sector operations plans contain the rules under which each sector will fish and also provide the legal contract that binds each member to the sector for the length of the sector’s operations plan. Each sector’s operations plan, and each sector’s members, must comply with the regulations governing sectors, found at § 648.87. Sectors are also responsible for developing and implementing a monitoring program that meets the requirements at § 648.11(l). For fishing year 2025, sector vessels may choose to use ASM or the audit model electronic monitoring (EM) program to meet

monitoring requirements, provided that the sector has a corresponding monitoring program approved as part of its operations plan.

NMFS approved 15 sectors to operate in fishing years 2023 and 2024, (88 FR 26502; 89 FR 23941). Copies of the approved operations plans and contracts from fishing years 2023–2024 are available at: <https://www.fisheries.noaa.gov/new-england-mid-atlantic/commercial-fishing/fishing-year-2024-sectors> and from NMFS (see

ADDRESSES). Prior to the 2025 fishing year, NMFS received sector operations plan submissions from these same sectors. The initial fishing years 2025–2026 operations plans submitted by sectors do not request substantial changes from fishing years 2023–2024 final operations plans. All sectors that harvest fish included a NMFS-approved ASM or EM program as part of their operations plans. NMFS did not receive any new operations plans for approval for fishing year 2025. As a result, this rule proposes to approve all 15 sector operations plans, and does not include proposals to approve any additional sectors to operate in fishing year 2025.

Sector Exemptions

Because sectors elect to receive an allocation under a quota-based system, the FMP grants sector vessels several universal exemptions from the FMP’s effort controls. These universal exemptions are codified at § 648.87(c)(2)(ii). Sectors may request additional exemptions annually as part of their sector operations plans to increase flexibility and fishing opportunities. The FMP prohibits sectors from requesting exemptions from permitting restrictions, gear restrictions designed to minimize habitat impacts, and most reporting requirements.

For fishing year 2025, sectors did not request any novel exemptions. NMFS previously granted 18 exemptions for fishing years 2023 and 2024 (88 FR 26502; May 1, 2023). The exemptions are described below. This rule proposes to grant these previously approved exemptions to all sectors which requested them in their operations plans. Supporting rationale for the exemptions can be found in the applicable final rules, identified in the description for each exemption. This rule provides full exemption descriptions to reflect regulatory citation corrections and to clearly describe the exemptions.

(1) Exemption from the 120-day block out of the fishery required for Day gillnet vessels (62 FR 15381; April 1, 1997). Vessels operating in a sector that

requests this exemption in its approved operations plan are exempt from the regulations at § 648.82(j)(1)(ii) requiring that Day gillnet vessels declare and take 120 days out of the non-exempt gillnet fishery each fishing year.

(2) Exemption from the 20-day spawning block out of the fishery required for all vessels (75 FR 18113; April 9, 2010). Vessels operating in a sector that requests this exemption in its approved operations plan are exempt from regulations at § 648.82(g), which specify the following: Vessels issued a valid Small Vessel category permit, or vessels issued an open access Handgear B permit, may not fish for, possess, or land regulated species or ocean pout from March 1 through March 20 of each year; a sector must declare that the vessel will not fish with gear capable of catching Northeast multispecies for a 20-day period between March 1 and May 31 of each calendar year; and a vessel fishing under a Day gillnet category designation is prohibited from fishing with gillnet gear capable of catching Northeast multispecies during its declared 20-day spawning block.

(3) Exemption from the limits on the number of gillnets for Day gillnet vessels outside of the GOM. Vessels operating in a sector that requests this exemption in its approved operations plan are partially exempt from the gear restrictions described at §§ 648.80(a)(4)(iv)(B)(1), 648.80(b)(2)(iv)(B)(1), and 648.80(c)(2)(v)(B)(1), and are authorized to fish with up to 150 total (roundfish and flatfish combined) nets in the GB, SNE, and MA Regulated Mesh Areas (RMA). Vessels must tag both roundfish and flatfish nets with one tag per net, and are exempt from the requirement for two gillnet tags per roundfish net specified in §§ 648.80(a)(4)(iv)(B)(3), 648.80(b)(2)(iv)(B)(3), and 648.80(c)(2)(v)(B)(3). This exemption does not apply in the GOM RMA.

(4) Exemption from the prohibition on a vessel hauling another vessel’s gillnet gear (75 FR 18113, April 9, 2010). Regulations at §§ 648.14(k)(6)(ii)(A) and 648.84(a) specify the manner in which gillnet gear must be tagged and marked. This exemption allows a sector vessel to fish gillnets marked and tagged by another vessel from the same sector, provided that the gear is tagged with this vessel’s gillnet tags consistent with the tag per net requirements and is marked consistent with § 648.84(a). Vessels operating in a sector that requests this exemption in its approved operations plan are exempt from the portion of the regulation at § 648.14(k)(6)(ii)(A)(3) that prohibits vessel owners or operators from tagging

a gillnet or using a gillnet tag that has been issued to another vessel. This does not exempt the vessel from the regulation prohibiting the use of a gillnet tag that has been reported lost or missing. Sector vessels opting to implement this provision will be required to place NMFS-issued gillnet tags of each member on the gear being utilized under this technique. All vessels participating in community fixed gear will be held jointly liable for any violations associated with that gear.

(5) Exemption from limits on the number of gillnets that may be hauled in the GB RMA when fishing under a Northeast multispecies/monkfish DAS (76 FR 23076, April 25, 2011). Regulations at § 648.80(a)(4)(iv) prohibit Day gillnet vessels fishing on a groundfish DAS from possessing, deploying, fishing, or hauling more than 50 nets in the GB RMA. For sectors that request this exemption in its approved operations plan, gillnet vessels dually permitted under both the Northeast Multispecies and Monkfish FMPs may deploy more than 50 nets (up to 160 for category A and B vessels, and up to 150 nets for category C, D, F, G, and H vessels) under existing Monkfish FMP limits, found at § 648.92(b)(8).

(6) Exemption from the limits on the number of hooks that may be fished (76 FR 23076, April 25, 2011). Vessels operating in a sector that requests this exemption in its approved operations plan are exempt from regulations at §§ 648.80(a), (b), and (c) that restrict the number of hooks that may be fished. Specifically, this vessel is exempt only from hook restrictions that prohibit vessels from fishing or possessing more than 2,000 rigged hooks in the GOM RMA, more than 3,600 rigged hooks in the GB RMA, more than 2,000 rigged hooks in the SNE RMA, or more than 4,500 rigged hooks in the MA RMA. This vessel may use up to 4,500 hooks within an inshore area and an unlimited number of hooks in the rest of the sector area.

(7) Exemption from the DAS Leasing Program length and horsepower restrictions (76 FR 23076, April 25, 2011). All sector vessels are exempt from the requirement to use Northeast multispecies DAS to harvest groundfish (§ 648.87(c)(2)(ii)(C)). However, sector vessels have been allocated and must still use Northeast multispecies DAS for specific circumstances, and may lease DAS to other sector vessels. Vessels operating in a sector that requests this exemption in its approved operations plan are exempt from the DAS Leasing Program length and horsepower baseline restrictions on DAS leases among vessels within the same or

different sectors, as described at § 648.82(k)(4)(ix).

(8) Exemption from the prohibition on discarding (76 FR 23076, April 25, 2011). Regulations at § 648.11(l)(9) prohibit a sector vessel from discarding any legal-sized regulated species or ocean pout allocated to sectors pursuant to § 648.87(b)(1)(i). Vessels operating in a sector that requests this exemption in its approved operations plan are exempt from this regulatory requirement only when there are unmarketable fish, defined as any legal-sized fish the vessel owner/captain elects not to retain because of poor quality as a result of damage prior to, or from, harvest. All legal-sized unmarketable allocated fish are accounted for in the overall sector-specific discard rates in the same way discards of undersized fish are accounted for through ASM and/or EM coverage. All vessels in a sector opting for this exemption will be required to discard legal-sized unmarketable fish at sea on all trips (*i.e.*, not just on select trips) to prevent the potential to skew observed discards.

(9) Exemption from the trawl gear requirements in the Eastern U.S./Canada Management Area (76 FR 23076, April 25, 2011). Vessels operating in a sector that requests this exemption in its approved operations plan are exempt from regulations at § 648.85(a)(3)(iii) which require Northeast multispecies vessels fishing with trawl gear in the Eastern U.S./Canada Area to fish with a Ruhle trawl, a haddock separator trawl, or a flounder trawl net.

(10) Exemption from the prohibition on a vessel hauling another vessel's hook gear (77 FR 26129, May 2, 2012). Vessels operating in a sector that requests this exemption in its approved operations plan may haul the hook gear of another vessel operating in their sector. Each member of the sector intending to haul the same gear will be required to mark the gear must be marked consistent with the requirements at §§ 648.14(k)(6)(ii)(B) and 648.84(a). All vessels utilizing community hook gear under this exemption will be jointly liable for any violations associated with their hook gear.

(11) Exemption from the requirement to declare an intent to fish in the Eastern U.S./Canada SAP and the Closed Area (CA) II Yellowtail Flounder/Haddock SAP prior to leaving the dock (77 FR 26129, May 2, 2012). Vessels operating in a sector that requests this exemption in its approved operations plan are exempt from the requirement to declare that they will be fishing in either the Eastern U.S./Canada Haddock SAP or the CA II Yellowtail Flounder/Haddock

SAP prior to leaving the dock, as specified in § 648.85(a)(3)(ii). Because sector catch is limited by ACE, DAS credit for trips in these SAPs is no longer necessary, and vessels operating in a sector that request this exemption in its approved operations plan may declare their intent to fish in these SAPs while at sea.

(12) Exemption from seasonal restrictions for the Eastern U.S./Canada Haddock SAP (78 FR 25591, May 2, 2013). Regulations at § 648.85(b)(7)(iv) specify that an eligible vessel may fish in the Eastern U.S./Canada Haddock SAP only from August 1 through December 31. Vessels operating in a sector that requests this exemption in its approved operations plan are partially exempt from regulations at § 648.85(b)(7)(iv), and may fish in the Eastern U.S./Canada Haddock SAP from May 1 through December 31.

(13) Exemption from seasonal restrictions for the CA II Yellowtail Flounder/Haddock SAP (78 FR 25591, May 2, 2013). Regulations at § 648.85(b)(3)(iii) specify that an eligible vessel may fish in the CA II Yellowtail Flounder/Haddock SAP from July 1 through December 31 to target yellowtail flounder and only from August 1 through January 31 to target haddock. Vessels operating in a sector that requests this exemption in its approved operations plan are exempt from the open season and specific date restrictions allowing fishing only when the CA II Yellowtail Flounder/Haddock SAP Area is open to target yellowtail or haddock. The vessel may fish consistent with this exemption in the Area to target yellowtail from July 1 through December 31, and to target haddock from May 1 through January 31.

(14) Sampling exemption (78 FR 25591, May 2, 2013). Sectors may propose independent sampling programs in their operations plans, in which data would be collected from fish that otherwise must be immediately discarded. Sectors granted this exemption have submitted research plans with their operations plans, and have provided information for all necessary information to support an independent sampling program. Vessels operating in a sector that requests this exemption in its approved operations plan are authorized to conduct scientific research while fishing as outlined in the operations plan, if accompanied by a research technician. As part of their research, this vessel may temporarily retain fish that are not compliant with applicable fishing regulations to collect catch data such as length and weight. Sampled fish must be returned to sea as soon as practicable after sampling. This

provision would be included in sector vessels' Letter of Authorization, which will aid enforcement officials in determining approved activities, with the same restrictions as when a temporary possession permit is obtained through the application process.

(15) Exemption from the prohibition on combining small-mesh exempted fishery and sector trips in SNE (82 FR 39363, August 18, 2017). Vessels operating in a sector that requests this exemption in its approved operations plan are exempt from the minimum trawl mesh size requirements described at § 648.80(b)(2)(i) within the Sectors Small Mesh Exemption Area. The Sectors Small Mesh Exemption Area includes all of statistical areas 537, 539, and 613. Under this exemption, vessels may possess and use small-mesh and large-mesh trawl gear on a single trip within the SNE RMA with certain gear modifications: drop chain sweep with a minimum of 12 inches (30.48 cm) in length; a large-mesh belly panel with a minimum of 32-inch (81.28-cm) mesh size; or an excluder grate secured forward of the codend with an outlet hole forward of the grate with bar spacing of no more than 1.97 inches (5.00 cm) wide. Trips declaring this exemption must stow their small-mesh gear according to the definition of "not available for immediate use" at § 648.2 and use their large-mesh gear first. Upon completing the large-mesh portion of the trip, and before unstowing their modified small mesh gear, the vessel must submit a Multispecies Catch Report via vessel monitoring system (VMS) with a good faith estimate of all catch on board at that time and must check the box at the bottom of the report declaring the use of a smaller mesh codend. Once the vessel sends the Multispecies Catch Report, it may not fish outside the Sector Small Mesh Fishery Exemption Areas or redeploy its large-mesh gear.

(16) Exemption from the extra-large mesh requirement to target dogfish on trips excluded from ASM in SNE and Inshore GB Broad Stock Areas (BSA) (81 FR 26412, May 2, 2016). Pursuant to at § 648.11(l)(5)(ii), sector vessels that notify NMFS of their intent to fish using gillnets with a mesh size of 10-inch (25.4-cm) or greater in either the Inshore GB BSA, as defined at § 648.10(k)(3)(ii), and/or the SNE BSA, as defined at § 648.10(k)(3)(iv), are not subject to the coverage level for ASM specified in paragraph § 648.11(l)(5)(i). While on a non-ASM sector groundfish trip, vessels operating in a sector that requests this exemption in its approved operations plan are approved to target dogfish using 6.5-inch mesh gillnet gear within

the footprint and season of either the Nantucket Shoals Dogfish Exemption Area (June 1 through October 15), the Eastern Area of the Cape Cod Spiny Dogfish Exemption Area (June 1 through December 31), or the Southern New England Dogfish Gillnet Exemption Area (May 1 through October 31). This exemption does not apply to EM vessels. For vessels enrolled in an EM program, the EM system must be operational on 100 percent of sector EM trips and the vessel operator and crew must abide by the catch handling requirements described in the vessel's vessel monitoring plan.

(17) Exemption from the requirement that Handgear A vessels carry a VMS unit when fishing in a single BSA (82 FR 18706, April 21, 2017). Vessels operating in a sector that requests this exemption in its approved operations plan are exempt from the regulations at § 648.14(k)(9)(i) that require Handgear A permit vessels operating south of the GOM RMA (defined at § 648.80(a)(1)), to declare the vessel operator's intent to fish in this area via VMS. This exemption does not waive requirements to carry or report using a VMS unit when fishing in multiple BSA's, in the U.S./Canada Management Areas, or under any other requirements associated with using other sector exemptions or participating in SAPs.

(18) Exemption from the limits on the number of gillnets for Day gillnet vessels in the GOM (83 FR 18965, May 1, 2018). Vessels operating in a sector that request this exemption in its approved operations plan are partially exempt from the regulations at § 648.80(a)(3)(iv)(B)(2). The exemption allows sector vessels to fish up to 150 gillnets, provided at least 50 nets are 10-inch (25.4-cm) or larger mesh and those nets are fished east of 70 degrees West longitude. The 100-flatfish tied down net limit still applies in the portion of the GOM RMA west of 70 degrees West longitude. This exemption does not change the 50-roundfish or "stand up" net limit in the GOM RMA. Day gillnet vessels using this exemption are required to tag each roundfish net with two gillnet tags and each flatfish or "tied down" net with a single gillnet tag (§ 648.80(a)(3)(iv)(B)(4)). This exemption does not change the 160 net limit of stowed and deployed nets combined.

NMFS may revoke exemptions in-season if: (1) it determines that the exemption jeopardizes management measures, FMP objectives, or rebuilding efforts; (2) the exemption results in unforeseen negative impacts on other managed fish stocks, habitat, or protected resources; (3) the exemption

causes enforcement concerns; (4) catch from trips using the exemption cannot be adequately monitored; or (5) a sector is not meeting certain administrative or operational requirements. If it becomes necessary to revoke an exemption, NMFS will do so through a process consistent with the existing regulations or in a separate rulemaking action, as appropriate.

Sector Reporting Requirements

Framework 69 proposes to remove the regulation at § 648.87(b)(2) requiring sectors to include a list of all Federal and State permits held by participating vessels as part of a complete operations plan and sector contract package, as originally established in Amendment 16. Other requirements would still apply. The intent of removing this regulation is to reduce the administrative burden on sectors, without negatively affecting the availability of information for analyzing the impacts of sectors.

In addition, NMFS proposes to remove the regulation at § 648.87(b)(1)(v)(B) requiring sectors to submit a weekly catch report to NMFS. In the weekly catch report, sectors provide the remaining balance of ACE allocated to their sector. The weekly report frequency must increase (*e.g.*, to daily) when the balance of remaining ACE is low, as specified in the sector operations plan and approved by NMFS. Amendment 23 established that the Greater Atlantic Regional Administrator may revise sector reporting requirements to streamline reporting for the industry. With the implementation of electronic reporting, NMFS receives catch and landing data simultaneously to sector managers, and weekly and daily reports from managers are no longer needed to track the most up-to-date ACE information. The intent of removing these reporting requirements is to reduce the administrative burden on sectors, without negatively affecting the availability of information for NMFS or sector managers to monitor ACE. Sector managers submit reports and view catch and ACE information for their sectors in a secure web-portal operated by NMFS. NMFS is upgrading this system to eliminate the need for the weekly or more frequent reports.

Sector Allocations for Fishing Year 2025

The proposed sector allocations in this rule are based on the 2025 catch limits for stocks recommended by the Council in Framework 69, with the exception of the four Atlantic cod stocks, and the catch limits for GB cod and GOM cod set by the emergency rule. NMFS calculates the sector's allocation

for each stock by summing its members' PSCs for a stock and then multiplying that total percentage by the available commercial sub-ACL for that stock. This rule includes the allocations, to the nearest pound, to each sector based on their 2025 rosters. NMFS uses final allocations, along with later adjustments including ACE transfers, reductions for overages, or increases for carryover, monitor sector catch.

Table 12 shows the projected total PSCs for each sector, by stock, for fishing year 2025 based on 2025 sector rosters. Tables 13 and 14 show the proposed allocations that each sector would be allocated, in pounds (lb) and mt, respectively, for fishing year 2025. The proposed common pool sub-ACLs are also included in table 13 and 14 for comparison. Although this rule does not propose specifications for GB cod and GOM cod, the sector allocations for those two stocks are included in tables 13 and 14 for completeness and to show adjustments based on changes in sector rosters since the publication of the emergency rule.

Instead of assigning separate PSCs for the eastern GB cod or eastern GB haddock, a PSC is assigned to each permit for the GB cod stock and GB

haddock stock. Each sector's GB cod and GB haddock allocations are then divided into an eastern ACE and a western ACE, based on each sector's percentage of the GB cod and GB haddock ACLs. For example, if a sector is allocated 4 percent of the GB cod ACL, the sector is allocated 4 percent of the commercial eastern GB cod TAC as its eastern GB cod. The eastern GB haddock allocations are determined in the same way. These amounts are then subtracted from the sector's overall GB cod and haddock allocations to determine its western GB cod and haddock ACEs. A sector may harvest its eastern GB cod and haddock ACEs only in the Eastern U.S./Canada Area. A sector may also "convert," or transfer, its eastern GB cod or haddock allocation into western GB allocation and harvest that converted ACE outside the eastern GB geographic area.

Each sector is required to ensure that it does not exceed its ACE during the fishing year. Sector vessels are required to retain all legal-sized allocated Northeast multispecies stocks, unless a sector is granted an exemption allowing its member vessels to discard legal-sized unmarketable fish at sea (see above). Catch (defined as landings and discards)

of all allocated Northeast multispecies stocks by a sector's vessels counts against the sector's allocation. Groundfish catch from a sector trip targeting non-groundfish species will be deducted from the sector's ACE, because these are groundfish trips using gear capable of catching groundfish. Catch from a non-sector trip in an exempted fishery does not count against a sector's allocation and is assigned to a separate ACL sub-component to account for any groundfish bycatch that occurs in non-groundfish fisheries.

NMFS expects final 2024 catch information for sectors to be ready in late-summer 2025. To reduce or eliminate any fishing year 2024 overages, NMFS will allow sectors to trade fishing year 2024 ACE for 2 weeks after completion of the year-end catch accounting. Each year, NMFS notifies the Council and sector managers of this deadline in writing and announces its final ACE determination at: <https://www.fisheries.noaa.gov/species/northeast-multispecies>. If necessary, NMFS will reduce any sector's fishing year 2025 allocation to account for a remaining overage in fishing year 2024.

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Table 12 -- Cumulative PSC (Percentage) Each Sector Would Receive by Stock for Fishing Year 2025*

Sector Name	MRI Count	GOM Cod	GB Cod	GB Haddock	GOM Haddock	GB Yellowtail Flounder	SNF/MA Yellowtail Flounder	CC/GOM Yellowtail Flounder	Plaice	Witch Flounder	GB Winter Flounder	GOM Winter Flounder	SNF/MA Winter Flounder	Redfish	White Hake	Pollock
Fixed Gear Sector	58	10.24212320	0.62118283	1.30036807	0.17541380	0.00311474	0.18875828	1.56423147	0.44969368	1.08624360	0.01703982	1.76326285	0.94546461	0.48359712	0.98554309	2.63604599
Maine Coast Community Sector	107	2.14381876	16.04726033	3.28024954	12.19493668	1.94946572	2.52191670	6.27087271	15.57982971	12.35893454	0.80738762	7.70307452	2.23292260	9.19871852	13.83337888	12.70465517
Maine Permit Bank	11	0.13439158	1.16168961	0.04453277	1.12521597	0.01387770	0.03207071	0.31964833	1.16764302	0.72914243	0.00021875	0.42733162	0.01820836	0.82280629	1.65674426	1.69636752
Moonsusser Sector	51	11.75076850	7.21912792	3.63423596	3.80554950	0.85287050	0.71325693	3.90298129	0.95626703	2.17641454	0.06281761	3.89289999	1.81395127	4.76123074	10.82902490	10.91393118
NEFS 2	128	10.06043816	25.72844012	15.50795747	25.08012941	6.71533619	7.36598169	26.40703261	15.87508356	21.07064126	5.07183716	26.71999021	5.98070677	22.05072341	13.29452390	18.02512930
NEFS 4	58	8.63064256	11.18238598	6.05566788	8.86166344	2.17847227	2.28497979	6.42213790	9.43836833	8.82304185	0.69996268	7.42431328	1.03551783	6.69553103	8.27315447	7.26683531
NEFS 5	14	0.35472720	0.32881900	0.42498729	0.11063627	0.70255940	10.44623976	0.92544848	0.22763746	0.40210981	0.17313264	0.84381096	6.93905854	0.01320635	0.03510117	0.06575445
NEFS 6	3	0.53277963	0.16900617	0.55629310	0.15126005	0.06623359	0.00032970	0.02492228	0.88199052	0.47903712	0.08026315	0.07106409	0.01437646	1.11265148	0.52915152	0.31852137
NEFS 8	114	34.51388651	6.45087423	42.30010274	18.91885822	48.13967395	19.06150238	19.62941210	21.94659844	21.33080345	63.02944419	5.03318563	43.54807834	26.47961273	19.26726375	18.89354372
NEFS 10	20	0.17129915	1.67784253	0.10430337	0.71634962	0.00105439	0.56741495	3.07362115	0.30002267	0.59790479	0.01076827	5.69699804	0.43191024	0.01057169	0.02845311	0.07115414
NEFS 11	38	0.39824840	10.53615357	0.03378514	2.64634283	0.00088665	0.01017277	2.11441907	1.42997133	1.44683554	0.00097316	1.90333948	0.02232596	1.86077245	3.95170830	8.47767118
NEFS 12	25	0.87144678	3.84040388	0.79243704	1.41977269	1.33470334	1.55285130	9.57101150	1.86581763	2.04834200	0.39637667	12.41077504	0.72988422	0.58577546	0.92634941	1.40772701
NEFS 13	49	7.53239015	0.33857362	12.59623816	0.68350584	24.86780462	20.35771973	3.99132945	4.76528223	5.05798498	12.81770000	1.12900445	10.60284817	1.52348140	0.94824778	1.00456641
New Hampshire Permit Bank	4	0.00082696	1.15188056	0.00003421	0.05236754	0.00002041	0.00001805	0.02192453	0.02856511	0.00617883	0.00000326	0.06080509	0.00003694	0.01942370	0.08148030	0.11143814
Sustainable Harvest Sector 1	41	5.05343713	4.50212938	6.72957598	9.17479601	2.15655615	1.56139858	4.61957286	11.16236257	8.71237918	6.61130129	5.07805425	3.04571508	11.28978633	12.24469133	5.67281173
Sustainable Harvest Sector 2	14	1.29776006	1.13739128	1.99846045	4.05289027	0.70148248	1.99315808	2.13858024	2.09256157	2.33147501	0.36513799	2.03730190	2.22203502	4.16622848	2.83808242	2.72152125
Sustainable Harvest Sector 3	29	2.85517607	3.98021781	2.34273634	8.24985644	3.75909839	4.36586471	3.12368104	8.73405783	7.51949003	4.90221270	2.44199437	5.47302383	7.68590803	9.12453183	6.91687123
Common Pool	495	3.45583918	3.92662118	2.29803448	2.62045541	6.55678951	26.97636591	5.87917301	3.09824732	3.82304105	4.95342303	15.36279423	14.94393576	1.23997480	1.15256960	1.09545488
All Sectors	764	96.54	96.07	97.70	97.38	93.44	73.02	94.12	96.90	96.18	95.05	84.64	85.06	98.76	98.85	98.90

* The data in this table are based on sector rosters for fishing year 2025.

Table 13 -- Estimated ACE (in 1,000 pounds), by Stock, for Each Sector for Fishing Year 2025**

Sector Name	GB Cod East†	GB Cod West†	GOM Cod†	GB Haddock East	GB Haddock West	GOM Haddock	GB Yellowtail Flounder	SNE/MA Yellowtail Flounder	CC/GOM Yellowtail Flounder	Plaice	Witch Flounder	GB Winter Flounder	GOM Winter Flounder	SNE/MA Winter Flounder	Redfish	White Hake	Pollock
Fixed Gear Sector	19	15	3	43	0	8	0	0	29	86	35	1	25	10	88	42	655
Maine Coast Community Sector	4	3	66	110	0	588	3	2	118	2,972	403	26	109	23	1,678	583	3,156
Maine Permit Bank	0	0	5	1	0	54	0	0	6	223	24	0	6	0	150	70	421
Mooncusser Sector	21	17	30	122	0	183	1	1	73	182	71	2	55	19	868	456	2,711
NEFS 2	18	14	105	519	0	1,209	12	6	495	3,029	688	165	377	61	4,022	560	4,478
NEFS 4	16	12	46	203	0	427	4	2	120	1,801	288	23	105	11	1,221	349	1,805
NEFS 5	1	1	1	14	0	5	1	8	17	43	13	6	12	71	2	1	16
NEFS 6	1	1	1	19	0	7	0	0	0	168	16	3	1	0	203	22	79
NEFS 8	62	50	26	1,415	0	912	84	15	368	4,187	696	2,050	71	445	4,830	812	4,694
NEFS 10	0	0	7	3	0	35	0	0	58	57	20	0	80	4	2	1	18
NEFS 11	1	1	43	1	0	128	0	0	40	273	47	0	27	0	339	167	2,106
NEFS 12	2	1	16	27	0	68	2	1	180	356	67	13	175	7	107	39	350
NEFS 13	14	11	1	421	0	33	43	16	75	909	165	417	16	108	278	40	250
New Hampshire Permit Bank	0	0	5	0	0	2	0	0	0	5	0	0	1	0	4	3	28
Sustainable Harvest Sector 1	9	7	18	225	0	442	4	1	87	2,130	284	215	72	31	2,059	516	1,409
Sustainable Harvest Sector 2	2	2	5	67	0	194	1	2	40	399	76	12	29	23	760	120	676
Sustainable Harvest Sector 3	5	4	16	78	0	398	7	3	59	1,666	245	159	34	56	1,402	385	1,718
Common Pool	6	4	15	73	0	120	11	20	105	562	119	156	206	145	215	46	259
Sector Total	175	139	393	3,268	0	4,693	162	57	1,766	18,487	3,139	3,091	1,193	870	18,013	4,165	24,571

* The data in this table are based on fishing year 2025 sector rosters, and represent the proposed total allocations to each sector. Final allocations may increase if the management uncertainty buffer is removed in the final rule.

Numbers are rounded to the nearest thousand pounds. In some cases, this table shows an allocation of 0, but that sector may be allocated a small amount of that stock in tens or hundreds pounds.

† Specifications for GB cod and GOM cod were set by emergency action and are not proposed in this rule. They are included here for completeness and to reflect allocations based on final 2025 rosters.

Table 14 -- Estimated ACE (in mt), by Stock, for Each Sector for Fishing Year 2025**

Sector Name	GB Cod East†	GB Cod West†	GOM Cod†	GB Haddock East	GB Haddock West	GOM Haddock	GB Yellowtail Flounder	SNE/MA Yellowtail	CC/GOM Yellowtail	Plaice	Witch Flounder	GB Winter Flounder	GOM Winter Flounder	SNE/MA Winter	Redfish	White Hake	Pollock
Fixed Gear Sector	8	7	1	20	0	4	0	0	13	39	16	0	11	4	40	19	297
Maine Coast Community Sector	2	1	30	50	0	267	2	1	53	1,348	183	12	49	10	761	264	1,432
Maine Permit Bank	0	0	2	1	0	25	0	0	3	101	11	0	3	0	68	32	191
Mooncusser Sector	10	8	13	55	0	83	1	0	33	83	32	1	25	8.4	394	207	1,230
NEFS 2	8	7	48	235	0	548	5	3	225	1,374	312	75	171	28	1,824	254	2,031
NEFS 4	7	6	21	92	0	194	2	1	55	817	131	10	47	5	554	158	819
NEFS 5	0	0	1	6	0	2	1	4	8	20	6	3	5	32	1	1	7
NEFS 6	0	0	0	8	0	3	0	0	0	76	7	1	0	0	92	10	36
NEFS 8	28	23	12	642	0	414	38	7	167	1,899	316	930	32	202	2,191	368	2,129
NEFS 10	0	0	3	2	0	16	0	0	26	26	9	0	36	2	1	1	8
NEFS 11	0	0	20	1	0	58	0	0	18	124	21	0	12	0	154	76	955
NEFS 12	1	1	7	12	0	31	1	1	81	161	30	6	79	3	48	18	159
NEFS 13	6	5	1	191	0	15	20	7	34	412	75	189	7	49	126	18	113
New Hampshire Permit Bank	0	0	2	0	0	1	0	0	0	2	0	0	0	0	2	2	13
Sustainable Harvest Sector 1	4	3	8	102	0	201	2	1	39	966	129	98	32	14	934	234	639
Sustainable Harvest Sector 2	1	1	2	30	0	88	1	1	18	181	35	5	13	10	345	54	307
Sustainable Harvest Sector 3	2	2	7	36	0	180	3	2	27	756	111	72	16	25	636	174	779
Common Pool	3	2	7	33	0	54	5	9	48	255	54	71	93	66	97	21	117
Sector Total	79	63	178	1,482	0	2,129	74	26	801	8,385	1,424	1,402	541	395	8,170	1,889	11,145

* The data in this table are based on fishing year 2025 sector rosters, and represent the proposed total allocations to each sector. Final allocations may increase if the management uncertainty buffer is removed in the final rule.

Numbers are rounded to the nearest mt, but allocations are made in pounds. In some cases, this table shows a sector allocation of 0 mt, but that sector may be allocated a small amount of that stock in pounds.

† Specifications for GB cod and GOM cod were set by emergency action and are not proposed in this rule. They are included here for completeness and to reflect allocations based on final 2025 rosters.

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Common Pool Management Measures*Common Pool Trip Limits*

For the Handgear B permit, Framework 69 proposes a change to how trip limits could be set using Regional Administrator authority. Current regulations at § 648.88(a)(1) specify a baseline trip limit for cod of 75 lb (34 kilograms (kg)) per trip and a formulaic method for reducing that trip limit in a proportional manner to the corresponding DAS limit for either the GOM or GB stocks of cod. This action would eliminate the formulaic proportional method for adjusting trip limits for the Handgear B permit and would instead provide for setting Handgear B trip limits in a manner consistent with trip limits for other permits, up to a maximum of 75 lb (34 kg) per trip. This was developed as part of the Council's action to change from two to four cod stocks. However, the purpose and function of this change applies equally to either two or four

stocks; therefore, it is proposed in this action.

For Small Vessel Category permits, this action would clarify that these vessels are subject to limits for stocks below the 300-lb (136-kg) combined trip limit for cod, haddock, and yellowtail flounder. For example, if the A DAS limit for the GOM cod stock is 50 lb (22.7 kg) per DAS, then Small Vessel Category permitted vessels would have a limit of 50 lb (22.7 kg) per trip, within the overall combined limit of 300 lb (136.1 kg) for cod, haddock and yellowtail flounder.

This action proposes changes under section 305(d) authority in the Magnuson-Stevens Act to the regulations in § 648.86 that implement possession limits for the Northeast multispecies fishery. The current structure of § 648.86 describes Northeast multispecies possession limits in species-by-species manner, but is at times unfocused and inefficiently laid out. In order to improve the readability and make the possession limit regulations easier for the public and

fishing industry to understand, this action proposes a restructuring of § 648.86 that organizes trip limits by permit category, and in a tabular format. These proposed changes also consolidate possession and trip limits found in other sections (for example, Handgear A category limits currently at § 648.82(b)(6)) into § 648.86 in order to place these regulations more predictably.

In conjunction with these changes under section 305(d) authority of the Magnuson-Stevens Act, this action would implement trip limits for stocks pursuant to Regional Administrator authority to implement or adjust trip limits that enable common pool catch of each stock to approach, but not exceed, the pertinent sub-ACL allocated to the common pool for the fishing year. Currently, the regulation implementing this authority is at § 648.86(o), and this action proposes to move that regulation to § 648.85(a)(5). Table 15 below summarizes proposed fishing year 2025 common pool trip limits for all stocks.

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Table 15 -- Proposed 2025 Common Pool Daily and Trip Possession Limits

	Proposed 2025 Common Pool Daily and Trip Possession Limits			
Stock	DAS permits	Handgear A	Handgear B	Small Vessel Category
GOM Cod	25 lb (11.3 kg) per DAS, up to 50 lb (22.7 kg) per trip	25 lb (11.3 kg) per trip	25 lb (11.3 kg) per trip	25 lb (11.3 kg) per trip
GB Cod	0 lb (0 kg) per trip; possession prohibited			
GB Haddock	1,000 lb (454 kg) per DAS, up to 2,000 lb (907 kg) per trip	1,000 lb (454 kg) per trip		300 lb (136.1 kg) per trip
GOM Haddock	1,000 lb (454 kg) per DAS, up to 2,000 lb (907 kg) per trip	1,000 lb (454 kg) per trip		300 lb (136.1 kg) per trip
GB Yellowtail Flounder	100 lb (45.4 kg) per trip			
SNE/MA Yellowtail Flounder	200 lb (90.7 kg) per DAS, up to 400 lb (181 kg) per trip	200 lb (90.7 kg) per trip		
Cape Cod (CC)/GOM Yellowtail Flounder	1,500 lb (680 kg) per DAS, up to 3,000 lb (1,361 kg) per trip	1,500 lb (680 kg) per trip		300 lb (136.1 kg) per trip
American Plaice	3,000 lb per (1,361 kg) DAS, up to 6,000 lb (2,722 kg) per trip	3,000 lb (1,361 kg) per trip		
Witch Flounder	1,500 lb (680 kg) per trip			
GB Winter Flounder	500 lb (227 kg) per trip			
GOM Winter Flounder	2,000 lb (907 kg) per trip			
SNE/MA Winter Flounder	2,000 lb (907 kg) per DAS, up to 4,000 lb (1,814 kg) per trip	2,000 lb (907 kg) per trip		
Redfish	No Limit			
White Hake	1,000 lb (454 kg) per trip			
Pollock	No Limit			
Atlantic Halibut	1 fish per trip			
Windowpane Flounder	Possession Prohibited			
Ocean Pout				
Atlantic Wolffish				

BILLING CODE 3510-22-C*Differential DAS Counting for Common Pool Vessels*

This action proposes changes under section 305(d) authority in the Magnuson-Stevens Act to the regulations in § 648.82 that describe the differential DAS counting AM for the common pool. The regulations at § 648.82(n)(1) describe a differential DAS counting AM that, in fishing years

2010 and 2011, specified a process and conditions for the Regional Administrator to exercise Magnuson-Stevens Act section 305(d) authority to adjust the rates at which DAS would be charged to common pool vessels, if NMFS projected that any of the sub-ACLs specified for common pool vessels would be exceeded or underharvested. Because this AM applied only to fishing years 2010 and 2011, it is proposed for

removal. References to differential DAS counting would also be removed from other sections in Subpart F.

Regulations at § 648.82(o) provide the Regional Administrator with the discretion to implement differential DAS counting beyond fishing year 2011. This authority has gone unused since fishing year 2011. Instead, the common pool is managed by adjusting possession limits and the trimester TAC AMs.

Framework 69 proposes to remove the regulations providing this discretion to the Regional Administrator.

Recreational Management Measures

Under the provisions at § 648.89(f)(3), Northeast multispecies fishery regulations include proactive recreational AMs to ensure that the recreational sub-ACL for recreational stocks with a sub-ACL is achieved, but not exceeded. For the proactive AMs, the Regional Administrator, in consultation with the Council, develops and implements recreational management measures for the upcoming fishing year, including minimum fish size, bag limit, season, and/or other measures. The FMP also includes reactive AMs to correct the cause or mitigate the effects of an overage, if one occurs.

This rule proposes adjusting GOM haddock recreational measures based on the proposed Framework 69 sub-ACL for fishing year 2025 and the Council’s recommended management measures (see table 16). NMFS proposes to reduce the minimum size from 18 inches (45.7 cm) to 17 inches (43.2 cm), maintain a possession limit of 15 fish per angler, and maintain the open seasons of May 1–February 28 or 29, and April 1–30.

The Council recommended recreational measures for Western Gulf of Maine (WGOM) cod—one of the new stocks considered under Amendment 25. However, with the disapproval of Amendment 25, NMFS cannot implement these measures as

recommended, but may still meet the conservation and management goals of the proposed measures as applied to the existing GOM cod stock. Therefore, for the existing GOM cod stock, NMFS proposes to add the open season of May 1–May 31 to the current open season of September 1–October 31. Other current recreational measures for GOM cod (minimum size of 23 inches (58.4 cm) and possession limit of one fish per angler) would be maintained. The proposed measures are equivalent in purpose and effect to those the Council recommended for WGOM cod.

The proposed measures are expected to adequately constrain recreational catch of GOM haddock and GOM cod based on the bio-economic model estimates. The recreational sub-ACL considered under this proposed rule (currently implemented through the emergency action) is higher than the recreational sub-ACL used by the Council to consider WGOM recreational cod measures. Therefore, it is reasonable to apply the more conservative WGOM analysis to the GOM cod stock. The explanation that follows applies to the GOM cod stock despite its reference to the WGOM cod stock due to the analysis having been conducted for the potential WGOM cod stock.

To develop its recommendations, the Council considered projected recreational GOM haddock and WGOM cod removals based on several management measures scenarios. The scenarios included combinations of

minimum fish sizes, possession limits, and closed seasons for GOM haddock and WGOM cod using a newly developed decision support tool (DST) created by the Northeast Fisheries Science Center.

The DST allowed the public and managers to input potential management measures for GOM haddock and WGOM cod simultaneously to estimate (based on the bio-economic model) how different measures would perform relative to the goal of the proactive AM. The DST considers measures for GOM haddock and WGOM cod in conjunction, because cod are commonly caught while recreational participants are targeting haddock, linking the catch and effort for each stock to the other. The DST draws from a distribution of: (1) fishing year 2024 Marine Recreational Information Program (MRIP) catch-per-trip; (2) fishing year 2024 MRIP catch-at-length adjusted for the projected size distribution of the stock in fishing year 2025; and (3) angler trip costs and characteristics from a survey of anglers. The DST provides the percent probability that the inputted measures constrain GOM haddock and WGOM cod catch to below the sub-ACL. Measures that result in model-estimated percent probability of 50 percent or less are generally considered unsatisfactory.

Recreational measures for GB cod were set by the May 1, 2025, emergency action, and are not proposed to change in this action.

Table 16 -- Proposed Recreational Management Measures

Stock	Possession Limit (For Hire and Private)	Minimum Size in Inches (cm)	Open Season	Projected Catch (mt)	% Simulations Under Recreational sub-ACL
GOM Haddock	15	17 (43.2)	May 1 – February 28/29 and April 1 - 30	933	86
GOM Cod*	1	23 (58.4)	May 1 – May 31 and September 1 – October 31	70	95

* The bio-economic model was run for WGOM cod, not GOM cod, but the results are provided here as a proxy.

Catch Thresholds for Scallop Fishery Accountability Measures

As a result of historically high levels of bycatch of flounder by the scallop fishery, the scallop fishery has sub-ACLs for several flatfish stocks: GB

yellowtail flounder; SNE yellowtail flounder; northern windowpane flounder; and southern windowpane flounder. If the scallop fishery exceeds its sub-ACL for any stock, it is subject to AMs that, in general, restrict the scallop fishery in seasons and areas

with high encounter rates for this stock. Currently, the scallop fishery is subject to AMs for these stocks if either: (1) the scallop fishery exceeds its sub-ACL and the total ACL is exceeded; or (2) the scallop fishery exceeds its sub-ACL by 50 percent or more. Previous

frameworks have temporarily removed the second catch threshold for GB yellowtail flounder and northern windowpane flounder for select years. This was most recently done in Framework 66, which removed the second catch threshold for GB yellowtail flounder for fishing years 2024 and 2025.

Framework 69 proposes to permanently remove the second catch threshold for GB yellowtail flounder and northern windowpane flounder, so that the scallop AMs for these two stocks would be implemented only if scallop fishery catch exceeds its sub-ACL by any amount and the total ACL is also exceeded. The second catch threshold would remain in place for the other two flatfish stocks with a scallop sub-ACL (SNE yellowtail flounder and southern windowpane flounder). This change is proposed to apply to overages caused by catch occurring in the 2025 fishing year, and would not affect any AMs due to previous years' overages.

In recent years, a significant portion of the overall ACLs for GB yellowtail flounder and northern windowpane flounder have remained uncaught as groundfish vessels have reduced their catch and avoided the stock. If catch leads to exceeding the total ACL, the appropriate AM (depending on the fishery or fisheries that contributed to the overage) would be put in place to prevent subsequent ACL overages and correct the cause of the overage. This measure is intended to provide the scallop fishery with flexibility to adjust to current catch conditions and better achieve optimum yield while still providing an incentive to avoid yellowtail flounder and northern windowpane flounder.

AMs are management controls to prevent ACLs, including sub-ACLs, from being exceeded, and to correct or mitigate overages of the ACL if they occur. AMs should address and minimize both the frequency and magnitude of overages and correct the problems that caused the overage in as short a time as possible. If an ACL is exceeded, AMs are implemented as soon as possible to correct the operational issue that caused the ACL overage, as well as any biological consequences to the stock resulting from the overage when it is known.

NMFS has concerns about the proposed permanent removal of the second catch threshold for these two stocks. In recent years, the scallop fishery has substantially exceeded its sub-ACL for northern windowpane (e.g., in 2023, the scallop fishery caught 398 percent of its sub-ACL), even in fishing years when the scallop fishery's

northern windowpane AM was in place. This indicates that either the AM is not effectively reducing the scallop fishery's catch of northern windowpane flounder, that the scallop fishery's sub-ACL is set unrealistically low, or both. The removal of the second catch threshold would reduce the likelihood that the AM would be implemented, without correcting for the conditions that are causing the scallop fishery to exceed its sub-ACL.

Clarifying Regulatory Changes

This action would also make multiple changes to clarify, correct, or remove existing regulations necessary to effectively implement the FMP. As part of the development of Framework 69, many of these changes were considered as part of the effort to accommodate four stocks of Atlantic cod, which required NMFS' thorough review of the existing regulations. These changes would still apply regardless of the Atlantic cod stock structure.

This action would remove an out-of-date definition for "stocks targeted by default measures" from § 648.2 (Definitions). It would also add the missing phrase of "it is unlawful" to several parts of § 648.14(k) (Prohibitions), and update this section to reflect the proposed reorganization of other sections in Subpart F. This action would also reimplement a prohibition on failing to comply with seasonal recreational closures; this is not a new requirement, but the corresponding prohibition had been erroneously removed in a previous action.

This action proposes to revise § 648.82 to include effort controls for both limited access permits (currently already in that section) and open access permits (currently in § 648.88) for consistency and clarity. This proposed revision does not change the effort controls themselves. Any possession limits that were previously described in § 648.82 and § 648.88 would be moved to § 648.86, where other Northeast multispecies possession limits are described.

This action proposes to revise § 648.85, "Special management programs," to clarify that common pool vessels fishing in special management programs or special access programs (which have their own set of possession limits) are also constrained by the possession limits more generally set for common pool vessels in § 648.86.

As described more fully under the Common Pool Trip Limits heading, this action proposes to revise § 648.86, "NE multispecies possession restrictions," to be organized based on permit-type, rather than by species. It also would

update the common pool possession and trip limits for stocks to reflect fishing year 2025 limits. This action also would remove the regulation from § 648.86 that requires vessels not using VMS to request a letter of authorization to be exempt from the GOM cod landing limits when fishing outside of the GOM cod stock area, as that measure is obsolete.

This action proposes several minor changes in § 648.87, "Sector allocation," clarifying that in the case of overages, sector ACE, rather than PSC, is reduced. As permits are relinquished from one fishing year to the next, the PSCs are minutely adjusted so that the cumulative sum of PSCs remains 100 percent. However, the ACE associated with that PSC change based on shifts in quotas. An overage would require ACE payback, not a reduction in PSC.

Currently, stock area definitions for the Northeast multispecies stocks are found in either § 648.85 or § 648.87. This action proposes to consolidate those definitions into § 648.88. These areas are not changing, although the description of unit stocks such as pollock and redfish (*i.e.*, species that have a single stock area) would be updated to be consistent between stocks.

In § 648.89, "Recreational and charter/party vessel restrictions," a paragraph that was inadvertently removed in a previous action is reimplemented to allow recreational vessels in possession of cod or haddock that meet the possession limit, minimum size, and open season specified for one stock area to transit the other stock areas with that fish, as long as the vessel complies with certain stowage requirements.

Lastly, this action proposes to revise § 648.90, "NE multispecies assessment, framework procedures and specifications, and flexible area action system" to be organized to more clearly reflect how the ABC is distributed between portions of the fishery. It does not make changes to this process, only the order presented in the regulations.

Classification

Pursuant to section 304(b)(1)(A) of the Magnuson-Stevens Act, the NMFS Assistant Administrator has made a preliminary determination that this proposed rule is consistent with the FMP, Framework 69, provisions of the Magnuson-Stevens Act, and other applicable law, subject to further consideration after public comment. In making the final determination, the Regional Administrator will consider whether the data, views, and comments

received during the public comment period for this action.

This proposed rule has been determined to be not significant for purposes of Executive Order 12866. This proposed rule is not an Executive Order 14192 regulatory action because this rule is not significant under Executive Order 12866.

An Initial Regulatory Flexibility Analysis (IRFA) was prepared for this proposed rule, as required by section 603 of the Regulatory Flexibility Act (RFA) (5 U.S.C. 603). The IRFA describes the economic impact that this proposed rule would have on small entities, including small businesses, and also determines ways to minimize these impacts. The IRFA includes this CLASSIFICATION and the Summary of Proposed Measures sections of this proposed rule and analyses contained in Framework 69 and its accompanying Environmental Assessment/Regulatory Impact Review/IRFA. A copy of the full analysis is available from the Council (see ADDRESSES). A summary of the IRFA follows.

Description of the Reasons Why Action by the Agency Is Being Considered and Statement of the Objectives of, and Legal Basis for, This Proposed Rule

This action proposes management measures, including annual catch limits, for the Northeast multispecies fishery in order to prevent overfishing, rebuild overfished groundfish stocks, and achieve optimum yield in the fishery, as required by the Magnuson-Stevens Act. A complete description of the action, why it is being considered, and the legal basis for this action are contained in Framework 69 (for measures specific to the Council's Framework 69), and in the **SUPPLEMENTARY INFORMATION** section of this proposed rule under the Summary of Proposed Measures heading (for measures specific to Framework 69, as well as measures that are separate from Framework 69, including the approval of sector operations plans and allocations, recreational measures, and common pool measures), and are not repeated here.

Description and Estimate of the Number of Small Entities to Which This Proposed Rule Would Apply

This proposed rule would impact the commercial and recreational groundfish, Atlantic sea scallop, small-mesh multispecies, Atlantic herring, and large-mesh non-groundfish fisheries. Individually permitted vessels may hold permits for several fisheries, harvesting species of fish that are regulated by several different FMPs, beyond those impacted by the proposed action.

Furthermore, multiple-permitted vessels and/or permits may be owned by entities affiliated by stock ownership, common management, identity of interest, contractual relationships, or economic dependency. For the purposes of the RFA analysis, the ownership entities, not the individual vessels, are considered to be the regulated entities.

As of June 1, 2024, NMFS had issued 669 commercial limited-access groundfish permits associated with vessels (including those in confirmation of permit history (CPH)), 719 party/charter groundfish permits, 696 limited access and general category Atlantic sea scallop permits, 761 small-mesh multispecies permits, 71 Atlantic herring permits, and 743 large-mesh non-groundfish permits (i.e., limited access summer flounder and scup permits). Therefore, this action potentially regulates 3,659 permits. When accounting for overlaps between fisheries, this number reduces to 2,144 permitted vessels. Each vessel may be individually owned or part of a larger corporate ownership structure and, for RFA purposes, it is the ownership entity that is ultimately regulated by the proposed action. Ownership entities are identified on June 1st of each year based on the list of all permit numbers, for the most recent complete calendar year, that have applied for any type of Greater Atlantic Region Federal fishing permit. The current ownership data set is based on calendar year 2023 permits and contains gross sales associated with those permits for calendar years 2019 through 2023.

For RFA purposes only, NMFS has established a small business size standard for businesses, including their affiliates, whose primary industry is commercial fishing (see § 200.2). A business primarily engaged in commercial fishing (NAICS code 11411) is classified as a small business if it is independently owned and operated, is not dominant in its field of operation (including its affiliates), and has combined annual receipts not in excess of \$11 million for all its affiliated operations worldwide. The determination as to whether the entity is large or small is based on the average annual revenue for the five years from 2019 through 2023. The Small Business Administration (SBA) has established size standards for all other major industry sectors in the U.S., including for-hire fishing (NAICS code 487210). These entities are classified as small businesses if combined annual receipts are not in excess of \$8.0 million for all of an entity's affiliated operations. As with commercial fishing businesses, the annual average of the three most recent

years (2019–2023) is utilized in determining annual receipts for businesses primarily engaged in for-hire fishing.

Based on the ownership data, 1,648 distinct business entities hold at least one permit that the proposed action potentially regulates. All 1,648 business entities identified could be directly regulated by this proposed action. Of these 1,648 entities, 891 are commercial fishing entities, 326 are for-hire entities, and 431 did not have revenues (were inactive in 2023). Of the 891 commercial fishing entities, 881 are categorized as small entities and 10 are categorized as large entities, per the NMFS guidelines. Furthermore, 412 of these commercial fishing entities held limited access groundfish permits, with 408 of these entities being classified as small businesses and 4 of these entities being classified as large businesses. All 326 for-hire entities are categorized as small businesses.

Description of the Projected Reporting, Record-Keeping, and Other Compliance Requirements of This Proposed Rule

The proposed action does not contain any new collection-of-information requirements under the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), but it does remove three existing requirements. This action proposes to remove the regulation requiring sectors to provide a list of State and Federal permits owned by its members, the regulation requiring sectors to submit weekly catch reports, and the regulation requiring vessels not using VMS to request a letter of authorization to be exempt from the GOM cod landing limits when fishing outside of the GOM cod stock area, which will no longer exist. The removal of these requirements and PRA implications is described more fully below.

Federal Rules Which May Duplicate, Overlap, or Conflict With This Proposed Rule

The proposed action does not duplicate, overlap, or conflict with any other Federal rules.

Description of Significant Alternatives to the Proposed Action Which Accomplish the Stated Objectives of Applicable Statutes and Which Minimize Any Significant Economic Impact on Small Entities

The economic impacts of each proposed measure are discussed in more detail in sections 6.5 and 7.12 of the draft Framework 69 Environmental Assessment (see ADDRESSES) and are not repeated here. The EA also included the economic impact of measures relating to

the four stocks of cod, which are not proposed in this rule, due to the disapproval of Amendment 25. Additionally, a supplemental information report was prepared to support the May 2, 2025, emergency action, which is the current status quo and represents the No Action alternative if the measures proposed in this rule are not approved. The Council considered only the No Action alternative and the measures proposed in this rule. The Council develops “ACLs for each of its managed fisheries that may not exceed the ‘fishing level recommendations’ of its SSC or peer review process” (16 U.S.C. 302(h)(6); see also 50 CFR 600.310(b)(2)(v)(D)). The proposed catch limits (ABCs and associated ACLs) in this action are the least restrictive as practicably could be set without exceeding the SSC’s advice, as required pursuant to the Magnuson-Stevens Act, were recommended by the Council consistent with previously set formulas, and are consistent with the Magnuson-Stevens Act’s requirement to prevent overfishing. The No Action alternative for catch limits no longer reflects the best scientific information available and is therefore not consistent with National Standard 2 of the Magnuson-Stevens Act. Under the provisions of the Magnuson-Stevens Act, on behalf of the Secretary of Commerce, GARFO’s Regional Administrator approves, disapproves, or partially approves measures that the Council recommends, based on consistency with the Act and other applicable law. The proposed action is predicted to generate \$34.7 million in gross revenues for the sector portion of the commercial groundfish trips. Relative to the status quo under the emergency action, this is approximately \$1.3 million more gross revenue, and therefore the overall proposed action is predicted to result in positive impacts relative to No Action. However, the proposed action is predicted to result in \$7.0 million less than the amount of gross revenues generated in fishing year 2023. Small entities engaged in common pool groundfish fishing are expected to be positively impacted by the proposed action, relative to the No Action alternative. Small entities engaged in the recreational groundfish fishery are likely to be positively impacted by the increase in the GOM haddock sub-ACL. The proposed recreational measures for GOM cod and GOM haddock are expected to have a positive effect on small entities, because they are expected to increase opportunity to harvest GOM cod and GOM haddock compared to status quo measures. The proposed

modification to the scallop fishery’s AM catch threshold for GB yellowtail flounder and northern windowpane flounder will reduce the likelihood of negative impacts to the scallop fishery. The proposed action reduces the allocation of GB haddock to the midwater trawl fishery relative to fishing year 2024, but increases the allocation of GOM haddock, and increases the allocation of GB yellowtail flounder to the small-mesh multispecies fishery. Given that utilization rates for all three stocks by these fisheries have been low in recent years, these fisheries are not expected to be negatively impacted by these changes.

This proposed rule contains a collection-of-information requirement subject to review and approval by the Office of Management and Budget (OMB) under the PRA. This rule is requesting an extension to and a revision of the existing requirements for the collection of information 0648–0605, Northeast Multispecies Reporting Requirements, by removing the regulation that requires sectors to report ACE on a weekly basis; removing the regulation that provides an option for sectors increase the frequency of ACE reporting for sectors when the balance of remaining ACE is low, as specified in the sector operations plan and approved by NMFS; and removing the regulation that requires sectors to include in their operations plan a list of all Federal and State permits held by persons participating in the sector, including an indication for each permit whether it is enrolled and will actively fish in a sector, or will be subject to the provisions of the common pool. Removing these requirements reduces the burden hours for reporting by sectors by 0.2 hours per response for the removal of the regulation to report ACE on a weekly basis, and by 33 hours per response for the removal of the regulation to include a list of permits. These changes will not affect the number of respondents or anticipated number of responses.

Public reporting burden for sector operations plan and membership list updates is estimated to average 77 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Public reporting burden for sector weekly reports is estimated to average 0.1 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

This proposed rule would also remove the regulation requiring vessels not using VMS to request a letter of authorization to be exempt from the GOM cod landing limits when fishing outside of the GOM cod stock area. This would result in a change to the collection of information 0648–0202, Greater Atlantic Region Permit Family of Forms. The removal of this regulation would reduce the public reporting burden by approximately 0.085 hours per response.

Public comment is sought regarding: whether this proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; the accuracy of the burden estimate; 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, including through the use of automated collection techniques or other forms of information technology. Submit comments on these or any other aspects of the collection of information at: <https://www.reginfo.gov/public/do/PRAMain>.

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

List of Subjects in 50 CFR Part 648

Fisheries, Fishing, Recordkeeping, and reporting requirements.

Dated: December 1, 2025.

Samuel D. Rauch III,

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

For the reasons stated in the preamble, NMFS proposes to amend 50 CFR part 648 as follows:

PART 648—FISHERIES OF THE NORTHEASTERN UNITED STATES

- 1. The authority citation for part 648 continues to read as follows:

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

- 2. In § 648.2, remove the definition “Stocks targeted by the default measures”.
- 3. Amend § 648.11 by revising paragraphs (l)(8) and (l)(10)(iii) to read as follows:

§ 648.11 Monitoring coverage.

* * * * *

(l) * * *

(8) *Notification of monitoring service provider change.* A sector manager must first inform NMFS in writing in advance of the effective date of any change in the sector's choice of approved monitoring service providers used to provide at-sea or electronic monitoring services required in paragraph (l)(2) of this section. A sector may use more than one approved monitoring service provider at any time, provided any monitoring service provider employed by or contracted with a sector meets the standards specified in paragraph (b)(4) of this section.

* * * * *

(10) * * *

(iii) *Sector requirements.* Each sector shall monitor its vessels' catch to ensure that ACEs are not exceeded during the fishing year, as specified in this paragraph (l)(10)(iii). The sector shall summarize trips validated by dealer reports; oversee the use of electronic monitoring equipment and review of associated data; maintain a database of VTR, dealer, observer, and electronic monitoring reports; determine all species landings by stock areas; apply discard estimates to landings; and deduct catch from ACEs allocated to sectors; and report sector compliance/enforcement issues on a weekly basis to NMFS, as required in § 648.87(b)(1)(v). Unless otherwise specified in this paragraph (l)(10), all catches of stocks allocated to sectors by vessels on a sector trip shall be deducted from the sector's ACE for each regulated species stock regardless of the fishery the vessel was participating in when the fish was caught. For the purposes of this paragraph (l)(10), any regulated species or ocean pout caught using gear capable of catching NE multispecies (*i.e.*, gear not listed as exempted gear under this part) would be deducted from a sector's ACE if such catch contributed to the specification of PSC, as described in § 648.87(b)(1)(i)(E), and would not apply to another ACL sub-component pursuant to § 648.90(a)(4). For example, any regulated species or ocean pout landed while fishing for or catching skates or monkfish pursuant to the regulations in this chapter for those fisheries would be deducted from the sector's ACE for each stock because such regulated species or ocean pout were caught while also operating under a NE multispecies DAS. However, for example, if a sector vessel is issued a limited access General Category Atlantic Sea Scallop permit and fishes for scallops under the provisions specific to that permit, any yellowtail flounder caught by the vessel on such trips would be deducted from the appropriate

non-groundfish component, such as the other sub-component or the appropriate yellowtail flounder stock's ACL specified for the Atlantic Sea Scallop fishery and not from the yellowtail flounder ACE for the sector.

* * * * *

■ 4. Amend § 648.14 as follows:

■ a. Remove and reserve paragraph (k)(9)(i);

■ b. Revise paragraphs (k)(11)(i)(A) introductory text and (B), (k)(11)(ii), (iii) introductory text, (iv) introductory text, (v) introductory text, and (vi), (k)(12)(ii), (iii) introductory text, (v) introductory text, (vi)(A) introductory text and (B) introductory text, and paragraph (k)(13)(ii) introductory text;

■ c. Remove paragraphs (k)(13)(ii)(D) through (H) and redesignate paragraphs (k)(13)(ii)(I) and (J) as (k)(13)(ii)(D) and (E), respectively;

■ d. Revise paragraph (k)(15)(i) introductory text;

■ e. Remove paragraph (k)(15)(i)(C);

■ f. Revise paragraph (k)(15)(ii)(A)(4);

■ g. Remove paragraph (k)(15)(ii)(A)(5); and

■ h. Revise paragraphs (k)(16)(iii)(A) and (C).

The revisions are to read as follows:

§ 648.14 Prohibitions.

* * * * *

(k) * * *

(11) * * *

(i) * * *

(A) *All Persons.* It is unlawful for any person to do any of the following:

* * * * *

(B) *Vessel and operator permit holders.* It is unlawful for any person to fail to comply with the GB yellowtail flounder trip limit specified under § 648.85(a)(3)(iv)(C).

(ii) *Gear requirements for all persons.* It is unlawful for any person, if fishing with trawl gear under a NE multispecies DAS or on a sector trip in the Eastern U.S./Canada Area defined in § 648.85(a)(1)(ii), to fail to fish with a haddock separator trawl, flounder trawl net, or Ruhle trawl, as specified in § 648.85(a)(3)(iii) and (b)(6)(iv)(J)(1), unless using other gear authorized under § 648.85(b)(6) or (8).

