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

DEPARTMENT OF ENERGY

10 CFR Part 800

[DOE–HQ–2025–0014]

RIN 1903–AA23

Rescinding Regulations for Loans for Minority Business Enterprises Seeking DOE Contracts and Assistance

AGENCY: Office of Civil Rights and EEO, Department of Energy.

ACTION: Direct final rule; further delay of effective date.

SUMMARY: The U.S. Department of Energy (DOE) is further extending the effective date of the direct final rule ''Rescinding Regulations for Loans for Minority Business Enterprises Seeking DOE Contracts and Assistance,'' published on May 16, 2025.

DATES: As of December 9, 2025, the effective date of the direct final rule published May 16, 2025, at 90 FR 20769, delayed until September 12, 2025 (90 FR 31137), further delayed until December 9, 2025 (90 FR 43539), is further delayed until March 9, 2026.

FOR FURTHER INFORMATION CONTACT: Mr. Jeffrey Novak, U.S. Department of Energy, Office of the General Counsel, GC–1, 1000 Independence Avenue SW, Washington, DC 20585; (202) 586–5281 or *DOEGeneralCounsel@hq.doe.gov.*

SUPPLEMENTARY INFORMATION: On May 16, 2025, DOE published a direct final rule. 90 FR 20769. DOE stated in that direct final rule that if significant adverse comments were received by June 16, 2025, DOE would withdraw the direct final rule. *Id.* On July 14, 2025, DOE published a document delaying the effective date to consider comments submitted in response to the direct final rule. 90 FR 31137.

In this document, due to delays related to the lapse in appropriations, DOE is further extending the effective date in order to follow the Department of Justice direction on the topic of the direct final rule under Executive Order 14281, ''Restoring Equality of Opportunity and Meritocracy'' and Executive Order 12250, ''Leadership and Coordination of Nondiscrimination Laws.'' 90 FR 17537 (April 28, 2025); 45 FR 72995 (Nov. 4, 1980).

To the extent that 5 U.S.C. 553 applies to this action, it is exempt from notice and comment because it constitutes a rule of procedure under 5 U.S.C. 553(b)(A) and for which no notice or hearing is required by statute. Additionally, this action is not a ''substantive rule'' for which a 30-day delay in effective date is required under 5 U.S.C. 553(d).

Signing Authority

This document of the Department of Energy was signed on December 4, 2025, by Chris Wright, Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on December 5, 2025.

Treena V. Garrett,

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

[FR Doc. 2025–22324 Filed 12–8–25; 8:45 am]

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DEPARTMENT OF ENERGY

10 CFR Part 1040

[DOE–HQ–2025–0024]

RIN 1903–AA20

Rescinding Regulations Related to Nondiscrimination in Federally Assisted Programs or Activities (General Provisions)

AGENCY: Office of Civil Rights and EEO, Department of Energy.

ACTION: Direct final rule; further delay of effective date.

SUMMARY: The U.S. Department of Energy (DOE) is further extending the effective date of the direct final rule ''Rescinding Regulations Related to Nondiscrimination in Federally Assisted Programs or Activities (General Provisions),'' published on May 16, 2025.

DATES: As of December 9, 2025, the effective date of the direct final rule published May 16, 2025, at 90 FR 20777, delayed until September 12, 2025 (90 FR 31140) and December 9, 2025 (90 FR 43539), is further delayed until March 9, 2026.

FOR FURTHER INFORMATION CONTACT: Mr. Jeffrey Novak, U.S. Department of Energy, Office of the General Counsel, GC–1, 1000 Independence Avenue SW, Washington, DC 20585; (202) 586–5281 or *DOEGeneralCounsel@hq.doe.gov.*

SUPPLEMENTARY INFORMATION: On May 16, 2025, DOE published a direct final rule. 90 FR 20777. DOE stated in that direct final rule that if significant adverse comments were received by June 16, 2025, DOE would withdraw the direct final rule. *Id.* On July 14, 2025, DOE published a document delaying the effective date to consider comments submitted in response to the direct final rule. 90 FR 31140.

In this document, due to delays related to the lapse in appropriations, DOE is further extending the effective date in order to follow the Department of Justice direction on the topic of the direct final rule under Executive Order 14281, ''Restoring Equality of Opportunity and Meritocracy'' and Executive Order 12250, ''Leadership and Coordination of Nondiscrimination Laws.'' 90 FR 17537 (April 28, 2025); 45 FR 72995 (Nov. 4, 1980).

To the extent that 5 U.S.C. 553 applies to this action, it is exempt from notice and comment because it constitutes a rule of procedure under 5 U.S.C. 553(b)(A) and for which no notice or hearing is required by statute. Additionally, this action is not a ''substantive rule'' for which a 30-day delay in effective date is required under 5 U.S.C. 553(d).

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undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on December 5, 2025.

Treena V. Garrett,

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

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DEPARTMENT OF ENERGY

10 CFR Part 1040

[DOE–HQ–2025–0015]

RIN 1903–AA24

Rescinding New Construction Requirements Related to Nondiscrimination in Federally Assisted Programs or Activities

AGENCY: Office of Civil Rights and EEO, Department of Energy.

ACTION: Direct final rule; further delay of effective date.

SUMMARY: The U.S. Department of Energy (DOE) is further extending the effective date of the direct final rule ''Rescinding Construction Requirements Related to Nondiscrimination in Federally Assisted Programs or Activities,'' published on May 16, 2025.

DATES: As of December 9, 2025, the effective date of the direct final rule published May 16, 2025, at 90 FR 20783, delayed until September 12, 2025 (90 FR 31140) and December 10, 2025 (90 FR 43907), is further delayed until March 9, 2026.

FOR FURTHER INFORMATION CONTACT: Mr. Jeffrey Novak, U.S. Department of Energy, Office of the General Counsel, GC–1, 1000 Independence Avenue SW, Washington, DC 20585; (202) 586–5281 or *DOEGeneralCounsel@hq.doe.gov.*

SUPPLEMENTARY INFORMATION: On May 16, 2025, DOE published a direct final rule. 90 FR 20783. DOE stated in that direct final rule that if significant adverse comments were received by June 16, 2025, DOE would withdraw the direct final rule. *Id.* On July 14, 2025, DOE published a document delaying the effective date to consider comments submitted in response to the direct final rule. 90 FR 31140.

In this document, due to delays related to the lapse in appropriations, DOE is further extending the effective date in order to follow the Department of Justice direction on the topic of the direct final rule under Executive Order 14281, ''Restoring Equality of Opportunity and Meritocracy'' and Executive Order 12250, ''Leadership and Coordination of Nondiscrimination Laws.'' 90 FR 17537 (April 28, 2025); 45 FR 72995 (Nov. 4, 1980).

To the extent that 5 U.S.C. 553 applies to this action, it is exempt from notice and comment because it constitutes a rule of procedure under 5 U.S.C. 553(b)(A) and for which no notice or hearing is required by statute. Additionally, this action is not a ''substantive rule'' for which a 30-day delay in effective date is required under 5 U.S.C. 553(d).

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Treena V. Garrett,

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DEPARTMENT OF ENERGY

10 CFR Part 1042

[DOE–HQ–2025–0025]

RIN 1903–AA22

Rescinding Regulations Related to Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance

AGENCY: Office of Civil Rights and EEO, Department of Energy.

ACTION: Direct final rule; further delay of effective date.

SUMMARY: The U.S. Department of Energy (DOE) is further extending the effective date of the direct final rule ''Rescinding Regulations Related to Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance,'' published on May 16, 2025.

DATES: As of December 9, 2025, the effective date of the direct final rule published May 16, 2025, at 90 FR 20788, delayed until September 12, 2025 (90 FR 31141), further delayed until December 9, 2025 (90 FR 43540, 90 FR 45317), is further delayed until March 9, 2026.

FOR FURTHER INFORMATION CONTACT: Mr. Jeffrey Novak, U.S. Department of Energy, Office of the General Counsel, GC–1, 1000 Independence Avenue SW, Washington, DC 20585; (202) 586–5281 or *DOEGeneralCounsel@hq.doe.gov.*

SUPPLEMENTARY INFORMATION: On May 16, 2025, DOE published a direct final rule. 90 FR 20788. DOE stated in that direct final rule that if significant adverse comments were received by June 16, 2025, DOE would withdraw the direct final rule. *Id.* On July 14, 2025, DOE published a document delaying the effective date to consider comments submitted in response to the direct final rule. 90 FR 31141.

In this document, due to delays related to the lapse in appropriations, DOE is further extending the effective date in order to follow the Department of Justice direction on the topic of the direct final rule under Executive Order 14281, ''Restoring Equality of Opportunity and Meritocracy'' and Executive Order 12250, ''Leadership and Coordination of Nondiscrimination Laws.'' 90 FR 17537 (April 28, 2025); 45 FR 72995 (Nov. 4, 1980).

To the extent that 5 U.S.C. 553 applies to this action, it is exempt from notice and comment because it constitutes a rule of procedure under 5 U.S.C. 553(b)(A) and for which no notice or hearing is required by statute. Additionally, this action is not a ''substantive rule'' for which a 30-day delay in effective date is required under 5 U.S.C. 553(d).

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Signed in Washington, DC, on December 5, 2025.

Treena V. Garrett,

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

[FR Doc. 2025–22323 Filed 12–8–25; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–0758; Project Identifier MCAI–2024–00651–T; Amendment 39–23192; AD 2025–23–09]

RIN 2120–AA64

Airworthiness Directives; Airbus SAS Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is superseding Airworthiness Directive (AD) 2022–15–05, which applied to certain Airbus SAS Model A318 series airplanes; Model A319–111, –112, –113, –114, –115, –131, –132, and –133 airplanes; Model A320–211, –212, –214, –216, –231, –232, and –233 airplanes; and Model A321–111, –112, –131, –211, –212, –213, –231, and –232 airplanes. AD 2022–15–05 required repetitive high frequency eddy current (HFEC) inspections for cracks on the web horizontal flange and inner cap, and applicable corrective actions. Since the FAA issued AD 2022–15–05, additional cracks have been found at the door stop fitting number 1 holes at frame (FR) 68, after disassembly of the door stop fitting as part of the inspections required by AD 2022–15–05. This AD continues to require the actions in AD 2022–15–05, but with reduced compliances times for some inspections, and requires an additional inspection at door stop fitting number 1. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective January 13, 2026.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of January 13, 2026.

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2025–0758; 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; telephone +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, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available at *regulations.gov* under Docket No. FAA–2025–0758.

FOR FURTHER INFORMATION CONTACT: Tim Dowling, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 206–231–3667; email: *timothy.p.dowling@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to supersede AD 2022–15–05, Amendment 39–22125 (87 FR 45013, July 27, 2022) (AD 2022–15–05). AD 2022–15–05 applied to all Airbus SAS Model A318–111, A318–112, A318–121, A318–122, A319–111, A319–112, A319–113, A319–114, A319–115, A319–131, A319–132, A319–133, A320–211, A320–212, A320–214, A320–216, A320–231, A320–232, A320–233, A321–111, A321–112, A321–131, A321–211, A321–212, A321–213, A321–231, and A321–232 airplanes, except those airplanes with certain modifications installed that convert the airplane to a corporate jet. AD 2022–15–05 required repetitive HFEC inspections for cracks on the web horizontal flange and inner cap and applicable corrective actions, in accordance with EASA AD 2022–0030, dated February 25, 2022 (EASA AD 2022–0030) which specifies using the original or later-approved revisions of Airbus Service Bulletin A320–53–1491. The FAA issued AD 2022–15–05 to address a report that cracks were found on the web horizontal flange and inner cap on FR 68, left-hand (LH) and right-hand (RH) sides, at stringer (STGR) 22, which could result in reduced structural integrity of the fuselage.

The NPRM was published in the **Federal Register** on May 16, 2025 (90 FR 20952). The NPRM was prompted by AD 2024–0210, dated October 29, 2024, issued by EASA, which is the Technical Agent for the Member States of the European Union (EASA AD 2024–0210) (also referred to as the MCAI). The MCAI states that after EASA AD 2022–0030 was issued, cracks have been found at the door stop fitting number 1 holes at FR 68, after the door stop fitting disassembly as part of the inspections in Airbus Service Bulletin A320–53–1491 Revision 1. Therefore, Airbus issued revision 2 of its service bulletin to include an additional inspection of the FR 68 door stop fitting number 1 holes with a larger inspection area, and an additional HFEC inspection on FR68 around the door stop fitting number 1 nuts. Some compliance times have been reduced and the procedures in the service bulletin have been updated.

In the NPRM, the FAA proposed to continue to require the actions in AD 2022–15–05, but with reduced compliances times for some inspections, and proposed to require an additional inspection at door stop fitting number 1, as specified in EASA AD 2024–0210. The FAA is issuing this AD to address cracks on the door stop 1, web horizontal flange and inner cap on FR 68, LH and RH sides, at STGR 22, which could result in reduced structural integrity of the fuselage.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2025–0758.

Discussion of Final Airworthiness Directive

Comments

The FAA received a comment from Delta Air Lines (Delta). The following presents the comment and the FAA's response.

Request for an Exception To Address Outdated Material Number Reference

Delta requested that the FAA modify paragraph (h) of the proposed AD to allow use of a compound having consumable material list (CML) code 12ADB1 instead of the compound having CML code 12ABC1 that is specified in the service information referenced by EASA AD 2024–0210. Delta explained that CML code 12ABC1 references a Type I corrosion inhibiting compound (CIC) which is a water dispersing compound used in the old temporary protection system (TPS) configuration which was phased out in

the early 2000s. Delta added that CML code 12ABC1 was replaced by CML code 12ADB1, which is a Type III CIC having both water displacing and corrosion protection properties, and is prescribed by Delta's corrosion prevention control program (CPCP) and is also identified in section 51–23–12 of the A320 Structural Repair Manual section as the replacement for CML code 12ABC1. Delta stated that it requested and received confirmation from Airbus to use CML code 12ADB1 in lieu of CML code 12ABC1 and quoted Airbus as saying ''it is acceptable to locally apply CML code 12ADB1 in lieu of 12ABC1 for the embodiment of SB 53–1491 for the re-protection of the inspection areas on Web Horizontal Flange Radii. . . .''

The FAA agrees to add an exception to paragraph (h) of this AD to allow the use of CML code 12ADB1 in lieu of CML code 12ABC1.

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, and any other changes described previously, 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 2024–0210 which specifies procedures for repetitive inspections of certain areas of the fuselage and taking corrective actions if there are cracks or discrepancies by following the manufacturer's service information. EASA AD 2024–0210 also specifies reporting all inspection findings to Airbus. Specifically, the inspections are high frequency eddy current inspections of the frame horizontal flange radii, inner cap fillet radius, the door stop 1 fasteners, and the frame inner cap corner at FR 68. The instructions for the inspections depend on whether a repair part has been installed. On-condition corrective actions include additional inspections for cracking, inspections to determine if a certain modification or repair was done, and repair of cracking at the web horizontal flange. 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 1,924 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspection for repair part	1 work-hour × $85 per hour = $85	$0	$85	$163,540.
High frequency eddy current inspection	27 work-hours × $85 per hour = $2,295 per inspection cycle.	0	$2,295 per inspection cycle.	$4,415,580 per inspection cycle.

The FAA estimates the following costs to do any on-condition inspections that would be required based on the results of the high frequency eddy current inspections. The FAA has no way of determining the number of airplanes that might need these on-condition inspections:

ESTIMATED COSTS OF ON-CONDITION ACTIONS

Action	Labor cost	Parts cost	Cost per product
On-condition inspections	Up to 30 work-hours × $85 per hour = $2,550.	$0	Up to $2,550.

The extent of cracking and other conditions found during the inspections could vary significantly from airplane to airplane. The FAA has no way of determining which conditions may be found on each airplane, the cost to correct or repair each airplane, or the number of airplanes 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

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 (AD) 2022–15–05, Amendment 39–22125 (87 FR 45013, July 27, 2022); and

■ b. Adding the following new AD:

2025–23–09 Airbus SAS: Amendment 39–23192; Docket No. FAA–2025–0758; Project Identifier MCAI–2024–00651–T.

(a) Effective Date

This airworthiness directive (AD) is effective January 13, 2026.

(b) Affected ADs

This AD replaces AD 2022–15–05, Amendment 39–22125 (87 FR 45013, July 27, 2022) (AD 2022–15–05).

(c) Applicability

This AD applies to Airbus SAS Model airplanes identified in paragraphs (c)(1) through (4) of this AD, certificated in any category, as identified in European Union Aviation Safety Agency (EASA) AD 2024–0210, dated October 29, 2024 (EASA AD 2024–0210).

(1) Model A318–111, –112, –121, and –122 airplanes.

(2) Model A319–111, –112, –113, –114, –115, –131, –132, and –133 airplanes.

(3) Model A320–211, –212, –214, –216, –231, –232, and –233 airplanes.

(4) Model A321–111, –112, –131, –211, –212, –213, –231, and –232 airplanes.

(d) Subject

Air Transport Association (ATA) of America Code 53, Fuselage.

(e) Unsafe Condition

This AD was prompted by a report that cracks were found on the web horizontal flange and inner cap on frame (FR) 68, left-hand (LH) and right-hand (RH) sides, at stringer (STGR) 22, and at the door stop fitting number 1 holes at FR 68. The FAA is issuing this AD to address the cracks on the door stop 1, web horizontal flange and inner cap on FR 68, LH and RH sides, at STGR 22. The unsafe condition, if not addressed, could result in reduced structural integrity of the fuselage.

(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 2024–0210.

(h) Exceptions to EASA AD 2024–0210

(1) Where EASA AD 2024–0210 refers to ''22 November 2021 [the effective date of EASA AD 2021–0242]'', this AD requires using August 31, 2022 (the effective date of AD 2022–15–05).

(2) Where EASA AD 2024–0210 refers to its effective date, this AD requires using the effective date of this AD.

(3) Where paragraph (1) of EASA AD 2024–0210 refers to ''the SDI'', this AD requires replacing that text with ''the applicable inspections''.

(4) This AD does not adopt the ''Remarks'' section of EASA AD 2024–0210.

(5) This AD does not adopt paragraphs (2) and (3) of EASA AD 2024–0210.

(6) Where paragraph (4) of EASA AD 2024–0210 states ''discrepancies'', this AD requires replacing that word with ''conditions''.

(7) Where paragraph (4) of EASA AD 2024–0210 states ''within the compliance time specified therein'', this AD requires replacing that text with ''before further flight''.

(8) Where paragraph (6) of EASA AD 2024–0210 specifies ''the instructions provided by Airbus'', for this AD, those instructions must be approved by the FAA, EASA, or Airbus SAS's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(9) Where the material referenced in EASA 2024–0210 states to use consumable material list (CML) code 12ABC1, this AD also allows using CML code 12ADB1 instead.

(i) No Reporting Requirement

Although paragraph (7) of and the material referenced in EASA AD 2024–0210 specify to submit certain information to the manufacturer, this AD does not include that requirement.

(j) Additional AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, AIR–520, Continued Operational Safety Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the Continued Operational Safety Branch, send it to the attention of the person identified in paragraph (k) of this AD and email to: *AMOC@faa.gov*. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, Continued Operational Safety Branch, FAA; or EASA; or Airbus SAS's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(3) *Required for Compliance (RC):* Except as required by paragraphs (h), (i), and (j)(2) of this AD, if any material contains procedures or tests that are identified as RC, those procedures and tests must be done to comply with this AD; any procedures or tests that are not identified as RC are recommended. Those procedures and tests that are not identified as RC may be deviated from using accepted methods in accordance with the operator's maintenance or inspection program without obtaining approval of an AMOC, provided the procedures and tests identified as RC can be done and the airplane can be put back in an airworthy condition. Any substitutions or changes to procedures or tests identified as RC require approval of an AMOC.

(k) Additional Information

For more information about this AD, contact Tim Dowling, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 206–231–3667; email: *timothy.p.dowling@faa.gov.*

(l) Material Incorporated by Reference

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

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

(i) European Union Aviation Safety Agency (EASA) AD 2024–0210, dated October 29, 2024.

(ii) [Reserved]

(3) For EASA material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email *ADs@easa.europa.eu;* 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, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

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

Issued on November 12, 2025.

Peter A. White,

Deputy Director, Integrated Certificate Management Division, Aircraft Certification Service.

[FR Doc. 2025–22348 Filed 12–8–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–2262; Project Identifier MCAI–2025–00083–T; Amendment 39–23187; AD 2025–23–04]

RIN 2120–AA64

Airworthiness Directives; ATR—GIE Avions de Transport Régional Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain ATR—GIE Avions de Transport Régional Model ATR42–300, –320, –500, ATR72–201, and –212A airplanes and all ATR—GIE Avions de Transport Régional Model ATR72–102, –202, –211, and –212 airplanes. This AD was prompted by an inspection on the ATR final assembly line that found a fire extinguishing tube, located on the ceiling of the aft cargo compartment, disconnected from its sleeve. This AD requires a functional check of the aft cargo fire extinguishing system and applicable on-condition actions, if necessary. For certain airplanes, this AD also requires an additional functional check and applicable on-condition actions. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective January 13, 2026.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of January 13, 2026.

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2025–2262; 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; telephone +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, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available at *regulations.gov* under Docket No. FAA–2025–2262.

FOR FURTHER INFORMATION CONTACT: Alexis Whitaker, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 516–228–7309; email: *9-AVS-AIR-BACO-COS@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 certain ATR—GIE Avions de Transport Régional Model ATR42–300, –320, –500, ATR72–201, and –212A airplanes and all ATR—GIE Avions de Transport Régional Model ATR72–102, –202, –211, and –212 airplanes. The NPRM was published in the **Federal Register** on August 21, 2025 (90 FR 40778). The NPRM was prompted by AD 2025–0080, dated April 11, 2025; corrected April 23, 2025 (EASA AD 2025–0080) (also referred to as the MCAI), issued by EASA, which is the Technical Agent for the Member States of the European Union. The MCAI superseded EASA AD 2025–0024, dated January 22, 2025. The MCAI states that during an inspection on the ATR final assembly line, a fire extinguishing tube, located on the ceiling of the aft cargo compartment, was found disconnected from its sleeve. Further investigations indicated that this condition might affect other ATR airplanes. This condition, if not detected and corrected, could affect the capability of the aft cargo compartment fire extinguishing system to contain a cargo compartment fire.

In the NPRM, the FAA proposed to require a functional check of the aft cargo fire extinguishing system and applicable on-condition actions, if necessary, as specified in EASA AD 2025–0080. The FAA also proposed to require, for certain airplanes, an additional functional check and applicable on-condition actions, as specified in EASA AD 2025–0080. 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–2025–2262.

Discussion of Final Airworthiness Directive

Comments

The FAA received comments from the Air Line Pilots Association, International (ALPA) and an individual who supported the NPRM without change.

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 2025–0080, which specifies procedures for accomplishing a functional check for discrepancies, such as incorrectly installed distribution piping, of the aft cargo fire extinguishing system, and depending on the results, corrective actions. Corrective actions include correcting and re-installing the distribution piping then repeating the functional check after re-installation, or obtaining and following repair instructions from the manufacturer if a detected discrepancy cannot be corrected. For airplanes on which a functional check and corrective actions have been accomplished using certain material, EASA AD 2025–0080 specifies performing an additional functional check and, depending on the results, corrective actions. 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 103 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
1 work-hour × $85 per hour = $85	$0	$85	$8,755

The FAA estimates the following costs to do any necessary on-condition actions that would be required based on the results of any required actions. The FAA has no way of determining the number of aircraft that might need these on-condition actions:

ESTIMATED COSTS OF ON-CONDITION ACTIONS

Labor cost	Parts cost	Cost per product
Up to 2 work-hour × $85 per hour = $170	$0	Up to $170.

The FAA has received no definitive data on which to base the cost estimates for airplanes that require contacting ATR for repair instructions in order to comply with on-condition actions specified in this AD.

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:

2025–23–04 ATR—GIE Avions de Transport Régional: Amendment 39–23187; Docket No. FAA–2025–2262; Project Identifier MCAI–2025–00083–T.

(a) Effective Date

This airworthiness directive (AD) is effective January 13, 2026.

(b) Affected ADs

None.

(c) Applicability

This AD applies to the ATR—GIE Avions de Transport Régional airplanes identified in paragraphs (c)(1) and (2) of this AD, certificated in any category, as identified in European Union Aviation Safety Agency (EASA) AD 2025–0080, dated April 11, 2025; corrected April 23, 2025 (EASA AD 2025–0080).

(1) ATR42–300, –320, and –500 airplanes.

(2) ATR72–102, –201, –202, –211, –212, and –212A airplanes.

(d) Subject

Air Transport Association (ATA) of America Code 26, Fire Protection.

(e) Unsafe Condition

This AD was prompted by an inspection on the ATR final assembly line that found a fire extinguishing tube, located on the ceiling of the aft cargo compartment, disconnected from its sleeve. The FAA is issuing this AD to address this condition, which if not detected and corrected, could affect the capability of the aft cargo compartment fire extinguishing system to contain a cargo compartment fire.

(f) Compliance

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

(g) Requirements

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, EASA AD 2025–0080.

(h) Exceptions to EASA AD 2025–0080

(1) Where EASA AD 2025–0080 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where EASA AD 2025–0080 refers to February 5, 2025 (the effective date of EASA AD 2025–0024, dated January 22, 2025), this AD requires using the effective date of this AD.

(3) Where EASA AD 2025–0080 refers to ''any discrepancy'', this AD requires replacing that text with ''any incorrectly installed distribution piping''.

(4) This AD does not adopt the ''Remarks'' section of EASA AD 2025–0080.

(i) Special Flight Permits

Special flight permits may be issued in accordance with 14 CFR 21.197 and 21.199 to operate the airplane to a location where the airplane can be modified, provided no cargo is in the aft cargo compartment.

(j) Additional AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Validation Branch, FAA, has the authority to

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

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

(k) Additional Information

For more information about this AD, contact Alexis Whitaker, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 516–228–7309; email: *9-AVS-AIR-BACO-COS@faa.gov*.

(l) Material Incorporated by Reference

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

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

(i) European Union Aviation Safety Agency (EASA) AD 2025–0080, dated April 11, 2025; corrected April 23, 2025.

(ii) [Reserved]

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

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

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

Issued on November 7, 2025.

Steven W. Thompson,

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

[FR Doc. 2025–22346 Filed 12–8–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–0749; Project Identifier AD–2025–00179–T; Amendment 39–23189; AD 2025–23–06]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain The Boeing Company Model 787–9 and 787–10 airplanes. This AD was prompted by reports of multiple supplier notices of escapement (NOEs) documenting pressure deck splice fittings that were possibly manufactured with an incorrect titanium alloy material. This AD requires an inspection of the attach fittings and upper splice fitting of the stub beam horizontal pressure deck (HPD) to determine the type of titanium alloy material and applicable on-condition actions. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective January 13, 2026.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of January 13, 2026.

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2025–0749; 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, 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 the Boeing material identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminster Blvd., MC 110–SK57, Seal Beach, CA 90740–5600; telephone 562–797–1717; website *myboeingfleet.com*.
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available at *regulations.gov* under Docket No. FAA–2025–0749.

FOR FURTHER INFORMATION CONTACT: Joseph Hodgin, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 206–231–3962; email: *joseph.j.hodgin@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 certain The Boeing Company Model 787–9 and 787–10 airplanes. The NPRM was published in the **Federal Register** on May 14, 2025 (90 FR 20411). The NPRM was prompted by reports of multiple supplier NOEs documenting pressure deck splice fittings that were possibly manufactured with an incorrect titanium alloy material. In the NPRM, the FAA proposed to require an inspection of the attach fittings and upper splice fitting of the stub beam HPD to determine the type of titanium alloy material, and applicable on-condition actions. The FAA is issuing this AD to address pressure deck splice fittings that were possibly manufactured with an incorrect titanium alloy material, which could result in premature cracks in a pressure deck splice fitting and lead to loss of residual strength of the surrounding structure, resulting in the inability to sustain limit load.

Discussion of Final Airworthiness Directive

Comments

The FAA received comments from United Airlines, who stated that it had no objections to the proposed rule, and an anonymous commenter who supported the NPRM without change.

The FAA received additional comments from American Airlines (American) and Boeing. The following presents those comments and the FAA's response.

Request To Clarify Inspection Instructions

American requested that the FAA revise the proposed AD to state that either an X-ray fluorescent (XRF) or high frequency eddy current (HFEC) inspection method is acceptable for compliance with the proposed AD. The commenter expressed concern that paragraph (g) of the proposed AD specifies doing all applicable actions identified in, and in accordance with, the Accomplishment Instructions of Boeing Alert Requirements Bulletin

B787–81205–SB530091–00 RB, Issue 001, dated February 7, 2025, but the inspection instructions in the requirements bulletin do not clearly state that doing an HFEC inspection to determine the type of titanium alloy material negates the need for an XRF inspection (for example, see task 5). The commenter stated it cannot accomplish the XRF inspection because the equipment is unavailable.

The FAA disagrees with the request. Tables 1 through 5 in the Accomplishment Instructions of the requirements bulletin specify to ''Do a High Frequency Eddy-Current (HFEC) inspection or handheld X-Ray Fluorescence (XRF) Spectrometer inspection of the affected Stub Beam HPD Attach fitting(s) and Upper Splice fitting to determine titanium alloy material.'' In addition, footnote 2 of the corresponding Method of Compliance task tables states: ''As an option, do a High Frequency Eddy-Current (HFEC) inspection of the stub beam HPD attach fitting to determine the material in accordance with 787 NDT Manual Part 6, 51–00–13.'' Footnote 2 denotes that the HFEC inspection is an alternative to the XRF inspection specified in footnote 1. Therefore, operators may accomplish either an HFEC or XFR inspection to comply with the AD requirement to determine the type of titanium alloy material. No change to the AD is necessary in this regard.

Request To Revise the Number of Affected Airplanes

Boeing requested that the FAA revise the estimated number of affected airplanes of U.S. registry from 11 to 13 in the Costs of Compliance paragraph of the proposed AD and adjust the costs accordingly. Boeing noted that Boeing Alert Requirements Bulletin B787–81205–SB530091–00 RB, Issue 001, dated February 7, 2025, includes 13 airplanes of U.S. registry. Boeing explained that the two additional airplanes are currently operated by foreign operators but remain on the U.S. registry.

The FAA agrees with the request. The FAA has revised the Costs of Compliance section of this AD accordingly.

Conclusion

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, and any other changes described previously, 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 Boeing Alert Requirements Bulletin B787–81205–SB530091–00 RB, Issue 001, dated February 7, 2025. This material specifies procedures for an HFEC inspection or handheld XRF spectrometer inspection of the affected stub beam HPD attach fittings and upper splice fitting (if applicable to the group) to determine the titanium alloy material, and applicable related investigative and corrective actions. Related investigative actions include an open hole HFEC inspection for cracking of the fastener hole locations common to the interfacing structure of affected stub beam HPD attach fittings and affected upper splice fittings. Corrective actions include repairing cracks and obtaining instructions for installation of new fittings, replacing all affected stub beam HPD attach fittings with new stub beam HPD attach fittings made of Ti-6Al-4V alloy material, and replacing all affected upper splice fittings (if applicable to the group) with new upper splice fittings made of Ti-6Al-4V alloy material.

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 13 airplanes 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
Inspection	Up to 12 work-hours × $85 per hour = $1,020.	$0	Up to $1,020	Up to $13,260.

The FAA estimates the following costs to do any replacements that would be required based on the results of the inspection. The agency has no way of determining the number of aircraft that might need these replacements:

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Open hole HFEC inspection	Up to 3 work-hours × $85 per hour = $255	$0	Up to $255.
Replacement	52 work-hours × $85 per hour = $4,420	Up to $17,570	Up to $21,990.

The FAA has received no definitive data on which to base the cost estimates for certain installation instructions or repairs specified in this AD.

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

2025–23–06 The Boeing Company: Amendment 39–23189; Docket No. FAA–2025–0749; Project Identifier AD–2025–00179–T.

(a) Effective Date

This airworthiness directive (AD) is effective January 13, 2026.

(b) Affected ADs

None.

(c) Applicability

This AD applies to The Boeing Company Model 787–9 and 787–10 airplanes, certificated in any category, as identified in Boeing Alert Requirements Bulletin B787–81205–SB530091–00 RB, Issue 001, dated February 7, 2025.

(d) Subject

Air Transport Association (ATA) of America Code 53, Fuselage.

(e) Unsafe Condition

This AD was prompted by reports of multiple supplier notices of escapement documenting pressure deck splice fittings that were possibly manufactured with an incorrect titanium alloy material. The unsafe condition, if not addressed, could result in premature cracks in a pressure deck splice fitting and lead to loss of residual strength of the surrounding structure, resulting in the inability to sustain limit load.

(f) Compliance

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

(g) Required Actions

Except as specified by paragraph (h) of this AD: At the applicable times specified in the ''Compliance'' paragraph of Boeing Alert Requirements Bulletin B787–81205–SB530091–00 RB, Issue 001, dated February 7, 2025, do all applicable actions identified in, and in accordance with, the Accomplishment Instructions of Boeing Alert Requirements Bulletin B787–81205–SB530091–00 RB, Issue 001, dated February 7, 2025.

Note 1 to paragraph (g): Guidance for accomplishing the actions required by this AD can be found in Boeing Alert Service Bulletin B787–81205–SB530091–00, Issue 001, dated February 7, 2025, which is referred to in Boeing Alert Requirements Bulletin B787–81205–SB530091–00 RB, Issue 001, dated February 7, 2025.

(h) Exceptions to Requirements Bulletin Specifications

(1) Where the Compliance Time columns of the tables in the ''Compliance'' paragraph of Boeing Alert Requirements Bulletin B787–81205–SB530091–00 RB, Issue 001, dated February 7, 2025, refer to the Issue 001 date of Requirements Bulletin B787–81205–SB530091 RB, this AD requires using the effective date of this AD.

(2) Where Boeing Alert Requirements Bulletin B787–81205–SB530091–00 RB, Issue 001, dated February 7, 2025, specifies contacting Boeing for repair instructions and certain installation instructions: This AD requires doing the repair or installation using a method approved in accordance with the procedures specified in paragraph (i) of this AD.

(i) Alternative Methods of Compliance (AMOCs)

(1) The Manager, AIR–520, Continued Operational Safety Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the Continued Operational Safety Branch, send it to the attention of the person identified in paragraph (j)(1) of this AD. Information may be emailed to: *AMOC@faa.gov.* Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) An AMOC that provides an acceptable level of safety may be used for any repair, modification, or alteration required by this AD if it is approved by The Boeing Company Organization Designation Authorization (ODA) that has been authorized by the Manager, AIR–520, Continued Operational Safety Branch, FAA, to make those findings. To be approved, the repair method, modification deviation, or alteration deviation must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

(j) Additional Information

(1) For more information about this AD, contact Joseph Hodgin, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 206–231–3962; email: *joseph.j.hodgin@faa.gov.*

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

(k) Material Incorporated by Reference

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

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

(i) Boeing Alert Requirements Bulletin B787–81205–SB530091–00 RB, Issue 001, dated February 7, 2025.