(iii) *Notification and VMS requirements for all persons.* It is unlawful for any person to do any of the following:

* * * * *

(iv) *Reporting requirements for all persons.* It is unlawful for any person to do any of the following:

* * * * *

(v) *DAS.* It is unlawful for any person to do any of the following:

* * * * *

(vi) *Closure of the U.S./Canada Area for all persons.* It is unlawful for any person if fishing under a NE multispecies DAS or on a sector trip, to declare into, enter, or fish in the Eastern U.S./Canada Area specified in § 648.85(a)(1) if the area is closed under the authority of the Regional Administrator as described in § 648.85(a)(3)(iv)(D) or (E), unless fishing in the Closed Area II Yellowtail Flounder/Haddock SAP specified in § 648.85(b)(3) or the Eastern U.S./Canada Haddock SAP Program specified in § 648.85(b)(7).

(12) * * *

(ii) *General restrictions for vessel and operator permit holders.* It is unlawful for any person to discard legal-sized NE regulated multispecies, ocean pout, or Atlantic halibut while fishing under a SAP, as described in §§ 648.85(b)(3)(xi) or 648.85(b)(7)(v)(I).

(iii) *Closed Area II Yellowtail Flounder/Haddock SAP restrictions for all persons.* It is unlawful for any person to do any of the following:

* * * * *

(v) *Regular B DAS Program restrictions for vessel and operator permit holders.* It is unlawful for any person to do any of the following:

* * * * *

(vi) * * *

(A) *All Persons.* It is unlawful for any person to do any of the following:

* * * * *

(B) *Vessel and operator permit holders.* It is unlawful for any person to do any of the following:

* * * * *

(13) * * *

(ii) *Vessel and operator permit holders.* It is unlawful for any person to do any of the following:

* * * * *

(15) * * *

(i) *All persons.* It is unlawful for any person to do any of the following:

* * * * *

(ii) * * *

(A) * * *

(4) Fish for, possess, or land NE multispecies from March 1 to March 20, as specified in § 648.82(m)(1)(ii).

* * * * *

(16) * * *

(iii) * * *

(A) Fail to comply with the applicable restrictions if transiting a stock area with cod or haddock on board that was caught from a different stock area, as specified in §§ 648.89(b)(2)(ii) and (c)(8).

* * * * *

(C) If the vessel is a private recreational fishing vessel, fail to

comply with the seasonal closure for cod or haddock described in § 648.89(c)(1) or, if the vessel has been issued a charter/party permit or is fishing under charter/party regulations, fail to comply with the seasonal closure for cod or haddock described in § 648.89(c)(2).

* * * * *

■ 5. Amend § 648.82 as follows:

■ a. Revise the section heading at § 648.82;

■ b. Add paragraph heading for paragraph (a) introductory text;

■ c. Revise paragraph heading of paragraph (b) introductory text;

■ d. Revise paragraphs (b)(5) and (6), (d)(1)(iv)(A) and (B), (d)(2)(i)(B)(4)(i), and (d)(2)(ii)(B)(4)(i);

■ e. Add paragraph (e)(1)(ii);

■ f. Revise paragraph (e)(3);

■ g. Add paragraph (m);

■ h. Remove and reserve paragraph (n)(1);

■ i. Revise paragraph (n)(2) introductory text;

■ j. Remove paragraph (o).

The revisions and additions read as follows:

§ 648.82 Effort-control program for NE multispecies vessels.

* * * * *

(a) *Limited access NE multispecies vessels.* * * *

* * * * *

(b) *Limited access permit categories.*

* * *

* * * * *

(5) *Small Vessel category.* A vessel qualified and electing to fish under the Small Vessel category may operate without using a DAS, provided the vessel does not exceed the possession restrictions specified at § 648.86(a)(2). The vessel may not fish for, possess, or land regulated species from March 1 through March 20 of each year, as described in paragraph (g) of this section. Any vessel may elect to switch into the Small Vessel category, as provided in § 648.4(a)(1)(i)(I)(2), if the vessel meets or complies with the following:

(i) The vessel is 30 ft (9.1 m) or less in length overall, as determined by measuring along a horizontal line drawn from a perpendicular raised from the outside of the most forward portion of the stem of the vessel to a perpendicular raised from the after most portion of the stern.

(ii) If construction of the vessel was begun after May 1, 1994, the vessel must be constructed such that the quotient of the length overall divided by the beam is not less than 2.5.

(iii) Acceptable verification for vessels 20 ft (6.1 m) or less in length shall be

U.S. Coast Guard documentation or State registration papers. For vessels over 20 ft (6.1 m) in length overall, the measurement of length must be verified in writing by a qualified marine surveyor, or the builder, based on the vessel's construction plans, or by other means determined acceptable by the Regional Administrator. A copy of the verification must accompany an application for a NE multispecies permit.

(iv) Adjustments to the Small Vessel category requirements, including changes to the length requirement, if required to meet fishing mortality goals, may be made by the Regional Administrator following framework procedures of § 648.90.

(6) *Handgear A category.* A vessel qualified and electing to fish under the Handgear A category, as described in § 648.4(a)(1)(i)(A), may retain, per trip, the possession limits for all regulated species and ocean pout, as specified under § 648.86(a)(3). Qualified vessels electing to fish under the Handgear A category are subject to the following restrictions:

(i) The vessel must not use or possess on board gear other than handgear while in possession of, fishing for, or landing NE multispecies; and

(ii) Tub-trawls must be hand-hauled only, with a maximum of 250 hooks.

* * * * *

(d) * * *

(1) * * *

(iv) * * *

(A) For a vessel fishing under the provisions of the common pool, as defined in this part, Category A DAS are defined as 27.5 percent of the vessel's used DAS baseline specified in paragraph (c)(1) of this section, unless otherwise reduced pursuant to § 648.87(b)(1)(iii).

(B) For a sector vessel, Category A DAS allocated for use when fishing in other fisheries that require the concurrent use of a NE multispecies DAS are defined as 45 percent of the vessel's used DAS baseline specified in paragraph (c)(1) of this section.

(2) * * *

(i) * * *

(B) * * *

(4) * * *

(i) For a common pool vessel, Regular B DAS are defined as 36.25 percent of the vessel's used DAS baseline specified in paragraph (c)(1) of this section.

* * * * *

(ii) * * *

(B) * * *

(4) * * *

(i) For a common pool vessel, Reserve B DAS are defined as 36.25 percent of

the vessel's used DAS baseline specified in paragraph (c)(1) of this section.

* * * * *

(e) * * *

(1) * * *

(ii) *Sector vessels.* For the purposes of complying with the restrictions of other fisheries that require the use of a NE multispecies DAS, a vessel on a sector trip shall accrue DAS to the nearest minute and shall be counted as actual time called or logged into the DAS program, consistent with the DAS notification requirements specified in § 648.10.

* * * * *

(3) *Regular B DAS Program 24-hr clock.* For a vessel electing to fish in the Regular B DAS Program, as specified at § 648.85(b)(6), that remains fishing under a Regular B DAS for the entire fishing trip (without a DAS flip), DAS shall accrue at the rate of 1 full DAS for each calendar day, or part of a calendar day fished. For example, a vessel that fished on 1 calendar day from 6 a.m. to 10 p.m. would be charged 24 hr of Regular B DAS, not 16 hr; a vessel that left on a trip at 11 p.m. on the first calendar day and returned at 10 p.m. on the second calendar day would be charged 48 hr of Regular B DAS instead of 23 hr, because the fishing trip would have spanned 2 calendar days. For the purpose of calculating trip limits specified under § 648.86, the amount of DAS deducted from a vessel's DAS allocation shall determine the amount of fish the vessel can land legally. For vessels electing to fish in both the Regular B DAS Program, as specified in § 648.85(b)(6), and in the Eastern U.S./Canada Area, as specified in § 648.85(a), DAS counting will begin and end according to the DAS rules specified in § 648.10(e)(5)(iv).

* * * * *

(m) *Multispecies open access permit restrictions.* (1) *Handgear B permit.* A vessel issued a valid Handgear B permit, as described in § 648.4(a)(1)(ii), may retain, per trip, the possession limits for all regulated species and ocean pout, as specified under § 648.86(a)(4). Qualified vessels electing to fish under the Handgear B category are subject to the following restrictions:

(i) The vessel may not use or possess on board gear other than handgear while in possession of, fishing for, or landing NE multispecies, and must have at least one standard tote on board;

(ii) The vessel may not fish for, possess, or land regulated species from March 1 through March 20 of each year as described in paragraph (g) of this section; and

(iii) The vessel, if fishing with tub-trawl gear, may not fish with more than a maximum of 250 hooks.

(2) *Charter/party permit.* A vessel that has been issued a valid open access NE multispecies charter/party permit is subject to the additional restrictions on gear, recreational minimum fish sizes, possession limits, and prohibitions on sale specified in § 648.89, and any other applicable provisions of this part.

(3) *Scallop NE multispecies possession limit permit.* A vessel that has been issued a valid open access scallop NE multispecies possession limit permit must not exceed the possession limit restrictions in § 648.86(c)(3).

(4) *Non-regulated NE multispecies permit.* A vessel issued a valid open access non-regulated NE multispecies permit may possess and land one Atlantic halibut and unlimited amounts of other non-regulated NE multispecies, unless otherwise restricted by § 648.86. The vessel is subject to restrictions on gear, area, and time of fishing specified in § 648.80 and any other applicable provisions of this part.

* * * * *

(n) * * *

(2) *Trimester TAC AM.* Common pool vessels shall be subject to the following restrictions: * * * * *

■ 6. Amend § 648.85 as follows:

■ a. Revise paragraph (a)(3)(iv) introductory text, paragraph (b)(3)(viii) introductory text, and paragraph (b)(6)(iv)(F);

■ b. Remove and reserve paragraph (b)(6)(v); and

■ c. Revise paragraph (b)(7)(v)(F).

The revisions read as follows:

§ 648.85 Special management programs.

(a) * * *

(3) * * *

(iv) *Harvest controls.* Unless otherwise specified in this paragraph (a)(3)(iv), any NE multispecies vessel

fishing in the U.S./Canada Management Areas is subject to the following restrictions. A common pool vessel is subject to the trip limits specified in this paragraph (a)(3)(iv), as well as the possession or landing limits in this part, including § 648.86. A sector vessel is subject to the trip limits specified in § 648.87(b)(1)(viii).

* * * * *

(b) * * *

(3) * * *

(viii) *Trip limits.* Vessels subject to the provisions of the common pool that are fishing in the Closed Area II Yellowtail Flounder/Haddock SAP are subject to the following trip limits, as well as the possession or landing limits in this part, including § 648.86. Vessels subject to the restrictions and conditions of an approved sector operations plan fishing in the Closed Area II Yellowtail Flounder/Haddock SAP are subject to the trip limits specified in § 648.87(b)(1)(viii).

* * * * *

(6) * * *

(iv) * * *

(F) *Minimum Category A DAS and B DAS accrual.* For a vessel fishing under the Regular B DAS Program, the number of Regular B DAS that may be used on a trip cannot exceed the number of Category A DAS that the vessel has at the start of the trip. A vessel fishing in the Regular B DAS Program for its entire trip shall accrue DAS in accordance with § 648.82(e)(1).

* * * * *

(7) * * *

(v) * * *

(F) *Landing limits.* Vessels subject to the provisions of the common pool that are fishing any portion of a trip in the Eastern U.S./Canada Haddock SAP are subject to the following possession limits, as well as the possession or landing limits in this part, including paragraph (a)(3)(iv) of this section and § 648.86: 1,000 lb (453.6 kg) of cod, per

trip, regardless of trip length and 100 lb (45.4 kg) per DAS, or any part of a DAS, of GB yellowtail flounder, up to a maximum of 500 lb (227 kg) of all flatfish species, combined. Possession of monkfish (whole weight) and skates (whole weight) is limited to 500 lb (227 kg) each, unless otherwise restricted by § 648.94(b)(3), and possession of lobsters is prohibited. A sector vessel is subject to the trip limits specified in § 648.87(b)(1)(viii).

* * * * *

■ 7. Amend § 648.86 as follows:

■ a. Revise section heading;

■ b. Revise paragraphs (a) through (c);

■ c. Remove paragraph (e);

■ d. Redesignate paragraph (d) as paragraph (e);

■ e. Add new paragraph (d); and

■ f. Remove paragraphs (f) through (o).

The revisions and additions read as follows:

§ 648.86 NE Multispecies commercial possession restrictions.

* * * * *

(a) *NE multispecies common pool vessels.*

(1) *DAS Permits.* A common pool vessel issued a valid Federal NE multispecies DAS permit specified under § 648.4(a)(1) is subject to the following possession limits for regulated multispecies and may not possess or land more than the amounts listed in Table 1 to paragraph (a)(1) for each DAS or part of a DAS fished, up to the amount listed per trip, unless changed by the Regional Administrator through an inseason action, as specified at paragraph (a)(5) of this section. Current possession limits, as adjusted by any inseason actions, are available at: <https://www.fisheries.noaa.gov/new-england-mid-atlantic/commercial-fishing/northeast-multispecies-common-pool-fishery>.

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Table 1 to Paragraph (a)(1)

Stock ¹	DAS limit ²	Trip limit ²
GB cod ³	0 lb (0 kg) per DAS	0 lb (0 kg) per trip
GOM cod ³	25 lb (11.3 kg) per DAS	50 lb (22.7 kg) per trip
GOM haddock	1,000 lb (453 kg) per DAS	2,000 lb (907 kg) per trip
GB haddock	1,000 lb (453 kg) per DAS	2,000 lb (907 kg) per trip
CC/GOM yellowtail flounder ⁴	1,500 lb (680 kg) per DAS	3,000 lb (1,360 kg) per trip
GB yellowtail flounder ⁴	No daily limit	100 lb (45.4 kg) per trip
SNE yellowtail flounder ⁴	200 lb (90.7 kg) per DAS	400 lb (181 kg) per trip
American plaice	3,000 lb (1,360 kg) per DAS	6,000 lb (2,721 kg) per trip
Witch flounder	No daily limit	1,500 lb (680 kg) per trip
GB winter flounder	No daily limit	500 lb (227 kg) trip
GOM winter flounder	No daily limit	2,000 lb (907 kg) per trip
SNE/MA winter flounder	2,000 lb (907 kg) per DAS	4,000 lb (1,814 kg) per trip
Redfish	Unlimited	Unlimited
White hake	No daily limit	1,000 lb (453 kg) per trip
Pollock	Unlimited	Unlimited

¹ The stock areas that apply to these possession limits are specified in § 648.88.

² The possession limits in Table 1 to Paragraph (a)(1) may be adjusted in-season by the Regional Administrator, as specified under at § 648.86(a)(5). Current possession limits are available at: <https://www.fisheries.noaa.gov/new-england-mid-atlantic/commercial-fishing/northeast-multispecies-common-pool-fishery>.

³ Additional restrictions for cod stocks are specified at § 648.86(a)(6)(iii).

⁴ Additional restrictions for yellowtail flounder stocks are specified at § 648.86(a)(6)(iv).

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(2) *Small vessel permits.* A vessel qualified and electing to fish under the Small Vessel category, as described at § 648.82(b)(5), may retain up to 300 lb (136.1 kg) of cod, haddock, and yellowtail flounder, combined, provided the vessel does not exceed the NE multispecies DAS permit daily possession restrictions for these stocks specified at paragraphs (a)(1) and (b) of this section. Such a vessel may retain, per trip, up to the daily possession limits for other NE multispecies, as specified at paragraphs (a)(1) and (b) of this section. If there is no daily possession limit for a stock, as specified in paragraph (a)(1), such a vessel may retain, per trip, up to the trip limit specified in paragraph (a)(1).

(3) *Handgear A permits.* A vessel qualified and electing to fish under the Handgear A category, as described at § 648.82(b)(6), may retain, per trip, up to the daily possession limit for NE

multispecies, as specified under paragraphs (a)(1) and (b) of this section, provided the vessel complies with the restrictions and conditions specified in § 648.82(b)(6). If there is no daily possession limit for a stock, as specified in paragraph (a)(1), a Handgear A vessel may retain, per trip, up to the trip limit specified in paragraph (a)(1). The Handgear A possession limit for cod stocks cannot exceed 300 lb (136.1 kg) per trip. For example, if the GB cod trip limit for NE multispecies DAS vessels was increased to 350 lb (158.8 kg) per DAS, then the GB cod trip limit for a vessel issued a Handgear A category permit would be 300 lb (136.1 kg).

(4) *Handgear B permits.* A vessel qualified and electing to fish under the Handgear B category, as described in § 648.82(m)(1), may retain, per trip, up to the daily possession limit restrictions for NE multispecies other than cod as specified in paragraphs (a)(1) and (b) of this section, provided the vessel

complies with the restrictions and conditions specified in § 648.82(m)(1). If there is no daily possession limit for a stock, as specified in paragraph (a)(1), a Handgear B vessel may retain, per trip, up to the trip limit specified in paragraph (a)(1). For cod stocks, a vessel fishing under the Handgear B permit may retain up to 25 lb (11.3 kg) per trip, unless the trip limit applicable to a vessel fishing under a NE multispecies DAS permit has been set to 0 lb, in which case the Handgear B possession limit is also 0 lb. NMFS may adjust the cod possession limit for Handgear B vessels, as specified under at paragraph (a)(5) of this section, but this possession limit for cod stocks cannot exceed 75 lb (34 kg) per trip.

(5) *Regional Administrator authority to implement or modify possession limits—*

(i) *Possession restrictions to prevent exceeding common pool sub-ACLs.* If the Regional Administrator projects that

the catch of any NE multispecies stock allocated to common pool vessels pursuant to § 648.90(a)(4) will exceed the pertinent sub-ACL, NMFS may implement or adjust at any time prior to or during the fishing year, in a manner consistent with the Administrative Procedure Act, a per-DAS possession limit and/or a trip limit, as specified in paragraphs (a)(1) through (4) of this section, in order to prevent exceeding the common pool sub-ACL in that fishing year.

(ii) *Possession restrictions to facilitate harvest of sub-ACLs allocated to the common pool.* If the Regional Administrator projects that the sub-ACL of any stock allocated to the common pool pursuant to § 648.90(a)(4) will not be caught during the fishing year, the Regional Administrator may remove or adjust, in a manner consistent with the Administrative Procedure Act, a per-DAS possession limit and/or a trip limit, as specified in paragraphs (a)(1) through (4) of this section, in order to facilitate harvest and enable the total catch to approach, but not exceed, the pertinent sub-ACL allocated to the common pool for that fishing year.

(6) *Additional possession restrictions for common pool vessels.*

(i) *Daily landing restriction.* A vessel issued a limited access NE multispecies permit or an open access NE multispecies Handgear B permit may land regulated species or ocean pout only once in any 24-hr period, based upon the time the vessel lands following the end of the previous trip. For example, if a vessel lands 1,600 lb of pollock at 6 p.m. on Tuesday, that vessel cannot land any more regulated species or ocean pout until at least 6 p.m. on the following Wednesday.

(ii) *Possession limits for vessels fishing in multiple areas.* If any NE multispecies permitted vessel fishes in more than one stock area on the same trip, as defined in § 648.88, the most restrictive trip limit for a species applies for the entire trip. For example, if the trip limit for GB winter flounder is 500 lb and the GOM winter flounder trip limit is 2,000 lb, a vessel fishing in both the GB and GOM winter flounder stock areas on the same trip cannot possess more than 500 lb of winter flounder on that trip.

(iii) *Cod.* Cod on board a vessel subject to the possession limits in paragraph (a) of this section must be separated from other species of fish and stored so as to be readily available for inspection.

(iv) *Yellowtail flounder.* A vessel fishing in the GB yellowtail stock area defined at § 648.88(a)(7), but exclusively outside of the U.S./Canada Management

Area, as defined in § 648.85(a)(1), is subject to the GB yellowtail flounder limit described in paragraph (a) of this section. A vessel fishing in the U.S./Canada Management Area defined in § 648.85(a)(1) is subject to the GB yellowtail flounder limit described in paragraph § 648.85(a)(3)(iv)(C). A vessel fishing outside and inside of the U.S./Canada Management Area on the same trip is subject to the most restrictive yellowtail flounder trip limit (*i.e.*, the most restrictive of all the trip limits for all three yellowtail flounder stocks, as specified by paragraph (a) of this section or § 648.85(a)(3)(iv)(C)).

(v) *Offloading requirement for vessels possessing species regulated by a daily possession limit.* A vessel that has ended a trip as specified in § 648.10(e)(2)(iii) or (h)(5) that possesses on board species regulated by a daily possession limit (*i.e.*, pounds per DAS), as specified at § 648.85 or § 648.86, must offload species in excess of the daily possession limit prior to leaving port on a subsequent trip. A vessel may retain on board up to one day's worth of such species prior to the start of a subsequent trip. Other species regulated by an overall trip limit may be retained on board for a subsequent trip. For example, a vessel that possesses haddock and winter flounder harvested from Gulf of Maine is subject to a daily possession limit for haddock of 1,000 lb (453 kg)/DAS and an overall trip limit of 2,000 lb (907 kg)/trip for winter flounder (no daily possession limit). In this example, the vessel would be required to offload any haddock harvested in excess of 1,000 lb (453 kg) (*i.e.*, the vessel may retain up to 1,000 lb (453 kg) of GOM haddock, and must offload any additional haddock), but may retain 2,000 lb of winter flounder prior to leaving port and crossing the VMS Demarcation Line to begin a subsequent trip.

(b) *NE multispecies vessels.*

(1) *Atlantic halibut.* A vessel issued a NE multispecies permit under § 648.4(a)(1) may land or possess on board no more than one Atlantic halibut per trip, provided the vessel complies with other applicable provisions of this part, unless otherwise specified in the Atlantic halibut accountability measures at § 648.90(a)(5)(i)(F).

(2) *Ocean pout, windowpane flounder, and Atlantic wolffish.* A vessel issued a limited access NE multispecies permit or an open access NE multispecies Handgear B permit may not fish for, possess, or land ocean pout, windowpane flounder, or Atlantic wolffish.

(3) *Calculation of weight of fillets or parts of fish.* The possession limits

described under this part are based on the weight of whole, whole-gutted, or gilled fish. For purposes of determining compliance with the possession limits specified in this section, the weight of fillets and parts of fish, other than whole-gutted or gilled fish, as allowed under § 648.83(a) and (b), will be multiplied by 3.

(4) *Other possession restrictions.*

Vessels are subject to any other applicable possession limit restrictions of this part, including, but not limited to, the possession limits for other FMPs and special management programs.

(c) *Scallop dredge vessels.*

(1) *Haddock prohibition.* No person owning or operating a scallop dredge vessel may land haddock from, or possess haddock on board, a scallop dredge vessel from January 1 through June 30.

(2) *Haddock possession.* Unless otherwise authorized by the Regional Administrator, scallop dredge vessels or persons owning or operating a scallop dredge vessel that is fishing under a scallop DAS allocated under § 648.53 may land or possess on board up to 300 lb (136.1 kg) of haddock, provided the vessel does not fish for, possess, or land haddock from January 1 through June 30, as specified under paragraph (c)(1) of this section, except as specified in paragraph (c)(3) of this section, provided that the vessel has at least one standard tote on board. This restriction does not apply to vessels also issued limited access NE multispecies permits that are fishing under a multispecies DAS. Haddock on board a vessel subject to this possession limit must be separated from other species of fish and stored so as to be readily available for inspection.

(3) *Scallop NE multispecies possession limit permit.*

With the exception of vessels fishing in the Sea Scallop Access Areas as specified in § 648.59(b) through (d), a vessel that has been issued a valid open access scallop NE multispecies possession limit permit may possess and land up to 300 lb (136.1 kg) of regulated NE multispecies when fishing under a scallop DAS allocated under § 648.53, provided the vessel does not fish for, possess, or land haddock from January 1 through June 30, as specified under paragraph (c)(1) of this section, and provided that the amount of regulated NE multispecies on board the vessel does not exceed any of the pertinent trip limits specified under § 648.86, and provided the vessel has at least one standard tote on board, as defined at § 648.2. A vessel fishing in the Sea Scallop Access Areas as specified in §§ 648.59(b) through (d) is

subject to the possession limits specified in § 648.59(b)(5).

(d) *Incidental catch allowance for some Atlantic herring vessels.* A vessel issued a Category A or B Herring Permit fishing on a declared herring trip, regardless of gear or area fished, or a vessel issued a Category C, D, or E Herring Permit and fishing with midwater trawl gear pursuant to § 648.80(d), may only possess and land haddock, in accordance with requirements specified in § 648.80(d) and (e).

(1) *Haddock incidental catch cap.* When the Regional Administrator has determined that the incidental catch allowance for a given haddock stock, as specified in § 648.90(a)(4)(iii)(E), has been caught, no vessel issued an Atlantic herring permit and fishing with midwater trawl gear in the applicable

stock area, *i.e.*, the Herring GOM Haddock Accountability Measure (AM) Area or Herring GB Haddock AM Area, as defined in paragraphs (d)(2) and (3) of this section, may fish for, possess, or land herring in excess of 2,000 lb (907.2 kg) per trip in or from that area, unless all herring possessed and landed by the vessel were caught outside the applicable AM Area and the vessel's gear is stowed and not available for immediate use as defined in § 648.2 while transiting the AM Area. Upon this determination, the haddock possession limit is reduced to 0 lb (0 kg) for a vessel issued a Federal Atlantic herring permit and fishing with midwater trawl gear or for a vessel issued a Category A or B Herring Permit fishing on a declared herring trip, regardless of area fished or gear used, in the applicable AM Area, unless the vessel also possesses a NE

multispecies permit and is operating on a declared (consistent with § 648.10(g)) NE multispecies trip. In making this determination, the Regional Administrator shall use haddock catches observed by observers or monitors on herring vessel trips using midwater trawl gear in Management Areas 1A, 1B, and/or 3, as defined in § 648.200(f)(1) and (3), expanded to an estimate of total haddock catch for all such trips in a given haddock stock area.

(2) *Herring GOM Haddock Accountability Measure Area.* The Herring GOM Haddock AM Area is defined by the straight lines connecting the following points in the order stated (copies of a map depicting the area are available from the Regional Administrator upon request):

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Table 2 to Paragraph (d)(2): Herring GOM Haddock Accountability Measure Area

Point	N. latitude	W. longitude
HGA1	(¹)	69°20'
HGA	43°40'	69°20'
HGA3	43°40'	69°00'
HGA4	43°20'	69°00'
HGA5	43°20'	(²)
HGA6	42°20'	(³)
HGA7	42°20'	70°00'
HGA8	(⁴)	70°00'

¹ The intersection of the Maine coastline and 69°20' W. long.

² The intersection of the U.S./Canada maritime boundary and 43°20' N. lat.

³ The intersection of the U.S./Canada maritime boundary and 42°20' N. lat.

⁴ The intersection of the north-facing shoreline of Cape Cod, MA, and 70°00' W. long.

(3) *Herring GB Haddock Accountability Measure Area.* The Herring GB Haddock AM Area is

defined by the straight lines connecting the following points in the order stated (copies of a map depicting the area are

available from the Regional Administrator upon request):

Table 3 to Paragraph (d)(3): Herring GB Haddock Accountability Measure Area

Point	N. Latitude	W. Longitude
1	42° 20'	70° 00'
2	42° 20'	(¹)
3	40° 30'	(¹)
4	40° 30'	66° 40'
5	39° 50'	66° 40'
6	39° 50'	68° 50'
7	(²)	68° 50'
8	41° 00'	(³)
9	41° 00'	69° 30'
10	41° 10'	69° 30'
11	41° 10'	69° 50'
12	41° 20'	69° 50'
13	41° 20'	(⁴)
14	(⁵)	70° 00'
15	(⁶)	70° 00'
16	(⁷)	70° 00'

¹ The intersection of the U.S./Canada maritime boundary.

² The intersection of the boundary of Closed Area I and 68° 50' W. long.

³ The intersection of the boundary of Closed Area I and 41° 00' N. lat.

⁴ The intersection of the east-facing shoreline of Nantucket, MA, and 41° 20' N. lat.

⁵ The intersection of the north-facing shoreline of Nantucket, MA, and 70° 00' W. long.

⁶ The intersection of the south-facing shoreline of Cape Cod, MA, and 70° 00' W. long.

⁷ The intersection of the north-facing shoreline of Cape Cod, MA, and 70° 00' W. long.

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(4) *Fishing years.* The haddock incidental catch caps specified are for the NE multispecies fishing year (May 1–April 30), which differs from the herring fishing year (January 1–December 31). If the haddock incidental catch allowance is attained by the herring midwater trawl fishery for the GOM or GB, as specified in

§ 648.90(a)(4)(iii)(E), the 2,000-lb (907.2-kg) limit on herring possession in the applicable AM Area, as described in paragraph (d)(2) or (3) of this section, shall be in effect until the end of the NE multispecies fishing year. For example, the 2011 haddock incidental catch cap is specified for the period May 1, 2011–April 30, 2012, and the 2012 haddock catch cap would be specified for the

period May 1, 2012–April 30, 2013. If the catch of haddock by herring midwater trawl vessels reached the 2011 incidental catch cap at any time prior to the end of the NE multispecies fishing year (April 30, 2012), the 2,000-lb (907.2-kg) limit on possession of herring in the applicable AM Area would extend through April 30, 2012.

Beginning May 1, 2012, the 2012 catch cap would go into effect.

(5) *Other regulated NE multispecies possession restrictions for some Atlantic herring vessels.* A vessel issued a Category A or B Herring Permit on a declared herring trip, regardless of area fished or gear used, or a vessel issued a Category C, D, or E Herring Permit and fishing with midwater trawl gear pursuant to § 648.80(d), may possess and land haddock, and up to 100 lb (45 kg), combined, of regulated NE multispecies other than haddock, in accordance with the requirements in § 648.80(d) and (e). Such fish may not be sold for human consumption.

* * * * *

■ 8. Amend § 648.87 as follows:

■ a. Remove paragraphs (b)(1)(ii)(A) through (F);

■ b. Revise paragraph (b)(1)(iii)(B) introductory text, paragraph (b)(1)(iii)(B)(1) section heading, and paragraphs (b)(1)(iii)(B)(3), (b)(1)(v)(B), and (b)(2) introductory text; and

■ c. Remove and reserve paragraphs (b)(2)(ii) and (b)(2)(xii).

The revisions read as follows:

§ 648.87 Sector allocation.

* * * * *

(b) * * *

(1) * * *

(iii) * * *

(B) *Overage penalty if there is insufficient ACE to cover an overage.* If a sector exceeds an ACE allocated to it during the previous fishing year, but disbands in the year following the overage, or otherwise does not have sufficient ACE to address the overage pursuant to this paragraph (b)(1)(iii) based upon the cumulative PSCs of permits/vessels participating in that sector during the fishing year following the overage, individual permit holders that participated in the sector during the fishing year in which the overage occurred shall be responsible for reducing their DAS/ACE to account for that overage in the subsequent fishing year, as follows:

(1) *ACE reduction.* * * *

* * * * *

(3) *Fishing prohibition.* If a sector does not disband following an overage, but otherwise does not have sufficient ACE to cover an overage based upon the PSC of participating permits, that sector's ACE for the stock for which the overage occurred shall be temporarily reduced to zero for the following fishing year, and that sector shall be prohibited from fishing on a sector trip in the stock area associated with the stock for which the ACE was exceeded during the following year, unless and until that sector can acquire sufficient ACE from another sector to cover the remaining overage from the previous fishing year.

* * * * *

(v) * * *

(B) *Weekly enforcement report.* Each sector must submit weekly reports to NMFS stating any compliance/enforcement issues, as instructed by the Regional Administrator. These weekly enforcement reports must be submitted no later than 0700 hr on the second Monday after the reporting week, as defined in this part.

* * * * *

(2) *Operations plan and sector contract.* To be approved to operate, each sector must submit an operations plan and preliminary sector contract to the Regional Administrator no later than September 1 prior to the fishing year in which the sector intends to begin operations, unless otherwise instructed by NMFS. A final roster and sector contract must be submitted by December 1 prior to the fishing year in which the sector intends to begin operations, unless otherwise instructed by NMFS. The operations plan may cover a 1- or 2-year period, provided the analysis required in paragraph (b)(3) of this section is sufficient to assess the impacts of sector operations during the 2-year period and that sector membership, or any other parameter that may affect sector operations during the second year of the approved operations plan, does not differ to the point where the impacts analyzed by the supporting National Environmental Policy Act (NEPA) document are compromised. Each vessel and vessel operator and/or vessel owner

participating in a sector must agree to and comply with all applicable requirements and conditions of the operations plan specified in this paragraph (b)(2) and the letter of authorization issued pursuant to paragraph (c)(2) of this section. It shall be unlawful to violate any such conditions and requirements unless such conditions or restrictions are identified in an approved operations plan as administrative only. If a proposed sector does not comply with the requirements of this paragraph (b)(2), NMFS may decline to propose for approval such sector operations plans, even if the Council has approved such sector. At least the following elements must be contained in either the final operations plan or sector contract submitted to NMFS:

* * * * *

■ 9. Amend § 648.88 as follows:

■ a. Revise section headings, and paragraphs (a) and (b); and

■ b. Remove paragraphs (c) through (d).

The revisions read as follows:

§ 648.88 Multispecies stock area definitions.

(a) *Definition of stock areas.* The species stock areas applicable for possession and trip limits specified in § 648.86, recreational minimum and maximum fish sizes, possession limits, and seasons specified in § 648.89, and for determining areas applicable to sector allocations of ACE pursuant to § 648.87(b) are defined in paragraphs (1) through (17) of this section. For stocks that have incidental catch TACs pursuant to § 648.85(b), the areas also identify stock areas associated with those incidental catch TACs. Copies of a chart depicting these areas are available from the Regional Administrator upon request.

(1) *GOM cod stock area.* The GOM cod stock is defined as the area bounded on the north and west by the coastline of the United States, on the east by the U.S./Canadian maritime boundary, and on the south by straight lines connecting the following points in the order stated:

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Table 1 to Paragraph (a)(1) - GOM Cod Stock Area		
Point	N. latitude	W. longitude
GOM1	(¹)	70°00'
GOM2	42°20'	70°00'
GOM3	42°20'	67°40'
GOM4	(²)	67°40'
GOM5	(³)	67°40'
GOM6	43°50'	67°40'
GOM7	43°50'	(⁴)
GOM8	(⁴)	67°00'
GOM9	(⁵)	67°00'

¹ Intersection of the north-facing coastline of Cape Cod, MA, and 70°00' W. long.

² U.S./Canada maritime boundary (southern intersection with 67°40' W. long.).

³ U.S./Canada maritime boundary (northern intersection with 67°40' W. long.).

⁴ U.S./Canada maritime boundary.

(2) *GB cod stock area.* The GB cod stock is the area defined by straight lines connecting the following points in the order stated:

Table 2 to Paragraph (a)(2) - GB Cod Stock Area		
Point	N. latitude	W. longitude
GB1	(¹)	70°00'
GB2	42°20'	70°00'
GB3	42°20'	(²)
GB4	35°00'	(²)
GB5	35°00'	(³)

¹ Intersection of north-facing Cape Cod, MA, and 70°00' W. long.

² U.S./Canada maritime boundary.

³ Intersection of east-facing coastline of Outer Banks, NC, and 35°00' N. lat.

(3) *Reserved*
(4) *Reserved*
(5) *GB haddock stock area.* The GB Haddock Stock Area is defined as the area bounded on the west by the coastline of the United States, on the south by a line running from the east-facing coastline of North Carolina at 35° N lat. until its intersection with the EEZ, on the east by the U.S./Canadian maritime boundary, and bounded on the north by straight lines connecting the following points in the order stated:

Table 5 to Paragraph (a)(5) - GB Haddock Stock Area

Point	N. Latitude	W. Longitude
GB1	(¹)	70° 00'
GB2	42° 20'	70° 00'
GB3	42° 20'	(²)

¹ Intersection of the north-facing coastline of Cape Cod, MA, and 70° 00' W. long.

² U.S./Canada maritime boundary.

(6) *GOM haddock stock area.* The GOM Haddock Stock Area is defined as the area bounded on the north and west

by the coastline of the United States, on the east by the U.S./Canadian maritime boundary, and on the south by straight

lines connecting the following points in the order stated:

Table 6 to Paragraph (a)(6) - GOM Haddock Stock Area

Point	N. Latitude	W. Longitude
GOM1	(¹)	70° 00'
GOM2	42° 20'	70° 00'
GOM3	42° 20'	67° 40'
GOM4	(²)	67° 40'
GOM5	(³)	67° 40'
GOM6	43° 50'	67° 40'
GOM7	43° 50'	(⁴)
GOM8	(⁴)	67° 00'
GOM9	(⁵)	67° 00'

¹ Intersection of the north-facing coastline of Cape Cod, MA, and 70° 00' W. long.

² U.S./Canada maritime boundary southern intersection with 67° 40' W. long.).

³ U.S./Canada maritime boundary northern intersection with 67° 40' W. long.).

⁴ U.S./Canada maritime boundary.

⁵ Intersection of the south-facing ME coastline and 67° 00' W. long.

(7) *GB yellowtail flounder stock area.* The GB yellowtail flounder stock area is

the area bounded by straight lines

connecting the following points in the order stated:

Table 7 to Paragraph (a)(7) - GB Yellowtail Flounder Stock Area

Point	N. latitude	W. longitude
USCA1	42°20'	68°50'
USCA16	42°20'	(¹)
USCA5	39°00'	(¹)
USCA17	39°00'	69°00'
USCA18	39°50'	69°00'
USCA2	39°50'	68°50'
USCA1	42°20'	68°50'

¹ U.S./Canada maritime boundary.

(8) *SNE/MA yellowtail flounder stock area.*

(i) For the purposes of identifying stock areas for trip limits specified in

§ 648.86, and for determining areas applicable to sector allocations of SNE/MA yellowtail flounder ACE pursuant to § 648.87(b), the SNE/MA yellowtail

flounder stock area is the area bounded by straight lines connecting the following points in the order stated:

Table 8 to Paragraph (a)(8)(i) - SNE/MA Yellowtail Flounder Stock Area

Point	N. Latitude	W. Longitude
SNEMA1	35° 00'	(¹)
SNEMA2	35° 00'	(²)
SNEMA3	39° 00'	(²)
SNEMA4	39° 00'	69° 00'
SNEMA5	39° 50'	69° 00'
SNEMA6	39° 50'	68° 50'
SNEMA7	41° 00'	68° 50'
SNEMA8	41° 00'	69° 30'
SNEMA9	41° 10'	69° 30'
SNEMA10	41° 10'	69° 50'
SNEMA11	41° 20'	69° 50'
SNEMA12	41° 20'	(³)
SNEMA13	(⁴)	70° 00'
SNEMA14	(⁵)	70° 00'

¹ Intersection of east-facing coastline of Outer Banks, NC, and 35° 00' N. lat.

² U.S./Canada maritime boundary.

³ Intersection of east-facing coastline of Nantucket, MA, and 41° 20' N. lat.

⁴ Intersection of north-facing coastline of Nantucket, MA, and 70° 00' W. long.

⁵ Intersection of south-facing coastline of Cape Cod, MA, and 70° 00' W. long.

(ii) For the purposes of the Regular B DAS Program, the SNE/MA yellowtail

flounder B DAS stock area is the area bounded on the north, east, and south

by straight lines connecting the following points in the order stated:

Table 9 to Paragraph (a)(8)(ii) - SNE/MA Yellowtail Flounder B DAS Stock Area

Point	N. latitude	W. longitude
SNEMA1	40°00'	74°00'
SNEMA2	40°00'	72°00'
SNEMA3	40°30'	72°00'
SNEMA4	40°30'	69°30'
SNEMA5	41°10'	69°30'
SNEMA6	41°10'	69°50'
SNEMA7	41°20'	69°50'
SNEMA8	41°20'	(¹)
SNEMA9	(²)	70°00'
SNEMA10	41°00'	70°00'
SNEMA11	41°00'	70°30'
SNEMA12	(³)	70°30'
SNEMA13	(⁴)	72°00'
SNEMA14	(⁵)	72°00'
SNEMA15	(⁶)	73°00'
SNEMA16	40°30'	73°00'
SNEMA17	40°30'	74°00'
SNEMA1	40°00'	74°00'

¹ East-facing shoreline of Nantucket, MA.

² South-facing shoreline of Nantucket, MA.

³ Intersection of the south-facing shoreline of Cape Cod, MA.

⁴ South-facing shoreline of CT.

⁵ North-facing shoreline of Long Island, NY.

⁶ South-facing shoreline of Long Island, NY.

(9) CC/GOM yellowtail flounder stock area.

(i) For the purposes of identifying stock areas for trip limits specified in § 648.86, and for determining areas applicable to sector allocations of CC/

GOM yellowtail flounder ACE pursuant to § 648.87(b), the CC/GOM yellowtail flounder stock area is defined as the area bounded on the north and west by the coastline of the United States, on the east by the U.S./Canadian maritime

boundary, and on the south by straight lines connecting the following points in the order stated:

Table 10 to Paragraph (a)(9)(i) - CC/GOM Yellowtail Flounder Stock Area

Point	N. Latitude	W. Longitude
CCGOM1	(¹)	70° 00'
CCGOM2	(²)	70° 00'
CCGOM3	41° 20'	(³)
CCGOM4	41° 20'	69° 50'
CCGOM5	41° 10'	69° 50'
CCGOM6	41° 10'	69° 30'
CCGOM7	41° 00'	69° 30'
CCGOM8	41° 00'	68° 50'
CCGOM9	42° 20'	68° 50'
CCGOM10	42° 20'	(⁴)

¹ Intersection of south-facing coastline of Cape Cod, MA, and 70° 00' W. long.

² Intersection of north-facing coastline of Nantucket, MA, and 70° 00' W. long.

³ Intersection of east-facing coastline of Nantucket, MA, and 41° 20' N. lat.

⁴ U.S./Canada maritime boundary.

(ii) For the purposes of the Regular B DAS Program pursuant to § 648.85(b),

the CC/GOM yellowtail flounder B DAS stock area is the area defined by straight

lines connecting the following points in the order stated:

Table 11 to Paragraph (a)(9)(ii) - CC/GOM Yellowtail Flounder B DAS Stock Area

Point	N. latitude	W. longitude
CCGOM1	43°00'	(¹)
CCGOM2	43°00'	70°00'
CCGOM3	42°30'	70°00'
CCGOM4	42°30'	69°30'
CCGOM5	41°30'	69°30'
CCGOM6	41°30'	69°00'
CCGOM7	41°00'	69°00'
CCGOM8	41°00'	69°30'
CCGOM5	41°30'	69°30'
CCGOM9	41°30'	70°00'
CCGOM10	(²)	70°00'
CCGOM11	42°00'	70°00'
CCGOM12	42°00'	(³)
CCGOM13	42°00'	(⁴)
CCGOM14	42°00'	(⁵)

¹ Intersection with the NH coastline.

² Intersection of the south-facing shoreline of Cape Cod, MA.

³ Intersection with the east-facing shoreline of Cape Cod, MA.

⁴ Intersection with the west-facing shoreline of Cape Cod, MA.

⁵ Intersection with the east-facing shoreline of Massachusetts.

(10) *American plaice stock area.* The American plaice stock area is defined as the area bounded on the north and west by the coastline of the United States, on the east by the U.S./Canadian maritime boundary, and bounded on the south by a straight line running from the east-facing coastline of North Carolina at 35° N lat. until its intersection with the EEZ.

The coordinates for the area can be found in paragraph (b) of this section.

(11) *Witch flounder stock area.* The witch flounder stock area is defined as the area bounded on the north and west by the coastline of the United States, on the east by the U.S./Canadian maritime boundary, and bounded on the south by a straight line running from the east-

facing coastline of North Carolina at 35° N lat. until its intersection with the EEZ. The coordinates for the area can be found in paragraph (b) of this section.

(12) *GB winter flounder stock area.* The GB winter flounder stock area is the area bounded by straight lines connecting the following points in the order stated:

Table 12 to Paragraph (a)(12) - GB Winter Flounder Stock Area

Point	N. latitude	W. longitude
USCA1	42°20'	68°50'
USCA16	42°20'	(¹)
USCA5	39°00'	(¹)
USCA17	39°00'	69°00'
USCA18	39°50'	69°00'
USCA2	39°50'	68°50'
USCA1	42°20'	68°50'

¹ U.S./Canada maritime boundary.

(13) *GOM winter flounder stock area.* connecting the following points in the
The GOM Winter Flounder Stock Area order stated:
is the area bounded by straight lines

Table 13 to Paragraph (a)(13) - GOM Winter Flounder Stock Area

Point	N. Latitude	W. Longitude
GOM1	(¹)	70°00'
GOM2	42°20'	70°00'
GOM3	42°20'	67°40'
GOM4	(²)	67°40'
GOM5	(³)	67°40'
GOM6	43°50'	67°40'
GOM7	43°50'	⁴
GOM8	(⁴)	67°00'
GOM9	(⁵)	67°00'

¹ Intersection of the north-facing coastline of Cape Cod, MA, and 70°00' W. long.

² U.S./Canada maritime boundary (southern intersection with 67°40' N. lat.)

³ U.S./Canada maritime boundary (northern intersection with 67°40' N. lat.)

⁴ U.S./Canada maritime boundary.

⁵ Intersection of the south-facing ME coastline and 67°00' W. long.

(14) *SNE/MA winter flounder stock area.* The SNE winter flounder stock area is the area defined by straight lines connecting the following points in the order stated:

Table 14 to Paragraph (a)(14) - SNE/MA Winter Flounder Stock Area

Point	N. latitude	W. longitude
SNEMA1	(¹)	70°00'
SNEMA2	42°20'	70°00'
SNEMA3	42°20'	68°50'
SNEMA4	39°50'	68°50'
SNEMA5	39°50'	69°00'
SNEMA6	39°00'	69°00'
SNEMA7	39°00'	(²)
SNEMA8	35°00'	(²)
SNEMA9	35°00'	(³)

¹ Intersection of the north-facing Coastline of Cape Cod, MA, and 70°00' W. long.

² U.S./Canada maritime boundary.

³ The intersection of the east-facing coastline of Outer Banks, NC, and 35°00' N. lat.

(15) *Redfish stock area*. The redfish stock area is defined as the area bounded on the north and west by the coastline of the United States, on the east by the U.S./Canadian maritime boundary, and bounded on the south by a straight line running from the east-facing coastline of North Carolina at 35° N lat. until its intersection with the EEZ. The coordinates for the area can be found in paragraph (b) of this section.

(16) *White hake stock area*. The white hake stock area is defined as the area bounded on the north and west by the

coastline of the United States, bounded on the east by the U.S./Canadian maritime boundary, and bounded on the south by a straight line running from the east-facing coastline of North Carolina at 35° N lat. until its intersection with the EEZ. The coordinates for the area can be found in paragraph (b) of this section.

(17) *Pollock stock area*. The pollock stock area is defined as the area bounded on the north and west by the coastline of the United States, on the east by the U.S./Canadian maritime boundary, and bounded on the south by

a straight line running from the east-facing coastline of North Carolina at 35° N lat. until its intersection with the EEZ. The coordinates for the area can be found in paragraph (b) of this section.

(b) *Stock area for unit stocks*. The stock area for all unit stocks listed in paragraph (a) of this section (American plaice, witch flounder, redfish, white hake, and pollock) are defined by straight lines connecting the following points in the order stated:

Table 15 to Paragraph (b) - Unit Stock Area		
Point	N. latitude	W. longitude
US1	(¹)	67°00'
US2	(²)	67°00'
US3	43°50'	(²)
US4	43°50'	67°40'
US5	(³)	67°40'
US6	(⁴)	67°40'
US7	42°30'	67°40'
US8	42°30'	(²)
US9	35°00'	(²)
US10	35°00'	(⁵)

¹ Intersection of south-facing ME coastline and 67°00' W. long.

² U.S./Canada maritime boundary.

³ U.S./Canada maritime boundary (northern intersection with 67°40' N. lat.).

⁴ U.S./Canada maritime boundary (southern intersection with 67°40' N. lat.).

⁵ Intersection of east-facing coastline of Outer Banks, NC, and 35°00' N. lat.

- 10. Amend § 648.89 as follows:

■ 1. Revise Table 1 to Paragraph (b)(1), paragraph (b)(2)(ii), paragraphs (c)(1), (2), and (8); and

■ 2. Remove paragraph (g).
- The revisions read as follows:

§ 648.89 Recreational and charter/party vessel restrictions.

* * * * *
- (b) * * *

(1) * * *

Table 1 to Paragraph (b)(1)

Species	Charter/party minimum size		Private minimum size		Maximum size	
	inches	cm	inches	cm	inches	cm
Cod:						
Inside GOM Regulated Mesh Area ¹	23	58.4	23	58.4	N/A	N/A
Outside GOM Regulated Mesh Area ¹	23	58.4	23	58.4	N/A	N/A
Haddock:						
Inside GOM Regulated Mesh Area ¹	17	43.2	17	43.2	N/A	N/A
Outside GOM Regulated Mesh Area ¹	18	45.7	18	45.7	N/A	N/A
Pollock	19	48.3	19	48.3	N/A	N/A
Witch Flounder (gray sole)	14	35.6	14	35.6	N/A	N/A
Yellowtail Flounder	13	33.0	13	33.0	N/A	N/A
American Plaice (dab)	14	35.6	14	35.6	N/A	N/A
Atlantic Halibut	41	104.1	41	104.1	N/A	N/A
Winter Flounder (black back)	12	30.5	12	30.5	N/A	N/A
Redfish	9	22.9	9	22.9	N/A	N/A

¹ GOM Regulated Mesh Area specified in § 648.80(a).

(2) * * *

(ii) *Transiting*. If minimum size specified for cod and haddock differ between stock areas, vessels in possession of cod or haddock that meet the minimum size specified for fish caught in one stock area, as specified in § 648.88, may transit a different stock area with that cod and haddock, provided all bait and hooks are removed from fishing rods, and any cod and

haddock on board has been gutted and stored.

* * * * *

(c) * * *

(1) *Private recreational vessels*. Persons aboard private recreational fishing vessels during the open season listed in the column titled "Open Season" in table 2 to paragraph (c)(1), may not possess more fish in or from the

EEZ than the amount listed in the column titled "Possession Limit" in table 2 to paragraph (c)(1). Persons aboard private recreational fishing vessels may not possess stocks, as specified in the column titled "Stock" in table 2 to paragraph (c)(1), in or from the EEZ during that stock's closed season as specified in the column titled "Closed Season" in table 2 to paragraph (c)(1).

Table 2 to Paragraph (c)(1)			
Stock	Open season	Possession limit	Closed season
GB Cod	CLOSED	No retention	All Year.
GOM Cod	May 1-May 31; September 1-October 31	1	June 1-August 31; November 1-April 30.
GB Haddock	All Year	Unlimited	N/A.
GOM Haddock	May 1-February 28 (or 29); April 1-30	15	March 1-March 31.
GB Yellowtail Flounder	All Year	Unlimited	N/A.
SNE/MA Yellowtail Flounder	All Year	Unlimited	N/A.
CC/GOM Yellowtail Flounder	All Year	Unlimited	N/A.
American Plaice	All Year	Unlimited	N/A.
Witch Flounder	All Year	Unlimited	N/A.
GB Winter Flounder	All Year	Unlimited	N/A.
GOM Winter Flounder	All Year	Unlimited	N/A.
SNE/MA Winter Flounder	All Year	Unlimited	N/A.
Redfish	All Year	Unlimited	N/A.
White Hake	All Year	Unlimited	N/A.
Pollock	All Year	Unlimited	N/A.
Northern Windowpane Flounder	CLOSED	No retention	All Year.
Southern Windowpane Flounder	CLOSED	No retention	All Year.
Ocean Pout	CLOSED	No retention	All Year.
Atlantic Halibut	See paragraph (c)(3) of this section.		
Atlantic Wolffish	CLOSED	No retention	All Year.

(2) *Charter or Party Boats.* Persons aboard charter or party boats during the open season listed in the column titled “Open Season” in table 3 to paragraph (c)(2), may not possess more fish in or

from the EEZ than the amount listed in the column titled “Possession Limit” in table 3 to paragraph (c)(2). Persons aboard charter or party boats may not possess stocks, as specified in the

column titled “Stock” in table 3 to paragraph (c)(2), in or from the EEZ during that stock’s closed season as specified in the column titled “Closed Season” in table 3 to paragraph (c)(2).

Table 3 to Paragraph (c)(2)

Stock	Open season	Possession limit	Closed season
GB Cod	CLOSED	No retention	All Year.
GOM Cod	May 1-May 31; September 1-October 31	1	June 1-August 31; November 1-April 30.
GB Haddock	All Year	Unlimited	N/A.
GOM Haddock	May 1-February 28 (or 29) April 1-30	15	March 1-March 31.
GB Yellowtail Flounder	All Year	Unlimited	N/A.
SNE/MA Yellowtail Flounder	All Year	Unlimited	N/A.
CC/GOM Yellowtail Flounder	All Year	Unlimited	N/A.
American Plaice	All Year	Unlimited	N/A.
Witch Flounder	All Year	Unlimited	N/A.
GB Winter Flounder	All Year	Unlimited	N/A.
GOM Winter Flounder	All Year	Unlimited	N/A.
SNE/MA Winter Flounder	All Year	Unlimited	N/A.
Redfish	All Year	Unlimited	N/A.
White Hake	All Year	Unlimited	N/A.
Pollock	All Year	Unlimited	N/A.
N. Windowpane Flounder	CLOSED	No retention	All Year.
S. Windowpane Flounder	CLOSED	No retention	All Year.
Ocean Pout	CLOSED	No retention	All Year.
Atlantic Halibut	See paragraph (c)(3) of this section.		
Atlantic Wolffish	CLOSED	No retention	All Year.

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* * * * *

(8) *Transiting*. If the possession limits specified in paragraphs (c)(1) and (2) of this section for cod and haddock differ between stock areas, vessels in possession of cod or haddock that meet the possession limit specified for fish caught in one stock area, as specified in § 648.88, may transit a different stock area with that cod and haddock, provided all bait and hooks are removed from fishing rods, and any cod and

haddock on board has been gutted and stored.

* * * * *

■ 11. Amend § 648.90 as follows:

■ a. Revise paragraph (a)(4)(iii) introductory text;

■ b. Redesignate paragraphs (a)(4)(iii)(A) through (H) to (a)(4)(iii)(B) to (I);

■ c. Add new paragraph (a)(4)(iii)(A);

■ d. Revise newly redesignated paragraph (a)(4)(iii)(I); and

■ e. Revise paragraphs (a)(5)(i)(A), and (a)(5)(iv)(A) and (B).

The revisions and additions read as follows:

§ 648.90 NE multispecies assessment, framework procedures and specifications, and flexible area action system.

* * * * *

(a) * * *

(4) * * *

(iii) *ABC/ACL distribution*. The ABCs/ACLs adopted by the Council for each regulated species or ocean pout stock pursuant to this paragraph (a)(4) shall be subdivided among the various sub-

components of the fishery, as specified in paragraphs (a)(4)(iii)(A) through (I) of this section. For transboundary stocks managed by the Understanding, pursuant to § 648.85(a), the distribution of ABC/ACLs described in paragraphs (a)(4)(iii)(A) through (I) of this section shall be based upon the catch available to U.S. fishermen. The Council may revise its recommendations for the distribution of ABCs and ACLs among these and other sub-components through the process to specify ABCs and ACLs, as described in this paragraph (a)(4). Distribution of the ACL for each stock available to the NE multispecies fishery between and among commercial and recreational components of the fishery may be implemented through a framework adjustment pursuant to this section. Any changes to the distribution of ACLs to the NE multispecies fishery shall not affect the implementation of AMs based upon the distribution in effect at the time of the overage that triggered the AM.

(A) *Recreational allocation.* Unless otherwise specified in paragraph (a)(5) of this section, recreational catches shall be compared to the ACLs allocated pursuant to this paragraph (a)(4)(iii)(A) for the purposes of determining whether adjustments to recreational measures are necessary, pursuant to the recreational fishery AMs specified in § 648.89(f).

(1) *Stocks allocated.* Unless otherwise specified in this paragraph (a)(4)(iii)(A), the ABCs/ACLs for GOM cod and GOM haddock set pursuant to paragraph (a)(4) of this section shall be divided between commercial and recreational components, based upon the average proportional catch of each component for each stock during fishing years 2001 through 2006.

(2) *Process for determining if a recreational allocation is necessary.* A recreational allocation will not be made if it is determined that, based upon available information, the ACLs for these stocks are not being fully harvested by the NE multispecies fishery, or if the recreational harvest, after accounting for State waters catch pursuant to paragraph (a)(4)(iii)(B) of this section, is less than 5 percent of the

overall catch for a particular stock of regulated species or ocean pout.

* * * * *

(I) *Regulated species or ocean pout catch by the NE multispecies commercial fisheries.* Unless otherwise specified in the ACL recommendations developed pursuant to paragraph (a)(4)(i) of this section, after all of the deductions and considerations specified in paragraphs (a)(4)(iii)(A) through (H) of this section, the remaining ABC/ACL for each regulated species or ocean pout stock shall be allocated to the NE multispecies commercial fishery, pursuant to paragraphs (a)(4)(iii)(I)(1) through (3) of this section.

(1) *Commercial allocation.* Unless otherwise specified in paragraph (a)(4)(iii)(I), the ABC/ACL for regulated species or ocean pout stocks available to the commercial NE multispecies fishery shall be divided between vessels operating under approved sector operations plans as described at § 648.87(c), based upon the cumulative PSCs of vessels participating in sectors calculated pursuant to § 648.87(b)(1)(i)(E), and vessels operating under the provisions of the common pool, as defined in this part. The ABC/ACL of each stock not allocated to sectors pursuant to § 648.87(b)(1)(i)(E) (*i.e.*, Atlantic halibut, ocean pout, windowpane flounder, and Atlantic wolffish) that is available to the commercial NE multispecies fishery shall be allocated entirely to the common pool, and catch from sector and common pool vessels shall be attributed to this allocation. Unless otherwise specified in paragraph (a)(5) of this section, regulated species or ocean pout catch by common pool and sector vessels shall be deducted from the sub-ACL/ACE allocated pursuant to this paragraph (a)(4)(iii)(I)(1) for the purposes of determining whether adjustments to common pool measures are necessary, pursuant to the common pool AMs specified in § 648.82(n), or whether sector ACE overages must be deducted, pursuant to § 648.87(b)(1)(iii).

(2) *Reserved*

* * * * *

(5) * * *

(i) * * *

(A) *Excessive catch by common pool vessels.* If the catch of regulated species and ocean pout by common pool vessels exceeds the amount of the ACL specified for common pool vessels pursuant to paragraph (a)(4)(iii)(I) of this section, then the AMs described in § 648.82(n) shall take effect. If such catch does not exceed the portion of the ACL specified for common pool vessels pursuant to paragraph (a)(4)(iii)(I) of this section, then no AMs shall take effect for common pool vessels.

* * * * *

(iv) * * *

(A) *Threshold for implementing the Atlantic sea scallop fishery AMs for SNE yellowtail flounder and southern windowpane flounder.* If scallop fishery catch exceeds the scallop fishery sub-ACL for SNE yellowtail flounder or southern windowpane flounder, as specified in paragraph (a)(4) of this section, by 50 percent or more, or if scallop fishery catch exceeds the scallop fishery sub-ACL by any amount and total catch exceeds the overall ACL for that stock, then the applicable scallop fishery AM will take effect, as specified in § 648.64 of the Atlantic sea scallop regulations.

(B) *Threshold for implementing the Atlantic sea scallop fishery AM for GB yellowtail flounder and northern windowpane flounder.* If scallop fishery catch exceeds scallop fishery sub-ACL for GB yellowtail flounder or northern windowpane flounder, as specified in paragraph (a)(4) of this section, and total catch exceeds the overall ACL for that stock, then the applicable scallop fishery AM will take effect, as specified in § 648.64 of the Atlantic sea scallop regulations.

* * * * *

§§ 648.4, 648.10, 648.13, 648.14, 648.64, 648.80, 648.82, 648.83, 648.85, 648.86, 648.87, 648.90, and 648.201 [Amended]

■ 12. In the table below, for each of the locations shown in the “Location” column, remove the phrase indicated in the “Remove” column and replace it with the phrase indicated in the “Add” column for the number of times indicated in the “Frequency” column.