(ii) [Reserved]

(3) For the Boeing material identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminster Blvd., MC 110–SK57, Seal Beach, CA 90740–5600; telephone 562–797–1717; website *myboeingfleet.com.*

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

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

Issued on November 7, 2025.

Peter A. White,

Deputy Director, Integrated Certificate Management Division, Aircraft Certification Service.

[FR Doc. 2025–22350 Filed 12–8–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–0338; Project Identifier AD–2024–00641–T; Amendment 39–23188; AD 2025–23–05]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain The Boeing Company Model 787–8, 787–9, and 787–10 airplanes. This AD was prompted by reports of multiple nonconformances, including excessive gaps and pull-up, in the forward pressure bulkhead. This AD requires an internal and external detailed inspection (DET) of the forward pressure bulkhead (FPB) for any damage and performing applicable on-condition actions. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective January 13, 2026.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of January 13, 2026.

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2025–0338; 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, 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 Boeing material identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminster Blvd., MC 110–SK57, Seal Beach, CA 90740–5600; telephone 562–797–1717; website *myboeingfleet.com*.
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available at *regulations.gov* under Docket No. FAA–2025–0338.

FOR FURTHER INFORMATION CONTACT: Joseph Hodgin, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 206–231–3962; email: *joseph.j.hodgin@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 certain The Boeing Company Model 787–8, 787–9, and 787–10 airplanes. The NPRM was published in the **Federal Register** on March 14, 2025 (90 FR 12115). The NPRM was prompted by reports of multiple nonconformances, including excessive gaps and pull-up, in the forward pressure bulkhead. In the NPRM, the FAA proposed to require an internal and external DET of the FPB for any damage and performing applicable on-condition actions. The FAA is issuing this AD to address fatigue cracks that can develop prior to baseline structural inspection thresholds. The unsafe condition, if not addressed, could result in undetected fatigue cracks that can grow to weaken the primary structure where it cannot sustain limit load, which could adversely affect the structural integrity of the airplane.

Discussion of Final Airworthiness Directive

Comments

The FAA received comments from Boeing, ProTech Aero Services Limited (ProTech), two individuals, and two anonymous commenters who supported the NPRM without change.

The FAA also received comments from Qantas Airlines (Qantas) and United Airlines (UAL), who supported the NPRM but also requested changes as discussed below.

The FAA received additional comments from three other commenters, including the Foundation for Aviation Safety, an individual, and an anonymous commenter. The following presents the comments received on the NPRM and the FAA's response to each comment.

Request To Correct a Typographical Error

UAL and Qantas requested that the FAA revise paragraph (d) of the proposed AD to read ''Air Transport Association (ATA) of America Code 53, Fuselage.'' Qantas commented that ATA 41 is a minor error in paragraph (d) in the proposed AD. Both commenters stated that the ATA code should be 53.

The FAA agrees to correct the typographical error. The FAA has revised paragraph (d) of this AD accordingly.

Request To Revise Work Instructions

UAL requested that the FAA revise the Work Instructions of Boeing Alert Service Bulletin B787–81205–SB530093–00, Issue 001, dated October 5, 2024, to remove step (b) of Part 1 from the service bulletin or make it optional. UAL commented that step (b) of Part 1 instructs to remove the insulation blanket from the nose radome area and stated that no insulation blanket is present per Boeing Illustrated Parts Data (IPD) 53–13–01–01.

The FAA disagrees with UAL's request. Step (b) of Part 1 of Boeing Alert Service Bulletin B787–81205–SB530093–00, Issue 001, dated October 5, 2024, is not a Required for Compliance (RC) step, therefore it is optional to perform. The FAA has not changed this AD in this regard.

Request for Reporting to the FAA

An anonymous commenter requested that all inspection reports be submitted to the FAA in anonymized form to facilitate broader data collection and trend analysis.

The FAA disagrees with the commenter's request. The actions required by this AD address the identified unsafe condition. The FAA notes that if any cracking is found as the result of any inspections, then it must be reported in accordance with 14 CFR 21.3 The FAA has not changed this AD in this regard.

Request To Expand Inspections and Mandate Re-Inspection

An anonymous commenter requested that the FAA expand the inspections to include adjacent fuselage structures potentially affected by assembly errors to prevent undetected cascading structural failures. The commenter also requested that the FAA mandate periodic re-inspection schedules beyond the initial compliance for affected aircraft.

The FAA disagrees with the commenter's request. The actions required by this AD address the identified unsafe condition. The FAA notes that for any repaired area, post-repair inspections are required by maintenance and operational rules; therefore, it is not necessary to mandate them in this AD. However, if additional data are presented that would justify expanding the inspection area or mandating repetitive inspections, the FAA might consider further rulemaking

on this issue. The FAA has not revised this AD in this regard.

Request To Address Costs of Compliance

An anonymous commenter requested that, given that on-condition repairs may not be fully covered under warranty, the FAA provide more detailed cost ranges to better inform small operators and promote economic equity.

The FAA acknowledges the commenter's concern. For this AD, the repair costs will vary depending on what damage is found, so the FAA has no way of estimating them. Although this AD imposes certain operational costs (inspections) on operators, all operators have an obligation to ensure that their airplanes are in airworthy condition. The FAA has not changed the AD in this regard.

Feedback on Training, Environmental Impact, Supply Chain, Worker Safety, Diversity, and New Technology

An anonymous commenter provided feedback on a range of topics, including workforce training, environmental impact, supply chain oversight, worker safety reporting, diversity and equity considerations, and new technologies.

The FAA acknowledges the commenter's feedback; however, these matters are outside the scope of this AD, and the commenter did not request any specific revisions to the proposed AD. The FAA has not changed this AD in this regard.

Request To Address Concerns With Forward Pressure Bulkheads

An individual expressed concern that the proposed AD is inadequate and does not adequately address the underlying issues with non-compliant forward pressure bulkheads. The commenter stated there are some problems with the forward pressure bulkhead and commented on Boeing Alert Requirements Bulletin B787–81205–SB530093–00 RB, Issue 001, dated October 5, 2024. The commenter urged that the FAA further investigate pressure bulkhead safety risks for the safety of the public.

The FAA acknowledges the commenter's concern. The FAA investigated and verified with Boeing that the concerns regarding problems with forward pressure bulkheads were appropriately addressed in the analysis conducted during the safety investigation. The FAA has determined that an unsafe condition exists related to the forward pressure bulkhead, as specified in paragraph (e) of this AD, and has worked with Boeing to ensure all known non-conformances were considered during the evaluation of this safety issue.

Comments on Mandated Service Information

The same individual also provided comments on Boeing Alert Requirements Bulletin B787–81205–SB530093–00 RB, Issue 001, dated October 5, 2024, that relate to accomplishing the required actions. The following specifies those comments that implicate a request for changes, and the FAA's responses.

The commenter stated that the detailed inspection is inadequate because sealant covers the inspection zone and stated that a non-destructive inspection (NDI) for cracking should instead be done.

The FAA notes that only the fastener is encased in sealant and that it is not necessary to see the fastener to do the detailed inspection, which looks for cracks that will extend beyond the fastener sealant and cracks near the chord radius. An NDI is not required to detect such cracking. The detailed inspections required by this AD detect any early cracking resulting from identified non-conformances. However, if additional data are presented that would justify requiring NDIs in the subject area, the FAA might consider further rulemaking.

The commenter noted that for torque values, the structural repair manual (SRM) should be followed on interference fit.

The FAA notes that the commenter referred to ''torque values'' in a standard note in the General Information paragraph of the Accomplishment Instructions of Boeing Alert Requirements Bulletin B787–81205–SB530093–00 RB, Issue 001, dated October 5, 2024. The removal and installation of fasteners common to the forward pressure bulkhead is not an action specified in the requirements bulletin. If, however, any damage is detected during an inspection specified in Boeing Alert Requirements Bulletin B787–81205–SB530093–00 RB, Issue 001, dated October 5, 2024, the operator is instructed to contact Boeing for repair instructions and do the repair. The repair instructions would include fastener installation requirements such as torquing values and appropriate hole fit requirements.

The commenter suggested ''a remove and replace'' in a standard note in the General Information paragraph of the Accomplishment Instructions of Boeing Alert Requirements Bulletin B787–81205–SB530093–00 RB, Issue 001, dated October 5, 2024.

The FAA notes that this is a standard note for removing parts for access. No removal of structure is necessary to perform the required detailed inspection. If, however, any damage is detected during an inspection specified in Boeing Alert Requirements Bulletin B787–81205–SB530093–00 RB, Issue 001, dated October 5, 2024, the operator is instructed to contact Boeing for repair instructions and do the repair. The repair instructions would include any applicable removal and replacement requirements.

The FAA has not changed this AD in regard to these comments.

Support for Previous Commenter

The Foundation for Aviation Safety expressed support for the points made by the individual who requested changes to the mandated service instructions. They also expressed concern for the manufacturing of Boeing airplanes, and the actions government agencies are taking to mitigate what it described as chronic manufacturing problems.

The FAA addressed the referenced individual's comments above. Otherwise, the Foundation for Aviation Safety did not request any change to the AD.

Conclusion

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, and any other changes described previously, 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 Boeing Alert Requirements Bulletin B787–81205–SB530093–00 RB, Issue 001, dated October 5, 2024. This material specifies procedures for an internal DET of the FPB attach angle and splice chords as well as an external DET of the FPB dome web and Y-chord for any damage and applicable on-condition actions including repair. 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 135 airplanes 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
Inspections	10 work-hours × $85 per hour = $850	$0	$850	$114,750

The FAA has received no definitive data on which to base the cost estimates for the on-condition repairs specified in this AD.

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

2025–23–05 The Boeing Company: Amendment 39–23188; Docket No. FAA–2025–0338; Project Identifier AD–2024–00641–T.

(a) Effective Date

This airworthiness directive (AD) is effective January 13, 2026.

(b) Affected ADs

None.

(c) Applicability

This AD applies to The Boeing Company Model 787–8, 787–9, and 787–10 airplanes, certificated in any category, as identified in Boeing Alert Requirements Bulletin B787–81205–SB530093–00 RB, Issue 001, dated October 5, 2024.

(d) Subject

Air Transport Association (ATA) of America Code 53, Fuselage.

(e) Unsafe Condition

This AD was prompted by reports of multiple nonconformances, including excessive gaps and pull-up, in the forward pressure bulkhead. The FAA is issuing this AD to address fatigue cracks that can develop prior to baseline structural inspection thresholds. The unsafe condition, if not addressed, could result in undetected fatigue cracks that can grow to weaken the primary structure where it cannot sustain limit load, which could adversely affect the structural integrity of the airplane.

(f) Compliance

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

(g) Required Actions

Except as specified by paragraph (h) of this AD: At the applicable times specified in the ''Compliance'' paragraph of Boeing Alert Requirements Bulletin B787–81205–SB530093–00 RB, Issue 001, dated October 5, 2024, do all applicable actions identified in, and in accordance with, the Accomplishment Instructions of Boeing Alert Requirements Bulletin B787–81205–SB530093–00 RB, Issue 001, dated October 5, 2024.

Note 1 to paragraph (g): Guidance for accomplishing the actions required by this AD can be found in Boeing Alert Service Bulletin B787–81205–SB530093–00, Issue 001, dated October 5, 2024, which is referred to in Boeing Alert Requirements Bulletin B787–81205–SB530093–00 RB, Issue 001, dated October 5, 2024.

(h) Exceptions to Requirements Bulletin Specifications

(1) Where the Compliance Time columns of the tables in the ''Compliance'' paragraph of Boeing Alert Requirements Bulletin B787–81205–SB530093–00 RB, Issue 001, dated October 5, 2024, refer to the Issue 001 date of Requirements Bulletin B787–81205–SB530093–00 RB, this AD requires using the effective date of this AD.

(2) Where Boeing Alert Requirements Bulletin B787–81205–SB530093–00 RB, Issue 001, dated October 5, 2024, specifies contacting Boeing for repair instructions, this AD requires doing the repair using a method approved in accordance with the procedures specified in paragraph (i) of this AD.

(i) Alternative Methods of Compliance (AMOCs)

(1) The Manager, AIR–520, Continued Operational Safety Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the certification office, send it to the attention of the person identified in paragraph (j)(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 responsible Flight Standards Office.

(3) An AMOC that provides an acceptable level of safety may be used for any repair, modification, or alteration required by this

AD if it is approved by The Boeing Company Organization Designation Authorization (ODA) that has been authorized by the Manager, AIR–520, Continued Operational Safety Branch, FAA, to make those findings. To be approved, the repair method, modification deviation, or alteration deviation must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

(j) Related Information

(1) For more information about this AD, contact Joseph Hodgin, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 206–231–3962; email: *joseph.j.hodgin@faa.gov.*

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

(k) Material Incorporated by Reference

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

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

(i) Boeing Alert Requirements Bulletin B787–81205–SB530093–00 RB, Issue 001, dated October 5, 2024.

(ii) [Reserved]

(3) For Boeing material identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminster Blvd., MC 110–SK57, Seal Beach, CA 90740–5600; telephone 562–797–1717; website *myboeingfleet.com.*

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

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

Issued on December 5, 2025.

Peter A. White,

Deputy Director, Integrated Certificate Management Division, Aircraft Certification Service.

[FR Doc. 2025–22363 Filed 12–8–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–0754; Project Identifier MCAI–2024–00489–T; Amendment 39–23185; AD 2025–23–02]

RIN 2120–AA64

Airworthiness Directives; Airbus SAS Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is superseding Airworthiness Directive (AD) 2017–23–04, which applied to all Airbus SAS Model A300 B4–600R series airplanes; all Model A300–B4 603, B4–620, and B4–622 airplanes; all Model A300 C4–605R Variant F airplanes; and certain Model A300 F4–605R airplanes. AD 2017–23–04 required an inspection of the upper wing skin and top stringer joints, and modification of the stringer joint couplings if necessary. Since the FAA issued AD 2017–23–04, it has been determined that additional airplanes may be subject to the identified unsafe condition. This AD continues to require the actions in AD 2017–23–04 and adds airplanes. This AD also removes certain airplanes from the applicability. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective January 13, 2026.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of January 13, 2026.

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2025–0754; 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; telephone +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, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available at *regulations.gov* under Docket No. FAA–2025–0754.

FOR FURTHER INFORMATION CONTACT: Aaron Nguyen, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 817–222–5134; email: *Aaron.T.Nguyen@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to supersede AD 2017–23–04, Amendment 39–19098 (82 FR 52832, November 15, 2017) (AD 2017–23–04). AD 2017–23–04 applied to all Airbus SAS Model A300 B4–600R series airplanes; all Model A300 B4–603, B4–620, and B4–622 airplanes; all Model A300 C4–605R Variant F airplanes; and certain Model A300 F4–605R airplanes. AD 2017–23–04 required an inspection of the upper wing skin and top stringer joints, and modification of the stringer joint couplings if necessary. The FAA issued AD 2017–23–04 to detect and correct damage (including cracking) at the stringer joints, which could reduce the structural integrity of the wing.

The NPRM was published in the **Federal Register** on May 13, 2025 (90 FR 20261). The NPRM was prompted by AD 2024–0170, dated August 26, 2024, issued by EASA, which is the Technical Agent for the Member States of the European Union (EASA AD 2024–0170) (also referred to as the MCAI). The MCAI states that EASA AD 2024–0170 was issued to expand the applicability to include Model A300 F4–605R airplanes in post-modification 12699 configuration (*i.e.,* airplanes embodied with Airbus modification 12699) and A300 F4–622R airplanes, even though the introduced models are below the lower threshold of the embodiment window (for modification of the stringer joint couplings), ensuring that their structures remain resistant against widespread fatigue damage within their established limit of validity.

In the NPRM, the FAA proposed to require the actions in AD 2017–23–04 and add airplanes. In the NPRM, the FAA also proposed to remove certain airplanes from the applicability. 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–2025–0754.

Discussion of Final Airworthiness Directive

Comments

The FAA received comments from FedEx who supported the NPRM and had an additional request.

Request To Allow Previously Approved Alternative Methods of Compliance (AMOCs)

FedEx requested the FAA revise paragraph (i) of the proposed AD to allow AMOCs approved previously for AD 2017–23–04 to be approved as AMOCs for the corresponding provisions of the proposed AD to prevent the need to request new AMOC approvals after the AD is released.

The FAA agrees and has revised this AD accordingly.

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, and any other changes described previously, 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 2024–0170, which specifies procedures for a detailed visual inspection of the upper wing skin and top stringer joints at rib 18 for damage (including cracking), modification of the stringer joint couplings at rib 18, and corrective actions if necessary. The modification includes oversizing fastener holes in the upper wing skin and doing a special detailed (roto-probe) inspection for damage, including cracking, of the fastener holes. Corrective actions include obtaining and following repair instructions. 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 119 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Retained actions from AD 2017–23–04	38 work-hours × $85 per hour = $3,230	$9,540	$12,770	$1,519,630

The FAA has received no definitive data on which to base the cost estimates for the on-condition actions specified in this AD.

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:

■ a. Removing Airworthiness Directive (AD) 2017–23–04, Amendment 39–19098 (82 FR 52832, November 15, 2017); and

■ b. Adding the following new AD:

2025–23–02 Airbus SAS: Amendment 39–23185; Docket No. FAA–2025–0754; Project Identifier MCAI–2024 00489–T.

(a) Effective Date

This airworthiness directive (AD) is effective January 13, 2026.

(b) Affected ADs

This AD replaces AD 2017–23–04, Amendment 39–19098 (82 FR 52832, November 15, 2017) (AD 2017–23–04).

(c) Applicability

This AD applies to all Airbus SAS Model A300 B4–603, B4–605R, B4–622, B4–622R, C4–605R Variant F, F4–605R, and F4–622R airplanes, certificated in any category.

(d) Subject

Air Transport Association (ATA) of America Code 57, Wings.

(e) Unsafe Condition

This AD was prompted by the determination that the top stringer joints at rib 18 are an area of uniform stress distribution, which indicates that cracks may develop in adjacent stringer at the same time, and by the determination that additional airplanes are subject to the unsafe condition. The FAA is issuing this AD to detect and correct damage (including cracking) at the stringer joints. The unsafe condition, if not

addressed, could result in reduced structural integrity of the wing.

(f) Compliance

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

(g) Requirements

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, European Union Aviation Safety Agency (EASA) AD 2024–0170, dated August 26, 2024 (EASA AD 2024–0170).

(h) Exceptions to EASA AD 2024–0170

(1) Where EASA AD 2024–0170 refers to ''24 February 2017 [the effective date of EASA AD 2017–0023]'', this AD requires using ''December 20, 2017 (the effective date of AD 2017–23–04)''.

(2) Where EASA AD 2024–0170 refers to its effective date, this AD requires using the effective date of this AD.

(3) Where EASA AD 2024–0170 does not define ''average flight time'' for determining the short range (SR) and long range (LR) airplanes, this AD defines ''average flight time'' as the total accumulated flight hours, counted from takeoff to touchdown, divided by the total accumulated flight cycles as of December 20, 2017 (the effective date of AD 2017–23–04).

(4) Where paragraph (1) of EASA AD 2024–0170 specifies to accomplish all applicable corrective actions and modify the stringer joint couplings, this AD requires accomplishing the applicable corrective actions and modification before further flight after the inspection.

(5) Where the referenced material in EASA AD 2024–0170 specifies inspecting for damage, this AD defines damage as cracking.

(6) This AD does not adopt the ''Remarks'' section of EASA AD 2024–0170.

(i) Additional AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, AIR–520, Continued Operational Safety Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the Continued Operational Safety Branch, send it to the attention of the person identified in paragraph (j) of this AD and email to: *AMOC@faa.gov.*

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

(ii) AMOCs approved previously for AD 2017–23–04 are approved as AMOCs for the corresponding provisions of EASA AD 2024–0170 that are required by paragraph (g) of this AD.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, AIR–520, Continued Operational Safety Branch, FAA; or EASA; or Airbus SAS's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(3) *Required for Compliance (RC):* Except as required by paragraph (i)(2) of this AD, if any material contains procedures or tests that are identified as RC, those procedures and tests must be done to comply with this AD; any procedures or tests that are not identified as RC are recommended. Those procedures and tests that are not identified as RC may be deviated from using accepted methods in accordance with the operator's maintenance or inspection program without obtaining approval of an AMOC, provided the procedures and tests identified as RC can be done and the airplane can be put back in an airworthy condition. Any substitutions or changes to procedures or tests identified as RC require approval of an AMOC.

(j) Additional Information

For more information about this AD, contact Aaron Nguyen, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 817–222–5134; email: *Aaron.T.Nguyen@faa.gov.*

(k) Material Incorporated by Reference

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

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

(i) European Union Aviation Safety Agency (EASA) AD 2024–0170, dated August 26, 2024.

(ii) [Reserved]

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

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

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

Issued on November 5, 2025.

Peter A. White,

Deputy Director, Integrated Certificate Management Division, Aircraft Certification Service.

[FR Doc. 2025–22351 Filed 12–8–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–1102; Project Identifier MCAI–2024–00183–R; Amendment 39–23205; AD 2025–24–08]

RIN 2120–AA64

Airworthiness Directives; Hélicoptères Guimbal Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for all Hélicoptères Guimbal (Guimbal) Model Cabri G2 helicopters. This AD was prompted by reports of cracked main rotor swashplates (swashplates). This AD requires repetitively inspecting certain swashplates for cracks and, depending on the results, removing and replacing each cracked swashplate. This AD also prohibits installing an affected swashplate unless it has passed the inspection requirements. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective January 13, 2026.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of January 13, 2026.

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2025–1102; 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 Guimbal material identified in this AD, contact Guimbal, 1070, rue du Lieutenant Parayre, Aérodrome d'Aix-en-Provence, 13290 Les Milles, France; phone: 33–04–42–39–10–88; email: *support@guimbal.com;* or at *guimbal.com.*
- 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–2025–1102.

FOR FURTHER INFORMATION CONTACT: George Weir, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (817) 222–4045; email: *george.a.weir@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 Guimbal Model Cabri G2 helicopters. The NPRM was published in the **Federal Register** on June 18, 2025 (90 FR 25906). The NPRM was prompted by AD 2024–0071, dated March 14, 2024 (EASA AD 2024–0071) (also referred to as the MCAI), issued by European Union Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union. The MCAI states that occurrences were reported where, during maintenance, cracks were found on the rotating and non-rotating part of the swashplates of two Guimbal Model Cabri G2 helicopters. Guimbal concluded that the cracks were likely caused by aging and corrosion.

In the NPRM, the FAA proposed to require removing the paint on each swashplate and repetitively visually inspecting the six arms of the rotating and non-rotating swashplates for cracks and, depending on the results, removing and replacing any cracked swashplate or repainting the swashplate. The NPRM also prohibited installing an affected swashplate unless it has passed the proposed inspection requirements. The FAA is issuing this AD to detect and correct a cracked swashplate. The unsafe condition, if not addressed, could lead to failure of a cracked swashplate, which could result in loss of control of the helicopter.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2025–1102.

Comments

The FAA received comments from 12 commenters. The commenters were Austin Peay State University Aviation Science, Cabri US, Rotor Leasing LLC, Carlson Aeromotive, EASA, Hélicoptères Guimbal, Precision Support Services, and five individual commenters. The majority of the commenters expressed concerns regarding the necessity of paint removal for the initial inspection and stated that the cost estimates for the inspection and corrective actions appear to be undervalued. Additional concerns were raised about the frequency of inspections, the availability of materials, and the potential use of a magnifying glass during the process. Furthermore, there is a desire for the FAA AD to align with the information outlined in the EASA AD. Several commenters also voiced support for the opinions of their peers. The following presents the comments received on the NPRM and the FAA's response to each comment.

Request To Remove Paint Removal Requirement for the Initial and Repetitive Inspections

Eleven commenters requested a revision of the required actions to remove the required action of removing the paint as part of the initial and repetitive inspections. Five of the commenters stated that the stripping and repainting is only required in cases of doubt in the required service material and not at each inspection. Several commenters stated there is a significant risk of damaging or weakening the integrity of the swashplate due to repeated paint stripping and this paint stripping will not enhance the detection of potential cracks. Guimbal stated that removing the paint at each inspection could create new corrosion areas as well as painting errors.

Austin Peay State University Aviation Science stated that the proposed AD will bypass the initial visual inspection and cause maintenance personnel to initiate invasive maintenance procedures, such as sanding paint and metal and using abrasives, which will introduce flaws and could develop into stress fractures and shorten the life of the component. Additionally, Rotor Leasing LLC stated that, if the FAA has concerns regarding an undetected crack, it would be prudent to mandate a dye penetrant inspection rather than relying solely on a visual inspection. Furthermore, several commenters stated the urethane paint will crack along with the aluminum if a crack appears and thus ensure that any cracks won't be concealed by the existing paint.

The FAA partially agrees. The FAA agrees that removing the paint in order to accomplish the initial and repetitive visual inspections is unnecessary and revised this AD by eliminating those requirements. The FAA disagrees with requiring a dye penetrant inspection instead of a visual inspection in order to accomplish the inspection of the rotating and non-rotating swashplates for a crack.

Request To Revise the Inspection Interval

Three of the commenters requested that the inspection intervals proposed in the NPRM of not exceeding 60 hours time in service (TIS) be revised to align with the 50-hour TIS, 100-hour TIS, and annual inspections as specified in the service material. The commenters stated these standard inspections already necessitate a visual inspection of the swashplate, and requiring an additional visual inspection is not cost-effective.

The FAA disagrees with revising the proposed inspection intervals from 60 hours TIS or 14 months, whichever occurs first. This final rule follows the inspection intervals specified in the MCAI and the service material. In addition, repetitive inspections may always be conducted before exceeding the 60 hours TIS to align with maintenance intervals. The FAA has not changed this AD in this regard.

Request To Revise the Cost of Compliance Paragraph

Several commenters stated the process of removing the paint, inspecting, and reapplying the paint will take a minimum of 2 hours and possibly up to 4 hours not 30 minutes as indicated in the NPRM. The commenters requested revising this estimate to increase to two hours. The commenters also suggested revising the labor rate of $85 per hour to a range between $125 and $185 per hour to reflect current rates.

The FAA partially agrees. After considering the data presented by commenters, the FAA agrees that the number of work-hours required to remove the paint, inspect and reapply the paint is higher than the agency's previous estimate. The Costs of Compliance paragraph has been revised to indicate this as an on-condition cost and has increased the estimated work-hours associated with this required action to 2 work-hours. The FAA disagrees with changing the labor rate of $85 per hour. The FAA notes that the current wage rate for aviation mechanics as provided by the Bureau of Labor Statistics, found at *data.bls.gov/oesprofile,* after accounting for fringe benefits that are valued at roughly 50 percent of the nominal wage, is lower than the estimated fully burdened labor rate of $85 per hour. Therefore, the FAA is unable to justify increasing the labor rate from $85 per hour.

Request To Revise the Materials Incorporated by Reference Under 1 CFR Part 51 Paragraph

Austin Peay State University Aviation Science stated in the section titled Material Incorporated by Reference Under 1 CFR part 51, the statement that material is reasonably available is incorrect. The commenter states the

approved paint is only available in Europe and is not readily available due to the long shipping process.

The FAA infers that the commenter assumed this paragraph was referencing the required materials (*i.e.,* the paint) when in fact this paragraph references the required service materials (*i.e.,* service bulletins and documents) and not the materials required to perform the actions in the AD. Based on this inference, the FAA disagrees. The FAA has not changed this AD in this regard.

Request Modification of Inspection Procedures

Austin Peay State University Aviation Science requested the visual inspection include the usage of a 10x magnifying glass to aid in the detection of a crack. In addition, they requested the wording ''If operated in a severe corrosion zone'' for helicopters operating in a corrosive environment, after the initial inspection and thereafter at every 2,200 hour inspection, remove the paint on the swashplate and a visually inspect for cracks.

The FAA disagrees. If there is a crack, the paint will crack with the material underneath. Therefore, requiring the usage of a magnifying glass or removing the paint at every 2,200-hour inspection is unnecessary. Cracks can occur on any helicopter regardless of the operating environment. Restricting the inspection to only those ''operated in severe corrosion zone'' could lead to possible missed helicopters. 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, and any other changes described previously, 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 Guimbal Mandatory Service Bulletin SB 24–001, Revision C, dated March 20, 2024 (Guimbal SB 24–001 C), which specifies procedures for performing repetitive inspections of the six arms from both the rotating and non-rotating swashplate part number G41–00–000 for cracks, replacing any cracked swashplate, and contacting Guimbal support. If there is doubt about the existence of a crack or if there is paint damage or peeling, Guimbal SB 24–001 C specifies removing the paint and further inspecting for cracks. If no crack is found, Guimbal SB 24–001 C specifies touching up the paint in areas where paint was removed before approving the helicopter for return to service.

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 material referenced in the MCAI specifies contacting Guimbal support after replacing the swashplate, whereas this AD does not require that action.

Costs of Compliance

The FAA estimates that this AD affects 59 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 inspection cycle	Cost on U.S. operators per inspection cycle
Inspect Swashplate	.25 work-hours × $85 per hour = $22	$0	$22	$1,298

The FAA estimates the following costs to do any 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 replacement:

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Remove paint, inspect, and repaint Swashplate	2 work-hours × $85 per hour = $170	$60	$230
Replace Swashplate	6 work-hours × $85 per hour = $510	7,066	7,576

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:

2025–24–08 Hélicoptères Guimbal: Amendment 39–23205; Docket No. FAA–2025–1102; Project Identifier MCAI–2024–00183–R.

(a) Effective Date

This airworthiness directive (AD) is effective January 13, 2026.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Hélicoptères Guimbal (Guimbal) Model Cabri G2 helicopters, certificated in any category, with a main rotor swashplate part number (P/N) G41–00–000 installed.

(d) Subject

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

(e) Unsafe Condition

This AD was prompted by reports of cracks on the rotating and non-rotating parts of the swashplates. The FAA is issuing this AD to detect and correct a cracked swashplate. The unsafe condition, if not addressed, could lead to failure of a cracked swashplate, which could result in loss of control of the helicopter.

(f) Compliance

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

(g) Required Actions

(1) Within the compliance time listed in table 1 to paragraph (g)(1) of this AD and thereafter at intervals not to exceed 60 hours time in service (TIS) or 14 months, whichever occurs first, visually inspect with a flashlight all six arms of both the rotating and non-rotating swashplates for a crack, paying particular attention to each face of each clevis arm as shown in the picture under paragraph (a) of Guimbal Mandatory Service Bulletin SB 24–001, Revision C, dated March 20, 2024 (Guimbal SB 24–001 C).

TABLE 1 TO PARAGRAPH (g)(1)

Swashplate serial No.	Initial compliance time
801 through 1077 inclusive	Within 30 hours TIS or 4 months, whichever occurs first, after the effective date of this AD.
1078 and higher	Within 60 hours TIS or 6 months, whichever occurs first, after the effective date of this AD.

(2) If a crack is found on a swashplate during any inspection required by paragraph (g)(1) of this AD, before further flight, remove the cracked swashplate from service and install an airworthy swashplate.

(3) If there is paint damage (*i.e.,* scratches, fading, peeling, discoloration, staining, or cracking), found on any swashplate during an inspection required by paragraph (g)(1) of this AD, remove the paint using P600–GRIT abrasive for further crack inspection and retouch all areas of each swashplate where paint was removed by following paragraph (d) of Guimbal SB 24–001 C.

(h) Parts Installation Limitation

As of the effective date of this AD, do not install a swashplate having P/N G41–00–000 on any helicopter, unless it has been inspected in accordance with paragraph (g)(1) of this AD.

(i) Credit for Previous Actions

You may take credit for any inspection and associated actions required by paragraph (g) of this AD if you performed that inspection before the effective date of this AD using Guimbal Mandatory Service Bulletin SB 24–001, Revision A, dated February 7, 2024, or Guimbal Mandatory Service Bulletin SB 24–001, Revision B, dated March 13, 2024.

(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)(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 local flight standards district office/certificate holding district office.

(l) Additional Information

(1) For more information about this AD, contact George Weir, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (817) 222–4045; email: *george.a.weir@faa.gov.*

(2) Guimbal material identified in this AD that is not incorporated by reference is available at the addresses specified in paragraph (m)(3) of this AD.

(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) Guimbal Mandatory Service Bulletin SB 24–001, Revision C, dated March 20, 2024.

(ii) [Reserved]

(3) For Guimbal material identified in this AD, contact Hélicoptères Guimbal, 1070, rue du Lieutenant Parayre, Aérodrome d'Aix-en-Provence, 13290 Les Milles, France; phone: 33–04–42–39–10–88; email: *support@guimbal.com;* or at *guimbal.com.*

(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 21, 2025.

Steven W. Thompson,

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

[FR Doc. 2025–22320 Filed 12–8–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–0474; Project Identifier AD–2024–00777–T; Amendment 39–23186; AD 2025–23–03]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain The Boeing Company Model 757 airplanes. This AD was prompted by reports of precoolers that failed due to a wear-out condition, combined with latently failed overheat detection thermal switches. This AD requires an inspection for heat damage on the engine strut structure, repetitive tests of the thermal switch temperature and ground wires, replacement of the precooler on Model 757–300 airplanes, and applicable on-condition actions. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective January 13, 2026.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of January 13, 2026.

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2025–0474; 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, 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 Boeing material identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminster Blvd., MC 110 SK57, Seal Beach, CA 90740–5600; telephone 562–797–1717; website *myboeingfleet.com.*
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available at *regulations.gov* under Docket No. FAA–2025–0474.

FOR FURTHER INFORMATION CONTACT: Kathryn Hill, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 206–231–3626; email: *Kathryn.A.Hill@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 certain The Boeing Company Model 757 airplanes. The NPRM was published in the **Federal Register** on April 1, 2025 (90 FR 14346). The NPRM was prompted by reports of precoolers that failed due to a wear-out condition, combined with latently failed overheat detection thermal switches. In the NPRM, the FAA proposed to require an inspection for heat damage on the engine strut structure, repetitive tests of the thermal switch temperature and ground wires, replacement of the precooler on Model 757–300 airplanes, and applicable on-condition actions. The FAA is issuing this AD to address the combination of a failed precooler and latently failed overheat detection thermal switches. The unsafe condition, if not addressed, may result in prolonged high temperature heat exposure on the strut, which could lead to separation of the engine strut-to-wing box connection.

Discussion of Final Airworthiness Directive

Comments

The FAA received comments from the Air Line Pilots Association, International (ALPA), ProTech Aero Services Limited, a named individual, and two anonymous commenters, who all supported the NPRM without change.

The FAA received additional comments from Aviation Partners Boeing (APB), European Air Transport Leipzig GmbH, and United Parcel Service Co. (UPS Airlines). The following presents those comments and the FAA's response.

Effect of Winglets on Accomplishment of the Proposed Actions

APB stated that the installation of winglets per Supplemental Type Certificate (STC) ST01518SE does not affect compliance with the required actions of the proposed rule.

The FAA agrees. The installation of STC ST01518SE does not affect compliance with the required actions of this AD, specifically, the accomplishment of the manufacturer's service instructions. The FAA has not changed this AD in this regard.

Request To Revise Compliance Time for General Visual Inspection (GVI)

UPS Airlines requested the FAA revise the proposed AD to only require a GVI of the strut if the thermal switch fails the test that is required to be accomplished within 9,000 flight hours or 27 months from the effective date of the AD, whichever occurs first. The commenter stated there are multiple maintenance program inspections of the strut that are accomplished at various intervals as specified in the Boeing 757 Maintenance Planning Data (MPD). The commenter also stated that MPD inspections look for corrosion, heat damage, and any obvious signs of damage. The commenter asserted the inspection of the strut in the proposed AD is redundant to the MPD inspections and will not provide an enhanced level of safety.

The FAA does not agree with the request. The maintenance tasks provided in the Boeing 757 MPD are in general the manufacturer's recommended tasks so that each operator can develop a customized maintenance program. Also, the intervals of certain inspections can be escalated depending on the operator's existing maintenance practices. The FAA cannot be sure that all strut areas addressed by this AD will be inspected in a timely manner by all affected operators based on each operator's customized maintenance program. The FAA has determined that a latent failure mode identified on the thermal switches may leave hot air leakage due to precooler failure undetected for a prolonged period, and this condition could eventually result in critical thermal damage to the strut structure. The risk of having critical thermal damage becomes significantly high for those airplanes that continue to operate with latently failed thermal switches. Since the failure of thermal switches cannot be detected until the switches are tested, the FAA concluded that the strut should be inspected as soon as reasonably practical to mitigate the risk by detecting thermal damage to the strut structure. The FAA has not changed this AD in this regard.

Request To Correct Aircraft Maintenance Manual (AMM) Reference

European Air Transport Leipzig GmbH requested that the FAA correct the reference to Boeing ''757 AMM 26–12–01'' for the thermal switch set temperature test in Boeing Alert Requirements Bulletin 757–26A0062 RB, dated January 17, 2025. The

commenter stated that ''757 AMM 26–12–00'' is the correct reference for the accepted procedure.

The FAA agrees that the AMM reference to the accepted procedure for the thermal switch set temperature test is incorrect, since 757 AMM 26–12–01 relates to the removal and installation of the strut overheat switch, and 757 AMM 26–12–00 relates to the thermal switch set temperature test. However, no change to the AD is necessary in this regard. The FAA notes that the incorrect AMM reference is in Boeing Alert Service Bulletin 757–26A0062, dated January 17, 2025, not Boeing Alert Requirements Bulletin 757–26A0062 RB, dated January 17, 2025. In addition to containing the same information that is required for compliance with the requirements bulletin, the service bulletin provides additional guidance, including references to accepted procedures for accomplishing the required actions. Since the reference to the incorrect AMM section in the service bulletin is ''referred to'' as additional guidance, operators are not required to use it to accomplish the thermal switch set temperature test. Operators may use the appropriate AMM sections to accomplish the required actions. The FAA has not changed this AD in this regard.

Conclusion

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 Boeing Alert Requirements Bulletin 757–26A0062 RB, dated January 17, 2025. This material specifies procedures for a GVI for heat damage on the left and right engine strut structure, repetitive thermal switch temperature tests and continuity tests of the ground wires, and, for Model 757–300 airplanes, replacement of the precooler at intervals not to exceed 45,000 total precooler flight hours. This material also specifies procedures for applicable on-condition actions including repair of structures with heat damage, replacement of the thermal switch, repair or replacement of failed circuit wires, and a system test of the strut overheat detection system, which includes doing applicable corrective actions until the test is passed.

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.

Interim Action

The FAA considers this AD to be 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 235 airplanes 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
Inspection	12 work-hours × $85 per hour = $1,020.	$0	$1,020	$239,700.
Temperature and continuity test	20 work-hours × $85 per hour = $1,700.	0	1,700	$399,500 per test cycle.
Precooler replacement (21 Model 757–300 airplanes).	34 work-hours × $85 per hour = $2,890.	Up to $96,675	Up to $99,565	Up to $2,090,865 per replacement cycle.

The FAA estimates the following costs to do any on-condition actions that would be required based on the results of the inspection and test. The agency has no way of determining the number of airplanes that might need these on-condition actions:

ON-CONDITION COSTS *

Action	Labor cost	Parts cost	Cost per product
Strut overheat detection system test	2 work-hours × $85 per hour = $170	$0	$170
Thermal switch replacement, part number (P/N) 975–0304-003	2 work-hours × 85 per hour = $170	939	1,109
Thermal switch replacement, P/N 975-0304-004	2 work-hours × 85 per hour = $170	1,704	1,874
Thermal switch replacement, P/N 975-0304-008	2 work-hours × 85 per hour = $170	3,810	3,980
Wire repair or replacement	2 work-hours × 85 per hour = $170	0	170

* The FAA has received no definitive data on which to base the cost estimates for some of the on-condition repairs specified in this AD.

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:

2025–23–03 The Boeing Company: Amendment 39–23186; Docket No. FAA–2025–0474; Project Identifier AD–2024–00777–T.

(a) Effective Date

This airworthiness directive (AD) is effective January 13, 2026.

(b) Affected ADs

None.

(c) Applicability

This AD applies to The Boeing Company Model 757–200, –200PF, –200CB, and –300 series airplanes, certificated in any category, as identified in Boeing Alert Requirements Bulletin 757–26A0062 RB, dated January 17, 2025.

(d) Subject

Air Transport Association (ATA) of America Code 26, Fire protection.

(e) Unsafe Condition

This AD was prompted by reports of precoolers that failed due to a wear-out condition. The FAA is issuing this AD to address the combination of a failed precooler and latently failed overheat detection thermal switches. The unsafe condition, if not addressed, may result in prolonged high temperature heat exposure on the strut, which could lead to separation of the engine strut-to-wing box connection.

(f) Compliance

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

(g) Required Actions

Except as specified in paragraph (h) of this AD: At the applicable times specified in the ''Compliance'' paragraph of Boeing Alert Requirements Bulletin 757–26A0062 RB, dated January 17, 2025, do all applicable actions identified in, and in accordance with, the Accomplishment Instructions of Boeing Alert Requirements Bulletin 757–26A0062 RB, dated January 17, 2025.

Note 1 to paragraph (g): Guidance for accomplishing the actions required by this AD can be found in Boeing Alert Service Bulletin 757–26A0062, dated January 17, 2025, which is referred to in Boeing Alert Requirements Bulletin 757–26A0062 RB, dated January 17, 2025.

(h) Exceptions to Requirements Bulletin Specifications

(1) Where the ''Boeing Recommended Compliance Time'' columns in the tables under the ''Compliance'' paragraph of Boeing Alert Requirements Bulletin 757–26A0062 RB, dated January 17, 2025, refer to the Original Issue date of Requirements Bulletin 757–26A0062 RB, this AD requires using the effective date of this AD.

(2) Where Boeing Alert Requirements Bulletin 757–26A0062 RB, dated January 17, 2025, specifies contacting Boeing for repair instructions, this AD requires doing the repair using a method approved in accordance with the procedures in paragraph (i) of this AD.

(i) Alternative Methods of Compliance (AMOCs)

(1) The Manager, AIR–520, Continued Operational Safety Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the Continued Operational Safety Branch, send it to the attention of the person identified in paragraph (j)(1) of this AD. Information may be emailed to *AMOC@faa.gov.* Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) An AMOC that provides an acceptable level of safety may be used for any repair, modification, or alteration required by this AD if it is approved by The Boeing Company Organization Designation Authorization (ODA) that has been authorized by the Manager, AIR–520, Continued Operational Safety Branch, FAA, to make those findings. To be approved, the repair method, modification deviation, or alteration deviation must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

(j) Additional Information

(1) For more information about this AD, contact Kathryn Hill, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 206–231–3626; email: *Kathryn.A.Hill@faa.gov.*

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

(k) Material Incorporated by Reference

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

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

(i) Boeing Alert Requirements Bulletin 757–26A0062 RB, dated January 17, 2025.

(ii) [Reserved]

(3) For Boeing material identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminster Blvd., MC 110–SK57, Seal Beach, CA 90740–5600; telephone 562–797–1717; website *myboeingfleet.com.*

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

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

Issued on November 5, 2025.

Peter A. White,

Deputy Director, Integrated Certificate Management Division, Aircraft Certification Service.

[FR Doc. 2025–22344 Filed 12–8–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–2259; Project Identifier MCAI–2025–00021–T; Amendment 39–23206; AD 2025–24–09]

RIN 2120–AA64

Airworthiness Directives; ATR—GIE Avions de Transport Régional Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for all ATR—GIE Avions de Transport Régional Model ATR42 and Model ATR72 airplanes. This AD was

prompted by a design review that determined that the inspection interval of the pressure regulator and shut-off valve (PRSOV) functional test must be reduced to meet the design safety objectives, due to a risk of dormant failures. This AD requires repetitive functional tests of each PRSOV, and applicable corrective actions. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective January 13, 2026.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of January 13, 2026.

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2025–2259; 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; telephone +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, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available at *regulations.gov* under Docket No. FAA–2025–2259.

FOR FURTHER INFORMATION CONTACT: Brenda L. Buitrago, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 516–288–7368; email: *9-AVS-AIR-BACO-COS@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 ATR—GIE Avions de Transport Régional Model ATR42 and Model ATR72 airplanes. The NPRM was published in the **Federal Register** on August 19, 2025 (90 FR 40266). The NPRM was prompted by AD 2025–0011, dated January 10, 2025 (EASA AD 2025–0011) (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 following a design review it was determined the interval of the PRSOV functional test in the current ATR maintenance instructions must be reduced to meet the design safety objectives, due to a risk of dormant failures. This dormant failure, in combination with the icing conditions, could result in loss of control of the airplane.

In the NPRM, the FAA proposed to require repetitive functional tests of each PRSOV, and applicable corrective actions, as specified in EASA AD 2025–0011. 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–2025–2259.

Discussion of Final Airworthiness Directive

Comments

The FAA received a comment from Air Line Pilots Association, International (ALPA) who supported the NPRM without change.

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 2025–0011, which specifies procedures for repetitive functional tests of each PRSOV, including the first level pressure regulation, for discrepancies (results other than those in the results column of the applicable tables in the material referenced in EASA AD 2025–0011), and applicable corrective actions. Corrective actions include troubleshooting and repairing any faults and contacting the manufacturer for instructions.

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 114 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
50 work-hours × $85 per hour = $4,250	$0	$4,250	$484,500

The FAA has received no definitive data on which to base the cost estimates for the on-condition actions specified in this AD.

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:

2025–24–09 ATR—GIE Avions de Transport Régional: Amendment 39–23206; Docket No. FAA–2025–2259; Project Identifier MCAI–2025–00021–T.

(a) Effective Date

This airworthiness directive (AD) is effective January 13, 2026.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all ATR—GIE Avions de Transport Régional Model ATR42–200, –300, –320, and –500 airplanes; and Model ATR72–101, –102, –201, –202, –211, –212, and –212A airplanes, certificated in any category.

(d) Subject

Air Transport Association (ATA) of America Code 30, Ice and rain protection.

(e) Unsafe Condition

This AD was prompted by a design review that determined that the interval of the pressure regulator and shut-off valve (PRSOV) functional test must be reduced to meet the design safety objectives, due to a risk of dormant failures. The FAA is issuing this AD to address this dormant failure, which in combination with the icing conditions could result in loss of control of the airplane.

(f) Compliance

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

(g) Requirements

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, European Union Aviation Safety Agency (EASA) AD 2025–0011, dated January 10, 2025 (EASA AD 2025–0011).

(h) Exceptions to EASA AD 2025–0011

(1) Where EASA AD 2025–0011 refers to its effective date, this AD requires using the effective date of this AD.

(2) This AD does not adopt the ''Remarks'' section of EASA AD 2025–0011.

(3) Where EASA AD 2025–0011 specifies ''any discrepancy'', this AD requires replacing that text with ''any result other than those in the results column of the applicable tables in the AOM''.

(i) Additional AD Provisions

The following provisions also apply to this AD:

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

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

(j) Additional Information

For more information about this AD, contact Brenda L. Buitrago, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 516–288–7368; email: *9-AVS-AIR-BACO-COS@faa.gov*.

(k) Material Incorporated by Reference

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

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

(i) European Union Aviation Safety Agency (EASA) AD 2025–0011, dated January 10, 2025.

(ii) [Reserved]

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

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

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

Issued on November 20, 2025.

Steven W. Thompson,

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

[FR Doc. 2025–22339 Filed 12–8–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–5041; Project Identifier MCAI–2025–01620–Q; Amendment 39–23210; AD 2025–25–02]

RIN 2120–AA64

Airworthiness Directives; Aerospace & Defense Oxygen Systems SaS (Part of Safran Aerosystems) (Formerly Known as Air Liquide)

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for all aircraft equipped with certain Aerospace & Defense Oxygen Systems SaS portable breathing equipment (PBE). This AD was prompted by reports of occurrences of incorrect usage of certain PBEs. This AD requires incorporating revised procedures for donning the PBE. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective December 24, 2025.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of December 24, 2025.

The FAA must receive comments on this AD by January 23, 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.* Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.
- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2025–5041; 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 street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For Safran Aerosystems material identified in this AD, contact Safran Aerosystems, Customer Support & Services, Technical Publication Department, 61 Rue Pierre Curie, CS20001, 78373 Plaisir Cedex, France; phone + 33 (0)1 61 34 23 23; email *techsupport.sao@safrangroup.com;* website *www.safran-aerosystems.com.*
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available at *regulations.gov* under Docket No. FAA–2025–5041.

FOR FURTHER INFORMATION CONTACT: Harjot Rana, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 516–228–7344; email: *9-AVS-AIR-BACO-COS@faa.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this final rule. Send your comments using a method listed under the **ADDRESSES** section. Include ''Docket No. FAA–2025–5041; Project Identifier MCAI–2025–01620–Q'' at the beginning of your comments. The most helpful comments reference a specific portion of the final rule, 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 final rule because of those comments.

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

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 AD 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 AD, 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 AD. Submissions containing CBI should be sent to Harjot Rana, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 516–228–7344; email: *9-AVS-AIR-BACO-COS@faa.gov.* Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

The European Union Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2025–0222, dated October 13, 2025 (EASA AD 2025–0222) (also referred to as the MCAI), to correct an unsafe condition on Aerospace & Defense Oxygen Systems SaS (part of Safran Aerosystems) (formerly Air Liquide) PBE, part number (P/N) 15–40F–11 and P/N 15–40F–80, all serial numbers. The MCAI states that occurrences of incorrect usage of PBE have been reported. This condition, if not corrected, could lead to flight or cabin crewmember incapacitation, possibly affecting crewmember capability to accomplish tasks during an emergency, or resulting in fatal injury to that crewmember. Relevant investigations identified that the PBE operational manual provides instructions that can be misunderstood by a flight or cabin crewmember, possibly leading to errors while donning the PBE.

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–2025–5041.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed Safran Aerosystems Service Bulletin 1540F–35–001, dated October 10, 2025. This material clarifies procedures for the proper donning of PBE P/N 15–40F–11 and P/N 15–40F–80 to prevent adverse effects from non-activation of the oxygen system, with additional warnings against inserting hands into the packaging and ensuring only the black neck seal is grabbed to avoid damage. The donning process includes detailed steps on deploying the hood and emphasizes the importance of hearing the oxygen flow noise immediately after donning.

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

FAA's Determination

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

AD Requirements

This AD requires incorporating revised procedures for donning certain PBE into the existing maintenance or inspection program, as applicable (for transport category airplanes); into maintenance records (for non-transport category aircraft that must comply with 14 CFR 91.417(a)(2) or 135.439(a)(2)); or into the existing approved maintenance or inspection program, as applicable (for other non-transport category aircraft).

For non-transport category aircraft: The owner/operator (pilot) holding at least a private pilot certificate may perform the required action for that aircraft provided compliance with the applicable paragraph of this AD is entered into the aircraft maintenance records in accordance with 14 CFR 43.9(a) and 91.417(a)(2)(v). The pilot may perform this action because it only involves incorporating revised procedures for donning the PBE. This action could be performed equally well by a pilot or a mechanic. This is an exception to the FAA's standard maintenance regulations.

Justification for Immediate Adoption and Determination of the Effective Date

Section 553(b) of the Administrative Procedure Act (APA) (5 U.S.C. 551 *et seq.*) authorizes agencies to dispense with notice and comment procedures for rules when the agency, for ''good cause,'' finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' Under this section, an agency, upon finding good cause, may issue a final rule without providing notice and seeking comment prior to issuance. Further, section 553(d) of the APA authorizes agencies to make rules effective in less than thirty days, upon a finding of good cause.

An unsafe condition exists that requires the immediate adoption of this AD without providing an opportunity for public comments prior to adoption. The FAA has found that the risk to the flying public justifies forgoing notice and comment prior to adoption of this rule because incorrect usage of PBEs could lead to flight or cabin crewmember incapacitation, possibly affecting crewmember capability to accomplish tasks during an emergency, or resulting in fatal injury to that crewmember. The PBEs are designed to protect the user's eyes and respiratory tract in a contaminated atmosphere, which provides the ability to locate and combat a fire. Additionally, the compliance time in this AD is shorter than the time necessary for the public to comment and for publication of the final rule. Accordingly, notice and opportunity for prior public comment are impracticable and contrary to the public interest pursuant to 5 U.S.C. 553(b).

In addition, the FAA finds that good cause exists pursuant to 5 U.S.C. 553(d) for making this amendment effective in less than 30 days, for the same reasons the FAA found good cause to forgo notice and comment.

Regulatory Flexibility Act

The requirements of the Regulatory Flexibility Act (RFA) do not apply when an agency finds good cause pursuant to 5 U.S.C. 553 to adopt a rule without prior notice and comment. Because the FAA has determined that it has good cause to adopt this rule without prior notice and comment, RFA analysis is not required.

Costs of Compliance

The FAA estimates that this AD affects approximately 80,000 appliances installed on but not limited to transport category airplanes. The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
1 work-hour × $85 per hour = $85	$0	$85	Up to $6,800,000.*

* It is unknown how many of the 80,000 appliances are installed on U.S. registered aircraft.

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, and

(2) Will not affect intrastate aviation in Alaska.

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:

2025–25–02 Aerospace & Defense Oxygen Systems SaS (Part of Safran Aerosystems) (Formerly Known as Air Liquide): Amendment 39–23210; Docket No. FAA–2025–5041; Project Identifier MCAI–2025–01620–Q.

(a) Effective Date

This airworthiness directive (AD) is effective December 24, 2025.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Aerospace & Defense Oxygen Systems SaS (part of Safran Aerosystems) (formerly known as Air Liquide) portable breathing equipment (PBE), part number (P/N) 15–40F–11 and P/N 15–40F–80, all serial numbers. These PBEs are eligible for installation on any aircraft and may have been installed during the aircraft manufacturing process (production line), or in-service modification, either through a supplemental type certificate, or using type certificate holder (TCH) approved modification instructions, or through a non-TCH modification approval.

(d) Subject

Air Transport Association (ATA) of America Code 35, Oxygen.

(e) Reason

This AD was prompted by reports of occurrences of incorrect usage of certain PBEs. The FAA is issuing this AD to address incorrect usage of PBEs. The unsafe condition, if not addressed, could lead to flight or cabin crewmember incapacitation, possibly affecting crewmember capability to accomplish tasks during an emergency, or resulting in fatal injury to that crewmember.

(f) Compliance

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

(g) Incorporation of Revised Procedures

(1) For transport category airplanes: Within 30 days after the effective date of this AD, revise the existing maintenance or inspection program, as applicable, to incorporate revised procedures for donning PBE P/N 15–40F–11 and P/N 15–40F–80 as specified in paragraph 3.C., ''Procedure,'' of Safran Aerosystems Service Bulletin 1540F–35–001, dated October 10, 2025. The incorporation of revised procedures includes replacing the pictograms identified in 3.A., ''General,'' of Safran Aerosystems Service Bulletin 1540F–35–001, dated October 10, 2025, with the applicable procedure specified in paragraph 3.C., ''Procedure,'' of Safran Aerosystems Service Bulletin 1540F–35–001, dated October 10, 2025.

(2) For aircraft certificated in any category except for transport category airplanes: Accomplish the applicable action specified in paragraph (g)(2)(i) or (ii) of this AD. The owner/operator (pilot) holding at least a private pilot certificate may perform this action for your aircraft and must enter compliance with the applicable paragraphs of this AD into the aircraft maintenance records in accordance with 14 CFR 43.9(a) and 91.417(a)(2)(v). The record must be maintained as required by 14 CFR 91.417, 121.380, or 135.439.

(i) For aircraft that must comply with 14 CFR 91.417(a)(2) or 135.439(a)(2): Within 30 days after the effective date of this AD, incorporate into maintenance records required by 14 CFR 91.417(a)(2) or 135.439(a)(2), as applicable for your aircraft, revised procedures for donning PBE P/N 15–40F–11 and P/N 15–40F–80 as specified in paragraph 3.C., ''Procedure,'' of Safran Aerosystems Service Bulletin 1540F–35–001, dated October 10, 2025. The incorporation of revised procedures includes replacing the pictograms identified in 3.A., ''General,'' of Safran Aerosystems Service Bulletin 1540F–35–001, dated October 10, 2025, with the applicable procedure specified in paragraph 3.C., ''Procedure,'' of Safran Aerosystems Service Bulletin 1540F–35–001, dated October 10, 2025.

(ii) For non-transport category aircraft other than those identified in paragraph (g)(2)(i) of this AD: Within 30 days after the effective date of this AD, revise your existing approved maintenance or inspection program, as applicable, by incorporating revised procedures for donning PBE P/N 15–40F–11 and P/N 15–40F–80 as specified in paragraph 3.C., ''Procedure,'' of Safran Aerosystems Service Bulletin 1540F–35–001, dated October 10, 2025. The incorporation of revised procedures includes replacing the pictograms identified in 3.A., ''General,'' of Safran Aerosystems Service Bulletin 1540F–35–001, dated October 10, 2025, with the applicable procedure specified in paragraph 3.C., ''Procedure,'' of Safran Aerosystems Service Bulletin 1540F–35–001, dated October 10, 2025.

(h) No Alternative Procedures

After incorporating revised procedures as required by paragraph (g) of this AD, no alternative procedures may be used unless the procedures are approved as an alternative method of compliance (AMOC) in accordance with the procedures specified in paragraph (i)(1) of this AD.

(i) Additional AD Provisions

The following provisions also apply to this AD:

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

(j) Additional Information

For more information about this AD, contact Harjot Rana, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 516–228–7344; email: *9-AVS-AIR-BACO-COS@faa.gov.*

(k) Material Incorporated by Reference

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

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

(i) Safran Aerosystems Service Bulletin 1540F–35–001, dated October 10, 2025.

(ii) [Reserved]

(3) For Safran Aerosystems material, contact Safran Aerosystems, Customer Support & Services, Technical Publication Department, 61 Rue Pierre Curie, CS20001, 78373 Plaisir Cedex, France; phone: + 33 (0)1 61 34 23 23; email: *tech-support.sao@safrangroup.com;* website: *https://www.safran-aerosystems.com.*

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

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

Issued on December 3, 2025.

Steven W. Thompson,

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

[FR Doc. 2025–22338 Filed 12–5–25; 4:15 pm]

BILLING CODE 4910–13–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Parts 223 and 224

[Docket No. 251204–0176: RTID 0648–XR123]

Endangered and Threatened Wildlife and Plants; Notice of 12-Month Finding on a Petition To List the Oregon Coast and Southern Oregon and Northern California Coastal Chinook Salmon Evolutionarily Significant Units Under the Endangered Species Act

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

ACTION: Notice of 12-month petition finding.

SUMMARY: We, NMFS, have completed a comprehensive status review of the Oregon Coast (OC) and Southern Oregon and Northern California Coastal (SONCC) Chinook salmon (*Oncorhynchus tshawytscha*) Evolutionarily Significant Units (ESUs) in response to a petition to list these species as threatened or endangered under the Endangered Species Act (ESA) and to designate critical habitat concurrently with the listings. Based on the best scientific and commercial information available, including the status review report, and taking into account efforts being made to protect the species, we have determined that the OC and SONCC Chinook salmon ESUs do not warrant listing.

DATES: This finding was made available on December 9, 2025.

ADDRESSES: The petition, status review report, **Federal Register** notices, and the list of references can be accessed electronically online at: *https://www.fisheries.noaa.gov/species/Chinook-salmon-protected#conservation-management.* The peer review report is available online at: *https://www.noaa.gov/*

information-technology/biological-status-of-oregon-coast-and-southern-oregon-northern-california-coastal-Chinook-salmon.

FOR FURTHER INFORMATION CONTACT: Robert Markle, NMFS West Coast Region, at *robert.markle@noaa.gov,* (971) 710–8155; or Heather Austin, NMFS Office of Protected Resources, at *heather.austin@noaa.gov,* (301) 427–8422.

SUPPLEMENTARY INFORMATION:

Background

On August 4, 2022, we received a petition from the Native Fish Society, Center for Biological Diversity, and Umpqua Watersheds to list the OC and SONCC Chinook salmon ESUs as threatened or endangered under the ESA or, alternatively, list only spring-run Chinook salmon in both the OC and SONCC ESUs as threatened or endangered under the ESA. On January 11, 2023, we published a 90-day finding (88 FR 1548) announcing that the petition presented substantial scientific and commercial information indicating the petitioned actions to list the OC and SONCC Chinook salmon ESUs may be warranted. With respect to the request to list only the spring-run components of those ESUs, we found that the petition did not present substantial scientific and commercial information indicating that the petitioned action was warranted. We also initiated a status review of the species, as required by section 4(b)(3)(A) of the ESA, and requested information to inform the agency's decision on whether the species warrant listing as threatened or endangered under the ESA. We received information from the public in response to the 90-day finding and incorporated that information into both the status review report and this 12-month finding. This information complemented our thorough review of the best available scientific and commercial data for these species (see *Status Review* below).

Listing Determinations Under the ESA

We are responsible for determining whether a species meets the definition of threatened or endangered under the ESA (16 U.S.C. 1531 *et seq.*). To make this determination, we first consider whether a group of organisms constitutes a species under section 3 of the ESA, then whether the status of the species qualifies it for listing as either threatened or endangered. Section 3 of the ESA defines ''species'' to include ''any subspecies of fish or wildlife or plants, and any distinct population segment of any species of vertebrate fish or wildlife which interbreeds when mature'' (16 U.S.C. 1532(16)). In 1991, we issued the Policy on Applying the Definition of Species Under the Endangered Species Act to Pacific Salmon (ESU Policy; 56 FR 58612, November 20, 1991). Under the ESU Policy, a Pacific salmon population is a distinct population segment (DPS), and hence a species under the ESA, if it represents an ESU of the biological species. The ESU Policy identifies two criteria for making ESU determinations: (1) it must be substantially reproductively isolated from other conspecific population units and (2) it must represent an important component in the evolutionary legacy of the species. The first criterion, reproductive isolation, need not be absolute, but must be strong enough to permit evolutionarily important differences to accrue in different population units. A population would meet the second criterion if it contributes substantially to the ecological and genetic diversity of the species as a whole.

We use the ESU Policy exclusively for delineating distinct population segments of Pacific salmon. A joint NMFS—U.S. Fish and Wildlife Service (USFWS) (jointly, the Services) policy clarifies the Services' interpretation of the phrase ''distinct population segment'' for the purposes of listing, delisting, and reclassifying a species under the ESA (DPS Policy; 61 FR 4722, February 7, 1996). In announcing this policy, the Services indicated that the ESU Policy was consistent with the DPS Policy and that NMFS would continue to use the ESU Policy for Pacific salmon.

Section 3 of the ESA further defines an endangered species as ''any species which is in danger of extinction throughout all or a significant portion of its range'' and a threatened species as one ''which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range'' (16 U.S.C. 1532(6), (20)). Thus, we interpret an ''endangered species'' to be one that is presently in danger of extinction. A ''threatened species,'' on the other hand, is not presently in danger of extinction, but is likely to become so in the foreseeable future.

When we consider whether a species qualifies as threatened under the ESA, we must consider the meaning of the term ''foreseeable future.'' 50 CFR 424.11(d) provides: ''In determining whether a species is a threatened species, the Services must analyze whether the species is likely to become an endangered species within the foreseeable future. The foreseeable future extends as far into the future as the Services can make reasonably reliable predictions about the threats to the species and the species' responses to those threats. The Services will describe the foreseeable future on a case-by-case basis, using the best available data and taking into account considerations such as the species' life-history characteristics, threat-projection timeframes, and environmental variability. The Services need not identify the foreseeable future in terms of a specific period of time.''

Section 4(a)(1) of the ESA requires us to determine whether any species is endangered or threatened as a result of any one or a combination of the following factors: (A) the present or threatened destruction, modification, or curtailment of its habitat or range; (B) overutilization for commercial, recreational, scientific, or educational purposes; (C) disease or predation; (D) the inadequacy of existing regulatory mechanisms; or (E) other natural or manmade factors affecting its continued existence (16 U.S.C. 1533(a)(1)). Section 4(b)(1)(A) of the ESA requires us to make listing determinations solely on the basis of the best scientific and commercial data available after conducting a review of the status of the species and after taking into account efforts, if any, being made by any state or foreign nation or political subdivision thereof to protect the species. In evaluating the efficacy of existing domestic conservation efforts, we rely on the Services' joint Policy for Evaluation of Conservation Efforts When Making Listing Decisions (PECE; 68 FR 15100, March 28, 2003) for any conservation efforts that have yet to be implemented or demonstrate effectiveness.

Life History of Chinook Salmon

The largest of the Pacific salmon, Chinook salmon (*Oncorhynchus tshawytscha*) are in the Salmonidae subfamily, which consists of six genera of trout and salmon (Nelson *et al.* 2016). Chinook salmon are anadromous and semelparous (*i.e.,* individuals die after spawning). Their life history involves incubation, hatching, and emergence in freshwater, migration to the ocean, and subsequent return to freshwater for completion of maturation and spawning. Within this general life history strategy, however, Chinook salmon display considerable variation with respect to age at outmigration from freshwater, ocean distribution and migratory patterns, length of residence in the ocean, and time of year in which they return to freshwater and spawn. Juvenile rearing in freshwater can be

minimal or extended; the majority (~95 percent) of Chinook salmon in the OC and SONCC ESUs typically migrate to the ocean in their first year of life (ODFW 2007a, ODFW 2013, ODFW 2014a). This is sometimes referred to as an ocean-type life history as opposed to fish that overwinter and migrate to the ocean as yearlings (stream-type life history).

Duration of ocean residence is highly variable. Some Chinook salmon rear in the ocean for less than 1 year, returning to freshwater as age-2 fish and are almost all males (known as ''jacks''). The most common life history is 2 or 3 years of ocean residence and sexual maturation at age 3 or 4 (ODFW 2007a, 2013, 2014a). A smaller proportion of fish rear in the ocean for 4 years and return to freshwater as age-5 fish, while an even small percentage rear in the ocean for 5 years and return at age 6.

Chinook salmon may return to their natal river mouth during almost any month of the year (Healey 1991). Temporal ''runs'' of Chinook salmon are identified by the time of year in which adult salmon return to freshwater to spawn. Although the timing of the run is the focus, distinct runs also differ in the degree of maturation at the time of river entry and actual time of spawning (Myers *et al.* 1998). For example, spring-run Chinook salmon tend to enter freshwater as immature or ''bright'' fish, migrate farther upriver, and finally spawn in the late summer and early autumn. In contrast, fall-run Chinook salmon generally enter freshwater at a more advanced stage of maturity, move rapidly to their spawning areas on the mainstem or lower tributaries of the rivers, and spawn within a few days or weeks of freshwater entry (Myers *et al.* 1998).

Previous ESA Status Reviews

OC Chinook Salmon ESU

In 1998, we conducted a comprehensive status review of West Coast Chinook salmon populations in California, Oregon, Washington, and Idaho (Myers *et al.* 1998). We convened an expert panel of scientists from NMFS' Northwest and Southwest Fisheries Science Centers, NMFS' Northwest and Southwest Regional Offices, and a representative of the National Biological Survey to (1) identify ESUs of West Coast Chinook salmon and (2) evaluate their risk of extinction. During this review, we determined that the OC Chinook salmon ESU is composed of coastal populations of fall- and spring-run Chinook salmon from the Elk River north to the mouth of the Columbia River.

This ESU falls within the Coastal Ecoregion which has a strong maritime influence, with moderate temperatures and high precipitation levels. Regional rainfall averages 200–240 cm per year, with generally lower levels to the south of this ESU. Average annual river flows for most rivers in this region are among the highest found on the West Coast when adjusted for watershed area. These conditions allow returning adult fish easy access to the river systems' upper reaches. Populations within this ESU typically migrate to the ocean in their first year of life (ocean-type), spend most of their marine life in coastal waters, and mature at ages 3, 4, and 5. This ESU contains several large estuary areas: Tillamook Bay, Coos Bay, Winchester Bay, and Yaquina Bay. Sub-yearling Chinook salmon in these systems utilize productive estuary areas as rearing habitat before they emigrate to the ocean.

In contrast to the more southerly ocean distribution pattern shown by populations from the lower Columbia River and from populations south of this ESU, populations within the OC Chinook salmon ESU have a predominantly northerly coastal distribution as evidenced from coded-wire-tag recoveries from British Columbia and Alaska coastal fisheries. Myers *et al.* (1998) also identified a strong genetic separation between Oregon Coast ESU populations and neighboring populations to the north and south. Based on the available information, we concluded that OC Chinook salmon met the ESU criteria because they were (1) substantially reproductively isolated from populations of Chinook salmon to the north and south and (2) represented an important component in the evolutionary legacy of the species.

Myers *et al.* (1998) concluded that production in this ESU was mostly dependent on naturally-spawning fish, and spring-run Chinook salmon in this ESU were in relatively better condition than those in adjacent ESUs. Long-term trends in abundance of Chinook salmon within most populations in this ESU were upward (1950–1997).

In spite of a generally positive outlook for this ESU, Myers *et al.* (1998) noted that several populations were exhibiting severe (greater than 9 percent per year) short-term declines in abundance (1987–1996). In addition, there were several hatchery programs releasing Chinook salmon throughout the ESU, and many of the fish were from a single stock (Trask River). Most importantly, there was a lack of clear information on the degree of straying among these hatchery fish into naturally-spawning populations. There were also many populations within the ESU for which there were no abundance data and NMFS was concerned about the uncertain risk assessment given these data gaps. Finally, NMFS was concerned that harvest could be a significant source of risk if exploitation rates were to revert back to historically high rates. Also, freshwater habitats were generally in poor condition, with numerous problems such as low summer flows, high temperatures, loss of riparian cover, and streambed changes (Myers *et al.* 1998).