BILLING CODE 3510-22-P

Location	Remove	Add	Frequency
50 CFR 648.4(a)(1)(ii)	§ 648.88	§§ 648.82(m) and 648.86	2
50 CFR 648.4(a)(10)(ii)	§ 648.86(a)(3) and (k)	§ 648.86(d)	1
50 CFR 648.10(j)(2)	paragraph (k)(1)	paragraph (j)(1)	1
50 CFR 648.13(e)	§ 648.86(d)	§ 648.86(e)	1
50 CFR 648.14(k)(13)(i)(A)	§ 648.86(i)	§ 648.86(b)(6)(v)	1
50 CFR 648.14(k)(13)(ii)(A)	§ 648.86(a), (b), (c), (d), (e), (g), (h), (j), (k), (l), (n), and (o)	§ 648.86(a) and (b)	1
50 CFR 648.14(k)(13)(ii)(B)	§ 648.86(a), (b), (c), (e), (g), (h), (j), (l), (m), (n), and (o); § 648.82(b)(5) and (6); § 648.85; or § 648.88	§ 648.86(a) and (b); or § 648.85	1
50 CFR 648.14(k)(13)(ii)(C)	§ 648.88	§§ 648.82(m)	1
50 CFR 648.14(k)(14)(viii)	§ 648.87(b)(1)(v)	§ 648.11(l)(9)	1
50 CFR 648.14(k)(15)(i)(A)	§ 648.88	§ 648.82(m)	1
50 CFR 648.14(k)(15)(i)(B)	§ 648.88(a)(2)(i)	§ 648.82(m)(1)(i)	1
50 CFR 648.14(k)(15)(i)(B)	§ 648.88(a)(2)(iii)	§ 648.82(m)(1)(iii)	1
50 CFR 648.14(k)(15)(ii)(A)(I)	§ 648.88(a)	§ 648.82(m)(1)	1
50 CFR 648.14(k)(15)(ii)(A)(2)	§ 648.88(a)	§ 648.86	1
50 CFR 648.14(k)(15)(ii)(B)	§ 648.88(c)	§ 648.86(c)(3)	1
50 CFR 648.14(k)(15)(ii)(C)	§ 648.88	§ 648.82(m)(4)	2
50 CFR 648.14(r)(1)(vi)(B)	§ 648.86(a)(3)(ii)(A)(I)	§ 648.86(d)	1
50 CFR 648.14(r)(1)(vi)(B)	§ 648.86(a)(3)	§ 648.86(d)	1
50 CFR 648.14(r)(1)(vi)(C)	§ 648.86(a)(3)(ii)(A)(I)	§ 648.86(d)	2
50 CFR 648.14(r)(1)(vi)(E)	§ 648.86(a)(3)(ii)(A)(I)	§ 648.86(d)	1
50 CFR 648.14(r)(1)(vi)(E)	§ 648.86(a)(3)	§ 648.86(d)	1
50 CFR 648.14(r)(1)(vi)(F)	§ 648.86(a)(3)(ii)(A)(I)	§ 648.86(d)	2
50 CFR 648.64(a)	§ 648.90(a)(4)(iii)(C) and (E)	§ 648.90(a)(4)(iii)(D) and (F)	1
50 CFR 648.80(a)(3)(vi)	§ 648.88(a)	§ 648.82(m)(1)	1
50 CFR 648.80(a)(3)(vi)	§ 648.88	§ 648.82(m)	1
50 CFR 648.80(a)(4)(iii)	§ 648.82(b)(5)	§ 648.82(b)(4)	1
50 CFR 648.80(a)(6)(i)(B)	§ 648.86(d)	§ 648.86(e)	1
50 CFR 648.80(a)(9)(i)(A)	§ 648.86(d)	§ 648.86(e)	2
50 CFR 648.80(a)(15)(i)(B)	§ 648.86(d)	§ 648.86(e)	1
50 CFR 648.80(b)(2)(vi)	§ 648.88(a)	§ 648.82(m)(1)	1
50 CFR 648.80(b)(2)(vi)	§ 648.88	§ 648.82(m)	1
50 CFR 648.80(b)(3)(i)	§ 648.86(d)	§ 648.86(e)	1
50 CFR 648.80(d)(4)	§ 648.86(a)(3) and (k)	§ 648.86(d)	1
50 CFR 648.80(e)(4)	§ 648.86(a)(3) and (k), respectively	§ 648.86(d)	1
50 CFR 648.80(h)(1)	§ 648.86(a)(2)	§ 648.86(c)	1
50 CFR 648.82(g)	§ 648.88(a)	paragraph (m)(1) of this section	1
50 CFR 648.82(n)(2)(vi)	§ 648.90(a)(4)(iii)(H)(2)	§ 648.90(a)(4)(iii)(I)	1
50 CFR 648.83(b)(4)	§ 648.86(a)(3) and (k)	§ 648.86(d)	1

50 CFR 648.85(a)(2)(ii)	§ 648.90(a)(5)(ii)	§ 648.90(a)(5)	1
50 CFR 648.85(a)(3)(ii)(A)(4)	§ 648.86(g)	§ 648.86(a)(1)	1
50 CFR 648.85(a)(3)(iii)	paragraphs (b)(6) and (8)	paragraphs (b)(6) and (7)	2
50 CFR 648.85(b)(3)(viii)(C)	paragraph (e)	paragraph (d)	1
50 CFR 648.85(b)(5)(iii)	paragraph (b)(8)	paragraph (b)(7)	1
50 CFR 648.85(b)(6)(iv)(D)	paragraph (e)	paragraph (d)	1
50 CFR 648.85(b)(6)(iv)(G)	paragraph (b)(6)(v) of this section	§ 648.88	1
50 CFR 648.85(b)(6)(iv)(J)(4)	paragraph (b)(6)(v)(B) of this section	§ 648.88	1
50 CFR 648.85(b)(7)(i)	paragraph (b)(8)(v)(E)	paragraph (b)(7)(v)(E)	1
50 CFR 648.85(b)(7)(i)	paragraph (b)(8)(ii)	paragraph (b)(7)(ii)	1
50 CFR 648.85(b)(7)(i)	paragraph (b)(8)(iv)	paragraph (b)(7)(iv)	1
50 CFR 648.85(b)(7)(i)	paragraph (b)(8)(v)(K) or (L)	paragraph (b)(7)(v)(K) or (L)	1
50 CFR 648.85(b)(7)(v)(A)	paragraph (b)(8)(v)(A)	paragraph (b)(7)(v)(A)	2
50 CFR 648.85(b)(7)(v)(A)(I)	paragraph (b)(8)(v)(I)	paragraph (b)(7)(v)(I)	1
50 CFR 648.85(b)(7)(v)(A)(I)	paragraph (b)(8)(v)(J)	paragraph (b)(7)(v)(J)	1
50 CFR 648.85(b)(7)(v)(A)(2)	paragraph (b)(8)(i)	paragraph (b)(7)(i)	1
50 CFR 648.85(b)(7)(v)(A)(3)	paragraph (b)(8)(v)(D)	paragraph (b)(7)(v)(D)	1
50 CFR 648.85(b)(7)(v)(A)(4)	paragraph (b)(8)(v)(A)	paragraph (b)(7)(v)(A)	2
50 CFR 648.85(b)(7)(v)(B)	paragraph (b)(8)(i)	paragraph (b)(7)(i)	1
50 CFR 648.85(b)(7)(v)(C)	paragraph (b)(8)(i)	paragraph (b)(7)(i)	1
50 CFR 648.85(b)(7)(v)(C)	paragraph (b)(8)(v)(D)	paragraph (b)(7)(v)(D)	1
50 CFR 648.85(b)(7)(v)(D)	paragraph (b)(8)(v)(A)	paragraph (b)(7)(v)(A)	1
50 CFR 648.85(b)(7)(v)(E)(I)	paragraph (b)(8)(v)(E)(1)	paragraph (b)(7)(v)(E)(I)	1
50 CFR 648.85(b)(7)(v)(E)(I)	paragraph (b)(8)(v)(E)	paragraph (b)(7)(v)(E)	1
50 CFR 648.85(b)(7)(v)(G)	paragraph (b)(8)	paragraph (b)(7)	1
50 CFR 648.85(b)(7)(v)(H)	paragraph (b)(8)(v)(A)	paragraph (b)(7)(v)(A)	1
50 CFR 648.85(b)(7)(v)(I)	paragraph (b)(8)(v)(F)	paragraph (b)(7)(v)(F)	2
50 CFR 648.85(b)(7)(v)(I)	paragraph (b)(8)(ii)	paragraph (b)(7)(ii)	1
50 CFR 648.85(b)(7)(v)(K)	paragraph (b)(8)(v)(H)	paragraph (b)(7)(v)(H)	1
50 CFR 648.86(f)(1)(i)(A)	paragraph (d)(1)(iv)	paragraph (e)(1)(iv)	1
50 CFR 648.86(f)(1)(i)(B)	paragraph (d)(1)(iv)	paragraph (e)(1)(iv)	1
50 CFR 648.86(f)(1)(iii)	paragraph (d)(1)(i) and (ii)	paragraph (e)(1)(i) and (ii)	1
50 CFR 648.86(f)(1)(iii)(A)	paragraph (d)(1)(iv)	paragraph (e)(1)(iv)	1
50 CFR 648.86(f)(1)(iii)(B)	paragraph (d)(1)(iv)	paragraph (e)(1)(iv)	1
50 CFR 648.86(f)(1)(iv)	paragraph (d)(1)(i) through (iii)	paragraph (e)(1)(i) through (iii)	1
50 CFR 648.86(f)(4)	paragraph (d)(4)	paragraph (e)(4)	1
50 CFR 648.87(b)(1)(ii)	paragraphs (b)(1)(ii)(A) through (F) of this section, and § 648.85(b)(6)(v)	§ 648.88	1

50 CFR 648.87(b)(1)(ii)	paragraph (b)(1)(viii)	paragraph (b)(1)(vii)	3
50 CFR 648.87(b)(1)(iii)(C)	paragraph (b)(1)(viii)	paragraph (b)(1)(vii)	1
50 CFR 648.87(b)(1)(viii)	§ 648.86(1)	§ 648.86(b)(2)	1
50 CFR 648.87(b)(1)(viii)	§ 648.86(c)	§ 648.86(b)(1)	1
50 CFR 648.87(e)(3)(iii)	paragraph (b)(1)(viii)	paragraph (b)(1)(vii)	1
50 CFR 648.90(a)(4)(iii)(B)	paragraph (a)(4)(iii)(H)(1)(i)	paragraph (a)(4)(iii)(A)(1)	1
50 CFR 648.90(a)(4)(iii)(C)	paragraph (a)(4)(iii)(H)(1)(i)	paragraph (a)(4)(iii)(A)(1)	1
50 CFR 648.90(a)(4)(iii)(C)	paragraph (a)(4)(iii)(C) through (G)	paragraph (a)(4)(iii)(D) through (H)	1
50 CFR 648.90(a)(4)(iii)(C)	paragraph (a)(4)(iii)(B)	paragraph (a)(4)(iii)(C)	1
50 CFR 648.90(a)(4)(iii)(D)	paragraph (a)(4)(iii)(C)	paragraph (a)(4)(iii)(D)	1
50 CFR 648.90(a)(4)(iii)(D)	paragraph (a)(4)(iii)(H)(2)	paragraph (a)(4)(iii)(I)(1)	1
50 CFR 648.90(a)(4)(iii)(E)(1)	§ 648.86(a)(3)	§ 648.86(d)	1
50 CFR 648.90(a)(4)(iii)(H)(2)	paragraph (a)(4)(iii)(G)(1)	paragraph (a)(4)(iii)(H)(1)	1
50 CFR 648.90(a)(5)	paragraph (a)(4)(iii)(A) through (G)	paragraph (a)(4)(iii)(B) through (H)	1
50 CFR 648.90(a)(5)(i)	paragraph (a)(4)(iii)(H)	paragraph (a)(4)(iii)(A) and (I)	1
50 CFR 648.90(a)(5)(i)(B)	paragraph (a)(4)(iii)(H)(2)	paragraph (a)(4)(iii)(I)	2
50 CFR 648.90(a)(5)(i)(C)	paragraph (a)(4)(iii)(H)(1)	paragraph (a)(4)(iii)(A)	2
50 CFR 648.90(a)(5)(i)(E)(1)	paragraph (a)(4)(iii)(H)(2)	paragraph (a)(4)(iii)(I)	1
50 CFR 648.90(a)(5)(i)(E)(2)	paragraph (a)(4)(iii)(F)	paragraph (a)(4)(iii)(G)	1
50 CFR 648.90(a)(5)(ii)	paragraphs (a)(4)(iii)(A) and (B)	paragraphs (a)(4)(iii)(B) and (C)	1
50 CFR 648.90(a)(5)(ii)(A)	paragraphs (a)(4)(iii)(A) and (B)	paragraphs (a)(4)(iii)(B) and (C)	1
50 CFR 648.90(a)(5)(ii)(A)	paragraph (a)(4)(iii)(H)	paragraphs (a)(4)(iii)(A) and (I)	2
50 CFR 648.90(a)(5)(ii)(B)	paragraphs (a)(4)(iii)(A) and (B)	paragraphs (a)(4)(iii)(B) and (C)	1
50 CFR 648.90(a)(5)(ii)(C)	paragraphs (a)(4)(iii)(A) and (B)	paragraphs (a)(4)(iii)(B) and (C)	1
50 CFR 648.90(a)(5)(iii)	§ 648.90(a)(4)(iii)(D)	paragraph (a)(4)(iii)(E)	1
50 CFR 648.90(a)(5)(v)	paragraph (a)(4)(iii)(G)	paragraph (a)(4)(iii)(H)	1
50 CFR 648.90(a)(5)(v)	paragraph (a)(4)(iii)(G)(1)	paragraph (a)(4)(iii)(H)(1)	1
50 CFR 648.90(a)(6)(ii)	paragraph (a)(5)(i)	paragraph (a)(6)(i)	1
50 CFR 648.90(b)(5)(i)	§ 648.86(d)(4)	§ 648.86(e)(4)	1
50 CFR 648.201(a)(2)	§ 648.90(a)(4)(iii)(D)	§ 648.90(a)(4)(iii)(E)	1
50 CFR 648.201(a)(2)	§ 648.86(a)(3)(ii)(A)(2) and (3) of this part	§ 648.86(d)(2) and (3)	1



FEDERAL REGISTER

Vol. 90

Monday,

No. 233

December 8, 2025

Part III

General Services Administration

41 CFR Chapters 300, 301, 302 et al.

Federal Travel Regulation; Reorganizing and Streamlining the Federal
Travel Regulation To Improve Operational Efficiency; Final Rule

GENERAL SERVICES ADMINISTRATION

41 CFR Chapters 300 Through 304

[FTR Case 2025–05; Docket No. GSA–FTR–2025–0003; Sequence No. 1]

RIN 3090–AL06

Federal Travel Regulation; Reorganizing and Streamlining the Federal Travel Regulation To Improve Operational Efficiency

AGENCY: Office of Government-Wide Policy (OGP), General Services Administration (GSA).

ACTION: Final rule.

SUMMARY: To implement the President’s Deregulatory Initiatives, and to better reflect modern travel operations while still accounting for statutory requirements, GSA is issuing this final rule amending the entire Federal Travel Regulation (FTR). These updates streamline text and remove duplicative regulations to drive more efficient and effective Federal travel and relocation, while saving money for American taxpayers.

DATES: *Effective date:* December 8, 2025.

FOR FURTHER INFORMATION CONTACT: Alexander Kurien, Deputy Associate Administrator, at 202–495–9628 or travelpolicy@gsa.gov, for clarification of content. For information pertaining to status or publication schedules, contact the Regulatory Secretariat Division at 202–501–4755 or GSARegSec@gsa.gov. Please cite FTR Case 2025–05.

SUPPLEMENTARY INFORMATION:

I. Background

On April 16, 2025, GSA published two notices in the **Federal Register** at 90 FR 15948 and 90 FR 15946, respectively, regarding its intention to rescind FTR Case 2022–03, “Alternative Fuel Vehicle Usage During Relocations” published in the **Federal Register** at 89 FR 20857 on March 26, 2024, and FTR Case 2022–05, “Updating the FTR with Diversity, Equity, Inclusion, and Accessibility Language” published in the **Federal Register** at 89 FR 12250 on February 16, 2024. Accordingly, GSA is reverting the language in the FTR that was changed pursuant to FTR Case 2022–03 to the language that applied immediately prior to such changes; such predecessor language was agnostic as to the type of privately-owned vehicle owned or leased by a relocating employee. Regarding FTR Case 2022–05, GSA is removing most pronouns in the FTR instead of reverting to sex-specific pronouns such as he, she, his, or her as originally intended. The decision to

remove most pronouns is adopted for clarity as there are multiple nouns that a pronoun could refer to with the reversion of the FTR to title and narrative format as further discussed below. A detailed discussion of other changes follows.

Pursuant to 5 United States Code (U.S.C) 5707 and 5738, GSA has the authority to promulgate travel and relocation regulations, respectively, which GSA does through the FTR. The FTR has undergone many changes since its inception, including major revisions in 1989 and 1998. This revision marks another major update in several ways. First, the question and answer (Q&A) format from the 1998 revision is reverted to title and narrative format. The updated format reduces redundancies that developed as a result of the Q&A format’s creation of separate agency and employee sections.

GSA is also eliminating several parts of the FTR not explicitly articulated within authorizing statutes, thereby reducing the cost and complexity of the travel and relocation process. Specific major changes are detailed under the discussion section of this preamble. Broadly, this rewrite reduces chapter 300 to solely the glossary of terms, and either eliminates other sections or integrates them into relevant sections of subsequent chapters. While chapters 301 and 302 still focus on temporary duty travel and relocation, respectively, their overall length is reduced by more than half. Chapters 303 and 304, addressing the death of an employee and payment by non-Federal sources, respectively, are also both shortened by deleting material that is either redundant or not statutorily required.

GSA, through its responsibility to maintain the FTR on behalf of the entire Executive branch of the Federal Government, strives to ensure that travel and relocation undertaken in the public interest is as cost effective and efficient as possible. These FTR revisions, coupled with improvements in technology that help in the execution of these regulations, advances this goal.

II. Discussion of the Final Rule— Significant Changes

Significant changes are noted by chapter:

Chapter 300 now solely consists of the glossary of terms, with other sections either being deleted or moved into more appropriate chapters. The introductory parts of chapter 300 that define the FTR and who it applies to are greatly simplified and have been moved into chapter 301. Part 300–70, subpart A, which details agency reporting requirements, has been partially moved

to chapter 302, as statutory requirements for annual reporting exist for both agency travel and relocation. Part 300–70, subpart B, which required agencies to annually submit their first and business class travel use, has been eliminated. GSA included premium class travel reporting in the FTR upon the recommendation of the Government Accountability Office (GAO) per its report titled “Premium Class Travel: Internal Control Weaknesses Governmentwide Led to Improper and Abusive Use of Premium Class Travel” (GAO–07–1268). Premium class travel, specifically first and business class travel, is less than 0.2 percent of Federal airline transportation spending. Accordingly, any instances of regulatory abuse with respect to this topic appear to be rare and can be managed at the agency level, instead of through an additional reporting mechanism. While the removal of this reporting requirement reduces administrative burden, it does not diminish the general rule that premium class travel may be authorized only if one of the relevant regulatory exceptions is met. GSA may consider reinserting this annual reporting requirement in a future FTR amendment if needed. Finally, part 300–80, Relocation Expenses Test Programs, has been moved to chapter 302, which covers relocation.

In chapter 301, the terms “agency” and “employee” are unchanged, but as they are definitional, they have been moved to chapter 300, Glossary of Terms. Further, GSA eliminated the presumptions as to the most advantageous method of transportation by order of precedence at § 301–10.5, as an order of precedence is not statutorily required; the new regulation relies on agency discretion to select the method most advantageous to the government. GSA updated FTR part 301–11 to allow flexibility on the requirement to have advance approval to claim the full meals and incidental expenses (M&IE) when meals are furnished or included in a registration fee and the employee is unable to consume the furnished meal(s) because of medical requirements or religious beliefs. Advance approval is now only required if the employee had advance knowledge of the meals that would be provided. For example, if the meal is provided at a conference, but no specifics on the meal composition (e.g., meals with common allergens such as nuts) are provided in advance, then no advance approval is required for employees to claim the full M&IE.

Laundry reimbursement is not claimed very often, and is a small amount spent in terms of overall Federal travel (less than \$100,000/year).

Employees needed to be on travel for at least four consecutive nights in order to be reimbursed for laundry expenses. The FTR will no longer list laundry as its own distinct category of reimbursement, which led some agencies to think they had to pay the expense, even though the regulation itself said agencies “may” pay it, not must. For travel within the continental United States, agencies can still determine whether laundry is an appropriate miscellaneous expense in their overall miscellaneous expenses policy. Part 301–30 is amended to insert the word “employee” before “emergency travel” to avoid confusion with travelers thinking they are entitled to different or extra travel expenses for responding to others’ emergencies when in fact, the Part addresses expenses for employees that experience a personal emergency while on travel. A change made throughout the FTR, including in part 301–30, Employee Emergency Travel, and part 301–31, Threatened Law Enforcement/Investigative Employees, narrows where permitted by statute, the reimbursement of expenses to “immediate family” as defined in chapter 300. Without this distinction an employee might assume they are entitled to reimbursement for any number of family members, despite the glossary of terms directing the reader to “immediate family” for the definition of “family”.

Part 301–74, Conference Planning, has been removed as it is guidance, and not regulatory text required to be prescribed by statute. Further, GSA believes that agencies are better equipped to give updated advice and support on this topic to their employees, especially because much of part 301–74 addressed conference planning generally and not conference planning involving travel.

Finally, the former appendix C to chapter 301 containing a list of standard data elements for Government travel was removed. This information is not considered regulatory and is found at https://ussm.gsa.gov/fibf-travel/#standard_data_elements. Subchapter B, Relocation Allowances, part 302–3, Relocation Allowance by Specific Type, was updated to clarify mandatory and discretionary items, specifically on extended storage and property management. GSA also clarified when allowances may be reimbursed for a temporary change of station.

In part 302–3, subpart C, Types of Transfers, GSA clarified the regulations surrounding the transfer of two employed immediate family members and specified that only one of the employed immediate family members

can claim any non-employee immediate family member(s).

GSA also clarified the regulations governing tour renewal travel for Alaska and Hawaii. Specifically, if other conditions are met, employees are allowed tour renewal travel from Alaska or Hawaii so long as they will continue to serve a consecutive tour in either Alaska or Hawaii. As previously written, to qualify the employee had to return and serve a consecutive tour in the specific state they had departed from.

In part 302–6, Allowance for Temporary Quarters Subsistence Expenses (TQSE), GSA eliminated the TQSE Actual Expense (TQSE–AE) and TQSE Lump Sum (TQSE–LS) payment methods. With the implementation of the TQSE Lodgings-plus (TQSE–LP) payment method, TQSE–AE became redundant. When the TQSE–LP payment method was created, the TQSE–AE was also changed to reimburse at the same rate as the TQSE–LP with the primary difference being that under TQSE–AE the employee had to itemize expenses. Since itemization is not required under TQSE–LP and the reimbursement rates are identical, TQSE–AE is no longer necessary. The TQSE–LS was implemented at the time when the only payment method was the TQSE–AE. The TQSE–LS was meant as a means to reduce the administrative burden of tracking individual expenses and also was reimbursed at the higher locality rate compared to the prior way of reimbursing TQSE–AE at the standard continental United States (CONUS) rate. With the implementation of the TQSE–LP, administrative burden has been negated since the only receipt required is a lodging receipt and TQSE–LP is reimbursed at the locality rate so there is no additional benefit to using the TQSE–LS.

In part 302–11, Allowances for Residence Transaction Expenses, the restriction that prohibits reimbursement for broker fees or commissions paid in connection with purchase of a home at the new official station is eliminated. OGP published a GSA Bulletin FTR 25–03 on October 30, 2024 (viewable at <https://www.gsa.gov/ftrbulletins>), temporarily waiving the restriction. By incorporating the waiver into the FTR permanently, this change allows agencies to reimburse eligible relocating employees for buyer broker fees/real estate commissions in connection with the purchase of a residence at the new official station incident to their relocation.

Changes to chapter 303, Payment of Expenses Connected With the Death of Certain Employees, were made to

streamline the text. A change to only require receipts when expenses were \$75 or more was added in line with receipt requirements elsewhere in the FTR. This change should reduce some administrative burden. Death of employees while on official travel is extremely rare, but it does happen and families should be as burden-free as possible when making final arrangements.

No substantive changes were made to chapter 304, which addresses non-Federal source payments for travel.

III. Cost Impact Analysis

GSA conducted an economic analysis of the changes and determined that during the first and subsequent years after publication of the rule, there are economic impacts associated with this rule. GSA estimated the discounted total overall net cost avoidance over a 10-year period is \$653,337 at a 3-percent discount rate and \$547,239 at a 7-percent discount rate. GSA calculated the estimated hourly compensation¹ using the U.S. Office of Personnel Management’s 2025 General Schedule (GS) Rest of United States Locality Pay Table,² a full fringe benefit cost factor of 36.25 percent,³ and an overhead cost factor of 12 percent as provided by the Office of Management and Budget (OMB) Circular A–76.⁴ The following section is a list of activities related to regulatory compliance that GSA anticipates will occur. These assumptions were generated based on internal GSA expertise.

1. Economic Impact to Government

a. Reduction in Regulatory Text

GSA assumes that reduced page count will result in cost avoidance for the time saved by the Federal employees reading the FTR. GSA estimated a 46%, or 394-page, reduction in the number of pages from the current FTR by comparing the current FTR with the new version set forth herein using a double-spaced format (same font, same margins). The actual reduction amount will not be known to the public until the revisions

¹ Computing Hourly Rates of Pay Using the 2,087-Hour Divisor (<https://www.opm.gov/policy-data-oversight/pay-leave/pay-administration/fact-sheets/computing-hourly-rates-of-pay-using-the-2087-hour-divisor/>).

² General Schedule (<https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2025/general-schedule/>).

³ OMB Memo M–08–13, dated March 11, 2008 (https://www.whitehouse.gov/wp-content/uploads/legacy_drupal_files/omb/memoranda/2008/m08-13.pdf).

⁴ OMB Circular A–76 (https://georgewbush-whitehouse.archives.gov/omb/circulars/a076/a76_incl_tech_correction.html).

are formally printed in the Code of Federal Regulations.
GSA estimated that GS–11s would save 4.1 hours in reading time in the first year and 2.05 hours in Years 2–10; GS–12s would save 3 hours in the first year and 1.5 hours in Years 2–10. GSA estimated that there are 125 GS–11s and

500 GS–12s that need to be familiar with the FTR. Given the hourly rate of \$59.52 for GS–11s the total cost avoidance for GS–11s in Year 1 will be \$30,504 and \$15,252 in the years thereafter. Given the hourly rate of \$71.35 for GS–12s, the total cost avoidance for GS–12s in Year 1 will be

\$107,025 and \$53,513 annually thereafter. The total impact is a cost savings of \$765,410. A breakdown of the undiscounted total annual estimated cost avoidance by GS levels by year from the reduction of regulatory text is provided in the table below.

	Year 1	Years 2–10
Cost avoidance for GS–11s	\$30,504	\$15,252
Cost avoidance for GS–12s	107,025	53,513

2. Total Overall Economic Impact

The total cost avoidance for the government is \$137,529 in Year 1 and \$68,765 annually for Years 2–10 for a total impact of \$765,410.
The discounted estimated total overall net cost avoidance over a 10-year period is \$653,337 at a 3-percent discount rate and \$ 547,239 at a 7-percent discount rate. The following is a summary of the estimated costs calculated for a 10-year time horizon at a 3- and 7-percent discount rate:

Summary	Total cost avoidance
Present Value (3 percent)	\$653,337
Annualized Cost Avoidance (3 percent)	76,591
Present Value (7 percent)	547,239
Annualized Cost Avoidance (7 percent)	77,915

IV. Executive Orders 12866,13563, and 14192

Executive Order (E.O.) 12866 (Regulatory Planning and Review) directs 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). E.O. 13563 (Improving Regulation and Regulatory Review) emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. The Office of Management and Budget’s Office of Information and Regulatory Affairs (OIRA) has determined that this rule is a significant regulatory action under section 3(f) of E.O. 12866 and, therefore, was reviewed under Section 6(b) of E.O. 12866. This final rule is an E.O. 14192 (Unleashing Prosperity Through Deregulation) deregulatory action.

V. Congressional Review Act

OIRA has determined that this is not a “major rule” under Subtitle E of the Small Business Regulatory Enforcement Fairness Act of 1996, 5 U.S.C. 804(2), also known as the Congressional Review Act or CRA. The CRA generally provides that before a rule may take effect, unless excepted, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. This action, however, is excepted from CRA reporting requirements prescribed under 5 U.S.C. 801 as it relates to agency management or personnel and is therefore not a “rule” under the CRA pursuant to 5 U.S.C. 804(3)(B).

VI. Regulatory Flexibility Act

This final rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.* This final rule is also exempt from the Administrative Procedure Act pursuant to 5 U.S.C. 553(a)(2) because it applies to agency management or personnel. Therefore, an Initial Regulatory Flexibility Analysis was not performed.

VII. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the changes to the FTR do not impose recordkeeping or information collection requirements, or the collection of information from offerors, contractors, or members of the public that require the approval of the Office of Management and Budget (OMB) under 44 U.S.C. 3501 *et seq.*

VIII. Signing Authority

The Acting Administrator of GSA, Michael Rigas, having reviewed and approved this document, is delegating the authority to electronically sign this document to Larry Allen, who is the Associate Administrator of the Office of Government-wide Policy, for purposes of publication in the **Federal Register**.

List of Subjects

- 41 CFR Part 300–1
Government employees, Income taxes, Travel and transportation expenses.
- 41 CFR Parts 301–1 and 301–2
Government employees, Travel and transportation expenses.
- 41 CFR Part 301–10
Common carriers, Government employees, Government property, Travel and transportation expenses.
- 41 CFR Parts 301–11 and 301–12
Government employees, Travel and transportation expenses.
- 41 CFR Part 301–13
Government employees, Individuals with disabilities, Travel and transportation expenses.
- 41 CFR Parts 301–30 Through 301–31 and 301–50 Through 301–53
Government employees, Travel and transportation expenses.
- 41 CFR Part 301–70
Administrative practice and procedure, Common carriers, Government contracts, Government employees, Individuals with disabilities, Travel and transportation expenses.
- 41 CFR Part 301–71
Accounting, Government employees, Travel and transportation expenses.
- 41 CFR Part 301–72
Common carriers, Government employees, Travel and transportation expenses.
- 41 CFR Part 301–73
Government contracts, Travel and transportation expenses.
- 41 CFR Parts 301–75 and 301–76
Government employees, Travel and transportation expenses.

41 CFR Part 301–80

Government employees, Reporting and recordkeeping requirements, Travel and transportation expenses.

41 CFR Parts 302–1 Through 302–4

Government employees, Income taxes, Travel and transportation expenses.

41 CFR Parts 302–5 Through 302–11

Government employees, Travel and transportation expenses.

41 CFR Part 302–12

Government employees, Income taxes, Travel and transportation expenses.

41 CFR Part 302–14

Government employees, Travel and transportation expenses.

41 CFR Part 302–15

Government employees, Income taxes, Travel and transportation expenses.

41 CFR Part 302–16

Government employees, Relocation services, Travel and transportation expenses.

41 CFR Part 302–17

Government employees, Income taxes, Travel and transportation expenses.

41 CFR Part 302–18

Government employees, Travel and transportation expenses.

41 CFR Part 303–70

Claims, Government employees, Travel and transportation expenses.

41 CFR Parts 304–1 Through 304–7 and 304–9

Government employees, Travel and transportation expenses.

Larry Allen,

Associate Administrator, Office of Government-wide Policy.

For the reasons set forth in the preamble, GSA revises 41 CFR subtitle F, chapters 300 through 304, to read as follows:

Subtitle F—Federal Travel Regulation System**CHAPTER 300—GLOSSARY OF TERMS****PART 300–1—GLOSSARY OF TERMS**

Sec.

300–1.1 Glossary of terms.

300–1.2 [Reserved]

CHAPTER 301—TEMPORARY DUTY (TDY) TRAVEL ALLOWANCES**SUBCHAPTER A—INTRODUCTION AND AUTHORIZATION****PART 301–1—APPLICABILITY**

301–1.1 Purpose.

301–1.2 Eligibility for TDY allowances.

PART 301–2—GENERAL RULES

301–2.1 Travel authorization requirement.

301–2.2 Allowable travel expenses.

301–2.3 Travel arrangements requiring specific authorization or prior approval.

SUBCHAPTER B—ALLOWABLE TRAVEL EXPENSES**PART 301–10—TRANSPORTATION EXPENSES****Subpart A—General**

301–10.1 Eligibility for transportation expenses payment.

301–10.2 Authorized transportation methods.

301–10.3 Selection of transportation method.

301–10.4 Liability for unauthorized or indirect travel.

Subpart B—Common Carrier Transportation Airline

301–10.100 Use of other than coach class accommodations.

301–10.101 Changes to or non-use of common carrier reservations.

301–10.102 Handling of unused Government transportation items.

301–10.103–301–10.109 [Reserved]

Use of Contract City Pair Program Fares

301–10.110 Requirement to use contract City Pair program fare.

301–10.111 Exceptions to contract City Pair Program fare usage.

301–10.112 Liability for unauthorized non-contract carrier use.

301–10.113–301–10.117 [Reserved]

Airline Accommodations

301–10.118–301–10.121 [Reserved]

301–10.122 Compensation for denied seat.

301–10.123 Compensation for voluntarily vacating a seat.

301–10.124 Use of reduced group or charter fares.

301–10.125–301–10.129 [Reserved]

Use of United States Flag Air Carriers

301–10.130–301–10.131 [Reserved]

301–10.132 U.S. flag air carrier requirement.

301–10.133 U.S. flag air carrier service.

301–10.134 Fly America Act requirements and exceptions.

301–10.135 Fly America exceptions for foreign air carrier service as a necessity.

301–10.136 Fly America Act exceptions for travel between the United States and another country.

301–10.137–301–10.140 [Reserved]

301–10.141 Certification requirements for foreign air carrier use.

301–10.142 Liability for improper or unauthorized foreign air carrier use.

301–10.143–301–10.159 [Reserved]

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301–10.160 Use of extra-fare train service.

301–10.161 Use of train sleeping accommodations.

301–10.162–301–10.179 [Reserved]

Ship

301–10.180 U.S. flag ship requirement.

301–10.181 Liability for improper foreign ship use.

301–10.182–301–10.189 [Reserved]

Transit Systems

301–10.190 Use of transit system for official travel.

Subpart C—Government Vehicle

301–10.200 Types of Government vehicles.

301–10.201 Liability for unauthorized Government vehicle use.

Travel on Government Aircraft

301–10.260 Use of Government aircraft.

301–10.261 Types of Government aircraft travel.

301–10.262 Authorization of Government aircraft travel.

301–10.263 Travel authorization documents for Government aircraft.

301–10.264 Reimbursement to the Government for Government aircraft travel.

301–10.265 Information available to the public about travel by senior Federal officials and non-Federal travelers on Government aircraft.

Subpart D—Privately Owned Vehicle (POV)

301–10.300 Determining and computing mileage reimbursement.

301–10.301 Reimbursement for advantageous POV use.

301–10.302 Allowable expenses beyond POV mileage rate.

301–10.303 Reimbursement with multiple POV travelers.

301–10.304 Reimbursement for POV parking at common carrier terminal.

301–10.305 Reimbursement when using an unauthorized method of transportation.

301–10.306 Reimbursement when using a POV instead of a Government-furnished automobile.

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Subpart E—Special Conveyances

301–10.400 Types of special conveyances.

301–10.401 Reimbursable charges for special conveyance.

Taxis, TNCs, Innovative Mobility Technology Companies, Shuttle Services, or Other Courtesy Transportation

301–10.420 Use of taxi, TNC, innovative mobility technology company, shuttle service, or other courtesy transportation.

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- 301–11.5 Entitlement period for subsistence expenses.
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- 301–11.8 Computation of daily lodging rate for long-term lodging.
- 301–11.9 Allowable expenses for long-term lodging.
- 301–11.10 Reimbursement for prepaid lodging expenses.
- 301–11.11 Subsistence expense calculations when traveling across the international dateline (IDL).
- 301–11.12 Agency authorization of rest periods during travel.
- 301–11.13 Reimbursement for subsistence expenses on non-workdays.
- 301–11.14 Agency reimbursement for return home or to the official station during TDY.
- 301–11.15 Reimbursement for voluntary return during TDY assignment.
- 301–11.16 Lodging tax reimbursement.
- 301–11.17 Options for when the per diem rate is insufficient.
- 301–11.18 Reimbursement for advance room deposit.
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- 301–11.20 Meals and incidental expenses (M&IE) reimbursement amounts.
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- 301–11.601 Duty to recognize a taxable extended TDY assignment.
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- 301–31.2 Agency discretion in paying expenses.
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- 301–70.300 Governing policies for payment of miscellaneous expenses.

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- 301–70.501 Status of existing travel authorization after personal emergency or incapacitating illness or injury.
- 301–70.502 Reimbursement for travel to an alternate location for medical treatment.
- 301–70.503 Defining actual cost and constructive cost for travel interruption due to incapacitating illness or injury.
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Chapter 300—Glossary of Terms

PART 300–1—GLOSSARY OF TERMS

Authority: 5 U.S.C. 5707; 40 U.S.C. 121(c); 49 U.S.C. 40118; 5 U.S.C. 5738; 5 U.S.C. 5741–5742; 20 U.S.C. 905(a); 31 U.S.C. 1353; E.O. 11609, 36 FR 13747, 3 CFR, 1971–1975 Comp., p. 586; Office of Management and Budget Circular No. A–126, revised May 22, 1992, 57 FR 22150.

§ 300–1.1 Glossary of terms.

Accompanied baggage. Government property and personal property of the traveler necessary for official travel.

Accommodation Party. An individual who signs an employee's financing agreement (e.g., a mortgage) to lend that individual's name (i.e., credit) to the arrangement.

Actual expense. Payment of authorized actual expenses incurred, up to the limit prescribed by the Administrator of General Services or other agency, as appropriate. Entitlement to reimbursement is contingent upon entitlement to per diem, and is subject to the same definitions and rules governing per diem.

Agency. (1) For purposes of temporary duty (TDY) allowances under chapter 301 of this subtitle, *agency* means:

- (i) An Executive agency, as defined in 5 U.S.C. 105 (except for Government-Controlled Corporations, i.e., mixed ownership Government Corporation as defined in 31 U.S.C. 9101);
- (ii) A military department;

(iii) An office, agency, or other establishment in the legislative branch; and

(iv) The Government of the District of Columbia.

(2) However, for purposes of TDY allowances, the term agency does not include:

- (i) A Government-controlled corporation;
- (ii) A Member of Congress;
- (iii) An office or committee of either House of Congress or of the two Houses; or

(iv) An office, agency or other establishment in the judicial branch.

(3) For purposes of chapter 302 of this subtitle, *agency* means:

- (i) An executive agency as defined in 5 U.S.C. 105 (an executive department, an independent establishment, the Government Accountability Office, or a wholly owned Government corporation as defined in section 101 of the Government Corporation Control Act, as amended (31 U.S.C. 9101), but excluding a Government controlled corporation);
- (ii) A military department;
- (iii) A court of the United States;
- (iv) The Administrative Office of the United States Courts;
- (v) The Federal Judicial Center;
- (vi) The Library of Congress;
- (vii) The United States Botanic Garden;
- (viii) The Government Printing Office; and
- (ix) The District of Columbia.

Aircraft management office. An agency component that has management control of Federal aircraft used by the agency or of aircraft hired as commercial aviation services (CAS).

Approved accommodation. Any place of public lodging that is listed on the national master list of approved accommodations. The national master list of all approved accommodations is compiled and periodically updated by the Federal Emergency Management Agency (FEMA). The list is available on the U.S. Fire Administration's website at <https://apps.usfa.fema.gov/hotel/>.

Automated Relocation Management System. An automated relocation management system is a system that integrates into a single, electronic environment, information related to all aspects of employee relocation.

Coach class. The class of accommodation that is normally the lowest class of fare offered by common carriers regardless of terminology used. For reference purposes only, coach class may also be referred to as tourist class, economy class, steerage, or standard class.

- (1) If an airline flight has only two seating sections available but equips

both with one type of seating, (i.e., seating girth and pitch are the same in both sections of the aircraft), and the seats in the front of the aircraft are fare coded as full fare economy class, and only restricted economy fares are available in the back of the aircraft, then the entire aircraft is to be classified as coach class.

(2) Coach class seating upgrade options are seat choices with increased amenities or services within the coach class seating area that are available for a fee, and are not considered a new or higher class of accommodation from coach as the seat is lower than other than coach class accommodations in terms of cost and amenities (e.g., seating girth and pitch, priority boarding, luggage allowance, expedited food/drink service). Use of upgraded coach class seating options is generally a traveler's personal choice and therefore is at the traveler's personal expense. However, the agency approving official may approve reimbursement of the additional seat choice fee according to part 301–13 of this subtitle or when determined by the agency to be advantageous to the Government.

Commercial Aviation Services (CAS). CAS include, for the exclusive use of an executive agency—

- (1) Leased aircraft;
- (2) Chartered or rented aircraft;
- (3) Commercial contracts for full aviation services (i.e., aircraft plus related aviation services) or acquisition of full services through inter-service support agreements (ISSA) with other agencies; or

(4) Related services (i.e., services but not aircraft) obtained by commercial contract or ISSA, except those services acquired to support Federal aircraft.

Common carrier. Private sector supplier of air, rail, bus, ship, or other transit system.

Commuted rate. A price rate used to calculate a set amount to be paid to an employee for the transportation and temporary storage of their household goods. It includes cost of line-haul transportation, packing/unpacking, crating/uncrating, drayage incident to transportation and other accessorial charges and costs of temporary storage within applicable weight limit for storage including handling in/out charges and necessary drayage.

Conference. A meeting, retreat, seminar, symposium or event that involves attendee travel. The term "conference" also applies to training activities that are considered to be conferences under 5 CFR 410.404.

Continental United States (CONUS). The 48 contiguous States and the District of Columbia.

Contract carrier. U.S. certificated air carriers which are under contract with the Government to furnish Federal employees and other persons authorized to travel at Government expense with passenger transportation service. This also includes the General Services Administration's (GSA) scheduled airline passenger service between selected U.S. cities/airports and between selected U.S. and international cities/airports at reduced fares.

Contract City Pair Program. A mandatory use (see § 301–10.110 of this subtitle for required users) Government program that provides commercially available scheduled air passenger transportation services to persons authorized to travel directly at the Government's expense. The City Pair Program offers negotiated firm-fixed-price fares on one-way routes between airports that apply in either direction of travel. Fares may be issued using one of the following fare types, or others that the contract City Pair Program may solicit:

(1) **Capacity-controlled coach class contract fare** (___CA). A contract City Pair Program coach class fare that is less expensive than the unrestricted coach class contract fare (YCA), but has limited inventory availability, meaning, once the flight reaches a certain capacity, ___CA fares may no longer be available for booking. Unlike YCA fares, ___CA fares are restricted by the availability of seats. Accordingly, early booking may increase the likelihood of booking a ___CA fare.

(2) **Unrestricted coach class contract fare** (YCA). A contract City Pair Program coach class fare that is more expensive than a ___CA fare, but offers last seat (inventory) availability (unless a flight is already sold out), meaning, as long as coach class inventory is available to sell on the flight, the Government traveler can purchase it.

(3) **Contract business fare** (___CB). Contract fare offered by carriers in some domestic and international line item markets for business class service.

(4) **Contract premium economy fare** (___CP). Contract fare offered by carriers in international line items markets for premium economy service. This is a separate class of service from coach class.

Note 1 to definition of "Contract City Pair Program": For ___CA, ___CB, and ___CP fares, the first character of the three character fare basis code varies by airline.

Crewmember. A person assigned to operate or assist in operating an aircraft. Performs duties directly related to the operation of the aircraft (e.g., as pilots, co-pilots, flight engineers, navigators) or

duties assisting in operation of the aircraft (e.g., as flight directors, crew chiefs, electronics technicians, mechanics). If a crewmember is on board for the purpose of travel (i.e., being transported from point to point) that crewmember must be authorized to travel in accordance with rules in §§ 301–10.260 through 301–10.265 and §§ 301–70.800 through 301–70.907 of this subtitle.

Dependent. An immediate family member of the employee.

Disposable pay. The part of the employee's compensation remaining after the deduction of any amounts required by law to be withheld. These deductions do not include discretionary deductions such as savings bonds, charitable contributions, etc. Deductions may be made from any type of pay, e.g., basic pay, special pay, retirement pay, or incentive pay.

Domestic partner. An adult in a domestic partnership with an employee of the same-sex.

Domestic partnership. A committed relationship between two adults of the same sex, in which they—

(1) Are each other's sole domestic partner and intend to remain so indefinitely;

(2) Maintain a common residence, and intend to continue to do so (or would maintain a common residence but for an assignment abroad or other employment-related, financial, or similar obstacle);

(3) Are at least 18 years of age and mentally competent to consent to contract;

(4) Share responsibility for a significant measure of each other's financial obligations, this is not to be interpreted as excluding partnerships where one partner stays at home while the other partner is the primary breadwinner;

(5) Are not married or joined in a civil union to anyone else;

(6) Are not a domestic partner of anyone else;

(7) Are not related in a way that, if they were of opposite sex, would prohibit legal marriage in the U.S. jurisdiction in which the domestic partnership was formed;

(8) Are willing to certify, if required by the agency, that they understand that willful falsification of any documentation required to establish that an individual is in a domestic partnership may lead to disciplinary action and the recovery of the cost of benefits received related to such falsification, as well as constitute a criminal violation under 18 U.S.C. 1001, and that the method for securing such

certification, if required, shall be determined by the agency;

(9) Are willing promptly to disclose, if required by the agency, any dissolution or material change in the status of the domestic partnership; and

(10) Certify that they would marry but for the failure of their state or other jurisdiction (or foreign country) of residence to permit same-sex marriage.

Duplicate reimbursement disclosure statement. A duplicate reimbursement disclosure statement is a written statement signed by the employee and submitted to the agency. It states that the employee and/or their immediate family have not accepted, and will not accept, duplicate reimbursement for relocation expenses. Furthermore, it states that, to the best of the employee's knowledge, no third party has accepted duplicate reimbursement for their relocation expenses. The duplicate reimbursement disclosure statement must be incorporated into the employee's service agreement.

E-Gov Travel Service (ETS). The Government-contracted, end-to-end travel and expense management service that automates and consolidates the Federal travel process in a self-service environment, covering all aspects of official travel, including travel planning, authorization, reservations, ticketing, expense reimbursement, and travel management reporting.

Employee. An employee for purposes of TDY allowances under chapter 301 of this subtitle is:

(1) An individual employed by an agency, regardless of status or rank;

(2) An individual employed intermittently in Government service as an expert or consultant and paid on a daily when-actually-employed (WAE) basis; or

(3) An individual serving without pay or at \$1 a year (also referred to as "invitational traveler").

Employee with a disability (also see *Special needs*). (1) An employee who has a disability as defined in paragraph (2) of this definition and is otherwise generally covered under the Rehabilitation Act of 1973, as amended (29 U.S.C. 701–797b).

(2) **Disability** with respect to an employee, means:

(i) Having a physical or mental impairment that substantially limits one or more major life activities;

(ii) Having a record of such an impairment;

(iii) Being regarded as having such an impairment; but

(iv) Does not include an individual who is currently engaging in the illegal use of drugs, when the covered entity acts on the basis of such use.

(3) *Physical or mental impairment* means:

(i) Any physiological disorder or condition; or

(ii) Any mental or psychological disorder.

(4) *Major life activities* means functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

(5) *Has a record of such an impairment* means the employee has a history of, or has been classified as having, a mental or physical impairment that substantially limits one or more major life activities.

(6) *Is regarded as having such an impairment* means the employee has:

(i) A physical or mental impairment that does not substantially limit major life activities but the impairment is treated by the agency as constituting such a limitation;

(ii) A physical or mental impairment that substantially limits major life activities as a result of the attitudes of others toward such an impairment; or

(iii) None of the impairments defined under “physical or mental impairment” in paragraph (3) of this definition, but is treated by the employing agency as having a substantially limiting impairment.

Executive agency. An entity of the executive branch that is an “executive agency” as defined in 5 U.S.C. 105.

Extended storage. Storage of household goods while an employee is assigned to an official station or post of duty to which the employee is not authorized to take or unable to use the household goods or is authorized in the public interest. Also referred to as non-temporary storage.

Extra-fare train. A train that operates at an increased fare due to the extra performance of the train, *i.e.*, faster speed or fewer stops, or both.

Family (see Immediate family).

Federal traveler. For the purposes of §§ 301–10.260 through 301–10.265 and 301–70.800 through 301–70.907 of this subtitle, a person who travels on a Government aircraft and who is either—

(1) A civilian employee in the Government service;

(2) A member of the uniformed or foreign services of the United States Government; or

(3) A contractor working under a contract with an executive agency.

Foreign air carrier. An air carrier who is not holding a certificate issued by the United States under 49 U.S.C. 41102.

Fuel. The energy source needed to power a vehicle, *e.g.*, petroleum, hydrogen, propane, and electricity.

Full coach fare. The price of a coach fare available to the general public on a

scheduled air carrier between the day that the travel was planned and the day the travel occurred.

Government aircraft. An aircraft that is operated for the exclusive use of an executive agency and is a—

(1) Federal aircraft, which an executive agency owns (*i.e.*, holds title to) or borrows for any length of time under a bailment or equivalent loan agreement. See chapter 102 of this title for definition of all terms related to Federal aircraft; or

(2) Commercial aircraft hired as commercial aviation services (CAS), which an executive agency—

(i) Leases or lease-purchases with the intent to take title;

(ii) Charters or rents; or

(iii) Hires as part of a full-service contract or ISSA.

Government contractor-issued individually billed travel charge card. A Government contractor-issued charge card used by authorized individuals to pay for official travel and transportation related expenses for which the contractor bills the employee.

Government-furnished automobile. An automobile (or “light truck,” as defined in chapter 102 of this title including vans and pickup trucks) that is:

(1) Owned by an agency;

(2) Assigned or dispatched to an agency from GSA Fleet; or

(3) Leased by the Government for a period of 120 days or longer from a commercial source.

Government-furnished vehicle. A Government-furnished automobile or a Government aircraft.

Government Transportation Request (GTR) (Optional Form 1169). A Government document used to procure common carrier transportation services. The document obligates the Government to pay for transportation services provided.

Household goods (HHG). Property, unless specifically excluded, associated with the home and all personal effects belonging to an employee and immediate family members on the effective date of the employee’s change of official station orders (the day the employee reports for duty at the new official station) that legally may be accepted and transported by a commercial HHG carrier.

(1) HHG also includes:

(i) Professional books, papers, and equipment (PBP&E).

(ii) Spare parts of a POV (see definition of POV in this section) and a pickup truck tailgate when removed.

(iii) Integral or attached vehicle parts that must be removed due to high vulnerability to pilferage or damage

(*e.g.*, seats, tops, wench, spare tire, portable auxiliary gasoline can(s) and miscellaneous associated hardware).

(iv) Consumable goods for employees assigned to locations where the Department of State has determined that such goods are necessary.

(v) Vehicles other than POVs (such as motorcycles, mopeds, jet skis, snowmobiles, golf carts, boats (*e.g.*, boat, sailboat, canoe, skiff, rowboat, dinghies, sculls and kayak, mounted or unmounted on trailers)) of reasonable size.

(vi) Ultralight vehicles (defined in 14 CFR part 103 as being single occupant, for recreation or sport purposes, weighing less than 155 pounds if unpowered or less than 254 pounds if powered, having a fuel capacity not to exceed (NTE) 5 gallons, airspeed NTE 55 knots, and power-off stall speed NTE 24 knots).

(vii) Unaccompanied air baggage (UAB). UAB includes personal items and equipment (*e.g.*, pots, pans, light housekeeping items, collapsible items such as cribs, playpens, and baby carriages, and other articles required for the care of the immediate family) that may be shipped by air in accordance with chapter 302 of this subtitle. Household items (*i.e.*, refrigerators, washing machines, and other major appliances or furniture) are not eligible as UAB.

(2) HHG does not include:

(i) Personal baggage when carried free on tickets;

(ii) Automobiles, trucks, vans and similar motor vehicles, mobile homes, camper trailers, and farming vehicles;

(iii) Live animals including birds, fish, reptiles;

(iv) Cordwood and building materials;

(v) HHG for resale, disposal, or commercial use rather than for use by employee and immediate family members;

(vi) Privately owned live ammunition; and

(vii) Propane gas tanks.

(3) Federal, State, and local laws or carrier regulations may prohibit commercial shipment of certain articles not included in paragraph (2) of this definition. These articles frequently include:

(i) Property liable to impregnate or otherwise damage equipment or other property (*e.g.*, hazardous articles including explosives, flammable and corrosive material, poisons).

(ii) Articles that cannot be taken from the premises without damage to the article or premises.

(iii) Perishable articles (including frozen foods) articles requiring refrigeration, or perishable plants unless—

(A) Shipment is to be transported not more than 150 miles and/or delivery accomplished within 24 hours from the time of loading;

(B) No storage is required; and

(C) No preliminary or en route services (e.g., watering or other preservative method) is required of the carrier.

Household goods-weight additive. A weight, per linear foot of a specific item, added to the net weight of the household goods shipment to compensate for the excessive van space used by the item. The item must be stated in the household goods tariff as qualifying for a weight additive before a charge can be assessed. Weight additives do not apply if an article is capable of being conveniently hand-carried by one person and/or transported in a standard moving carton.

Househunting trip. The term "househunting trip" refers to a trip made by the employee and/or spouse to the employee's new official station locality to find permanent living quarters to rent or purchase. The term "living quarters" in part 302-5 of this subtitle includes apartments, condominiums, and cooperatives in addition to townhouses and single family homes. The allowance for househunting trip expenses is intended to facilitate and expedite the employee's move from their old official station to their new official station and to lower the Government's overall cost for the employee's relocation by reducing the amount of time an employee must occupy temporary quarters.

Immediate family. Any of the following named members of the employee's household at the time the employee reports for duty at the new permanent duty station or performs other authorized travel involving immediate family members:

(1) Spouse;

(2) Domestic partner;

(3) Children of the employee, of the employee's spouse, or of the employee's domestic partner, who are unmarried and under 21 years of age or who, regardless of age, are physically or mentally incapable of self-support (The term "children" shall include natural offspring; stepchildren; adopted children; grandchildren, legal minor wards or other dependent children who are under legal guardianship of the employee, of the employee's spouse, or of the domestic partner; and an unborn child(ren) born and moved after the employee's effective date of transfer.);

(4) Dependent parents (including step and legally adoptive parents) of the

employee, of the employee's spouse, or of the employee's domestic partner; and

(5) Dependent siblings (including step and legally adoptive siblings) of the employee, of the employee's spouse, or of the employee's domestic partner, who are unmarried and under 21 years of age or who, regardless of age, are physically or mentally incapable of self-support.

Innovative mobility technology company. An organization, including a corporation, limited liability company, partnership, sole proprietorship, or any other entity, that applies technology to expand and enhance available transportation choices, better manages demand for transportation services, or provides alternatives to driving alone.

Interviewee. An individual who is being considered for employment by an agency. The individual may currently be a Government employee.

Invitational travel. Authorized travel of individuals either not employed or employed (under 5 U.S.C. 5703) intermittently in the Government service as consultants or experts and paid on a daily when-actually-employed basis and for individuals serving without pay or at \$1 a year when they are acting in a capacity that is directly related to, or in connection with, official activities of the Government. Travel allowances authorized for such persons are the same as those normally authorized for employees in connection with TDY.

Lodgings-plus per diem. The method of computing per diem allowances in which the per diem allowance for each travel day is established on the basis of the actual amount the traveler pays for lodging, plus an allowance for meals and incidental expenses (M&IE), the total of which does not exceed the applicable maximum per diem rate for the location concerned.

Mandatory mobility agreement. Agreement requiring employee relocation to enhance career development and progression and/or achieve mission effectiveness.

Marriage. A legal union between individuals that was entered into in a State or other jurisdiction (or foreign country) whose laws authorize the marriage, even if the married couple is domiciled in a state or other jurisdiction (or foreign country) that does not recognize the validity of the marriage. The term also includes common law marriage in a state or other jurisdiction (or foreign country) where such marriages are recognized, so long as they are proven according to the applicable State, other jurisdiction, or foreign laws. The term marriage does not include registered domestic partnerships, civil unions, or other

similar formal relationships recognized under State or other jurisdiction (or foreign country) law that are not denominated as a marriage under that State's or other jurisdiction (or foreign country's) law.

Mobile home. Any type of house trailer or mobile dwelling constructed for use as a residence and designed to be moved overland, either by self-propulsion or towing. Also, a boat (houseboat, yacht, sailboat, etc.) when used as the employee's primary residence.

New appointee. A new appointee is:

(1) An individual who is employed with the Federal Government for the very first time (including an individual who has performed transition activities under section 3 of the Presidential Transition Act of 1963 (3 U.S.C. 102 note), and is appointed in the same fiscal year as the Presidential inauguration);

(2) An employee who is returning to the Government after a break in service (except an employee separated as a result of reduction in force or transfer of functions and is re-employed within one year after such action); or

(3) A student trainee assigned to the Government upon completion of the student trainee's college work.

Non-Federal traveler. For the purposes of §§ 301-10.260 through 301-10.265 and §§ 301-70.800 through 301-70.907 of this subtitle, an individual who travels on a Government aircraft, but is not a Federal traveler. Dependents and other immediate family members of Federal travelers who travel on Government aircraft are considered to be non-Federal travelers within this definition.

Official station. An area defined by the agency that includes the location where the employee regularly performs their duties or an invitational traveler's home or regular place of business. The area may be a mileage radius around a particular point, a geographic boundary, or any other definite domain, provided no part of the area is more than 50 miles from where the employee regularly performs their duties or from an invitational traveler's home or regular place of business. If the employee's work involves recurring travel or varies on a recurring basis, the location where the work activities of the employee's position of record are based is considered the regular place of work.

Official travel. Travel under an official travel authorization from an employee's official station or other authorized point of departure to a temporary duty location and return from a temporary duty location, between two

temporary duty locations, or relocation at the direction of a Federal agency.

Other than coach class. Any class of accommodations above coach class. If an airline flight has only two classes of accommodations available, *i.e.*, two distinctly different seating types (such as girth and pitch) and the front of the aircraft is termed “premium economy class” or higher by the airline and the tickets are fare coded as premium economy class or higher, then the front of the aircraft is deemed to be other than coach class.

(1) *First class.* The highest class of accommodation offered by a common carrier in terms of cost and amenities.

(2) *Business class.* A class of accommodation offered by a common carrier that is lower than first class but higher than coach and premium economy, in cost and amenities.

(3) *Premium economy class.* A class of airline accommodation that is lower than both first class and business class, but higher than coach class in terms of cost and amenities. Airlines are constantly updating their offerings; however, for the purposes of this definition, premium economy class is considered a separate, higher class of accommodation from coach class and is not considered a coach class seating upgrade.

Outside the Continental United States (OCONUS). Any area beyond the 48 contiguous States and the District of Columbia, *i.e.*, CONUS. OCONUS is further divided into foreign areas and non-foreign areas:

(1) *Foreign area.* Any area situated beyond both the CONUS and the non-foreign areas.

(2) *Non-foreign area.* The states of Alaska and Hawaii, the Commonwealths of Puerto Rico and the Northern Mariana Islands, Guam, the U.S. Virgin Islands, and the territories and possessions of the United States.

Overseas tour of duty. An overseas tour of duty is an assignment to a post of duty outside the continental United States, Alaska or Hawaii.

Overseas tour renewal travel. Overseas tour renewal travel refers to travel of the employee and the employee’s immediate family returning to the employee’s home in the continental U.S., Alaska, or Hawaii between overseas tours of duty. An allowance for overseas tour renewal travel is a reimbursement for the employee and their immediate family of roundtrip travel and transportation expenses between their overseas post of duty and their place of actual residence.

Passenger. In relation to use of Government aircraft, a passenger is any person who flies onboard a Government

aircraft, but who is not a crewmember or qualified non-crewmember.

Per diem allowance. The per diem allowance is a daily payment instead of reimbursement for actual expenses for lodging, meals, and related incidental expenses. The per diem allowance is separate from transportation expenses and other miscellaneous expenses. The per diem allowance covers all charges and services, including any service charges where applicable. The per diem allowance covers the following:

(1) *Lodging.* Includes expenses and authorized fees as specified in Federal Travel Regulation (FTR) bulletins, except lodging taxes in the United States, for overnight sleeping facilities, baths, personal use of the room during daytime, telephone access fee, and service charges for fans, air conditioners, heaters and fires furnished in the room when such charges are not included in the room rate.

(2) *Meals.* Expenses for breakfast, lunch, dinner and related tips and taxes (specifically excluded are alcoholic beverage and entertainment expenses, and any expenses incurred for other persons).

(3) *Incidental expenses.* Fees and tips given to porters, baggage carriers, hotel staff, and staff on ships.

(4) *Laundry/dry cleaning expenses.* For the purposes of chapter 302 of this subtitle, laundry/dry cleaning expenses are part of the incidental expenses portion of the lodgings-plus per diem allowance for temporary quarters subsistence expenses (TQSE) and temporary quarters (TQ) lodging taxes are separately reimbursable TQSE miscellaneous expenses (see § 302–6.9(e) and part 302–16 of this subtitle).

Permanent Change of Station (PCS). A PCS is an assignment of a new appointee to an official station or the transfer of an employee from one official station to another on a permanent basis.

Post of duty. An official station outside CONUS.

Presidentially-Declared Disaster. A major disaster or emergency declared by the President of the United States pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (42 U.S.C. 5121 *et seq.*).

Privately owned aircraft. An aircraft that is owned or leased by an employee for personal use. It is not owned, leased, chartered, or rented by a Government agency, nor is it rented or leased by an employee for use in carrying out official Government business.

Privately owned automobile. A car or light truck, including a van or a pickup truck, that is owned or leased for

personal use by an individual, but not necessarily the traveler.

Privately Owned Vehicle (POV). Any vehicle such as an automobile, motorcycle, aircraft, or boat operated by an individual that is not owned or leased by a Government agency, and is not commercially leased or rented by an employee under a Government rental agreement for use in connection with official Government business.

Professional books, papers, and equipment (PBP&E). Includes, but is not limited to, the following items in the employee’s possession when needed by the employee in the performance of the employee’s official duties:

(1) Reference material;

(2) Instruments, tools, and equipment peculiar to technicians, mechanics, and members of the professions;

(3) Specialized clothing (*e.g.*, diving suits, flying suits, helmets, band uniforms, religious vestments and other special apparel); and

(4) Communications equipment used by the employee in association with DoDI 4650.02, Military Auxiliary Radio System (MARS).

Qualified non-crewmember. A person flying onboard a Government aircraft whose skills or expertise are required to perform or are associated with performing the non-travel related governmental function for which the aircraft is being operated (qualified non-crewmembers may be researchers, law enforcement agents, firefighters, agricultural engineers, biologists, etc.). If a qualified non-crewmember is onboard for the purpose of travel (*i.e.*, being transported from point to point) in addition to performing their duties related to the non-travel related governmental function for which the aircraft is being operated (*e.g.*, when a scientist conducts an experiment at the same time they are also on the aircraft for the purpose of traveling from point to point), they must be authorized to travel in accordance with rules in parts 301–10 and 301–70 of this subtitle.

Reduced per diem. Agencies may authorize a reduced per diem rate when there are known reductions in lodging and meal costs or when the employee’s subsistence costs can be determined in advance and are lower than the prescribed per diem rate.

Relocation services company (RSC). A third-party supplier under contract with an agency to assist an eligible individual who relocates. Services may include: Homesale programs, home inspection, home marketing assistance, home finding assistance, property management services, shipment and storage of household goods, voucher

review and payment, relocation counseling, and similar items.

Required use travel. Travel by Federal travelers that requires use of a Government aircraft to meet bona fide communications needs (e.g., 24-hour secure communications), security requirements (e.g., highly unusual circumstances that present a clear and present danger), or exceptional scheduling requirements (e.g., a national emergency or other compelling operational considerations) of an executive agency. Required use travel must be approved according to § 301–10.262(a) of this subtitle.

Scheduled flight time. The flight time between the originating departure point and the ultimate arrival point, as scheduled by the airline, including scheduled non-overnight time spent at airports during plane changes. Scheduled non-overnight time does not include time spent at the originating or ultimate arrival airports.

Senior Federal official. An individual who is paid according to the Executive Schedule established by 5 U.S.C. 53, subchapter II, including Presidential appointees who are confirmed by the Senate; employed in the U.S. Government's Senior Executive Service or an equivalent "senior" service; who is a civilian employee of the Executive Office of the President; who is appointed by the President to a position under 3 U.S.C. 105(a)(2)(A)–(C) or by the Vice President to a position under 3 U.S.C. 106(a)(1)(A)–(C); or who is a contractor working under a contract with an executive agency, is paid at a rate equal to or more than the minimum rate for the Senior Executive Service, and has senior executive responsibilities. The term "senior Federal official", as used in this subtitle does not mean an active duty military officer.

Service Agreement. A service agreement is a written and signed agreement between the employee and their agency. The service agreement states that the employee will remain in the service of the Government, after they have relocated, for a period of time specified in chapter 302 of this subtitle. A service agreement must also include the duplicate reimbursement disclosure statement.

Special conveyance. Commercially rented or hired vehicles other than a privately owned vehicle and other than those owned or under contract to an agency.

Special needs (also see Employee with a disability). Physical characteristics of a traveler not necessarily defined under disability. Such physical characteristics

could include, but are not limited to, the weight or height of the traveler.

Spouse. Any individual who is lawfully married (unless legally separated), including an individual married to a person of the same sex who was legally married in a State or other jurisdiction (including a foreign county), that recognizes such marriages, regardless of whether or not the individual's State of residency recognizes such marriages. The term "spouse" does not include individuals in a formal relationship recognized by a State, which is other than lawful marriage; it also does not include individuals in a marriage in a jurisdiction outside the United States that is not recognized as a lawful marriage under United States law.

Subsistence expenses. Expenses such as:

- (1) Lodging and service charges;
- (2) Meals, including taxes and tips; and
- (3) Incidental expenses.

Temporary Change of Station (TCS). A TCS is a relocation to a new official station for a temporary period while performing a long-term assignment, and subsequent return to the previous official station upon completion of that assignment. The employee's official station for the duration of their TCS is the location of their TCS.

Temporary duty (TDY) location. A place, away from an employee's official station, where the employee is authorized to travel.

Temporary storage. Storage of HHG for a limited period of time at origin, destination or en route in connection with transportation to, from, or between official station or post of duty or authorized alternate points. Also referred to as storage-in-transit (SIT).

Transferred employee. An employee who transfers from one official station to another. This may also include employees separated as a result of reduction in force or transfer of functions who are re-employed within one year after such separation.

Transit system. A form of transportation (e.g., air, rail, bus, ship, etc.) used between authorized locations in the performance of official travel.

Transportation network company (TNC). A corporation, partnership, sole proprietorship, or other entity, that uses a digital network to connect riders to drivers affiliated with the entity in order for the driver to transport the rider using a vehicle owned, leased, or otherwise authorized for use by the driver to a point chosen by the rider; and does not include a shared-expense carpool or vanpool arrangement that is not

intended to generate profit for the driver.

Travel advance. Prepayment of estimated travel expenses paid to an employee.

Travel authorization (Orders). Written permission to travel on official business. There are three basic types of travel authorizations (orders):

(1) **Unlimited open.** An authorization allowing an employee to travel for any official purpose without further authorization.

(2) **Limited open.** An authorization allowing an employee to travel on official business without further authorization under certain specific conditions, i.e., travel to specific geographic area(s) for specific purpose(s), subject to trip cost ceilings, or for specific periods of time.

(3) **Trip-by-trip.** An authorization allowing an individual or group of individuals to take one or more specific official business trips, which must include specific purpose, itinerary, and estimated costs.

Travel claim (voucher). A written request, supported by documentation and receipts where applicable, for reimbursement of expenses incurred in the performance of official travel, including permanent change of station (PCS) travel. ETS uses the term "expense report" to refer to a travel claim (voucher).

Travel Management Service (TMS). A service for booking common carrier (e.g., air, rail, and bus confirmations and seat assignments), commercial lodging, and car rental services; fulfilling (i.e., ticketing) reservations; providing basic management information on those activities; and meeting other requirements as specified in the TMS' contract. A TMS may include a travel management company (TMC), Commercial Ticket Office (CTO), an electronically available system, other commercial methods of arranging travel, or an in-house system.

United States. The 48 contiguous States, the District of Columbia and the States and areas defined under the term "Non-Foreign Area."

United States (U.S.) flag air carriers. For purposes of the use of United States flag air carriers, *United States* means the 50 States, the District of Columbia, and the territories and possessions of the United States, including the territorial sea and the overlying airspace (49 U.S.C. 40102(a)(46)).

Usually traveled route. The most direct route between the employee's official station (or invitational traveler's home) and the temporary duty location, as defined by maps or consistent with

established scheduled services of contract or common carriers.

300–1.2 [Reserved]

CHAPTER 301—TEMPORARY DUTY (TDY) TRAVEL ALLOWANCES

SUBCHAPTER A—INTRODUCTION AND AUTHORIZATION

PART 301–1—APPLICABILITY

Authority: 5 U.S.C. 5707.

§ 301–1.1 Purpose.

The Federal Travel Regulation (FTR) in this subtitle serves two principal purposes. First, it implements statutory and other policy requirements in a manner that balances the need to ensure that official travel is conducted responsibly while minimizing administrative costs. Second, it communicates the resulting policies in a clear manner to executive agencies (see § 300–1.1 of this subtitle) and civilian employees of executive agencies, both of which are subject to this subtitle.

§ 301–1.2 Eligibility for TDY allowances.

This chapter covers the following individuals:

- (a) Employees traveling on official business;
- (b) Interviewees performing pre-employment interview travel;
- (c) Employees who must interrupt official business travel to perform emergency travel as a result of an incapacitating illness or injury or a personal emergency situation; and
- (d) Threatened law enforcement/investigative employees and members of their immediate family temporarily relocated to safeguard their lives because of a threat resulting from the employee's assigned duties.

PART 301–2—GENERAL RULES

Authority: 5 U.S.C. 5707; 31 U.S.C. 1353; 49 U.S.C. 40118.

§ 301–2.1 Travel authorization requirement.

Employees generally must have written or electronic authorization before incurring any travel expense. When it is not practicable or possible to obtain such authorization before travel begins, the agency may approve reimbursement for specific travel expenses after travel is completed. However, written or electronic advance authorization is required for specific items outlined in § 301–2.3.

§ 301–2.2 Allowable travel expenses.

Agencies may pay only those expenses essential to the transaction of

official business as set forth in this chapter. Agencies will not pay for expenses over the reimbursement limits established in this chapter, nor will it pay for circuitous routes, delays, or luxury accommodations or services that are unnecessary or unjustified in the performance of official business. Employees must exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business.

§ 301–2.3 Travel arrangements requiring specific authorization or prior approval.

(a) Specific authorization or prior approval is required for:

- (1) Use of reduced fares for group or charter arrangements;
 - (2) Use of a foreign air carrier or foreign ship;
 - (3) Payment of a reduced per diem;
 - (4) Use of cash to pay for common carrier transportation;
 - (5) Travel expenses related to emergency travel;
 - (6) Acceptance of payment from a non-Federal source for travel expenses (see chapter 304 of this subtitle);
 - (7) Travel expenses related to conference attendance;
 - (8) Use of a Government aircraft;
 - (9) Use of extra-fare train service;
 - (10) Travel by ship; and
 - (11) Use of a rental car.
- (b) Paragraphs (a)(1), (3), (6), and (7) of this section require a written or electronic advance authorization.

SUBCHAPTER B—ALLOWABLE TRAVEL EXPENSES

PART 301–10—TRANSPORTATION EXPENSES

Authority: 5 U.S.C. 5704; 5 U.S.C. 5707; 5 U.S.C. 5707, note; 40 U.S.C. 121(c); 49 U.S.C. 40118; Office of Management and Budget Circular No. A–126, revised May 22, 1992, 57 FR 22150.

Subpart A—General

§ 301–10.1 Eligibility for transportation expenses payment.

Employees are eligible for payment of authorized transportation expenses when performing official travel, including fares, rental fees, mileage payments, and other expenses related to transportation.

§ 301–10.2 Authorized transportation methods.

Agencies may authorize the following transportation methods:

- (a) Common carrier transportation (including aircraft, train, bus, ship, or other transit system) under subpart B of this part;
- (b) Government vehicle under subpart C of this part;

(c) Privately owned vehicle (POV) under subpart D of this part; or

(d) Special conveyance (such as taxi, transportation network company, innovative mobility technology company, or commercial automobile) under subpart E of this part.

§ 301–10.3 Selection of transportation method.

The agency must select the transportation method that the agency determines is the most advantageous to the Government.

§ 301–10.4 Liability for unauthorized or indirect travel.

Employees will be reimbursed for only the constructive cost of traveling to their destination using the authorized method of transportation and by the usually traveled route, unless their agency authorizes a different route as officially necessary. Any additional expenses incurred will be borne by the employee.

Subpart B—Common Carrier Transportation Airline

§ 301–10.100 Use of other than coach class accommodations.

Employees are authorized to use the least expensive class of accommodations (e.g., coach class) necessary to meet their needs and accomplish the agency's mission. Employees may be authorized to use accommodations other than coach class only when the agency head or designee specifically authorizes or approves such use under specific circumstances. Except as otherwise indicated in this section, agencies should authorize the lowest level of other than coach class accommodations, starting with premium economy, then business, then first, with much higher agency scrutiny on each increase in class level authorized. The agency head or designee may authorize other than coach class accommodations when—

(a) Such accommodations are required to accommodate a medical disability or other special need (see part 301–13 of this subchapter);

(b) Exceptional security circumstances, as determined by the agency, require other than coach class accommodations;

(c) Regularly scheduled service between origin and destination points provides only non-coach class accommodations;

(d) Common carrier costs are paid in full through agency acceptance of payment from a non-Federal source in accordance with chapter 304 of this subtitle;

(e) The use results in overall cost savings to the Government by avoiding additional subsistence costs, overtime, or lost productivity time;

(f) No coach class space is available that allows arrival in time to accomplish an urgent mission;

(g) Coach class accommodations on an authorized foreign carrier do not provide adequate health or sanitation standards;

(h) The origin and/or destination is/are OCONUS and scheduled flight time, including stopovers and change of planes, is in excess of eight hours, in which case agencies can authorize or approve premium economy class accommodations;

(i) The origin and/or destination is/are OCONUS and scheduled flight time, including stopovers and change of planes, is more than 14 hours, in which case agencies can authorize or approve business class accommodations;

(j) No coach class, premium economy class, or business class accommodations are available on a common carrier scheduled to leave within 24 hours of the proposed departure time, or scheduled to arrive within 24 hours of the proposed arrival time, in which case agencies can authorize or approve first class accommodations;

(k) Such accommodations are required because of agency mission; or

(l) The agency determines other than coach class accommodations are more advantageous than authorizing a rest period.

§ 301–10.101 Changes to or non-use of common carrier reservations.

Employees must take action to change or cancel their common carrier reservation and report any changes or cancellations as prescribed by their agency. Failure to do so may subject the employee to liability for any resulting losses.

§ 301–10.102 Handling of unused Government transportation items.

Any unused ticket or refund applications are the property of the Government and must be returned to the agency in accordance with agency procedures. Employees are not authorized to receive or keep a refund or credit for unused transportation, except as provided in § 301–10.123.

§§ 301–10.103–301–10.109 [Reserved]

Use of Contract City Pair Program Fares

§ 301–10.110 Requirement to use contract City Pair Program fare.

(a) Employees of an “agency” as defined in § 300–1.1 of this subtitle must use a contract City Pair Program

fare for scheduled air passenger transportation service unless specific exceptions exist in § 301–10.111.

(b) When a carrier offers both a lower-cost capacity-controlled coach class contract fare (___CA) and an unrestricted coach class contract fare (YCA), employees must use the lower-cost fare when it is advantageous and meets mission needs.

(c) Employees of the Government of the District of Columbia, except the District of Columbia Courts, are not eligible to use contract City Pair Program fares.

§ 301–10.111 Exceptions to contract City Pair Program fare usage.

The agency head or designee may authorize use of a non-contract fare when—

(a) There are no accommodations available on any scheduled contract City Pair Program flight arriving to the employee’s destination in time to accomplish the travel purpose or use of contract service would require the employee to incur unnecessary overnight lodging costs which would increase the total cost of the trip;

(b) The contractor’s flight schedule is inconsistent with explicit policies of the Federal department or agency with regard to scheduling travel during normal working hours;

(c) A non-contract carrier offers a lower fare to the general public that, if used, will result in a lower total trip cost to the Government (the combined costs of transportation, lodging, meals, and related expenses considered); or

(1) The exception in this paragraph (c) does not apply if the contract carrier offers the same or lower fare and has seats available at that fare, or if the fare offered by the non-contract carrier is restricted to Government and military travelers performing official business and may be purchased only with a contractor-issued charge card, centrally billed account (e.g., YDG, MDG, QDG, VDG, and similar fares) or GTR where the two previous options are not available.

(2) [Reserved]

(d) Cost effective rail transportation is available and is consistent with mission requirements.

(e) A group of 10 or more passengers traveling together on the same day, on the same flight, for the same mission, requiring group integrity and identified as a group by the travel management service upon booking is not a mandatory user of the Government’s contract City Pair Program fares. For group travel, agencies are expected to obtain air passenger transportation service that is

practical and cost effective to the Government.

(f) Contractors are not authorized to use contract City Pair Program fares to perform travel under their contracts.

(g) Carrier preference is not a valid exception for using a non-contract City Pair Program fare.

§ 301–10.112 Liability for unauthorized non-contract carrier use.

Employees are responsible for any additional costs or penalties incurred by using a non-contract carrier when contract service is available and no authorized exception applies.

§§ 301–10.113–301–10.117 [Reserved] **Airline Accommodations**

§§ 301–10.118–301–10.121 [Reserved]

§ 301–10.122 Compensation for denied seat.

When performing official travel and a carrier denies a confirmed reserved seat, employees must provide any liquidated damages payment to their agency in accordance with their agency’s procedures.

§ 301–10.123 Compensation for voluntarily vacating a seat.

(a) Employees may keep airline compensation for voluntarily vacating a seat under two conditions:

(1) Voluntarily vacating the seat will not interfere with performing official duties; and

(2) Any additional travel expenses resulting from vacating the seat are personally borne and not reimbursed by the Government.

(b) If volunteering causes travel delays during duty hours, the agency will charge the employee annual leave for the additional hours.

§ 301–10.124 Use of reduced group or charter fares.

Employees may use reduced group or charter air fares only when the agency has determined, on an individual case basis before travel begins, that such a fare is cost-effective. Chartered aircraft are subject to Government aircraft rules, and executive branch agencies must follow Office of Management and Budget Circular A–126 and part 102–33 of this title when determining cost-effectiveness.

§§ 301–10.125–301–10.129 [Reserved]

Use of United States Flag Air Carriers

§ 301–10.130–10.131 [Reserved]

§ 301–10.132 U.S. flag air carrier requirement.

Anyone whose air travel is financed by U.S. Government funds must use a

U.S. flag air carrier, except as provided in §§ 301–10.134, 301–10.135, and 301–10.136.

§ 301–10.133 U.S. flag air carrier service.

U.S. flag air carrier service is service provided on an air carrier holding a certificate under 49 U.S.C. 41102 (excluding a foreign air carrier operating under a permit), and which service is authorized by the carrier's certificate or by exemption or regulation. This also includes service provided under a code share agreement with a foreign air carrier in accordance with title 14, Code of Federal Regulations, when the ticket identifies the U.S. flag air carrier's designator code and flight number.

§ 301–10.134 Fly America Act requirements and exceptions.

Employees are required by 49 U.S.C. 40118, commonly referred to as the "Fly America Act," to use U.S. flag air carrier service for all air travel funded by the U.S. Government except as provided in §§ 301–10.135 and 301–10.136 or when one of the following exceptions applies. Exceptions can only be approved by the agency head or designated official.

(a) Use of a foreign air carrier is determined to be a matter of necessity in accordance with § 301–10.135.

(b) The transportation is provided under a bilateral or multilateral air transportation agreement to which the U.S. Government and the government of a foreign country are parties and which the Department of Transportation has determined meets the requirements of the Fly America Act.

(c) The employee is an officer or employee of the Department of State or an Executive branch employee under Chief of Mission authority, and travel is paid with funds appropriated to one of these agencies and the employee's travel is between two places outside the United States.

(d) No U.S. flag air carrier provides service on a particular leg of the route, in which case foreign air carrier service may be used, but only to or from the nearest interchange point on a usually traveled route to connect with U.S. flag air carrier service.

(e) A U.S. flag carrier involuntarily reroutes the employee's travel onto a foreign carrier.

(f) Service on a foreign air carrier would be three hours or less, and use of the U.S. flag carrier would at least double the employee's en route travel time.

(g) When the costs of transportation are reimbursed in full by a third party, such as a foreign government, international agency, or other organization.

(h) For travel solely outside the U.S., use of an available U.S. flag air carrier when compared to using a foreign air carrier will increase the number of aircraft changes the employee must make en route by 2 or more; or extend the travel time by 6 hours or more; or require a connecting time of 4 hours or more at an overseas interchange point.

(i) The employee is an officer or employee of the Department of State or an executive branch employee under Chief of Mission authority, and travel meets the requirements of 22 U.S.C. 4081a.

§ 301–10.135 Fly America exceptions for foreign air carrier service as a necessity.

(a) Foreign air carrier service is deemed necessary when U.S. flag air carrier service is available but—

(1) Cannot provide required air transportation; or

(2) Will not accomplish the agency's mission.

(b) Necessity includes circumstances such as:

(1) Medical reasons, including reducing connections and potential delays for individuals needing medical treatment.

(2) Avoiding unreasonable risks to employee safety, which requires a case-by-case agency determination and written agency approval.

(3) Threats against U.S. flag air carriers, which must be supported by a travel advisory notice from the Federal Aviation Administration and Department of State.

(4) Threats against a Government employee or other travelers, which must have evidence supporting the threat that form the basis of the agency's determination and approval.

(5) Inability to purchase a ticket in the authorized service class on a U.S. flag air carrier, and there is an available seat in the authorized service class on a foreign air carrier.

§ 301–10.136 Fly America Act exceptions for travel between the United States and another country.

(a) If a U.S. flag air carrier offers nonstop or direct service (no aircraft change) from origin to destination, the employee must use the U.S. flag air carrier service unless such use would extend travel time, including delay at origin, by 24 hours or more.

(b) If a U.S. flag air carrier does not offer nonstop or direct service (no aircraft change) between origin and destination, the employee must use a U.S. flag air carrier on every portion of the route where it provides service unless, when compared to using a foreign air carrier, such use would:

(1) Increase the number of aircraft changes made outside of the U.S. by 2 or more;

(2) Extend travel time by at least 6 hours or more; or

(3) Require a connecting time of 4 hours or more at an overseas interchange point.

§§ 301–10.137–301–10.140 [Reserved]

§ 301–10.141 Certification requirements for foreign air carrier use.

Employees must provide a certification as required in this section and any additional documents specified by the agency. The agency will not pay the foreign air carrier fare without the required certification. The certification must include—

(a) Employee's name;

(b) Travel dates;

(c) Origin and destination;

(d) Detailed travel itinerary, including air carrier and flight number for each leg of the trip; and

(e) Statement explaining compliance with exceptions in § 301–10.134 or § 301–10.136, or a copy of the agency's written approval deeming foreign air carrier service necessary in accordance with § 301–10.135.

§ 301–10.142 Liability for improper or unauthorized foreign air carrier use.

Employees will not be reimbursed for transportation costs incurred through improper or unauthorized use of foreign air carrier service.

§§ 301–10.143–301–10.159 [Reserved]

Train

§ 301–10.160 Use of extra-fare train service.

Employees may use extra-fare train service when the agency determines it is more advantageous to the Government or required for security reasons. Such use must be authorized or approved as other than coach class accommodations in accordance with § 301–10.100.

§ 301–10.161 Use of train sleeping accommodations.

Employees may use the lowest class of sleeping accommodations aboard a train that meets mission needs when overnight travel is required, and the agency determines such accommodations are advantageous to the Government.

§§ 301–10.162–301–10.179 [Reserved]

Ship

§ 301–10.180 U.S. flag ship requirement.

When authorized to travel by ship, employees must use a U.S. flag ship when available, unless the mission's

necessity requires using a foreign ship. (See 46 U.S.C. 55302.)

§ 301–10.181 Liability for improper foreign ship use.

Employees are required to travel by U.S. flag ship for the entire trip, unless the agency specifically authorizes use of a foreign ship. Any costs resulting from improper or unauthorized use of a foreign ship are the employee's responsibility.

§§ 301–10.182–301–10.189 [Reserved]

Transit Systems

§ 301–10.190 Use of transit system for official travel.

Employees may use a transit system as a means of transportation in conjunction with official travel when such transportation is authorized and approved by the agency in the following manner:

(a) At the official station.

(1) From the employee's residence or other authorized point of departure, *e.g.*, rail to airport;

(2) To the employee's residence or other authorized point of return, *e.g.*, airport to rail;

(3) From the employee's residence to the office on the day of departure from the official station on official TDY that requires at least one night's lodging; or

(4) From the office to the employee's residence on the day of return to the official station from an official TDY assignment that requires at least one night's lodging.

(b) At the TDY location.

(1) From the TDY transit system station(s) to the place of lodging or place of official business and return;

(2) To, from, and between places of lodging and official business;

(3) Between places of official business; or

(4) To obtain meals at the nearest available place when the nature and location of the official business or the lodging at a TDY location are such that meals cannot be obtained there.

Subpart C—Government Vehicle

§ 301–10.200 Types of Government vehicles.

Employees may be authorized to use a Government-furnished automobile, a Government aircraft in accordance with §§ 301–10.260 through 301–10.265, and other types of Government vehicles in accordance with Government-issued rules governing their use.

§ 301–10.201 Liability for unauthorized Government vehicle use.

Employees are responsible for any costs resulting from unauthorized use of

a Government vehicle and may be subject to administrative and/or criminal liability for misuse of Government property.

Travel on Government Aircraft

§ 301–10.260 Use of Government aircraft.

Agencies may authorize Federal travelers, non-Federal travelers, and any other passengers, as defined in § 300–1.1 of this subtitle, to travel on Government aircraft, subject to the rules in this subpart. Because the taxpayers generally should pay no more than necessary for transportation of travelers, except for required use travel, agencies may authorize travel on Government aircraft only when a Government aircraft is the most cost-effective mode of travel and the traveler is traveling for governmental purposes. Employees may use Government aircraft for travel only when authorized by an executive agency under specific rules except with regard to travel under § 301–70.802 of this chapter.

§ 301–10.261 Types of Government aircraft travel.

Employees may use Government aircraft—

(a) For official travel only when—

(1) No scheduled commercial airline service is reasonably available (able to meet departure and/or arrival requirements within a 24-hour period, unless extraordinary circumstances require a shorter period) to fulfill the agency's travel requirement; or

(2) The cost of using a Government aircraft is less than the cost of the City Pair coach fare or the lowest available full coach fare for scheduled commercial airline service, considering costs of non-productive or lost work time.

(b) For required-use travel when required for bona fide communications, security reasons, or exceptional scheduling requirements, including travel for official, personal, or political purposes.

(c) For space available travel when—

(1) The aircraft is already scheduled for official purpose and additional use does not require a larger aircraft or result in more than minor additional cost;

(2) The traveler is a Federal traveler or dependent stationed in a remote location not accessible to commercial airline service; or

(3) The traveler is authorized to travel on a space available basis under 10 U.S.C. 2648 and in accordance with §§ 301–10.260 through 301–10.264.

§ 301–10.262 Authorization of Government aircraft travel.

The agency will authorize employee travel on Government aircraft as follows:

(a) *Required use travelers.* (1) The agency's senior legal official or principal deputy must authorize required-use travel on a trip-by-trip basis, in advance, in writing, and in compliance with agency policies, unless:

(i) The traveler is an agency head with Presidential determination that all travel (or travel in specified categories) is required-use travel; or

(ii) The traveler is not an agency head, and the agency head has determined in writing that all travel (or travel in specified categories) is required-use travel. Any determination by an agency head that travel by an officer or employee of that agency qualifies as required use travel must be in writing and set forth the basis for that determination.

(2) In emergency situations, prior verbal approval with after-the-fact written authorization is permitted.

(b) *Senior Federal officials.* The agency's senior legal official or principal deputy must authorize all travel on Government aircraft in advance and in writing, except for pre-authorized required-use travel under paragraphs (a)(1) and (2) of this section. Emergency situations allow prior verbal approval with after-the-fact written authorization.

(c) *Non-Federal travelers.* The senior legal official or principal deputy in the sponsoring agency must authorize travel on Government aircraft in advance and in writing. Emergency situations allow prior verbal approval with after-the-fact written authorization.

(d) *Other Federal travelers.* A designated travel-approving official (at least one organizational level above the traveler) or their delegate must authorize travel on Government aircraft in advance and in writing. Blanket travel authorizations must define, and such travel must meet, specific circumstances for aircraft use; otherwise, authorization must be on a trip-by-trip basis. Emergency situations allow prior verbal approval with after-the-fact written authorization.

§ 301–10.263 Travel authorization documents for Government aircraft.

(a) Employees must present to the aircraft management office that operates the Government aircraft:

(1) Valid picture identification, such as a Government identification card or a State-issued driver's license; and

(2) A copy of their written travel authorization, including any applicable

blanket travel authorization, approved in accordance with § 301–10.262.

(b) The travel authorization for a senior Federal official or a non-Federal traveler must include the following information:

(1) Traveler's name with indication that the traveler is either a senior Federal official or a non-Federal traveler, whichever is appropriate.

(2) The traveler's organization and title or other appropriate descriptive information, *e.g.*, dependent, press, etc.

(3) Name of the authorizing agency.

(4) The official purpose of the trip.

(5) The destination(s).

(6) For personal or political travel, the amount that the traveler must reimburse the Government (*i.e.*, the full coach fare or appropriate share of that fare).

(7) For official travel, the comparable City Pair fare (if available to the traveler) or full coach fare if a City Pair fare is not available.

§ 301–10.264 Reimbursement to the Government for Government aircraft travel.

(a) No reimbursement is required for official travel on a Government aircraft.

(b) For personal travel on Government aircraft, reimbursement depends on specific circumstances:

(1) For required use travel, the employee must reimburse the Government the excess of the full coach fare for all flights taken over the full coach fare for flights that would have been taken without personal activities. For a wholly personal trip, the employee must pay the full coach fare for the entire trip.

(2) For travel authorized under 10 U.S.C. 2648 and in accordance with §§ 301–10.260 through 301–10.264, or for employees or their dependents stationed by the Government in remote locations without access to regularly scheduled commercial airline service, no reimbursement is required.

(c) For political travel on a Government aircraft, the Government must be reimbursed the excess of the full coach fare for all flights taken over the full coach fare for flights that would have been taken without political activities. If other laws or regulations specify a different reimbursement amount, that specified amount applies.

(d) Except for required use travel, any use of Government aircraft for personal or political activities must not increase the actual operating costs to the Government.

§ 301–10.265 Information available to the public about travel by senior Federal officials and non-Federal travelers on Government aircraft.

Information is available to the public in response to written requests under

the Freedom of Information Act (5 U.S.C. 552), except for portions exempt from disclosure under that Act (such as classified information).

Subpart D—Privately Owned Vehicle (POV)

§ 301–10.300 Determining and computing mileage reimbursement.

Employees compute mileage reimbursement by multiplying the distance traveled, determined by the applicable mileage rate as follows:

TABLE 1 TO § 301–10.300

If travel is by	The distance between origin and destination is
Privately owned automobile or privately owned motorcycle.	As shown in paper or electronic standard highway mileage guides, or the actual miles driven as determined from odometer readings.
Privately owned aircraft.	As determined from charts issued by the Federal Aviation Administration (FAA). Employees may include in their travel claim an explanation addressing any additional air mileage resulting from a detour necessary due to adverse weather, mechanical difficulty, or other unusual conditions. If a required deviation is such that airway mileage charts are not adequate to determine distance, employees may use the formula of flight time multiplied by cruising speed of the aircraft to determine distance. Employees must convert nautical miles to statute or regular miles when submitting a claim (1 nautical mile equals 1.15077945 statute miles).

§ 301–10.301 Reimbursement for advantageous POV use.

Employees will be reimbursed an applicable mileage rate based on the type of POV actually used, including privately owned airplane, automobile, or motorcycle. These rates will be published in an FTR bulletin and displayed on the General Services Administration website at <https://www.gsa.gov/mileage>.

§ 301–10.302 Allowable expenses beyond POV mileage rate.

Following is a table listing the reimbursable and non-reimbursable expenses:

TABLE 1 TO § 301–10.302

Reimbursable expenses in addition to mileage allowance	Non-reimbursable expenses included in the mileage allowance
Parking fees; ferry fees; bridge, road, and tunnel fees; <i>and</i> aircraft or airplane parking, landing, and tie-down fees.	Charges for repairs, depreciation, replacements, grease, oil, antifreeze, towage and similar speculative expenses, fuel, insurance, state and Federal taxes.

§ 301–10.303 Reimbursement with multiple POV travelers.

If another employee travels with the employee on the same trip in the same privately owned vehicle, mileage is payable to only one traveler. No deduction will be made from the mileage allowance if other passengers contribute to defraying expenses.

§ 301–10.304 Reimbursement for POV parking at common carrier terminal.

The agency may reimburse the parking fee as an allowable transportation expense, not exceeding the cost of using one of the following to/from the terminal, as determined by the agency: a taxi, transportation network company (TNC), or innovative mobility technology company.

§ 301–10.305 Reimbursement when using an unauthorized method of transportation.

Reimbursement is limited to the constructive cost of the authorized transportation method, which is the sum of travel and transportation expenses the employee would reasonably have incurred had they traveled by the method deemed most advantageous to the Government. The calculation involves assumptions and may include expenses such as: taxi and TNC fares, baggage fees, rental car costs, tolls, ferry fees, and parking charges.

§ 301–10.306 Reimbursement when using a POV instead of a Government-furnished automobile.

Employees will be reimbursed based on a constructive mileage rate limited to the cost that would be incurred for use of a Government-furnished automobile. This rate will be published in an FTR bulletin available at <https://www.gsa.gov/ftrbulletins>.

§§ 301–10.307–301–10.310 [Reserved]**Subpart E—Special Conveyances****§ 301–10.400 Types of special conveyances.**

The agency may authorize or approve use of:

- (a) Taxis, TNCs, or innovative mobility technology companies as specified in § 301–10.420;
- (b) Commercial rental automobiles as specified in §§ 301–10.450 through 301–10.452; or
- (c) Any other special conveyance when determined to be advantageous to the Government.

§ 301–10.401 Reimbursable charges for special conveyance.

Reimbursement is limited to actual expenses that the agency determines are necessary.

Taxis, TNCs, Innovative Mobility Technology Companies, Shuttle Services, or Other Courtesy Transportation**§ 301–10.420 Use of taxi, TNC, innovative mobility technology company, shuttle service, or other courtesy transportation.**

When authorized and approved by the agency, employee transportation expenses in the performance of official travel are reimbursable for the usual fare plus a tip which the agency determines to be reasonable for use of a taxi, TNC, innovative mobility technology company, shuttle service, or other courtesy transportation (if charges result). When selecting a TNC, first consideration should be given to the General Services Administration's Ridehail/Rideshare program.

Rental Automobiles**§ 301–10.450 Rental vehicle use and authorization.**

(a) The agency must determine that a rental vehicle's use is advantageous to the Government and specifically authorize such use.

(b) When authorized, travelers should first consider renting from a vendor participating in the Defense Travel Management Office (DTMO) U.S. Government Car Rental Agreement to obtain insurance and damage liability benefits, unless traveling OCONUS where no agreement exists for the temporary duty location.

(c) Travelers must use the least expensive compact car available, with exceptions approved on a limited basis and documented on the travel authorization. Exceptions may include:

- (1) Accommodating medical disabilities or special needs.
- (2) Agency mission requirements.

(3) When the cost of other than a compact car is less than or equal to the cost of the least expensive compact car available.

(4) Requiring additional space for multiple travelers authorized to travel together in the same vehicle.

(5) Carrying large amounts of Government material.

(6) Safety considerations during severe weather or difficult terrain.

(d) Travelers will not be reimbursed for:

(1) Pre-paid refueling options. They should refuel before returning the vehicle, with vendor refueling charges reimbursable only if complete refueling is impossible due to safety issues or fueling station location.

(2) Rental car loyalty point fees or point transfer charges.

§ 301–10.451 Reimbursement for collision damage waiver and theft insurance.

Employees may not be reimbursed for collision damage waiver (CDW) or theft insurance except that employees may be reimbursed for one or the other (or both) when traveling OCONUS and it is necessary due to rental agency requirements, foreign statutes, or legal procedures that could cause extreme difficulty for an employee involved in an accident.

§ 301–10.452 Liability for unauthorized rental automobile use.

Employees are responsible for any additional costs resulting from using a Government-funded commercial rental automobile for other than official purposes. Official purposes which include transportation:

(a) Between places of official business;

(b) Between such places and places of temporary lodging when public transportation is unavailable or its use is impractical; or

(c) Between either paragraph (a) or (b) of this section and restaurants, drug stores, barber shops/hair stylists, places of worship, cleaning establishments, and similar places necessary for the sustenance, comfort, or health of the employee to foster the continued efficient performance of Government business.

PART 301–11—SUBSISTENCE EXPENSES

Authority: 5 U.S.C. 5702; 5 U.S.C. 5703; 5 U.S.C. 5707; 5 U.S.C. 5707a.

Subpart A—General Rules**§ 301–11.1 Eligibility for subsistence expense reimbursement.**

Employees are eligible for reimbursement of per diem or actual subsistence expenses when:

- (a) Performing official travel away from their official station or other areas defined by their agency;
- (b) Incurring subsistence expenses while performing official travel; and
- (c) In a travel status for more than 12 hours.

§ 301–11.2 Agency requirement to pay subsistence expenses.

The agency must pay subsistence expenses (either a per diem allowance or actual expense) unless:

- (a) The travel is to a training event under the Government Employees Training Act (5 U.S.C. 4101–4121), and the employee agrees not to be paid subsistence expenses; or
- (b) The travel is for a pre-employment interview, and the interviewing agency does not authorize subsistence expense payment.

§ 301–11.3 Subsistence expense reimbursement methods.

Subsistence expenses will be reimbursed primarily using the lodgings-plus per diem method. Subsistence expenses may also be reimbursed using the actual expense or the reduced per diem methods. Agencies may allow a different method to be used each calendar day. See appendix A to this part to find out where to access per diem rates for various types of Government travel.

§ 301–11.4 Determining the applicable per diem reimbursement rate.

Generally, the temporary duty (TDY) location determines the per diem reimbursement rate. However, if lodging is obtained outside the TDY location, the agency may authorize or approve the per diem rate for an alternate location if it is advantageous to the government. If arriving at the lodging facility after 12 midnight, an employee may claim the lodging cost for the preceding calendar day.

§ 301–11.5 Entitlement period for subsistence expenses.

The period for subsistence expense entitlement starts on the day the employee departs their residence, office, or other authorized point and ends on the day they return to their residence, office, or other authorized point.

§ 301–11.6 Selecting lodging and making lodging reservations.

(a) Employees must make their lodging reservations through their agency's travel management service.

(b) Employees should always stay in a "fire safe" facility. This is a facility that meets the fire safety requirements of the Hotel and Motel Fire Safety Act of 1990 (the Act), as amended (*see* 5 U.S.C. 5707a).

(c) When selecting a commercial lodging facility, first consideration should be given to Government lodging agreement programs such as FedRooms®.

(d) Section 5707a of title 5, U.S.C., does not apply to the government of the District of Columbia.

§ 301–11.7 Lodging reimbursement based on lodging type.

(a) The agency will reimburse employees for different types of lodging:

(1) *Conventional lodging (hotel/motel, including extended stay hotels; boarding house).* Reimbursed at the single occupancy rate.

(2) *Government quarters.* Reimbursed for the fee or service charge paid for use of the quarters.

(3) *Lodging with friends or relatives.* May be reimbursed for additional costs incurred by the host to accommodate the employee if substantiated and deemed reasonable by the agency. Reimbursement does not include the cost of comparable conventional lodging or a flat "token" amount.

(4) *Nonconventional lodging.* Reimbursable when no conventional lodging is available in the area or when conventional lodging is in short supply, such as during special events. Includes home-sharing or short-term rental properties (excluding extended-stay hotels), college dormitories, rooms that may or may not be offered commercially in private homes, or other non-commercial accommodations.

(5) *Recreational vehicle (trailer/camper).* Reimbursable for expenses such as parking fees, fees for use of and connection/disconnection of utilities, electricity, fuel, water, sewage, bath or shower fees, and dumping fees.

(b) The agency will not reimburse:

(1) *Personally-owned residence.* No lodging expenses for staying at a personal residence or real estate expenses related to purchase or sale, except during an authorized relocation.

(2) *Personally-owned recreational vehicle.* No expenses associated with purchasing, selling, or paying for a recreational vehicle or camper at the temporary duty location.

§ 301–11.8 Computation of daily lodging rate for long-term lodging.

When obtaining lodging on a long-term basis (*e.g.*, weekly or monthly), the daily lodging rate is computed by dividing the total lodging cost by the number of days of occupancy for which the employee is entitled to subsistence expense reimbursement for lodging. The daily rate may not exceed the daily per diem rate for the TDY location.

§ 301–11.9 Allowable expenses for long-term lodging.

When renting lodging on a long-term basis (*e.g.*, weekly, monthly), the following expenses may be considered part of the lodging cost:

(a) Rental cost for a furnished dwelling. If renting an unfurnished dwelling, the rental cost of the dwelling and necessary furniture and appliances (such as stove, refrigerator, chairs, tables, bed, sofa, television, or vacuum cleaner);

(b) Costs of connecting, disconnecting, and using utilities;

(c) Reasonable maid fees and cleaning charges;

(d) Monthly telephone use fee (excluding installation and long-distance calls);

(e) Monthly internet/wifi use fee (excluding installation); and

(f) Other costs typically included in a hotel/motel room price in the area.

§ 301–11.10 Reimbursement for prepaid lodging expenses.

If a temporary duty assignment is curtailed, canceled, or interrupted for official purposes or reasons beyond the employee's control and acceptable to the agency, the employee may be reimbursed for pre-paid expenses that are not refundable, including a forfeited rental deposit, provided the employee sought to obtain a refund or took steps to minimize costs.

§ 301–11.11 Subsistence expense calculations when traveling across the international dateline (IDL).

When crossing the IDL, actual elapsed travel time will be used to compute an employee's subsistence entitlement rather than calendar days.

§ 301–11.12 Agency authorization of rest periods during travel.

(a) The agency may authorize a rest period not exceeding 24 hours at an intermediate point or destination when:

(1) The origin or destination is outside the continental United States (OCONUS);

(2) Scheduled flight time, including stopovers, exceeds 14 hours;

(3) Travel is by a direct or usually traveled route; and

(4) The agency has determined that travel by business class is not advantageous and travel is by coach class or premium economy class.

(b) When a rest stop is authorized, the applicable per diem rate is the rate for the rest stop location. The agency may authorize a rest period exceeding 24 hours when no scheduled transportation service departs within 24 hours of arrival at an intermediate point. To qualify, the employee must be scheduled to board the first available scheduled departure. The agency will determine a reasonable additional length of time for rest periods exceeding 24 hours.

§ 301–11.13 Reimbursement for subsistence expenses on non-workdays.

(a) Employees will generally be reimbursed for subsistence expenses during non-workdays (weekends, Federal holidays, or other scheduled non-workdays) when their travel status requires staying at the temporary duty location or traveling during these days. However, the agency should determine the most cost-effective approach, such as remaining in travel status or permitting return to the official station.

(b) For emergency travel due to incapacitating illness or injury, the rules in part 301–30 of this subchapter apply.

§ 301–11.14 Agency reimbursement for return home or to the official station during TDY.

The agency may authorize per diem or actual expense and round-trip transportation expenses for periodic return travel to the employee's home or official station under the following circumstances:

(a) The agency requires the employee to return to their official station to perform official business;

(b) The agency will realize substantial cost savings by the employee's return home; or

(c) Periodic return travel home is justified as part of an extended TDY assignment.

§ 301–11.15 Reimbursement for voluntary return during TDY assignment.

If an employee voluntarily returns home or to their official station on non-workdays during a TDY assignment, the maximum reimbursement for round-trip transportation and subsistence expenses is limited to what would have been allowed had the employee remained at the TDY location.

§ 301–11.16 Lodging tax reimbursement.

(a) For CONUS and non-foreign OCONUS locations, lodging taxes paid by the employee are reimbursable as a

miscellaneous travel expense limited to the taxes on reimbursable lodging costs.

(b) For foreign areas, separate claims for lodging taxes are not allowed because lodging taxes have not been removed from foreign per diem rates established by the Department of State.

§ 301–11.17 Options for when the per diem rate is insufficient.

(a) Employees may request reimbursement of their actual expenses up to 300 percent of the per diem rate. There is no authority to exceed this ceiling. However, subject to agency policy, a lesser amount may be authorized.

(b) Agencies may authorize the per diem rate for an alternative location where lodging is obtained if it is advantageous to the Government.

(c) Approval for reimbursement above the per diem amount or at an alternative location is typically provided in advance and at the agency's discretion.

Note 1 to § 301–11.17: Refer to § 301–70.201 for when an agency can issue a blanket actual expense authorization exceeding the per diem rate.

§ 301–11.18 Reimbursement for advance room deposit.

The agency may reimburse an advance room deposit required by a lodging facility to secure a room reservation before scheduled official travel. If the employee fails to perform the scheduled travel for reasons unacceptable to the agency and forfeits the deposit, the employee is indebted to the Government and must repay the amount as prescribed by the agency.

§ 301–11.19 Overnight lodging reimbursement.

Employees are reimbursed for actual and necessary expenses, not to exceed the applicable lodging per diem rate.

§ 301–11.20 Meals and incidental expenses (M&IE) reimbursement amounts.

(a) Except as provided in paragraph (b) of this section, when travel is more than 12 but less than 24 hours, employees receive a per diem allowance of 75 percent of the applicable M&IE rate for each calendar day they are in a travel status. If their travel is 24 hours or more, on the first day of departure and last day of travel, they receive 75 percent of the applicable M&IE rate. Full days of travel are reimbursed at 100 percent of the applicable M&IE rate.

(b) For travel by ship, whether commercial or Government, the agency will determine an appropriate rate within the applicable M&IE rate.

§ 301–11.21 Allowable M&IE reimbursement when meals are provided.

(a) Except as provided in paragraph (c) or (d) of this section, when M&IE per diem is authorized and meals are provided, either by the Government or included in the registration fee, including meals furnished under the authority of chapter 304 of this subtitle, employees must adjust the amount reimbursed by deducting the appropriate amount shown at <https://www.gsa.gov/mie>.

(b) For meals provided on the day of departure and the last day of travel, employees must deduct the entire allocated meal cost from the decreased M&IE rate. The total amount of meal deductions made will not cause employees to receive less than the amount allowed for incidental expenses.

(c) Employees do not need to deduct meals provided by a common carrier or a complimentary meal provided by a hotel/motel.

(d) Agencies may allow employees to claim the full M&IE amount if the employee was unable to take part in a Government-furnished meal due to the conduct of official business or:

- (1) Was unable to consume the furnished meal(s) because of medical requirements or religious beliefs and purchased substitute meals instead; and
- (2) If the employee had advance knowledge of the meals to be furnished:
 - (i) Requested specific approval to claim the full M&IE allowance prior to travel; and
 - (ii) Made a reasonable effort to make alternative meal arrangements but was unable to do so.

§ 301–11.22 Circumstances for prescribing a reduced per diem rate.

An agency may prescribe a reduced per diem rate lower than the prescribed per diem rate under the following circumstances:

(a) When the agency can determine in advance that lodging and/or meal costs will be lower than the per diem rate, such as when two employees share a room or kitchen facilities are available, reducing the need for buying prepared meals; and

(b) The lowest authorized rate must be stated in the travel authorization before travel or the traveler must be given sufficient notice once travel has begun to adjust spending (*i.e.*, finding and occupying alternative lodging).

§ 301–11.23 Itemization requirements for actual expense reimbursement.

Employees must itemize all expenses, including meals (with each meal itemized separately), for which they will be reimbursed under the actual expense method. Receipts are required for:

- (a) Lodging, regardless of amount; and
- (b) Any individual meal exceeding \$75 in cost.

Subparts B–E [Reserved]

Subpart F—Extended TDY Tax Reimbursement Allowance (ETTRA)

§ 301–11.601 Duty to recognize a taxable extended TDY assignment.

A taxable extended TDY assignment is a TDY assignment that continues long enough that, under the Internal Revenue Code (IRC), the employee is no longer considered temporarily away from home during any period of employment exceeding one year. The status change becomes effective on the date when either the employee or the agency recognizes the assignment will exceed one year. As soon as either the employee or agency recognizes the assignment will exceed one year—

(a) The recognizing party must notify the other; and

(b) The agency must immediately change the employee's status.

§ 301–11.602 Tax consequences of extended TDY.

(a) For a taxable extended TDY assignment, all travel expense allowances, reimbursements, and direct Government payments made on the employee's behalf in connection with the assignment become taxable income, starting from the date the assignment is recognized as exceeding one year. The agency will reimburse the employee for substantially all income taxes incurred as a result of their taxable extended TDY assignment, through two components:

(1) Withholding Tax Allowance (WTA); and

(2) Extended TDY Tax Reimbursement Allowance (ETTRA).

(b) The WTA and ETTRA cover only TDY benefits described in this subchapter. On an extended TDY assignment, the employee is not eligible for relocation benefits they would have received on a permanent relocation.

§ 301–11.603 Procedures for WTA and ETTRA calculation and reimbursement.

(a) If the agency knows from the beginning that the TDY assignment qualifies as taxable extended TDY, the agency will:

- (1) Withhold a WTA;
- (2) Pay the WTA as withholding tax to the Internal Revenue Service (IRS) until the assignment ends; and
- (3) Increase (or “gross-up”) the WTA amount to reimburse the employee for additional taxes on the WTA.

(b) If the agency realizes during the TDY assignment that taxes will be incurred, the agency will:

(1) Compute the WTA for all taxable benefits received since recognizing the assignment is no longer “temporarily away from home”;

(2) Pay the computed amount to the IRS; and

(3) Begin paying WTA to the IRS until the extended TDY assignment ends.

(c) For the ETTRA, the agency will use the same one-year or two-year process chosen for the relocation income tax allowance (RITA). Additional information on WTA and RITA processes is available in part 302–17 of this subtitle.

(d) If the agency offers a choice, the WTA is optional for the employee.

§ 301–11.604 When to file the required tax information for extended TDY.

Employees should provide the information their agency requires to make the ETTRA calculation. This will include tax information for any Federal and State tax returns filed for the year that the employee was on a taxable extended TDY assignment. Employees should submit this information at the beginning of the extended TDY assignment, or as soon as the employee or agency realizes the assignment will incur taxes.

Appendix A to Part 301–11—Prescribed Per Diem Rates

(a) For the CONUS per diem rates, see applicable FTR *Per Diem Rate* Bulletins, issued periodically and available at <https://www.gsa.gov/perdiem>;

(b) For non-foreign areas, see applicable *Per Diem Rate* Bulletins issued by the Department of Defense and published periodically in the **Federal Register** or at <https://www.travel.dod.mil/Travel-Transportation-Rates/Per-Diem/>; and

(c) For foreign area per diem rates, see per diem rate supplement to section 925, Department of State Standardized Regulations (Government Civilians-Foreign Areas) and available at https://aoprals.state.gov/web920/per_diem.asp.

PART 301–12—MISCELLANEOUS EXPENSES

Authority: 5 U.S.C. 5707.

§ 301–12.1 Reimbursable miscellaneous expenses.

Miscellaneous expenses are costs related to official travel that are necessary, in the interest of the Government, and not covered by other specific allowances. Expenses that are authorized or approved by the agency will be reimbursed as miscellaneous expenses. Taxes for reimbursable lodging are considered approved when the lodging is authorized.

§ 301–12.2 Baggage expense reimbursement.

Agencies may approve reimbursement of common carrier fees for one standard size and weight checked bag. Agencies may approve additional baggage in accordance with agency internal policies.

PART 301–13—TRAVEL OF AN EMPLOYEE WITH SPECIAL NEEDS

Authority: 5 U.S.C. 5707.

§ 301–13.1 Conditions of payment for additional travel expenses for special needs.

In accordance with the Rehabilitation Act of 1973, as amended (29 U.S.C. 701 *et seq.*) and 5 U.S.C. 3102, an agency will pay additional travel expenses when necessary to reasonably accommodate a special physical need that is clearly visible and discernible; or substantiated in writing by a competent medical authority. Agencies should authorize and administer the payment to reasonably accommodate employee(s) with special needs.

§ 301–13.2 Allowable additional travel expenses for special needs.

The agency approving official may pay expenses deemed necessary by the agency to reasonably accommodate a special need, including:

(a) Transportation and per diem expenses for an immediate family member or attendant required to accompany the employee;

(b) Specialized transportation to, from, and at the temporary duty location;

(c) Specialized services from a common carrier to accommodate the special need;

(d) Baggage handling costs directly resulting from the special need;

(e) Renting and transporting a wheelchair;

(f) Other than coach class accommodations to accommodate the special need; and

(g) Services of an attendant when necessary to accommodate the special need.

Note 1 to paragraph (g): For limits on attendant payments beyond travel expenses, refer to 5 U.S.C. 3102 and guidance available at <https://www.opm.gov/FAQs>.

PART 301–30—EMPLOYEE EMERGENCY TRAVEL

Authority: 5 U.S.C. 5702; 5 U.S.C. 5707.

§ 301–30.1 Definition of employee emergency travel.

Employee emergency travel is travel resulting from:

(a) Becoming incapacitated by illness or injury not due to the employee’s own misconduct;

(b) The death or serious illness of a member of the employee’s “immediate family” as defined in § 300–1.1 of this subtitle. The agency may, on a case-by-case basis, expand the definition of “immediate family” to include additional members of the employee’s or spouse’s/domestic partner’s extended family; or

(c) A catastrophic occurrence or impending disaster, such as fire, flood, or act of God, directly affecting the employee’s home.

§ 301–30.2 Procedure for interrupting or discontinuing TDY travel.

Employees must contact their travel authorizing/approving official for instructions as soon as possible when needing to interrupt or discontinue TDY.

§ 301–30.3 Allowable expenses for incapacitating illness or injury during TDY.

The agency may pay:

(a) Per diem expenses while the employee is on leave (annual or sick), not to exceed the per diem rate at the location where the employee incurred or was treated for the incapacitating illness or injury, for a reasonable period that generally may not to exceed 14 calendar days (including fractional days) for any one period of absence. Agencies may approve a longer period of time if justified.

(b) The following additional expenses when the employee discontinues a TDY assignment before its completion due to an incapacitating illness or injury:

(1) Transportation and per diem expenses for travel to an alternate location for medical treatment.

(2) Transportation and per diem expenses to return to the official station.

(3) Transportation costs for a medically necessary attendant.

§ 301–30.4 Limitations on emergency travel expense payment.

Expenses are not payable when:

(a) The employee is confined to a medical facility within the proximity of their official station or the same medical facility they would have been admitted to if the incapacitating illness or injury had occurred at their official station.

(b) The Government provides or reimburses the employee for hospitalization under any Federal statute, including hospitalization in a Department of Veterans Affairs (VA) Medical center or military hospital. However, per diem expenses remain payable if the employee’s hospitalization is covered under the

Federal Employees Health Benefits Program (5 U.S.C. 8901 *et seq.*).

(c) If any of these expenses are paid to the employee by mistake, they must be collected from the employee by the agency.

PART 301–31—THREATENED LAW ENFORCEMENT/INVESTIGATIVE EMPLOYEES

Authority: 5 U.S.C. 5705; 5 U.S.C. 5706a; 5 U.S.C. 5707.

§ 301–31.1 Purpose of subsistence and transportation expenses for threatened law enforcement/investigative employees.

To protect law enforcement/investigative employees and their “immediate family” (as defined in § 300–1.1 of this subtitle) when their lives are placed in jeopardy as a result of the employee’s assigned duties. The agency may, on a case-by-case basis, expand the definition of “immediate family” to include other members of the employee’s and/or the employee’s spouse’s or domestic partner’s extended family.

§ 301–31.2 Agency discretion in paying expenses.

The agency is not required to pay transportation and subsistence expenses. The decision to pay depends on the agency’s assessment of the threat against the employee’s or immediate family member’s life.

§ 301–31.3 Lodging location determination.

The agency designates the area where the employee and/or immediate family should obtain lodging, which may be within the official station or at an alternate location. The employee and immediate family may occupy lodging at different locations if authorized by the agency.

§ 301–31.4 Allowable transportation expenses.

The agency may pay transportation expenses authorized by part 301–10 of this subchapter to transport the employee and/or family to/from a temporary location.

§ 301–31.5 Allowable subsistence expenses.

Agencies may only pay lodging costs. However, the agency may pay for meals and laundry/cleaning expenses if:

(a) The temporary living accommodations do not have kitchen or laundry facilities; or

(b) The agency determines that other extenuating circumstances exist which necessitate payment of these expenses.

§ 301–31.6 Per diem allowance restriction.

The agency may not pay a per diem allowance instead of actual expenses.

§ 301–31.7 Expense tracking and documentation requirement.

Employees must keep track of actual expenses as described in part 301–11 of this subchapter, and must provide receipts or any other documentation required by their agency for reimbursement. However, in instances when documentation might compromise the security of the individuals involved, the head of the agency may waive these requirements.

§ 301–31.8 Travel advance availability.

Employees may receive a travel advance under § 301–51.200 of this chapter for up to a 30-day period at a time to cover allowable expenses, subject to the requirement to reimburse the agency for any portion of the advance disallowed or not spent. The travel advance may not exceed the maximum allowable amount authorized in this part.

Subchapter C—Arranging for Travel Services, Paying Travel Expenses, and Claiming Reimbursement

PART 301–50—ARRANGING FOR TRAVEL SERVICES

Authority: 5 U.S.C. 5707; 40 U.S.C. 121(c).

§ 301–50.1 Travel arrangement requirements.

Employees of an agency as defined in § 300–1.1 of this subtitle must arrange all TDY travel using the online booking tool offered by ETS, unless extenuating circumstances prevent such use, such as when attending a conference where the conference sponsor has negotiated with one or more lodging facilities to set aside a number of rooms for attendees, and employees must book directly with the facility to receive the negotiated rate. If an exception to ETS use is granted in accordance with this part, employees must use their agency’s TMS. Employees of the Department of Defense, the legislative branch, or the Government of the District of Columbia must arrange travel in accordance with their agency’s TMS.

§ 301–50.2 Exceptions to mandatory use of ETS, TMS, or TMC.

(a) The agency head or their designee may grant an individual case exception in writing or through electronic means to the required use of ETS, or the agency’s TMC or TMS if otherwise exempted from ETS use per paragraph (b) of this section. Any exception granted must be consistent with any

contractual terms applicable to the TMC, TMS, or ETS.

(b) The Administrator of General Services or the Administrator’s designee may grant an agency-wide exception (or exempt a component thereof) from the required use of ETS when requested by the head of a Department (cabinet-level agency) or head of an independent agency when the agency has presented a business case analysis to the General Services Administration that proves that it has an alternative TMS to the ETS and is in the best interest of the Government.

(1) As a condition of receiving an exception, the agency must agree to conduct annual business case reviews of its TMS and must provide to the ETS Program Management Office (PMO) data elements required by the ETS PMO in a format prescribed by the ETS PMO.

(2) Requests for exceptions should be addressed to the Administrator of General Services and sent to travelpolicy@gsa.gov with full justification and/or analysis.

§ 301–50.3 Consequences of not using ETS, TMS, or TMC.

The employee is responsible for any additional costs resulting from the failure to use the ETS or their agency’s TMS or TMC if they do not have an exception to use. In addition, the agency may take appropriate disciplinary actions.

PART 301–51—PAYING TRAVEL EXPENSES

Authority: 5 U.S.C. 5707; 40 U.S.C. 121(c). Subpart A is also issued under 5 U.S.C. 5701 note. Subpart C is also issued under 5 U.S.C. 5705.

Subpart A—General

§ 301–51.1 Government contractor-issued travel charge card mandatory use.

Employees are required to use the Government contractor-issued travel charge card for all official travel expenses unless:

(a) Payment through the card is impractical (*e.g.*, a vendor does not accept the travel charge card) or imposes unreasonable burdens or costs; or

(b) The Administrator of General Services or the agency head or their designee has granted an exemption under § 301–51.2.

§ 301–51.2 Exemptions from mandatory use of the Government contractor-issued travel charge card.

(a) The Administrator of General Services exempts from mandatory use of the Government contractor-issued travel charge card any payment, person, type

or class of payments, or type or class of personnel in any case in which—

(1) It is in the best interest of the United States to do so;

(2) Payment through a travel charge card is impractical or imposes unreasonable burdens or costs on Federal employees or Federal agencies; or

(3) The Secretary of Defense or the Secretary of Homeland Security (for the Coast Guard) requests an exemption for members of their uniformed services.

(4) The Administrator of General Services has exempted the following classes of employees from mandatory use of the Government contractor-issued travel charge card:

(i) Employees who have a pending application for the Government contractor-issued travel charge card;

(ii) Employees for which issuance of the Government contractor-issued travel charge card would adversely affect the mission or put the employee at risk; or

(iii) Employees who are not eligible to receive a Government contractor-issued travel charge card.

(b) The head of a Federal agency or their designee(s) may exempt any payment, person, type or class of payments, or type or class of agency personnel if the exemption is determined to be necessary in the interest of the agency. Agencies must notify the Administrator of General Services, Office of Government-wide Policy, at travelpolicy@gsa.gov, within 30 days after granting an exemption from the mandatory use of the Government contractor-issued travel charge card, stating the reasons for the exemption.

§ 301–51.3 Voluntary card use after exemption.

An agency-granted exemption does not prevent the employee from using the Government contractor-issued travel charge card on a voluntary basis for official travel expenses.

§ 301–51.4 Payment methods after exemption.

If an employee receives an exemption from use of the Government contractor-issued travel charge card, the agency may authorize use of personal funds,

travel advances, or Government Transportation Request (GTR). The General Services Administration City Pair Program contractors are not required to accept payment by personal funds or travel advances.

§ 301–51.5 Misuse of Government contractor-issued travel charge card.

Employees may not use the Government contractor-issued travel charge card for personal reasons. Agencies should establish internal policies and procedures defining what are considered to be misuses of the Government contractor-issued travel charge card. Appropriate action may be taken pursuant to those policies if an employee fails to activate the Government contractor-issued travel charge card within 60 days of receipt or misuses the travel charge card.

Subpart B—Paying for Common Carrier Transportation

§ 301–51.100 Payment methods to procure common carrier transportation.

Employees must use a Government contractor-issued individually billed travel charge card, centrally billed account, GTR, or other method of payment authorized in accordance with their agency's internal policy to procure common carrier transportation.

§ 301–51.101 Cash-equivalent payment methods.

(a) The following payment methods are considered the equivalent of cash:

- (1) Personal credit cards;
- (2) Cash withdrawals obtained from an ATM using a Government contractor-issued individually billed travel charge card; and
- (3) Checks, both personal and travelers.

(b) Agencies must comply with § 102–118.30 of this title, which limits payment of transportation services to electronic fund transfer (EFT), unless excepted.

§ 301–51.102 Reimbursement for unauthorized cash purchases of common carrier transportation.

If an employee makes an unauthorized cash purchase of common carrier transportation, the agency may

limit reimbursement to the cost of such transportation using the authorized method of payment.

(a) *Limited reimbursement.* For cash payments that an agency determines were made under non-emergency circumstances, reimbursement to the traveler is limited to the cost that would have been properly chargeable to the Government had the traveler used a government provided payment resource, such as an individual Government contractor-issued travel charge card, centrally billed account, or GTR.

(b) *Full reimbursement.* Agencies may choose to make full payment when circumstances justify it, such as for invitational travel, trips by infrequent travelers, and interviewee travel.

§ 301–51.103 Liability for a lost GTR.

An employee is liable for any Government expenditure that is caused by the employee's negligence in safeguarding the GTR or tickets received in exchange for the GTR. To avoid liability, the employee should immediately report a lost or stolen GTR to their administrative office. If the lost or stolen GTR shows the carrier service desired and point of origin, the employee should promptly notify in writing the named carrier and other local initial carriers. The employee should not use a GTR recovered after having been reported as lost or stolen. Instead, the employee should report the recovered GTR to their administrative office.