Previous assessments of stocks within the OC ESU identified several stocks at risk or of concern. Of the eight (out of 22 total stocks) within this ESU considered by Nehlsen *et al.* (1991), they identified two stocks at high extinction risk (South Umpqua River and Coquille River spring-run), one stock at moderate extinction risk (Yachats River fall-run) and five stocks of ''special concern.'' Nehlsen *et al.* (1991) defined a population as ''special concern'' if it met certain criteria that did not yet put it in a high or moderate risk category but still warranted attention. Of the 44 stocks within this ESU considered by Nickelson *et al.* (1992), they identified 26 as healthy, 2 as depressed (South Umpqua River and Coquille River spring-run Chinook salmon), 7 as of ''special concern'' due to hatchery strays, and 9 of unknown status (4 of which they suggested may not be viable). Of the 18 stocks evaluated in Huntington *et al.* (1996), 6 were identified as healthy Level I (those having adult abundance at least two-thirds as great as would be found in the absence of human impacts) and 12 healthy Level II stocks (those with adult abundance between one-third and two-thirds as great as expected without human impacts).

In 1998, this ESU had relatively high abundance and occupied most of the available habitat. Production in this ESU was mostly dependent on naturally-spawning fish. Long-term trends in abundance of Chinook salmon within most populations in this ESU were upward. Informed by the findings in the 1998 status review of West Coast Chinook salmon, we previously concluded that the OC Chinook salmon ESU did not warrant listing under the ESA (63 FR 11482; March 9, 1998).

SONCC Chinook Salmon ESU

Based on the results of the status report on West Coast Chinook salmon (Myers *et al.* 1998), we originally identified a Southern Oregon and California Coastal Chinook salmon ESU and proposed to list it as threatened (63

FR 11482, March 9, 1998). After completing an updated status review (NMFS 1999), we determined that the best available information supported dividing the previously identified ESU into two ESUs: a SONCC Chinook salmon ESU and a California Coastal Chinook salmon ESU. A summary of the updated status review findings for the SONCC Chinook salmon ESU follows.

In 1999, we completed an analysis of new genetic data collected from spawned adult Chinook salmon in 1998 and 1999 (West Coast Chinook Salmon Biological Review Team 1999). We analyzed the new samples along with data for California and southern Oregon Chinook salmon used in the NMFS coastwide status review (Myers *et al.* 1998). The new analysis revealed two genetic groups composed of samples from the Klamath River Basin and from coastal rivers. Within the Klamath River Basin, the Blue Creek population in the lower Klamath River was more similar to southern Oregon and California coastal Chinook salmon populations than to populations in the upper Klamath and Trinity rivers. The samples from coastal rivers formed two sub-clusters: with rivers to the south of the Klamath River in one sub-cluster and the lower Klamath River (Blue Creek) and rivers to the north of the Klamath River in the second sub-cluster.

We also identified ecological differences between the northern and southern portions of the Southern Oregon and California Coastal Chinook salmon ESU. Rivers to the north (especially the Rogue River) tended to be larger than those to the south. River flows in the northern portion tend to peak in January, while those to the south peak in February (Myers *et al.* 1998). Annual precipitation is considerably higher in the northern portion than in the south. Furthermore, soils in the southern portion are highly erodible, causing high silt loads that result in berms which close off the mouths of many of the rivers during summer low flows. River conditions in most of these coastal basins, especially in the south, have very limited temporal windows for adult access and juvenile emigration.

We also considered the presence of spring-run Chinook salmon in the northern portion of the ESU, the Rogue and Smith rivers, as a further indicator of geographic and life history differences (although there may have historically been a spring-run in the Eel River). Finally, there was some ocean harvest information that indicated differences in the migration pattern of populations from the northern (Rogue and Smith rivers) and southern (Eel River) portions of the previously identified Southern Oregon and California Coastal Chinook salmon ESU (Gall *et al.* 1989). A review of ocean distribution information collected from 1986 to 1989 (Gall *et al.* 1989) suggested that there may be geographic and timing differences in the ocean distribution of Chinook salmon from the Smith River and southern Oregon relative to the populations south of the Klamath River.

Based on this information we concluded that SONCC Chinook salmon met the ESU criteria because they were (1) substantially reproductively isolated from other populations of Chinook salmon and (2) represented an important component in the evolutionary legacy of the species.

Escapement is the number of salmon that return to spawn in a stream or hatchery. At the time of the 1999 status review, total estimated escapement of fall- and spring-run Chinook salmon in the Oregon portion of the ESU was close to 100,000 fish. The largest run of fall-run Chinook salmon in the ESU occurred in the Rogue River, where the Oregon Department of Fish and Wildlife (ODFW) estimated an average annual escapement of more than 51,000 fish. In addition, ODFW estimated that the escapement of fall-run Chinook salmon to the Chetco River in 1995 and 1996 was 8,500 and 3,500 fish, respectively.

Although there were mixed trends in abundance over the long-term, most short-term trends in abundance of fall-run Chinook salmon were positive in the smaller coastal streams in the ESU. Spawning ground surveys from a number of smaller coastal and tributary streams from Euchre Creek to the Smith River showed declines in abundance from the late 1970s through the late 1980s, but subsequent peak counts predominantly began to show increases through the late 1990s (1988–1998). In addition to adult counts, downstream migrant trapping generally showed increases in production in fall-run Chinook salmon juveniles in the 1990s in the Pistol and Winchuck rivers and in Lobster Creek, a tributary to the lower Rogue River. Short- and long-term trends in abundance for the Rogue River fall-run Chinook salmon were declining, but as mentioned above, the overall run size was still large.

Overall, the 1999 status review update indicated a continuing trend of declining abundance for spring-run Chinook salmon. The average run size of spring-run Chinook salmon in the Rogue River was 7,709 (1988–1992) and the estimated percentage of hatchery fish in the run ranged from 25 to 30 percent over that time period. The Smith River contained the only known populations of spring-run Chinook salmon outside of the Rogue River basin, and those runs were declining in the Middle Fork Smith River but increasing in the South Fork Smith River.

While the status of spring-run Chinook salmon continued to be an area of concern, the overall numbers of fall-run Chinook salmon in this ESU and the recent increases in abundance in many of the smaller coastal streams were considered indicators of low extinction risk. At that time, efforts of the co-managers were also underway to improve monitoring of Chinook salmon in this region. NMFS was concerned about the high percentages of naturally spawning hatchery fall-run Chinook salmon in the Chetco River and naturally spawning hatchery spring-run Chinook salmon in the Rogue River. In addition, NMFS considered the restricted distribution of spring-run Chinook salmon to the Rogue and Smith River basins and their significant decline in the Rogue River as a potentially important threat to the total diversity of fish in this ESU.

NMFS concluded several ongoing management activities were likely to improve the conditions for Chinook salmon in the SONCC Chinook salmon ESU, including harvest reductions in the Klamath Management Zone troll fishery, the ESA listing of coho salmon, changes in harvest regulations by the States of Oregon and California to protect natural-origin coho salmon and steelhead, and changes in timber and land-use practices on federal public lands resulting from the Northwest Forest Plan (U.S. Forest Service 1994). Informed by the 1999 status review update and after considering efforts being made to improve conditions for Chinook salmon, we determined that the ESU did not warrant listing under the ESA (64 FR 50394, September 16, 1999).

Updated Status Reviews of OC and SONCC Chinook Salmon ESUs

To help ensure that this review was based on the best available and most recent scientific information, we solicited information during a 60–day public comment period regarding the ESU structure and extinction risk of the species, along with any relevant protective efforts (88 FR 1548, January 11, 2023). We also convened an OC and SONCC Status Review Team (SRT) to review the best available scientific and commercial data regarding the ESU structure and extinction risk of Chinook salmon in the areas previously identified as the OC and SONCC Chinook salmon ESUs and consistent with the scope of the listing petition.

Specifically, the SRT addressed (1) whether the geographic boundaries of the previously identified ESUs warrant redelineation or refinement, (2) the relationship to the defined ESUs of hatchery programs propagating Chinook salmon, and (3) the level of extinction risk of the ESUs throughout all or a significant portion of their ranges. The status review report (SRT 2024) presents the SRT's professional judgement of the extinction risk facing the OC and SONCC Chinook salmon ESUs but makes no recommendation as to the listing status of the species. The status review report (SRT 2024) is available electronically (see **ADDRESSES**).

The status review report was subject to independent peer review pursuant to the Office of Management and Budget Final Information Quality Bulletin for Peer Review (M–05–03; December 16, 2004). The status review report was peer reviewed by three independent scientists selected from the academic and scientific community with expertise in salmonid biology, conservation, and management and specific knowledge of Chinook salmon. The SRT asked peer reviewers to evaluate the adequacy, appropriateness, and application of data used in the status review report, as well as the findings made in the ''Risk Assessment'' section of the report. The SRT addressed all peer reviewer comments prior to finalizing the status review report.

We subsequently reviewed the status review report, its cited references, and peer review comments and conclude the status review report, upon which this 12-month finding is based, provides the best available scientific and commercial information on the OC and SONCC Chinook salmon ESUs. Much of the information discussed below on the ESU configurations, demographics, threats, and extinction risks is attributable to the status review report. We have applied the statutory provisions of the ESA, including evaluation of the factors set forth in section 4(a)(1)(A)–(E), our regulations regarding listing determinations, and relevant policies identified herein in making the listing determination. In the sections below, we provide information from the report regarding threats to and the status of the OC and SONCC Chinook salmon ESUs.

Review of ESU Delineations

As mentioned above, NMFS initially identified the OC and SONCC ESUs in the late 1990s as part of the coastwide status review process undertaken by the agency. Factors considered in delineating these ESUs included patterns of juvenile and adult life-history variation, freshwater ecological provinces, patterns in ocean distribution, and patterns of genetic variation at individual loci assessed using molecular methods. The SRT reviewed the analyses that identified the current ESU configuration (Myers *et al.* 1998, NMFS 1999) and concurred with the conclusions of those analyses. In particular, patterns of genetic variation indicated that the OC and SONCC Chinook salmon ESUs were substantially reproductively isolated from each other and other Chinook salmon ESUs, and patterns of life-history, genetic, and ecological variation indicated that each of these ESUs formed an important component of the evolutionary legacy of the species.

In the intervening decades, the most marked change in population information has been the analysis of additional genetic variation, along with some updates to information on ocean distribution. The SRT reviewed the available genetic and ecological information obtained since the original ESU designations. The SRT found an additional five studies published subsequent to 1998–1999 that included coast wide samples of Chinook salmon analyzed for genetic variation. The SRT found that the genetic data collected over the past ~20 years generally continues to support the OC and SONCC ESU boundaries identified in the coastwide status review (Myers *et al.* 1998) and status review update (West Coast Chinook Salmon Biological Review Team 1999). In particular, the status reviews differentiated genetic samples from the OC and SONCC into distinct groups, providing evidence in support of both the reproductive isolation and evolutionary legacy prongs of the ESU definition. There are, however, some exceptions that the SRT noted and discussed.

The SRT noted a study by Kinziger *et al.* (2013) that presented updated information related to the boundary between SONCC and the Upper Klamath–Trinity River (UKTR) Chinook salmon ESU. Previously, we included all Chinook salmon upstream of the confluence of the Klamath and Trinity rivers in the UKTR Chinook salmon ESU (63 FR 11482, March 9, 1998). Genetic patterns described by Kinziger *et al.* (2013) are consistent with this boundary, with the exception of the sample from Horse Linto Creek. Horse Linto Creek is a small tributary of the Trinity River above the confluence of the Trinity River with the Klamath River, but the Horse Linto Creek sample is more genetically similar to SONCC samples from streams below the Trinity River confluence. Despite this discrepancy, the SRT concluded that current boundary between the SONCC and UKTR ESUs should remain at the confluence of the Trinity and Klamath rivers. The SRT acknowledged that genetic samples from Horse Linto Creek (above the confluence) from a single year were genetically more similar to SONCC than to UKTR. However, the SRT considered that this small stream could well function as a transition zone between these two ESUs and might well change its genetic structure from time to time depending on the composition of the returns. The SRT therefore did not consider the available information to be sufficient to change the ESU boundary, but they encouraged continued collecting of genetic data from that area.

The SRT also noted some uncertainty regarding Chinook salmon in the Umpqua River. The previous status review (Myers *et al.* 1998) concluded that Chinook salmon in the Umpqua River were part of the OC Chinook salmon ESU, despite some genetic similarity of a Rock Creek Hatchery (in the Umpqua River Basin) to samples from the SONCC Chinook salmon ESU. Based on a review of several additional studies, the SRT found that both hatchery- and natural-origin spring (but not fall) Umpqua River Chinook salmon are genetically different from other OC populations. In particular, the Umpqua River spring-run Chinook salmon appear to be genetically similar to the SONCC (spring and fall). The Umpqua River spring-run Chinook salmon also are similar to SONCC Chinook salmon in their ocean distribution patterns and age structure. The SRT considered that historical releases of out-of-basin spring-run Chinook salmon from the Rogue and Columbia River basins are a likely explanation for this pattern, but the SRT also considered the possibility that spring-run Chinook salmon from the Rogue River might sometimes naturally stray into the Umpqua River or that there are older evolutionary connections between spring-run Chinook salmon in the Rogue and Umpqua Rivers. While acknowledging this uncertainty, the SRT nonetheless concluded that both natural and hatchery-origin spring-run Chinook salmon in the Umpqua River are part of the OC ESU, consistent with the original 1998 review. This conclusion was based on the integrated nature of the Rock Creek Hatchery broodstock, which regularly incorporates natural-origin fish returning to the Umpqua River, and the continuous recorded presence of natural-origin spring-run Chinook salmon in the Umpqua River since the early 1900s.

Another factor Myers *et al.* (1998) used to differentiate Chinook salmon ESUs is their ocean distribution. Chinook salmon ocean distribution depends strongly on region of origin and has a genetic basis (Myers *et al.* 1998, SRT 2024). We can infer ocean distribution from coded wire tag recoveries in commercial and recreational ocean fisheries. Because the vast majority of coded wire tagged Chinook salmon come from hatchery populations, we must also infer the migratory routes of natural-origin fish from their corresponding hatchery populations.

The SRT compared the more recent published analyses of spatial differences in ocean distribution (Weitkamp 2010, Shelton *et al.* 2019, 2021) to the information presented in Myers *et al.* (1998). Two of the four OC Chinook salmon ESU stocks, the Trask River and Salmon River fall-run stocks, have a clearly northern distribution. The Umpqua River spring-run Chinook salmon stock appears to have a more southerly distribution, with a larger proportion of coded wire tag recoveries in Oregon and California than other OC stocks. The SRT also noted from the data that Chinook salmon from the Umpqua River show a younger ocean age structure more similar to Chinook salmon from SONCC populations than other OC populations.

The fourth OC Chinook salmon ESU stock, the Elk River fall-run stock, appears to have an intermediate ocean distribution between Salmon River fall-run and Umpqua River spring-run stock distributions. However, a directed fishery near the mouth of the Elk River has a substantial influence on the coded wire tag recovery data.

In the SONCC Chinook salmon group, commercial and recreational fisheries recover coded wire tags from the Rogue River spring-run and fall-run Chinook salmon stocks almost exclusively off the coasts of Oregon and California. Similarly, fisheries recover coded wire tags from the Chetco River fall-run stock predominantly off Oregon and northern California in both the summer and fall. The SRT also noted that ocean distribution for SONCC Chinook salmon ESU is very similar to ocean distribution of fall- and spring-run Chinook salmon from the upper Klamath River.

As a result of all this, the SRT concluded, and we agree, that the patterns of genetic variation continue to support the originally defined ESU boundaries. Updated evaluations of adult ocean distribution were also consistent with the information originally used to identify the ESUs.

ESU Membership of Hatchery-Origin Chinook Salmon

In 2005, we issued a policy for considering hatchery-origin fish in ESA listing determinations (Hatchery Listing Policy; 70 FR 37204, June 28, 2005). Under the Hatchery Listing Policy, we consider a hatchery stock to be part of an ESU if it exhibits a level of genetic divergence relative to the local natural population(s) that is no more than what occurs within the ESU (70 FR 37215, June 28, 2005). We recognize that there are a number of ways to compute and compare genetic divergence and that it is not possible to sample all fish within the ESU to precisely determine the range of genetic diversity within an ESU. In factoring artificial propagation into the extinction risk assessment for an ESU, we evaluate potential risks to the naturally-spawned components of the ESU posed by hatchery programs determined not to be part of the ESU and look at the potential benefits and risks to the naturally-spawned components of the ESU posed by hatchery programs determined to be part of the ESU.

Below, we summarize information on the current hatchery practices and the source broodstocks for the hatcheries. We consider hatchery programs for Pacific salmon and steelhead to be either ''integrated'' or ''isolated'' based on the genetic management goals and protocols for propagating a hatchery broodstock. We would consider a hatchery program to be genetically integrated if a principal goal is to minimize potential genetic divergence between the hatchery broodstock and a naturally-spawning population. Genetically integrated programs systematically include natural-origin fish in the broodstock each year or generation. We would consider hatchery programs to be genetically isolated if the principal goal is to produce a reproductively distinct population primarily, if not exclusively, from adult returns back to the hatchery. In isolated programs, little or no gene flow should occur from a naturally spawning population to the hatchery broodstock.

OC Chinook Salmon ESU Hatchery Stocks

Artificial propagation efforts for OC Chinook salmon began in the late 1890s. By the early 1900s, there were hatcheries and egg-take stations on most of the larger streams on the Oregon coast, especially the Yaquina, Alsea, Siuslaw, Umpqua, Coos, and Coquille Rivers (Cobb 1930, Wahle and Smith 1979). In addition to local stocks, there is a history of hatchery programs using out-of-basin stocks. Prior to the 1960s, a substantial portion of the hatchery fish released in OC river basins came from the lower Columbia River—mostly from the Bonneville and Clackamas Hatcheries (Myers *et al.* 1998). There are several hatcheries currently producing fall-run and spring-run Chinook salmon in the OC Chinook salmon ESU. These hatcheries release Chinook salmon into the Necanicum, Trask, Nestucca, Salmon, Umpqua, Coos, Coquille and Elk river basins.

ODFW manages the Trask River hatchery fall-run and spring-run Chinook salmon stocks as segregated stocks (ODFW 2023). In addition to the Trask River, ODFW releases the fall-run stock into the Necanicum River. For the years 2014 through 2021, the Trask River hatchery included an average of 12 percent natural-origin fish in the fall-run Chinook salmon broodstock annually (ODFW 2024). The hatchery rarely includes natural-origin fish in the spring-run Chinook salmon broodstock. Although the Trask River hatchery has largely derived its fall-run and spring-run stock from adults returning to the Trask River, historically there were considerable transfers from out-of-basin stocks including a hatchery stock known as the ''Lower Columbia River/Oregon Coast Mix'' and fish from the Nestucca, Rogue, and Umpqua Rivers (Myers *et al.* 1998).

Within the Nestucca River basin, ODFW operates a hatchery on Cedar Creek that produces fall-run and spring-run Chinook salmon. Historical records for Cedar Creek Hatchery (1955–1959) indicate that past hatchery managers released Chinook salmon from the lower Columbia River and Oregon coast into Cedar Creek, but the records do not specify the run timing. Since 1975, ODFW has managed the spring-run program as a segregated stock, with few if any natural fish incorporated annually into broodstock. The hatchery began annual releases of fall-run Chinook salmon in 1975 but suspended the program in 1993. ODFW restarted the fall-run Chinook salmon program in 1999 using local broodstock and for the years 2014 through 2021 has annually integrated an average of 21 percent naturally-produced fish in the broodstock (ODFW 2024).

According to ODFW, the goal of the current Salmon River hatchery program is to have the hatchery fish mimic the characteristics of the naturally reproducing fall-run Chinook salmon population (ODFW 2023). In furtherance of this goal, hatchery program staff annually attempt to incorporate naturally-produced fish at a rate of 50 percent in the broodstock. ODFW has

met this broodstock goal in 2 of the last 5 years. Records (although likely incomplete) do not indicate the release of any non-native fall-run Chinook salmon into the Salmon River basin.

The Elk River fall-run Chinook salmon hatchery program began in 1968 with the first smolts released in 1969. Records indicate there have been few transfers of fall-run Chinook salmon from out-of-basin sources (Myers *et al.* 1998). ODFW classifies the Elk River fall-run program as an isolated program but incorporates a small proportion of natural-origin fish in the broodstock annually (14 percent, 2014–2021). According to ODFW (2016), no purposeful or inadvertent selection has been applied to change characteristics of the founding broodstock. ODFW staff have detected no genetic, phenotypic, or ecological differences between hatchery and natural-origin Elk River fall-run Chinook salmon.

The Umpqua River spring-run Chinook salmon program at Rock Creek began in 1950 using local broodstock. The Umpqua River spring-run Chinook salmon program became an integrated program, and for the years 2014 through 2021 23 percent of the broodstock was of natural origin (ODFW 2024). Prior to the initiation of the Rock Creek Hatchery Program, there were transfers of spring-run Chinook salmon from the Rogue, Trask, and Imnaha rivers (ODFW 1954, Wallis 1963). Prior to 1997, the Umpqua River fall-run Chinook salmon program collected broodstock from the South Umpqua River. From 1997 until 2000, the program used broodstock from the lower Umpqua River brood and over 90 percent of the broodstock used by the program were natural-origin Chinook salmon. In 2000, the program began capturing returning hatchery fish at Winchester Creek. The goal of the program is to integrate at least 10 percent natural-origin fish into the broodstock. Myers *et al.* (1998) noted that there have been some transfers into the Umpqua River basin from non-native sources, including the Columbia River and other Oregon coast tributaries.

ODFW initiated the current Coos River fall-run Chinook salmon hatchery program in 1982 with local broodstock, though private aquaculture facilities, as described below, used out-of-basin stocks. Although the intent of the program is to integrate natural-origin fish into the broodstock, ODFW (2023) reported that the program has included few natural-origin fish. ODFW monitoring summaries indicate from 2014 through 2021, ODFW incorporated natural-origin fish in two years and in low numbers. Private aquaculture facilities have also operated in the Coos River basin. During the 1980s, private aquaculture facilities released both fall- and spring-run Chinook salmon that originated primarily from out-of-basin stocks, including some 23 million fall-run Chinook salmon from Anadromous, Inc., and Oregon Aqua Foods (Myers *et al.* 1998).

Myers *et al.* (1998) reported that there have been numerous releases of non-local fish into the Coquille River, primarily from the Coos River, Bonneville (Lower Columbia River), Chetco, and Elk River hatcheries. ODFW currently maintains two fall-run Chinook salmon hatchery programs in the Coquille River basin. ODFW initiated the primary program in 1983 using Coquille River basin broodstock with a goal of increasing the harvestable numbers of fish. In 2022, ODFW started a second program designed to serve as a conservation program using the same local broodstock. The Coquille River fall-run Chinook salmon population is considered to be at high risk, and the conservation hatchery program is an emergency measure to prevent its extinction (ODFW 2022).

Based on their local origin and the integrated nature of the programs, we conclude that the fall-run and spring-run Chinook salmon hatchery stocks from the majority of the hatchery programs meet the criteria to be considered part of the OC Chinook salmon ESU. The only exception is the spring-run Chinook salmon stock from the Trask and Nestucca hatchery programs. The SRT concluded that these stocks are genetically distinct from most natural-origin fish in these basins. The genetic distinctness of these stocks is likely due to a combination of documented out-of-basin introductions and a long history of using only hatchery-origin fish for broodstock (SRT 2024). Although the SRT acknowledged limited use of local brood stock for the Coos River fall-run program, the SRT ultimately considered this part of the OC Chinook salmon ESU. We therefore conclude that the spring-run hatchery stocks from the Trask and Nestucca programs are not part of the OC Chinook salmon ESU.

SONCC Chinook Salmon ESU and Hatchery Stocks

Hatchery programs have been operating in the Rogue River basin since 1877. ODFW began construction and operation of the Butte Falls hatchery in 1916. The Butte Falls hatchery program produced salmon and steelhead for release into the Rogue River basin from the 1940s until the construction of Lost Creek Dam and the associated Cole Rivers Hatchery on the upper Rogue in 1978. The Cole Rivers spring-run Chinook salmon hatchery broodstock originated from Rogue River natural-origin fish. The purposes of the program are to augment fishing and harvest opportunities and mitigate the loss of habitat resulting from the construction of dams on the Rogue and Applegate Rivers (ODFW 2024).

The fall-run Chinook salmon program at the Indian Creek Hatchery in the Rogue River basin began in 1986 using fish from a hatchery stock known as ODFW stock 61. Prior to 1989, hatchery fall-run Chinook salmon releases consisted of Upper Rogue River stock (ODFW stock 052). Since 1991, the hatchery program has collected broodstock of both hatchery and natural origin from the Lower Rogue River (ODFW stock 61).

The Chetco River fall-run Chinook salmon hatchery program began in 1968 using local Chetco River Chinook salmon broodstock (ODFW stock 96). There were non-native releases of fall-run Chinook salmon from the Elk, Coquille, and unknown hatchery sources during the 1960s and 1970s, although the majority of releases appear to be of Chetco River origin (Myers *et al.* 1998).

The Rowdy Creek fish hatchery in the Smith River basin produces fall-run Chinook salmon. According to the Hatchery Genetic Monitoring Plan (HGMP) (Tolowa Dee-ni' Nation 2018), the Tolowa Dee-ni' Nation operates the Rowdy Creek hatchery program as an integrated program incorporating natural-origin fish in the broodstock.

Based on their local origin and the integrated nature of the programs, we conclude that the Rogue River, Chetco River, and Smith River hatchery stocks meet the criteria to be considered part of the SONCC Chinook salmon ESU.

Determination of Species

OC Chinook Salmon ESU

Based on the information above, we conclude that the OC Chinook salmon ESU constitutes a species under the ESA and includes coastal populations of fall- and spring-run Chinook salmon from the Elk River north to the mouth of the Columbia River, as well as the fall- and spring-run Chinook salmon hatchery stocks in the Necanicum, Salmon, Umpqua, Coos, Coquille, and Elk rivers and the fall-run hatchery stocks in the Trask and Nestucca rivers.

SONCC Chinook Salmon ESU

Based on the information above, we conclude that the SONCC Chinook salmon ESU constitutes a species under the ESA and includes coastal

populations of fall- and spring-run Chinook salmon from Euchre Creek, Oregon, through the Lower Klamath River (below the confluence of the Klamath and Trinity rivers), California (inclusive), as well as the fall- and spring-run Chinook salmon hatchery stocks in the Rogue River, Chetco River, and Smith River.

Assessment of Extinction Risk

The SRT synthesized the best scientific and commercial data available regarding the ESU's status, which includes its life history, demographic trends, and susceptibility to threats, and evaluated the extinction risk of each ESU. The SRT included in its assessment an evaluation of the likely effects of hatchery-origin fish on the viability of the ESU. The SRT's extinction risk assessment reflects the SRT's professional scientific judgment, guided by the analysis of the demographic risks and threats.

Demographic Risk Analysis

The SRT assessed demographic risk using four key viability criteria: abundance, productivity, spatial structure, and diversity. A summary of our evaluation follows, with a detailed discussion of the demographic risk analysis available in SRT (2024). The demographic risk analysis compared current to historical abundance and evaluated recent trends in abundance. The SRT calculated average abundance as a 5-year geometric mean. Salmonid abundance data tend to be skewed by the presence of outliers (observations considerably higher or lower than most of the data). For skewed data, the geometric mean is a more stable statistic than the arithmetic mean. The SRT calculated population trends over 15-year windows.

OC Chinook Salmon ESU

The OC Chinook salmon ESU consists of 18 fall-run and 2 spring-run populations (ODFW 2014a). The fall-run Chinook salmon life-history pattern is numerically more abundant, with populations present in all major rivers between the Nehalem River in the north and Elk River in the south. Salmon with early-run (spring- or summer-run) life histories are present in many of the same rivers, including the Nehalem, Tillamook, Nestucca, Siletz, Alsea, and Coquille, where they are considered to be demographically part of the same populations as the fall runs, with the exception of the Umpqua River where the spring runs are considered to be separate populations from the fall run (ODFW 2014a). The two spring-run populations occupy the north and south forks of the Umpqua River.

Recent information on fall-run Chinook salmon abundance (1986–2021) show that for 14 monitored populations, 13 have spawning abundance in the thousands to tens of thousands and most have relatively stable abundances over the past 35 years (SRT 2024). There are several notable exceptions to this pattern, however, with the Coquille, Tillamook, and Siuslaw populations at or near their lowest abundance of the time-series in 2021. Overall, population trends in the most recent 15-year period (2008–2022) are relatively stable. Population trends are positive (increasing trend) for half of the fall-run populations and negative (decreasing trend) for the other half. This relative stability has occurred despite ocean and freshwater harvest that together capture between 40 and 50 percent of each cohort on average (see OC Chinook Salmon ESU and Harvest).

Most of the fall-run fish in this ESU are of natural origin. Only four populations have more than a 5 percent contribution of hatchery-origin spawners in any 1 year between 2014 and 2020 (SRT 2024). The two populations with a long history of substantial hatchery production (Elk and Salmon rivers) both show a trend toward increased natural spawners since the late 1990s.

The combined number of natural-origin spawners in the Umpqua River spring-run Chinook salmon populations has been at or below 5,000 individuals in recent years (1986–2022; SRT 2024). Longer time series are available since 1946 for spring-run fish passing Winchester Dam on the North Umpqua River and suggest relative stability of spring-run abundance since about 1960 (note that fisheries and other sources of mortality occur upstream of Winchester Dam and so abundance at the dam is not equivalent to spawning escapement). Hatchery-origin individuals contribute more to the North Umpqua spring-run spawners than any of the fall-run stocks, but since 2000, the trend is toward more natural-origin spawners (SRT 2024).

Aggregating across runs, since 1986, OC Chinook salmon ESU spawning escapements ranged between about 45,000 and 190,000 individuals annually. While there have been some substantial swings in abundance over the past 35 years, the trend in aggregate abundance appears to be roughly flat. In most years, greater than 90 percent of spawners in the OC Chinook salmon ESU are fall-run salmon, and the vast majority are of natural origin.

SONCC Chinook Salmon ESU

The SONCC Chinook salmon ESU consists of 8 fall-run and 2 spring-run populations. Similar to OC Chinook ESU, the fall-run Chinook salmon life-history pattern is numerically more abundant. Within the SONCC Chinook salmon ESU, fall-run Chinook salmon occupy the Euchre and Hunter creeks and the Rogue, Pistol, Chetco, Winchuck, Smith and lower Klamath rivers (specifically Blue Creek but also other small tributaries). The Rogue River contains the largest population of spring-run Chinook salmon with smaller numbers recorded in the Smith River. ODFW (2007b) also notes that surveys have observed a few spring-run Chinook salmon in the Applegate, Pistol, Illinois, and Chetco rivers.

The SRT estimated a 5-year annual abundance of 31,709 natural-origin fall-run spawners (2016–2020) and 5,454 natural-origin spring-run spawners (2018–2022) in the Rogue River basin. The SRT estimated that the 5-year average annual abundance for the remaining 5 fall-run populations with data (Blue Creek, Chetco River, Pistol River, Winchuck River, and Hunter River) ranged from 185 (Blue Creek) to 1,899 (Chetco river) natural-origin spawners (2016–2020). The SRT found anecdotal evidence indicating that there may be thousands of Chinook salmon (hatchery- and natural-origin combined) in the Smith River. The Smith River has had a number of surveys occurring in different parts of the river between 1980 and 2021, but there are no consistent system-wide estimates of spawner abundance for this basin. Due to the data consistency issue, the SRT did not include the Smith River in trend analyses.

The SRT estimated trends in abundance for fall-run populations for three 15-year periods: 1986–2001, 1997–2011, and 2007–2021. With the exception of Blue Creek, trends for fall-run populations were negative for the two most recent 15-year periods. Blue Creek exhibited a positive trend in the 1997–2011 time period, negative in the more recent time period. The SRT noted that although the majority of the fall-run populations exhibited negative trends in abundance in the two recent time periods, collectively, fall-run Chinook salmon abundance in 2021 was similar to other troughs in the time-series (*e.g.,* 1990–1991, 2006–2008).

The SRT estimated trends in abundance of spring-run Chinook salmon in the Rogue River for five 15-year periods: 1948–1962, 1963–1977, 1978–1992, 1993–2007, and 2008–2022. The recent 5-year geometric mean of

natural-origin spring-run spawners in the Rogue River was 5,454 (2018–2022; SRT 2024). This is considerably lower than the pre-1990 abundance, which was typically >15,000 and commonly >30,000. Abundance of spring-run Chinook salmon in the Rogue River basin was relatively stable from 1948 to 1962 followed by a substantial negative trend from the middle of the 1960s through the early 1990s. By the middle of the 1990s trends in abundance began to level off and have been relatively flat since (SRT 2024).

Available data suggest that the proportion of natural-origin spawners was high for all fall- and spring-run populations throughout the time-series (greater than 70 percent). This occurs despite substantial hatchery production for both fall- and spring-run Chinook salmon in the Rogue River. For the spring-run population, ODFW (2019) reported that the percentage of hatchery fish among Chinook salmon spawning naturally in the Rogue River averaged 5 percent over the 10-year period from 2008–2017. For the fall-run populations, a lack of monitoring data for fish by natural- versus hatchery-origin (with the notable exception of the lower Rogue) makes it difficult to determine the exact contribution of fall-run hatchery fish to natural spawners in the Rogue.

Data for the Smith River, a sizable population, were insufficient to evaluate trends. Several estimates for the Smith River from 2010 to 2021 were between 10,000 and 20,000 fall-run Chinook salmon, suggesting that it is likely the second largest population in the ESU. If these numbers are accurate, that would suggest the overall fall-run Chinook salmon spawner abundance for the SONCC ESU would have been 60,000–70,000 in 2021.

Analysis of Section 4(a)(1) Factors

As described above, section 4(a)(1) of the ESA and NMFS' implementing regulations (50 CFR 424.11(c)) state that we must determine whether a species is endangered or threatened because of any one or a combination of the following factors: the present or threatened destruction, modification, or curtailment of its habitat or range; overutilization for commercial, recreational, scientific, or educational purposes; disease or predation; the inadequacy of existing regulatory mechanisms; or other natural or manmade factors affecting its continued existence. We evaluated whether and the extent to which each of the foregoing factors contributes to the overall extinction risk of the OC and SONCC Chinook salmon ESUs. A summary of our evaluation follows. See SRT (2024) for a detailed discussion of the ESA section 4(a)(1) factors.