Subpart C—Receiving Travel Advances

§ 301–51.200 Travel advance eligibility.

Employees may receive a travel advance for expenses deemed necessary by the agency while on official travel. Advances for non-cash transaction expenses may be authorized in accordance with the agency's internal policies.

§ 301–51.201 Maximum travel advance amount.

The amount the agency advances the employee may not exceed the following amounts:

TABLE 1 TO § 301–51.201

For	The maximum amount the agency may advance is
Cash transaction expenses	The estimated amount of the employee's cash transaction expenses.
Non-cash transaction expenses (See § 301–51.200).	Generally zero, however see § 301–51.200. If the employee is authorized a travel advance for non-cash transaction expenses, the agency will determine the maximum amount the employee is authorized to receive.

§ 301–51.202 Accounting for travel advance.

Employees must account for their travel advance after completion of their assignment. The employee must file a travel claim which accounts for the advance in accordance with the agency's policy. If the employee is in continuous travel status or submits periodic reimbursement vouchers on an individual trip authorization, the agency may reimburse the full amount of the employee's travel expenses without any deduction of the advance until such time as the employee files a final voucher.

(a) If the amount advanced is less than the amount of the voucher on which it is deducted, the employee will be reimbursed the net amount.

(b) If the advance exceeds the reimbursable amount, the employee must immediately refund the excess.

§ 301–51.203 Procedure for canceled or postponed trip.

If a trip is canceled or postponed indefinitely, the employee must notify the appropriate agency officials and refund any monies advanced.

PART 301–52—CLAIMING REIMBURSEMENT

Authority: 5 U.S.C. 5701 note; 5 U.S.C. 5707; 40 U.S.C. 121(c).

§ 301–52.1 Travel claim information requirements.

Employees must file a travel claim and provide the following information:

(a) Receipts for any lodging expenses and other expenses costing over \$75, and an itemized list of expenses and other information (specified in the listing of required standard data elements, and any additional information the agency may specifically require), except:

(1) The employee may aggregate official travel-related expenses incurred at the TDY location for authorized telephone calls, transit system fares, and parking meter fees, except any individual expenses costing over \$75 must be listed separately.

(2) When the employee is authorized a reduced per diem rate for lodging, the employee must state the reduced daily rate the agency authorized.

(3) When the employee is authorized a reduced per diem rate for M&IE, the employee must state the reduced daily rate the agency authorized.

(4) The agency may choose whether or not to require itemization of M&IE when a reduced M&IE rate is authorized.

(5) Receipts must be retained for 6 years as prescribed by the National Archives and Records Administration

(NARA) under General Records Schedule 1.1, item 010 (<https://www.archives.gov/files/records-mgmt/grs/grs01-1.pdf>).

(6) The employee must submit a travel claim within 5 working days after trip completion or period of travel; or at most every 30 days for if the employee is on a continuous travel status unless the agency administratively requires submission within a shorter timeframe.

(7) The agency may exempt an expenditure from the receipt requirement because the expenditure is confidential.

(b) Type of leave and the number of hours of leave for each day.

(c) The date of arrival and departure from the TDY station.

(d) Evidence of the employee's necessary travel expenses including any necessary special authorizations.

§ 301–52.2 Travel claim filing format.

Employees must use the format prescribed by ETS to file travel claims, unless the agency has been granted, or has granted the employee, an exception from required use of the ETS in accordance with § 301–50.2 of this subchapter.

§ 301–52.3 Disallowed payment of a claimed item.

The agency may disallow payment of a claimed item if the employee:

(a) Does not provide proper itemization of an expense;

(b) Does not provide required receipt(s) or other documentation required to support their claim; or

(c) Claims an expense which is not authorized.

§ 301–52.4 Procedure for challenging a claim disallowance.

Employees may request reconsideration of the agency's disallowance of their claim if the employee has additional facts or documentation to support the request for reconsideration. To challenge a disallowed claim, the employee must:

(a) File a new claim.

(b) Provide full itemization for all disallowed items reclaimed.

(c) Provide receipts for all disallowed items reclaimed that require receipts, unless the agency already has the receipt.

(d) Provide a copy of the notice of disallowance.

(e) State the proper authority for the claim if the employee is challenging the agency's application of the law or statute.

(f) Follow the agency's procedures for challenging disallowed claims.

(g) If after reconsideration by the agency, the claim is still denied, the

employee may submit the claim for adjudication to the Civilian Board of Contract Appeals in accordance with 48 CFR part 6104.

§ 301–52.5 Accounting for an outstanding travel advance.

Employees must account for any travel advance outstanding at the time they submit their travel claim in accordance with the agency's procedures. Agencies are responsible for ensuring the collection of outstanding travel advances.

§ 301–52.6 Accounting for unused tickets and refunds.

Employees must submit any unused tickets or other evidence of refund to their agency in accordance with the agency's procedures.

§ 301–52.7 Agency reimbursement timeframe.

The agency must reimburse the employee within 30 calendar days after the employee submits a proper travel claim to the agency's designated approving official. The 30-day requirement in this section does not apply to the following relocation allowances:

(a) Transportation and storage of household goods and professional books, papers, and equipment;

(b) Transportation of a mobile home;

(c) Transportation of a privately owned vehicle;

(d) Temporary quarters subsistence expense;

(e) Residence transaction expenses;

(f) Relocation income tax allowance;

(g) Use of a relocation services

company;

(h) Home marketing incentive payments; and

(i) Allowance for property management services.

§ 301–52.8 Notification of claim errors.

After the employee submits a travel claim, the agency must notify the employee in seven working days of any errors that would prevent payment within 30 calendar days after submission.

§ 301–52.9 Late payment fee entitlement.

Employees will receive a late payment fee if the agency fails to reimburse them within 30 calendar days after submission of a proper travel claim to the approving official.

§ 301–52.10 Late payment fee calculation.

(a) To calculate late payment fees, the agency must either—

(1) Use the prevailing Prompt Payment Act Interest Rate beginning on the 31st day after submission of a proper

travel claim and ending on the date on which payment is made; or

(2) Reimburse a flat fee of not less than the prompt payment amount, based on an agencywide average of travel claim payments.

(b) In addition to the fee required by paragraphs (a)(1) and (2) of this section, the agency must also pay an amount equivalent to the late payment charge that the card contractor would have been able to charge the employee had the employee not paid the bill.

§ 301–52.11 Minimum late payment fee threshold.

A late payment fee will only be paid when the computed fee is \$1.00 or greater.

§ 301–52.12 Tax reporting of late payment fees.

Late payment fees will not be reported as wages on a Form W–2. The Internal Revenue Service (IRS) has determined that the late payment fee is in the nature of interest (compensation for money use). The agency will report payments in accordance with IRS guidelines.

§ 301–52.13 Tax treatment of the additional fee.

The agency will report payment of the additional fee, which is equal to any late payment charge that the card contractor would have been able to charge had the employee not paid the bill, as additional wages on Form W–2.

§ 301–52.14 Penalties for defrauding the Government.

An employee forfeits reimbursement pursuant to 28 U.S.C. 2514 if the employee attempts to defraud the Government, and may be subject under 18 U.S.C. 287 and 1001 to one, or both, of the following:

- (a) A fine of not more than \$10,000; or
- (b) Imprisonment for not more than 5 years.

PART 301–53—USING PROMOTIONAL MATERIALS AND FREQUENT TRAVELER PROGRAMS

Authority: 5 U.S.C. 5707; 31 U.S.C. 1353.

§ 301–53.1 Using promotional benefits from travel service providers.

Promotional benefits or materials, such as frequent flyer miles may be retained for subsequent official travel or for personal use if such items are obtained under the same conditions as those offered to the general public and at no additional cost to the Government. If an employee is offered such benefits in connection with planning an official conference or other group travel, they

are considered property of the Government and cannot be retained for personal use, but may be accepted on behalf of the Government for use on official travel.

§ 301–53.2 Restriction on selecting travel service providers.

Employees must use the travel service provider for which their agency is a mandatory user.

§ 301–53.3 Denied boarding compensation treatment.

A denied boarding benefit is not a promotional item given by an airline. See the provisions of § 301–10.122 of this chapter when an airline denies a seat (involuntary) and § 301–10.123 of this chapter when an employee vacates their seat (voluntary).

PART 301–54—[RESERVED]

Subchapter D—Agency Responsibilities

PART 301–70—INTERNAL POLICY AND PROCEDURE REQUIREMENTS

Authority: 5 U.S.C. 5701 note; 5 U.S.C. 5707; 40 U.S.C. 121(c); OMB Circular No. A–126, revised May 22, 1992, 57 FR 22150; OMB Circular A–123, Appendix B, revised August 27, 2019.

Subpart A—General Policies and Procedures

§ 301–70.1 Administration of travel expense authorization and payment.

When administering travel expense authorization and payment, agencies—

- (a) Must consider the need for travel and limit the authorization and payment of travel expenses to travel that is necessary to accomplish the mission in the most economical and effective manner, under rules stated throughout this chapter;
- (b) Must ensure that travel is booked as far in advance as possible in order to capture the greatest transportation and lodging savings; for conference and training travel, book at least 30 days in advance when possible;
- (c) Should consider the most cost effective routing and means of accomplishing travel;
- (d) Should consider the employee's travel plans, including plans to take leave in conjunction with official travel;
- (e) Should give consideration to budget constraints, adherence to travel policies, and reasonableness of expenses;
- (f) Should always consider alternatives to travel, including teleconferencing, prior to authorizing travel; and
- (g) Must require employees to use the ETS to process travel authorizations and

claims for travel expenses, unless an exception has been granted under § 301–50.2 of this chapter.

Subpart B—Policies and Procedures Relating to Transportation

§ 301–70.100 Administration of transportation expense authorization and payment.

- Agencies must—
- (a) Limit authorization and payment of transportation expenses to those expenses that result in the greatest advantage to the Government; and
- (b) Ensure that travel is by the most expeditious means practicable.

§ 301–70.101 Considering which method of transportation to authorize.

In selecting a particular method of transportation agencies must consider the following:

- (a) The total cost to the Government, including per diem, overtime, lost worktime, actual transportation cost, total distance of travel, number of points visited, and the number of travelers, and any other relevant costs (see 5 U.S.C. 5733).
- (b) A determination that another method of transportation is more advantageous to the Government will not be made on the basis of personal preference or inconvenience to the traveler.
- (c) When authorizing use of a privately owned vehicle (POV), agencies are reminded that they cannot mandate employees to use their POV for official reasons; the employee must agree to it.

§ 301–70.102 Establishing governing policies for transportation expense authorization and payment.

Agencies must establish policies and procedures governing—

- (a) Who will determine what method of transportation is more advantageous to the Government;
- (b) Who will approve any of the following:
 - (1) Use of other than coach class accommodations under § 301–10.100 of this chapter;
 - (2) Use of a special-reduced fare or reduced group or charter fare;
 - (3) Use of an extra-fare train service under § 301–10.160 of this chapter;
 - (4) Use of ship service;
 - (5) Use of a foreign ship; and
 - (6) Use of a foreign air carrier;
- (c) When the agency will authorize use of a Government vehicle on TDY;
- (d) When the agency considers the use of a POV advantageous to the Government, such as travel to and from common carrier terminals or to the TDY location. When determining whether the use of a POV to a TDY location is the

most advantageous method of transportation, the agency must consider the total cost of using a POV as compared to the total cost of using a rental vehicle, including rental costs, fuel, taxes, parking (at a common carrier terminal—not to exceed the cost of taxi or transportation network company fare, etc.), and any other relevant costs;

(e) Procedures for claiming POV reimbursement;

(f) Procedures for allowing the use of a special conveyance (e.g., taxis, TNCs, innovative mobility technology companies, or commercially rented vehicles), taking into account the requirements of § 301–10.450 of this chapter;

(g) What procedures employees must follow when they travel by an indirect route or interrupt travel by a direct route;

(h) Whether to reimburse the full amount of transportation costs and in conjunction with TDY or only the amount by which transportation costs exceed the employee's normal costs for transportation between:

(1) Office or duty point and another place of business;

(2) Places of business; and

(3) Residence and place of business other than office or duty point; and

(i) Develop and issue internal guidance on what specific mission criteria justify use of other than coach class under § 301–10.100(k) of this chapter and the use of other than the least expensive compact car available under § 301–10.450(c) of this chapter. The justification criteria shall be noted on the traveler's authorization.

§ 301–70.103 Prohibition on preventing POV use.

Agencies may not prohibit an employee from using a POV on official travel, but if the employee elects to use a POV instead of the authorized method of transportation, agencies must limit reimbursement to the constructive cost of the authorized method of transportation (see § 301–10.305 of this chapter) and charge leave for any duty hours that are missed as a result of travel by POV.

Subpart C—Policies and Procedures Relating to Subsistence Expenses

§ 301–70.200 Governing policies for subsistence expenses authorization and payment.

Agencies must establish policies and procedures governing—

(a) Who will authorize a rest period;

(b) Circumstances allowing a rest period during prolonged travel (see § 301–11.12 of this chapter for minimum standards);

(c) What constitutes a rest period upon arrival at a temporary duty location;

(d) If, and in what instances, the agency will allow an employee to return to the official station on non-workdays;

(e) Who will determine if an employee will be allowed to return to the official station on a case-by-case basis;

(f) Who will determine in what instances the agency will pay a reduced per diem rate;

(g) Who will determine, and in what instances, to issue a blanket actual

expense authorization under § 301–70.201;

(h) What circumstances necessitate the extension of a blanket actual expense authorization under § 301–70.201; and

(i) Who may submit requests for per diem rate reviews on behalf of the agency.

§ 301–70.201 Blanket actual expense authorization during Presidentially-Declared Disasters.

Agencies may issue a blanket authorization for their employees to be reimbursed their actual expenses up to 300 percent of the per diem rate when assigned to perform TDY travel in an area subject to a Presidentially-Declared Disaster. These authorizations must apply to a specific Declaration, and will expire one year from the date the Declaration is issued unless an agency head or their designee extends the blanket authorization based on a determination of necessity. A blanket authorization issued under this section shall not apply to any travel performed pursuant to chapter 302 of this subtitle.

§ 301–70.202 Process for requesting a per diem rate review.

If agency travelers frequent a location where the per diem rate is insufficient to meet necessary expenses, the agency senior travel official or other employee authorized in accordance with § 301–70.200(i) may submit a request, containing pertinent cost data, asking that the location be reviewed. Depending on the location in question the review request may be submitted to:

TABLE 1 TO § 301–70.202

For CONUS locations	For non-foreign OCONUS area locations	For foreign area locations
General Services Administration, Office of Government-wide Policy, travelpolicy@gsa.gov .	Department of Defense, Defense Travel Management Office, dodhra.mc-alex.dtmo.mbx.per-diem@mail.mil .	Department of State, Office of Allowances, allowancesO@state.gov .

Subpart D—Policies and Procedures Relating to Miscellaneous Expenses

§ 301–70.300 Governing policies for payment of miscellaneous expenses.

Agencies must establish policies and procedures governing who will determine what types of miscellaneous expenses are appropriate for reimbursement in connection with official travel. Agencies are reminded that payment of miscellaneous expenses should be limited to only those expenses that are necessary and in the interest of the Government.

Subpart E—Policies and Procedures for Employee Emergency Travel Due to a Personal Emergency or Incapacitating Illness or Injury

§ 301–70.500 Governing policies and procedures for employee emergency travel.

Each agency must establish policies and procedures to determine—

(a) When the agency will authorize employee emergency travel under part 301–30 of this chapter;

(b) Who will determine if an employee's situation warrants payment for emergency travel expenses;

(c) When and by whom travel to an alternate location other than the official

station or point of interruption will be authorized; and

(d) Who will determine when and if the definition of immediate family may be extended and to whom.

§ 301–70.501 Status of existing travel authorization after personal emergency or incapacitating illness or injury.

The agency should not continue using the existing travel authorization if the interrupted trip was authorized under a trip-by-trip authorization. If, when the employee's health has been restored, the agency decides that it is in the Government's interest to return the employee to the TDY location, such

return is considered to be a new travel assignment at Government expense. An interrupted trip authorized under an open or limited open authorization may be continued without further authorization.

§ 301–70.502 Reimbursement for travel to an alternate location for medical treatment.

(a) When an employee interrupts a TDY assignment because of incapacitating illness or injury and takes leave of absence for travel to an alternate location to obtain medical services and returns to the TDY assignment, the agency may reimburse certain excess travel costs provided in this section. Specifically, the agency may reimburse the excess (if any) of actual costs of travel costs from the point of interruption to the alternate location and return to the TDY assignment, over the constructive costs of round-trip travel between the official station and the alternate location.

(b) An alternate location is a destination other than the employee's official station or the point of interruption. The nearest hospital or medical facility capable of treating the employee's illness will not, however, be considered an alternate location.

§ 301–70.503 Defining actual cost and constructive cost for travel interruption due to incapacitating illness or injury.

(a) Actual cost of travel will be the transportation expenses incurred and en route per diem expenses for the travel as actually performed from the point of interruption to the alternate location and from the alternate location to the TDY assignment. No per diem expenses are allowed for time spent at the alternate location if confined to a medical facility.

(b) Constructive cost is the sum of travel and transportation expenses the employee would reasonably have incurred for round-trip travel between the official station and the alternate location plus per diem expenses calculated for the appropriate en route travel time. The calculation will necessarily involve assumptions. Examples of related expenses that could be considered constructive costs include, but are not limited to, taxi and TNC fares, baggage fees, rental car costs, tolls, ferry fees, and parking charges.

§ 301–70.504 Reimbursement if an employee discontinues a TDY assignment because of a personal emergency situation.

The agency, with the approval of an appropriate agency official, may authorize reimbursement of appropriate transportation and per diem expenses while en route for return travel from the

point of interruption to the official station.

§ 301–70.505 Reimbursement if an employee travels to an alternate location and returns to the TDY location because of a personal emergency situation.

The agency may reimburse certain excess travel costs (transportation and en route per diem expenses) to the same extent as provided in § 301–30.3(a) of this chapter for incapacitating illness or injury to the employee.

§ 301–70.506 Factors for expanding the “immediate family” definition for emergency travel purposes.

Agencies must consider on a case-by-case basis:

- (a) The extent of the emergency;
- (b) The employee's relationship to the individual involved in the emergency; and
- (c) The degree of the employee's responsibility for the individual involved in the emergency.

Subpart F—Policies and Procedures Relating to Threatened Law Enforcement/Investigative Employees

§ 301–70.600 Governing policies for threatened law enforcement/investigative employees.

Agencies must establish policies and procedures governing:

- (a) When the agency will pay transportation and subsistence expenses of threatened law enforcement/investigative employees, under part 301–31 of this chapter;
- (b) Who will determine the degree, legitimacy, and seriousness of threat to life in each individual case;
- (c) Who will determine what protective action should be taken, including the location and duration of temporary lodging and whether relocating the employee permanently would be advantageous;
- (d) Who will reevaluate the situation to determine whether protective action should be continued or discontinued and how often;
- (e) What procedures must be followed to obtain authorization of transportation and subsistence expenses for threatened law enforcement/investigative employees; and
- (f) What special procedures must an employee follow to claim expenses.

§ 301–70.601 Reevaluation of transportation and subsistence expenses.

Agencies must reevaluate the payment of transportation and subsistence expenses to threatened law enforcement/investigative employees every 30 days based on the same factors the agency considered when the agency

first authorized the payment of the expenses.

Subpart G—[Reserved]

Subpart H—Policies and Procedures for Agencies That Authorize Travel on Government Aircraft

§ 301–70.800 Ensuring that travel on Government aircraft is the most cost-effective alternative.

(a) Agencies must ensure that travel on a Government aircraft is the most cost-effective alternative that will meet the travel requirement. The designated travel approving official must—

- (1) Compare the cost of all travel alternatives, as applicable, that is—
 - (i) Travel on a scheduled commercial airline;
 - (ii) Travel on a Federal aircraft;
 - (iii) Travel on a Government aircraft hired as a commercial aviation service (CAS); and
 - (iv) Travel by other available modes of transportation; and
- (2) Approve only the most cost-effective alternative that meets the agency's needs.

(3) Consider the cost of non-productive or lost work time while in travel status and certain other costs when comparing the costs of using Government aircraft in lieu of scheduled commercial airline service and other available modes of transportation.

(b) The aircraft management office in the agency that owns or hires the Government aircraft must provide the employee's designated travel-approving official with cost estimates for a Government aircraft trip (*i.e.*, a Federal aircraft trip cost or a CAS aircraft trip cost).

(c) When an agency operates a Government aircraft to fulfill a non-travel related governmental function or for required use travel, using any space available for passengers on official travel is presumed to result in cost savings.

§ 301–70.801 Documentation retention.

Agencies must retain all travel authorizations and cost-comparisons for travel on Government aircraft for two years.

§ 301–70.802 Inapplicability to travel by the President and Vice President.

The rules in this part and §§ 301–10.260 through 301–10.265 of this chapter do not apply to travel on Government aircraft by the President and Vice President or by individuals traveling in support of the President and Vice President.

Subpart I—Policies and Procedures for Agencies That Own or Hire Government Aircraft for Travel

§ 301–70.900 Use of Government aircraft for passenger transport.

Agencies may use Government aircraft, *i.e.*, aircraft that the agency owns, borrows, operates as a bailed aircraft, or hires as a CAS, to carry Federal and non-Federal travelers, but only in accordance with the rules in part 102 of this title and regulations in this part.

§ 301–70.901 Approval for Government aircraft passenger transport.

The agency head or their designee must approve use of the agency's Government aircraft for travel, *i.e.*, for carrying passengers and any crewmembers or qualified non-crewmembers who are also traveling. This approval must be in writing and may be for recurring travel.

§ 301–70.902 Special responsibilities for space available travel.

Except for travel authorized under 10 U.S.C. 2648, the agency must certify in writing before carrying passengers on a space available basis on the agency's Government aircraft that the aircraft is scheduled to perform a bona fide governmental function. Bona fide governmental functions may include support for official travel. The agency must also certify that carrying a passenger in space available does not cause the need for a larger aircraft and does not result in more than minor additional cost to the Government. The agency's aircraft management office must retain this certification for two years. In an emergency situation, prior verbal approval with an after-the-fact written certification is permitted.

§ 301–70.903 Responsibilities for ensuring cost-effectiveness of Government aircraft travel.

To ensure Government aircraft are the most cost-effective alternative for travel, the agency's aircraft management office must calculate the cost of a trip on the Government aircraft, whether Federal aircraft Federal or CAS aircraft, and submit that information to the traveler's designated travel-approving official upon request. The designated travel-approving official must use that information to compare the cost of using Government aircraft with the cost of scheduled commercial airline service and the cost of using other available modes of transportation. When the agency operates a Government aircraft to fulfill a non-travel related governmental function or for required use travel, using any space available for

passengers on official travel is presumed to result in cost savings.

§ 301–70.904 Travel authorization requirement for Government aircraft passengers.

Every traveler on one of the agency's Government aircraft must have a written travel authorization from an authorizing executive agency, and they must present that authorization, before the flight, to the aircraft management office or its representative in the organization that owns or hires the Government aircraft. In addition to all passengers, those crewmembers and qualified non-crewmembers on a flight in which they are also traveling (*i.e.*, being transported from point to point) are considered travelers and must also be authorized to travel on Government aircraft.

§ 301–70.905 Documentation retention.

(a) Agencies must retain for two years copies of travel authorizations for senior Federal officials and non-Federal travelers who travel on the agency's Government aircraft.

(b) Agencies must also retain for two years the following information for each flight:

- (1) The tail number of the Government aircraft used.
- (2) The dates used for travel.
- (3) The name(s) of pilot(s), other crewmembers, and qualified non-crewmembers.
- (4) The purpose(s) of the flight.
- (5) The route(s) flown.
- (6) The names of all passengers.

§ 301–70.906 Reporting requirements for Government aircraft travel.

(a) Except when trips are classified, agencies that own or hire Government aircraft must report to the General Services Administration (GSA), Office of Government-wide Policy, all uses of the agency's aircraft for travel by any senior Federal official or non-Federal traveler, by using the electronic reporting tool found at <https://www.travel.reporting.gov/TRAVEL/s/login/>, unless travel is authorized under 10 U.S.C. 2648.

(b) Reports are due on a semi-annual basis. The reporting periods are October 1 through March 31 and April 1 through September 30 of each fiscal year. A report is due to GSA not later than 30 calendar days after the close of each reporting period and must contain the following information:

- (1) The person's name with an indication that the traveler is either a senior Federal official or a non-Federal traveler, whichever is appropriate.
- (2) The traveler's organization and title or other appropriate descriptive information, *e.g.*, dependent, press, etc.

(3) Name of the authorizing agency.

(4) The official purposes of the trip.

(5) The destination(s).

(6) For personal or political travel, the amount that the traveler must reimburse the Government (*i.e.*, the full coach fare or appropriate share of that fare).

(7) For official travel, the comparable City Pair fare (if available to the traveler) or the full coach fare if the City Pair fare is not available.

(8) The cost to the Government to carry this person (*i.e.*, the appropriate allocated share of the Federal or CAS aircraft trip costs).

Note 1 to paragraph (b): Most of the information required by paragraphs (b)(1) through (7) of this section can be found on the traveler's travel authorization.

(c) The aircraft management office must provide the information about crewmembers and qualified non-crewmembers required by paragraph (b)(2) of this section as well as the information required by paragraph (b)(8) of this section.

§ 301–70.907 Disclosure information for Government aircraft passengers.

Agencies must give each person aboard their aircraft a copy of the following disclosure statement:

Disclosure for Persons Flying Aboard Federal Government Aircraft

Note: The disclosure contained herein is not all-inclusive. Employees should contact the sponsoring agency for further assistance.

Generally, an aircraft used exclusively for the U.S. Government may be considered a 'public aircraft' as defined in 49 U.S.C. 40102 and 40125, unless it is transporting passengers or operating for commercial purposes. A public aircraft is not subject to many Federal aviation regulations, including requirements relating to aircraft certification, maintenance, and pilot certification. If a U.S. Government agency transports passengers on a Government aircraft, that agency must comply with all Federal aviation regulations applicable to civil aircraft. If you have questions about the status of a particular flight, you should contact the agency sponsoring the flight.

You and your family have certain rights and benefits in the unlikely event you are injured or killed while riding aboard a Government aircraft. Federal employees and some private citizens are eligible for workers' compensation benefits under the Federal Employees' Compensation Act (FECA). When FECA applies, it is the sole remedy. For more information about FECA and its coverage, consult with your agency's benefits office or contact the Department

of Labor's Office of Workers' Compensation Programs at <https://www.dol.gov/agencies/owcp/FECA/contacts/fecacont>. (These rules also apply to travel on other Government-owned or operated conveyances such as cars, vans, or buses.)

State or foreign laws may provide for product liability or "third party" causes of actions for personal injury or wrongful death. If you have questions about a particular case or believe you have a claim, you should consult with an attorney.

Some insurance policies may exclude coverage for injuries or death sustained while traveling aboard a Government or military aircraft or while within a combat area. You may wish to check your policy or consult with your insurance provider before your flight. The insurance available to Federal employees through the Federal Employees Group Life Insurance Program does not contain an exclusion of this type.

If you are the victim of an air disaster resulting from criminal activity, Victim and Witness Specialists from the Federal Bureau of Investigation (FBI) and/or the local U.S. Attorney's Office will keep you or your family informed about the status of the criminal investigation(s) and provide you or your family with information about rights and services, such as crisis intervention, counseling and emotional support. State crime victim compensation may be able to cover crime-related expenses, such as medical costs, mental health counseling, funeral and burial costs, and lost wages or loss of support. The Office for Victims of Crime (an agency of the Department of Justice) is authorized by the Antiterrorism Act of 1996 to provide emergency financial assistance to state programs, as well as the U.S. Attorney's Office, for the benefit of victims of terrorist acts or mass violence.

If you are a Federal employee:

1. If you are injured or killed on the job during the performance of duty—including while traveling aboard a Government aircraft or other government-owned or operated conveyance for business purposes, you and your family are eligible to collect workers' compensation benefits under FECA. You and your family may not file a personal injury or wrongful death suit against the United States or its employees. However, you may have cause of action against potentially liable third parties.

2. You or your qualifying family member must normally also choose between FECA disability or death benefits, and those payable under your retirement system (either the Civil

Service Retirement System or the Federal Employees Retirement System). You may choose the benefit that is more favorable to you.

If you are a private citizen not employed by the Federal Government:

1. Even if you are not regularly employed by the Federal Government, if you are rendering personal service to the Federal Government on a voluntary basis or for nominal pay, you may be defined as a Federal employee for purposes of FECA. If that is the case, you and your family are eligible to receive workers' compensation benefits under FECA, but may not collect in a personal injury or wrongful death lawsuit against the United States or its employees. You and your family may file suit against potentially liable third parties. Before you depart, you may wish to consult with the department or agency sponsoring the flight to clarify whether you are considered a Federal employee.

2. If there is a determination that you are not a Federal employee, you and your family will not be eligible to receive workman's compensation benefits under FECA. If you are traveling for business purposes, you may be eligible for workman's compensation benefits under state law. If the accident occurs within the United States, or its territories, its airspace, or over the high seas, you and your family may claim against the United States under the Federal Tort Claims Act or Suits in Admiralty Act. If you are killed aboard a military aircraft, your family may be eligible to receive compensation under the Military Claims Act, or if you are an inhabitant of a foreign country, under the Foreign Claims Act.

PART 301-71—AGENCY TRAVEL ACCOUNTABILITY REQUIREMENTS

Authority: 5 U.S.C. 5701 note; 5 U.S.C. 5705; 5 U.S.C. 5707; 40 U.S.C. 121(c).

Subpart A—General

§ 301-71.1 Purpose of agency travel accounting system.

The agency travel accounting system is designed to:

- (a) Pay authorized and allowable travel expenses of employees.
- (b) Provide standard data necessary for managing official travel.
- (c) Ensure comprehensive accounting for all travel and transportation expenses related to official travel.

§ 301-71.2 Standard data elements for travel accounting system.

The data elements are listed at <https://ussm.gsa.gov/fibf-travel/> or can be sent to agencies upon request by emailing

travelpolicy@gsa.gov; these elements must be on any travel claim form authorized for use by employees.

Subpart B—Travel Authorization

§ 301-71.100 Purpose of the travel authorization process.

The travel authorization process serves to:

- (a) Inform employees about authorized expenses.
- (b) Provide travel service vendors with documentation for travel programs.
- (c) Generate financial information for budgetary planning.
- (d) Identify the specific purpose of travel.

§ 301-71.101 Group travel authorization.

Agencies may issue a single travel authorization for a group of employees when they are traveling together on the same trip. However, the agency must attach a list of all travelers to the authorization.

§ 301-71.102 Prohibition on open authorization of other than coach class transportation.

Open authorization (*i.e.*, Unlimited Open or Limited Open) of other than coach class transportation accommodations is prohibited and shall be authorized on an individual trip by trip basis, unless the traveler has an up to date documented medical disability or special need (see § 301-10.100 of this chapter).

§ 301-71.103 Required information for travel authorizations.

Travel authorizations must include:

- (a) Name(s) of employee(s);
- (b) Signature of the proper authorizing official;
- (c) Purpose of travel;
- (d) Conditions or limitations of the authorization;
- (f) Estimated travel costs (including estimated costs for the entire period for open authorizations); and
- (g) A statement confirming the employee(s) is/are authorized to travel.

§ 301-71.104 Travel authorization signature authority.

Generally, the travel authorization must be signed by the agency head or their delegate; authority may be delegated; however, agencies should consult relevant sections in this subtitle for exceptions to the general rule regarding the appropriate official to sign the travel authorization. For example, the appropriate official to sign the authorization for travel on a Government aircraft is determined under §§ 301-10.260 through 301-10.265 and 301-70.800 through 301-70.907 of this chapter.

§ 301–71.105 Internal policies for travel authorization.

Agencies must establish clear guidelines for using different types of travel authorizations, consistent with the regulations in this chapter, and specific criteria identifying who is authorized to sign travel authorizations.

Subpart C—Travel Claims for Reimbursement**§ 301–71.200 Review and approval of travel claims.**

Travel claims must be reviewed and signed by the travel authorizing/approving official or designated representative (such as the traveler's supervisor).

§ 301–71.201 Reviewing official's responsibilities.

The reviewing official must have full knowledge of the employee's activities. The reviewing official must ensure:

- (a) The claim is properly prepared in accordance with the pertinent regulations in this subtitle and agency procedures;
- (b) A copy of authorization for travel is provided;
- (c) The types of expenses claimed are authorized and allowable expenses;
- (d) The amounts claimed are accurate; and
- (e) The required receipts, statements, justifications, etc., are attached to the electronic travel claim.

§ 301–71.202 Claims without corresponding authorization.

Agencies may pay a travel claim without a corresponding authorization if the claim is signed by the approving/authorizing official, except for the travel arrangements at § 301–2.3(a), (c), (f), and (g) of this chapter.

§ 301–71.203 Responsibility for claim validity.

The certifying official assumes ultimate responsibility under 31 U.S.C. 3528 for the validity of the claim and certifies the voucher within the agency travel accounting system (Financial Management) prior to authorizing the voucher for payment; however:

- (a) The traveler must ensure all travel expenses are prudent and necessary and submit the expenses in the form of a proper claim; and
- (b) The authorizing/approving official shall review the completed claim to ensure that the claim is properly prepared in accordance with regulations in this subtitle and agency procedures prior to authorizing it for payment.

§ 301–71.204 Procedures for disallowing a travel claim.

When disallowing a travel claim, the agency must:

- (a) Pay the undisputed portion of the travel claim;
- (b) Provide the employee with a detailed explanation for the claim's disallowance; and
- (c) Inform the employee:
 - (1) How to appeal the disallowance;
 - (2) About the agency's appeal process; and
 - (3) Of the schedule for deciding the appeal.

Subpart D—Accounting for Travel Advances**§ 301–71.300 Policy for travel advances.**

Agencies should minimize the use of cash travel advances, and not require employees to pay travel expenses using personal funds.

§ 301–71.301 Duration of travel advances.

Travel advances may be issued for a reasonable period, not to exceed 45 days.

§ 301–71.302 Required data for travel advance accounting system.

The travel advance accounting system must capture:

- (a) Names and Social Security numbers of employees with advances;
- (b) Amount of each advance;
- (c) Issuance date; and
- (d) Reconciliation date for unused advance portions.

§ 301–71.303 Exceptions to collection of advance at travel claim filing.

Exceptions apply when an employee is:

- (a) In continuous travel status;
- (b) The agency reviews outstanding travel advances periodically (within 45 days or less); and
- (c) The agency determines and collects any excess balance beyond estimated travel expenses for the authorized period.

§ 301–71.304 Collecting excess travel advance amounts.

When the outstanding advance exceeds the amount owed to the employee, then the employee must reimburse the agency for the difference in accordance with internal agency policy. Failure to collect the amount in excess of substantiated expenses will cause a violation of the accountable plan rules contained in the Internal Revenue Code (title 26 of the United States Code).

§ 301–71.305 Debt collection for unpaid travel advances.

If an employee does not repay a travel advance when filing a travel claim, the agency should:

- (a) Offset against the employee's salary, retirement credit, or other amounts owed to the employee;
- (b) Deduct from any Government-owed amount; or
- (c) Pursue any other legally permissible method of debt recovery.

§ 301–71.306 Internal policies for travel advances.

Accountability for cash advances for travel, recovery, and reimbursement shall be in accordance with 31 U.S.C. 3511 through 3513.

PART 301–72—AGENCY RESPONSIBILITIES RELATED TO COMMON CARRIER TRANSPORTATION

Authority: 5 U.S.C. 5707; 31 U.S.C. 3726; 40 U.S.C. 121(c).

Subpart A—[Reserved]**Subpart B—Accounting for Common Carrier Transportation****§ 301–72.100 Requirements for travel accounting system related to common carrier transportation.**

The travel accounting system must:

- (a) Authorize the methods of payment outlined in the agency's internal policy in accordance with part 301–51 of this chapter;
- (b) Correlate travel data accumulated by the agency's authorization and claims accounting systems with common carrier transportation documents and data for audit purposes;
- (c) Identify unused tickets for refund;
- (d) Collect unused, partially used, or downgraded/exchanged tickets, from travelers upon completion of travel;
- (e) Track denied boarding compensation from employees;
- (f) Identify and collect refunds due from carriers for overpayments, or unused, partially used, or downgraded/exchanged tickets; and
- (g) Reconcile all centrally billed travel expenses (e.g., airline, lodging, car rentals, etc.) with travel authorizations and claims to assure that only authorized charges are paid.

Subpart C—[Reserved]**Subpart D—Unused, Partially Used, Exchanged, Canceled, or Oversold Common Carrier Transportation Services****§ 301–72.300 Procedures for collecting unused, partially used, and exchanged tickets.**

Agencies must establish administrative procedures providing—

(a) Written instructions explaining traveler liability for the value of tickets issued until used or properly accounted for on the travel voucher;

(b) Instructions for submitting payments received from carriers for failure to provide confirmed reserved space;

(c) The traveler with a “bill charges to” address, so that the traveler can provide this information to the carrier for returned or exchanged tickets; and

(d) Procedures for promptly identifying any unused tickets or other evidence of refund due the Government.

§ 301–72.301 Processing unused, partially used, and exchanged tickets.

(a) *For unused or partially used tickets purchased with GTRs.* The agency must obtain the unused or partially used ticket from the traveler, issue Standard Form 1170 (SF 1170), “Redemption of Unused Ticket,” to the airline and or travel agency that issued the ticket, maintain a suspense file to monitor the airline/travel agency refund, and record and deposit the airline/travel agency refund upon receipt.

(b) *For unused or partially used tickets purchased under centrally billed accounts.* The agency must obtain the unused ticket from the traveler, return it to the issuing office that furnished the airline ticket, obtain a receipt indicating a credit is due, and confirm that the value of the unused ticket has been credited to the centrally billed account.

(c) *For exchanged tickets purchased with GTRs.* The agency must obtain the airline/travel agency refund application

or receipt from the traveler, and maintain a suspense file to monitor the airline/travel agency refund.

PART 301–73—TRAVEL PROGRAMS

Authority: 5 U.S.C. 5707; 40 U.S.C. 121(c).

Subpart A—General Rules**§ 301–73.1 Components of the Federal travel management program.**

The Federal travel management program includes an ETS, a TMC that provides reservation and ticketing support, and management reports on reservation and ticketing activities, a travel payment system for paying travel service providers, contracts, and similar arrangements with transportation and lodging providers, and a travel management reporting system that covers financial and other travel characteristics required by the Travel Reporting Information Profile (TRIP) report (see § 301–80.1 of this subchapter).

§ 301–73.2 Agency responsibilities for Federal travel management program.

Agencies must—

(a) Designate an authorized representative to administer the program, establish internal policies and procedures to govern use of the program, and require employees to use ETS instead of another Travel Management Service (TMS) or TMC, except when an exception has been granted under § 301–50.2 of this chapter; and

(b) Ensure agency-contracted TMC complements ETS and supports data exchange in an efficient and cost-effective manner.

Note 1 to § 301–73.2: Agencies are responsible for providing funds and personnel resources for ETS transition, and establishing interfaces between ETS standard data output and business systems (e.g., financial, human resources).

Subpart B—Travel Payment System**§ 301–73.100 Travel payment system and obtaining services.**

A travel payment system facilitates the payment of official travel and transportation expenses. Agencies must participate in GSA’s travel payment system services program unless the agency is not a mandatory user of GSA’s charge card program.

PART 301–74—[RESERVED]**PART 301–75—PRE-EMPLOYMENT INTERVIEW TRAVEL**

Authority: 5 U.S.C. 5706b; 5 U.S.C. 5707.

§ 301–75.1 Authorization of pre-employment interview travel expenses.

Agencies may pay pre-employment interview travel expenses if determined to be in the Government’s best interest. However, pre-employment travel expenses may not be authorized to offset or defray other expenses not allowable under this part.

§ 301–75.2 Extent of pre-employment interview expense payment.

If the agency decides to pay per diem expenses or common carrier transportation costs, it must cover the full amount the interviewee would be entitled to if the interviewee were a Government employee traveling on official business.

§ 301–75.3 Allowable pre-employment interview travel expenses.

Agencies may pay expenses consistent with those allowed for employees traveling on temporary duty, as specified in this subtitle with the exception of:

(a) Communication services for purposes other than communication directly related to travel arrangements for the Government interview.

(b) Hire of a room at a hotel or other place to transact official business.

§ 301–75.4 Payment methods for pre-employment interviewee travel expenses.

TABLE 1 TO § 301–75.4

For	Agency will
Common carrier transportation expenses other than transit systems at the agency’s location.	Bill the expenses to a centrally billed or other agency established account. Agencies may provide the traveler with a GTR only if no other option is available or feasible. Interviewees may not receive travel advances or use individual Government contractor-issued charge cards.
Other expenses	Require payment by the interviewee and reimburse the interviewee for allowable travel expenses upon submission and approval of the interviewee’s travel claim.

PART 301–76—COLLECTION OF UNDISPUTED DELINQUENT AMOUNTS OWED TO THE CONTRACTOR ISSUING THE INDIVIDUALLY BILLED TRAVEL CHARGE CARD

Authority: 5 U.S.C. 5701 note; 5 U.S.C. 5707; 40 U.S.C. 121(c).

Subpart A—General Rule

§ 301–76.1 Collection of undisputed delinquent amounts that an employee (including members of the uniformed services) owes to the Government travel charge card contractor.

Agencies, upon written request from the contractor and in accordance with the procedures specified in § 301–76.100, may collect undisputed amounts owed to a Government travel charge card contractor from the delinquent employee's disposable pay. The agency must promptly forward all amounts deducted to the contractor.

Subpart B—Policies and Procedures

§ 301–76.100 Due process requirements for collecting undisputed delinquent amounts on behalf of the travel charge card contractor.

Before collecting undisputed delinquent amounts, agencies must:

- (a) Provide the employee written notice of the type and amount of the claim, the intention to collect the claim by deduction from the employee's disposable pay, and an explanation of the employee's rights as a debtor;
- (b) Give the employee the opportunity to inspect and copy agency records related to the claim;
- (c) Allow an opportunity for a review within the agency of the decision to collect the amount; and
- (d) Provide the employee an opportunity to make a written agreement with the contractor to repay the delinquent amount.

§ 301–76.101 Agency responsibility for due process.

The agency is responsible for ensuring all legal and due process requirements are met.

§ 301–76.102 Conditions for collecting undisputed delinquent amounts.

Agencies may only collect undisputed delinquent amounts after they have reimbursed the employee under the applicable travel regulations in this subtitle and in accordance with a proper travel claim. However, if the employee has not submitted a proper travel claim within the timeframe requirements of § 301–52.1(a)(6) of this chapter, and there are no extenuating circumstances, the agency may collect the undisputed delinquent amounts.

§ 301–76.103 Maximum deduction limit.

As set forth in the Travel and Transportation Reform Act of 1998 (5 U.S.C. 5701 note) the maximum amount an agency may deduct from the employee's disposable pay is 15 percent per pay period, unless the employee consents in writing to deduction of a greater percentage.

PART 301–80—AGENCY REPORTING REQUIREMENTS

Authority: 5 U.S.C. 5707; 5 U.S.C. 5738; 40 U.S.C. 121(c); E.O. 11609, 36 FR 13747, 3 CFR, 1971–1975 Comp., p. 586.

§ 301–80.1 Agency reporting requirements for travel payments.

An agency as defined in § 300–1.1 of this subtitle must report total travel and transportation payments, including relocation, no later than November 30 of each year to GSA. This reporting includes specific information on payments for temporary duty travel in this subpart and specific information on employee relocation payments in part 302–1 of this subtitle. Information on agency reporting requirements is available at <https://www.gsa.gov/trip>.

§ 301–80.2 [Reserved]

CHAPTER 302—RELOCATION ALLOWANCES

SUBCHAPTER A—INTRODUCTION

PART 302–1—GENERAL RULES

Authority: 5 U.S.C. 5738; 20 U.S.C. 905(a).

Subpart A—Applicability

§ 302–1.1 Eligibility for relocation expense allowances.

Only the following categories of employees are generally eligible for relocation expense allowances under this chapter:

- (a) A new appointee appointed to their first official station (as discussed in this chapter);
- (b) An employee transferring in the interest of the Government from one agency or duty station to another for permanent duty, and their new duty station meets the distance test (see § 302–2.1 of this subchapter);
- (c) An employee of the United States Postal Service transferred for permanent duty, under 39 U.S.C. 1006, from the Postal Service to an agency as defined in 5 U.S.C. 5721;
- (d) An employee performing travel in accordance with an overseas tour renewal agreement (see §§ 302–3.203 through 302–3.209 of this chapter);
- (e) An employee returning to the place of actual residence after completion of a prescribed tour of duty

for the purposes of separation from Government service or separation from the overseas assignment for reassignment to the same or different Government agency;

(f) A student trainee assigned to any position upon completion of college work;

(g) A Department of Defense overseas dependents school system teacher;

(h) A career appointee to the Senior Executive Service (SES) as defined in 5 U.S.C. 3132(a)(4), and a prior SES appointee who is returning to their official residence for separation and who will be retaining SES retirement benefits; or

(i) An employee that is being assigned to a temporary duty station in connection with a long-term assignment.

§ 302–1.2 Employees not eligible for relocation expense allowances under this chapter.

An employee is not eligible to receive relocation expense allowances under this chapter if they are:

- (a) A Foreign Service Officer or a Federal employee transferred under the rules of the Foreign Service Act of 1980, as amended;
- (b) An officer or an employee transferred under the Central Intelligence Act of 1949, as amended;
- (c) A person whose pay and allowances are prescribed under title 37 U.S.C., “Pay and Allowances of the Uniformed Services”;
- (d) An employee of the Department of Veterans Affairs (VA) to whom 38 U.S.C. 707 applies; or
- (e) A person not covered in § 302–1.1.

Subpart B—Requirement to Report Agency Data for Employee Relocation

§ 302–1.100 Requirements for reporting payments for employee relocation.

Agencies (as defined in § 300–1.1 of this subtitle) must report total travel and transportation payments, including relocation, no later than November 30 of each year to GSA, as described in this part (see also § 301–80.1 of this subtitle):

- (a) Information on agency reporting requirements is available at <https://www.gsa.gov/trip>.
- (b) The head of the agency or designee is responsible for ensuring this data is complete, timely, and accurate before submitting it to GSA.
- (c) The report must cover all components of the agency.
- (d) The agency's automated relocation management system will be used to provide required reporting data.

PART 302–2—EMPLOYEE ELIGIBILITY REQUIREMENTS

Authority: 5 U.S.C. 5738; 20 U.S.C. 905(a).

Subpart A—General Rules

§ 302–2.1 General requirements for relocation.

(a) A relocation must be in the interest of the Government. No relocation expenses will be allowed or paid from Government funds if a transfer is made primarily for the convenience or benefit of the employee.

(b) The employee may begin their relocation only after the agency has approved the travel authorization (TA) in writing (paper or electronic).

(c) The entitlements and allowances for relocation are determined by the regulatory provisions that are in effect at the time the employee reports for duty at their new official station. However, this does not change the requirement that all aspects of a relocation must be completed by the time specified in § 302–2.2.

(d) The effective transfer or appointment date is the date on which the employee reports for duty at their new or first official station, respectively.

(e) The employee may relocate from a place other than from where they are authorized. However, the employee will only be reimbursed up to their authorized travel and transportation costs.

(f) The employee may only be reimbursed for relocation expenses if they relocate to a new official station that meets the distance test outlined in paragraph (f)(1) of this section unless they are granted an exception as outlined in paragraph (f)(2) of this section.

(1) The distance test is met when the new official station is at least 50 miles further from the employee's current residence than the old official station is from the same residence. The distance between the official station and residence is the shortest of the commonly traveled routes between them.

(2) The head of the agency or designee may authorize an exception to the 50-mile threshold on a case-by-case basis when the authorizing official determines that it is in the best interest of the Government.

§ 302–2.2 Time limit to complete all aspects of relocation.

The employee and their immediate family member(s) must complete all aspects of relocation within one year from the employee's effective date of transfer or appointment, except as provided as follows:

(a) The 1-year time limit to complete all aspects of relocation is exclusive of time spent on furlough for active military service.

(b) The 1-year time limit does not include time that the employee cannot travel and/or transport their household effects due to shipping restrictions to or from a post of duty OCONUS.

(c) The 1-year time limit for completing all aspects of a relocation may be extended by the head of the agency or designee for up to one additional year, but only if the employee has received an extension for real estate transactions.

§ 302–2.3 Types of relocations requiring a service agreement and the minimum period of service required.

Agencies must require the employee to sign a service agreement for appointments or transfers to, from or within CONUS or OCONUS, for renewal agreement travel, DoD School teachers, or assignment under the Government Employees Training Act (GETA). If the employee fails to sign a required service agreement, the agency will not pay relocation expenses. The minimum periods of service are:

(a) Within CONUS for a period of service of not less than 12 months following the effective date of appointment or transfer;

(b) OCONUS for an agreed upon period of service of not more than 36 months or less than 12 months following the effective date of appointment or transfer;

(c) Department of Defense Overseas Dependent School System teachers for a period of not less than one school year as determined under 20 U.S.C. chapter 25;

(d) For renewal agreement travel, a period of not less than 12 months from the date of return to the same or different overseas official station; and

(e) For assignment under GETA, not less than three times the length of the training period as prescribed by the head of the agency.

§ 302–2.4 Penalties for violation of service agreement.

If the employee violates a service agreement (other than for reasons beyond their control and which must be accepted by the agency), the employee will have incurred a debt due to the Government and must reimburse all costs that the agency has paid towards the relocation expenses including withholding tax allowance (WTA) and relocation income tax allowance (RITA).

§ 302–2.5 Requirement to provide agency with actual place of residence.

For a transfer/appointment to an OCONUS location, the employee must immediately provide their agency with the information needed to determine their actual place of residence and to document it into their service agreement.

§ 302–2.6 Effect of having multiple service agreements.

If the employee has multiple service agreements, they cannot be grouped together and must be adhered to separately. Each agreement is in effect for the period specified in the agreement.

§ 302–2.7 Duplicate reimbursement disclosure statement.

Employees must sign a duplicate reimbursement disclosure statement to receive any relocation benefits.

§ 302–2.8 Advance of funds.

Employees may only receive an advance of funds for their allowable travel and transportation expenses. The amount of the advance will be in accordance with their agency's internal relocation policies. Advances in conjunction with overseas tour renewal agreement travel are not authorized.

Subpart B—Agency Responsibilities

§ 302–2.100 Establishment of internal policies.

The agency head or designee must authorize and approve relocation expenses. Reimbursement of relocation expenses can only be authorized when it is determined that the relocation is in the interest of the Government. Before authorizing a relocation, agencies must set internal policies that address, among other things, all relocation allowances, timelines for relocation travel, who is authorized to approve relocation travel, the availability of counseling to relocating employees, and procedures to ensure compliance of the stated policies.

§ 302–2.101 Employees transferring between Federal agencies.

When an employee transfers between Federal agencies, all allowable expenses must be paid from the funds of the agency that the employee is transferring to. However, in the case of a reduction in force or transfer of function, an agreement may be made between the agencies concerned as to what relocation allowances will be paid by either agency or split between them. This should include the payment of expenses for the extended storage of the employee's household goods when

assigned to an isolated permanent duty station within CONUS or a transfer to, from, or between foreign countries.

§ 302–2.102 Waiver of statutory or regulatory limitations for employees relocating to/from remote or isolated locations.

The agency head or designee may waive any statutory or regulatory limitations for employees relocating (to/from a remote or isolated location) when determining that failure to waive the limitation would cause an undue hardship on the employee.

§ 302–2.103 Information included in a service agreement.

The service agreement must include the following:

- (a) The employee's name;
- (b) The employee's effective date of transfer or appointment;
- (c) The employee's actual place of residence at the time of appointment;
- (d) The name of all dependents that are authorized to travel under the TA;
- (e) Detailed information regarding the employee's obligation to repay funds spent on the employee's relocation as a debt due the Government if the service agreement is violated;
- (f) The employee's agreed period of time (see § 302–2.3) to remain in service; and
- (g) The employee's signature accepting the terms of the agreement.

SUBCHAPTER B—RELOCATION ALLOWANCES

PART 302–3—RELOCATION ALLOWANCE BY SPECIFIC TYPE

Authority: 5 U.S.C. 5738; 20 U.S.C. 905(a).

Subpart A—New Appointees

§ 302–3.1 Relocation expenses agency pays or reimburses for new appointees.

For new appointees assigned to their first official station, the hiring agency determines if relocation expenses will be authorized. Once a decision is made to authorize relocation expenses, all mandatory relocation allowances are reimbursed, unless otherwise stated in the applicable parts of this chapter. The agency may also pay or reimburse the discretionary relocation expenses indicated for the type of assignment as follows:

- (a) *Assigned to first official station in the Continental United States (CONUS).* (1) The following are mandatory relocation allowances that the agency must pay or reimburse:
 - (i) Transportation of employee & immediate family member(s) (part 302–4 of this chapter);

- (ii) Subsistence expenses for employee only (part 302–4 of this chapter);

- (iii) Transportation & temporary storage of household goods (part 302–7 of this chapter);

- (iv) Extended storage of household goods when assigned to a designated isolated official station in CONUS to which the new appointee cannot take household goods or at which they are unable to use their household goods because of the absence of residence quarters at the location (part 302–8 of this chapter);

- (v) Transportation of a mobile home or boat used as a primary residence in lieu of the transportation of household goods (part 302–10 of this chapter); and
- (vi) Relocation income tax allowance (RITA) (part 302–17 of this chapter).

(2) Discretionary relocation allowances that the agency may pay or reimburse:

- (i) Shipment of privately owned vehicle (POV) (part 302–9 of this chapter).

- (ii) Use of a relocation services company (part 302–12 of this chapter).

(b) *Assigned to first official station outside the Continental United States (OCONUS).*

(1) The following are mandatory relocation allowances that the agency must pay or reimburse:

- (i) Transportation of employee & immediate family member(s) (part 302–4 of this chapter);

- (ii) Subsistence expenses for employee only (part 302–4 of this chapter);

- (iii) Transportation & temporary storage of household goods (part 302–7 of this chapter);

- (iv) Extended storage of household goods when assigned to a post to which the new appointee cannot take household goods or at which they cannot use their household goods, or when authorized by the head of the agency (part 302–8 of this chapter); and
- (v) RITA (part 302–17 of this chapter).

(2) Discretionary relocation allowances that the agency may pay or reimburse:

- (i) Shipment of a POV (part 302–9 of this chapter).

- (ii) Temporary quarters subsistence expenses (TQSE) are not authorized in a foreign area. However, the new appointee may be entitled to the following under the Department of State Standardized Regulations (DSSR) (Government Civilians—Foreign Areas):

- (A) Foreign Transfer Allowance (FTA) (Subsistence Expense) for quarters occupied temporarily before departure from the 50 States or the District of Columbia for an official station in a

foreign area incident to a permanent change of station and travel to first official station overseas.

(B) Temporary quarters subsistence allowance (TQSA) when a transfer is authorized to a foreign area.

(C) The miscellaneous expense portion of the FTA is authorized incident to first official station travel to a foreign area.

(iii) Use of a relocation services company (part 302–12 of this chapter).

§ 302–3.2 Travel to first official station before appointment.

Generally, appointees may not be reimbursed for relocation expenses incurred before they have been appointed to a Federal position and signed an agreement to remain in Government service for 12 months after appointment. However, there is an exception for appointees who have performed Presidential transition activities. Such appointees may be reimbursed allowable travel and transportation expenses incurred at any time following the most recent Presidential election once they have signed a service agreement. However, the appointment must occur in the same fiscal year as the Presidential transition activities.

Subpart B—Transferred Employees and Other Relocated Employees

§ 302–3.100 Relocation expenses agency pays or reimburses for transfers and other relocations.

For transferred employees or other relocated employees, the agency decides if relocation expenses will be authorized. Once a decision is made to authorize relocation expenses, all mandatory relocation allowances are reimbursed, unless otherwise stated in the applicable parts of this chapter. The agency may also pay or reimburse the discretionary relocation expenses indicated for the type of relocations in this section:

(a) *Transfer between official stations in the Continental United States (CONUS).* (1) The following are mandatory relocation allowances that the agency must pay or reimburse:

- (i) Transportation & subsistence expenses for employee & immediate family member(s) (part 302–4 of this chapter);
- (ii) Miscellaneous expense allowance (part 302–16 of this chapter);

- (iii) Sell or buy residence transactions or lease termination expenses (part 302–11 of this chapter);

- (iv) Transportation & temporary storage of household goods (part 302–7 of this chapter);

(v) Extended storage of household goods when assigned to a designated isolated official station in CONUS to which the transferred employee cannot take household goods or at which they are unable to use their household goods because of the absence of residence quarters at the location (part 302–8 of this chapter);

(vi) Transportation of a mobile home or boat used as a primary residence in lieu of the transportation of household goods. Mobile homes may be shipped within CONUS, within Alaska, and through Canada en route between Alaska and CONUS or through Canada between one CONUS point and another (e.g., between Buffalo, NY, and Detroit, MI) (part 302–10 of this chapter); and

(vii) RITA (part 302–17 of this chapter).

(2) The following are discretionary relocation allowances that the agency may pay or reimburse:

(i) Househunting trip transportation & subsistence expenses, employee & spouse only (part 302–5 of this chapter).

(ii) TQSE (part 302–6 of this chapter).

(iii) Shipment of POV (part 302–9 of this chapter).

(iv) Use of a relocation services company (part 302–12 of this chapter).

(v) Property management services (part 302–15 of this chapter).

(vi) Home marketing incentives (part 302–14 of this chapter).

(b) *Transfer from CONUS to an official station outside the Continental United States (OCONUS).* (1) The following are mandatory relocation allowances that the agency must pay or reimburse:

(i) Transportation & subsistence expenses for employee & immediate family member(s) (part 302–4 of this chapter);

(ii) Miscellaneous expense allowance (part 302–16 of this chapter);

(iii) Transportation & temporary storage of household goods (part 302–7 of this chapter);

(iv) Extended storage of household goods when assigned to a post to which the transferred employee cannot take household goods or at which they cannot use their household goods, or when authorized by the head of the agency (part 302–8 of this chapter);

(v) Sell & buy residence transaction expenses or lease termination expenses when transfer is to a non-foreign area (part 302–11 of this chapter); and

(vi) RITA (part 302–17 of this chapter).

(2) The following are discretionary relocation allowances that the agency may pay or reimburse:

(i) TQSE when transfer is to a non-foreign area. In foreign areas the

transferee may be entitled to the following under the DSSR (Government Civilians—Foreign Areas):

(A) FTA for quarters occupied temporarily before departure from the 50 states or the District of Columbia for an official station in a foreign area incident to a permanent change of station and travel to first official station overseas.

(B) TQSA.

(ii) Property management services (part 302–15 of this chapter).

(iii) Shipment of a privately owned vehicle (part 302–9 of this chapter).

(iv) Use of a relocation services company (part 302–12 of this chapter).

(v) Home marketing incentives when transfer is to a non-foreign area (part 302–14 of this chapter).

(vi) Househunting trip transportation & subsistence expenses, employee & spouse only when transfer is to a non-foreign area (part 302–5 of this chapter).

(c) *Transfer from OCONUS official station to an official station in CONUS.*

(1) The following are mandatory relocation allowances that the agency must pay or reimburse:

(i) Transportation & subsistence expenses for employee & immediate family member(s) (part 302–4 of this chapter);

(ii) Miscellaneous expense allowance (part 302–16 of this chapter);

(iii) Sell & buy residence transaction expenses or lease termination expenses. Allowed when old and new official stations are located in the United States. Also allowed when instead of being returned to the former official station in the United States, an employee is transferred in the interest of the Government to a different official station in the United States than the official station from which an employee was transferred when assigned to the foreign official station (part 302–11 of this chapter);

(iv) Transportation & temporary storage of household goods (part 302–7 of this chapter);

(v) Extended storage of household goods when assigned to a designated isolated official station in CONUS to which the transferred employee cannot take household goods or at which they are unable to use their household goods because of the absence of residence quarters at the location (part 302–8 of this chapter); and

(vi) RITA (part 302–17 of this chapter).

(2) The following are discretionary relocation allowances that the agency may pay or reimburse:

(i) Shipment of a privately owned vehicle. Shipment is mandatory when a POV was shipped to the OCONUS

location and the employee completed the service agreement (part 302–9 of this chapter).

(ii) TQSE (part 302–6 of this chapter).

(iii) A TQSA under the DSSR may be authorized preceding final departure subsequent to the necessary vacating of residence quarters.

(iv) Use of a relocation services

company (part 302–12 of this chapter).

(v) Home marketing incentives when transfer is from a non-foreign area (part 302–14 of this chapter).

(vi) Househunting trip transportation & subsistence expenses, employee & spouse only when transfer is from an OCONUS non-foreign area (part 302–5 of this chapter).

(vii) Property Management Services.

Allowed when old and new official stations are located in the United States. Also allowed when instead of being returned to the former official station in the United States, an employee is transferred in the interest of the Government to a different official station in the United States than the official station from which an employee was transferred when assigned to the foreign official station (part 302–15 of this chapter).

(d) *Transfer between OCONUS official stations.*

(1) The following are mandatory relocation allowances that the agency must pay or reimburse:

(i) Transportation & subsistence expenses for employee & immediate family member(s) (part 302–4 of this chapter);

(ii) Transportation & temporary storage of household goods (part 302–7 of this chapter);

(iii) Miscellaneous expense allowance (part 302–16 of this chapter);

(iv) Extended storage of household goods when assigned to a post to which the transferred employee cannot take household goods or at which they cannot use their household goods, or when authorized by the head of the agency (part 302–8 of this chapter);

(v) Sell & buy residence transaction expenses or lease termination expenses when transfer is between non-foreign areas (part 302–11 of this chapter); and

(vi) RITA (part 302–17 of this chapter).

(2) The following are discretionary relocation allowances that the agency may pay or reimburse:

(i) Shipment of a POV (part 302–9 of this chapter).

(ii) Property management services (part 302–15 of this chapter).

(iii) Househunting trip transportation & subsistence expenses for employee & spouse only when transfer is between non-foreign areas (part 302–5 of this chapter).

(iv) TQSE when transfer is to or between non-foreign areas (part 302–6 of this chapter).

(v) TQSA may be authorized under the DSSR.

(vi) Use of a relocation services company (part 302–12 of this chapter).

(vii) Home marketing incentives when transfer is between non-foreign areas (part 302–14 of this chapter).

(e) *Tour renewal agreement travel.*

(1) The following are mandatory relocation allowances that the agency must pay or reimburse:

(i) Transportation for employee & immediate family member(s) (part 302–4 of this chapter); and

(ii) Subsistence expenses for employee only (part 302–4 of this chapter).

(f) *Return from OCONUS official station to place of actual residence for separation or transfer to a new duty station when relocation expenses are not authorized by gaining agency.* In the case of an employee transferring to a new duty station whose relocation expenses are not authorized by the gaining agency, the employee is only eligible for return expenses from the OCONUS duty station to the employee's place of actual residence, payable by the losing agency.

(1) The following are mandatory relocation allowances that the agency must pay or reimburse:

(i) Transportation for employee & immediate family member(s) (part 302–4 of this chapter);

(ii) Subsistence expenses for employee only (part 302–4 of this chapter);

(iii) Transportation & temporary storage of household goods (part 302–7 of this chapter); and

(iv) RITA (part 302–17 of this chapter).

(2) The following are discretionary relocation allowances that the agency may pay or reimburse:

(i) Shipment of a POV (part 302–9 of this chapter).

(ii) Use of a relocation services company (part 302–12 of this chapter).

(iii) TQSA under the DSSR may be authorized preceding final departure subsequent to the necessary vacating of residence quarters.

(g) *Last move home for SES career appointees upon separation from Government service.*

(1) The following are mandatory relocation allowances that the agency must pay or reimburse:

(i) Transportation for employee and immediate family member(s) (part 302–4 of this chapter);

(ii) Subsistence expenses for employee only (part 302–4 of this chapter);

(iii) Transportation & temporary storage of household goods (part 302–7 of this chapter);

(iv) Transportation of a mobile home or boat used as a primary residence in lieu of the transportation of household goods (part 302–10 of this chapter); and

(v) RITA (part 302–17 of this chapter).

(2) The following are discretionary relocation allowances that the agency may pay or reimburse:

(i) Shipment of a POV (part 302–9, subpart B, of this chapter).

(ii) Use of a relocation services company (part 302–12 of this chapter).

(h) *Temporary Change of Station (TCS).*

(1) The following are mandatory relocation allowances that the agency must pay or reimburse:

(i) Transportation & subsistence expenses for employee and immediate family member(s) (part 302–4 of this chapter);

(ii) Miscellaneous expense allowance (part 302–16 of this chapter);

(iii) Transportation & temporary or extended storage of household goods. For OCONUS posts, extended storage is available only when assigned to a post to which the transferred employee cannot take household goods or at which they cannot use their household goods, or when authorized by the head of the agency. For CONUS duty stations, extended storage is available only when assigned to a designated isolated official station in CONUS and are unable to use the household goods and personal effects because of the absence of residence quarters at the location. Extended storage is only authorized for the duration of the TCS (parts 302–7 and 302–8 of this chapter);

(iv) Transportation of a mobile home or boat used as a primary residence in lieu of the transportation of household goods (part 302–10 of this chapter); and

(v) RITA (part 302–17 of this chapter).

(2) The following are discretionary relocation allowances that the agency may pay or reimburse:

(i) Househunting trip transportation & subsistence expenses. Househunting trips may only be authorized prior to the beginning of the TCS (part 302–5 of this chapter).

(ii) TQSE. Temporary quarters may be authorized at the beginning or at the conclusion of the TCS (part 302–6 of this chapter).

(iii) Transportation of a POV. Transportation of a POV may be authorized at the beginning or at the conclusion of the TCS (part 302–9 of this chapter).

(iv) Storage of one POV when assigned in support of a contingency operation as defined in 10 U.S.C.

1482a(c)(2). Storage of a POV, when authorized, is only for the duration of the TCS (part 302–9 of this chapter).

(v) Property management services. Property management, when authorized, is only for the duration of the TCS (part 302–15 of this chapter).

(i) *Assignment under the Government Employees Training Act (GETA).* The allowances listed in paragraphs (i)(1) through (4) of this section may be authorized in lieu of per diem or actual expense allowances. This is not considered a permanent change of station.

(1) Transportation of employee & immediate family member(s) (part 302–4 of this chapter).

(2) Per diem for employee only (part 302–4 of this chapter).

(3) Transportation & temporary storage of household goods (part 302–7 of this chapter).

(4) RITA (part 302–17 of this chapter).

Subpart C—Types of Transfers

Relocation of Two or More Employed Immediate Family Members

§ 302–3.200 Eligibility and entitlements for two or more employed immediate family members transferring to the same official station.

(a) If an employee and an immediate family member(s) are both employees and are transferring to the same official station in the interest of the Government, the allowances under this chapter apply either to:

(1) Each employee separately and the other is not eligible as an immediate family member(s); or

(2) Only one of the employees considered as head of the household and the other is eligible as an immediate family member(s) on the first employee's TA.

(b) The employees must provide their agency with a signed document stating which method of authorization they select (separate or one single authorization).

(c) When separate allowances are authorized, the employing agency or agencies shall not make duplicate reimbursement for the same claimed expenses.

(d) When there are non-employee immediate family members also transferring, the employees must provide their agency with the name(s) of non-employee family member(s) who will receive allowances. Only one of the employees may claim allowances for a non-employee member(s) of their immediate family (non-employee members may only be on one TA).

Reduction in Force Relocation

§ 302–3.201 Involuntary relocations (i.e., due to reduction in force, cessation, or transfer of work).

If an employee is subject to an involuntary transfer (i.e., due to reduction in force, cessation, or transfer of work), the transfer is considered to be in the interest of the Government.

§ 302–3.202 Re-employment after a separation by reduction in force or transfer of functions.

If an employee is re-employed after a separation by reduction in force or transfer of function, their agency may pay them a relocation allowance under the conditions of this chapter if:

(a) The employee is re-employed within one year of their involuntary separation date;

(b) The new appointment is not temporary; and

(c) The new appointment is at a different duty station from where their separation occurred and meets the distance criteria in § 302–2.1 of this chapter for a short distance relocation.

Overseas Tour Renewal Agreement Travel

§ 302–3.203 Eligibility to receive an allowance for overseas tour renewal travel.

Employees are eligible to receive an allowance for overseas tour renewal travel if:

(a) The employee is on an overseas assignment outside the United States, and has completed the tour of duty and satisfactorily completed the service agreement time period; and

(b) The employee has signed a new service agreement to remain at their overseas post outside the United States or to transfer to another overseas post of duty outside the United States; or

(c) The employee meets the requirements and is eligible for tour renewal travel from Alaska or Hawaii under § 302–3.204.

§ 302–3.204 Eligibility to receive an allowance for round trip tour renewal travel from Alaska or Hawaii.

Employees are eligible to receive an allowance for round trip tour renewal travel from Alaska or Hawaii only if the employee meets the criteria in paragraph (a) or (b) of this section:

(a) If on September 8, 1982, the employee was:

(1) Serving a tour of duty in Alaska or Hawaii and have continued to do so;

(2) Was en route to a post of duty in Alaska or Hawaii under a written service agreement to serve a tour of duty; or

(3) Was in the process of performing travel under a tour renewal travel and

has since then entered into another tour of duty in Alaska or Hawaii.

(b) The agency head determines that authorization is necessary for the purpose of recruiting or retaining an employee for service of a tour of duty at a post of duty in Alaska or Hawaii.

§ 302–3.205 Limitation on how many times employees may receive reimbursement for tour renewal travel.

(a) For employees performing a tour of duty in a foreign area or employees performing a tour of duty in Alaska or Hawaii who meet the criteria of § 302–3.204(a), the agency may reimburse for one overseas tour renewal trip prior to the employee commencing another overseas assignment under the same conditions, for each time the employee satisfactorily completes the required period of a service agreement.

(b) For employees performing a tour of duty in Alaska or Hawaii who meet the criteria of § 302–3.204(b), the agency may reimburse a maximum of two round trips which must begin within 5 years after the date of the first tour. Employees shall be advised in writing of this limitation.

§ 302–3.206 Travel to another U.S. location (other than to place of actual residence) under a tour renewal agreement.

The employee and their immediate family may travel to another U.S. location (other than to their place of actual residence) under a tour renewal agreement. However, the agency will only reimburse for the amount of authorized expenses from the post of duty to the place of actual residence and return (as appropriate) on a usually traveled route. The employee is not required to spend time at their place of actual residence to receive reimbursement; however, a substantial amount of time must be spent in the U.S. if the place of actual residence is located there.

§ 302–3.207 Travel to another overseas location (instead of the U.S.).

If travel is to another overseas location (instead of the U.S.), the employee will be reimbursed only if their actual residence is within that country in which they are taking their leave, and then they will only be reimbursed for their authorized travel and transportation expenses.

§ 302–3.208 Violation of the new service agreement under a tour renewal assignment.

If an employee fails to complete their period of service under the new service agreement for reasons that are not acceptable to the agency, the employee must pay the Government:

(a) All transportation and subsistence expenses that were received during the service agreement period for tour renewal travel of the employee and their immediate family;

(b) Transportation expenses for family members who traveled directly from the former post of duty to the current post of duty; and

(c) All transportation expenses for shipment of household goods from the former post to the current post of duty.

§ 302–3.209 Effect on return travel and transportation to place of actual residence for violating the new service agreement.

If the employee violates the new service agreement, the Government will reimburse the employee for return travel and transportation to the employee's place of actual residence only if the employee did not receive all of their allowances under a previous service agreement in which they successfully completed their required period of service. The Government will then authorize the reimbursement cost for return travel and transportation expenses from the former post of duty to the place of actual residence.

Prior Return of Immediate Family Members

§ 302–3.210 Reimbursement for immediate family members returning to the place of actual residence before employee.

If the employee's immediate family member(s) return to the place of actual residence within or outside the United States before the employee, and the employee pays for their return, reimbursement will occur when the employee becomes eligible for return travel and transportation. The employee must provide their agency with all receipts and documentation to support the cost. Early return expenses for the immediate family are limited to transportation and shipment of household goods and personal effects. Early return expenses do not include other relocation expenses such as TQSE and miscellaneous expense allowance. For household goods, the employee will be reimbursed for transporting part of their household goods with the immediate family and the rest of the household goods when they return as long as the combined weight of the two shipments does not exceed the total authorized weight limit.

§ 302–3.211 Return eligibility for dependent who turned 21 while overseas.

A dependent who turned 21 while overseas is entitled to return travel to the place of actual residence at the expense of the Government only if the dependent traveled overseas as a

dependent of the employee under their TA, but not beyond the end of the current agreed tour of duty.

Subpart D—Relocation Separation

Overseas to U.S. Return for Separation

§ 302–3.300 Requirement to pay for return relocation expenses.

Once an employee has completed their duty OCONUS as specified in their service agreement, their agency must pay one-way transportation expenses for them, their immediate family member(s), and for their household goods. The agency may pay for their immediate family member(s) and their household goods to be returned to the United States before they complete their service agreement; however, the reason for not completing the service agreement must be determined by the agency as compassionate in nature or for circumstances beyond the employee's control. An employee can only claim reimbursement for the return of their immediate family members one time under each service agreement.

§ 302–3.301 Transportation of household goods to an alternate location.

An employee who has successfully completed their service agreement, may transport their household goods to a location other than their place of actual residence when they separate from the Government. However, the cost cannot exceed what it would cost to the place of actual residence.

SES Last Move Home Separation for Retirement

§ 302–3.302 Entitlement to SES last move home separation relocation allowances.

An employee is entitled to SES separation relocation allowances if they meet the conditions in § 302–3.303 and they are:

- (a) A career appointee to the SES as defined in 5 U.S.C. 3132(a)(4); excluding those career appointees defined in 5 U.S.C. 3132(a)(5) through (7)); or
- (b) A non-SES appointee who elects to retain SES retirement benefits and:
 - (1) Has a basic rate of pay at Level V of the Executive Schedule or higher;
 - (2) Was previously a career appointee in the SES; or
 - (3) Elected under 5 U.S.C. 3392(c) to retain SES retirement benefits; or
 - (c) A Medical Center Director who separated from Government service on or after October 2, 1992; or
 - (d) An immediate family member of an SES employee who died:
 - (1) In Government service on or after January 1, 1994; or

(2) After separating from Government service but before travel and/or transportation authorized under this subpart was completed.

§ 302–3.303 Requirements to receive separation relocation travel for family and employee.

An employee may receive separation relocation travel for themselves and their immediate family if:

- (a) They are a career appointee as defined in 5 U.S.C. 3132(a)(4), and was transferred or reassigned geographically in the interest of and at the expense of the Government from one official station to another for permanent duty from:
 - (1) An SES career appointment to another SES career appointment;
 - (2) An SES career appointment to an appointment outside the SES at a rate of pay equal to or higher than Level V of the Executive Schedule, and the employee elects to retain SES retirement benefits under 5 U.S.C. 3392; or
 - (3) A non-SES career appointment at the time of the transfer or assignment, which includes an appointment in a civil service position outside the SES, to an SES career appointment; and
- (b) At the time of the transfer or reassignment:

- (1) Was eligible to receive an annuity for optional retirement under section 8336(a), (b), (c), (e), (f), or (j) or subchapter III of chapter 83 (Civil Service Retirement System (CSRS)) or under section 8412 of subchapter II of chapter 84 (Federal Employees' Retirement System (FERS)) of title 5, U.S.C.;
- (2) Was within 5 years of eligibility to receive an annuity for optional retirement under one of the authorities in paragraph (b)(1) of this section; or
- (3) Was eligible to receive an annuity based on discontinued service retirement or early voluntary retirement under an Office of Personnel Management (OPM) authorization, under section 8336(d) of subchapter III of chapter 83, or under 8414(b) of subchapter II of chapter 84 of title 5, U.S.C.; and
- (c) Are eligible to receive an annuity upon separation (or, in the case of death, met the requirements for being considered eligible to receive an annuity, as of the date of death) under the provisions of subchapter III of chapter 83 (CSRS) or chapter 84 (FERS) of title 5, U.S.C., including an annuity based on optional retirement, discontinued service retirement, early voluntary retirement under an OPM authorization, or disability retirement; and
- (d) Have not previously received separation relocation benefits from the Government for retirement.

§ 302–3.304 Requirements and special considerations for receiving reimbursement for moving expenses.

Before receiving reimbursement for moving expenses, the employee must submit a request to their agency for authorization and approval of their moving expenses with their tentative moving dates and the origin and destination location of their planned move, within the timeframe and format specified by their agency.

(a) Travel and shipment of the HHG should begin from the last official station.

(b) The employee will be authorized to separate at the place where they have chosen to reside within the United States and will only be reimbursed for expenses up to the cost of travel and transportation expenses from their authorized official station to the place in the U.S. they have elected to reside.

(c) The employee will not receive last move home benefits if upon separation they elect to reside in a different geographical area which is less than 50 miles from their official station.

(d) The employee may have their household goods transported from more than one location. However, they will only receive reimbursement based on the cost of shipment from their official station, in one lot by the most economical route to the location where they elect to reside.

§ 302–3.305 Time limit to begin travel and transportation upon separation.

All travel and transportation of household goods must begin no later than six months after:

- (a) The date of separation; or
- (b) The date of death of the employee who died before separation.

§ 302–3.306 Extension to the time limit for beginning separation travel.

Agencies may grant the employee or their immediate family member(s) (in case of the employee's death) an extension to the time limit for beginning the separation travel, for up to two years from the effective date of separation or death, if death occurs before separation.

Subpart E—Employee's Temporary Change of Station

§ 302–3.400 Temporary Change of Station (TCS) authorization and eligibility.

An agency may authorize a TCS when it would be more advantageous than to authorize a long-term TDY assignment. Agencies should compare the cost of the long-term TDY allowances and other factors against the cost of the TCS. Employees are generally eligible for a TCS when:

(a) They are directed to perform a TCS at a long-term duty location for no less than 6 months, nor more than 30 months; and

(b) The employee would be eligible for payment of temporary duty travel allowances authorized under chapter 301 of this subtitle. For exceptions, see § 302–3.401.

§ 302–3.401 Individuals not eligible for a TCS.

The following individuals are not eligible for a TCS:

- (a) A new appointee;
- (b) An employee assigned to or from a State or local government under the Intergovernmental Personnel Act (5 U.S.C. 3372 *et seq.*);
- (c) An individual employed intermittently in the Government service as a consultant or expert and paid on a daily when-actually-employed (WAE) basis;
- (d) An individual serving without pay or at \$1 a year; or
- (e) An employee assigned under GETA (5 U.S.C. 4109).

§ 302–3.402 Effect on TCS when assignments are extended to longer than 30 months.

If the assignment is extended to exceed 30 months, the agency:

- (a) Must permanently immediately assign the employee to their temporary official station or immediately return the employee to their previous official station;
- (b) May not pay for extended storage or property management services incurred after the last day of the thirtieth month; and
- (c) Must pay the expenses of returning the employee and their immediate family and household goods to their previous official station unless they are permanently assigned to the temporary official station.

§ 302–3.403 Separation from Government service while on a TCS.

If the employee separates from Government service prior to completion of their TCS for reasons beyond their control that are acceptable to their agency, the agency will pay the same relocation expenses it would pay under § 302–3.100 for a TCS.

Permanent Assignment to Temporary Official Station

§ 302–3.404 Payment for TCS expenses.

Payment of TCS expenses stops once the employee's temporary official station becomes their permanent official station. The agency may not pay any TCS expenses incurred beginning the day the employee's temporary official

station becomes their permanent official station.

§ 302–3.405 Relocation allowances when permanently assigned to temporary official station.

When an employee is permanently assigned to their temporary official station, the agency may pay the same entitlements it would pay for a transferred employee (subject to the limitations in this section and those detailed in § 302–3.407) plus those noted in this section:

- (a) Travel, including subsistence expenses, in accordance with part 302–4 of this chapter, for one round trip between the temporary official station and the previous official station, for the employee and members of their immediate family who relocated to the temporary official station. The agency may also pay the same expenses for a one-way trip from the previous official station to the new permanent official station for any immediate family members who did not accompany the employee to the temporary official station;
- (b) Transportation of household goods not previously transported to the temporary official station under part 302–7 of this chapter; and
- (c) Transportation of a privately owned vehicle(s) not previously transported to the temporary official station.

§ 302–3.406 Weight limitation when permanently assigned to temporary official station.

If the employee is permanently assigned to their temporary official station, they are limited to 18,000 pounds net weight for household goods they may transport at Government expense to their official station. This maximum weight will be reduced by the weight of any household goods transported at Government expense to the temporary official station under the TCS authorization. Subject to the 18,000 pound limit, the agency will pay to transport any household goods in extended storage to the employee's official station. Additionally, if the employee's residence changes as a result of the permanent assignment to the temporary official station, the agency may pay for transporting the employee's household goods, subject to the 18,000-pound limit, between the residence that was occupied during the temporary assignment and the new residence.

§ 302–3.407 Relocation allowances not covered when permanently assigned to temporary official station.

If the employee is permanently assigned to their temporary official station, the agency may not pay:

- (a) Expenses of a househunting trip for the employee and their spouse to the temporary official station under part 302–5 of this chapter; or
- (b) Residence transaction expenses for selling a residence or breaking a lease at the temporary official station under part 302–11 of this chapter.

Subpart F—Agency Responsibilities

§ 302–3.500 Establishment of policies and procedures for authorization and payment of relocation allowances.

Agencies must establish governing policies and procedures that determine:

- (a) When the agency will pay relocation expenses if an employee violates the service agreement;
- (b) When the agency will authorize separate relocation allowances to an employee and an employee's immediate family member that are both transferring to the same official station;
- (c) When the agency will grant an employee and/or the employee's immediate family member(s) an extension on beginning separation travel;
- (d) When the agency will allow an employee to arrange their own relocation upon separation;
- (e) When the agency will authorize a temporary change of station (TCS);
- (f) When the agency will pay extended storage of household goods for TCS;
- (g) When the agency will pay for the cost of storing, or provide for the storage without charge, of one POV when an employee is assigned a TCS in support of a contingency operation as defined in 10 U.S.C. 1482a(c)(2) and under part 302–9 of this chapter;
- (h) The criteria in accordance with 5 CFR part 572 on how the agency will determine if a new appointee is eligible for the relocation allowances authorized therein; and
- (i) The procedures which will provide new appointees with information surrounding relocation benefits.

§ 302–3.501 Establishment of policies when appointing an employee to an overseas assignment.

When appointing an employee to an overseas assignment, agencies must:

- (a) Establish the employee's actual place of residence at the time of appointment and state it in the service agreement;
- (b) Use guidance in 8 U.S.C. 1101(a)(33) for establishing places of residence;

(c) Require the employee to sign the service agreement prior to the relocation;

(d) Pay transportation expenses for one-way return travel of immediate family members when the employee has successfully completed the service agreement period OCONUS;

(e) Determine when the public interest requires the return of the immediate family for compelling personal reasons of a humanitarian or compassionate nature; and

(f) Pay for return travel and transportation of an employee only once at the end of each agreed period of service.

§ 302–3.502 Requirements for tour renewal agreement travel.

A travel advance for tour renewal travel is not authorized. Agencies must pay tour renewal agreement travel when:

(a) The employee has completed the agreed upon period of service outside CONUS;

(b) The employee has agreed to serve another OCONUS tour of duty at the same or different duty station; and

(c) The agency has determined that the employee meets the provisions of §§ 302–3.204 and 302–3.205.

§ 302–3.503 Requirements for SES separation-relocation travel.

Before issuing payment for separation-relocation travel, agencies must establish timeframes for employees to submit a request for authorization and approval of relocation expenses. Travel advances for separation relocation may not be authorized.

Subchapter C—Allowances for Subsistence and Transportation

PART 302–4—ALLOWANCES FOR SUBSISTENCE AND TRANSPORTATION

Authority: 5 U.S.C. 5738; 20 U.S.C. 905(a); E.O. 11609, 36 FR 13747, 3 CFR, 1971–1975 Comp., p. 586.

Subpart A—Eligibility

§ 302–4.1 Eligibility for subsistence and transportation allowances for permanent change of station (PCS) travel.

Employees are eligible for subsistence and transportation allowances for PCS travel if their agency specifically authorizes relocation expenses under this part. Except as specifically provided in § 302–5.6 of this subchapter, the rules (for TDY travel) in chapter 301 of this subtitle will be used for payment of the travel expenses of the employee's immediate family members.

If an alternate location for beginning or ending PCS is used, reimbursement is limited to the allowable cost by the usually traveled route between the old and new official stations. An attendant may be authorized to accompany an employee with a special need in accordance with § 301–13.2(a) and (g) of this subtitle.

Subpart B—[Reserved]

Subpart C—Subsistence

§ 302–4.200 Per diem rate for employee and immediate family members for en route relocation travel within CONUS.

The per diem rate for en route relocation travel between the old and new official stations will be at the standard CONUS rate (*see* applicable FTR Per Diem Rate Bulletins available at <https://www.gsa.gov/perdiem>). Reimbursement will be in accordance with §§ 301–11.19 through 301–11.22 of this subtitle.

§ 302–4.201 Determination of authorized en route travel days for relocation travel.

The authorized en route travel days are determined by dividing the total miles between the old residence and the new official station by the minimum driving distance the agency sets consistent with § 302–4.400 and rounding up to the next whole day.

Transferred Employees Only

§ 302–4.202 Calculation of maximum per diem rates for the employee and immediate family members while performing PCS travel.

The maximum amount of per diem is calculated as:

(a) For the employee, 100% of the applicable rate.

(b) If the employee and their spouse or domestic partner travel together, the maximum amount the spouse or domestic partner may receive is three-fourths of the employee's daily rate. The employee and their spouse or domestic partner are considered to be traveling together if they travel on the same days along the same general route by using more than one POV.

(c) If the spouse or domestic partner does not travel with the employee but travels unaccompanied at a different time, they will receive the same rate to which the employee is entitled.

(d) Non-spouse immediate family members aged 12 or older receive three-fourths of the employee's rate, and those under 12 receive one-half of the employee's rate.

Subpart D—Mileage Rates for Use of POV

§ 302–4.300 POV mileage rate for PCS travel.

The mileage reimbursement rate is the same as the moving expense mileage rate established by the Internal Revenue Service (IRS) for moving expense deductions. See IRS guidance available at <https://www.irs.gov>. These rates will be published in an FTR bulletin and are also displayed at <https://www.gsa.gov/mileage>.

§ 302–4.301 Special circumstances that allow a higher mileage rate OCONUS.

Agencies may authorize a higher mileage rate at a rate not to exceed the maximum rate prescribed in § 301–10.301 of this subtitle when:

(a) The POV is expected to be used on official business at the new official station;

(b) The common carrier rates for the facilities provided between the old and new official stations, the related constructive taxi or TNC fares, or the cost of utilizing an innovative mobility technology company to and from terminals, and the per diem allowances prescribed under this part justify a higher mileage rate as advantageous to the Government as determined by the agency; or

(c) The costs of driving the POV to, from, or between official stations located outside CONUS justify a higher mileage rate as advantageous to the Government.

§ 302–4.302 Method for mileage reimbursement when POV use is authorized.

For relocations within CONUS involving POV usage, the agency will reimburse mileage at the standard mileage rate specified in § 302–4.300. For an OCONUS relocation involving POV usage, the agency may allow reimbursement of certain actual expenses of using the POV (*i.e.*, fuel plus the additional expenses listed in § 301–10.302 of this subtitle).

Subpart E—Daily Driving Distance Requirements

§ 302–4.400 Minimum daily driving distance.

Agencies may establish a reasonable minimum driving distance that may be more than, but not less than an average of 300 miles per calendar day. Exceptions to the daily minimum driving distance may be granted by the agency when there is a delay beyond an employee's control such as acts of God, restrictions by governmental authorities, or other acceptable reasons (*e.g.*, the

employee is an individual with a disability as defined by Section 501 of the Rehabilitation Act of 1973 and its implementing regulations at 29 CFR 1614.203 or has special needs).

Subpart F—[Reserved]

Subpart G—Advance of Funds

§ 302–4.600 Advance of funds for lodgings-plus per diem and mileage allowances for PCS travel.

Employees may request an advance of funds for lodgings-plus per diem and mileage allowances for PCS travel, except for overseas tour renewal agreement travel.

Subpart H—[Reserved]

PART 302–5—ALLOWANCE FOR HOUSEHUNTING TRIP EXPENSES

Authority: 5 U.S.C. 5738; 20 U.S.C. 905(a); E.O. 11609, 36 FR 13747, 3 CFR, 1971–1975 Comp., p. 586.

Subpart A—Employee's Allowance for Househunting Trip Expenses

§ 302–5.1 Eligibility for a househunting trip expenses allowance.

Employees are eligible for a househunting trip expenses allowance if they are an employee who is authorized to transfer. Only one round trip may be authorized by the agency for the employee and their spouse in connection with a particular transfer. In addition:

(a) Both the old and new official stations must be located within the United States;

(b) The employee is not or will not be assigned to Government or other prearranged housing at the new official station;

(c) The employee's old and new official stations are 75 or more miles apart (as measured by map distance) via a usually traveled surface route; and

(d) The agency determines it is in the Government's interest to authorize a househunting trip.

§ 302–5.2 Requirements to receive a househunting trip expenses allowance and timeframe to begin the trip.

Employees will receive a househunting trip expenses allowance and may begin the househunting trip when:

(a) The agency authorized a househunting trip in advance of the travel (the agency authorization must specify the mode of transportation and the period of time allowed for the trip);

(b) The employee has signed a service agreement;

(c) The agency has established and informed the employee of the date they are to report to their new official station;

(d) The employee is in a duty status when they perform a househunting trip; and

(e) Any additional conditions established by the agency have been met.

§ 302–5.3 Persons authorized to travel on a househunting trip at Government expense.

Only the employee and their spouse or domestic partner may travel on a househunting trip at Government expense. If traveling separately, the reimbursement will be limited to the cost that would have been incurred if the employee and their spouse or domestic partner had travelled together on one round trip.

§ 302–5.4 Time limit on the duration of a househunting trip.

A househunting trip should be for a reasonable period as authorized by the agency, but not to exceed 10 calendar days.

§ 302–5.5 Timeframe for completion of the househunting trip.

The househunting trip must be completed as follows:

(a) For the employee—the day before reporting to the new Official station.

(b) For the spouse or domestic partner—the earlier of:

(1) The day before the family relocates to the new Official station; or

(2) The day before the maximum time for beginning allowable travel expires.

§ 302–5.6 Methods for reimbursing househunting trip expenses.

Agencies will reimburse househunting trip expenses as follows:

(a) Transportation expenses—the employee and their spouse's actual transportation costs.

(b) Subsistence expenses—one of the following three:

(1) For a CONUS househunting trip, a lodgings-plus per diem allowance at the standard CONUS rate, for the employee and/or their spouse or domestic partner if they travel separately, or if both travel together, a lodgings-plus per diem allowance at the standard CONUS rate for the 10 days or less that the agency authorizes. The employee receives 100% of the rate and the spouse or domestic partner receives 75%;

(2) For an OCONUS househunting trip, a lodgings-plus per diem allowance at the locality rate, for the employee and/or their spouse or domestic partner if they travel separately, or if both travel together, a lodgings-plus per diem allowance at the locality rate for the 10

days or less that the agency authorizes. The employee receives 100% of the rate and the spouse or domestic partner receives 75%; or

(3) Only if offered by the agency and chosen by the employee, a lump sum, as follows:

(i) If the employee performs a househunting trip and the spouse or domestic partner does not, or if the spouse or domestic partner performs a househunting trip and the employee does not, multiply the applicable locality rate by 5.00.

(ii) If the employee and their spouse or domestic partner both perform a househunting trip, together or separately, multiply the applicable locality rate by 6.25.

§ 302–5.7 Agency authorized mode of transportation.

(a) Agencies will authorize travel by any transportation mode(s) that it determines to be advantageous to the Government except as noted in paragraphs (b) and (c) of this section.

(b) For trips of less than 250 miles, agencies may only authorize travel by POV, unless there are reasons for not using a POV that are acceptable to the agency. POV mileage reimbursement will be in accordance with § 302–4.300 of this subchapter.

(c) For trips that are 250 miles or more, agencies may only authorize travel by common carrier, unless the agency performs a written cost comparison that demonstrates cost savings.

§ 302–5.8 Requirement to document househunting trip expenses.

Employees must itemize their transportation expenses and provide receipts for any other claimed expenses except for meals. For lump sum househunting trip subsistence reimbursement, subsistence expenses do not need to be documented. If the lump sum househunting amount is more than adequate to cover the househunting expenses, any balance belongs to the employee. For lodgings-plus per diem househunting trip subsistence expense reimbursement, the employee must itemize their lodging expenses and must provide receipts as stated in this section.

§ 302–5.9 Advance of funds for househunting trip expenses.

Agencies may authorize an advance of funds, in accordance with § 302–2.8 of this chapter, for the househunting trip expenses. The agency may not advance funds in excess of the sum of the anticipated transportation costs and either the maximum amount allowable under part 302–4 of this subchapter for

the location and duration of the househunting trip or the lump sum househunting trip subsistence expenses payment, whichever applies.

Subpart B—Agency Responsibilities

§ 302–5.100 Governing policies the agency must establish for househunting trips.

Agencies must establish policies and procedures governing:

(a) When the agency will authorize a househunting trip for an employee;

(b) Who will determine if a househunting trip is appropriate in each situation;

(c) If and when the agency will authorize the lump sum option for househunting trip subsistence expenses reimbursement;

(d) Who will determine the appropriate duration of a househunting trip for an employee who selects a lodgings-plus per diem allowance under part 302–4 of this subchapter to reimburse househunting trip subsistence expenses; and

(e) Who will determine the mode(s) of transportation to be used.

PART 302–6—ALLOWANCE FOR TEMPORARY QUARTERS SUBSISTENCE EXPENSES

Authority: 5 U.S.C. 5738; 20 U.S.C. 905(a); E.O. 11609, 36 FR 13747, 3 CFR, 1971–1975 Comp., p. 586.

Subpart A—General Rules

§ 302–6.1 Temporary quarters and temporary quarters subsistence expenses (TQSE) allowance.

The term *temporary quarters* refers to lodging obtained for the purpose of temporary occupancy from a private or commercial source incident to an official relocation or temporary change of station. TQSE is a discretionary allowance that an agency may use to reimburse an employee reasonably and equitably for subsistence expenses incurred when it is necessary to occupy temporary quarters. Transportation expenses incurred in the vicinity of the temporary quarters are not TQSE expenses; there is no authority to pay such expenses under TQSE.

§ 302–6.2 Eligibility for TQSE allowance.

Employees are eligible for a TQSE allowance if their agency has authorized one and the following conditions are met:

(a) The agency authorizes TQSE before occupancy of the temporary quarters begins;

(b) The new official station is located within the United States;

(c) The relocation authorization specifies the number of days allowed to receive TQSE;

(d) The employee has signed a service agreement;

(e) The old and new official stations are at least 50 miles apart (as measured by map distance) via a usually traveled surface route; and

(f) The employee meets the distance test (Note: If a waiver to the distance test is granted, the employee is not eligible for TQSE.).

§ 302–6.3 Eligibility for TQSE allowance when transferred to or from a foreign area.

(a) Employees may not receive a TQSE allowance under this part when transferred to a foreign area. However, an employee may qualify for a comparable allowance under the DSSR (Government Civilians, Foreign Areas) (see § 302–3.100 of this chapter).

(b) Employees may receive a TQSE allowance under this part when transferred from a foreign area and temporary quarters are occupied in the United States. An employee may also be authorized a comparable allowance, prescribed by the Department of State, at the foreign area preceding final departure subsequent to the necessary vacating of residence quarters (see § 302–3.100 of this chapter).

§ 302–6.4 Occupancy of temporary quarters at Government expense.

When authorized to occupy temporary quarters—

(a) Only the employee and/or their immediate family, as annotated on the relocation authorization, may occupy temporary quarters at Government expense;

(b) Temporary quarters must be occupied within reasonable proximity (approximately 50 miles) of the geographical area of the old and/or new official stations. Neither the employee nor their immediate family may be reimbursed for occupying temporary quarters at any other location, unless justified by special circumstances (*e.g.*, the temporary quarters location is subject to a Presidentially-Declared Disaster) that are reasonably related to the transfer;

(c) The eligibility period for which TQSE reimbursement is authorized to be claimed for the employee and for each member of their immediate family must run concurrently;

(d) The period for TQSE reimbursement ends at midnight on:

(1) The day before the employee and/or any member of their immediate family occupies permanent residence quarters (even if some, but not all household goods have been delivered

such that the residence is suitable for permanent occupancy);

(2) The last day for completing all aspects of the relocation under § 302–2.2 of this chapter; or

(3) The day the authorized period for TQSE reimbursement expires, whichever occurs first. (See § 302–6.9 for details.)

§ 302–6.5 Partial days of temporary quarters occupancy.

Occupancy of temporary quarters is based on calendar days and partial days are counted as full days of TQSE. An employee may not receive reimbursement under both a TQSE allowance and another subsistence expenses allowance within the same day, except as follows:

(a) If the employee claims TQSE reimbursement on the same day that official travel en route to their new official station ends, the en route subsistence expenses will be computed under applicable partial day rules, and the employee may also be reimbursed for actual TQSE incurred after 6 p.m. of that day.

(b) If an employee's immediate family is claiming TQSE and the employee is performing separate official TDY travel, or receiving a cost-of-living allowance payable under 5 U.S.C. 5941 in addition to a TQSE allowance.

§ 302–6.6 Temporary quarters that become permanent residence quarters.

If the agency determines that an employee's temporary quarters have become their permanent residence quarters, the employee is no longer eligible for TQSE. The employee will be required to repay any TQSE they previously received for those quarters unless they show in a manner satisfactory to their agency that they initially intended to occupy the quarters temporarily. (See § 302–6.207 for details.)

§ 302–6.7 Receiving TQSE while occupying permanent residence quarters at old official station.

Agencies may authorize TQSE for a reasonable time when the employee's residence at their old official station becomes temporary and no longer suitable for permanent residence (*e.g.*, household goods have been shipped and are unavailable).

§ 302–6.8 Requirements and method for TQSE reimbursement.

Agencies will reimburse for TQSE under the “lodgings-plus” method (TQSE-LP). The TQSE-LP Reimbursement Method is outlined as follows:

(a) The employee must use the Government contractor-issued travel charge card as the method of payment for all official relocation expenses, including TQSE, unless exempted under part § 301–51.2 of this subtitle.

(b) The employee must file a voucher and provide documentation for their temporary quarters lodging expenses, lodging taxes, and other miscellaneous expenses. There is no requirement to document M&IE.

(c) The employee may receive an advance of funds if authorized in accordance with agency policy and listed on the travel authorization. The agency may advance the amount of funds necessary to cover the estimated TQSE expenses for up to 30 days. The agency may subsequently advance additional funds for periods up to 30 days.

(d) The agency will pay the actual daily temporary quarters lodging cost and a daily M&IE allowance not to exceed the single maximum lodging amount and the single maximum M&IE amount for the applicable rate in effect for the locality at the old or new official station or combination thereof, wherever temporary quarters will be occupied. The applicable rate could be the standard CONUS, CONUS non-standard area (NSA), or OCONUS non-foreign locality rate as determined by GSA or the Department of Defense.

(e) TQSE expenses must be reasonable and if expenses exceed the maximum allowable amount, the employee will not be reimbursed for more than the maximum allowable amount. The “maximum allowable amount” is the “maximum daily amount” multiplied by the number of days TQSE is actually incurred not to exceed the number of days authorized, taking into account that the rates change after 30 days in temporary quarters. The “maximum daily amount” (see note 1 to this section) is determined by adding the rates for the employee and each member of their immediate family authorized to occupy temporary quarters.

(1) For the first 30 days of temporary quarters:

(i) The employee and/or their unaccompanied spouse or domestic partner (see note 2 to this section) may receive 100 percent of the temporary quarters lodging portion of the applicable locality rate and 100 percent of the M&IE portion of the applicable locality rate.

(ii) An accompanied spouse, domestic partner, or a member of the immediate family who is age 12 or older may receive 50 percent of the temporary quarters lodging portion of the applicable locality rate and 50 percent

of the M&IE portion of the applicable locality rate.

(iii) A member of the immediate family who is under age 12 may receive 40 percent of the temporary quarters lodging portion of the applicable locality rate and 40 percent of the M&IE portion of the applicable locality rate.

(2) For the second 30 days of temporary quarters:

(i) The employee and/or their unaccompanied spouse or domestic partner (see note 2 to this section) may receive 75 percent of the temporary quarters lodging portion of the applicable locality rate and 75 percent of the M&IE portion of the applicable locality rate.

(ii) An accompanied spouse, domestic partner, or a member of the immediate family who is age 12 or older may receive 45 percent of the temporary quarters lodging portion of the applicable locality rate and 45 percent of the M&IE portion of the applicable locality rate.

(iii) A member of the immediate family who is under age 12 may receive 35 percent of the temporary quarters lodging portion of the applicable locality rate and 35 percent of the M&IE portion of the applicable locality rate.

(3) For any additional authorized days of temporary quarters:

(i) The employee and/or their unaccompanied spouse or domestic partner (see note 2 to this section) may receive 55 percent of the temporary quarters lodging portion of the applicable locality rate and 55 percent of the M&IE portion of the applicable locality rate.

(ii) An accompanied spouse, domestic partner, or a member of the immediate family who is age 12 or older may receive 40 percent of the temporary quarters lodging portion of the applicable locality rate and 40 percent of the M&IE portion of the applicable locality rate.

(iii) A member of the immediate family who is under age 12 may receive 30 percent of the temporary quarters lodging portion of the applicable locality rate and 30 percent of the M&IE portion of the applicable locality rate.

Note 1 to § 302–6.8: Temporary quarters lodging and M&IE remain as separate maximum amounts for purposes of calculating TQSE–LP. Examples of TQSE calculations are published in an FTR bulletin at <https://gsa.gov/ftrbulletins>.

Note 2 to § 302–6.8: That is, when the spouse or domestic partner necessarily occupies temporary quarters in lieu of the employee or in a location separate from the employee.

§ 302–6.9 TQSE time and daily amount limitations.

(a) Agencies may initially authorize an employee to claim TQSE for a period not to exceed 60 consecutive days. The agency may authorize an extension of up to 60 additional consecutive days, for a maximum total of 120 consecutive days, if the agency determines that there is a compelling reason for continued occupancy of temporary quarters. Under no circumstances can more than 120 days of TQSE be reimbursed.

(1) A “compelling reason” that may warrant an extension is an event that is beyond the employee’s control and is acceptable to the agency.

(2) [Reserved]

(b) Agencies may reduce the total number of days that are authorized for TQSE by the number of househunting days (e.g., instead of authorizing 60 days of TQSE the agency can authorize 50 days to account for a 10-day househunting trip); however, the percentage multiplier used for calculating TQSE may not be reduced based on the number of days used for a househunting trip.

(c) The authorized period for claiming TQSE–LP reimbursement is measured on consecutive days, and once begun, continues to run whether or not occupancy of temporary quarters continues. However, the authorized period for claiming reimbursement may be interrupted in the following instances:

(1) For the time allowed for official travel en route between the old and new official stations;

(2) For circumstances attributable to official necessity such as an intervening temporary duty assignment or military duty; or

(3) For a non-official necessary interruption such as hospitalization, approved sick leave, or other reasons beyond the employee’s control and acceptable to the agency.

(d) If the estimated daily amount of TQSE is determined in advance to be lower than the maximum daily amount, agencies may reduce the maximum allowable amount to the expected expenses provided the new applicable amount is annotated on the relocation travel authorization before occupancy of temporary quarters begins.

(e) Temporary quarters lodging taxes are not included in the daily temporary quarters lodging rate and may be documented as a separate TQSE–LP miscellaneous expense. Laundry/dry cleaning expenses are included in the incidental portion of the daily M&IE allowance and are not separately reimbursed.

§ 302–6.10 Impact to TQSE reimbursement if relocating to, or currently occupying, temporary quarters in a Presidentially-Declared Disaster area.

(a) Agencies should consider delaying all non-essential relocations to Presidentially-Declared Disaster areas because the ability to secure temporary quarters lodgings in those areas may be compromised. If relocation cannot be delayed, or if an employee is already occupying temporary quarters that have been affected by the disaster in a Presidentially-Declared Disaster area, for temporary quarters located within CONUS the agency may:

(1) Authorize an employee to occupy temporary quarters outside of the proximity requirements at § 302–6.4; and

(2) Authorize TQSE–LP as outlined in this part or authorize actual expenses on an individual basis under chapter 301 of this subtitle, not to exceed 300 percent of the applicable per diem rate per § 301–11.17 of this subtitle; or

(3) Issue a blanket actual expense authorization for official relocation travel performed on or after the date of the Presidentially-Declared Disaster.

(b) The authorizations in paragraphs (a)(1) through (3) of this section must apply to a specific Presidential Disaster Declaration, and will expire one year from the date the Declaration is issued, unless an agency head or their designee extends the blanket authorization based on a determination of necessity. The maximum limit of 120 consecutive days that TQSE may be authorized is statutorily based and remains in effect in accordance with § 302–6.9. A blanket authorization issued under this section shall not apply to any travel performed pursuant to chapter 301 of this subtitle.

Subpart B—[Reserved]

Subpart C—Agency Responsibilities

§ 302–6.200 Administration of TQSE allowance.

TQSE should be authorized only if, and only for as long as necessary. Agencies must administer the TQSE allowance to minimize or avoid other relocation expenses.

§ 302–6.201 Governing policies that must be established for the TQSE allowance.

Agencies must establish policies and procedures governing:

(a) When the agency will authorize temporary quarters for employees;

(b) Who will determine if temporary quarters is appropriate in each situation;

(c) Who will determine the appropriate period of time for which TQSE reimbursement will be authorized, including approval of

extensions and interruptions of temporary quarters occupancy;

(d) Who will determine whether quarters were indeed temporary;

(e) Who will determine, and in what instances, to issue the authorizations at § 302–6.10, including a blanket authorization for actual expenses;

(f) What circumstances necessitate the extension of a blanket actual expense authorization under § 302–6.10.

SUBCHAPTER D—TRANSPORTATION AND STORAGE OF PROPERTY

PART 302–7—TRANSPORTATION AND TEMPORARY STORAGE OF HOUSEHOLD GOODS, PROFESSIONAL BOOKS, PAPERS, AND EQUIPMENT (PBP&E), AND BAGGAGE ALLOWANCE

Authority: 5 U.S.C. 5738; 20 U.S.C. 905(a); E.O. 11609, 36 FR 13747, 3 CFR, 1971–1975 Comp., p. 586.

Subpart A—General Rules

§ 302–7.1 Eligibility for the transportation and temporary storage of household goods at Government expense.

Eligibility for the transportation and temporary storage of household goods (HHG) at Government expense is indicated where applicable at §§ 302–3.1 and 302–3.100 of this chapter. Property acquired en route will not be eligible for transportation at Government expense.

§ 302–7.2 Maximum weight of HHG that may be transported or stored at Government expense.

(a) The maximum weight allowance of HHG that may be shipped or stored at Government expense is 18,000 pounds net weight. For uncrated or van line shipments, a 2,000 pound allowance is added to the 18,000 pounds net weight allowance to cover packing materials for the shipment. In no case may a shipment weigh over 20,000 gross pounds. The relocating employee is responsible for reimbursing the Government for all costs incurred if the shipment is overweight. For determining the weight of crated shipments, containerized shipments, and constructive weight for other types of HHG shipments, please see table 1 to § 302–7.8.

(b) An agency may establish a lower net weight allowance and a lower allowance for packing materials in special circumstances, such as transferring an employee into government-furnished quarters. When quarters are furnished or partly furnished by the Government OCONUS, the agency may limit the weight of HHG and temporary storage that can be

transported to that location. Only the authorized weight allowance that was shipped to the OCONUS location may be returned to CONUS upon completion of the tour of duty, unless the agency makes an exception under conditions specified in agency internal regulations.

(c) Household goods may be transported and stored in multiple lots; however, the maximum HHG weight allowance is based upon shipping and storing all HHG as one lot.

§ 302–7.3 Shipping professional books, papers, and equipment (PBP&E).

(a) The agency may pay for shipping PBP&E as a discretionary item. When authorized, shipping PBP&E is considered an administrative cost to the agency. However, for ease of administration in calculating this allowance, PBP&E should be included as part of the HHG shipment, if possible. That is, if the net weight of the HHG plus the PBP&E is less than 18,000 pounds, the agency should ship the items together and pay for the HHG shipment in one payment.

(b) Any PBP&E that was transported as an administrative expense of the Government to the OCONUS assignment will be returned as an administrative expense of the Government to the place of actual residence or any other location, not to exceed the cost to the authorized destination.

§ 302–7.4 HHG shipments that include PBP&E that might exceed, or did exceed, the 18,000 pounds net weight allowance.

(a) The agency should separate the PBP&E and have the HHG carrier estimate the weight of the PBP&E before the HHG shipment is picked up. Subtract 110 percent of the estimated PBP&E weight (to adjust for packing materials) from the estimated gross weight as shown on the shipping documents (*i.e.*, net weight minus the PBP&E minus 10 percent of the PBP&E). If the result is more than the 18,000 pounds net weight allowance, then the shipment exceeds the net weight allowance.

(b) If it was not discovered that the HHG shipment exceeded the net weight allowance in advance, and if the PBP&E was not weighed or estimated before shipping, then the agency should weigh the PBP&E before it is delivered. Determine if the shipment exceeds the net weight allowance by applying the formula in paragraph (a) of this section.

(c) If the calculation in paragraph (a) of this section shows that the shipment does not exceed the net weight allowance, then the agency may transport and pay for shipping the PBP&E plus packing materials with the household goods.

(d) However, if the calculation in paragraph (a) of this section shows that the shipment may exceed the net weight allowance, and if the employee was authorized PBP&E, then the employee must pay for shipping all weight that exceeds the net weight allowance for their HHG, minus the PBP&E and packing materials for both. The agency may then pay for shipping the PBP&E as an administrative expense.

(e) The agency may require reasonable documentation of the items requesting to be shipped as PBP&E and the weight of the PBP&E.

§ 302–7.5 Authorized origin and destination points for the transportation of HHG and PBP&E.

(a) The authorized origin and destination points for the transportation of HHG and PBP&E vary by category of employee and are listed in paragraphs (a)(1) through (6) of this section:

(1) *Employee transferred between official stations.* Authorized between the old and new official stations (including to/from an extended storage location when authorized).

(2) *New appointee.* Authorized from place of actual residence to new official station (including to location of extended storage when authorized).

(3) *Employee returning from OCONUS assignment for separation.* Authorized from last official station and extended storage location, when authorized, to place of actual residence.

(4) *Employee authorized separation travel to actual residence but retiring at the OCONUS location or an alternate location.* Authorized from any location, including actual residence and extended storage location to any other location (including the OCONUS official station), not to exceed the constructive

transportation cost from the official station and extended storage location (respectively) to the actual residence.

(5) *SES last move home.* Authorized from the last official station and extended storage location, when authorized, to the place of selection.

(6) *TCS.* Authorized from the current official station to the TCS location and return (includes to and from extended storage location when authorized).

(b) Shipments may originate or terminate at any location; however, reimbursement is limited to the cost of transporting the property in one lot from the authorized origin to the authorized destination.

§ 302–7.6 Temporary storage for CONUS-to-CONUS or OCONUS-to-CONUS HHG shipments.

HHG may be placed in temporary storage at origin, in transit, at destination, or any combination thereof upon agency approval.

(a) *For CONUS-to-CONUS shipments.* The initial period of temporary storage at Government expense may not exceed 60 days. An extension may be granted for a maximum of 90 additional days. Requests for an extension must be made prior to the expiration of the original 60 days. This extension must be approved by the agency official designated for such requests. Under no circumstances may temporary storage at Government expense for CONUS-to-CONUS shipments exceed a total of 150 days.

(b) *For shipments that include an OCONUS origin or destination.* The initial period of temporary storage at Government expense may not exceed 90 days. An extension may be granted for a maximum of 90 additional days. Requests for an extension must be made prior to the expiration of the original 90

days. This extension must be approved by the agency official designated for such requests. Under no circumstances may temporary storage for shipments at Government expense that include an OCONUS origin or destination exceed a total of 180 days.

§ 302–7.7 Liability for loss or damage to HHG.

(a) The Government's liability for loss or damage to HHG is determined by the agency under 31 U.S.C. 3721–3723 and agency implementing rules and regulations issued pursuant to the law.

(b) When transporting HHG under the commuted rate or actual expense method and a commercial HHG carrier is used, the carrier accepts limited liability for any loss or damage in accordance with HHG carrier tariffs. For transporting HHG by self drive equipment for a do-it-yourself-move and for any loss or damage not covered by the HHG carrier, see part 302–11 of this chapter.

(c) Items that are irreplaceable or of extremely high monetary or sentimental value should not be included in the HHG shipment. Additional insurance may be purchased, at personal expense, to cover any loss or damage, however, such items are not necessarily provided special security. Accordingly, it is advisable that such items be personally transported.

§ 302–7.8 Methods of shipping HHG and how the weight is determined

HHG should be shipped by the most economical method available. The various methods of shipment and weight calculations include the following:

TABLE 1 TO § 302–7.8

Method of shipment	How weight of shipment is determined
(a) Uncrated (shipped in HHG movers van or similar conveyance).	An allowance of up to 2,000 pounds, exclusive of the 18,000 pounds net weight of HHG shipment, is used for the packing weight covering barrels, boxes, cartons, and similar material but does not include pads, chains, dollies and other equipment to load and secure the shipment.
(b) Crated shipments	When crated, the net weight will not include the weight of the crating material. The net weight will be computed as being 60 percent of the gross weight. However, if the net weight computed in this manner exceeds the applicable weight limitation and if it is determined that, for reasons beyond the employee's control, unusually heavy crating and packing materials were necessarily used, the net weight may be computed at less than 60 percent of the gross weight.
(c) Containerized shipments (Special containers designed, e.g., lift vans, CONEX transporters, HHG shipping boxes, for repeated use).	When the known tare weight does not include the weight of interior bracing and padding materials but only the weight of the container, the net weight will be 85 percent of the gross weight less the weight of the container. If the known tare weight includes such material, so that the net weight is the same as it would be for uncrated shipments in interstate commerce, the net weight will not be subject to reduction.

TABLE 1 TO § 302-7.8—Continued

Method of shipment	How weight of shipment is determined
(d) Constructive weight	If adequate scales are not available at origin, en route or at destination, a constructive weight based on 7 pounds per cubic foot of properly loaded van space may be used. Such weight may be used for a part-load when its weight could not be obtained, without first unloading it or other part-loads being carried in the same vehicle or when the HHG are not weighed because the carrier's charges for local or metropolitan area moves are properly computed on the basis other than weight or volume of the shipment (as when payment is based on an hourly rate and distance involved). In such instances a statement from the carrier showing the properly loaded van space required for the shipment should be obtained with respect to proof of entitlement to a commuted rate payment when net weight cannot be shown.

§ 302-7.9 Authorized methods of transporting and paying for the movement of HHG, PBP&E, and temporary storage.

There are two authorized methods of transporting and paying for the movement of HHG, PBP&E, and temporary storage. Agencies determine which of the following methods will be authorized. Employees do not have to use the method selected by their agency for transportation and temporary storage of their HHG and PBP&E; however, reimbursement is limited to the actual cost incurred, not to exceed what the Government would have incurred under the method selected by the agency.

(a) *Commuted rate system.* Under the commuted rate system, the employee assumes total responsibility for arranging and paying for all aspects of transporting the HHG. When any PBP&E is transported as an administrative expense of the agency, all arrangements will be handled and paid for by the agency.

(b) *Actual expense method.* Under the actual expense method, the agency assumes the responsibility for arranging and paying for all aspects of transporting the HHG and PBP&E with a commercial HHG carrier.

§ 302-7.10 Weight additive costs.

(a) Employees will not be responsible for the shipping charges that result from a weight additive so long as the actual weight of the HHG without the additive does not exceed the 18,000 pound net weight allowance for relocation. However, employees are responsible for any amount of their HHG that exceeds the 18,000 pound net weight allowance prior to the addition of the weight additive (e.g., when a weight additive of 700 pounds is imposed by a HHG carrier for a 65-pound canoe and the total net weight of the HHG, including the weight additive, is 18,765 pounds, the employee is only responsible for the 65 pounds actually added by the canoe).

(b) Employees are also responsible for the cost of special packing, crating, and handling of the weight additive items, if any. See § 302-7.200 on how charges are

paid and who makes the shipping arrangements.

Subpart B—Commuted Rate

§ 302-7.100 Commuted rate calculations.

Please see the commuted rate table published by GSA at <https://www.gsa.gov/relocationpolicy> to determine how the charges for transporting HHG, and temporary storage are computed using the commuted rate method. Reimbursement must not exceed the limits in the commuted rate table.

§ 302-7.101 Required documentation for reimbursement.

When claiming reimbursement under the commuted rate, employees must provide:

- (a) A receipted copy of the bill of lading (reproduced copies are acceptable) including any attached weight certificate copies if issued, and if applicable, a receipted copy of the warehouse or other bill for storage;
- (b) Other evidence showing points of origin and destination and the weight of the HHG, if no bill of lading was issued; or

(c) If a commercial HHG carrier is not used, employees are responsible for establishing the weight of the HHG, and temporary storage by obtaining proper certified weight certificates. Certified weight certificates include the gross and tare weights. This is required because payment at commuted rates on the basis of constructive weight usually is not possible.

§ 302-7.102 Required documentation for an advance.

An advance of funds may be authorized when the transportation of HHG and temporary storage is authorized under the commuted rate method. To receive an advance under the commuted rate method, employees must provide a copy of an estimate of costs from a commercial HHG carrier or a written statement that includes:

- (a) Origin and destination;
- (b) A signed copy of a commercial bill of lading annotated with actual weight

(or other evidence of actual weight) or a reasonable estimate acceptable to the agency; and

(c) Anticipated temporary storage period (not to exceed 90 days) at Government expense.

§ 302-7.103 HHG temporary storage at Government expense.

HHG may be stored at Government expense incident to the transporting of such goods either at the HHG carrier storage facility or a self storage facility. Storage may be at any combination of origin, en route locations or destination. The following temporary storage expenses will be reimbursed:

(a) For storage at the HHG carriers facility:

- (1) Handling in;
- (2) Daily storage;
- (3) Handling out; and
- (4) Drayage to residence.

(b) For storage at a self storage facility—the cost of the storage space that will reasonably accommodate the HHG transported.

Subpart C—Actual Expense Method

§ 302-7.200 Transporting HHG, PBP&E, and temporary storage under the actual expense method.

Agencies are responsible for making all the necessary arrangements for transporting HHG, PBP&E, and temporary storage under the actual expense method. The agency will issue a Bill of Lading or any other shipping document with all charges billed directly to the agency. Any cost or weight in excess of 18,000 pounds will be at the employee's expense. If the shipment exceeds the maximum weight prescribed in § 302-7.2, the Government will pay the total charges and the employee will reimburse the Government for the cost of transportation, temporary storage, and other charges applicable to the excess weight.

Subpart D—Baggage Allowance

§ 302–7.300 Unaccompanied air baggage (UAB) shipment.

UAB is used in connection with permanent change of station OCONUS, renewal agreement travel, and temporary change of station OCONUS. Employees may be authorized a UAB shipment prior to transferring from a CONUS location to an OCONUS location, between OCONUS locations, or from an OCONUS location to a CONUS location. UAB for CONUS-to-CONUS shipments is not allowed under this subtitle. The UAB shipment is part of, not in addition to, the 18,000 pounds net weight allowance for HHG. The agency or the agency's designee should arrange for the transport of the UAB. In limited situations, the agency may ask the employee to make the arrangements for a UAB shipment. The agency must arrange and ship the UAB in time to ensure that the shipment arrives by the time the employee and/or their family reports to their new official station. The maximum weight allowance the agency may grant for a UAB shipment is—

(a) Up to 350 pounds actual weight (including the weight of the luggage or packing material) for the employee and each immediate family member 12 years of age and over; or

(b) Up to 175 pounds actual weight (including the weight of the luggage or packing material) for each immediate family member under 12 years of age.

§ 302–7.301 Authorization for the shipment of UAB by expedited means.

Agencies may authorize the shipment of UAB by expedited means when:

(a) Shipment by a lower cost mode cannot deliver the items being shipped by the time the UAB will be needed by the employee and/or the employee's immediate family;

(b) The employee certifies, and the agency accepts, that expedited shipment of the UAB is necessary to carry out the assigned duties; or

(c) The agency determines that an expedited shipment is necessary to prevent undue hardship to the employee and/or members of their immediate family.

Subpart E—Agency Responsibilities

§ 302–7.400 Policies and procedures that must be established for transportation and temporary storage of HHG, PBP&E, and baggage.

Agencies must establish policies and procedures as required for this subpart, including who will:

(a) Administer the household goods program;

(b) Authorize commuted rate or actual expense for transportation and payment for HHG, PBP&E, and temporary storage;

(c) Authorize PBP&E to be transported as an agency administrative expense;

(d) Authorize an employee to ship UAB;

(e) Collect any excess costs or charges;

(f) Advise the employee on the Government's liability for any personal property damage or loss claims (*see* 31 U.S.C. 3721 *et seq.*);

(g) Ensure that international HHG shipments by water are made on ships registered under the laws of the United States whenever such ships are available (*see* The Cargo Preference Act of 1904 (10 U.S.C. 2631) and The Cargo Preference Act of 1954 (46 U.S.C. 55302));

(h) Authorize temporary storage in excess of the initial 60-day limit for CONUS shipments or 90-day limit for OCONUS shipments; and

(i) Ensure pre-payment audits are completed.

§ 302–7.401 Guidelines that agencies must follow when authorizing transportation of PBP&E as an administrative expense.

(a) Agencies have the sole discretion to authorize transportation of PBP&E as an administrative expense and may do so provided that:

(1) The authorizing official has certified that the PBP&E is necessary for performance of the employee's duties at the new duty station;

(2) The authorizing official has certified that, if these items were not transported, the same or similar items would have to be obtained at Government expense for the employee's use at the new official station;

(3) The authorizing official has acquired evidence that transporting the PBP&E would cause the employee's HHG to exceed the 18,000 pounds net weight allowance; and

(4) If requested by the agency, the employee has provided reasonable documentation of the items requesting to be shipped as PBP&E and the weight of the PBP&E for review by the authorizing official (who is usually an official at the employee's new official station).

(b) PBP&E transported as an agency administrative expense to an OCONUS location may be returned to CONUS as an agency administrative expense for an employee separating from Government service or returning to the actual place of residence and continuing in Government service. Separate weight certificates are required when the PBP&E and its packing allowance pushes the shipment over the net weight allowance. Otherwise, for

administrative efficiency, the HHG shipment should be billed and paid for as a single shipment.

(c) If separate weight certificates are required, then the weight of PBP&E and the administrative appropriation chargeable must be listed as separate items on the bill of lading or other shipping document.

§ 302–7.402 Agency responsibilities when arranging and paying for transportation of HHG and UAB when actual expense is authorized.