NMFS has discussed the impacts of various factors contributing to the decline of Pacific salmon and steelhead in previous listing determinations (*e.g.,* 63 FR 11482, March 9, 1998; 69 FR 33102, June 14, 2004) and supporting documentation (*e.g.,* NMFS 1996, NMFS 1997, NMFS 1998). In each case, we concluded that all of the factors identified in section 4(a)(1) of the ESA had played a role in the decline of West Coast Chinook salmon. More recently, we reviewed and provided a detailed analysis of these factors for the ESA-listed OC and SONCC coho salmon (*Oncorhynchus kisutch*) ESUs, which overlap the OC and SONCC Chinook salmon ESUs (NMFS 2014, 2016, and 2022; Stout *et al.* 2012). Because of the similarities in life-history strategies and associated habitat types for coho and Chinook salmon (SRT 2024), this section draws largely from NMFS' previous listing determinations and supporting documentation.

The Present or Threatened Destruction, Modification, or Curtailment of Its Habitat or Range

The complex life cycle of Chinook salmon gives rise to complex habitat needs, particularly during the freshwater phase (Bjornn and Reiser 1991; Spence *et al.* 1996; Quinn 2018). Spawning gravels must be of a certain size and free of sediment to allow successful incubation of the eggs. Eggs require cool, clean, and well-oxygenated waters for proper development. Juveniles need abundant food sources, including insects, crustaceans, and other small fish. Juveniles need places to hide from predators (mostly birds and bigger fish), such as under logs, root wads and boulders in the stream and beneath overhanging vegetation. They also need places to seek refuge from periodic high flows (side channels and off channel areas) and from warm summer water temperatures (cold water springs and deep pools). Returning adults generally do not feed in fresh water but instead rely on limited energy stores to migrate, mature, and spawn. Like juveniles, they also require cool water and places to rest and hide from predators. During all life stages salmon require cool water that is free of contaminants. They also require rearing and migration corridors with adequate passage conditions (water quality and quantity available at specific times) to allow access to the various habitats required to complete their life cycle.

Our previous **Federal Register** notices and reports (NMFS 1996, 1997, 1998, 2014, 2016; Stout *et al* 2012), as well as numerous other reports and assessments (Kostow 1995; National Research Council 1996; Spence *et al* 1996; Nicholas *et al.* 2005; ODFW 2007a, 2007b, 2013, 2014c, 2021), have reviewed in detail the effects of historical and ongoing land-management practices that have altered Oregon and California coastal salmon habitat. A major determinant of trends in salmon abundance is the condition of the freshwater, estuarine, and ocean habitats on which salmon depend. While we rarely have sufficient information to predict the population-scale effects of habitat loss or degradation with precision, it is clear that habitat availability imposes an upper limit on the production of salmon, and reduction in habitat area or quality reduces potential production.

A broad range of historical and ongoing land and water-management activities and practices have adversely impacted the freshwater and estuarine habitats used by Chinook salmon, including construction of dams and other barriers, water diversions, channelization and diking, agricultural practices, roads, timber harvest, mining, and urban development. In the 1850s, settlers began developing the flat alluvial valley bottoms and filling wetlands to increase agricultural productivity in the OC and SONCC Chinook salmon ESUs' ranges. In the years that followed, people straightened and disconnected stream channels from their floodplains, diked, drained and filled wetlands associated with historically braided river channels and estuaries, eliminated beaver and their ponds, and negatively modified riparian habitats (Kostow 1995; Nicholas 1997).

By the mid-1800s, placer mining (mining of stream bed deposits for minerals, especially gold) became a major industry in the Pacific Northwest. Mineral and sand and gravel mining can alter riparian habitats, streambanks, channel morphology, floodplain function, bed material composition, and instream habitat complexity (NRC 1996). Mining can also pollute streams by increasing in-stream sediment loads and by releasing toxic heavy metal and acids (Meehan 1991). The hand methods used in the early days of placer mining later gave way to hydraulic mining and dredging. Placer mining in the 1800s destroyed spawning and rearing habitats either directly or through increased sedimentation, and in some areas, mine wastes still affect water quality and riparian function (NMFS 1997). Motorized in-stream placer mining is another common form of mining that impacted salmon habitats. California banned motorized in-stream placer

mining in 2016 and Oregon banned it in 2018.

Timber harvesting and associated road building are widespread throughout the range of both the OC and SONCC Chinook salmon ESUs. The immediate effects of these activities were the loss of important habitat features. Efforts to ''clean'' the stream channel for fish passage began in the 1940s and continued through the 1970s (Reeves *et al.* 1991). The principal consequences of these activities include changed rates of sediment and nutrient delivery, increased fine sediment levels, reduced levels of instream large wood, altered levels of temperature and dissolved oxygen, and altered watershed hydrology (Meehan 1991). The Forest Ecosystem Management Assessment Team (FEMAT 1993) characterized forest road networks as the most important sources of accelerated delivery of sediment to fish-bearing streams. While timber harvest activity has decreased since the peak over 50 years ago, and timber harvest practices and forest management have improved, the effects of past timber harvest practices and road building continue and future timber harvest (particularly on private lands) may pose a threat to Chinook salmon. The threat from future timber harvest will rely partly on the states' forest practices and the forest practices for federal lands (see *Inadequacy of Existing Regulatory Mechanisms*).

Agricultural activities reduced instream flows through water diversions and altered stream stability by removing stream-side vegetation and through the building of dikes and levees that disconnected streams from their floodplains and resulted in loss of natural stream sinuosity. Urban development has also led to building of roads by streams, stream channelization, and loss of instream wood in some areas. Urban, industrial, and rural developments can also result in increased peak flows, simplification of downstream channels, increased channel width to depth ratios, and toxic non-point source pollution (Booth and Jackson 1997, Booth and Steinemann 2006). Agricultural land conversion and urban, industrial, and rural development are also the primary causes of freshwater and estuarine wetland losses. Wetlands are important rearing habitat for Chinook salmon.

Roads can contribute to the degradation of salmonid habitat in several ways. ''Roads can affect salmonid habitat by reducing natural infiltration and increasing hydro-confinement, leading to altered flow regimes, [and] peak flows. . . .'' (NMFS 2013). Roads also increase sediment loads in streams ''due to mass failures of cut and fill slopes and channelized surface erosion'' (Spence *et al.* 1996). By increasing the magnitude and frequency of peak flows, roads can cause excess scouring of downstream stream beds and banks. Lastly, ''runoff from roads in urban areas can contain significant concentrations of substances that are toxic to fish'' (Spence *et al.* 1996).

Dams affect the way water and sediment move down a river, changing the amount and timing of flow, the size of substrates downstream of the dam, and the temperature and chemical characteristics (NMFS 2013 and 2014). And because dams transform the upstream habitat from a river into a lake, they change the amount and location of available habitat and significantly alter salmonid interactions with predators and competitors. Dams can also act as barriers to juvenile salmon migrating to the ocean, and as obstacles to adult fish returning to their natal streams to spawn.

NMFS (1998) identified all of the factors described above as factors contributing to the decline of West Coast Chinook salmon. Below we summarize the key habitat-related factors that may be currently limiting the viability of the OC and SONCC Chinook salmon ESUs in particular.

OC Chinook Salmon ESU and Habitat

Numerous evaluations have identified the loss of stream complexity as one of the key factors limiting the distribution and abundance of Chinook and coho salmon (NMFS 1996, 1997, 2016, and 2022; Nicholas 1997; Stout 2012; ODFW 2021). ODFW (2007a) defines stream complexity as the ability of a stream to provide the typical variety of habitats. ODFW's Oregon Coast Coho Assessment (Nicholas *et al.* 2005) identified stream complexity as either a primary or secondary limiting factor throughout all basins of the ESU. In addition to stream complexity, ODFW (2007a) identified water quality, water quantity, hatchery impacts, spawning gravel and exotic species as factors limiting the distribution and abundance of salmonids.

The state of Oregon, as well as federal land and natural resource management agencies, have made great progress towards addressing many of the habitat limiting factors described above. ODFW recently completed a 12-year review of the OC coho conservation plan and included an evaluation of habitat trends (ODFW 2021). In their evaluation of habitat trends, ODFW observed signs of improvement in pool frequency and channel shade. ODFW also observed a flat trend in percent fine sediments and wood volume. The detection of positive trends and the lack of undesirable trends suggests progress in arresting further declines in habitat conditions.

Similar to ODFW's 12-year review for OC coho salmon, NMFS (2022) observed improvements in habitat conditions. NMFS (2022) noted the restoration of thousands of acres of off channel habitat in estuarine and freshwater areas, restoration of fish passage and access to tributary habitats, and the continued implementation of existing management plans and regulations that reduce impacts to freshwater habitats. ODFW's analysis of habitat trends and NMFS' assessment for the OC Coho salmon ESU are directly relevant to the OC Chinook salmon ESU.

The SRT used a risk matrix to evaluate if the present or threatened destruction, modification, or curtailment of the OC Chinook salmon ESU's habitat or range is currently contributing to a risk of extinction or is likely to contribute to a risk of extinction in the foreseeable future. There has been a long history of land-use practices leading to habitat degradation, but freshwater habitat has been improving slowly over the past several decades due to stricter land-use regulations compared to the early 20th century. The existing regulatory frameworks and continued conservation efforts are generally expected to support a positive trend in salmon habitat recovery for the foreseeable future. The SRT concluded, and we agree, it is unlikely that this factor contributes significantly to a risk of extinction. Although past resource management practices negatively impacted the species habitat and range, we find that habitat destruction and modification is not a factor limiting the rangewide viability of the OC Chinook salmon ESU now or in the foreseeable future.

SONCC Chinook Salmon ESU and Habitat

A wide variety of past and present activities have impacted salmonid habitat within the SONCC Chinook salmon ESU. The primary factors that may be limiting the productivity of the habitat to some degree are water quality, water quantity, habitat complexity, and access to off channel habitats. The water quality problems include excess temperatures, flow modification, sedimentation, and bacterial contamination. The causes for these problems are various and include the legacy and ongoing effects of land and resource management, urban, rural, industrial, and agricultural developments, and dams.

Since the last status review the state of California's Fisheries Restoration Grants Program (FRGP) and Oregon's Watershed Enhancement Board (OWEB) have funded numerous habitat restoration projects in the SONCC Chinook salmon ESU (CalFish 2024, OWEB 2024). The types of projects include riparian habitat improvement, instream habitat improvement, and fish passage improvement. In the past 23 years (2000 through 2023), the FRGP funded 48 habitat restoration projects in river basins that support SONCC Chinook salmon. In the past 22 years (2000 to 2022), OWEB funded 63 habitat restoration projects in basins that support SONCC Chinook salmon. In addition to the actions funded through these programs, several dams have been removed in the Rogue River basin. Savage Rapids and Gold Ray dams on the upper Rogue River have been removed. Elk Creek dam, Jackson Street dam on Bear Creek, and Lovelace and Santilla Fish Farm dams on Slate Creek have also been removed.

The Rogue River basin contains two dams operated by the U.S. Army Corps of Engineers (USACE). In 1977, the USACE completed construction of the William Jess Dam on the mainstream Rogue River at river mile 157. Because the dam does not have fish passage it blocks access to approximately 25 percent of the primary spring-run Chinook salmon spawning habitat in the basin (Kostow 1995, ODFW 2007b). The USACE completed construction on the Applegate Dam on the upper Applegate River in 1979. The USACE manages the water stored in the reservoirs created by the William Jess and Applegate dams for multiple purposes, one of which is to increase the amount of downstream habitat for juvenile salmonids. This operational strategy has successfully enhanced habitat for juvenile Chinook salmon in the Rogue River as evidenced by the increase in flow during the summer rearing period (ODFW 2007b). USACE operation of Applegate Dam affects flow in the Applegate River during autumn to aid the upstream migration of adult Chinook salmon. The operational strategy has been successful in enhancing the available spawning habitat of fall-run Chinook salmon in the Applegate River (ODFW 2013). Prior to construction of Applegate Dam, 90 percent of fall-run Chinook salmon spawning in the Applegate River occurred in the lower 13 miles of the river. After dam construction and due largely to reservoir operation, spawning shifted upstream with an average of 33 percent of spawners found above that same point (ODFW 2013).

Dams can also alter natural sediment transport processes and decrease the recruitment of coarse materials (*e.g.,* spawning gravels) into downstream habitats (Spence *et al.* 1996, ODFW 2000). ODFW (2007b, 2013, and 2024) has documented a reduction in spawning gravel linked to the dams in both the Rogue and Applegate rivers. The USACE has funded efforts to supplement instream gravel below the Lost Creek dam, and ODFW expects those efforts to begin in 2025 (ODFW 2024).

The recent removal of four dams (Iron Gate, Copco 1, Copco 2, and J.C. Boyle) on the upper Klamath River will improve downstream habitat conditions and water quality in the lower Klamath River basin. However, water diversions in the Upper Klamath River, the Trinity River, and the Scott and Shasta Rivers decrease the total volume of water that otherwise would have naturally flowed down the Lower Klamath River reach (NMFS 2014). These diversions decrease the quantity of mainstem flows on the Klamath River mostly during the spring and summer months, when juvenile access to cooler tributaries and cooler mainstem water temperatures is essential. Generally, spring and summer flows are lower than historical conditions, while fall and winter flows in the Lower Klamath are generally similar to those in the past.

Spring-run Chinook salmon continue to be limited in distribution with the majority of the spawning in the mainstem Rogue River below Lost Creek dam. The dam limits access to approximately one-third of historical spring-run Chinook spawning habitat (ODFW 2007b). The effects of the Lost Creek dam on gravel recruitment will be a recurring problem, and it is not clear if gravel augmentation plans below Lost Creek dam will successfully address the problem.

The SRT evaluated if the present or threatened destruction, modification, or curtailment of the SONCC Chinook salmon ESU's habitat or range is currently contributing to a risk of extinction or is likely to contribute to a risk of extinction in the foreseeable future. In evaluating habitat threats, the SRT concluded that current threats (timber harvest, mining, dams and diversions, channelization, diking, roads) presented low-to-moderate risks to the ESU. While there are some concerns with habitat in the upper Rogue River mainly impacting spring-run fish, the SRT concluded, and we agree, that it is unlikely that this factor contributes significantly to a risk of rangewide extinction now or in the foreseeable future. Factors leading to this conclusion are dam removal on the Klamath River and the fish habitat management strategies implemented at the dams in the Rogue River basin. Additionally, the SRT noted that while there is a long history of land-use practices leading to habitat degradation, freshwater habitat has likely been improving slowly over the past several decades due to habitat restoration projects and stricter land-use regulations compared to the early 20th century. We anticipate the benefits of these efforts will continue.

Overutilization for Commercial, Recreational, Scientific, or Educational Purposes

Tribal, commercial, and recreational salmon fisheries in the ocean and fresh water harvest fish from the OC and SONCC Chinook salmon ESUs. State and federal agencies use harvest restrictions to reduce impacts, with the intent of ensuring enough adult fish return to spawn and maintain healthy run sizes. However, ocean fisheries are inherently mixed-stock, creating the potential for ocean harvest to disproportionately affect weaker stocks. Across the West Coast, salmon fisheries are managed to limit fishery impacts on certain low abundance or protected stocks; this weak-stock management can result in constraints on fisheries for abundant stocks that would not otherwise be necessary (Pacific Fishery Management Council (PFMC) 2022).

OC Chinook Salmon ESU and Harvest

For OC stocks, the SRT examined two data sets: The Pacific Salmon Commission Chinook Technical Committee's (CTC) Exploitation Rate Analysis (ERA) and ODFW's terminal harvest rate estimates. The CTC's ERA contains estimates of total exploitation rate (ocean and freshwater) for Chinook salmon fisheries and stocks harvested within the Pacific Salmon Treaty area (CTC 2023). The two southernmost stock aggregates in the ERA (North Oregon Coast and Mid-Oregon Coast groups) represent fall-run Chinook salmon arising from the OC Chinook salmon ESU. In the North Oregon Coast aggregate, the ERA includes fall-run Chinook salmon in the Nehalem, Salmon, Siletz, and Siuslaw rivers. In the Mid-Oregon Coast aggregate, the ERA includes fall-run Chinook salmon in the South Umpqua, Coquille, and Elk rivers. The ERA does not estimate exploitation rates for spring-run Chinook salmon from the OC Chinook salmon ESU.

The SRT analyzed the ERA data for fisheries mortality from 1979 through 2020 (SRT 2024). Despite substantial

inter-annual variation in exploitation rates of the North Oregon stocks, there has been a modest decline in fisheries related mortality since the early 1980s. Exploitation rates for the North Oregon stocks have varied between 30 to 85 percent and averaged 52 percent over this time period. There has also been a lot of inter-annual variation in the Mid-Oregon stocks, but there appears to be a modest decline in exploitation since the early 1980s. Exploitation rates for the Mid-Oregon stocks have varied between 14 and 71 percent and averaged 43 percent over the same time period.

In addition to the CTC model, the SRT examined ODFW's terminal harvest estimates for 12 coastal river basins (bay and freshwater fisheries). ODFW's harvest rate estimates represent the number of fish harvested as a proportion of the total run returning to each basin in a given year. Among the 12 rivers, terminal exploitation rates vary from 60 percent (Tillamook) to 20 percent (Nehalem and Floras). Broadly speaking, there appears to be an increasing trend in terminal exploitation rates for the Nestucca, Siletz, Siuslaw, Umpqua, and Coos stocks over the past several decades (1986–2021). We did not detect a trend in terminal exploitation rates for the other river basins.

The Pacific Salmon Commission does not manage harvest of OC spring-run Chinook salmon in the Pacific Salmon Treaty area. ODFW monitors terminal harvest of spring-run Chinook salmon in the Umpqua River, but not in ocean fisheries. Terminal harvest rates for Umpqua River spring-run Chinook salmon has averaged 25 percent (2004–2019).

Several members of the SRT expressed concern over what they considered to be high total exploitation rates (*i.e.,* combined ocean and terminal exploitation rates of 50 percent or more) of fall-run Chinook salmon stocks. Whether or not exploitation rates greater than 50 percent are sustainable depends on the productivity of the stock. Harvest rates above 50 percent can be sustainable if the stocks are productive. The PFMC working group on Sacramento River Chinook salmon has recently calculated exploitation rates corresponding to maximum sustainable yield for 14 stocks of fall-run OC Chinook salmon and 2 stocks of spring-run OC Chinook salmon (PFMC Sacramento River Fall-run Chinook Work Group (SRWG) unpublished) based on the published estimates of spawner-recruit parameters for those stocks (Table A–II:11 in ODFW 2014b). The maximum sustainable yield is the largest long-term average catch that can be taken from a stock under prevailing environmental and fishery conditions. For all but one of the stocks (Elk River), exploitation rates corresponding to maximum sustainable yield are greater than 50 percent.

Based on the findings in PFMC SRWG (unpublished), we find that current harvest rates are generally within the range of those expected to produce maximum sustainable yield and overutilization is not currently limiting the viability of the OC Chinook salmon ESU nor is it likely to limit the viability in the foreseeable future.

SONCC Chinook Salmon ESU and Harvest

The PFMC manages ocean fisheries affecting the SONCC Chinook salmon ESU under the Pacific Coast Salmon Fishery Management Plan (Salmon FMP). The PFMC conducts annual stock assessments and fishery evaluations under the Salmon FMP (PFMC 2022). These stock assessments draw conclusions about the status of the stock (*e.g.,* whether the stock is overfished or approaching an overfished condition or whether overfishing is occurring) in relation to the fishery management terms defined under the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and/or NMFS' National Standards Guidelines, such as minimum stock size threshold (MSST) and maximum fishing mortality threshold (MFMT). The PFMC considers a stock to be overfished when the 3-year geometric mean of escapement falls below MSST. The MFMT is the level of annual fishing mortality above which overfishing is occurring. These stock assessments, which provide information for determining the sustainability of a fishery, are based on different criteria than those under the ESA, which relate directly to the likelihood of extinction of the species. In other words, an overfished status under MSA does not necessarily correlate with a species' extinction risk. For example, harvesting a salmonid stock at levels that make it subject to overfishing and/or contribute to an overfished condition may not necessarily pose a risk of extinction such that the species would qualify for listing as an endangered or threatened species.

The Salmon FMP defines a Southern Oregon and Northern California Chinook salmon stock complex that consists of natural and hatchery stocks of spring- and fall-run Chinook salmon south of the Elk River, Oregon, to (and including) the Klamath River, plus Umpqua River spring-run Chinook salmon (PFMC 2024). The Salmon FMP defines three stocks that overlap with the SONCC Chinook salmon ESU: Klamath River fall-run, Smith River, and Southern Oregon Coast Chinook salmon. The Klamath River fall-run Chinook salmon stock only partially overlaps with the SONCC Chinook salmon ESU, since the stock consists of a small lower Klamath River portion (part of the SONCC Chinook salmon ESU) and a larger portion from the Upper Klamath/Trinity River Chinook salmon ESU. The Salmon FMP does not include escapement goals or fishery impacts on the Smith River. The Southern Oregon stock consists of spring- and fall-run Chinook salmon south of the Elk River. The Salmon FMP includes escapement goals for Rogue River fall-run Chinook salmon to track the status of the Southern Oregon stock with respect to abundance. However, the Salmon FMP does not include goals for fishery impacts on the stock.

The Salmon FMP defines an MFMT for Southern Oregon Coast Chinook salmon of 78 percent, a species-specific proxy value derived from twenty stock-recruitment data sets (covering brood years as early as 1946 and no later than 2000, though it varies widely by stock) for stocks ranging from northern Washington to the Sacramento River basin. In 2014, the Salmon Technical Team (STT 2014) and the Scientific and Statistical Committee (SSC 2014) of the PFMC recommended adoption of a stock-specific MFMT of 54 percent based on an analysis of Rogue River fall-run Chinook salmon (Confer and Falcy 2014). The PFMC did not adopt the recommendation, choosing instead to continue to use the proxy value of 78 percent.

The PFMC assumes that age-specific harvest rates (the age of fish caught by the fishery) of the Southern Oregon Chinook salmon stock are equal to those estimated for the Klamath River Fall-run Chinook salmon stock, but river harvest rates and age structure, and thus total exploitation rates of southern Oregon Chinook salmon, are not tracked by the PFMC (PFMC 2024). For the years 2013 through 2022, estimated age-4 ocean harvest rates on the Klamath River Fall-run Chinook salmon stock ranged from 4 to 38 percent (mean 22 percent). ODFW (unpublished data) reports 2012–2021 terminal harvest rates on Rogue Fall-run Chinook salmon of 4 to 28 percent with mean 12 percent and 2009–2018 river harvest rates of Rogue Spring-run Chinook salmon of 1 to 14 percent with mean 8 percent. In order to combine the ocean and terminal harvest rates into a total exploitation rate we would need information on maturation schedules (the probability of spawning if alive at a given age). Because such information is not

available, we were unable to estimate the total exploitation rates for Rogue River fall-run Chinook salmon. However, it seems unlikely that exploitation rates would exceed the recommended MFMT of 54 percent, let alone the MFMT of 78 percent defined in the Salmon FMP (PFMC 2024).

Terminal harvest rate estimates were higher on the Chetco River (range of 8 to 37 percent with mean 18 percent) and Winchuck River (0 to 36 percent with mean 9 percent) during the same 10-year time period (2012–2021). However, the mean terminal harvest rates for these stocks are still likely to equate to total exploitation rates that are less than the Rogue River Fall-run Chinook salmon MFMT, although this cannot be determined with confidence without information on age structure and maturation rates.

Given the available, albeit limited information for total exploitation rate of stocks in the SONCC Chinook salmon ESU and the fact that Rogue River Fall-run Chinook salmon have rarely fallen below the MSST defined in the Salmon FMP, we found that overutilization is not limiting the viability of the SONCC Chinook salmon ESU now nor is it likely to limit the viability in the foreseeable future.

Disease

Chinook salmon are exposed to numerous bacterial, protozoan, viral, and parasitic organisms in spawning and rearing areas, hatcheries, migratory routes, and the marine environment. Increased physiological stress and physical injury in migrating salmonids may increase their susceptibility to pathogens (Matthews *et al.* 1986, Maule *et al.* 1988). The presence of adequate water quantity and quality during late summer is a critical factor in controlling disease epidemics for salmonids. As water quantity and quality diminish, and freshwater habitat becomes more degraded, many previously infected salmonid populations may experience large mortalities because added physiological stress can trigger the onset of disease. These factors (common in various rivers and streams) may increase anadromous salmonid susceptibility and exposure to disease (Holt *et al.* 1975, Wood and WDFW 1979).

OC Chinook Salmon ESU and Disease

Common diseases that affect Chinook salmon on the Oregon coast include amoebic gill disease, bacterial cold-water disease, bacterial kidney disease, columnaris, furunculosis, ich, and trichodiniasis. In the Oregon Coastal Conservation and Management Plan (2014), ODFW identified population-level factors that may be limiting the viability of coastal Chinook salmon. ODFW (2014c) did not consider disease to be a limiting factor for the OC Chinook salmon ESU. The SRT similarly concluded that disease poses a low risk to the OC Chinook salmon ESU. We conclude that disease poses a low risk to the viability of the OC Chinook salmon.

SONCC Chinook Salmon ESU and Disease

ODFW (2007a, 2013) considered disease to be a primary factor that affects the abundance of Chinook salmon in the Rogue River basin. ODFW documented extensive mortalities of adult Chinook salmon in the mainstem Rogue River in 1977, 1981, 1987, 1992, and 1994. Estimates of mortality rates during those years ranged between 28 percent and 70 percent of the spring-run Chinook salmon that entered the Rogue River (ODFW 2000). Columnaris was the disease most frequently identified in dead and dying fall-run Chinook salmon sampled in the Rogue River during the late 1970s and early 1980s (Amandi *et al.* 1982). Mortality rates of juvenile Chinook salmon infected with *F. columnare* increase as water temperature increases between 54 °F and 70 °F (Becker and Fujihara 1978). Summertime water temperatures in the Rogue River can approach the upper end of this range.

To minimize losses of adult and juvenile Chinook salmon to disease, ODFW identified targets for maximum water temperature at the U.S. Geological Survey gage near Agness, Oregon, and requested releases of reservoir storage from Lost Creek Lake in order to meet water temperature targets in downstream areas. Since 1995, the USACE has directed the reservoir water release strategy toward using reservoir storage to prevent, or to delay as long as possible, disease outbreaks. The strategy appears to be working; no large disease outbreaks have been documented in the Rogue River during the current multi-year drought, nor during the recent ''heat dome'' event that occurred in 2021 (ODFW 2024).

The Klamath River has a history of myxosporean parasite infections, including *C. shasta* and *Parvicapsula minibicornis,* which can significantly impact survival of juvenile Chinook salmon. The highest rates of infection in the Klamath River have been documented downstream of Iron Gate Dam and are less likely to occur downstream of the Trinity River confluence within the SONCC Chinook salmon ESU (Stocking and Bartholomew 2007, Bartholomew and Foott 2010). Furthermore, the removal of four dams (Iron Gate, Copco 1, Copco 2, and J.C. Boyle) on the upper Klamath River should reduce the impacts of parasite infections downstream (NMFS 2021).

Strategic water releases, dam removals, and other factors combined have reduced the risk of disease for the SONCC Chinook Salmon ESU. The SRT concluded that disease poses a low risk to the SONCC Chinook Salmon ESU. We found no evidence to indicate otherwise, and conclude that disease poses a low risk to the viability of the species.

Predation

A variety of species prey on juvenile and adult Chinook salmon. Below we summarize the effects of predation separately for marine and freshwater habitats.

Marine Predation

The Marine Mammal Protection Act (MMPA) of 1972 stopped the decline of many marine mammal populations and led to the recovery of several in the northeastern Pacific Ocean, such as populations of harbor seals, Steller sea lions, and California sea lions. Studies indicate that pinnipeds (seals and sea lions) prey on a wide variety of fish species, and salmonids appear to be a minor part of their diet. Riemer and Brown (1996) collected Steller sea lion scat (fecal) samples from the Rogue Reef and Orford Reef breeding sites (Oregon) and identified salmonids in 19.3 percent of samples. Riemer and Brown (1996) collected California sea lion samples at the Cascade Head haul-out area near Lincoln City, Oregon, and identified salmonids in 24.3 percent of samples in February and 7.9 percent in October. Riemer *et al.* (2001) collected scat samples from harbor seals in the Alsea and Rogue rivers and found the frequency of occurrence of salmonids to range from 4.3 to 14.8 percent. Orr *et al.* (2004) found that harbor seals in the lower Umpqua River consumed prey from over 35 taxa and found salmonid remains in only 6 percent of samples. Lastly, Hillemeier (1999) assessed pinniped predation rates within the Klamath River estuary during August, September, and October 1997 and estimated that seals and sea lions consumed a total of 8,809 adult fall-run Chinook salmon during the study period (8.8 percent of the estimated fall-run Chinook salmon run).

Fish-eating killer whales (*Orcinus orca*) consume a wide variety of fish and squid, but salmon are their primary prey (Ford *et al.* 1998, 2000, Ford and Ellis 2006, Ford *et al.* 2016, Hanson *et al.* 2021). Scale and tissue sampling from

May to September in inland waters of Washington and British Columbia, Canada, indicate that fish-eating killer whale diets consist of a high percentage of Chinook salmon (monthly proportions as high as 90 percent; Hanson *et al.* 2010). Ford *et al.* (2016) found that most of the salmon consumed by the whales were Chinook salmon (nearly 80 percent).

Harbor seals, sea lions, and killer whales (including populations in British Columbia and Alaska that feed on north-migrating salmon like OC Chinook) have all increased at least three-fold over the past 50 years, and some studies suggest these increases have resulted in proportional increases in predation pressures on salmon (SRT 2023). Although the diets of seals and sea lions are diverse and salmon may be a minor part of their diet, the overall increase in abundance of these species, as well as resident killer whales, may have implications for the long-term status of depleted, and in some cases ESA-listed, salmonid populations. Chasco *et al.* (2017) estimated that, while production of wild and hatchery Chinook salmon increased between 1975 and 2015 and harvest levels decreased, the increased consumption by sea lions, harbor seals, and killer whales more than offset the first two. Based on the model results, for stocks that have a longer and more northerly migration route, such as those from the OC Chinook salmon ESU, predation impacts have increased over time, exceeding harvest in recent years (Chasco *et al.* 2017). The longer migration routes expose these stocks to more predation by marine mammals.

Freshwater Predation

Kostow (1995) and ODFW (2014c) noted that a substantial smallmouth bass population in the lower mainstem Umpqua River is of particular concern. ODFW (2022) estimated that smallmouth bass were illegally introduced into the Coquille River sometime prior to 2011. Since then, the population of smallmouth bass has grown substantially and become one of the primary factors limiting viability of the Coquille River Chinook salmon population. ''Although wild fall-run Chinook [salmon] in the Coquille suffered from poor ocean conditions, predation by smallmouth bass is the primary reason these fish have not rebounded to the same extent as in other coastal rivers'' (ODFW 2022). ODFW is actively trying to remove smallmouth bass from the Coquille River to reduce predation on juvenile wild fall-run Chinook salmon.

Umpqua pikeminnow were illegally introduced into the Rogue River in the 1970s. Pikeminnow consume juvenile Chinook salmon and steelhead and compete with native fishes for food and space. The estimated impact of pikeminnow on the abundance of juvenile Chinook salmon in the Rogue River basin is difficult to ascertain. Beamesderfer *et al.* (1996) estimated that northern pikeminnow consumed about 16 million (8 percent) of the estimated 200 million juvenile salmonids emigrating annually in the Columbia River Basin. The mainstem dams on the Columbia River exacerbate predation opportunities. Umpqua pikeminnow predation rates in the Rogue River are likely lower due to flow and temperature management implemented at the William Jess and Applegate dams. ''Decreased water temperatures, resulting from reservoir releases during summer, have likely limited the upstream distribution of Umpqua pikeminnows in the Rogue River'' (ODFW 2013).

In addition, hatchery-produced coho salmon and steelhead consume the fry of natural-origin spring-run Chinook salmon. Surveys from 1979 through 1981 estimated that the total annual number of spring-run Chinook salmon fry consumed by hatchery coho salmon and steelhead was between 163,000 and 275,000, representing 3–7 percent of Rogue River spring-run Chinook salmon fry production during those years (ODFW 2007b). In addition to preying on natural-origin fish, large numbers of hatchery fish can attract predators and increase predation rates on natural-origin fish (Nickelson 2003, Weber and Fausch 2003, Nowak *et al.* 2004). Hatchery programs attempt to limit predation impacts on natural-origin salmonids through control of hatchery release numbers and by minimizing spatial and temporal overlap with natural-origin salmonid juveniles.

In summary, although the abundance of some marine mammals has increased since the 1970s and the numbers of salmon have decreased, we found no data to establish a cause-and-effect relationship. Anadromous salmonids have historically coexisted with both marine and freshwater predators. Studies focused on pinniped predation of OC and SONCC salmonids suggest salmonids are a minor component of their diet. While longer-ranging ESUs like OC Chinook are at greater risk of killer whale predation, the available information led the SRT to conclude predation is a low risk for both ESUs. Although introduced species appear to be a leading cause for the decline of the Coquille River Chinook salmon population, we found no evidence to indicate that freshwater predation is a rangewide concern for the viability of the OC Chinook salmon ESU. Similarly, the introduction of Umpqua pikeminnow into the Rogue River basin does not appear to be a factor limiting the viability of either spring-run or fall-run Chinook salmon populations in the SONCC Chinook salmon ESU. Based on the available evidence and consistent with the findings of the SRT, we conclude that predation poses a low risk to the rangewide viability of the OC and SONCC Chinook salmon ESUs.

Inadequacy of Existing Regulatory Mechanisms

A variety of Federal, state, tribal, and local laws, regulations, treaties and measures affect the abundance and survival of the OC and SONCC Chinook salmon ESUs and the quality of their habitat. NMFS (1998) found that the serious depletion of Chinook salmon and other anadromous salmonids, coupled with the poor health and low abundance of many distinct populations of Chinook salmon, was an indication that existing regulatory mechanisms had largely failed to prevent the depletion. The SRT reviewed existing regulatory mechanisms as part of the status review. The SRT noted several Federal, state, and local regulatory programs that have been successfully implemented to substantially reduce historical risks to the OC and SONCC Chinook salmon ESUs. For example, the U.S. Forest Service and Bureau of Land Management have consulted with NMFS on land management plan amendments that include adequate protection of riparian and stream habitat complexity for salmon and steelhead (NMFS 2022). The states of Oregon and California have amended or are in the process of amending their forest practices and road management plans to address NMFS' concerns related to listed OC and SONCC coho salmon. We expect that efforts designed to benefit coho salmon will also benefit the co-occurring Chinook salmon.

Changes in regulations governing Chinook salmon fisheries have significantly reduced the risks for Chinook salmon identified in the coastwide status review (Myers *et al.* 1998) and status review update (West Coast Chinook Salmon Biological Review Team 1999). For ocean salmon fisheries on the West Coast, NOAA Fisheries works with the PFMC to establish annual harvest levels in federal waters from 3 to 200 miles off the coasts of Washington, Oregon, and California. In addition, adult salmon returning to Washington and Oregon migrate through both U.S. and Canadian waters and are harvested by fishermen

from both countries. The U.S. and Canadian governments work with tribes, states, and sport and commercial fishing groups to provide for shared conservation and harvest objectives. These proceedings are guided by the 1985 Pacific Salmon Treaty that is implemented through the Pacific Salmon Commission.