When arranging transportation of HHG and UAB under the actual expense method, agencies must:

(a) Determine the constructive cost of transporting the HHG plus the UAB, as follows:

(1) Compute the cost of transporting the HHG (not including the UAB) in one lot, by the most economical means; be sure to include the cost of packing and unpacking.

(2) Compute the cost of transporting the UAB.

(3) If the HHG, including the UAB, exceeds the 18,000 pounds net weight allowance, then compute the cost of transporting only the net weight allowance as one shipment; again, be sure to include the cost of packing and unpacking.

(4) The constructive cost is either that described in paragraph (a)(3) of this section or the sum of paragraphs (a)(1) and (2) of this section, depending on whether the weight of the HHG, including the UAB, exceeds the net weight allowance.

(b) Limit the employee's HHG plus UAB transportation payment to the constructive cost as described in paragraph (a)(4) of this section, so long as it is equal to or less than the 18,000 pound net limit of this chapter.

(c) Make arrangements for transporting the employee's HHG and UAB under two separate bills of lading, with direct payment by the agency for both.

(d) Advise employees of this relocation entitlement limitation and its potential to result in out-of-pocket expenses to the employee. That is, advise employees that they will have to use their personal funds to pay for transporting HHG (including UAB) in excess of 18,000 pounds net weight allowance.

PART 302–8—ALLOWANCES FOR EXTENDED STORAGE OF HOUSEHOLD GOODS (HHG)

Authority: 5 U.S.C. 5738; 20 U.S.C. 905(a); E.O. 11609, 36 FR 13747, 3 CFR, 1971–1975 Comp., p. 586.

Subpart A—General**§ 302–8.1 Authorization for extended storage of HHG.**

(a) Extended storage of HHG may only be authorized under the following circumstances:

(1) An employee is assigned to an isolated duty station within CONUS and will be unable to use the household goods or personal effects (see subpart B of this part);

(2) An employee is assigned to an overseas official station where the agency limits the amount of HHG that may be transported to that location (see subpart C of this part);

(3) An employee is assigned to an OCONUS official station and the agency determines extended storage is in the public interest or cost effective to do so; or

(4) It is authorized by the agency in conjunction with a temporary change of station (TCS).

(b) Agencies will indicate on the travel authorization the specific allowances that are authorized as provided in this chapter.

(c) Employees may not receive an advance of funds for storage allowances covered by this part.

Subpart B—Extended Storage During Assignment to Isolated Locations in the Continental United States (CONUS)**§ 302–8.100 Eligibility for extended storage of HHG during assignment to isolated locations in CONUS.**

Extended storage of HHG belonging to an employee transferred or a new appointee assigned to an official station at an isolated location in CONUS may be allowed only when it is clearly justified under the conditions in this part and is not primarily for the convenience, or at the request of, the employee or the new appointee.

(a) As determined by the agency, an official station at an isolated location is a place of permanent or temporary duty assignment in CONUS at which employees have no alternative except to live where they are unable to use their HHG because:

(1) The type of quarters required to be occupied at the isolated official station will not accommodate the HHG; or

(2) Residence quarters which would accommodate the HHG are not available within reasonable daily commuting distance of the official station.

(b) The designation of an official station as isolated in accordance with paragraph (a) of this section shall not preclude a determination in individual instances that adequate housing is available for some employees stationed

there based on housing which may be available within daily commuting distance and the size and other characteristics of each employee's immediate family. In such instances the station shall not be considered isolated with regard to those employees if the agency determines adequate family housing is available.

Note 1 to § 302–8.100: Heads of agencies concerned are responsible for designating the isolated official station at which conditions exist for allowing extended storage of HHG at Government expense for some or all employees.

§ 302–8.101 Where HHG may be stored.

HHG may be stored either in:

(a) Available Government-owned storage space; or

(b) Suitable commercial storage space obtained by the Government if:

(1) Government-owned space is not available; or

(2) Commercial storage space is more economical or suitable because of location, transportation costs, or for other reasons.

§ 302–8.102 Allowable costs for storage.

Allowable costs for storage include the cost of:

(a) Necessary packing;

(b) Crating;

(c) Unpacking;

(d) Uncrating;

(e) Transportation to and from place of storage;

(f) Charges while in storage; and

(g) Other necessary charges directly relating to the storage as approved by the agency.

§ 302–8.103 Changes to the type of storage.

Employees may change from temporary to extended storage or from storage at personal expense to extended storage at Government expense, if authorized by their agency.

§ 302–8.104 Authorized time period for extended storage of employee's HHG.

The authorized time period for extended storage of an employee's HHG is for the duration of the assignment not to exceed 3-years. However:

(a) Agencies will conduct periodic reviews to determine whether current housing conditions at the isolated official station warrant continuation of storage;

(b) Eligibility for extended storage at Government expense will terminate on the last day of active duty at the isolated official station. However, the HHG may remain in temporary storage for an additional period of time not to exceed 90 days, if approved by the agency.

Subpart C—Extended Storage During Assignment Outside the Continental United States (OCONUS)**§ 302–8.200 Eligibility for extended storage during assignment OCONUS.**

(a) Extended storage of HHG belonging to an employee transferred or a new appointee assigned to an official station outside the CONUS (OCONUS) may be allowed only when it is clearly justified under the conditions in this part and is not primarily for the convenience, or at the request of, the employee or the new appointee.

(b) An employee is eligible for extended storage for an assignment OCONUS if their agency authorizes it in compliance with the requirements in this paragraph (b):

(1) The official station is one to which the employee is not authorized to take, or at which they are unable to use, their HHG;

(2) The agency authorizes it as being in the public interest; or

(3) The agency determines the estimated cost of storage would be less than the cost of round-trip transportation (including temporary storage) of the HHG to the new official station.

(c) The same allowable extended storage expenses and other provisions provided in §§ 302–8.101 through 302–8.103 apply to extended storage OCONUS.

§ 302–8.201 Time limitations for extended storage of HHG.

Time limitations for extended storage of the HHG will be determined by the agency as follows:

(a) For the duration of the OCONUS assignment plus 30 days prior to the time the tour begins and plus 60 days after the tour is completed;

(b) Extensions may be allowed for subsequent service or tours of duty at the same or other overseas stations if the employee continues to be eligible as set forth in § 302–8.200; and

(c) When eligibility ceases, storage at Government expense may continue until the beginning of the second month after the month in which the tour at the official station OCONUS terminates, unless to avoid inequity the agency extends the period.

Subpart D—Storage During School Recess for Department of Defense Overseas Dependents School (DoDDS) Teachers**§ 302–8.300 Applicable authority.**

(a) *Description.* The Department of Defense Overseas Teachers Pay and Personnel Practices Act (20 U.S.C. 905) provides authority for the storage of the

HHG of DoDDS teachers during the recess period between 2 consecutive school years.

(b) *Regulations.* See the DoD Joint Travel Regulations (JTR), published by the Per Diem, Travel and Transportation Allowance Committee and available at <https://www.defensetravel.dod.mil/site/travelreg.cfm>.

§ 302–8.301 Obligation to report for service at the beginning of the next school year.

If the DoDDS teacher does not report for service at the beginning of the next school year, they must repay the Government for the cost of the extended storage of their HHG during the recess. Except for reasons beyond their control and acceptable to DoD, the teacher shall be obligated to reimburse DoD the amount paid for the commercial storage, including related services. If, however, the property was stored in a Government facility, the teacher shall pay DoD an amount equal to the reasonable value of the storage furnished, including related services.

Subpart E—Agency Responsibilities

§ 302–8.400 Establishing policies for the allowance of extended storage of HHG.

(a) Agencies must establish policies and procedures governing this part including:

- (1) When the agency will authorize payment;
- (2) Who will determine whether payment is appropriate;
- (3) How and when reimbursements will be paid;
- (4) Which locations meet the criteria of this part for isolated official station at which conditions exist for allowing extended storage at Government expense for some or all employees; and
- (5) Who will determine the duration and place of extended storage.

(b) Agencies should limit payment of extended storage of HHG to only those expenses that are necessary and in the interest of the Government.

PART 302–9—ALLOWANCES FOR TRANSPORTATION AND EMERGENCY OR TEMPORARY STORAGE OF A PRIVATELY OWNED VEHICLE

Authority: 5 U.S.C. 5737a; 5 U.S.C. 5738; 20 U.S.C. 905(a); E.O. 11609, 36 FR 13747, 3 CFR, 1971–1975 Comp., p. 586.

Subpart A—General Rules

§ 302–9.1 Requirements for the transportation of a POV.

(a) Agencies may authorize transportation of a POV when it is advantageous and cost effective to the Government.

(b) If the agency decides that driving the POV is more advantageous, reimbursement will be limited to the allowances provided in part 302–4 of this chapter.

(c) There is no authority for non-emergency storage of a POV under this subtitle; however, an agency may approve storage for a POV when an employee is assigned a temporary change of station in support of a contingency operation as defined in 10 U.S.C. 1482a(c)(2).

§ 302–9.2 Transportation and emergency or temporary storage of a POV.

(a) When an agency authorizes transportation or emergency or temporary storage of a POV, it will pay for all necessary and customary expenses directly related to the transportation and/or storage of the POV, including readying the POV for storage, transportation to point of storage, storage, readying the POV for use after storage, transportation from the point of storage, crating and packing expenses, shipping charges, and port charges for readying the POV for shipment at the port of embarkation, and for use at the port of debarkation. Insurance on the POV is at the employee's expense, unless it is included in the expenses allowed by this paragraph (a).

(b) If an agency authorizes transportation of a POV to a post of duty and the employee completes their service agreement, the agency must pay for the cost of returning the POV.

(c) Only a passenger automobile, station wagon, light truck, or other similar vehicle that will be used primarily for personal transportation may be authorized to transport, and if necessary store under emergency or temporary circumstances. An employee may not transport or store a trailer, airplane, or any vehicle intended for commercial use.

(d) An employee is eligible for emergency storage of a POV transported to a post of duty at Government expense when the head of the agency determines that the post of duty is within a zone from which the employee's immediate family and/or household goods should be evacuated.

(e) When an employee receives notice to evacuate their immediate family and/or household goods from a post of duty, they may store their POV at a place determined to be reasonable by the agency whether the POV is already located at, or being transported to, the post of duty.

(f) An employee is eligible for temporary storage of a POV when they are assigned a TCS in support of a

contingency operation (humanitarian operations, peacekeeping operations, and similar operations) as defined in 10 U.S.C. 1482a(c)(2) and are eligible for expenses as authorized in part 302–3, subpart E, of this chapter.

(g) The head of the agency determines it would be more advantageous, cost and other factors considered, to authorize the temporary storage of the POV.

(h) Employees may be authorized to store one POV at any given time during the period of the TCS assignment, subject to this subpart. A POV may be stored for the duration of the TCS.

(i) Agencies may provide for storage, without charge, or for the reimbursement of the cost of storage, of one POV that is owned or leased by an employee of that agency (or by an immediate family member of such employee) and that is for the personal use of the employee.

§ 302–9.3 Advance of funds for transportation and emergency or temporary storage of a POV.

An advance of funds may be received in accordance with § 302–2.8 of this chapter, not to exceed the estimated amount of the expenses authorized under this part.

Subpart B—Transportation

§ 302–9.100 Requirements and limitations on transportation of a POV to a post of duty.

(a) Employees may only transport one POV to a post of duty. However, this does not limit the transportation of a replacement POV when authorized under § 302–9.171. The POV must be shipped to the actual post of duty.

(b) If there is no port or terminal at the point of origin and/or destination, the agency will pay the entire cost of transporting the POV from the point of origin to the destination. If preferred, however, the employee may choose to drive the POV from the point of origin at time of assignment to the nearest embarkation port or terminal, and/or from the debarkation port or terminal nearest the destination to the post of duty at any time. If driving is chosen, reimbursement will be the one-way mileage cost, at the rate specified in part 302–4 of this chapter, for driving the POV from the authorized origin to deliver it to the port of embarkation, or from the port of debarkation to the authorized destination. For the segment of travel from the port of embarkation back to the authorized origin after delivering the POV to the port or from the authorized destination to the port of debarkation to pick up the POV, reimbursement will be the one-way

transportation cost. The total cost of round-trip travel, to deliver the POV to the port at the origin or to pick up the POV at the port at destination, may not exceed the cost of transporting the POV to or from the port involved. Reimbursement for a per diem allowance for round-trip travel to and from the port involved is not authorized.

§ 302–9.101 “Authorized point of origin” when transporting a POV to the post of duty.

(a) The “authorized point of origin” is determined based on the type of employee.

(1) For a transferee—the employee’s old official station.

(2) For a new Appointee or student trainee—that person’s place of actual residence.

(b) If transporting a POV from a point of origin that is different from the authorized point of origin, reimbursement is limited to the transportation costs incurred, not to exceed the cost of transporting the POV from the authorized point of origin to the post of duty.

§ 302–9.102 Allowance for transporting a new POV from the factory or other shipping point directly to a post of duty.

An employee may have the manufacturer or the manufacturer’s agent transport a new POV from the factory or other shipping point directly to the post of duty provided—

(a) The POV is purchased new from the manufacturer or manufacturer’s agent;

(b) The POV is transported Free on Board (FOB)—shipping point, consigned to the employee and/or a member of their immediate family, or the employee’s agent; and

(c) Ownership of the POV is not vested in the manufacturer or the manufacturer’s agent during transportation. In this circumstance, reimbursement will be for the POV transportation costs, not to exceed the cost of transporting the POV from the authorized point of origin to the post of duty.

Subpart C—POV Transportation Subsequent to the Time of Assignment

§ 302–9.170 Conditions under which an agency may authorize transportation of a POV to an employee’s post of duty subsequent to the time of assignment to that post.

Agencies may authorize transportation of a POV to the post of duty subsequent to the time of assignment when:

(a) The employee does not have a POV at the post of duty;

(b) The employee has not previously been authorized to transport a POV to that post of duty;

(c) The employee has not previously transported a POV outside CONUS during their assignment to that post of duty;

(d) The agency has determined, in accordance with its internal policies, that it is in the interest of the Government for the employee to have use of a POV at the post of duty;

(e) The employee signed a service agreement at the time they were transferred in the interest of the Government, or assigned if they were a new appointee or student trainee, to the post of duty; and

(f) The employee meets any specific conditions the agency has established.

§ 302–9.171 Conditions under which an agency may authorize transportation of a replacement POV to the post of duty.

(a) Agencies may authorize transportation of a replacement POV to the post of duty when:

(1) The employee requires an emergency replacement POV and meets the following conditions:

(i) The employee had a POV which was transported to the post of duty at Government expense;

(ii) The employee requires a replacement POV for reasons beyond their control and acceptable to the agency, such as the POV is stolen, or seriously damaged or destroyed, or has deteriorated due to conditions at the post of duty; and

(iii) The agency determines in advance of authorization that a replacement POV is necessary and in the interest of the Government; or

(2) The employee requires a non-emergency replacement POV and meets the following conditions:

(i) The employee had a POV which was transported to a post of duty at Government expense;

(ii) The employee has been stationed continuously during a 4-year period at one or more posts of duty; and

(iii) The agency has determined that it is in the Government’s interest for the employee to continue to have a POV at the post of duty.

(b) Agencies may authorize one emergency replacement POV within any 4-year period of continuous service. It may authorize one non-emergency replacement POV after every four years of continuous service beginning on the date the employee first has use of the POV being replaced.

§ 302–9.172 “Authorized point of origin” when a POV, including a replacement POV, is transported to a post of duty subsequent to the time of assignment to that post of duty.

Agencies determine the authorized point of origin within the United States when transporting a POV, including a replacement POV, to a post of duty subsequent to the time of an employee’s assignment to that post of duty.

Subpart D—Return Transportation of a POV From a Post of Duty

§ 302–9.200 Eligibility for return transportation of a POV from an employee’s post of duty.

Employees are eligible for POV transportation from their post of duty when:

(a) They were transferred to a post of duty in the interest of the Government;

(b) They had a POV shipped to the post of duty and still have a POV at the post of duty;

(c) They are transferred back to the official station (including post of duty) from which they transferred to their current post of duty or they are transferred to a new official station within CONUS;

(d) They are transferred to a new post of duty, where the agency determines that use of a POV at that location is not in the interest of the Government;

(e) They separate from Government service after completion of an agreed period of service at the post of duty where the agency determined the use of a POV to be in the interest of the Government;

(f) They separate from Government service prior to completion of an agreed period of service at the post of duty where the agency determined the use of a POV to be in the interest of the Government, and the separation is for reasons beyond their control and acceptable to the agency; or

(g) Conditions change at the post of duty such that use of the POV no longer is in the best interest of the Government.

§ 302–9.201 Transporting a POV from a post of duty before completing the service agreement.

If conditions change at the post of duty such that use of a POV no longer is in the interest of the Government, or if the employee separates from Government service prior to completion of their service agreement for reasons beyond their control and acceptable to the agency, agencies may authorize return transportation to an authorized destination. When the return transportation is based on changed conditions, the employee is still required to complete their service

agreement. If the employee does not, they will be required to repay the transportation costs.

§ 302–9.202 Authorized origin and destination points for transportation of a POV from a post of duty.

The “authorized point of origin” when transporting a POV from a post of duty is the last post of duty to which the

employee was authorized to transport their POV at Government expense.

(a) The “authorized destination” of a POV transported under this subpart is illustrated in the following table:

TABLE 1 TO PARAGRAPH (a)

If	The authorized destination of the POV transported at Government expense is
Transferred to an Official station within CONUS	The official station.
Transferred to another post of duty and use of a POV at the new post is not in the interest of the Government.	The place of actual residence.
Employee separates from Government service and is eligible for transportation of the POV from the post of duty.	The place of actual residence.
Conditions change at the post of duty such that use of a POV no longer is in the interest of the Government at that post of duty.	The place of actual residence.

(b) If transporting a POV from a point of origin or to a destination that is different from the authorized origin or destination, reimbursement will be for the transportation costs actually incurred, not to exceed what it would have cost to transport the POV from the authorized origin to the authorized destination.

(c) If there is no port or terminal at the authorized point of origin or authorized destination, the agency will pay the entire cost of transporting the POV from the authorized origin to the authorized destination. If preferred, however, the employee may choose to drive their POV to the port of embarkation and/or from the port of debarkation. If driving is selected, reimbursement will be in the same manner as an employee under § 302–9.101.

§ 302–9.203 Retaining a POV at a post of duty after conditions change to make use of the POV no longer in the best interest of the Government, and transporting it at Government expense from the post of duty at a later date.

Agencies will pay the transportation costs not to exceed the cost of transporting the POV to the authorized destination, provided all other conditions are met for transporting a POV.

§ 302–9.204 Transporting a replacement POV from a post of duty that was purchased at that post of duty.

Agencies may authorize transportation of a replacement POV purchased at a post of duty from the same post of duty only if:

(a) At the time the replacement POV was purchased, the employee met the conditions in § 302–9.171; and

(b) Prior to purchase of the replacement POV, the agency authorized purchase of a replacement POV at the post of duty.

Subpart E—Transportation of a POV Within the Continental United States (CONUS)

§ 302–9.300 Eligibility for transportation of a POV within CONUS at Government expense.

Agencies may pay for transportation of a POV within CONUS at Government expense when the distance that the POV is to be shipped is 600 miles or more, and the employee is:

(a) An employee who transfers within CONUS in the interest of the Government; or

(b) A new appointee or student trainee relocating to the first official station within CONUS.

(c) Employees may be authorized to transport only the number of POVs equal to the number of people on the relocation travel orders, who are licensed drivers, not to exceed two, while relocating within CONUS.

§ 302–9.301 Authorized origin and destination points when transporting a POV within CONUS.

If authorized to transport a POV within CONUS, the transportation must originate as shown in paragraphs (a) and (b) of this section; the destination must be the new official station:

(a) Transferee—old official station.

(b) New appointee or student trainee—place of actual residence.

Subparts F and G—[Reserved]

Subpart H—Agency Responsibilities

§ 302–9.600 Administering allowances and establishing policies for transportation and emergency storage of a POV.

To minimize costs and promote an efficient workforce, agencies should provide an employee use of a POV when it mutually benefits the Government and the employee. Agencies may authorize:

(a) Commercial means of transportation for POVs if available at reasonable rates and under reasonable conditions; or

(b) Government means of transportation for POVs on a space-available basis.

§ 302–9.601 Governing policies for the allowances for transportation and emergency storage of a POV

Agencies must establish policies governing:

(a) When they will authorize transportation and emergency storage of a POV;

(b) When they will authorize transportation of a replacement POV;

(c) Who will determine if transportation of a POV to or from a post of duty is in the interest of the Government;

(d) Who will determine if conditions have changed at an employee's post of duty to warrant transportation of a POV in the interest of the Government;

(e) Who will determine if transportation of a POV wholly within CONUS is more advantageous and cost effective than having the employee drive the POV to the new official station; and

(f) Who will determine whether to allow emergency storage of an employee's POV, including where to store the POV.

PART 302–10—ALLOWANCES FOR TRANSPORTATION OF MOBILE HOMES AND BOATS USED AS A PRIMARY RESIDENCE

Authority: 5 U.S.C. 5738; 20 U.S.C. 905 (a); E.O. 11609, 36 FR 13747, 3 CFR, 1971–1975 Comp., p. 586.

Subpart A—Eligibility and Limitations**§ 302–10.1 Reimbursement for transporting a mobile home instead of an HHG shipment.**

(a) When employees are eligible for the transportation of HHG, they will be reimbursed for transporting a mobile home instead of an HHG shipment, not to exceed what the Government would incur for the transportation of the HHG and 90-days temporary storage.

(b) Agencies may assume direct responsibility for the costs of preparing and transporting the mobile home if it is determined to be in the Government's interest.

§ 302–10.2 Eligibility requirements and geographic limitations for transportation of a mobile home.

(a) To have a mobile home transported at Government expense, employees must certify that the mobile home will be used at the new official station as their primary residence and/or the primary residence of their immediate family.

(b) Allowances for overland transportation of a mobile home may be made only for transportation within CONUS, within Alaska, and through Canada en route between Alaska and CONUS or through Canada between one CONUS point and another (*e.g.*, between Buffalo, NY, and Detroit, MI). Allowances for transportation within limits prescribed may be paid even though the transportation involved originates, terminates, or passes through locations not covered, provided the amount of the allowance shall be computed on the basis of that part of the transportation which is within CONUS, within Alaska, or through Canada en route between Alaska and CONUS or between one CONUS point and another.

(c) Employees may transport a mobile home over water when both the points of origin and destination are within CONUS or Alaska.

§ 302–10.3 Allowances for transporting a mobile home for an employee and immediate family member(s).

Allowances for transporting a mobile home (including mileage when towed by a POV) are in addition to the reimbursement of subsistence expenses, mileage, and transportation expenses for the employee and their immediate family member(s). Allowances under parts 302–5, 302–6, and 302–11 of this chapter will be paid accordingly.

Subpart B—Computation of Distance**§ 302–10.100 Allowable distance for points of origin and destination within CONUS and Alaska.**

Agencies will allow for the distance shown in standard highway mileage guides or agency designated official table of distances or actual miles driven as determined from odometer readings, between the authorized origin and destination. Employees do not need to furnish odometer readings on the travel claim but must indicate the total miles traveled. Any deviation from the distances indicated in standard highway mileage guides or agency official table of distances must be fully explained and acceptable to the agency.

Subpart C—Computation of Allowances**§ 302–10.200 Allowable costs for transporting a mobile home via a commercial carrier overland or over water.**

(a) Agencies will allow the following costs for transporting a mobile home:

- (1) When transporting overland;
 - (i) The carrier's charge for actual transportation of the mobile home (not to exceed the applicable tariff for such movements approved by an appropriate regulatory body), provided any substantial deviation from standard highway mileage guides or agency official table of distances is explained;
 - (ii) Ferry fares, bridge, road, and tunnel tolls;
 - (iii) Taxes, charges or fees fixed by a State or other government authority for permits to transport mobile homes in or through its jurisdiction;
 - (iv) Carrier's service charges for obtaining necessary permits; and
 - (v) Charges for a pilot (flag) car or escort services, when required by State or local law.

(2) When transporting over water cost must include, but are not limited to the cost of:

- (i) Fuel and oil used for propulsion of the boat;
- (ii) Pilots or navigators in the open water;
- (iii) A crew;
- (iv) Charges for harbor pilots;
- (v) Docking fees incurred in transit;
- (vi) Harbor or port fees and similar charges related to entry in and navigation through ports; and
- (vii) Towing, whether in tow or towing by pushing from behind.

(b) The mileage allowance when transporting a mobile home overland by other than commercial means (*e.g.*, towed by a POV) is eleven cents per mile. This is in addition to the mileage allowance prescribed for driving the POV under part 302–4 of this chapter.

(c) When a mobile home is transported partly by commercial carrier and partly by POV, the allowances in this section apply to the respective portions of transportation by commercial carrier and POV.

§ 302–10.201 Costs for transportation and preparation.

Costs for preparing a mobile home for shipment are generally allowed, however, the following costs for transportation and preparation are not allowed:

- (a) Costs for replacement parts, tires purchases, structural repairs, brake repairs or any other repairs or maintenance performed;
- (b) Costs of insurance for valuation of mobile homes above carriers' maximum liabilities, or charges designated in the tariffs as "Special Service;"
- (c) Cost of storage;
- (d) Costs of connecting/disconnecting appliances, equipment, and utilities involved in relocation and costs of converting appliances for operation on available utilities; and
- (e) Costs for preparing a mobile home located outside Alaska or CONUS for movement or the costs for resettling outside Alaska or CONUS are not allowed.

Subpart D—Advance of Funds**§ 302–10.300 Advance of funds.**

When a commercial carrier transports a mobile home, employees may receive an advance of funds when they are responsible for arranging and paying a commercial carrier to transport their mobile home. However, the advance may not exceed the estimated amount allowable. Employees are not authorized an advance of funds for any payment made directly to the carrier by the agency.

Subpart E—Agency Responsibilities**§ 302–10.400 Establishment of policies for authorizing transportation of a mobile home.**

Agencies must establish policies for authorizing transportation of a mobile home that implements this part including when:

(a) It is considered in the best interest of the Government to assume direct responsibility for preparing and transporting an employee's mobile home; and

(b) To authorize an advance of funds for a commercial carrier transporting an employee's mobile home based on constructive or estimated cost when the employee assumes direct responsibility for payment.

Subchapter E—Residence Transaction Allowances

PART 302–11—ALLOWANCES FOR EXPENSES INCURRED IN CONNECTION WITH RESIDENCE TRANSACTIONS

Authority: 5 U.S.C. 5738 and 20 U.S.C. 905(c).

Subpart A—General Rules

§ 302–11.1 Eligibility to receive an allowance for expenses incurred in connection with residence transactions.

(a) Eligibility to receive an allowance for expenses incurred in connection with residence transactions is indicated where applicable at § 302–3.100 of this chapter; new appointees and employees assigned under the Government Employees Training Act (GETA) are not eligible for such expenses. Employees may receive reimbursement for the one residence from which they regularly commute to and from work on a daily basis and which was their residence at the time they were officially notified by competent authority of the transfer to a new official station. Employees must occupy the residence at the time they are notified of their transfer, unless the transfer is from a foreign area to an official station within the United States other than the one the employee left when they transferred out of the United States. If an employee previously transferred from an official station in the United States to a foreign area and they are now transferring back to the United States, then, in addition to the eligibility requirements of this section, they must have completed the time period specified in their service agreement for the overseas tour of duty.

(b) The title to the property for which an employee is requesting an allowance for residence transaction must be:

- (1) Solely in the employee's name;
- (2) Solely in the name of one or more of their immediate family members; or
- (3) Jointly in the employee's name and in the name of one or more of their immediate family members.

(c) Reimbursement of any residence transaction expenses (or settlement of an unexpired lease) that occurs prior to being officially notified (generally in the form of a change of station travel authorization) is prohibited.

(d) Employees may not receive an advance of funds for residence transaction expenses.

§ 302–11.2 Types of reimbursable residence transaction expenses.

(a) If an employee qualifies for a residence transaction expense allowance, they may be reimbursed for the:

- (1) Expenses of selling the old residence and purchasing a new residence in the United States; or
- (2) Settlement of an unexpired lease at the old official station in the United States from which transferred to another official station in the United States or when assigned to a foreign post of duty; and
- (3) Expenses of purchasing a new residence in the United States upon return to the United States upon completion of the foreign tour of duty and the return is to a different official station, and is 50 miles distance from the official station which the employee transferred from.

(b) Employees do not have to sell the residence at their old official station to be eligible for residence purchase transactions at their new official station.

§ 302–11.3 Settlement of an unexpired lease.

When an employee has an unexpired lease (including month to month) that is for residence quarters at their old official station, they may be reimbursed for settlement expenses, including but not limited to broker's fees for obtaining a sublease or charges for advertising if:

- (a) Applicable laws or the terms of the lease provide for payment of settlement expenses;
- (b) Such expenses cannot be avoided by sublease or other arrangement;
- (c) The employee has not contributed to the expenses by failing to give

appropriate lease termination notice promptly after having definite knowledge of their transfer; or

(d) The broker's fees or advertising charges are not in excess of those customarily charged for comparable services in that locality.

§ 302–11.4 Time limitations.

As noted in § 302–2.2, all aspects of the relocation must be completed within 1 year; therefore, the settlement dates for the sale and purchase or lease termination transactions must occur not later than 1 year after the day an employee reports for duty at their new official station. Agencies may extend the 1-year limitation to complete residence transactions for up to one additional year for reasons beyond the employee's control and acceptable to the agency. An extension of time to complete residence transactions also extends the time to complete any other aspect of the relocation that is still pending. To have the initial time period extended, the employee must submit a request to their agency prior to the expiration date.

Subpart B—Title Requirements

§ 302–11.100 Title requirements.

(a) The Government will determine who holds title to a property based on:

- (1) Whose name(s) actually appears on the title document (e.g., the deed); or
- (2) Who holds equitable title interest in the property as specified in § 302–11.101.

(b) If the employee or a member of their immediate family do not hold full title to the property for which they are requesting reimbursement, reimbursement will be on a pro rata basis to the extent of the employee's actual title interest plus their equitable title interest in the residence.

(c) To be eligible, the employee and/or a member(s) of their immediate family must have acquired title or equitable title interest in the residence as illustrated in the following table:

TABLE 1 TO PARAGRAPH (c)

Type of transfer	Date
1. Between official stations in the United States	1. Prior to the date first notified of the transfer.
2. Returning from completion of any foreign tour of duty to a different official station in the United States, which is 50 miles distance from the official station from which transferred to the foreign official station.	2. Prior to the date the employee transferred to the foreign area from which they are now returning.

§ 302–11.101 Equitable title interest.

“Equitable title interest” in a residence is determined by the agency if:

- (a) The title is held in trust, and:
- (1) The property is the employee's residence;

(2) The employee and/or a member(s) of their immediate family are the only beneficiary(ies) of the trust during either of their lifetimes;

(3) The employee and/or a member(s) of their immediate family retain the right to distribute the property during their lifetimes;

(4) The employee and/or a member(s) of their immediate family retain the right to manage the property;

(5) The employee and/or a member(s) of their immediate family are the only grantor/settlor of the trust, or retain the right to direct distribution of the property upon dissolution of the trust or death; and

(6) The employee provides their agency with a copy of the trust document; or

(b) The title is held in the name of a financial institution, and:

(1) The property is the employee's residence;

(2) The employee and/or a member(s) of their immediate family executed a financing agreement (e.g., mortgage) with the financial institution;

(3) State or local law requires that lending parties take title to perfect (*i.e.*, protect) a security interest in the property, or the financial institution requires that it take possession of title as a condition of the financing agreement; and

(4) The employee provides their agency with a copy of the financing document; or

(c) The title is held both in the names of:

(1) The employee solely, or jointly with one or more members of their immediate family, or solely by one or more members of their immediate family;

(2) An individual accommodation party as defined in § 300–1.1 of this subtitle who is not a member of the employee's immediate family; and

(3) These conditions apply:

(i) The property is the employee's residence.

(ii) The employee and/or a member(s) of their immediate family have the right to use the property and to direct conveyance of the property.

(iii) The lender requires signature of the accommodation party on the financing document.

(iv) The employee and/or a member of their immediate family, are liable for payments under the financing arrangement (e.g., mortgage).

(v) The accommodation party's name is on the title.

(vi) The accommodation party does not have a financial interest in the property unless the employee and/or a member(s) of the immediate family default on the financing arrangement.

(vii) The employee must provide documentation of the accommodation that is acceptable by the agency; or

(d) The title is held by the seller of the property and the following conditions are met:

(1) The property is the employee's residence;

(2) The employee and/or member(s) of their immediate family has the right to use the property and to direct conveyance of the property;

(3) The employee and/or member(s) of their immediate family must have signed a financing agreement with the seller of the property (e.g., a land contract) providing for fixed periodic payments and transfer of title to the employee and/or a member(s) of the immediate family upon completion of the payment schedule; and

(4) The employee provides their agency with a copy of the financing agreement; or

(e) Another equitable title situation exists where title is held in the employee's name only or jointly with the employee and one or more members of their immediate family or with the employee and an individual who is not an immediate family member, and the following conditions are met:

(1) The property is the employee's residence.

(2) The employee and/or a member(s) of their immediate family has the right to use the property and to direct conveyance of the property.

(3) Only the employee and/or a member(s) of their immediate family has made payments on the property.

(4) The employee and/or a member(s) of their immediate family received all proceeds from the sale of the property.

(5) The employee must provide suitable documentation to their agency that all conditions in paragraphs (e)(1) through (4) of this section are met.

Subpart C—Reimbursable Expenses

§ 302–11.200 Reimbursable expenses for sale and/or purchase of a residence.

Provided the residence transaction expenses are customarily charged to the seller of a residence in the locality of the old official station or paid by the purchaser at the new official station, agencies will, with appropriate supporting documentation provided by the employee, reimburse the following residence transaction expenses when they are incurred by the employee incident to the relocation:

(a) Broker's fee or real estate commission for the sale of the employee's residence at the old official station or purchase of a new residence at the new official station that the employee pays, not to exceed the rates that are generally charged in the locality of the old or new official stations;

(b) The customary cost for an appraisal;

(c) The costs of newspaper, bulletin board, multiple-listing services, and online or other advertising for sale of the residence at the old official station that is not included in the broker's fee or the real estate agent's commission;

(d) The cost of a title insurance policy, costs of preparing conveyances, other instruments, and contracts and related notary fees and recording fees; cost of making surveys, preparing drawings or plats when required for legal or financing purposes; and similar expenses incurred for selling the residence to the extent such costs:

(1) Have not been included in other residence transaction fees (*i.e.*, brokers' fees or real estate agent fees);

(2) Do not exceed the charges, for such expenses, that are normally charged in the locality of the residence; and

(3) Are usually furnished by the seller;

(e) The costs of searching title, preparing abstracts, and the legal fees for a title opinion to the extent such costs:

(1) Have not been included in other related transaction costs (*i.e.*, broker's fees or real estate agency fees); and

(2) Do not exceed the charges, for such expenses, that are customarily charged in the locality of the residence; and

(f) The following "other" miscellaneous expenses in connection with the sale and/or purchase of a residence, provided they are normally paid by the seller or the purchaser in the locality of the residence, to the extent that they do not exceed specifically stated limitations, or if not specifically stated, the amounts customarily paid in the locality of the residence:

(1) Federal Housing Administration or Department of Veterans Affairs fees for the loan application;

(2) Loan origination fees and similar charges such as loan assumption fees, loan transfer fees or other similar charges not to exceed 1 percent of the loan amount without itemization of the lender's administrative charges if the charges are assessed in lieu of a loan origination fee and reflect charges for services similar to those covered by a loan origination fee. Reimbursement may exceed 1 percent only when the employee provides evidence that the higher rate does not include prepaid interest, points, or a mortgage discount, and is customarily charged in the locality where the residence is located;

(3) Cost of preparing credit reports;

(4) Mortgage and transfer taxes;

(5) State revenue stamps;

(6) Other fees and charges similar in nature to those listed in paragraphs (f)(1) through (5) of this section, unless specifically prohibited in § 302–11.201;

(7) Charge for prepayment of a mortgage or other security instrument in connection with the sale of the residence at the old official station to the extent the terms in the mortgage or other security instrument provide for this charge. This prepayment penalty is also reimbursable when the mortgage or other security instrument does not specifically provide for prepayment, provided this penalty is customarily charged by the lender, but in that case the reimbursement may not exceed 3 months' interest on the loan balance;

(8) Mortgage title insurance policy, paid by the employee, on a residence purchased for the protection of, and required by, the lender;

(9) Owner's title insurance policy, provided it is a prerequisite to financing or the transfer of the property; or if the cost of the owner's title insurance policy is inseparable from the cost of other insurance which is a prerequisite;

(10) Expenses in connection with construction of a residence, which are comparable to expenses that are reimbursable in connection with the purchase of an existing residence;

(11) Expenses in connection with environmental testing and property inspection fees when required by Federal, State, or local law; or by the lender as a precondition to sale or purchase; and

(12) Other expenses of sale and purchase made for required services that are customarily paid by the seller of a residence at the old official station or if customarily paid by the purchaser of a residence at the new official station.

§ 302–11.201 Residence transaction expenses an agency will not pay.

Agencies will not pay:

(a) Any fees that have been inflated or are higher than normally imposed for similar services in the locality;

(b) Owner's title insurance policy, "record title" insurance policy, mortgage insurance or insurance against loss or damage of property and optional insurance paid for in connection with the purchase of a residence for the employee's protection;

(c) Interest on loans, points, and mortgage discounts;

(d) Property taxes;

(e) Operating or maintenance costs;

(f) Any fee, cost, charge, or expense determined to be part of the finance charge under the Truth in Lending Act, 15 U.S.C. 1601 *et seq.*, and Regulation Z issued by the Board of Governors of the Federal Reserve System (12 CFR part

226), unless specifically authorized in § 302–11.200;

(g) Expenses paid by someone other than the employee or a member of their immediate family;

(h) Expenses that result from construction of a residence, except as provided in § 302–11.200(f)(10); and

(i) Losses incurred on the sale of the residence.

Subpart D—Request for Reimbursement

§ 302–11.300 Limit on how much an agency will reimburse for residence transactions.

Agencies will reimburse no more than:

(a) Ten percent of the actual sales price for the sale of a residence at the old official station; and

(b) Five percent of the actual purchase price of the residence for the purchase of a residence at the new official station.

§ 302–11.301 Determination of reasonableness for claimed expenses.

To determine if expenses are reasonable, employees should, in coordination with their agency, contact the local real estate association, or, if not available, at least three different realtors in the locality in which the expenses will be incurred and request:

(a) The current schedule of closing costs which applies to the area in which the employee is buying or selling;

(b) Information concerning local custom and practices with respect to charging of closing costs which relate to either the sale or purchase and whether such costs are customarily paid by the seller or purchaser; and

(c) Information on the local terminology used to describe the costs specified in paragraph (b) of this section.

§ 302–11.302 Purchase or sale of land in excess of what reasonably relates to the residence site.

When an employee purchases or sells land in excess of what reasonably relates to the residence site, reimbursement will be limited to a pro rata reimbursement of the land reasonably related to the residence site.

§ 302–11.303 Reimbursement for settlement of an unexpired lease.

(a) To request reimbursement for settlement of an unexpired lease, employees must itemize expenses (list all expenses separately) on a travel voucher and submit the voucher to the agency.

(b) When a lease is shared with someone else, reimbursement will be on a pro rata basis for that portion of the

lease that the employee is responsible for.

Subpart E—Agency Responsibilities

§ 302–11.400 Policies, procedures, and controls.

(a) Agencies must establish internal policies and procedures to implement this part. The policies must define what documentation is acceptable from an employee when requesting reimbursement of residence transaction expenses.

(b) When paying allowances for expenses incurred in connection with residence transactions, agencies must:

(1) Determine who will authorize and approve residence transactions expenses on the employee's travel authorization;

(2) Determine who will review applications for reimbursement of residence transaction expenses;

(3) Determine who will authorize extensions beyond the 1-year limitation for completing sales and purchase or lease termination transactions; and

(4) Require employees to submit a travel claim with appropriate documentation to support the payment of claimed expenses, which must include as a minimum:

(i) The sales agreement;

(ii) The purchase agreement;

(iii) Property settlement documents;

(iv) Loan closing statements; and

(v) Invoices or receipts for other bills paid.

§ 302–11.401 Authorizing an extension of time.

When authorizing an extension of time limitation, agencies must determine that the:

(a) Employee has extenuating circumstances which have prevented them from completing the sale and purchase or lease termination transactions in the initial authorized time frame of one year; and

(b) The employee's residence transactions are reasonably related to the transfer of the official station.

PART 302–12—USE OF A RELOCATION SERVICES COMPANY (RSC)

Authority: 5 U.S.C. 5738 and 20 U.S.C. 905(c).

Subpart A—Employee's Use of an RSC

§ 302–12.1 Determining use of an RSC.

Agencies determine whether an employee may use an RSC, choose which RSC they may use, and determine the contract terms to which they will be required to agree.

§ 302–12.2 Homesale participation requirements.

(a) Employees are required to participate in homesale counseling if they are going to use the RSC. The RSC and/or the agency must provide counseling to help employees understand the process, select a broker, prepare the home for sale, identify an appropriate selling price, set realistic expectations, etc.

(b) Employees are not required to accept a buyout offer from the RSC. Agencies must give employees the option to accept or reject an offer from the relocation services company.

§ 302–12.3 Relocation services expenses an agency will pay.

(a) Agencies will pay the relocation services company's fees/expenses for the services employees are authorized to use. If an agency pays the relocation services company for actual expenses the company incurs on an employee's behalf, payment to the company is limited to what the employee would have received under the direct reimbursement provisions of this chapter.

(b) If an employee uses a relocation services company to sell or purchase a residence for which the employee and/or a member(s) of their immediate family do not have full title, the agency will pay the portion of the relocation services company's fee attributable to the employee's pro rata share of the residence, in accordance with § 302–11.100 of this subchapter. Employees must pay any portion of the fee attributable to other than the pro rata share of the residence.

(c) If an employee uses a contracted-for relocation service (*i.e.*, a relocation service provided and handled directly by an RSC) that is a substitute for a reimbursable relocation allowance, the employee will not also be reimbursed for that relocation allowance. Employees must choose either the service or reimbursement, but not both.

§ 302–12.4 Expenses paid if using an RSC to ship household goods in excess of the maximum weight allowance.

If an employee uses a relocation services company to ship HHG in excess of the maximum weight allowance, the agency will pay the portion of the fee attributable to 18,000 pounds net weight. Employees must pay the rest.

§ 302–12.5 Income tax consequences for use of an RSC.

Employees may incur income taxes on relocation services provided by a relocation services company and paid for by their agency. Section 82 of the Internal Revenue Code states there shall

be included in gross income (as compensation for services) any amount received or accrued, directly or indirectly, by an individual as a payment for or reimbursement of expenses of moving from one residence to another residence which is attributable to employment. Employees will receive a relocation income tax allowance (RITA) if their agency determines that such expenses are taxable. The Government does not assume responsibility for payment of an employee's taxes.

Subpart B—Agency's Use of an RSC**§ 302–12.100 Contracting for "relocation services" with an RSC.**

(a) Agencies may enter into a contract with a relocation services company for the company to provide relocation services. "Relocation services" are services provided by a private company under a contract with an agency to assist an employee who relocates. Examples include homesale programs, home marketing assistance, home finding assistance, household goods management services, and property management services. Agencies may pay for contracted relocation services that are substitutes for reimbursable relocation allowances authorized throughout this chapter.

(b) Agencies may separately contract for each type of relocation service or they may combine several types of relocation services in a single contract.

§ 302–12.101 Rules to follow when contracting for relocation services.

When contracting for relocation services, agencies must follow the rules contained in the Federal Acquisition Regulation (FAR) (48 CFR) and/or all other acquisition regulations applicable to their agency.

§ 302–12.102 Policies to establish when offering employees the services of an RSC.

If an agency chooses to offer the services of an RSC to their employees, the agency must establish policies governing:

- (a) The conditions under which the agency will authorize an employee to use the contract with the RSC;
- (b) Which employees the agency will allow to use the contract with the RSC;
- (c) Which services the RSC will provide to the employee;
- (d) Who will determine in each case if an employee may use the contract with the RSC and which services the RSC will provide;
- (e) How the agency will monitor and evaluate the counseling provided by the agency and/or the RSC to their employees; and

(f) How the agency will monitor and maintain an appropriate balance between the types of homesale transactions in the homesale programs.

§ 302–12.103 Taking title to an employee's residence.

Agencies may not take title to an employee's residence except as specifically provided by statute. The statutes which form the basis for the provisions of this part do not provide such authority.

§ 302–12.104 Paying an employee for losses incurred on the sale of a residence.

Under a home sale program, agencies may not pay an employee for losses incurred on the sale of a residence, but this does not preclude an agency reimbursing a relocation services company for losses incurred while the contractor holds the property.

PART 302–14—HOME MARKETING INCENTIVE PAYMENTS

Authority: 5 U.S.C. 5756.

Subpart A—Payment of Incentive to the Employee**§ 302–14.1 Purpose of a home marketing incentive payment when offering a "homesale program".**

A "homesale program" is a program offered by an agency through a contractual arrangement with a relocation services company. The relocation services company purchases a transferred employee's residence at fair market (appraised) value and then independently markets and sells the residence.

§ 302–14.2 Eligibility to receive a home marketing incentive payment.

Agencies have the discretion to offer a home marketing incentive (HMI) payment. An employee is eligible if their agency offers the HMI to them.

§ 302–14.3 Conditions under which a home marketing incentive payment is made.

An employee will receive a home marketing incentive payment when:

- (a) The employee enters their residence in the agency's homesale program;
- (b) The employee independently and aggressively markets their residence;
- (c) The employee finds a bona fide buyer for their residence as a result of their independent marketing efforts;
- (d) The employee transfers the residence to the relocation services company;
- (e) The agency pays a reduced fee/expenses to the relocation services company as a result of the employee's independent marketing efforts;

(f) The employee meets any additional conditions the agency has established; and

(g) The agency has established a home marketing incentive program.

§ 302–14.4 Home marketing incentive amount.

Agencies will determine the amount of the home marketing incentive payment. The incentive payment, however, may not exceed the lesser of:

(a) Five percent of the price the relocation services company paid when it purchased the residence; or

(b) The savings the agency realized from the reduced fee/expenses it paid as a result of the employee finding a bona fide buyer.

§ 302–14.5 Tax consequences of receiving a home marketing incentive payment.

The home marketing incentive payment is considered income. Consequently, the employee will be taxed, and the agency will withhold income and employment taxes, on the home marketing incentive payment. Employees will not, however, receive a withholding tax allowance (WTA) to offset the withholding on the home marketing incentive payment, nor will they receive a relocation income tax allowance (RITA) payment.

Subpart B—Agency Responsibilities

§ 302–14.100 Administration and policies to govern an agency's home marketing incentive payment program.

Agencies must not make a home marketing incentive payment that exceeds the savings realized from the reduced fees/expenses paid to the relocation services company. Agencies must establish policies to govern:

(a) The conditions under which the agency will authorize a home marketing incentive payment for an employee;

(b) The amount of the home marketing incentive payment(s) the agency will offer or the method the agency will use to compute home marketing incentive payments; and

(c) Who will determine in each case whether a home marketing incentive payment is authorized.

PART 302–15—ALLOWANCE FOR PROPERTY MANAGEMENT SERVICES

Authority: 5 U.S.C. 5738; 20 U.S.C. 905(a); E.O. 11609, 36 FR 13747, 3 CFR, 1971–1975 Comp., p. 586.

Subpart A—General Rules

§ 302–15.1 Purpose of property management services.

“Property management services” are programs provided by private

companies for a fee, which help an employee to manage a residence at the old official station as a rental property.

§ 302–15.2 Eligibility for property management services.

If authorized by the agency, employees are eligible for payment for property management services only for their residence at the last official station in the United States from which they regularly commuted to and from work on a daily basis, which was their residence at the time they were officially notified by competent authority to transfer to a new official station, and when the employee and/or a member(s) of their immediate family hold(s) title to a residence which they are eligible to receive a property management allowance for.

§ 302–15.3 Circumstances in which an agency may authorize payment under this part.

(a) For a relocation to an official station in the United States or between official stations in the CONUS, agencies may authorize payment under this part when:

(1) The employee is being returned from a foreign area post of duty to a different official station than the one from which they were transferred for their foreign tour of duty;

(2) The agency has determined that property management services is more advantageous and cost effective for the Government than having to sell the residence;

(3) If the employee is on a TCS, the agency has determined that property management services is in the Government's interest;

(4) The employee has signed a service agreement; and

(5) The employee meets any additional conditions that their agency has established.

(b) For relocations to official stations outside the United States, agencies may authorize payment under this part when the employee meets conditions set forth in paragraphs (a)(4) and (5) of this section.

§ 302–15.4 Obligation to use property management services or to repay expenses an agency has paid if an employee elects to sell a former residence.

(a) Employees are not obligated to use the authorized property management services allowance. Employees have the option of choosing to sell their residence at Government expense or to use the property management services allowance. In the case of a TCS where home sale is not authorized, employees have the option to not use the property management services.

(b) Employees are not required to repay any property management expenses paid by the agency if the employee elects to sell their former residence in the United States when transferred from their post of duty to an official station in the United States different from the official station from which they were transferred when assigned to the post of duty.

§ 302–15.5 Time limitation for payment of property management services.

The length of time an agency may pay for property management services under this part depends on the type of transfer.

(a) If an employee transfers within the United States, agencies may pay for a period not to exceed one year from the employee's effective date of transfer, with up to a 1-year extension, under the same conditions required in § 302–11.4 of this subchapter.

(b) If an employee transfers to a foreign area post of duty, including successive foreign area tours of duty for which they signed a new service agreement, agencies may pay from the employee's effective date of transfer until they return to the last official station in the United States from which they transferred.

(c) If an employee transfers from a foreign area post of duty, including successive foreign area tours of duty for which they signed a new service agreement, to a different official station in the United States than the one from which they were transferred from for their foreign area tour of duty, agencies may pay for a period not to exceed one year from the employee's effective date of transfer to the United States, with up to a 1-year extension, under the same conditions required in § 302–11.4 of this subchapter.

(d) If an employee transfers to a foreign area post of duty, completes their service agreement, and remains there without signing a new service agreement, agencies may pay from the effective date of the employee's transfer to when the service agreement is completed.

(e) If an employee transfers to a foreign area post of duty and separates from Government service before completing their service agreement, agencies may pay from the effective date of the employee's transfer to the date of their separation.

(f) If an employee transfers within the United States or from a foreign area post of duty to a different official station in the United States than the one from which they were transferred for their foreign area tour of duty, and the employee separates from Government service before the time periods stated in

paragraphs (a) and (c) of this section, agencies may pay from the effective date of the employee's transfer to the date of their separation.

§ 302–15.6 Transition from property management services to selling a residence.

When an employee has been authorized to receive property management services for a transfer within CONUS, from CONUS to an OCONUS non-foreign area, or from an OCONUS non-foreign area to CONUS, the employee may change their selection from receiving property management expenses to selling their residence at Government expense provided:

- (a) Their agency allows them to change their election of payment from property management expenses to the sale of the residence at Government expense; and
- (b) Payment for sale of the residence at Government expense is offset in accordance with the agency's policy established under § 302–15.70(d) and (e).

§ 302–15.7 Service agreement requirements.

If an agency is paying for property management services under this part and the employee's service agreement expires, the employee must sign a new service agreement to continue to receive this benefit.

§ 302–15.8 Income tax consequences.

When an agency pays for property management services, the employee will be taxed on the amount of expenses the agency pays for property management services whether it reimburses the employee directly or whether it pays a relocation services company to manage the residence. Agencies must pay a relocation income tax allowance (RITA) for the additional Federal, State, and local income taxes the employee incurs on property management expenses the agency reimburses.

Subpart B—Agency Responsibilities

§ 302–15.70 Governing policies agencies must establish for the allowance for property management services.

Agencies must establish policies and procedures governing:

- (a) When the agency will authorize payment for property management services for an employee who transfers in the interest of the Government;
- (b) When it is appropriate to authorize this service on a reimbursable basis to the employee, rather than paying the property management company directly, as long as any reimbursement is equal

to or less than the agency negotiated rate for this service (agencies may require that employees hire only licensed and/or certified property managers);

(c) Who will determine, for relocations to official duty stations in the United States, whether payment for property management services is more advantageous and cost effective than sale of an employee's residence at Government expense;

(d) If and when the agency will allow an employee who was offered and accepted payment for property management services to sell the residence at Government expense in accordance with paragraph (e) of this section; and

(e) How the agency will offset expenses they have paid for property management services against payable expenses for sale of the residence when an eligible employee who elected payment for property management services later changes their mind and elects instead to sell the residence at Government expense.

Subchapter F—Miscellaneous Allowances

PART 302–16—ALLOWANCE FOR MISCELLANEOUS EXPENSES

Authority: 5 U.S.C. 5738; 20 U.S.C. 905(a); E.O. 11609, 36 FR 13747, 3 CFR, 1971–1975 Comp., p. 586.

Subpart A—General Rules

§ 302–16.1 Eligibility for a miscellaneous expenses allowance (MEA).

(a) Eligibility for an MEA is indicated where applicable at § 302–3.100 of this chapter; new appointees, SES “last move home”, employees assigned under the Government Employees Training Act (GETA), and employees returning from an overseas assignment for separation from Government service are not eligible for MEA.

(b) Employees will be reimbursed the MEA in accordance with their agency's internal relocation policy. However, agencies cannot authorize an advance of funds for the MEA.

§ 302–16.2 MEA payment amount and calculation methodology.

The following amount will be paid for miscellaneous expenses:

- (a) A lump sum amount set in an FTR bulletin without support or documentation of expenses; or
- (b) An amount in excess of the lump sum amount if authorized by an agency; and
- (1) The claim is supported by acceptable statements of fact, paid bills or other acceptable evidence (documentation) justifying the amounts claimed; and

(2) The aggregate amount does not exceed an employee's basic gross pay (at the time they reported for duty, at their new official station) for:

- (i) One week if the employee is relocating without immediate family; or
- (ii) Two weeks if the employee is relocating with immediate family.

(3) The amount authorized in paragraph (b)(2) of this section cannot exceed the maximum rate of grade GS–13, Step 10 General Schedule (base) salary (excluding locality pay) (see 5 U.S.C. 5332) at the time the employee reported for duty at their new official station.

Note 1 to § 302–16.2: GSA publishes the lump sum amounts in an FTR bulletin on an intermittent basis at <https://gsa.gov/ftrbulletins>.

§ 302–16.3 Costs not reimbursable under the MEA.

The MEA cannot be used to reimburse:

- (a) Costs or expenses incurred which exceed maximums provided by statute or in this subtitle;
- (b) Costs or expenses incurred but which are disallowed elsewhere in this subtitle;
- (c) Costs reimbursed under other provisions of law or regulations;
- (d) Costs or expenses incurred for reasons of personal taste or preference and not required because of the move;
- (e) Losses covered by insurance;
- (f) Fines or other penalties imposed upon the employee or members of their immediate family;
- (g) Judgments, court costs, and similar expenses growing out of civil actions; or
- (h) Any other expenses brought about by circumstances, factors, or actions in which the move to a new official station was not the proximate cause.

Subpart B—[Reserved]

PART 302–17—TAXES ON RELOCATION EXPENSES

Authority: 5 U.S.C. 5724b; 5 U.S.C. 5738; E.O. 11609, 36 FR 13747, 3 CFR, 1971–1975 Comp., p. 586.

Subpart A—General Rules

§ 302–17.1 Reimbursement for substantially all, and not exactly all, of the additional income taxes incurred as a result of a relocation.

Under 5 U.S.C. 5724b, employees are reimbursed for substantially all, not exactly all, of the Federal, State, and local income taxes incurred as a result of relocation. The withholding tax allowance (WTA) and relocation income tax allowance (RITA) are the two allowances through which the

Government reimburses an employee for substantially all of the income taxes that they incur as a result of the relocation.

§ 302–17.2 Eligibility for the WTA and the RITA.

Employees are eligible for the WTA and the RITA if–

(a) WTA and RITA are listed under their type of move at §§ 302–3.1 and 302–3.100 of this chapter;

(b) They are relocating in the interest of the Government; and

(c) The agency's reimbursements to the employee for relocation expenses result in the employee being liable for additional income taxes.

§ 302–17.3 Limitations and Federal income tax treatments of various relocation reimbursements.

(a) Some relocation expenses reimbursed to employees or paid directly by the Government on or after January 1, 2018, and on or before December 31, 2025, must be reported as income and employees cannot claim them as deductible expenses on their Federal tax return.

(b) A table summarizing the allowances, limitations, and tax treatment of each reimbursement, allowance, or direct payment to a service provider or vendor set out in this subtitle is published at <https://gsa.gov/ftrbulletins>.

(c) Both the employee and their agency must know which reimbursements and direct payments to vendors are taxable and which are nontaxable in specific circumstances. When an employee submits a voucher for reimbursement, the agency must determine whether the reimbursement is taxable income at the Federal, State, and/or local level. Then, when an employee files their income tax returns, they must report the taxable allowances, reimbursements, and direct payments to vendors as income. Agencies are ultimately responsible for calculating and reporting withholding accurately and employees are ultimately responsible for filing their taxes correctly.

§ 302–17.4 Where to file relocation expenses for State taxes.

In most cases, the State tax return for the State an employee is leaving should reflect the reimbursement or allowance, if any, for househunting expenses and the reimbursement or direct payments to vendors for real estate expenses at the home the employee is leaving. All other taxable expenses should be shown as income on the tax return filed in the State into which the employee has moved. However, the employee and the agency must carefully study the rules in

both States and include everything that each State considers to be income on each of the state tax returns.

§ 302–17.5 When an expense is considered completed in a specific tax year.

A reimbursement, allowance, or direct payment to a vendor is considered completed in a specific tax year if the money was actually disbursed to the employee or vendor during the tax year in question.

Subpart B—The Withholding Tax Allowance (WTA)

§ 302–17.20 Purpose of the WTA.

(a) The purpose of the WTA is to protect an employee from having to use part of their relocation expense reimbursements to pay Federal income tax withholding; it does not cover State taxes, local taxes, Medicare taxes, or Social Security taxes (see § 302–17.21(c) and (d)).

(b) The WTA may be optional to employees. Employees should review § 302–17.61 for discussion about choosing whether or not to accept the WTA. See §§ 302–17.62 through 302–17.67 for procedures if an employee chooses not to accept the WTA.

§ 302–17.21 Relocation expenses covered by the WTA.

The WTA covers certain allowances, reimbursements, and/or direct payments to vendors, to the extent that each of them is taxable income. However, the WTA does not cover the following relocation expenses:

(a) Any reimbursement, allowance, or direct payment to a vendor that should not be reported as taxable income when an employee files their Federal tax return; this includes but is not limited to expenses for transportation of POVs for OCONUS assignments.

(b) Reimbursed expenses for extended storage of household goods during an OCONUS assignment, if reimbursement is permitted under agency policy.

(c) State and local withholding tax obligations. To the extent that the employee's state or local tax authority requires periodic (such as quarterly) tax payments, the employee is responsible to pay these from their own funds. Agencies will reimburse employees for substantially all of these payments through the RITA process, but the agency does not provide a WTA for them. If required to by state or local law, the agency may withhold these from the reimbursement.

(d) There are additional taxes due under the Federal Insurance Contributions Act including Social Security tax, if applicable, and Medicare tax. Current law does not allow Federal

agencies to reimburse transferees for these employment taxes on relocation benefits. However, agencies will deduct these taxes from any reimbursements for taxable items.

(e) Home marketing incentive payment. In accordance with part 302–14 of this chapter, agencies may not provide either a WTA or RITA for this incentive.

(f) Any recruitment, relocation, or retention incentive payment that an employee receives. Any withholding of taxes for such payments is outside the scope of this section. Rather, it is covered by regulations issued by the Office of Personnel Management, Treasury's Financial Management Service, and the Internal Revenue Service (IRS).

(g) Any allowances, reimbursements, and/or direct payments to vendors not related to the relocation; for example, a reimbursement for office supplies would not be covered by the WTA, even if it occurred during the relocation.

§ 302–17.22 Procedures for calculation and payment of the WTA.

Each time an agency pays a covered, taxable relocation expense, regardless of whether it is a reimbursement, allowance, or direct payment to a vendor, it is considered “supplemental wages” as defined in 26 CFR 31.3402(g)–1(a) (see also IRS Publication 15, Employer's Tax Guide). Employees owe taxes on the WTA itself because, like most other relocation allowances, it is taxable income. To reimburse employees for the taxes on the WTA itself, agencies compute the WTA by using the grossed-up withholding formula in this section and the appropriate supplemental wage rate, as specified in IRS Publication 15. This rate, along with examples of how to calculate the WTA, is published in an FTR bulletin available at <https://gsa.gov/ftrbulletins>. The formula for calculating the WTA is: $WTA = R / (1 - R) \times \text{Expense}$, where R is the withholding rate for supplemental wages.

Subpart C—The Relocation Income Tax Allowance (RITA)

§ 302–17.30 Purpose of the RITA.

The purpose of the RITA is to reimburse employees for any taxes that they owe that were not adequately reimbursed by the WTA. As discussed in § 302–17.22, the WTA calculation is based on the income tax withholding rate applicable to supplemental wages. This may be higher or lower than an employee's actual tax rate. The RITA, on the other hand, is based on an

employee's marginal tax rate, determined by their actual taxable income and filing status, which allows the agency to reimburse the employee for *substantially all* of their Federal income taxes. The RITA also reimburses employees for any additional State and local taxes that were incurred as a result of the relocation, because they are not reimbursed in the WTA process.

§ 302–17.31 Procedures for calculation and payment of the RITA.