The SRT concluded, and we agree, that the inadequacy of existing regulatory mechanisms poses a low risk to the rangewide viability of the OC and SONCC Chinook salmon ESUs. In the range of OC and SONCC Chinook salmon, the regulation of some activities and land uses will alter past harmful practices, resulting in habitat improvements. Similarly, existing regulations governing Chinook salmon harvest have improved the OC and SONCC ESUs likelihood of persistence.

Other Natural or Manmade Factors Affecting Its Continued Existence

Environmental Variation

Scientists predict the rising temperatures and associated ecosystem changes caused by environmental variation to impact Pacific salmon by a variety of mechanisms throughout their life cycle (Crozier *et al.* 2008, 2019, Isaak *et al.* 2022, Crozier and Siegel 2023). These impacts are complex and vary among species, ESUs, and habitats. For U.S. West Coast salmon and steelhead, expected changes to freshwater habitats include increased air and stream temperatures and changes in seasonal (but not necessarily annual mean) rainfall patterns, with larger and more extreme storms and droughts. These increased temperatures will result in more winter precipitation falling as rain than snow at intermediate elevations, which alters both seasonal streamflow and water temperatures. Within the range of the OC and SONCC ESUs, experts predict stream temperatures to rise, winter flows to increase, and summer flows to decrease compared to current patterns (ODFW 2021). In marine habitats, we expect the food webs that support salmon to change in response to factors including increased temperatures, acidification, and the strength and timing of wind-driven upwelling, although how these changes will affect salmon growth and survival is difficult to predict.

Crozier *et al.* (2019) undertook a comprehensive climate vulnerability assessment for Pacific salmon and steelhead along the U.S. West Coast, focusing on ESUs that have received or are candidates for protection under the ESA. Crozier *et al.* (2019) reported that Chinook salmon populations ocean-type life histories (like OC and SONCC) produced relatively low vulnerability scores during the early life history and juvenile freshwater stages, due to limited rearing in freshwater in summer, when thermal impacts, hydrologic regime shifts, and low-flow impacts are expected to be highest. The OC and SONCC Chinook salmon ESUs were not included in the Crozier *et al.* (2019) assessment, so the SRT evaluated vulnerability to changing environmental conditions using results for ESUs that had similar life histories, geographic ranges, and human land use activities. For early life history, estuary, and adult freshwater stages, the SRT used listed Chinook salmon ESUs that had overlapping adult river entry timing (spring and fall runs), fall spawn timing, limited freshwater residency and extended estuarine residency, and predicted low-moderate sensitivity for these attributes (early life history, estuary, and adult freshwater stages) for the OC and SONCC Chinook salmon ESUs. For the marine stage, OC Chinook salmon marine distributions extend from local waters to SE Alaska and scored as a low-moderate sensitivity. In contrast, the SONCC Chinook salmon marine distribution is largely restricted to the California current and scored as moderate-high sensitivity. The SRT ranked the cumulative life cycle effects for the OC ESU as low-moderate vulnerability and for the SONCC ESU as moderate-high. The estimated overall vulnerability rank is a measure of how susceptible a particular ESU is to the impacts of environmental variation and was estimated as moderate for OC and high for the SONCC Chinook salmon ESUs.

However, the SRT also noted that there remains considerable uncertainty about the localized effects of environmental variation on these ESUs, and that predicted future stream temperatures in many of the coastal streams should remain within suitable ranges for salmon. For the OC and SONCC Chinook salmon ESUs, the predicted effects of increasing temperatures may be greater for the rivers that are already relatively warm during the summer, such as the Umpqua, Rogue, and Coquille rivers, and less so for others, such as northern rivers of the Oregon coast and the Smith River in California. The SRT (2024) predicted portions of the spawning and rearing areas in some rivers, including the Umpqua, Rogue, Nehalem, and Coquille to have average August temperatures above 20° C, a point at which salmon are stressed physiologically and subject to greater disease pressures (Richter and Kolmes 2005). However, these predictions are based on average stream temperatures for relatively large river reaches and do not account for potential small-scale thermal refuges that salmon may use currently and in the foreseeable future. Isaak *et al.* (2022) highlighted that Chinook salmon in the South Fork Umpqua River as likely to be particularly vulnerable to warming temperatures, since it already experiences near-lethal temperatures in some years and is expected to become 1–3 °F warmer by the end of century. Isaak *et al.* (2022) concluded that other populations of OC and SONCC Chinook salmon may be less impacted by warming temperatures due to a relatively short juvenile freshwater life history. They also noted that the regulation of water temperature by Lost Creek Dam is expected to mitigate climate effects related to temperate and flow for portions of the Upper Rogue River.

In marine habitats, the effects of sea level rise are largely restricted to estuarine environments, but changes in sea surface temperature, upwelling, currents, and ocean acidification, all of which influence salmon productivity, are expected in estuarine and ocean habitats. Crozier *et al.* (2019) reported that high levels of projected changes in sea surface temperature and ocean acidification will be compounded by regional variations in sea level rise, flooding, and changes in upwelling. Crozier *et al.* (2019) noted that while coastal areas may benefit from oceanic buffering effects that can reduce extreme climate impacts, the complexity of marine food webs and inconsistencies in projections for ocean currents and upwelling add considerable uncertainty to predicting the full biological consequences on salmon growth and survival. Prolonged periods of poor ocean survival observed during warm decades suggest that rising ocean temperatures could lead to negative impacts for salmon populations (Crozier *et al.* 2019).

Based on the SRT findings, we conclude that the effects of future predicted environmental variation may pose a moderate risk to OC and SONCC salmon ESUs. The SRT was particularly concerned that rising stream temperatures and lower summer flows would be detrimental to the spring-run life history, since adults spend some or all of the summer in freshwater systems that are predicted to be exposed to higher temperatures, and the spring runs are already at low abundance in most of these rivers. Populations characterized by late-summer/early-fall

smolt outmigration may also be more vulnerable to temperature increases than those with early-summer outmigration. The team also noted, however, that there remains considerable uncertainty about the localized effects of environmental variation to these populations, and that predicted future stream temperatures in many of the coastal streams remain within the healthy range for salmon.

Hatcheries

Hatcheries are another factor identified as a threat in the coastwide Chinook salmon status review (Myers *et al.* 1998) and status review update (West Coast Chinook Salmon Biological Review Team 1999). Research on the risks and benefits of hatcheries to natural salmon populations has been the subject of numerous reviews (*e.g.,* Hard *et al.* 1992, Hatchery Scientific Review Group (HSRG) 2004, Mobrand *et al.* 2005, Araki *et al.* 2008, Naish *et al.* 2008, Kostow 2009, Anderson *et al.* 2020). In general, hatchery programs can potentially provide demographic benefits to salmon and steelhead, such as increases in abundance during periods of low natural abundance (*e.g.,* Berejikian *et al.* 2009, Janowitz-Koch *et al.* 2019, Koch *et al.* 2022). Hatcheries may also help preserve genetic resources until limiting factors can be addressed (*e.g.,* Flagg *et al.* 1995, Kalinowski *et al.* 2012). However, these reviews have also concluded that long-term use of artificial propagation poses risks to natural productivity and diversity. Hatchery programs can affect natural-origin populations of salmon and steelhead in a variety of ways, including competition (for spawning sites and food) and predation effects, disease effects, genetic effects (*e.g.,* domestication selection or introgression due to stock transfers), and facility effects (*e.g.,* water withdrawals, effluent discharge). The magnitude and type of risk depend on the status of affected populations and on specific practices in the hatchery program.

With the exception of the Elk and Salmon rivers, the fall-run spawning populations in both ESUs consist primarily of natural-origin spawners (SRT 2024). The situation with the spring-run populations is more complex. Spring-run hatchery stocks released in the northern portion of the OC Chinook salmon ESU likely originated from outside of the ESU and pose genetic risks to native spring-run Chinook salmon that spawn in the same rivers. In the southern portion of the OC Chinook salmon ESU, the small South Fork Umpqua River spring-run population has little hatchery influence, while the larger North Fork spring-run spawning population typically consists of ~50 percent hatchery-origin fish.

In the SONCC Chinook salmon ESU, ODFW operates the Cole Rivers Hatchery on the Rogue River to mitigate the effects of Lost Creek Dam and to provide fishing opportunities for spring-run Chinook salmon (ODFW 2007b, 2016). ODFW founded the program from the local naturally spawning population and reportedly uses ~27 percent natural-origin fish in the broodstock annually (ODFW 2016, p. 31). ODFW estimates the proportion of hatchery fish on the spawning grounds to be very low—only 1.5 percent for the years 2016 and 2017 (ODFW 2007b). Based on the local origin of the broodstock, the proportions of natural-origin fish compared to hatchery-origin fish on the spawning grounds and in broodstock, and the hatchery's potential as an important reservoir for the run-type, the Cole River Hatchery program may be providing a net conservation benefit to the SONCC Chinook salmon ESU.

Consistent with the above discussion, the SRT concluded, and we agree, that hatcheries pose a low risk to the rangewide viability of the OC and SONCC Chinook salmon ESUs.

Rangewide Risk of Extinction

The SRT's determination of rangewide extinction risk to the OC and SONCC Chinook salmon ESUs used the categories of high, moderate, and low risk of extinction. The risk levels are defined as:

(1) *High risk:* A species or ESU with a high risk of extinction is at or near a level of abundance, productivity, diversity, and/or spatial structure that places its continued existence in question. The demographics of a species or ESU at such a high level of risk may be highly uncertain and strongly influenced by stochastic and/or depensatory processes. Similarly, a species or ESU may be at high risk of extinction if it faces clear and present threats (*e.g.,* confinement to a small geographic area; imminent destruction, modification, or curtailment of its habitat; disease epidemic) that are likely to create such imminent demographic risks.

(2) *Moderate risk:* A species or ESU is at moderate risk of extinction if it exhibits a trajectory indicating that it is more likely than not to reach a high level of extinction risk in the foreseeable future. A species or ESU may be at moderate risk of extinction due to projected threats and/or declining trends in abundance, productivity, spatial structure, or diversity. The appropriate time horizon for evaluating whether a species or DPS is more likely than not to become at high risk in the future depends on various case- and species-specific factors. For example, the time horizon may reflect certain life-history characteristics (*e.g.,* long generation time or late age-at-maturity) and may also reflect the timeframe or rate over which identified threats are likely to impact the biological status of the species or ESU (*e.g.,* rate of disease spread). The appropriate time horizon is not limited to the period that status can be quantitatively modeled or predicted within predetermined limits of statistical confidence.

(3) *Low risk:* A species or ESU is at low risk if it is not at moderate or high risk of extinction.

The SRT considered the foreseeable future to extend over a time period of 30 to 80 years. The shorter end of this time period corresponds to approximately 10 Chinook salmon generations, which the SRT concluded was a reasonable value over which to consider current demographic trends. The most common age at spawning for the OC and SONCC Chinook salmon ESUs is 3 to 4 years of age (ODFW 2007a, 2013, 2014a). The longer end of this range corresponds approximately to the timeframe over which scientific studies of the impacts of environmental variation on salmon freshwater and ocean habitat are available. For example, the SRT cited and utilized analyses of predicted future stream temperatures (Isaak *et al.* 2017 and 2022) that ranged from approximately 40 to 80 years in the future.

OC Chinook Salmon ESU

The SRT concluded, and we concur, that the OC Chinook salmon ESU is at low risk of extinction. The primary factors leading to this conclusion include relatively high total abundance, with multiple populations having natural-origin spawning abundance of >10,000 spawners in typical years, and total-ESU abundance commonly >100,000 spawners. The high total exploitation rates (often exceeding 50 percent for most populations), although a source of some concern, are also evidence of relatively high productivity, because the populations are (generally) maintaining their abundance despite higher harvest rates. An analysis of the spatial structure and diversity factors also indicate low risk. The ESU consists of numerous, well-distributed spawning populations, indicating that there is low risk associated with spatial structure. The presence of spring- and summer-run fish distributed throughout many of the basins indicates that the ESU as a whole contains considerable life-history

diversity. There is some concern over the potential effects of the long-term, segregated hatchery programs in the Trask and Nestucca rivers. However, because there is relatively limited hatchery production rangewide (when compared to natural production), we conclude that hatcheries pose a low risk to the rangewide diversity of the ESU.

In our evaluation of the factors identified in section 4(a)(1) of the ESA, we find that the factors do not contribute to rangewide extinction risk now or in the foreseeable future. There is a long history of land-use practices leading to habitat degradation, but freshwater habitat appears to be improving due to restoration efforts and stricter land-use regulations compared to the 20th century (see OC Chinook salmon and Habitat and *Inadequacy of Existing Regulatory Mechanisms*). The SRT identified predation by nonnative small-mouth bass as a factor limiting the viability of the Coquille River population, but otherwise predation by nonnative species poses a low risk to the ESU rangewide. Although ODFW (2014a) identified predation by marine mammals as a matter of public interest, we found no evidence to indicate that it poses a risk to the viability of the species. Although some SRT members were concerned about exploitation rates that occasionally exceed 50 percent for some populations, we find that fishery management has responded to changes in status of individual populations and reduced exploitation rates as necessary, particularly for terminal fisheries.

The SRT concluded, and we concur, that the predicted effects of environmental variation will likely have a negative effect on the OC Chinook salmon ESU. The SRT was particularly concerned that rising stream temperatures and lower summer flows would be detrimental to the spring-run life history, since adults spend some or all of the summer in freshwater systems that are predicted to be exposed to higher temperatures, and the spring runs are already at low abundance in most of these rivers. Populations characterized by late-summer/early-fall smolt outmigration may also be more vulnerable than those with early-summer outmigration. The SRT also considered environmental variation effects on marine ecosystems and concluded that the OC Chinook salmon ESU is predicted to have a moderate sensitivity to marine climate effects but noted the complexity of ocean food webs and their response to changing conditions, as well as the indirect nature of impacts through prey availability and predator distribution, make direct predictions of salmon survival difficult. However, the SRT noted that the ESU consists of 16 major populations and additional smaller ones that are distributed among multiple coastal streams, many of which are predicted to remain at appropriate temperatures for salmon even in the face of environmental variation. Thus, although the SRT concluded that portions of the ESU will be negatively impacted by changing environmental conditions, the ESU as a whole is likely buffered against these predicted changes for the foreseeable future.

Considering the analysis of the viability of the ESU and the factors identified in section 4(a)(1) of the ESA, we find that the OC Chinook salmon ESU is at a low risk of extinction rangewide, now and in the foreseeable future.

SONCC Chinook Salmon ESU

The SRT concluded, and we concur, that the SONCC Chinook salmon ESU is at low risk of extinction rangewide. Factors supporting this conclusion include overall high abundance, which has been commonly >50,000 natural spawners for the ESU as a whole (not including the Smith River), most of which consist of natural-origin fish. The ESU also appears to have high productivity, as indicated by the fact that the ESU has maintained high abundance levels in the presence of relatively high total exploitation rates. The ESU consists of numerous, well-distributed spawning populations, indicating that there is low risk associated with spatial structure. Although there are concerns about the status of the spring-run component of the ESU (discussed below), the spring-run life history nonetheless comprises several thousand spawners annually in the Rogue River, as well as a much smaller number of spring-run Chinook salmon spawners in the Smith River. The fall-run component is spatially spread across multiple populations, most of which typically have natural spawning abundance in the thousands.

In our evaluation of the factors identified in section 4(a)(1) of the ESA, we find that the factors do not contribute substantially to rangewide extinction risk now or in the foreseeable future. Although habitat loss and the ongoing effects of land management activities continue to be a concern, freshwater habitat appears to be improving due to habitat restoration activities and stricter land-use regulations compared to the 20th century (see SONCC Chinook salmon and Habitat and *Inadequacy of Existing Regulatory Mechanisms*). Since the previous status review a number of actions have been taken to restore or improve fish passage, riparian conditions, and instream habitat in the coastal basins of southern Oregon and northern California (OWEB 2024, CalFish 2024). As a result, habitat utilization has improved for Chinook salmon since the late 1990s. Although some members of the SRT were concerned about harvest rates, overall abundance remains high, and we found no evidence to indicate that overutilization is limiting the viability of the SONCC Chinook salmon ESU now or in the foreseeable future.

The SRT concluded, and we concur, that the predicted effects of environmental variation will likely have a negative effect on the SONCC Chinook salmon ESU, particularly for the spring-run life history whose habitat may be differentially vulnerable to high temperatures, lower summer flows, and the effects of increasing wildfires and associated disturbances. Populations characterized by late-summer/early-fall smolt outmigration may also be more vulnerable than those with early-summer outmigration. The SRT also considered the effect of environmental variation on marine ecosystems and ranked SONCC ESU with a moderate sensitivity score in their marine stage, but the team also noted the complexity of ocean food webs and their response to changing environmental conditions, as well as the indirect nature of impacts through prey availability and predator distribution, which makes direct predictions of salmon survival difficult. The SRT noted that the ESU consists of at least eight major populations and additional smaller ones that are distributed among multiple coastal streams, many of which are predicted to remain at appropriate temperatures for salmon even in the face of future environmental variation. Thus, although the SRT concluded that portions of the ESU will be negatively impacted by changing environmental conditions, the ESU as a whole is likely buffered against these predicted changes for the foreseeable future.

Considering the analysis of the viability of the ESU and the factors identified in section 4(a)(1) of the ESA, we find that the SONCC Chinook salmon ESU is at a low risk of extinction rangewide, now and in the foreseeable future.

Significant Portion of Its Range Analysis

As noted in the introduction above, the definitions in section 3 of the ESA of both ''threatened species'' and ''endangered species'' contain the term ''significant portion of its range'' (SPR),

which we interpret to refer to an area smaller than the entire range of the species. As indicated by these definitions, we can list a species based on their status in all of their range or based on their status in a SPR. The range of a species is considered to be the general geographical area within which that species can be found. A species' range includes those areas used throughout all or part of the species' life cycle, even if they are not used regularly (*e.g.,* seasonal habitats) (79 FR 37578, 37583, July 1, 2014).

In construing the statutory definitions of threatened and endangered species, we are required to give some independent meaning to the SPR phrase to avoid rendering it superfluous to the ''throughout all'' language (See *Defenders of Wildlife* v. *Norton,* 258 F.3d 1136 (9th Cir. 2001)). Under the 2014 policy regarding the interpretation of the phrase ''significant portion of its range'' (SPR Policy; 79 FR 37578, July 1, 2014), which was issued jointly by NMFS and USFWS, if we find that a species is facing low extinction risk throughout its range (*i.e.,* not warranted for listing), we must consider whether the species may have a higher risk of extinction in a SPR (79 FR 37578, July 1, 2014). In addition, if we find that a species is threatened rangewide, we must also consider whether the species may be endangered in an SPR, which would result in the higher-level listing of the species as endangered (See *CBD* v. *Everson,* 435 F. Supp. 3d 69 (D.D.C. 2020)).

Having concluded that the OC Chinook salmon and SONCC Chinook salmon ESUs are at low risk of extinction now and in the foreseeable future throughout all of their respective ranges, we requested the SRT conduct an assessment to determine whether the ESUs may be at greater risk of extinction now or in the foreseeable future in any identified SPR. The SRT's SPR analysis consisted of identifying and evaluating portions, also described as strata, of each ESU that are potentially at moderate or high risk of extinction and are important to the overall ESU's long-term viability, yet not so important as to be determinative of its overall current or foreseeable status. In other words, the goal of the SPR evaluation was to determine if there are biologically important portions of the ESU that are currently at high or moderate risk but that are not so important that their status would lead to the entire ESU being currently at high or moderate risk.

Because a species' range can theoretically be divided into an infinite number of portions, the SRT first discussed and identified several sub-ESU strata that had a reasonable likelihood of being at moderate or high risk of extinction and a reasonable likelihood of being biologically significant to the species. Unless a portion met both of these conditions, the SRT did not consider it further in the analysis as they could not form the basis for a proposed listing. In evaluating whether a portion was biologically significant, the SRT considered whether the species within that portion was important to the ESU's long-term viability but not so important that their status would drive current or foreseeable ESU-wide extinction risk. After considering multiple possibilities, the SRT settled on a more detailed evaluation of two types of strata based on geography or adult run-timing.

OC Chinook Salmon ESU

In the geographic SPR analysis, the SRT divided the OC Chinook salmon ESU into four geographic strata: North Coast, Mid-Coast, Umpqua, and Mid-South Coast. The North Coast stratum is composed of populations of Chinook salmon from the Necanicum River south to the Nestucca River (inclusive). The Mid-Coast stratum is composed of populations of Chinook salmon from the Salmon River south to the Siuslaw River (inclusive). The Umpqua stratum is composed of the Chinook salmon populations in the Umpqua River basin. The Mid-South Coast stratum is composed of populations of Chinook salmon from the Tenmile basin south to the Elk River. In Oregon's Coastal Multi-Species Conservation and Management Plan, ODFW divides the OC Chinook salmon ESU into these same four geographic strata (ODFW 2014a).

The SRT evaluated the extinction risk for each stratum. The SRT concluded, with varying degrees of confidence, that all four strata were most likely to be at low risk of extinction. The SRT was less confident that the Mid-South Coast stratum was at low risk based on concerns that the southern populations included generally lower and recently declining abundance, especially a sharp recent decline of the Coquille River population (2007–2021). The SRT noted that the Mid-South Coast stratum contains four populations other than the Coquille population with a combined total of several thousand spawners, and, despite recent trends, the populations have largely been stable over the last 35 years leading to the low-risk conclusion. The SRT also noted that each of the four strata had at least one, and usually several, populations that the SRT considered to be abundant, productive, and at low risk of extinction. We evaluated the SRT's findings and concluded that the findings are well-supported and that all four strata are a low risk of extinction now and in the foreseeable future, so we did not assess the geographic strata further.

The SRT also considered whether the variation in adult run-timing might form the basis for identifying alternative portions. In many river systems along the West Coast, spring- and fall-run Chinook salmon utilize spatially different freshwater habitats, particularly during the adult freshwater migration and spawning portions of the life cycle. While there is evidence of some spatial segregation between the spring- and fall-run timing components in the Umpqua River basin (ODFW 2014a) and Siletz River basin (Davis *et al.* 2017), the relatively small size of other OC basins limits the amount of habitat available and minimizes the likelihood of spatial separation of run times (Myers *et al.* 1998). For OC basins utilized by spring-run Chinook salmon, spring-run-only habitat constitutes 4 percent of the available spawning and rearing habitat. In other words, 96 percent of the spring-run geography is shared with the fall-run fish. Given the substantial overlap in spring- and fall-run habitat, we have determined the spring-run stratum does not qualify as a valid portion of the OC Chinook salmon range. Consistent with the ESA, the 2014 SPR Policy defines ''range'' in geographic terms, and the selection of portions for consideration should be premised at least in part on a geographically oriented rationale. Although run timing might provide an appropriate basis for delineating portions under certain circumstances, here, the spring-run component lacks sufficient spatial segregation from the fall run to be considered a valid portion for the purposes of SPR analysis under the ESA. Additionally, the SRT concluded that the spring-run component of the OC Chinook salmon ESU was not biologically significant to the long-term viability of the ESU. Factors leading to this conclusion included the lack of spring-run specific habitat in most of the river systems in the ESU and the lack of strong evidence that the spring run was ever historically a substantial component of the ESU. Therefore, we determined the spring-run component does not qualify as a valid portion of the OC Chinook salmon range.

The fall-run component is the most numerous and widespread portion of the ESU. The status of the fall-run component is determinative of the rangewide status of the ESU and also considered to be at low extinction risk.

Therefore, the fall-run component is not a valid SPR.

We did not identify any other valid portions that were both significant and at a higher extinction risk than the ESU rangewide, now or in the foreseeable future. Based on the above, we conclude that Chinook salmon in the OC ESU are not presently in danger of extinction nor are they likely to become endangered in the foreseeable future.

SONCC Chinook Salmon ESU

The SRT identified two geographic strata within the SONCC Chinook salmon ESU: a Rogue River stratum and a coastal river system (Hunter, Pistol, Chetco, Winchuck, Smith, and Lower Klamath rivers) stratum. For the Rogue River stratum, the SRT concluded that it was at low risk based on consistently high overall abundance, including thousands of spring-run spawners and fall-run populations spatially distributed across multiple populations despite significant harvest pressure. For the coastal stratum, the SRT narrowly concluded that it is at moderate risk based on relatively small sizes and small number of coastal populations and a lack of consistent monitoring for the important Smith River population. However, the relatively small size of SONCC coastal basins limits the amount of available habitat, so small number and sizes of coastal populations do not necessarily mean the coastal populations are at a higher risk of extinction. Though the coastal populations are smaller than the Rogue River, recent abundances for the combined Hunter, Pistol, Chetco, Winchuck, and Blue River populations total a few thousand spawners annually. Furthermore, estimates for the Smith River from 2010 to 2021 were between 10,000 and 20,000 fall-run Chinook salmon, suggesting that it is likely the second-largest population in the SONCC ESU. The lack of adequate monitoring for the Smith River was also a primary concern that led the team to conclude the coastal stratum was at moderate risk, which indicates that the uncertainty from the lack of monitoring shifted the team towards a higher risk category for this geographic area. However, the absence of monitoring or data does not directly cause a species to decline or face extinction and does not in and of itself support a positive listing determination. While monitoring data are limited, the available data do suggest the Smith River contains a sizeable fall run as noted above. Additionally, the threats to these populations are similar to the threats facing the entire ESU, so the stratum does not face an elevated extinction risk. Based on the coastal population sizes (including the Smith River), spatial distribution, and similar threats across the ESU, we determined that the SONCC coastal stratum is at low risk of extinction now and in the foreseeable future.

We have determined the spring-run stratum does not qualify as a valid portion of the SONCC Chinook salmon range because, consistent with the ESA and the 2014 SPR Policy (79 FR 37578, 37583 July 1, 2014), the selection of portions for consideration should be premised at least in part on a geographically oriented rationale. Here, the spring-run component lacks sufficient spatial segregation from the fall run to be considered a valid portion of the ESU's range for the purposes of SPR analysis under the ESA. While there is evidence of spatial segregation between the spring- and fall-run timing components in the Rogue River, the relatively small size of other SONCC basins limits the amount of habitat available and minimizes the likelihood of spatial separation of run times. A review of spawning and rearing habitat utilized by spring-run Chinook salmon, mainly found in the Rogue River and Smith River basins, found only 6 percent of the habitat was used solely by spring-run Chinook salmon. In other words, 94 percent of spring-run geography is shared with fall-run fish. Therefore, the spring-run component does not qualify as a valid portion of the SONCC Chinook range.

Spring-run Chinook salmon was narrowly voted by the SRT to have a higher risk than the ESU rangewide, but given that spring-run populations do not reflect a sufficiently unique geographic area from fall-run populations, the spring-run portion cannot be considered a SPR. The fall-run component is the most numerous and widespread portion of the ESU. The status of the fall-run component is determinative of the rangewide status of the ESU and also considered to be at low extinction risk. Therefore, the fall-run component of the SONCC ESU is not a valid SPR.

We did not identify any other valid portions that were both significant and at a higher level of extinction risk than the ESU rangewide, now or in the foreseeable future. Based on the above, we conclude that SONCC Chinook salmon ESU is at low risk of extinction throughout its range and is not presently in danger of extinction nor is it likely to become endangered in the foreseeable future.

Final Determination

Section 4(b)(1) of the ESA requires that we make listing determinations based solely on the best scientific and commercial data available after conducting a review of the status of the species and taking into account those efforts, if any, being made by any State or foreign nation, or political subdivisions thereof, to protect and conserve the species. We have independently reviewed the best available scientific and commercial information, including references cited in the petition, public comments submitted on the 90-day finding (88 FR 1548, January 11, 2023), and the status review report, and we have consulted with species experts and individuals familiar with Chinook salmon.

Our determination set forth here is based on a synthesis and integration of the foregoing information. Based on our consideration of the best available scientific and commercial information, as summarized here and in the status review report, we conclude that Chinook salmon in the OC and SONCC ESUs, inclusive of all run types, are not presently in danger of extinction nor are they likely to become endangered in the foreseeable future throughout all or a significant portion of their range. Consequently, the OC and SONCC ESUs do not warrant listing under the ESA.

This is a final action, and, therefore, we are not soliciting public comments.

References

A complete list of all references cited herein is available upon request (See **FOR FURTHER INFORMATION CONTACT**).

Authority

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

Dated: December 4, 2025.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

[FR Doc. 2025–22335 Filed 12–8–25; 8:45 am]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
Vol. 90, No. 234
Tuesday, December 9, 2025

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–5038; Project Identifier MCAI–2025–01035–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 supersede Airworthiness Directive (AD) 2025–05–09, which applies to all Airbus Helicopters Model SA330J helicopters. AD 2025–05–09 requires revising the existing maintenance records by incorporating new or more restrictive airworthiness limitations. Since the FAA issued AD 2025–05–09, the FAA has determined that new or more restrictive airworthiness limitations are necessary. This proposed AD would require revising the airworthiness limitations section (ALS) of the existing maintenance manual (MM) or instructions for continued airworthiness (ICAs) and the existing approved maintenance or inspection program, as applicable. 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 23, 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.* Follow the instructions for submitting comments.
- *Fax:* (202) 493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.
- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2025–5038; 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;* 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.

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:

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 **ADDRESSES**. Include ''Docket No. FAA–2025–5038; Project Identifier MCAI–2025–01035–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 the proposal because of those comments.

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

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as ''PROPIN.'' The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Adam Hein, 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

The FAA issued AD 2025–05–09, Amendment 39–22981 (90 FR 14717, April 4, 2025), (AD 2025–05–09), for all Airbus Helicopters Model SA330J helicopters. AD 2025–05–09 was prompted by an MCAI originated by EASA, which is the Technical Agent for the Member States of the European Union. EASA issued AD 2023–0146, dated July 14, 2023, (EASA AD 2023–0146) to advise that airworthiness limitations and certification maintenance instructions are identified as mandatory for continued airworthiness. EASA AD 2023–0146 also advises that Revision 7 of SA 330 J Maintenance Program—PUMA 330 J Airworthiness Limitations 5.99, Edition 2, date code 06–22, has been issued to specify all service life limits and maintenance tasks for SA 330 J helicopters and separate the airworthiness limitations from the Master Servicing Recommendations Manual (P.R.E.). According to EASA, failure to accomplish these instructions could result in an unsafe condition.

AD 2025–05–09 requires revising the existing maintenance records by incorporating new or more restrictive actions and associated thresholds and intervals, including any life limits, specified in EASA AD 2023–0146. The FAA issued AD 2025–05–09 to prevent failure of certain parts, which if not addressed, could result in loss of control of the helicopter.

Actions Since AD 2025–05–09 Was Issued

Since the FAA issued AD 2025–05–09, EASA superseded AD 2023–0146 and issued EASA AD 2025–0127, dated May 28, 2025 (EASA AD 2025–0127) (also referred to as the MCAI), for all Airbus Helicopters Model SA 330 J helicopters. The MCAI states that new or more restrictive airworthiness limitations have been developed. The FAA is issuing this proposed AD to prevent failure of critical parts and primary structural components, which, if not addressed, could result in loss of control of the helicopter.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2025–5038.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed EASA AD 2025–0127, which specifies procedures for replacing components before exceeding their life limits and accomplishing all applicable maintenance tasks within thresholds and intervals specified in the ALS as defined in EASA AD 2025–0127. Depending on the results of the maintenance tasks, EASA AD 2025–0127 requires accomplishing corrective action(s) or contacting Airbus Helicopters for approved instructions and accomplishing those instructions.

Additionally, EASA AD 2025–0127 specifies procedures for revising the Aircraft Maintenance Programme (AMP) by incorporating the limitations, tasks, and associated thresholds and intervals described in the specified ALS, as applicable. Revising the AMP constitutes terminating action for the requirement to record accomplishment of the actions of replacing components before exceeding their life limits and accomplishing maintenance tasks within thresholds and intervals specified in the applicable ALS as required by EASA AD 2025–0127 for demonstration of AD compliance on a continued basis.

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 **ADDRESSES.**

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 retain none of the requirements of AD 2025–05–09. This proposed AD would require revising the existing MM or ICAs and the existing approved maintenance or inspection program, as applicable, to incorporate additional new or more restrictive ALS, which are specified in EASA AD 2025–0127, described previously, as incorporated by reference, except for any differences identified as exceptions in the regulatory text of this AD. See ''Differences Between This Proposed AD and the MCAI'' for a discussion of the general differences in this proposed AD.

Differences Between This Proposed AD and the MCAI

EASA AD 2025–0127 specifies, as individual tasks, replacing certain components before exceeding applicable life limits, accomplishing certain maintenance tasks within thresholds and intervals as specified in the ALS, as defined within, and depending on the results, accomplishing corrective action, whereas this proposed AD would not because the applicable ALS, along with the FAA regulatory framework, make it unnecessary or inappropriate to adopt certain paragraphs of the MCAI.

EASA AD 2025–0127 also requires revising the approved AMP by incorporating the limitations, tasks, and associated thresholds and intervals described in that ALS within 12 months, whereas this proposed AD requires revising the existing maintenance records by incorporating the limitations, tasks, and associated thresholds and intervals described in that ALS within 30 days, and clarifies that if the initial instance of an incorporated limitation or threshold therein is reached before 30 days after the effective date of this proposed AD, you still have up to 30 days after the effective date of this proposed AD to accomplish the corresponding task.

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 incorporates EASA AD 2025–0127 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with EASA AD 2025–0127 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 2025–0127 does not mean that operators need comply only with that section. For example, where the AD requirement refers to ''all required actions and compliance times,'' compliance with this AD requirement is not limited to the section titled ''Required Action(s) and Compliance Time(s)'' in EASA AD 2025–0127. Material required by EASA AD 2025–0127 for compliance will be available at *regulations.gov* under Docket No. FAA–2025–5038 after the FAA final rule is published.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect six 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
Revise the ALS	1 work-hour × $85 per hour = $85	$0	$85	$510

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 that the 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:

■ a. Removing Airworthiness Directive 2025–05–09, Amendment 39–22981 (90 FR 14717, April 4, 2025); and

■ b. Adding the following new airworthiness directive:

Airbus Helicopters: Docket No. FAA–2025–5038; Project Identifier MCAI–2025–01035–R.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by January 23, 2026.

(b) Affected ADs

This AD replaces AD 2025–05–09, Amendment 39–22981 (90 FR 14717, April 4, 2025).

(c) Applicability

This AD applies to Airbus Helicopters Model SA330J helicopters, certificated in any category.