The procedures for the calculation and payment of the RITA depend on whether the agency has chosen to use a one-year or two-year RITA process. See subpart F of this part for the one-year process and subpart G of this part for the two-year process. Agencies or a major component of the agency determines whether it will adopt a one-year or two-year RITA process. Agencies may use the one-year RITA process for one or more specific categories of employees and the two-year process for one or more other categories.

(a) Employees may ask their agency to recalculate their RITA provided the employee filed the required tax information and amended it, if necessary, in a timely manner. If an employee has completed all Federal, State, and local tax returns, and believes that their RITA should have been significantly different from the RITA that the agency calculated, the employee may ask the agency to recalculate the RITA. This is true for either the one-year

or two-year process. With any request for recalculation, the employee must submit a statement explaining why they believe the RITA was incorrect.

(b) The agency may require that an employee also submit amended tax information, the actual tax returns, or both, as attachments to the request for recalculation.

Subpart D—The Combined Marginal Tax Rate (CMTR)

§ 302–17.40 CMTR calculation methodology.

(a) The CMTR is a key element that greatly enhances the accuracy of the calculation of the RITA. Agencies use the information the employee provides on their tax filing status and taxable income to determine the CMTR.

(b) The CMTR is, in essence, a combination of the employee's Federal, State, and local tax rates. However, the CMTR cannot be calculated by merely adding the Federal, State, and local marginal tax rates together because of the deductibility of State and local income taxes from income on the employee's Federal income tax return. The formula prescribed in paragraph (c) of this section for calculating the CMTR, therefore, is designed to adjust the state and local tax rates to compensate for their deductibility from income for Federal tax purposes. Examples of how to calculate the CMTR are published in an FTR bulletin available at <https://gsa.gov/ftrbulletins>.

(c) The formula for calculating the CMTR is:

Equation 1 to Paragraph (c)

$$\text{CMTR} = F + (1 - F)S + (1 - F)L$$

Where:

F = Federal marginal tax rate.

S = State marginal tax rate, if any.

L = Local marginal tax rate, if any.

(d) Agencies find the Federal marginal tax rate by comparing the taxable income, as shown in the tax information the employee provides, to the Federal tax tables in the current year's Form 1040-ES instructions.

(e) Agencies find the State and local marginal tax rates that apply to the employee (if any) by comparing the taxable income to the most current state and/or local tax tables provided by the States and localities.

(f) The procedures for calculating the CMTR are the same for the one-year and two-year RITA processes.

§ 302–17.41 Applicable State marginal tax rate and effect on the RITA and an employee's State tax return(s).

If two or more States that are involved in an employee's relocation impose an income tax on relocation benefits, then the employee's relocation benefits may be taxed by both States. Most commonly, the old and new duty stations are in the two States involved. The following table lays out the possibilities:

TABLE 1 TO § 302–17.41

If:	But:	The agency will use the following as the State marginal tax rate in the CMTR:	The RITA will include an appropriate allowance for:	Employee's action:
Only one involved State has a State income tax.		The marginal tax rate of the one State that taxes income.	Taxes incurred in that State.	Pay the taxes required by the State that taxes income.
Each involved State taxes a different set of the relocation benefits, with no overlap.		The average of the marginal tax rates for each State involved.	Taxes incurred in all involved States.	File tax returns in each involved State, and pay the applicable taxes.
Two or more involved States tax some of the same relocation benefits.	All involved States <i>allow</i> an adjustment or provide a credit for income taxes paid to other States.	The marginal tax rate of the State that has the highest State income tax rate.	Taxes incurred in all involved States.	File tax returns in each involved State, take the appropriate credits and/or adjustments, and pay the applicable taxes.
Two or more involved States tax some of the same relocation benefits.	One or more involved States <i>does not allow</i> an adjustment or provides a credit for income taxes paid to other States.	The sum of all applicable State marginal tax rates.	Taxes incurred in all involved States.	File tax returns in each involved State, and pay the applicable taxes. This may result in paying taxes in more than one State on the same relocation benefits.

§ 302–17.42 Applicable local marginal tax rate(s) used for calculation.

(a) If an employee incurs a local tax liability, the agency will validate the

applicable local marginal tax rate(s) and use it (them) in the CMTR formula.

(b) If an employee incurs a local income tax liability in more than one

locality, then the agency should follow the rules described for State income taxes in § 302–17.41 to calculate the local marginal tax rate that will be used

in the CMTR formula and to compute the RITA, and the employee should follow the rules in § 302–17.41 to determine their actions.

(c) If a locality in which an employee incurs income tax liability publishes its tax rates in terms of a percentage of the Federal or State taxes, then the agency must convert that tax rate to a percentage of the employee's income to use it in computing the CMTR. This is accomplished by multiplying the applicable Federal or State tax rate by the applicable local tax rate. For example, if the State marginal tax rate is 6 percent and the local tax rate is 50 percent of State income tax liability, the local marginal tax rate stated as a percentage of taxable income would be 3 percent.

§ 302–17.43 Income tax liability to the Commonwealth of Puerto Rico.

A Federal employee who is relocated to or from a point, or between points, in the Commonwealth of Puerto Rico may be subject to income tax by both the Federal Government and the government of Puerto Rico. However, under current Puerto Rico law, an employee receives a credit on their Puerto Rico income tax for the amount of taxes paid to the Federal Government. Therefore:

(a) If the applicable Puerto Rico marginal tax rate, as shown in the tables provided by the Commonwealth of Puerto Rico, is *equal to or lower* than the applicable Federal marginal tax rate,

then the agency uses the Federal marginal tax rates and the formula in § 302–17.40(c) in calculating the CMTR.

(b) If the applicable Puerto Rico marginal tax rate, as shown in the tables provided by the Commonwealth of Puerto Rico, is *higher* than the applicable Federal marginal tax rate, and if all of the States involved either have no income tax or *allow* an adjustment or credit for income taxes paid to the other state(s) and Puerto Rico, then the agency uses the rate for Puerto Rico in place of the Federal marginal tax rate in the formula in § 302–17.40(c).

(c) If the applicable Puerto Rico marginal tax rate, as shown in the tables provided by the Commonwealth of Puerto Rico, is *higher* than the applicable Federal marginal tax rate and one or more of the state(s) involved *does not allow* an adjustment or credit for income taxes paid to the other state(s) and/or Puerto Rico, then the agency uses the following formula:

Equation 1 to Paragraph (c)

CMTR = P + S + L

Where:

P = Puerto Rico marginal tax rate.

S = State marginal tax rate, if any.

L = Local marginal tax rate, if any.

§ 302–17.44 Income tax liability to the Commonwealth of the Northern Mariana Islands or any other territory or possession of the United States.

If an employee is relocated to, from, or within the Commonwealth of the

Northern Mariana Islands or any territory or possession of the United States, the agency will have to determine the tax rules of that locality and then include those taxes in the RITA calculation, as applicable.

Subpart E—Special Procedure If a State Treats an Expense as Taxable Even Though It Is Nontaxable Under the Federal Internal Revenue Code (IRC)

§ 302–17.45 Procedures when a State treats an expense as taxable even though it is nontaxable under the Federal IRC.

If one or more of the States where an employee has incurred tax liability for relocation expenses treats one or more relocation expenses as taxable, even though it (they) are nontaxable under Federal tax rules, employees may be required to pay additional State income tax when they file tax returns with those States. In this case, the agency calculates a state gross-up to cover the additional tax liability resulting from the covered relocation expense reimbursement(s) that are nontaxable under Federal, but not State tax rules. The agency calculates the State gross-up and then adds that amount to the RITA. The agency will use this formula to calculate the state gross-up:

Equation 1 to § 302–17.45

$$\text{State Gross-up} = S \times \left(\frac{1-F}{1-C} \right) \times N$$

Where:

F = Federal Marginal Tax Rate.

S = State Marginal Tax Rate.

C = CMTR.

N = Dollar amount of covered relocation expenses that are nontaxable under Federal tax rules but are taxable under State tax rules.

All information, except “N,” can be found in previous calculations (if moving to, from, or within Puerto Rico, follow the rules in § 302–17.43 to determine when to substitute “P” for “F”).

“N” is determined as follows:

1. Take the dollar amount of reimbursements, allowances, and direct payments to vendors treated as nontaxable under Federal tax rules.
2. Subtract the dollar amount of reimbursements, allowances, and direct payments to vendors treated as nontaxable by the State.

3. The difference represents “N.”

Note 1 to § 302–17.45: This calculation is the same, regardless of whether the agency has chosen to use the one-year or two-year RITA process.

Subpart F—The One-Year RITA Process

§ 302–17.50 Requirement to provide tax information to the agency to make the RITA calculation possible under the one-year process.

Employees should provide the information their agency requires to make the RITA calculation. This will include tax information for any Federal and State tax returns filed for the year that the employee received covered taxable relocation expenses. Employees

should submit this information as soon as they receive their relocation orders, or as soon as they file their tax returns for the most recent tax year, whichever occurs later.

§ 302–17.51 When to provide amended tax information to the agency.

Employees should submit amended tax information to their agency under the one-year process whenever the tax information previously provided changes, and employees should continue to amend the information until they have received the last W–2 from their agency in connection with a specific relocation. In particular, employees should submit amended information whenever:

- (a) Their filing status changes;

(b) Their income changes enough that their income, including WTA and RITA, might put the employee into a different tax bracket; or

(c) They have taxable relocation expenses in a second or third calendar year.

§ 302–17.52 Failure to provide required tax information to the agency.

If an employee does not provide their agency with the required tax information and/or amend it when necessary, the agency will switch to the 2-year process, and because the WTA is an advance of the income tax expenses, employees will be liable to repay the full amount of the WTA that the agency has paid to the IRS. See subpart G of this part.

§ 302–17.53 RITA calculation methodology and procedures under the one-year process.

(a) Agencies provide allowances to an employee, reimburse the employee for vouchers that are submitted, and pay certain relocation vendors directly, all during the calendar year as described in subpart B of this part. Some of these reimbursements, allowances, and direct payments to vendors are taxable income to the employee, as described in subpart A of this part. The agency computes a WTA and reports the WTA to the IRS as taxes withheld for the employee for each of these taxable reimbursements, allowances, and direct payments to vendors. The agency may make the WTA optional. However, if the agency is using a one-year RITA process, there is no advantage to an employee in choosing not to receive the WTA, because the agency will adjust the WTA payment to the IRS. See paragraph (f)(1) of this section.

(b) The agency establishes a cutoff date after which it will not issue reimbursements or allowances to an employee or make direct payments to relocation vendors for the rest of the calendar year.

(c) If the tax information provided changes after an employee has submitted the initial version, the employee must submit amended tax information no later than the agency's cutoff date.

(d) During the period between the cutoff date and the end of the calendar year, the agency calculates the RITA.

(e) The RITA is itself taxable income. To account for taxes on the RITA, the agency will gross-up the RITA by using a gross-up formula that multiplies the grossed-up CMTR by the total of all covered taxable relocation benefits, and then subtracts the grossed-up WTA from that total. That is:

Equation 1 to Paragraph (e)

$$RITA = \left(\left(\frac{C}{1-C} \right) \times R \right) - Y$$

Where:

C = CMTR.

R = Reimbursements, allowances, and direct payments to vendors covered by WTA.

Y = Total grossed-up WTA paid during the current year.

(f) The RITA is likely to be different from the sum of the WTA computed and reported during the year, because the WTA is calculated using a flat rate, established by the IRC, while the RITA is calculated using the CMTR. Therefore:

(1) If the calculation in paragraph (e) of this section results in a negative value (that is, if the agency's calculation shows that it withheld and reported too much money as WTA), then the agency will send an adjustment to the IRS using Form 941. In this case, the agency does not make a RITA payment.

(2) If the calculation in paragraph (e) of this section results in a positive value (that is, if the agency's calculation shows that it did not withhold enough money for the income taxes), then the agency will pay a RITA to the employee before the end of the calendar year and report it to the IRS as part of the income for that year.

(g) Shortly after the end of the calendar year, the agency will provide

one or two W-2 Forms. At the agency's discretion, an employee may receive one W-2 that includes all of the taxable relocation expenses, WTA, and RITA (if any), along with their payroll wages, or an employee may receive one W-2 for their payroll wages and a separate one for their taxable relocation expenses, WTA, and RITA.

(h) Employees must use all W-2(s) that they have received to file their tax returns. On those returns, employees must include all taxable relocation expenses shown on their W-2(s) as income, including the WTA and RITA (if any). Employees must also include all WTA as withholding, in addition to the standard withholding from their payroll wages.

(i) If an employee finished their relocation within one calendar year, and the agency paid all of the relocation reimbursements, allowances, and direct payments to vendors in the same calendar year, before the cutoff date, then the employee's tax returns for that calendar year are the end of their relocation tax process. If, on the other hand, the agency reimburses an employee for relocation expenses, or pays allowances or relocation vendors on the employee's behalf, during a

second (and possibly a third) calendar year, then the employee and the agency repeat the process in this paragraph (i) for each of those years.

Subpart G—The Two-Year RITA Process

§ 302–17.60 Definition of the terms “Year 1” and “Year 2” used in the two-year RITA process.

(a) Year 1 is the calendar year in which the agency reimburses the employee for a specific expense, provides an allowance, or pays a vendor directly. If an employee's reimbursements, allowances, and/or direct payments to vendors occur in more than one calendar year, the employee will have more than one Year 1.

(b) Year 2 is the calendar year in which the employee submits their RITA claim and the agency pays the RITA.

(c) In most cases:

(1) For every Year 1 an employee will have a corresponding Year 2;

(2) Every Year 2 immediately follows a Year 1; and

(3) Year 2 is the year in which the employee files a tax return reflecting the remaining tax liability for taxable reimbursement(s), allowance(s), and/or

direct payments to vendors in each Year 1.

§ 302–17.61 When WTA is optional under the two-year process.

If an agency makes the WTA optional, an employee may choose to not receive the WTA. When deciding whether or not to receive the WTA, employees should consider the following:

(a) Whether their marginal Federal tax rate will be equal to or higher than the supplemental wage rate for the calendar year in which the employee received the majority of their relocation reimbursements. If this is expected, the employee may want to elect to receive the WTA.

(b) Whether their marginal Federal tax rate will be less than the supplemental wage rate for the calendar year in which the employee received the majority of their relocation reimbursements. If this is expected, the employee may want to decline receiving the WTA to avoid or limit possible overpayment of the WTA, the so-called “negative RITA” situation. In a “negative RITA” situation, employees must repay some of the WTA in Year 2. However, even if an employee’s marginal Federal tax rate will be less than the supplemental wage rate, the employee may want to accept the WTA so that their initial reimbursement is larger.

§ 302–17.62 Information to include on employee tax returns for Year 1 under the two-year process.

(a) Agencies provide allowances to employees, reimburses employees for vouchers that they submit, and pays certain relocation vendors directly, all during the same calendar year, as described in subpart B of this part. Some of these reimbursements, allowances, and direct payments to vendors are taxable income to the employee. Agencies compute a WTA and report that withholding to the IRS for each of these that is taxable. This is Year 1 of the two-year process.

(b) If an agency makes the WTA optional to the employee and they have chosen not to receive the WTA, then the

agency computes withholding tax for each taxable reimbursement, allowance, and direct payment, and reports that withholding to the IRS.

(c) Shortly after the end of the calendar year, agencies provide one or more W–2 forms to employees. At its discretion, an agency may include all of an employee’s taxable relocation expenses and WTA (if any) in one W–2, along with the employee’s regular payroll wages, or it may provide one W–2 for the regular payroll wages and a separate W–2 for the taxable relocation expenses and WTA (if any).

(d) At approximately the same time as the agency provides the employee a W–2(s), it also may provide an itemized list of all relocation benefits and the WTA (if any) for each benefit. Employees should use this statement to verify that the agency has included all covered taxable items in its calculations and to check the agency’s calculations.

(e) Employees must submit all W–2s that they have received with their Year 1 tax returns. On those returns, employees must include all taxable relocation expenses during the previous year as income. Furthermore, employees must include the WTA (if any) as tax payments that the agency made for them during the previous year, in addition to the regular withholding of payroll taxes from their salary.

§ 302–17.63 Requirement to provide tax information to the agency to make the RITA calculation possible under the two-year process.

Employees must provide the information their agency requires to make the RITA calculation. This will include tax information for any Federal and State tax returns filed for the year that the employee received covered taxable relocation expenses. Employees must submit the “required tax information” in Year 2, along with their RITA claim, after they file their income tax return. If an agency pays any taxable expenses covered by the WTA in more than one year, then the employee will have to file a RITA claim each year.

Agencies establish the deadline each year for filing of the RITA.

§ 302–17.64 Failure to provide required tax information to the agency.

The WTA is an advance on an employee’s income tax expenses, thus if an employee does not provide the required tax information and file the RITA claim in a timely manner, the agency will require the employee to repay the entire amount of the withholding and WTA (if any) that the agency has paid.

§ 302–17.65 How to claim the RITA under the two-year process.

(a) To claim the RITA under the two-year process, employees must file a RITA claim and provide the required tax information that the agency requests.

(b) Agencies will calculate the actual RITA after the employee submits their RITA voucher and the required tax information. Employees should perform the RITA calculation for themselves, as a check on the agency’s calculation, but they are not required to put the “right answer” on the voucher that is submitted to claim the RITA.

§ 302–17.66 RITA calculation methodology and procedures under the two-year process.

(a) Agencies will calculate the RITA after receipt of the RITA voucher.

(b) The RITA is itself taxable income to an employee. To account for taxes on the RITA, the agency will gross-up the RITA by applying the Combined Marginal Tax Rate (CMTR) to the final amount rather than the reimbursed amount.

(c) Thus, the agency calculates the RITA by multiplying the CMTR (using the State and local tax tables most current at the time of the RITA calculation) by the total of all covered taxable relocation benefits during the applicable Year 1, and then subtracting any WTA(s) from the same Year 1 from that total. That is:

Equation 1 to Paragraph (c)

$$RITA = \left(\left(\frac{C}{1 - C} \right) \times R \right) - Z$$

Where:

C = CMTR.

R = Reimbursements, allowances, and direct payments to vendors covered by WTA during Year 1.

Z = Total grossed-up WTAs paid during Year 1.

Note 1 to paragraph (c): If an agency offers the employee the choice, the WTA is optional. If the employee has declined the WTA, enter zero for element Z in the calculation in this paragraph (c).

(d) The RITA is likely to be different from the sum of the WTA(s) paid during Year 1, if any, because the WTA is calculated using a flat rate, established by the IRC, while the RITA is calculated using the CMTR. Therefore:

(1) If the RITA calculation this section results in a negative value (that is, if the agency's calculation shows that it withheld and reported too much money as income taxes), then the agency will report this result to the employee and will send the employee a bill for the difference, to repay the excess amount that it sent to the IRS on the employee's behalf as withheld income taxes. The IRS will credit the employee for the full amount of withheld taxes, including the excess amount, on the income tax return for Year 1; therefore, employees must repay the excess amount to their agency within 90 days, or within a time period set by the agency. If an employee is required to repay an amount in Year 2 that was included as wages on the W-2 in Year 1, employees may be entitled to a miscellaneous itemized deduction on their Federal income tax return in Year 2.

(2) If the RITA calculation in this section results in a positive value (that is, if the agency's calculation shows that it did not withhold enough money as income taxes), then the agency will pay the RITA before the end of Year 2 and will report it to the IRS as part of the employee's income for that year. Also, after the agency has paid the RITA, it will provide a W-2 that shows the RITA as taxable income.

(e) At an agency's discretion, employees may receive one W-2 that includes all of their taxable relocation expenses, WTA (if any), and RITA (if any), along with their regular payroll wages, or employees may receive one W-2 for their regular payroll wages and a separate one for their taxable relocation expenses, WTA, and RITA.

§ 302–17.67 Reporting RITA and paying taxes on the RITA under the two-year process.

When income taxes are due for Year 2, employees must report the RITA, if any, as taxable income on their Federal, State, and local tax returns.

(a) If an employee's relocation process results in only one Year 2, or if the previous year was the last Year 1, the RITA is the only amount that an employee reports as income resulting from their relocation for that Year 2.

(b) If, on the other hand, an employee's relocation process results in more than one Year 2 (if, for example, the employee incurred relocation expenses during more than one calendar year), then, except for the last Year 2, the employee will need to report reimbursements, allowances, direct payments to vendors, and WTA(s), if any, for succeeding Year 1's at the same time that they report each Year 2's RITA.

Subpart H—Agency Responsibilities

§ 302–17.100 Agency responsibilities for taxes on relocation expenses.

To ensure that all provisions of this part are fulfilled, agencies must:

(a) Prepare a relocation travel authorization that includes an estimate of the WTA and RITA, to obligate the funds that will be needed.

(b) Determine, in light of the specific circumstances of each employee relocation, which reimbursements, allowances, and direct payments to vendors are taxable, and which are nontaxable.

(c) Decide whether or not the agency will allow individual employees and/or categories of employees to choose not to receive the WTA.

(d) Calculate the WTA and credit the amount of the WTA to the employee at the time of reimbursement.

(e) Prepare the employee's W-2 Form(s) and ensure that it (they) reflect(s) the WTA.

(f) Provide each employee an itemized list of relocation expenses after the end of each calendar year in which the agency provided an allowance, reimbursement, or direct payment to a vendor.

(g) Establish processes for identifying the relevant Federal, State, and local marginal tax rates and for keeping that information current.

(h) Establish processes for identifying states that treat a reimbursement or direct payment to a vendor as taxable even though it is nontaxable under the Federal IRC, and for keeping that information current.

(i) Calculate the employee's CMTR(s).

(j) Decide whether the agency will use the one-year or two-year RITA process and whether the agency will use different processes (that is, one-year or two-year) for different groups of employees within the agency.

(k) Make sure the RITA calculation is done correctly and in a timely manner, whether agency policies call for the calculation to be done by the agency or by a third party.

(l) Make sure that payment of the RITA occurs in a timely manner (this is

especially critical for the one-year process).

(m) Develop criteria for accepting and rejecting requests for recalculation of RITA.

(n) Establish a process for recalculating the RITA when the employee's request for recalculation is accepted.

(o) Consult with the IRS for clarification of any confusion stemming from taxes on relocation expenses.

§ 302–17.101 Agency requirements if an employee fails to file and/or amend the required tax information prior to the required date.

(a) If a relocating employee does not provide the required tax information prior to the required date, and the agency is using a one-year RITA process, the agency is to switch to a two-year RITA process and send a written warning to the employee reminding them of the requirement and informing them that if they do not submit the required information the agency may declare the entire amount of the WTA forfeited.

(b) If the relocating employee does not provide the required tax information prior to the required date, and the agency is using a two-year RITA process, the agency is to send the employee a written warning informing them they have 60 days to file or amend their RITA claim and provide the required tax information or the agency will declare the WTA that they have already paid forfeited and due as a debt to the Government.

(c) If the relocating employee chooses not to receive the WTA and fails to file a RITA claim or provide the required tax information prior to the required date, the agency is to send the employee a written warning that they have 60 days to file. If the employee still fails to file, the agency may close the case file and refuse any later claims for RITA related to this specific relocation.

PART 302–18—RELOCATION EXPENSES TEST PROGRAMS

Authority: 5 U.S.C. 5707, 5738, and 5739.

§ 302–18.1 Authorization of relocation expenses test programs.

(a) Test programs permit agencies to test new and innovative methods of reimbursing relocation expenses without seeking a waiver of current rules or authorizing legislation.

(b) The Administrator of General Services (Administrator) may authorize an agency to conduct a test program when the Administrator determines such tests to be in the interest of the Government. No more than 12

relocation expenses test programs may be conducted at the same time. When authorized by the Administrator, the agency may pay any necessary relocation expenses in lieu of payments authorized or required under 5 U.S.C. chapter 57, subchapter II.

§ 302–18.2 Applying for test program authority.

The head of the agency or designee must design the test program to enhance cost savings or other efficiencies to the Government and submit in writing to the Administrator of General Services via the Office of Government-wide Policy at *travelpolicy@gsa.gov*:

- (a) An explanation of the test program;
- (b) If applicable, the specific provisions of this subtitle from which the agency is deviating;
- (c) An analysis of the expected costs and benefits; and
- (d) A set of criteria for evaluating the effectiveness of the program.

§ 302–18.3 Factors GSA will consider in approving a request for a relocation expenses test program.

The following factors will be considered:

- (a) Potential savings to the Government.
- (b) Application of results to other agencies.
- (c) Feasibility of successful implementation.
- (d) Number of tests, if any, already authorized to the same activity.
- (e) Whether the request meets the requirements of § 302–18.2.
- (f) Other agency requests under consideration at the time of submission.
- (g) Whether the proposed test is duplicative of any existing test programs.

§ 302–18.4 Duration of test programs and requesting an extension.

(a) The duration of a test program is up to four years from the date of authorization unless terminated prior to that time by the Administrator. The agency conducting a test program may also terminate the test program at any time by providing written notice of the termination to the Administrator.

(b) The Administrator may grant test program extensions of up to an additional four years. To request an extension, the head of the agency or designee must submit a request to extend the test program to the Administrator of General Services via the Office of Government-wide Policy at *travelpolicy@gsa.gov*, not later than 120 days prior to the expiration of the test period. The request for extension must contain the test program results to that

date and clearly enumerate the benefits, qualitatively or quantitatively or both, of granting a test program extension and must specify the duration of time for which an extension is requested.

§ 302–18.5 Required reports for a test program.

(a) The Administrator must submit a copy of any test program approved or extended to Congress at least 30 days before the effective date of the authorized test program.

(b) The agency authorized to conduct the test program must submit the following reports:

- (1) An annual report on the progress of the test, submitted to the Administrator via the Office of Government-wide Policy at *travelpolicy@gsa.gov*. The Administrator or designee may terminate the test program approval for failure to comply with these reporting requirements; and
- (2) A final report on the results of the test program must be submitted to the Administrator via the Office of Government-wide Policy at *travelpolicy@gsa.gov*, and to the appropriate committees of Congress within 3 months after completion of the program.

(c) All reports must include quantitative or qualitative assessments, or both, clearly evaluating the results of the test program and enumerating benefits and costs.

PARTS 302–19—302–99 [RESERVED]

CHAPTER 303—PAYMENT OF EXPENSES CONNECTED WITH THE DEATH OF CERTAIN EMPLOYEES

PARTS 303–1—303–69 [RESERVED]

PART 303–70—AGENCY REQUIREMENTS FOR PAYMENT OF EXPENSES CONNECTED WITH THE DEATH OF CERTAIN EMPLOYEES AND IMMEDIATE FAMILY MEMBERS

Authority: 5 U.S.C. 5721–5738; 5741–5742; E.O. 11609, 36 FR 13747, 3 CFR, 1971–1975 Comp., p. 586; Presidential Memorandum of September 12, 2011, 76 FR 57621, 3 CFR, 2011 Comp., p. 356.

Subpart A—General Policies

§ 303–70.1 Circumstances requiring payment of death-related expenses.

Agencies must authorize payment of expenses when the employee, at the time of death, was:

- (a) On official travel status away from the official station;
- (b) Performing official duties OCONUS or in transit;

(c) Reassigned away from their actual place of residence under a mandatory mobility agreement;

(d) In direct support of or directly related to a military operation, including a contingency operation, or an operation in response to an emergency declared by the President as provided in § 303–70.600; or

(e) Performing official duties as determined by the head of agency and was a covered employee as provided in § 303–70.700.

§ 303–70.2 Death-related expenses for non-work-related deaths.

Agencies must pay death-related expenses if the requirements in § 303–70.1 are met, even when the death is not work-related.

§ 303–70.3 Death-related expenses during leave or non-workdays.

Agencies must pay death-related expenses when an employee dies while on leave or on a non-workday, while on TDY or stationed OCONUS, provided the requirements in § 303–70.1 are met. However, payment cannot exceed the amount allowed if death had occurred while on duty at the TDY station or at the official station OCONUS.

§ 303–70.4 Limitation on duplicate death-related expense payments.

Agencies will not pay death-related expenses under this chapter when the same expenses are payable under other United States laws. Specifically, when an employee dies from injuries sustained while performing official duty, death-related expenses are payable under the Federal Employees' Compensation Act (FECA), 5 U.S.C. 8134.

§ 303–70.5 Restrictions on relocating immediate family.

Agencies will not pay death-related expenses under this chapter to relocate the immediate family to another location for an employee who dies at the permanent official station, except when the employee dies while performing duties under the provisions of subparts F, G, and H of this part.

Subpart B—Allowances for Preparation and Transportation of Employee Remains

§ 303–70.100 Costs for preparation and transportation of employee remains.

Agencies must pay all actual costs including but not limited to:

- (a) Preparation of remains, including:
 - (1) Embalming or cremation;
 - (2) Necessary clothing;
 - (3) A casket or container suitable for shipment to place of interment; and

(4) Expenses necessary to comply with local laws at the port of entry in the United States; and

(b) Transportation of remains by common carrier (that is normally used for transportation of remains), hearse, other means, or a combination thereof, from the TDY station, OCONUS location, or CONUS location covered by § 303–70.1(e), to the employee's residence, official station, or place of interment, including but not limited to:

(1) Movement from place of death to a mortuary and/or cemetery;

(2) Shipping permits;

(3) Outside case for shipment and sealing of the case if necessary;

(4) Removal to and from the common carrier; and

(5) Ferry fares, bridge tolls, and similar charges.

§ 303–70.101 Interment location limitations.

No limitations exist on the place of interment; agencies may pay expenses to transport the remains for interment at the actual residence, the official station, or such other place appropriate for interment as determined by the head of the agency.

Subpart C—Escort of Employee Remains

§ 303–70.200 Circumstances for authorizing remains escort.

Agencies may authorize the escort of remains when the employee's death occurs:

(a) While in official travel status away from the official station inside CONUS;

(b) While assigned to official duties OCONUS or in transit thereto or therefrom; or

(c) While reassigned away from the actual place of residence under a mandatory mobility agreement.

§ 303–70.201 Number of authorized escorts.

No more than two persons may be authorized travel expenses to escort the remains of a deceased employee.

§ 303–70.202 Allowable travel expenses for remains escort.

Agencies may authorize any travel expenses in accordance with chapter 301 of this subtitle that are necessary for the escort of remains to the place of interment.

Subpart D—Allowances for Preparation and Transportation of the Remains of Immediate Family Members

§ 303–70.300 Furnishing of mortuary services for immediate family member.

(a) Mortuary services must be furnished when an immediate family member, residing with the employee, dies while the employee is stationed OCONUS if such services are requested by the employee, and when:

(1) Local commercial mortuary facilities or supplies are not available; or

(2) The cost of available mortuary facilities or supplies is prohibitive as determined by the agency head.

(b) The employee must reimburse the agency for all furnished mortuary facilities and supplies.

§ 303–70.301 Transportation of immediate family member's remains.

If requested by the employee, agencies must pay to transport the remains of an immediate family member, residing with the employee, who dies while the employee is stationed OCONUS. The remains may be transported to the residence of the immediate family member. The employee may elect an alternate destination, but it must be approved by the agency head or designated representative.

§ 303–70.302 Interment expenses for immediate family member.

Agencies may not pay interment expenses when an immediate family member, residing with the employee, dies while the employee is stationed OCONUS.

§ 303–70.303 Mortuary services and transportation for an immediate family member who dies in transit.

Agencies must furnish transportation, if requested by the employee, when an immediate family member, residing with the employee, dies while in transit to or from the employee's duty station OCONUS. Agencies must follow § 303–70.301 for transportation expenses and furnish mortuary services only if the conditions in § 303–70.300 are met.

Subpart E—Transportation of Employee's Baggage and Privately Owned Vehicles (POV) From Official Temporary Duty (TDY) Station

§ 303–70.400 Transportation of deceased employee's baggage.

Agencies must pay transportation costs to return the deceased employee's baggage from an official TDY station to their official station or residence. However, agencies may not pay insurance of, or reimbursement for, loss or damage to baggage.

§ 303–70.401 Limitations on baggage transportation.

Agencies must only transport Government property and the employee's personal property, including professional books, papers, and equipment (PBP&E).

§ 303–70.402 Transportation of deceased employee's POV.

Agencies must pay costs associated with returning the POV from the TDY location to the employee's permanent official station, but only if the agency had authorized the use of the employee's POV at the TDY location as more advantageous to the Government than other means of transportation.

Subpart F—Transportation of Immediate Family Members, Baggage, Household Goods, and Privately Owned Vehicles (POV)

§ 303–70.500 Relocation of immediate family after employee's death outside continental United States (OCONUS).

Agencies must return the immediate family, baggage, privately owned vehicle (POV), and household goods to the former residence, or transport them to the new official station CONUS, or to an alternate destination, if the immediate family chooses to continue relocation (see § 303–70.501). Travel and transportation must begin within one year from the date of the employee's death. A one-year extension may be granted if requested by the immediate family prior to the expiration of the one-year limit. The agency head or designated representative may approve the immediate family's relocation.

§ 303–70.501 Continuing relocation expenses when an employee dies in transit from OCONUS to CONUS or after reporting to the new CONUS station.

If the immediate family chooses to continue the relocation, agencies must continue payment of relocation expenses, provided the immediate family was included on the employee's relocation travel orders. (See § 303–70.502.)

§ 303–70.502 Authorized relocation expenses for immediate family.

When the immediate family chooses to continue the relocation, the following expenses must be authorized:

(a) Travel to the new duty station or alternate destination as approved by the agency.

(b) Shipment of household goods not to exceed 18,000 pounds net weight to the new duty station, or to an alternate destination selected by the immediate family and approved by the agency.

(c) Storage of household goods not to exceed 60 days with an additional 90

days extension, if approved by the agency, not to exceed a total of 150 days.

(d) Reimbursement of real estate expenses incident to the relocation, unless relocation is to the former actual residence.

(e) Temporary quarters subsistence expense (TQSE) not to exceed 60 days, to be paid using the TQSE payment method authorized in chapter 302–6 of this subtitle. The rate used for the TQSE will be the applicable per diem rate in effect for the locality of the TQ and will use the multiplier for an unaccompanied spouse or domestic partner, and immediate family, if the TQSE was originally authorized in the relocation travel orders.

(f) Shipment of one POV to the new duty station, or to an alternate destination selected by the immediate family and approved by the agency, if the POV shipment was originally authorized in the relocation travel orders.

Subpart G—Transportation of Immediate Family Members, Baggage, Household Goods, and Privately Owned Vehicles (POV) for Employees Assigned to Contingency Operation or an Operation in Response to an Emergency Declared by the President

§ 303–70.600 Transportation for immediate family when an employee dies during contingency or emergency operations.

Agencies must provide transportation for the employee's immediate family, baggage, and household goods from the current official station to the former actual residence or an alternate destination. However, the employee must have died as a result of disease or injury incurred while performing official duties:

(a) In an overseas location where the employee was performing such official duties;

(b) Within the area of responsibility of the Commander of the United States Central Command; and

(c) In direct support of or directly related to a military operation, including a contingency operation (as defined in 10 U.S.C. 101(a)(13)) or an operation in response to an emergency declared by the President.

§ 303–70.601 Authorized relocation expenses for immediate family.

When the immediate family selects to relocate to the former actual residence or alternate destination as approved by the agency, agencies must authorize the following expenses:

(a) Transportation of the immediate family;

(b) Transportation of household goods of the immediate family, including transporting, packing, crating, draying, and unpacking, not to exceed 18,000 pounds net weight; and

(c) Storage of household goods moved pursuant to paragraph (b) of this section, not to exceed 60 days with an additional 90 days extension, if approved by the agency, not to exceed a total of 150 days.

§ 303–70.602 Transportation costs for deceased employee's POV.

Agencies must pay costs associated with returning the POV from the following:

(a) TDY location to the employee's permanent official station, if the agency had authorized the use of the employee's POV at the TDY location as more advantageous to the Government than other means of transportation; or

(b) Official station OCONUS to the employee's former actual residence or alternate destination as approved by the agency, if the agency had determined that the use of the employee's POV was required in accordance with part 302–9 of this subtitle.

Subpart H—Transportation of Immediate Family Members, Baggage, Household Goods, and Privately Owned Vehicle for Law Enforcement Assignment

§ 303–70.700 Transportation for the immediate family of a law enforcement employee killed in line of duty.

Agencies must provide transportation for the employee's immediate family, baggage, and household goods to an alternate residential destination if the head of the agency (or a designee) determines that the employee died as a result of personal injury sustained while in the performance of the employee's duties, and the employee was—

(a) A law enforcement officer as defined in 5 U.S.C. 5541;

(b) An employee in or under the Federal Bureau of Investigation who is not described in paragraph (a) of this section; or

(c) A Customs and Border Protection officer as defined in 5 U.S.C. 8331(31).

§ 303–70.701 Authorized relocation expenses for immediate family.

If the place where the immediate family will reside is different from the place where the immediate family resided at the time of the employee's death, and within the United States, then the agency must approve the following expenses:

(a) Transportation of the immediate family;

(b) Moving the household goods of the immediate family, including transporting, packing, crating, draying, and unpacking, not to exceed 18,000 pounds net weight;

(c) Storage of household goods moved pursuant to paragraph (b) of this section, not to exceed 60 days with an additional 90 days extension, if approved by the agency, not to exceed a total of 150 days; and

(d) Transportation of one privately owned motor vehicle.

§ 303–70.702 Transportation costs for deceased employee's POV.

Agencies must pay cost associated with returning the POV from the following:

(a) TDY location to the employee's permanent official station if the agency had authorized the use of the employee's POV at the TDY location as being advantageous to the Government; or

(b) Official station OCONUS to the employee's former actual residence or alternate destination as approved by the agency, if the agency determined that the use of the employee's POV was required in accordance with part 302–9 of this subtitle.

Subpart I—Policies and Procedures for Payment of Expenses

§ 303–70.800 Receipt requirements for reimbursement claims.

Receipts are required for all claims of \$75 or higher for reimbursement under this part.

PARTS 303–71—303–99 [RESERVED]

CHAPTER 304—PAYMENT OF TRAVEL EXPENSES FROM A NON-FEDERAL SOURCE

SUBCHAPTER A—EMPLOYEE'S ACCEPTANCE OF PAYMENT FROM A NON-FEDERAL SOURCE FOR TRAVEL EXPENSES

PART 304–1—AUTHORITY

Authority: 31 U.S.C. 1353 and 5 U.S.C. 5707.

§ 304–1.1 Authority for accepting non-Federal source travel expense payments.

Under the authority of this part and 31 U.S.C. 1353, employees may accept payment of travel expenses from a non-Federal source on behalf of their agency, but not personally, when specifically authorized to do so by their agency and only for official travel to a meeting. Except as provided in § 304–3.11 of this subchapter, the agency must approve acceptance of such payments in advance of travel.

§ 304–1.2 [Reserved]**PART 304–2—DEFINITIONS**

Authority: 5 U.S.C. 5707; 31 U.S.C. 1353.

§ 304–2.1 Definitions applicable to this chapter.

The following definitions apply to this chapter:

Employee means an appointed officer or employee of an executive agency as defined in 5 U.S.C. 105, including a special Government employee as defined in 18 U.S.C. 202, or an expert or consultant appointed under the authority of 5 U.S.C. 3109.

Meeting(s) or similar functions (meeting) means a conference, seminar, speaking engagement, symposium, training course, or similar event that takes place away from the employee's official station. "Meeting" as defined in this chapter does not include a meeting or other event required to carry out an agency's statutory or regulatory functions such as investigations, inspections, audits, site visits, negotiations or litigation. "Meeting" also does not include promotional vendor training or other meetings held for the primary purpose of marketing the non-Federal sources products or services, or long term TDY or training travel. A meeting need not be widely attended for purposes of this definition and includes but is not limited to the following:

(1) An event where the employee will participate as a speaker or panel participant focusing on the employee's official duties or on the policies, programs or operations of the agency.

(2) A conference, convention, seminar, symposium or similar event where the primary purpose is to receive training other than promotional vendor training, or to present or exchange substantive information of mutual interest to a number of parties.

(3) An event where the employee will receive an award or honorary degree, which is in recognition of meritorious public service that is related to the employee's official duties, and which may be accepted by the employee consistent with the applicable standards of conduct regulations.

Non-Federal source means any person or entity other than the Government of the United States. The term includes any individual, private or commercial entity, nonprofit organization or association, international or multinational organization (irrespective of whether an agency holds membership in the organization or association), or foreign, State or local government

(including the government of the District of Columbia).

Payment means a monetary payment from a non-Federal source to a Federal agency for travel, subsistence, related expenses by check or other monetary instrument payable to the Federal agency (i.e., EFT, money order, charge card, etc.) or payment in kind.

Payment in kind means transportation, food, lodging, or other travel-related services provided by a non-Federal source instead of monetary payments to the Federal agency for these services. Payment in kind also includes waiver or discount of any fees that a non-Federal source collects from meeting attendees (e.g., registration fees), but does not include waivers or discounts of an employee's fees on the day(s) they are participating in the meeting or similar function as a speaker, panelist, or presenter.

Travel, subsistence, and related expenses (travel expenses) means the same types of expenses payable under chapter 301 of this subtitle, the Foreign Affairs Manual (FAM), and the Joint Travel Regulations (JTR) for transportation, food, lodging or other travel-related services for official travel (e.g., baggage expenses, services of guides, drivers, interpreters, communication services, hire of conference rooms, lodging taxes, laundry/dry cleaning, taxi or TNC fares, or the cost of utilizing an innovative mobility technology company, etc.). These expenses also include conference or training fees (in whole or in part), as well as benefits that cannot be paid under the applicable travel regulations, but which are incident to the meeting, provided in kind, and made available by the meeting sponsor(s) to all attendees. For example, this definition as applied to this chapter would allow an employee or spouse to attend a sporting event hosted by the sponsor(s) in connection with the meeting that is available to all participants. However, it would not allow the employee to accept tickets to a professional sporting event, concert or similar event, for use at a later date even if such tickets were given to all other participants. The Foreign Affairs Manual is available at <https://fam.state.gov>. The Joint Travel Regulations are available at <https://www.travel.dod.mil/Policy-Regulations/Joint-Travel-Regulations/>.

§ 304–2.2 [Reserved]**PART 304–3—EMPLOYEE RESPONSIBILITY**

Authority: 5 U.S.C. 5707; 31 U.S.C. 1353.

Subpart A—General**§ 304–3.1 Acceptance of non-Federal source travel expense payments.**

Agencies may accept payments for an employee's travel to a meeting from a non-Federal source under this part and in accordance with agency policy. Employees may accept such a payment only when their agency specifically authorizes such acceptance under the requirements of this part. Except as provided in § 304–3.11, agencies must approve acceptance of such payment in advance of employee travel.

§ 304–3.2 Types of acceptable non-Federal source payments.

Agencies or employees may accept payments other than cash from a non-Federal source for all official travel expenses to attend a meeting of mutual interest, or any portion of those travel expenses mutually agreed upon between the agency and the non-Federal source. Agencies or employees may not accept payments for non-meeting travel under this part. However, agencies or employees may be able to accept payments under other authorities (see § 304–3.17).

§ 304–3.3 Solicitation of travel expense payments.

Agencies and employees are prohibited from soliciting travel expense payments from non-Federal sources.

§ 304–3.4 Discussing agency payment acceptance authority.

Agencies or employees may inform non-Federal sources about the agency's authority to accept travel expense payments.

§ 304–3.5 Handling direct payment offers.

When contacted directly by a non-Federal source offering to pay travel expenses, employees must inform their agency and allow the authorized agency official to determine whether to accept the payment.

§ 304–3.6 Fly America Act compliance.

Employees are not required to use U.S. flag air carrier service when receiving air transportation paid in full directly by the non-Federal source or fully reimbursed to the agency by the non-Federal source.

§ 304–3.7 Use of non-coach class accommodations.

Employees may use non-coach class accommodations when the agency authorizes such use in accordance with § 304–5.5 of this chapter.

§ 304–3.8 Registration fee waiver and payment in kind considerations.

(a) Acceptance of a waived or discounted registration fee from the non-Federal sponsor of the event is not a payment in kind for the day(s) employees are participating as a speaker, panelist, or presenter.

(b) Acceptance of a waived or discounted registration fee is a payment in kind for the days employees only attend the event (*i.e.*, on the day(s) employees are not participating as a speaker, panelist, or presenter).

(c) Lodging, transportation, meals, event tickets, or other similar items of value provided by a non-Federal source are a payment in kind. If these types of expenses are included in a registration fee that is waived or discounted on the day(s) employees are participating as a speaker, panelist, or presenter, the employee may accept them only with their agency's approval in accordance with this chapter.

§ 304–3.9 Subsistence allowance limitations.

(a) Acceptance of payment for, and when applicable, reimbursement by an agency to an employee and the accompanying spouse of such employee are not subject to the maximum per diem or actual subsistence expense rates when traveling in CONUS or in non-foreign areas under the following conditions:

(1) The non-Federal source pays the full amount of the subsistence expense, as authorized by the agency;

(2) The subsistence expense paid by the non-Federal source is comparable in value to that offered to or purchased by other meeting attendees; and

(3) The agency has approved acceptance of payment from the non-Federal source prior to employee's travel; if the agency has not approved any acceptance from the non-Federal source, employees may not exceed the maximum allowances. See § 304–3.11.

(b) The maximum subsistence allowances established by the Secretary of State for travel to foreign areas may not be exceeded.

§ 304–3.10 Agency advance approval for non-Federal source travel.

Employees must receive advance agency approval before performing travel paid by a non-Federal source to attend a meeting, except as provided in § 304–3.11.

§ 304–3.11 Handling unexpected non-Federal source payment offers after travel begins.

(a) If an employee's agency has already authorized acceptance of payment for some of their travel

expenses for that meeting from a non-Federal source, then the employee may accept on behalf of the agency, payment for any of their additional travel expenses from the same non-Federal source as long as—

(1) The expenses paid or provided in kind are comparable in value to those offered to or purchased by other similarly situated meeting attendees; and

(2) The agency did not decline to accept payment for those particular expenses in advance of the employee's travel.

(b) If an agency did not authorize acceptance of any payment from a non-Federal source prior to travel, then—

(1) An employee may accept, on behalf of their agency, payment from a non-Federal source as authorized in this section—

(i) Only the types of travel expenses that are authorized by the travel authorization (*i.e.*, meals, lodging, transportation, but not recreation or other personal expenses); and

(ii) Only travel expenses that are within the maximum allowances stated on the travel authorization;

(2) Employees must request their agency's authorization for acceptance from the non-Federal source within 7 working days after the trip ends; and

(3) If an agency does not authorize acceptance from the non-Federal source, the agency must either—

(i) Reimburse the non-Federal source for the reasonable approximation of the market value of the benefit provided, not to exceed the maximum allowance stated on the travel authorization; or

(ii) Require the employee to reimburse the non-Federal source that amount and allow the employee to claim that amount on their travel claim for the trip.

(c) If an employee accepts payment from a non-Federal source for travel expenses in violation of paragraph (a) or (b) of this section, the employee may be subject to the penalties specified in § 304–3.16.

§ 304–3.12 Spouse travel paid by non-Federal source.

A non-Federal source may pay for an employee's spouse to accompany them when it is in the interest of and authorized in advance by the employee's agency. All limitations and requirements of this part apply to the acceptance of payment from a non-Federal source for travel expenses and/or agency reimbursement of travel expenses for the employee's accompanying spouse. The agency may determine that a spouse's presence at an event is in the interest of the agency if the spouse will—

(a) Support the mission of the agency or substantially assist in carrying out the employee's official duties;

(b) Attend a ceremony at which the employee will receive an award or honorary degree; or

(c) Participate in substantive programs related to the agency's programs or operations.

§ 304–3.13 Reporting requirements for non-Federal source payments.

Employees must provide their agency with information about payments received on the agency's behalf. The agency must submit to the U.S. Office of Government Ethics (OGE) a semiannual report (OGE Form 1353 or SF 326) of all payments it accepts under this part.

Subpart B—Reimbursement Claims**§ 304–3.14 Reimbursement claim when a non-Federal source pays travel expenses.**

Employees must submit a travel claim listing all allowable travel expenses incurred which were not paid in kind by a non-Federal source. An employee may not claim travel expenses that were furnished in kind by a non-Federal source. The employee's reimbursement is limited to the types of expenses authorized in chapter 301 of this subtitle or analogous provisions of the Joint Travel Regulations or Foreign Affairs Manual. Reimbursement from the agency for expenses will not in any case exceed the amount of the expenses the employee incurs. Such reimbursement will also adhere to established regulatory limitations except where the agency accepts payments under § 304–5.4, § 304–5.5, or § 304–5.6 of this chapter.

Subpart C—Reports**§ 304–3.15 Reporting travel payments on financial disclosure reports.**

Generally, employees are not required to report travel payments on financial disclosure reports when payments are made to or on behalf of the agency, or payments are not considered personal gifts.

§ 304–3.16 Penalties for unauthorized non-Federal source payment acceptance.

(a) If an employee accepts a payment from a non-Federal source in violation of this part, they may be required, in addition to any other penalty provided by law and applicable regulations, to pay the general fund of the Treasury, an amount equal to any payment accepted; and

(b) For reimbursement under paragraph (a) of this section, an employee will not be entitled to any reimbursement from the Government for

travel expenses that the payment was intended to cover.

Subpart D—Relation to Other Authorities

§ 304–3.17 Alternative authorities for accepting non-Federal source travel payments.

Employees may accept payment of travel expenses from a non-Federal source under the following authorities, in addition to this part:

(a) Under 5 U.S.C. 4111 for acceptance of contributions, awards, and other payments from tax-exempt entities for non-Government sponsored training or meetings (see regulations issued by the Office of Personnel Management at 5 CFR part 410).

(b) Under 5 U.S.C. 7342 for travel taking place entirely outside the United States which is paid by a foreign government, where acceptance is permitted by the agency and any regulations which may be prescribed by the agency.

(c) Under 5 U.S.C. 7324(b) when payment is for travel to be performed for a partisan rather than an official purpose in accordance with the Hatch Act (5 U.S.C. 7321–7326).

(d) Pursuant to the applicable standards of ethical conduct regulations in 5 CFR part 2635 concerning personal acceptance of gifts. For example, under 5 CFR 2635.204(e), which authorizes executive branch employees to accept gifts based on outside business employment relationships. Employees may also be able to accept attendance at, but not other travel expenses to, a widely attended gathering under 5 CFR 2635.204(g) when the gathering is not a meeting, as defined in this part, and the employees are not attending in their official capacity. Unless authorized to do so by the agency, an employee may not accept travel, subsistence, or related expenses, including meals, offered by a non-Federal source for participation as a speaker, panelist, or presenter at a meeting or similar function that takes place away from the employee's permanent duty station. Such expenses are considered payments in kind and must be accepted, if at all, in accordance with this part.

SUBCHAPTER B—AGENCY REQUIREMENTS

PART 304–4—AUTHORITY

Authority: 5 U.S.C. 5707; 31 U.S.C. 1353.

§ 304–4.1 Alternative authorities for accepting non-Federal source travel expense payments.

Agencies may accept payment for travel expenses to events other than

meetings from a non-Federal source pursuant to an agency gift statute or similar statutory authority. However, this part is the only authority agencies may use to accept (or authorize an employee to accept on the agency's behalf) payment for travel expenses from a non-Federal source to attend a meeting.

304–4.2 [Reserved]

PART 304–5—AGENCY RESPONSIBILITIES

Authority: 5 U.S.C. 5707; 31 U.S.C. 1353.

§ 304–5.1 Conditions for accepting non-Federal source travel payments.

Agencies may accept payment from a non-Federal source or authorize an employee and/or the employee's spouse to accept payment on the agency's behalf only when—

(a) Agencies have issued the employee (and/or the employee's spouse, when applicable) a travel authorization before the travel begins;

(b) Agencies have determined that the travel is in the interest of the Government;

(c) The travel relates to the employee's official duties; and

(d) The non-Federal source is not disqualified due to a conflict of interest under § 304–5.3.

§ 304–5.2 Approval authority for non-Federal source payment acceptance.

An official at the highest practical administrative level who can evaluate the requirements in § 304–5.3 must approve acceptance of such payments.

§ 304–5.3 Considerations for approving non-Federal source payment acceptance.

(a) The approving official must not authorize acceptance of the payment if the approving official determines that acceptance of the payment under the circumstances would cause a reasonable person with knowledge of all the facts relevant to a particular case to question the integrity of agency programs or operations. The approving official must be guided by all relevant considerations, including but not limited to the—

(1) Identity of the non-Federal source;

(2) Purpose of the meeting;

(3) Identity of other expected participants;

(4) Nature and sensitivity of any matter pending at the agency which may affect the interest of the non-Federal source;

(5) Significance of the employee's role in any such matter; and

(6) Monetary value and character of the travel benefits offered by the non-Federal source.

(b) The agency official may find that, while acceptance from the non-Federal source is permissible, it is in the interest of the agency to qualify acceptance of the offered payment by, for example, authorizing attendance at only a portion of the event or limiting the type or character of benefits that may be accepted.

§ 304–5.4 Exceeding subsistence allowances (per diem or actual expense).

(a) An agency may authorize employees to exceed subsistence allowances established by this subtitle and by the Secretary of Defense as long as—

(1) The agency authorized acceptance of payment from a non-Federal source for such allowances;

(2) The non-Federal source pays the full amount of the subsistence expense, as authorized by the agency; and

(3) The subsistence expense paid by the non-Federal source is comparable in value to that offered to or purchased by other meeting attendees.

(b) The maximum subsistence allowances prescribed by the Secretary of State for travel to foreign areas may not be exceeded.

§ 304–5.5 Non-coach class transportation accommodations.

Agencies may authorize an employee to use other than coach class accommodations on common carriers as long as—

(a) The non-Federal source makes full payment for such transportation services in advance of travel;

(b) The transportation accommodations furnished are comparable in value to those offered to, or purchased by other similarly situated meeting attendees; and

(c) Travel meets at least one of the conditions in § 301–10.100 of this subtitle.

§ 304–5.6 Multiple non-Federal source payments.

Agencies may accept payment from more than one non-Federal source for a single trip, as long as the total of such payments do not exceed the total cost of the trip.

§ 304–5.7 Review of payments in kind within waived or discounted registration fees.

(a) If the non-Federal sponsor or organizer of a meeting or similar function offers to waive or discount the registration fee of an employee who is only attending the event, the agency is not required to separately authorize acceptance of any items included in the registration fee. If applicable, acceptance of the registration fee must

be reported to the U.S. Office of Government Ethics (OGE) in accordance with part 304–6 of this subchapter.

(b) When a waived or discounted registration fee is not a payment in kind pursuant to § 304–3.8 of this chapter, the employee may only accept items that the agency authorizes separately. If applicable, the value of any payments in kind so accepted should be reported to OGE in accordance with part 304–6 of this subchapter. Review the reporting guidelines at § 304–6.3 of this subchapter to see if the aggregated meal amounts (if more than one meal, or meals of both an employee and spouse) will need to be reported to OGE.

PART 304–6—PAYMENT GUIDELINES

Authority: 5 U.S.C. 5707; 31 U.S.C. 1353.

Subpart A—General

§ 304–6.1 Restrictions on monetary payments from non-Federal sources.

Agencies may not accept a monetary payment in the form of cash from a non-Federal source. Monetary payment(s) received from a non-Federal source must be in the form of a check or similar instrument made payable to the agency.

§ 304–6.2 Partial payment handling.

When a non-Federal source provides partial payment for travel expenses, the agency should specify on the travel authorization that the employee will be reimbursed for the difference between the full allowances and the payment from the non-Federal source.

Subpart B—Reports

§ 304–6.3 Reporting payments from non-Federal sources.

The agency head or designee must submit U.S. Office of Government Ethics (OGE) Form 1353 or Standard Form (SF) 326, Semiannual Report of Payments Accepted From a Non-Federal Source, to report payments received from non-Federal sources. This applies to all payments that are more than \$250 per event for an employee and accompanying spouse. For purposes of the \$250 threshold, payments for an employee and accompanying spouse shall be aggregated. If agencies wish to use a form other than OGE Form 1353 or SF 326 to report such payments, the agency may seek permission to do so by contacting the Office of Government Ethics at United States Office of Government Ethics, 1201 New York Avenue NW, Suite 500, Washington, DC 20005–3917, or at 1353Travel@oge.gov.

§ 304–6.4 Due dates for the OGE Form 1353 or SF 326

(a) Agencies must—

(1) Submit the completed report no later than May 31 for payments received from the preceding October 1 through March 31; and

(2) Submit the completed report no later than November 30 for payments received from the preceding April 1 through September 30; and

(b) Submit the completed report including negative reports, to: Director of the Office of Government Ethics (OGE), 1201 New York Avenue NW, Suite 500, Washington, DC 20005–3917 or at 1353Travel@oge.gov.

§ 304–6.5 Handling statutorily protected information.

Information that is protected by statute from disclosure to the public should not be reported. However, if agencies omit otherwise reportable information from the OGE Form 1353 or SF 326 because the information may not be disclosed, agencies must notify OGE unless otherwise prohibited by law and, if requested by the Director of OGE, make the information available for inspection by an OGE employee with the requisite clearance.

§ 304–6.6 Reports for public inspection.

OGE must make any report filed by an agency under this part (that is not protected from disclosure by statute) available for public inspection and copying on the later of the following two dates:

(a) Within 30 days after the applicable due date.

(b) Within 30 days after the date OGE actually receives the report.

§ 304–6.7 Acceptance by OGE of the OGE Form 1353 or SF 326.

OGE is responsible for making the information provided by the agencies available to the public. It is each agency's responsibility to file the accurate and complete reports and to make the appropriate conflict of interest analysis.

Subpart C—Valuation

§ 304–6.8 Determining value of payments in kind for OGE Form 1353 or SF 326 reporting.

(a) For conference, training, or similar fees waived, discounted, or paid for by a non-Federal source on behalf of a meeting attendee, agencies must report the amount charged to other attendees. However, a waiver or discount of the registration fee by the non-Federal sponsor of the event for the day(s) the employee participated in the meeting or similar function as a speaker, panelist,

or presenter is not a payment in kind and does not need to be reported.

(b) For transportation or lodging, agencies must report the cost that the non-Federal source paid or usually would have been charged for such an event.

(c) For chartered, corporate, or other private aircraft—

(1) When a common carrier is available, agencies must report the first-class rate that would have been charged by a commercial air carrier at the time the event took place.

(2) When a common carrier is not available, agencies must report the cost of chartering a similar aircraft using a commercially available service.

(d) For lodging where no commercial rate is available, agencies must report the daily per diem rate. These rates are available at <https://www.gsa.gov/perdiem>, with links to the non-foreign and foreign area rates.

Subchapter C—Acceptance of Payments for Training

PART 304–7—AUTHORITY/ APPLICABILITY

Authority: 5 U.S.C. 4111(b); E.O. 11609, 36 FR 13747, 3 CFR 1971–1975 Comp., p. 586.

§ 304–7.1 Purpose.

The purpose of this subchapter is to provide for reductions in per diem and other travel reimbursement when employees receive contributions, awards and other payments from non-Federal sources for training in non-Government facilities and attendance at meetings under 5 U.S.C. 4111.

§ 304–7.2 Applicability of this subchapter.

This subchapter applies to—

(a) Civilian officers and employees of—

(1) Executive departments as defined in 5 U.S.C. 101;

(2) Independent establishments as defined in 5 U.S.C. 104;

(3) Government corporations subject to 31 U.S.C. chapter 91.;

(4) The Library of Congress;

(5) The Government Publishing Office (GPO); and

(6) The government of the District of Columbia; and

(b) Commissioned officers of the National Oceanic and Atmospheric Administration.

§ 304–7.3 Exemptions from this subchapter.

The following, under 5 U.S.C. 4102 and the implementing regulation at 5 CFR 410.101(b), are exempt from this subchapter:

(a) A corporation supervised by the Farm Credit Administration if private interests elect or appoint a member of the board of directors.

(b) The Tennessee Valley Authority.

(c) An individual (except a commissioned officer of the National Oceanic and Atmospheric Administration) who is a member of a uniformed service during a period in which they are entitled to pay under 37 U.S.C. 204.

(d) The U.S. Postal Service, Postal Rate Commission, and their employees.

PART 304–8—[RESERVED]

PART 304–9—CONTRIBUTIONS AND AWARDS

Authority: 5 U.S.C. 4111(b); E.O. 11609, 36 FR 13747, 3 CFR 1971–1975 Comp., p. 586.

§ 304–9.1 Definition of a donor.

A donor, for the purpose of this subchapter, is a non-profit charitable organization described by 26 U.S.C. 501(c)(3), that is exempt from taxation under 26 U.S.C. 501(a).

§ 304–9.2 Accepting contributions and awards.

Agencies may allow an employee to accept contributions and awards pertaining to training and payments incident to attendance at meetings when specifically authorized to do so in accordance with Office of Personnel Management guidelines (5 CFR part 410, subpart E).

§ 304–9.3 Restrictions on reimbursing fully funded expenses.

Agencies may not reimburse an employee for expenses that are fully reimbursed by a donor for training in a non-Government facility, or travel expenses incident to attendance at a meeting.

§ 304–9.4 Partial expense reimbursement.

Agencies may reimburse an employee for training expenses that are not fully paid by a donor, an amount considered sufficient to cover the balance of expenses to the extent authorized by law and regulation, including 5 U.S.C. 4109 and 5 U.S.C. 4110.

§ 304–9.5 Handling duplicate expense compensation.

If agencies reimburse an employee for expenses that are also paid by a donor, agencies must establish and carry out policy in accordance with 5 U.S.C. 5514 and the Federal Claims Collection Standards (31 CFR parts 900 through 904) to recover any excess amount paid to the employee.

§ 304–9.6 Reimbursement for non-authorized expenses.

Agencies are not required to reduce employee reimbursement when a donor pays for expenses the government cannot reimburse, for example, travel expenses for an employee's immediate family.

§ 304–9.7 Expense data collection.

Agencies must set an internal policy to ensure collection of expense data in such detail as the agency deems necessary to carry out this part.

[FR Doc. 2025–22289 Filed 12–5–25; 8:45 am]

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