(d) Subject

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

(e) Unsafe Condition

This AD was prompted by new and more restrictive airworthiness limitations. The FAA is issuing this AD to prevent failure of critical parts and primary structural components, which, if not addressed, could result in 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) 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 2025–0127, dated May 28, 2025 (EASA AD 2025–0127).

(h) Exceptions to EASA AD 2025–0127

(1) Where EASA AD 2025–0127 refers to its effective date, this AD requires using the effective date of this AD.

(2) This AD does not adopt paragraphs (1), (2), (4) and (5) of EASA AD 2025–0127.

(3) Where paragraph (3) of EASA AD 2025–0127 specifies ''Within 12 months after the effective date of this AD, revise the approved AMP,'' this AD requires replacing that text with ''Within 30 days after the effective date of this AD, revise the airworthiness limitations section of the existing maintenance manual or instructions for continued airworthiness and the existing approved maintenance or inspection program, as applicable.''

(4) The initial compliance time for doing the tasks specified in paragraph (3) of EASA AD 2025–0127 is on or before the applicable ''limitations'' and ''associated thresholds'' as incorporated by the requirements of paragraph (3) of EASA AD 2025–0127 or within 30 days after the effective date of this AD, whichever occurs later.

(5) This AD does not adopt the ''Remarks'' section of EASA AD 2025–0127.

(i) Provisions for Alternative Actions and Intervals

After the action required by paragraph (g) of this AD has been done, no alternative actions and associated thresholds and intervals, including life limits, are allowed unless they are approved as specified in the provisions of the ''Ref. Publications'' section of EASA AD 2025–0127.

(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 2025–0127, dated May 28, 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 5, 2025.

Steven W. Thompson,

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

[FR Doc. 2025–22373 Filed 12–8–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2025–1183; Airspace Docket No. 25–ASO–12]

RIN 2120–AA66

Amendment of Class D, E2 and E5 Airspace; Miami, FL

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend Class D airspace and Class E2 airspace extending upward from the surface to 2,500 feet MSL, within a 4.3-mile radius of Miami Executive Airport, Miami, FL. It also proposes to amend Class E5 airspace from 700 feet above the surface and 7-miles around Miami Executive Airport, Miami, FL, and within 2.4 miles each side of the 267° bearing from the LAYDN IAF extending from the 7-mile radius to 7 miles west of the IAF. Controlled airspace is necessary for the safety and management of instrument flight rules (IFR) operations in the area.

DATES: Comments must be received on or before January 23, 2026.

ADDRESSES: Send comments identified by FAA Docket No. FAA–2025–1183 and Airspace Docket No. 25–ASO–12 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, 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 the 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: Rachel Cruz, Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1701 Columbia Avenue, College Park, GA 30337; Telephone: (404) 305–5571.

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 Class D and Class E airspace for Miami Executive Airport, Miami, FL.

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 receives 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–14 FDMS), 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 Operations office (see **ADDRESSES** section for address, phone number, and hours of operations). An informal docket may also be examined during normal business hours at the office of the Eastern Service Center, Federal Aviation Administration, Room 210, 1701 Columbia Ave., College Park, GA 30337.

Incorporation by Reference

Class D and Class E airspace designations are published in paragraphs 5000, 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, Airspace Designations and Reporting Points, dated August 4, 2025, and effective September 15, 2025. These amendments 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

This action proposes to amend 14 CFR part 71 to modify Class D and Class E2 airspace from the surface of the Earth to and including 2,500 feet MSL within a 4.3-mile radius of the Miami Executive Airport, Miami, FL, and within 1.2 miles each side of the 267° bearing from the airport reference point extending

from the 4.3-mile radius to 5.9 miles west of the airport reference point, excluding that airspace within the Miami, FL, Class B airspace area. Also, this action proposes to amend the Miami Class E5 airspace, updating QEZZY Initial Approach Fix (IAF) to LAYDN IAF, extending from the 7-mile radius to 7 miles west of the IAF, and within a 6.5-mile radius of Fort Lauderdale Executive Airport, Pompano Beach Airpark and North Perry Airport.

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 the National Environmental Policy Act (42 U.S.C. 4321, *et seq.*) and FAA Order 1050.1G, ''FAA National Environmental Policy Act Implementing Procedures'' prior to any FAA final regulatory action.

Lists 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 Federal Aviation Administration Order JO 7400.11K, Airspace Designations and Reporting Points, dated August 4, 2025, and effective September 15, 2025, is amended as follows: ..

* * * * *

Paragraph 5000 Class D Airspace.

* * * * *

ASO FL D Miami, FL [Amended]

Miami Executive Airport, FL
(Lat. 25°38′51″ N, long. 80°26′00″ W)

That airspace extending upward from the surface to and including 2,500 feet MSL within a 4.3-mile radius of the Miami Executive Airport, and within 1.2 miles each side of the 267° bearing from the airport reference point extending from the 4.3-mile radius to 5.9 miles west of the airport reference point, excluding that airspace within the Miami, FL, Class B airspace area. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

* * * * *

Paragraph 6002 Class E Airspace Areas Designated as Surface Areas.

* * * * *

ASO FL E2 Miami, FL [Amended]

Miami Executive Airport, FL
(Lat. 25°38′51″ N, long. 80°26′00″ W)

Within a 5-mile radius of Miami Executive Airport. This Class E airspace is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

* * * * *

Paragraph 6005 Class E Airspace.

* * * * *

ASO FL E5 Miami, FL [Amended]

Miami International Airport, FL
(Lat. 25°47′43″ N, long. 80°17′24″ W)
Homestead ARB
(Lat. 25°29′19″ N, long. 80°23′01″ W)
Miami Opa-Locka Executive Airport
(Lat. 25°54′27″ N, long. 80°16′42″ W)
Fort Lauderdale-Hollywood International Airport
(Lat. 26°04′18″ N, long. 80°08′59″ W)
Miami Executive Airport
(Lat. 25°38′51″ N, long. 80°26′00″ W)
LAYDN IAF
(Lat. 25°38′22″ N, long. 80°30′28″ W)
Fort Lauderdale Executive Airport
(Lat. 26°11′50″ N, long. 80°10′15″ W)
Pompano Beach Airpark
(Lat. 26°14′51″ N, long. 80°06′40″ W)
North Perry Airport
(Lat. 26°00′04″ N, long. 80°14′27″ W)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Miami International Airport, Homestead ARB, Miami Opa-Locka Executive Airport, Fort Lauderdale-Hollywood International Airport, and Miami Executive Airport, and within 2.4 miles each side of the 267° bearing from the LAYDN IAF extending from the 7-mile radius to 7 miles west of the IAF, and within a 6.5-mile radius of Fort Lauderdale Executive Airport, Pompano Beach Airpark and North Perry Airport.

* * * * *

Issued in College Park, Georgia, on December 3, 2025

Patrick Young,

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

[FR Doc. 2025–22319 Filed 12–8–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Inspector General

42 CFR Part 1001

Solicitation of Proposals for New and Modified Safe Harbors and Special Fraud Alerts

AGENCY: Office of Inspector General (OIG), Department of Health and Human Services (HHS or the Department).

ACTION: Notification of intent to develop regulations.

SUMMARY: In accordance with section 205 of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), this annual notification solicits proposals and recommendations for developing new, or modifying existing, safe harbor provisions under section 1128B(b) of the Social Security Act (the Act), the Federal anti-kickback statute, as well as developing new OIG Special Fraud Alerts.

DATES: To ensure consideration, public comments must be received no later than 5 p.m. on February 9, 2026.

ADDRESSES: In commenting, please refer to file code OIG–1125–N. Because of staff and resource limitations, we cannot accept comments by fax transmission. You may submit comments in one of two ways (no duplicates, please):

1. *Electronically.* You may submit comments electronically at *https://www.regulations.gov.* Follow the instructions and refer to file code OIG–1125–N.

2. *By regular, express, or overnight mail.* You may send written comments to the following address: OIG, Regulatory Affairs, HHS, Attention: OIG–1125–N, Room 5628, Cohen Building, 330 Independence Avenue SW, Washington, DC 20201. Please allow sufficient time for mailed comments to be received before the close of the comment period.

For information on viewing public comments, please see the **SUPPLEMENTARY INFORMATION** section.

FOR FURTHER INFORMATION CONTACT: Tiana Korley, (240) 935–0776.

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.*

I. Background

A. OIG Safe Harbor Provisions

Section 1128B(b) of the Act (42 U.S.C. 1320a–7b(b)), the Federal anti-kickback statute, provides for criminal penalties for whoever knowingly and willfully offers, pays, solicits, or receives remuneration to induce or reward, among other things, referrals for or purchases of items or services reimbursable under any of the Federal health care programs, as defined in section 1128B(f) of the Act (42 U.S.C. 1320a–7b(f)). The offense is classified as a felony and is punishable by a fine of up to $100,000 and imprisonment for up to 10 years. Violations of the Federal anti-kickback statute also may result in the imposition of civil monetary penalties under section 1128A(a)(7) of the Act (42 U.S.C. 1320a–7a(a)(7)), program exclusion under section 1128(b)(7) of the Act (42 U.S.C. 1320a–7(b)(7)), and liability under the False Claims Act (31 U.S.C. 3729–33).

Because of the broad reach of the statute, stakeholders expressed concern that some relatively innocuous business arrangements were covered by the statute and, therefore, potentially subject to criminal prosecution. In response, Congress enacted section 14 of the Medicare and Medicaid Patient and Program Protection Act of 1987, Public Law 100–93 (note to section 1128B of the Act; 42 U.S.C. 1320a–7b), which requires the development and promulgation of regulations, the so-called safe harbor provisions, that would specify various payment and business practices that would not be subject to sanctions under the Federal anti-kickback statute, even though they potentially may be capable of inducing referrals of business for which payment may be made under a Federal health care program. Since July 29, 1991, there has been a series of final regulations published in the **Federal Register** establishing safe harbors to protect various payment and business practices.[1] These safe harbor provisions have been developed ''to limit the reach of the statute somewhat by permitting certain non-abusive arrangements, while encouraging beneficial and innocuous arrangements.'' [2] Health care providers and others may voluntarily seek to comply with the conditions of an applicable safe harbor so that they have the assurance that their payment or business practice will not be subject to sanctions under the Federal anti-kickback statute. The safe harbor regulations promulgated by OIG are found at 42 CFR part 1001.

B. OIG Special Fraud Alerts

OIG periodically issues Special Fraud Alerts to give continuing guidance to health care industry stakeholders about practices that OIG considers to be suspect or of particular concern.[3] Special Fraud Alerts encourage industry compliance by giving stakeholders guidance that can be applied to their own practices. OIG Special Fraud Alerts are published in the **Federal Register**, on OIG's website, or both, and are intended for extensive distribution.

In developing Special Fraud Alerts, OIG relies on several sources and consults directly with experts in the subject field including those within OIG, other agencies of HHS, other Federal and State agencies, and those in the health care industry.

C. Section 205 of the Health Insurance Portability and Accountability Act of 1996

Section 205 of HIPAA, Public Law 104–191, and section 1128D of the Act (42 U.S.C. 1320a–7d), requires the Department to develop and publish an annual notification in the **Federal Register** formally soliciting proposals for developing additional or modifying existing safe harbors to the Federal anti-kickback statute and for issuing Special Fraud Alerts.

In developing or modifying safe harbors under the Federal anti-kickback statute, and in consultation with the Department of Justice, OIG thoroughly reviews the range of factual circumstances that may receive protection by the proposed or modified safe harbor. In doing so, OIG seeks to identify and develop safe harbors that protect beneficial and innocuous arrangements and safeguard Federal health care programs and their beneficiaries from the harms caused by fraud and abuse.

II. Solicitation of New and Modified Safe Harbor Recommendations and Special Fraud Alert Proposals

OIG seeks recommendations regarding the development of additional or modified safe harbor regulations and the issuance of new Special Fraud Alerts. A detailed explanation of justifications for, or empirical data supporting, a suggestion for a new or modified safe harbor or for the issuance of a new Special Fraud Alert would be helpful and should, if possible, be included in any response to this solicitation.

A. Criteria for Modifying and Establishing Safe Harbor Provisions

In accordance with section 205 of HIPAA, we will consider various factors in reviewing proposals for additional or modified safe harbor provisions, such as the extent to which the proposals may result in an increase or decrease in:

- access to health care services,
- the quality of health care services,
- patient freedom of choice among health care providers,
- competition among health care providers,
- the cost to Federal health care programs,
- the potential overutilization of health care services, and
- the ability of health care facilities to provide services in medically underserved areas or to medically underserved populations.

In addition, we will consider other factors including, for example, the existence (or nonexistence) of any potential financial benefit to health care professionals or providers that may influence their decision whether to: (1) order a health care item or service or (2) arrange for a referral of health care items or services to a particular practitioner or provider.

B. Criteria for Developing Special Fraud Alerts

In determining whether to issue additional Special Fraud Alerts, we will consider whether and to what extent the practices that would be identified in a new Special Fraud Alert may result in any of the consequences set forth above, as well as the volume and frequency of the conduct that would be identified in the Special Fraud Alert.

[1] *See, e.g.,* Medicare and State Health Care Programs: Fraud and Abuse; Revisions to Safe Harbors Under the Anti-Kickback Statute, and Civil Monetary Penalty Rules Regarding Beneficiary Inducements, 85 FR 77684 (Dec. 2, 2020).

[2] Medicare and State Health Care Programs: Fraud and Abuse; OIG Anti-Kickback Provisions, 56 FR 35952, 35958 (July 29, 1991).

[3] *See, e.g.,* Special Fraud Alert: OIG Alerts Practitioners To Exercise Caution When Entering Into Arrangements With Purported Telemedicine Companies (July 20, 2022), *https://oig.hhs.gov/documents/root/1045/sfa-telefraud.pdf.*

Dated: December 4, 2025.

Juliet T. Hodgkins,

Acting Inspector General.

[FR Doc. 2025–22327 Filed 12–8–25; 8:45 am]

BILLING CODE 4152–01–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 251204–0177]

RIN 0648–BO09

Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Proposed 2026 and Projected 2027 Specifications for the Summer Flounder, Scup, Black Sea Bass, and Bluefish Fisheries

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS proposes 2026 and projects 2027 specifications for the summer flounder, scup, black sea bass, and bluefish fisheries. The implementing regulations for the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan (FMP) and the Bluefish FMP require us to publish specifications for the upcoming fishing year for each of these species and to provide an opportunity for public comment. The proposed specifications establish allowable harvest levels for these species that will prevent overfishing, consistent with the most recent scientific information.

DATES: Comments must be received on or before December 24, 2025.

ADDRESSES: A plain language summary of this proposed rule is available at *https://www.regulations.gov/docket/NOAA-NMFS-2025-0735.* You may submit comments on this document, identified by NOAA–NMFS–2025–0735, by the following method:

- *Electronic Submission:* Submit all electronic public comments via the Federal e-Rulemaking Portal. Visit *https://www.regulations.gov* and type NOAA–NMFS–2025–0735 in the Search box. 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 by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on *https://www.regulations.gov* without change. All personal identifying information (*e.g.,* name, address, *etc.*), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter ''N/A'' in the required fields if you wish to remain anonymous).

An Environmental Assessment (EA) was prepared for the 2026–2027 summer flounder, scup, and black sea bass specifications, and a Supplemental Information Report (SIR) was prepared for the 2026–2027 bluefish specifications. Copies of the EA and SIR are available on request from Dr. Christopher M. Moore, Executive Director, Mid-Atlantic Fishery Management Council, Suite 201, 800 North State Street, Dover, DE 19901. They are also accessible via the internet at: *https://www.mafmc.org/supporting-documents.*

FOR FURTHER INFORMATION CONTACT: Laura Deighan, Fishery Policy Analyst, (978) 281–9184, or *laura.deighan@noaa.gov.*

SUPPLEMENTARY INFORMATION:

General Background

The Mid-Atlantic Fishery Management Council (Council), in cooperation with the Atlantic States Marine Fisheries Commission (Commission), develops management measures for the summer flounder, scup, black sea bass, and bluefish fisheries. The Council, pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), develops recommendations regarding fisheries in Federal waters seaward of New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, and North Carolina. The Commission, pursuant to the Atlantic Coastal Fisheries Cooperative Management Act, addresses fisheries in State waters from Florida to Maine. These bodies work together in the development of complementary FMPs for species including summer flounder, scup, black sea bass, and bluefish that are harvested in both Federal and State waters, and each year these bodies work together to develop specifications for these fisheries. The Council provides its recommendations to NMFS. Under the provisions of the Magnuson-Stevens Act, on behalf of the Secretary of Commerce, the Greater Atlantic Regional Fisheries Office's Regional Administrator reviews proposed specifications 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)).

Specifications in these fisheries include stock-wide overfishing limits (OFL) and acceptable biological catches (ABC), as well as various catch and landing subdivisions, such as the commercial and recreational sector annual catch limits (ACL), annual catch targets (ACT), and sector-specific landing limits (*i.e.,* the commercial fishery quota and recreational harvest limit) established for 1 to 3 years at a time. Adjustments to commercial management measures for all four species and the recreational management measures for bluefish (*i.e.,* minimum fish sizes, seasonal closures, and possession restrictions) are also considered in the specifications process. The process for measures used to manage the recreational summer flounder, scup, and black sea bass fisheries occurs separately and is not discussed further in this rule.

The Summer Flounder, Scup, and Black Sea Bass FMP and the Bluefish FMP and their implementing regulations establish the process for setting specifications for each of those four species. All requirements of the Magnuson-Stevens Act, including the 10 National Standards, also apply to specifications. The FMPs also contain formulas to divide the specification catch limits into commercial and recreational fishery allocations, State-by-State quotas, and quota periods, depending on the species in question. This proposed rule outlines the application of the existing allocation provisions for each species and provides the resulting allocations, by State and sector, as appropriate, for each species.

At a joint meeting in August 2025, the Commission's Summer Flounder, Scup, and Black Sea Bass Boards and its Bluefish Board and the Council recommended 2026 and projected 2027 summer flounder, scup, black sea bass, and bluefish specifications. While the Boards' actions were finalized at the

Commission and Council's August meeting, the Council's recommendations must be reviewed by NMFS to ensure that they comply with the FMPs, implementing regulations, and applicable law. NMFS must also conduct notice and comment rulemaking to propose and implement the final specifications.

This action proposes the ABCs, recreational and commercial ACLs, recreational and commercial ACTs, commercial quotas and recreational harvest limits for all four species, as recommended by the Boards and Council. The Summer Flounder, Scup, and Black Sea Bass FMP and the Bluefish FMP and their implementing regulations establish the process for setting specifications for each of these species, including formulas to divide the catch limits into commercial and recreational fishery allocations, State-by-State quotas, and quota periods, depending on the species. This proposed rule outlines the application of the existing allocation provisions for each species and provides the resulting preliminary allocations by State and sector, as appropriate, for each species. NMFS will announce any adjustments to the 2026 catch limits needed to account for any previous overages in the final rule before the start of the 2026 fishing year.

This action also proposes increases to the recreational possession limits in the bluefish fishery, as recommended by the Bluefish Board and Council. Changes to summer flounder, scup, and black sea bass recreational management measures are expected to be discussed at the joint Commission and Council meeting in December and would be implemented through a separate action. This action does not propose any changes to the commercial management measures for any of the four species.

Proposed 2026 and Projected 2027 Specifications

Summer Flounder Specifications

Consistent with the statutory scheme described above, NMFS is proposing the Board and Council-recommended 2026 and 2027 (projected) summer flounder catch and landings limits shown in table 1. This action proposes a constant, averaged ABC of 30.01 million pounds (lb; 13,611 metric tons (mt)) for 2026 and 2027, consistent with the recommendations of the Council, Board, and the Council's Scientific and Statistical Committee (SSC). The ABCs are based on the OFL and the applicable risk policy. During their August meeting, the Board and Council discussed the tendency for large fluctuations in the summer flounder stock, where reductions in the ABC by 25 percent or more have been necessary in the years following an ABC set at or above 25 to 30 million lb (11,340 to 13,608 mt). In the past, some stakeholders have expressed a preference for more stability, as large swings can create planning and business challenges for both the commercial and the recreational sectors. In addition, the projections reflect a recent increase in recruitment in 2023 and 2024. However, summer flounder recruit to the fishery after approximately 2–4 years, so the larger 2023- and 2024-year classes have not yet fully translated to fishable biomass. Therefore, this action proposes a 12-percent management uncertainty buffer applied to both the commercial and recreational ACLs to provide more stable catch limits and allow the 2023 and 2024 year-classes to recruit to the fishery. This results in 2026–2027 commercial quotas of 12.78 million lb (5,797 mt) and recreational harvest limits of 8.79 million lb (3,987 mt), which equate to 45-percent and 38-percent increases, respectively, compared to 2025.

TABLE 1—SUMMARY OF PROPOSED 2026 AND PROJECTED 2027 SUMMER FLOUNDER FISHERY SPECIFICATIONS

Specifications	Million pounds (lb)	Metric ton (mt)
OFL	(2026) 31.89	(2026) 14,466
	(2027) 32.42	(2027) 14,705
ABC	30.01	13,611
Commercial ACL	16.5	7,486
Commercial ACT	14.52	6,585
Commercial dead discard estimate	1.74	790
Commercial Quota	12.78	5,795
Recreational ACL	13.5	6,125
Recreational ACT	11.88	5,388
Recreational dead discard estimate	3.09	1,401
Recreational Harvest Limit	8.79	3,987

The 12-percent buffer results in a commercial quota and recreational harvest limit equal to what the quota and recreational harvest limit would have been using the 5-year average ABC from 2021 to 2025 and no buffers. Using the recent 5-year average was seen as a reasonable approach to account for the uncertainty discussed above. Applying a management uncertainty buffer to the commercial and recreational ACLs is preferable to applying a scientific uncertainty buffer to set a lower ABC that would result in lower ACLs and, thus, lower triggers for the commercial and recreational accountability measures.

The proposed initial 2026 and projected 2027 State-by-State summer flounder quotas are provided in table 2. As required in amendment 21 to the Summer Flounder, Scup, and Black Sea Bass FMP (85 FR 80661, December 14, 2020), if the commercial quota in any year is higher than 9.55 million lb (4,332 mt), the first 9.55 million lb (4,322 mt) is distributed according to the baseline formula, and any additional quota beyond this threshold will be distributed in equal shares to all States except Maine, Delaware, and New Hampshire, which would split 1 percent of the additional quota. This year's quota is above the threshold, and the State-by-State allocations below are based on the baseline and additional allocations according to the process described in the summer flounder regulations at § 648.102(c)(1). Any previous overages may result in adjustments to these proposed 2026 State quotas in the final rule.

TABLE 2—INITIAL PROPOSED 2026 AND PROJECTED 2027 SUMMER FLOUNDER STATE-BY-STATE QUOTAS

State	Initial quotas [1] (lb)	Initial quotas [1] (kg)
ME	15,284	6,933
NH	10,786	4,892
MA	1,050,545	476,519
RI	1,896,916	860,427
CT	614,742	278,842
NY	1,129,479	512,323
NJ	1,996,428	905,564
DE	12,441	5,643
MD	593,925	269,400
VA	2,434,942	1,104,471
NC	3,020,269	1,369,971
Total [2]	12,775,757	5,794,985

[1] Initial quotas do not account for any previous overages.
[2] Totals may differ slightly from the sums of the quotas due to rounding.

This action does not propose any changes to the current commercial management measures, including the minimum fish size (14-inch (36-centimeters (cm)) total length), gear requirements, and possession limits. This action does not propose any changes to the recreational management measures. Any such changes would take place through a separate action.

Scup Specifications

The proposed 2026 and 2027 (projected) scup catch and landings limits are shown in table 3, including ABCs of 42.09 million lb (19,091 mt) in 2026 and 37.01 million lb (16,788 mt) in 2027 consistent with the recommendations of the Council, Board, and the SSC. The ABCs are based on the OFL and the applicable risk policy. To ensure that the probability of overfishing remained below 50 percent in each year, the SSC recommended different ABCs for 2026 and 2027. This action proposes commercial quotas of 17.7 million lb (8,029 mt) in 2026 and 15.57 million lb (7,060 mt) in 2027 and recreational harvest limits of 13.17 million lb (5,974 mt) in 2026 and 11.58 million lb (5,253 mt) in 2027, consistent with the recommendation of the Board and Council.

TABLE 3—SUMMARY OF PROPOSED 2026 AND 2027 SCUP SPECIFICATIONS

Specifications	2026		2027	
	Million lb	mt	Million lb	mt
OFL	42.98	19,494	37.79	17,142
ABC	42.09	19,091	37.01	16,788
Commercial ACL	27.36	12,409	24.06	10,912
Commercial ACT	27.36	12,409	24.06	10,912
Expected commercial dead discards	9.66	4,380	8.49	3,852
Commercial quota	17.7	8,029	15.57	7,060
Recreational ACL	14.73	6,682	12.95	5,876
Recreational ACT	14.73	6,682	12.95	5,876
Expected recreational dead discards	1.56	708	1.37	623
Recreational harvest limit	13.17	5,974	11.58	5,253

The 2026 commercial quota represents a small decrease compared to 2025, despite the increased ABC, due to increasing commercial discards in recent years. This decrease does not apply to the recreational sector, and recreational discards have been relatively stable. The lower ABC in 2027 results in lower catch limits for both the commercial and recreational sectors in 2027. During their August meeting, the Board and Council noted some concerns that projection models for multiple species have recommended substantial decreases in OFLs and ABCs when projecting 2 or more years out. The Board and Council discussed the potential to revisit the 2027 scup specifications in 2026, but also noted that the commercial scup fishery has not been constrained by catch limits in recent years, as landings have been below 15 million lb (6,804 mt) since 2018.

This action would set the scup commercial quotas by quota period as provided in table 4 and described in the scup regulations at § 648.122(c)(1). If the Winter I quota is not fully harvested, the remaining quota is transferred to Winter II, and the Winter II possession limit may be adjusted via notice in the **Federal Register**, per the regulations at § 648.122(d).

TABLE 4—PROPOSED 2026 AND PROJECTED 2027 COMMERCIAL SCUP QUOTAS BY QUOTA PERIOD

Quota period	Percent share	2026		2027	
		Million lb	mt	Million lb	mt
Winter I	45.11	7.98	3,622	7.02	3,185

TABLE 4—PROPOSED 2026 AND PROJECTED 2027 COMMERCIAL SCUP QUOTAS BY QUOTA PERIOD—Continued

Quota period	Percent share	2026		2027	
		Million lb	mt	Million lb	mt
Summer	38.95	6.89	3,127	6.06	2,750
Winter II	15.94	2.82	1,280	2.48	1,125
Total	100.0	17.70	8,029	15.57	7,060

The current quota period possession limits are not changed by this action and are outlined in table 5.

TABLE 5—COMMERCIAL SCUP POSSESSION LIMITS BY QUOTA PERIOD

Quota period	Percent share	Federal possession limits (per trip)	
		lb	kg
Winter I	45.11	50,000	22,680
Summer	38.95	N/A	N/A
Winter II	15.94	12,000	5,443
Total	100	N/A	N/A

The Winter I scup commercial possession limit is proposed to drop to 1,000 lb (454 kg) when 80 percent of that period's allocation is landed. If the Winter I quota is not fully harvested, the remaining quota would be transferred to Winter II. The Winter II possession limit may be adjusted (in association with a transfer of unused Winter I quota to the Winter II period) via notice in the **Federal Register**. The regulations specify that the Winter II possession limit would increase to different levels consistent with any increase in the quota as described in table 6.

TABLE 6—POTENTIAL INCREASE IN WINTER II POSSESSION LIMITS BASED ON THE AMOUNT OF UNUSED SCUP ROLLED OVER FROM WINTER I TO WINTER II

Initial Winter II possession limit		Rollover from Winter I to Winter II		Increase in initial Winter II possession limit		Final Winter II possession limit after rollover from Winter I to Winter II	
lb	kg	lb	kg	lb	kg	lb	kg
12,000	5,443	0–499,999	0–226,796	0	0	12,000	5,443
12,000	5,443	500,000–999,999	226,796–453,592	1,500	680	13,500	6,123
12,000	5,443	1,000,000–1,499,999	453,592–680,388	3,000	1,361	15,000	6,804
12,000	5,443	1,500,000–1,999,999	680,389–907,184	4,500	2,041	16,500	7,484
12,000	5,443	*2,000,000–2,500,000	907,185–1,133,981	6,000	2,722	18,000	8,165

*This process of increasing the possession limit in 1,500 lb (680 kg) increments would continue past 2,500,000 lb (1,122,981 kg), but we end here for the purpose of this example.

This action does not propose any changes to commercial management measures for scup, including the minimum fish size (9-inch (22.9-cm) total length), gear requirements, and quota period possession limits. As noted above, any potential changes to recreational management measures would take place through a separate action after discussion at a future Council and Commission meeting.

Black Sea Bass Specifications

The proposed 2026 and 2027 (projected) black sea bass catch and landings limits are shown in table 7, including an ABC of 21.34 million lb (9,679 mt), a commercial quota of 7.83 million lb (3,553 mt), and a recreational harvest limit of 8.14 million lb (3,690 mt) in 2026 and 2027, consistent with the Board and Council's recommendations. These proposed catch limits are based on an OFL and ABC using the terminal year biomass and maximum fishing mortality threshold (MFMT) from the assessment. The Council, the Board, and the SSC recommend this approach due to persistent and substantial inconsistency between an assessment's projected stock conditions and updated stock information from subsequent black sea bass assessments. At its July 22–24, 2025, meeting, the SSC expressed concerns that the issue persisted in the 2026 and 2027 projections. As a result, the SSC accepted the black sea bass assessment but rejected the 2026 and 2027 projections, which would have resulted in a small decrease for the 2026 ABC followed by a substantial decrease for 2027 relative to 2025. The SSC recommends using the terminal year biomass and MFMT as a reasonable alternative approach to set the 2026–2027 ABCs. The Board and Council agreed, given the current high biomass and that this approach had performed as well as using the standard projection methodology when it was simulation-tested during management strategy evaluations. The proposed catch limits represent a 31-percent increase for the

commercial fishery and a 30-percent increase for the recreational fishery relative to 2025.

TABLE 7—SUMMARY OF PROPOSED 2026 AND PROJECTED 2027 BLACK SEA BASS SPECIFICATIONS

Specifications	2026–2027	
	Million lb	mt
OFL	21.79	9,883
ABC	21.34	9,679
Commercial ACL	9.60	4,356
Commercial ACT	9.60	4,356
Expected commercial dead discards	1.77	803
Commercial quota	7.83	3,553
Recreational ACL	11.74	5,323
Recreational ACT	11.74	5,323
Expected recreational dead discards	3.60	1,633
Recreational harvest limit	8.14	3,690

On October 1, 2024 (89 FR 79778), NMFS implemented amendment 23 to the Summer Flounder, Scup, and Black Sea Bass FMP, which allows for an in-season closure buffer of up to 5 percent, such that the black sea bass commercial fishery would close when up to 105 percent of the quota is projected to be landed. This buffer is intended to minimize negative economic impacts when the coastwide quota is reached before all States have fully harvested their Commission-based allocations due to overages in individual States. Pursuant to the regulations at § 648.142(a)(15), this action proposes a 5-percent commercial in-season closure buffer for 2026 and projects the same for 2027, consistent with the recommendations of the Board and Council. Given recent patterns in the fishery, an in-season closure is not expected for 2025. In the unlikely event it is needed, a 5-percent buffer could have socioeconomic benefits with little risk to stock status.

This action proposes no changes to commercial management measures for black sea bass. As noted above, any potential changes to black sea bass recreational management measures would take place through a separate action.

Bluefish Specifications

The proposed 2026 and 2027 (projected) bluefish catch and landings limits are shown in table 8, including ABCs of 44.61 million lb (20,234 mt) in 2026 and 45.41 million lb (20,598 mt) in 2027, consistent with the projections and the recommendations of the Council, the Board, and the SSC. It proposes a 25-percent commercial management uncertainty buffer applied to the commercial ACLs and a 30-percent recreational management uncertainty buffer applied to the recreational ACLs. This results in a proposed commercial quota of 4.66 million lb (2,114 mt) in 2026 and a projected commercial quota of 4.75 million lb (2,155 mt) in 2027, representing a 42-percent and 44-percent increase from 2025. It results in a proposed recreational harvest limit of 22.02 million lb (9,988 mt) in 2026 and a projected recreational harvest limit of 22.5 million lb (10,206 mt) in 2027, representing a 33-percent and 35-percent increase from 2025.

TABLE 8—SUMMARY OF PROPOSED 2026 AND PROJECTED 2027 BLUEFISH SPECIFICATIONS

Specifications	2026		2027	
	Million lb	mt	Million lb	mt
OFL	48.43	21,969	49.22	22,325
ABC	44.61	20,234	45.41	20,598
Commercial ACL	6.25	2,833	6.36	2,884
Commercial ACT	4.68	2,125	4.77	2,163
Expected commercial dead discards	0.02	10	0.02	10
Commercial quota	4.66	2,115	4.75	2,153
Recreational ACL	38.36	17,401	39.05	17,714
Recreational ACT	26.85	12,181	27.34	12,400
Expected recreational dead discards	4.84	2,194	4.84	2,194
Recreational harvest limit	22.02	9,987	22.50	10,206

The Board and Council-recommended ABCs represent a more than 100-percent increase from the 2025 ABC. During their August meeting, the Board and Council had an in-depth discussion about management uncertainty, particularly around the upcoming Marine Recreational Information Program (MRIP) recalibration that is expected to be available in 2026. Recent studies indicated that reporting bias may be overestimating recreational fishing effort, which may require recalibration of historical catch and effort estimates. Bluefish is primarily a recreational fishery, and the recalibration is expected to result in updated catch information, with downstream impacts on stock assessments and catch limits. The Board and Council ultimately recommended catch limits using the SSC-recommended ABCs; a higher, 25-percent management uncertainty buffer for both sectors to reduce the likelihood of large swings in the catch limits while the stock is still rebuilding; and an additional 5-percent management uncertainty buffer for the recreational

sector based on the uncertainty from the MRIP recalibration.

The coastwide commercial quota is allocated to coastal States from Maine to Florida based on percent shares specified in the Bluefish FMP and the regulations at § 648.162(d). Table 9 provides the proposed initial commercial State allocations based on the proposed coastwide commercial quota for 2025 and the phased-in changes to the percent share allocations to the States specified in amendment 7. We will announce any adjustments needed to account for any previous overages in the final rules prior to the start of the 2026 and 2027 fishing years.

TABLE 9—PROPOSED INITIAL 2026 AND PROJECTED 2027 BLUEFISH STATE COMMERCIAL QUOTA ALLOCATIONS

State	2026			2027		
	Percent share	Quota [1] (lb)	Quota [1] (lb)	Percent share	Quota [1] (lb)	Quota [1] (lb)
Maine	0.27	12,537	5,687	0.19	8,971	4,069
New Hampshire	0.27	12,693	5,758	0.24	11,573	5,249
Massachusetts	9.14	426,280	193,357	9.63	457,026	207,304
Rhode Island	8.81	410,612	186,250	9.21	437,017	198,227
Connecticut	1.14	53,069	24,072	1.11	52,814	23,956
New York	17.08	796,248	361,172	18.42	874,191	396,526
New Jersey	14.12	658,379	298,636	13.98	663,697	301,048
Delaware	0.89	41,483	18,816	0.69	32,851	14,901
Maryland	2.23	103,833	47,098	2.07	98,358	44,614
Virginia	7.58	353,550	160,367	6.72	319,166	144,771
North Carolina	32.04	1,493,521	677,450	32.03	1,520,292	689,593
South Carolina	0.08	3,912	1,774	0.09	4,445	2,016
Georgia	0.08	3,533	1,603	0.09	4,226	1,917
Florida	6.29	293,118	132,956	5.53	262,611	119,118
Total [2]	100	4,662,769	2,114,997	100	4,747,237	2,153,311

[1] Initial quotas do not account for any previous overages.
[2] Totals may differ slightly from the sums of the quotas due to rounding.

This action proposes changes to the recreational bag limits, as recommended by the Board and Council, based on the increased recreational harvest limits and positive stock trajectory. It proposes a 2-fish increase for both recreational sectors, resulting in a 7-fish bag limit for the for-hire sector and a 5-fish bag limit for private anglers. This action proposes no changes to the commercial management measures for bluefish.

Classification

Pursuant to sections 304(b)(1)(A) and 305(d) of the Magnuson-Stevens Act, the NMFS Assistant Administrator has determined that this proposed rule is consistent with the Summer Flounder, Scup, and Black Sea Bass FMP, the Bluefish FMP, other provisions of the Magnuson-Stevens Act, and other applicable law, subject to further consideration after public comment. NMFS is issuing this rule pursuant to sections 304(b)(1)(A) and 305(d) of the Magnuson-Stevens Act, which provide specific authority for implementing this action. Section 304(b) of the Magnuson-Stevens Act authorizes NMFS to implement rules and regulations deemed necessary by the Council. In a previous action under section 304(b), the regulations at 50 CFR 648.102(c), 648.122(b), 648.142(b), and 648.162(c) authorize NMFS to implement the summer flounder, scup, black sea bass, and bluefish specifications under section 305(d).

This action 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.

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration that this proposed rule, if adopted, would not have a significant economic impact on a substantial number of small entities. The basis for the certification follows.

An evaluation of the potential socioeconomic impacts of the proposed measures was conducted in conjunction with the 2026–2027 Summer Flounder, Scup, and Black Sea Bass Specifications EA and the 2026–2027 Bluefish Specifications SIR.

For the purposes of the Regulatory Flexibility Act, the regulated entities (*i.e.,* the small and large businesses) to which the rule applies include fishing operations with relevant Federal commercial or for-hire permits in the Greater Atlantic Region. Private recreational anglers are not considered ''entities'' under the Regulatory Flexibility Act; thus, economic impacts on private anglers are not considered here. For-hire or commercial vessels that are permitted to operate in State waters only will also be affected by the Commission's adoption of this action, but are not considered in this analysis.

Vessel ownership data were used to identify all individuals who own fishing vessels. Vessels were then grouped according to common owners. The resulting groupings were then treated as entities or affiliates for purposes of identifying small and large businesses that may be affected by this action. Affiliates were identified as primarily commercial fishing affiliates if the majority of their recent revenues came from commercial fishing. Some of these affiliates may have also held party/charter (*i.e.,* for-hire) permits. Affiliates were identified as primarily for-hire fishing affiliates if the majority of their recent revenues came from for-hire fishing. Some of these affiliates may have also held commercial permits. Affiliates were identified as small or large businesses based on their recent average revenues.

A total of 633 primarily commercial affiliates were identified as potentially impacted by the summer flounder, scup, and black sea bass specifications, with 624 classified as small businesses and 9 classified as large businesses.

A total of 866 primarily commercial affiliates in the Greater Atlantic Region were identified as potentially impacted by the bluefish specifications, with 857 classified as small businesses and 9 classified as large businesses. The

affiliate database used to identify small/large business firms that have recently participated in the bluefish fishery does not contain detailed ownership data for business entities in the South Atlantic Region. Data from South Atlantic Trip Ticket Reports indicate that up to 645 additional commercial vessels in North Carolina and up to 371 vessels in Florida (none in South Carolina or Georgia) landed bluefish. Double-counting is possible, as some of the vessels in the South Atlantic may be associated with bluefish entities in the Greater Atlantic Region. Additionally, some Greater Atlantic Region entities may hold permits for summer flounder, scup, and/or black sea bass and bluefish.

According to the ownership database, 426 for-hire affiliate firms in the Greater Atlantic Region generated revenues from fishing recreationally for various species during the 2022–2024 period. All of these affiliates are categorized as small businesses. It is not possible to derive what proportion of the overall revenues for these for-hire firms came from specific fishing activities (*e.g.,* bluefish, summer flounder, scup, black sea bass, groundfish, golden tilefish, weakfish, striped bass, tautog, and pelagics).

Expected Impacts on Commercial Entities

For summer flounder, scup, and black sea bass, the 9 potentially impacted primarily commercial large business affiliates derived less than 2 percent of total annual revenues from summer flounder, scup, and/or black sea bass during 2020–2024. The 624 potentially impacted primarily commercial small business affiliates derived approximately 17 percent of total revenues from summer flounder, scup, and/or black sea bass during 2020–2024. Some individual businesses, including many of the smaller of the small commercial businesses, tended to have a greater reliance on summer flounder, scup, and/or black sea bass. Therefore, these businesses may feel the positive and/or negative impacts of this action to a greater extent than the larger small businesses.

The proposed 2026 and 2027 summer flounder commercial quotas represent an increase compared to those of 2024 and 2025 but are similar to those previously implemented from 2019 to 2023. The proposed quotas are expected to result in similar commercial effort and landings, and thus revenues, compared to recent levels, assuming other factors such as prices and market demand remain similar to recent conditions. Therefore, this proposed rule is expected to result in a slight to moderate positive socioeconomic impact for commercial summer flounder fishery participants.

The proposed 2026 and 2027 scup commercial quotas represent a decrease compared to 2024 and 2025. However, commercial scup landings have been below the commercial quota in recent years and appear to be influenced more by market factors than by the commercial quota. Therefore, the quotas are expected to result in similar or slightly increased commercial scup landings and revenues compared to recent years. The quotas are expected to result in slight positive socioeconomic impacts, assuming other factors such as prices and market demand remain similar to recent conditions.

The proposed 2026–2027 commercial black sea bass quota is higher than black sea bass commercial landings throughout the history of management, which could result in substantially higher landings. However, other factors, such as market demand and price, appear to limit commercial landings more than the quota. Commercial landings have not approached the quota since it increased by about 59 percent in 2020. Landings are not expected to reach the full proposed quota if other factors, such as prices and market demand, remain unchanged. Therefore, the proposed commercial black sea bass quota is expected to result in slight to moderate positive socioeconomic impacts.

For bluefish in the Greater Atlantic Region, 271 small entities and 4 large entities landed bluefish in 2022–2024, with bluefish contributing an average of 0.21 percent and 0.05 percent, respectively, to their total gross revenues. Therefore, the overall contribution of bluefish to total gross receipts for these entities is small. There were an additional 576 small entities and 5 large entities with bluefish permits that did not land bluefish in 2022–2024. The 3-year average contribution of bluefish revenues to total gross revenues for the vessels that landed bluefish in North Carolina and Florida was 11 percent and 6 percent, respectively. The proposed 2026 and 2027 bluefish commercial quotas represent a more than 40-percent increase compared to 2025. However, commercial landings since the rebuilding plan started (2022–2024) have been, on average, 33 percent below the commercial quota. Harvest has been driven more by market demand and availability, which are not expected to substantially change in the short term. Therefore, the proposed commercial quota is expected to result in slight negative to slight positive socioeconomic impacts.

Expected Impacts on Recreational For-Hire Entities

The 426 for-hire fishing affiliates that are potentially impacted by this action were all categorized as small businesses and had average total annual revenues of $118,555 from 2020 to 2024. Their annual revenues from recreational for-hire fishing (for a variety of species) averaged $117,828. Average annual revenues from for-hire fishing ranged from less than $10,000 for 159 affiliates to over $1,000,000 for 7 affiliates. On average, recreational fishing accounted for 96 percent of the total revenues for these 426 small businesses. As previously stated, it is not possible to derive what proportion of the for-hire revenues came from fishing activities for an individual species. Nevertheless, given the popularity of summer flounder, scup, black sea bass, and bluefish as recreational species, revenues generated from these species are likely important to many of these businesses, at least at certain times of the year. For-hire revenues are impacted by a variety of factors, including regulations and demand for for-hire trips for summer flounder, scup, black sea bass, bluefish, and other potential target species; weather; and the economy.

For summer flounder, scup, and black sea bass, Federal recreational measures for 2026–2027 will be recommended by the Board and Council in December 2025 and addressed through a separate rulemaking. It is expected that, as required by framework 19 to the Summer Flounder, Scup, and Black Sea Bass FMP (which has not yet been finalized), recreational measures will be set using the Percent Change Approach. (Framework 19 was approved by the Council at its April 2025 meeting and submitted to NMFS in August 2025. This action must go through a Federal rulemaking process consistent with the Magnuson-Stevens Act and Administrative Procedure Act prior to its use for the development of recreational measures for summer flounder, scup, and black sea bass.) Under this approach, the recreational harvest limit is one of multiple factors used to determine if the recreational measures should be modified to achieve a certain percentage liberalization, reduction, or ''no liberalization or reduction'' (*i.e.,* status quo measures) in harvest. If Framework 19 is not approved, recreational measures will be set based on a method that requires adjustments to bag, season, and/or size limits if projected current year harvest

exceeds the next year's recreational harvest limit. The analysis to determine the necessary changes will be carried out later in 2025, and it is not possible to predict how recreational harvest will change at this time.

For summer flounder, the proposed recreational harvest limit is 10 percent greater than the average 2020–2024 recreational landings. Therefore, the Percent Change Approach could result in no liberalization or reduction or a reduction of up to 40 percent. Requiring no liberalization or reduction would generally result in a similar number of for-hire trips and revenue relative to recent years. If a reduction were required, it would likely be small given recent patterns in recreational harvest compared to the preferred recreational harvest limit and would likely result in a small decrease in for-hire trips and revenue. Therefore, the range of socioeconomic impacts of the proposed recreational harvest limits could be slight positive or slight negative, depending on the outcome of the Percent Change Approach.

For scup and black sea bass, the recreational harvest limits could result in no liberalization or reduction or a liberalization of up to 40 percent. Requiring no liberalization or reduction would generally result in a similar number of for-hire trips and revenue as in recent years. However, liberalizing measures could result in an increase in for-hire trips and revenues and slight to moderate positive impacts for recreational for-hire businesses.

For bluefish, the proposed 2026 and 2027 recreational harvest limits are over 50 percent higher than the current recreational harvest limit. However, recreational landings have been 13 percent below the recreational harvest limit, on average, in recent years. Industry members on the Bluefish Advisory Panel indicate that low inshore availability is keeping recreational landings down, as migratory patterns of bluefish have changed from inshore to offshore in the last decade or so. Therefore, the proposed recreational harvest limits are not expected to significantly affect fishing effort. This action would also increase the for-hire bag limit from five to seven fish, which could result in a small increase in the number of for-hire recreational trips (approximately 4.8 percent). However, given trends in low inshore bluefish availability, this increase may not materialize. Overall, the 2026–2027 bluefish recreational measures are expected to result in slight negative to slight positive socioeconomic impacts.

Additional non-preferred alternatives were also considered. When considering the economic impacts of the alternatives under the Regulatory Flexibility Act, consideration should also be given to those non-preferred alternatives that would result in higher net benefits or lower costs to small entities while still achieving the stated objective of the action. The proposed specifications follow the recommendations of the SSC and Monitoring Committee, are consistent with the applicable risk policy, and are based on the updated stock assessments and the best scientific information available. Alternatives that would be expected to have higher net benefits to small entities compared to the preferred alternatives would also allow for catches that exceed the ABCs recommended by the SSC. These alternatives could induce overfishing and lead to lower long-term revenues and profits. Therefore, they are inconsistent with the goals of this action, the FMPs, and other applicable laws.

This action is not expected to adversely impact revenues for commercial and recreational vessels that fish for summer flounder, scup, black sea bass, and bluefish. Because this proposed rule, if adopted, will not have a significant economic impact on a substantial number of small entities, an initial regulatory flexibility analysis is not required, and none has been prepared.

This proposed rule contains no information collection requirements under the Paperwork Reduction Act of 1995.

List of Subjects in 50 CFR Part 648

Fisheries, Fishing, Reporting and recordkeeping requirements.

Dated: December 4, 2025.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

For the reasons set out 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 § 648.164, revise paragraphs (a)(1) and (2) to read as follows:

§ 648.164 Bluefish possession restrictions.

(a) * * *

(1) *Private recreational vessels.* Any person fishing on board a vessel that is not fishing under a bluefish commercial or charter/party vessel permit issued pursuant to § 648.4(a)(8) may land up to five bluefish per day.

(2) *For-hire vessels.* Anglers fishing on board a for-hire vessel that is fishing under a bluefish charter/party vessel permit issued pursuant to § 648.4(a)(8) may land up to seven bluefish per person per day.

* * * * *

[FR Doc. 2025–22340 Filed 12–8–25; 8:45 am]

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Notices

Federal Register

Vol. 90, No. 234

Tuesday, December 9, 2025

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

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Order Renewing Temporary Denial of Export Privileges; Nordwind Airlines; Leningradskaya Str., Building 25, Office 27. 28, Moscow Region, Khimki City, 141402, Russia

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 Nordwind Airlines (''Nordwind'') 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 Nordwind 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 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 3, 2025, BIS, through OEE, submitted a written request for a fifth 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 Nordwind 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, 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

[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).

[2] The TDO was published in the **Federal Register** on June 29, 2022 (87 FR 38704).

[3] The December 20, 2022 renewal order was published in the **Federal Register** on December 27, 2022 (87 FR 79725). The June 15, 2023 renewal order was published in the **Federal Register** on June 21, 2023 (88 FR 40202). The June 15, 2023 renewal order was modified on June 27, 2023 and published in the **Federal Register** on June 30, 2023 (88 FR 42290). The June 27, 2023 modification made no changes to the scope or length of prohibitions against Nordwind. The December 11, 2023 renewal order was published in the **Federal Register** on December 14, 2023 (88 FR 86623). The December 6, 2024 renewal order was published in the **Federal Register** on December 13, 2024 (89 FR 100949).

[4] 88 FR 59791 (Aug. 30, 2023).

[5] 87 FR 12226 (Mar. 3, 2022).

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 on 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 Nordwind 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 Nordwind 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, Yerevan, Armenia, Istanbul, Turkey, and Sharm el-Sheikh, Egypt, without the required BIS authorization.[7] Further evidence indicated that Nordwind also operated aircraft subject to the EAR on domestic flights within Russia, potentially in 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, Nordwind 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 Sharm el-Sheikh, Egypt and Bokhtar, Tajikistan.[9] The June 15, 2023 order documented a similar pattern of prohibited conduct including a flight from Tehran, Iran to Moscow, Russia.[10] Similarly, the December 11, 2023 order detailed flights into and out of Russia from/to Khujand, Tajikistan, Dushanbe, Tajikistan, and Osh, Kyrgyzstan.[11] Additionally, the December 6, 2024 renewal order detailed flights into and out of Russia from/to Bishkek, Kyrgyzstan, Bokhtar, Tajikistan, and Khujand, Tajikistan.[12]

Since that time, Nordwind has continued to engage in conduct prohibited by the applicable TDO and Regulations. In its November 3, 2025 request for renewal of the TDO, BIS submitted evidence that Nordwind 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 Nordwind continues to operate aircraft subject to the EAR, including, but not limited to, on flights into and out of Russia from/to Bokhtar, Tajikistan, Osh, Kyrgyzstan, and Bishkek Kyrgyzstan. Information about those flights includes, but is not limited to, the following:

Tail No.	Serial No.	Aircraft type	Departure/arrival cities	Dates
RA–73313	35700	737–82R (B738)	Sochi, RU/St. Petersburg, RU	October 14, 2025.
RA–73313	35700	737–82R (B738)	Kaliningrad, RU/Kazan, RU	October 13, 2025.
RA–73313	35700	737–82R (B738)	Bokhtar, TJ/Moscow, RU	October 9, 2025.
RA–73313	35700	737–82R (B738)	Kazan, RU/Khujand, TJ	October 6, 2025.
RA–73317	40874	737–82R (B738)	St. Petersburg, RU/Kemerovo, RU	October 14, 2025.
RA–73317	40874	737–82R (B738)	Osh, KG/Tyumen, RU	October 13, 2025.
RA–73314	40233	737–8KN (B738)	Khujand, TJ/Kazan, RU	October 15, 2025.
RA–73314	40233	737–8KN (B738)	Kazan, RU/Sochi, RU	October 14, 2025.
RA–73314	40233	737–8KN (B738)	Cheboksary, RU/Sochi, RU	October 13, 2025.
RA–73314	40233	737–8KN (B738)	Bishkek, KG/Kazan, RU	October 2, 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 Nordwind 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 Nordwind 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 Nordwind, 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, Nordwind Airlines, Leningradskaya str., building 25, office 27. 28m, Moscow region, Khimki city, 141402, Russia, when acting for or on their behalf, any successors or assigns,

[6] 87 FR 13048 (Mar. 8, 2022).

[7] Publicly available flight tracking information shows, for example, that on March 7, 2022, serial number (''SN'') 40874 flew from Yerevan, Armenia to Kazan, Russia; SN 40233 flew from Istanbul, Turkey to Kazan, Russia; and SN 40236 flew from Sharm el-Sheikh, Egypt 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 that on December 3, 2022, SN 42059 flew from Sharm el-Sheikh, Egypt to Orenburg, Russia and on December 2, 2022, SN 40874 flew from Hurghada, Egypt to Moscow, Russia. In addition, on November 29, 2022, SN 35700 flew from Bokhtar, Tajikistan to Moscow, Russia.

[10] Publicly available flight tracking information shows that SN 35700 flew from Bokhtar, Tajikistan to Orsk, Russia on June 2, 2023. Additionally, SN 40874 flew from Tehran, Iran to Moscow, Russia on May 16, 2023 and SN 42233 flew from Osh, Kyrgyzstan to Tyumen, Russia on June 10, 2023.

[11] Publicly available flight tracking information shows that SN 35700 flew from Khujand, Tajikistan to Kazan, Russia on December 6, 2023. Additionally, SN 40874 flew from Dushanbe, Tajikistan to Kazan, Russia on November 26, 2023. On November 4, 2023 SN 40233 flew from Osh, Kyrgyzstan to Tyumen, Russia.

[12] Publicly available flight tracking information shows that SN 40874 flew from Bokhtar, Tajikistan to Moscow, Russia on November 21, 2024. Additionally, SN 40233 flew from Khujand, Tajikistan to Kazan, Russia on October 31, 2024. On October 27, 2024, SN 35700 flew from Bishkek, Kyrgyzstan to Kazan, Russia.

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 Nordwind 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 Nordwind 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 Nordwind 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 Nordwind 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 Nordwind 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 Nordwind, or service any item, of whatever origin, that is owned, possessed or controlled by Nordwind 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 Nordwind 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, Nordwind 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 Nordwind 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 Nordwind, and shall be published in the **Federal Register**.

This Order is effective immediately and shall remain in effect for one year.

David Peters,

Assistant Secretary of Commerce for Export Enforcement.

[FR Doc. 2025–22354 Filed 12–8–25; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF286]

Atlantic Highly Migratory Species; Advisory Panel

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

ACTION: Notice; solicitation of nominations.

SUMMARY: NMFS solicits nominations for the Atlantic Highly Migratory Species (HMS) Advisory Panel (AP). NMFS consults with and considers the comments and views of the HMS AP when preparing and implementing fishery management plans (FMPs) or FMP amendments for Atlantic swordfish, sharks, tunas, and billfish. Nominations are being sought to fill approximately one third (10) of the seats on the HMS AP, each with a 3-year appointment. NMFS will consider individuals with definable interests in recreational and commercial fishing and related industries, including those from the environmental community and non-governmental organizations, for membership on the HMS AP.

DATES: Submit nominations on or before January 8, 2026.

ADDRESSES: You may submit nominations and requests for the AP Statement of Organization, Practices, and Procedures by email to *HMSAP.Nominations@noaa.gov.* Include in the subject line the following identifier: ''HMS AP Nominations.''

FOR FURTHER INFORMATION CONTACT: Anna Quintrell at 301–427–8503 or via email at *HMSAP.Nominations@noaa.gov.*

SUPPLEMENTARY INFORMATION: HMS fisheries (swordfish, sharks, tunas, and billfish) are managed under the 2006 Consolidated HMS FMP and its amendments pursuant to the authority of 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 (16 U.S.C. 971 *et seq.*). HMS implementing regulations are at 50 CFR part 635.

The Magnuson-Stevens Act requires NMFS to establish an AP for each HMS FMP (16 U.S.C. 1854(g)(1)(A)–(B)). Since the inception of the AP in 1998, NMFS has consulted with and considered the comments and views of AP members when preparing and implementing HMS FMPs or FMP

amendments. In this notice, NMFS solicits nominations for the HMS AP. Nominations are being sought to fill approximately one-third (10) of the seats on the HMS AP for 3-year appointments. NMFS will consider individuals with definable interests in recreational and commercial fishing and related industries, including those from the environmental community and non-governmental organizations for membership on the HMS AP as described below.

Procedures and Guidelines

Nomination Procedures for Appointments to the AP

Nomination packages should include:

1. The name and contact information, including mailing address, email address, and phone number of the nominee;
2. A description of the nominee's interest in HMS or HMS fisheries, or in particular species of swordfish, sharks, tunas, or billfish;
3. A statement of the nominee's background and/or qualifications;
4. A list of outreach resources that the nominee has at their disposal to communicate qualifications for HMS AP membership; and
5. A written commitment that the nominee shall actively participate in good faith in the meetings and tasks of the HMS AP.

Advisory Panel members will be required to comply with applicable rules of conduct, including all ethics requirements. Qualification for membership includes experience in one or more of the following:

1. HMS recreational fisheries;
2. HMS commercial fisheries;
3. Fishery-related industries (*e.g.,* marinas, bait and tackle shops);
4. The scientific community working with HMS; and/or
5. Representation of a private, non-governmental, regional, national, or international organization that represents marine fisheries, or environmental, governmental, or academic interests regarding HMS.

HMS AP Tenure

Members are appointed for 3-year terms. Approximately one-third of the members' terms expire on December 31 of each year. NMFS is seeking nominations for terms beginning January 2026 and expiring December 2028.

Members can serve a maximum of three consecutive terms (a total of 9 consecutive years). Afterwards, a member must then sit off the HMS AP for a single year before becoming eligible to apply for a new term.

Participants

NMFS will accept nominations for the HMS AP that allow for representation from commercial and recreational fishing interests, scientific interests, and the environmental/non-governmental organization community, for individuals who are knowledgeable about HMS and/or HMS fisheries. Current representation on the HMS AP, as shown in Table 1, consists of 12 members representing commercial interests, 12 members representing recreational interests, 4 members representing environmental interests, 4 academic representatives, and the International Commission for the Conservation of Atlantic Tunas Advisory Committee Chair. NMFS seeks to fill three commercial, five recreational, and two environmental sector vacancies for terms starting in 2026.

In filling vacancies, NMFS will seek to maintain the current representation from each of the sectors. NMFS also considers species expertise and representation from the fishing regions (Northeast, Mid-Atlantic, Southeast, Gulf of America, and Caribbean) to ensure the balance of the HMS AP. Table 1 includes the current representation on the HMS AP by sector, region, and species with terms that are expiring identified in the ''Member Status'' column. It is not meant to indicate that NMFS will only consider persons who have expertise in the species or fishing regions that are listed. Rather, NMFS will aim toward having as balanced an AP as possible. The intent is to have a group that, as a whole, reflects an appropriate and equitable balance and mix of interests given the responsibilities of the HMS AP.

TABLE 1—CURRENT REPRESENTATION ON THE HMS AP BY SECTOR, REGION, AND SPECIES

Sector	Fishing region	Species	Date appointed	Date term expires	Member status
Academic	All	Billfish/HMS	1/1/2024	12/31/2026	Active.
Academic	Northeast/Mid-Atlantic	Tuna/Shark	1/1/2025	12/31/2027	Active.
Academic	Southeast/Gulf of America	Shark	1/1/2025	12/31/2027	Active.
Academic	Northeast	HMS	1/1/2025	12/31/2027	Active.
Commercial	Gulf of America	Tuna	1/1/2023	12/31/2025	Expiring.
Commercial	Southeast	Swordfish	1/1/2023	12/31/2025	Expiring.
Commercial	Mid-Atlantic/Southeast	Tuna	1/1/2023	12/31/2025	Expiring.
Commercial	Northeast	HMS	1/1/2024	12/31/2026	Active.
Commercial	Northeast	Tuna	1/1/2024	12/31/2026	Active.
Commercial	Northeast	Tuna	1/1/2024	12/31/2026	Active.
Commercial	Gulf of America	HMS	1/1/2024	12/31/2026	Active.
Commercial	Southeast/Gulf of America	HMS	1/1/2025	12/31/2027	Active.
Commercial	Northeast	Tuna	1/1/2024	12/31/2026	Active.
Commercial	All	HMS/Tuna	1/1/2025	12/31/2027	Active.
Commercial	Southeast	Shark	1/1/2025	12/31/2027	Active.
Commercial	Northeast	Swordfish/Tuna	1/1/2025	12/31/2027	Active.
Environmental	All	Tuna	1/1/2023	12/31/2025	Expiring.
Environmental	All	HMS	1/1/2023	12/31/2025	Expiring.
Environmental	All	HMS	1/1/2024	12/31/2026	Active.
Environmental	Caribbean	HMS	1/1/2025	12/31/2027	Active.
Recreational	Mid-Atlantic	Tuna/Billfish	1/1/2024	12/31/2026	Active.
Recreational	Mid-Atlantic	Shark	1/1/2024	12/31/2026	Active.
Recreational	Northeast	Tuna/Shark	1/1/2023	12/31/2025	Expiring.
Recreational	All	HMS	1/1/2023	12/31/2025	Expiring.
Recreational	Gulf of America	HMS	1/1/2023	12/31/2025	Expiring.
Recreational	All	Billfish	1/1/2024	12/31/2026	Active.
Recreational	Northeast	Tuna	1/1/2023	12/31/2025	Expiring.
Recreational	All	HMS	1/1/2023	12/31/2025	Expiring.
Recreational	All	HMS	1/1/2025	12/31/2027	Active.
Recreational	Northeast/Mid-Atlantic	HMS	1/1/2025	12/31/2027	Active.
Recreational	Northeast/Mid-Atlantic	Tuna/Shark	1/1/2025	12/31/2027	Active.

TABLE 1—CURRENT REPRESENTATION ON THE HMS AP BY SECTOR, REGION, AND SPECIES—Continued

Sector	Fishing region	Species	Date appointed	Date term expires	Member status
Recreational	Northeast	Tuna/Shark	1/1/2025	12/31/2027	Active.

Note: Terms that are expiring or associated with current members stepping down are marked as ''Expiring''.

Five additional members on the HMS AP include one member representing each of the following Fishery Management Councils: the New England Fishery Management Council, the Mid-Atlantic Fishery Management Council, the South Atlantic Fishery Management Council, the Gulf Fishery Management Council, and the Caribbean Fishery Management Council. The HMS AP also includes 22 ex-officio participants: 20 representatives of the coastal states and 2 representatives of the interstate commissions (the Atlantic States Marine Fisheries Commission and the Gulf States Marine Fisheries Commission).

NMFS will provide the necessary administrative support, including technical assistance, for the HMS AP. However, NMFS will not compensate participants with monetary support of any kind. Depending on availability of funds, members may be reimbursed for travel costs related to the HMS AP meetings.

Meeting Schedule

NMFS will hold meetings of the HMS AP as frequently as necessary and, at a minimum, twice each year. In recent years, NMFS held meetings once in the spring and once in the fall. The meetings may be held in conjunction with public hearings.

Dated: December 5, 2025.

Kelly Denit,

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

[FR Doc. 2025–22374 Filed 12–8–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF255]

Endangered Species; File No. 28338

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

ACTION: Notice; receipt of application for permit modification.

SUMMARY: Notice is hereby given that Puerto Rico Department of Natural and Environmental Resources, San José Industrial Park, 1375 Ave. Ponce de León, San Juan, PR 00926 (Responsible Party: Nilda Jimenez-Marrero, Ph.D.), has requested a modification to enhancement Permit No. 28338.

DATES: Written comments must be received on or before January 7, 2026.

ADDRESSES: The modification request and related documents are available for review by selecting ''Records Open for Public Comment'' from the Features box on the Applications and Permits for Protected Species home page, *https://apps.nmfs.noaa.gov,* and then selecting File No. 28338 mod 1 from the list of available applications. These documents are also available upon written request via email to *NMFS.Pr1Comments@noaa.gov.*

Written comments on this application should be submitted via email to *NMFS.Pr1Comments@noaa.gov.* Please include File No. 28338 mod 1 in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request via email to *NMFS.Pr1Comments@noaa.gov.* The request should set forth the specific reasons why a hearing on this application would be appropriate.

FOR FURTHER INFORMATION CONTACT: Amy Hapeman or Erin Markin, Ph.D., (301) 427–8401.

SUPPLEMENTARY INFORMATION: The subject modification to Permit No. 28338, issued on March 21, 2025 (90 FR 14122, March 28, 2025) is requested under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222–226).

Permit No. 28338 authorizes the permit holder to conduct restoration activities on pillar corals in Puerto Rico to preserve the genetic diversity of the species and increase its population numbers in coral reefs in the wild. Restoration practitioners may collect colonies or parts of colonies from coral reefs in the wild and transport them to in situ and ex situ nurseries for maintenance and propagation. They also may be collected as part of emergency response due to catastrophic events; these colonies would be reattached or stabilized in the wild or transported to a nursery. Colonies also may be outplanted to the wild from nurseries. The permit holder requests to increase annual take numbers of the species for the (1) collection of gametes from 40 wild colonies to facilitate sexual reproduction in the lab, and (2) tissue sampling from 40 wild colonies for genetic and histological analyses. The modification would be valid for the duration of the permit, which is set to expire on March 31, 2035.

Dated: December 4, 2025.

Shannon Bettridge,

Chief, Marine Mammal and Sea Turtle Conservation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2025–22275 Filed 12–8–25; 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; Pacific Islands Logbook Family of Forms

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 9, 2026.

ADDRESSES: Interested persons are invited to submit written comments to Adrienne Thomas, NOAA PRA Officer, at *adrienne.thomas@noaa.gov.* Please reference OMB Control Number 0648–0214 in the subject line of your comments. 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 Ashley Tomita, IT Specialist, Pacific Islands Fisheries Science Center, 1845 Wasp Boulevard Building 176, Honolulu, HI 96818, *ashley.tomita@noaa.gov* or (808) 725–5693.

SUPPLEMENTARY INFORMATION:

I. Abstract

This request is for extension of a currently approved information collection.

Vessel operators or owners in Federally-managed fisheries in the Pacific Islands Region (PIR) are required to provide certain information about their fishing activities, catch, and interactions with protected species by submitting reports to National Marine Fisheries Service, per *50 CFR part 665.14.* These data are needed to determine the condition of fish stocks and whether current management measures are having the intended effects, to evaluate the benefits and costs of changes in management measures, and to monitor and respond to accidental takes of endangered and threatened species, including seabirds, sea turtles, and marine mammals.

The reports are submitted using paper logbooks or electronic logbooks (computer tablets or other devices) to the National Marine Fisheries Service (NMFS) Fisheries Pacific Islands Fisheries Science Center. The Hawaii and American Samoa pelagic longline fisheries will submit reports using electronic logbooks, although paper logbooks will be used if there are equipment or transmission failures. Electronic logbooks collect the same information as paper logbooks. All other PIR fisheries use paper logbooks only.

Longline vessel operators are also required to submit pre-trip notifications, including

information on trip type, departure time, and transit through a protected species zone per *50 CFR 665.803.* Other fisheries are required to submit notifications of trip return, unloading, or sales reports per regulations in multiple Subparts of *50 CFR 665.*

II. Method of Collection

Respondents will report their catch using paper logbooks or electronic logbooks.

Methods of submittal include submission by mail or facsimile for paper logbooks, and via the vessel monitoring system or online for electronic logbook data. Notifications may be made by phone or email.

III. Data

OMB Control Number: 0648–0214.

Form Number(s): None.

Type of Review: Regular submission. Extension of a currently approved collection of information.

Affected Public: Individuals or households, and small businesses.

Estimated Number of Respondents: 599.

Estimated Time per Response: From 5 to 35 minutes per report or notification, depending on type; average 16 minutes per response.

Estimated Total Annual Burden Hours: 6,911 hours.

Estimated Total Annual Cost to Public: $523.

Respondent's Obligation: Mandatory.

Legal Authority: 50 CFR 665.

IV. Request for Comments

We are soliciting public comments to permit the Department 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. 2025–22317 Filed 12–8–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF284]

Atlantic Highly Migratory Species; Atlantic Highly Migratory Species Southeast Data, Assessment, and Review Workshops Advisory Panel

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

ACTION: Notice; nominations for shark stock assessment advisory panel.

SUMMARY: NMFS solicits nominations for the Atlantic Highly Migratory Species (HMS) SouthEast Data, Assessment, and Review (SEDAR) Workshops Advisory Panel, also known as the ''SEDAR Pool.'' The SEDAR Pool is comprised of a group of individuals who, if selected, review data and advise NMFS on the scientific information, data, and models used in stock assessments for oceanic sharks in the Atlantic Ocean, including the Gulf of America and Caribbean Sea. NMFS is seeking nominations for a 5-year term beginning in 2026. NMFS will consider individuals with definable interests in recreational and commercial fishing and related industries, including those from the environmental community, academia, and non-governmental organizations, for membership on the SEDAR Pool.

DATES: Submit nominations on or before January 8, 2026.

ADDRESSES: You may submit nominations and request the SEDAR Pool Statement of Organization, Practices, and Procedures electronically via email to *SEDAR.pool@noaa.gov.*

Additional information on SEDAR and the SEDAR guidelines can be found at *http://sedarweb.org/.* The terms of reference for the SEDAR Pool, along with a list of current members, can be found at *https://www.fisheries.noaa.gov/atlantic-highly-migratory-species/southeast-data-assessment-and-review-and-atlantic-highly.*

FOR FURTHER INFORMATION CONTACT: Karyl Brewster-Geisz or Delisse Ortiz at 301–427–8503.

SUPPLEMENTARY INFORMATION: HMS fisheries (swordfish, sharks, tunas, and billfish) are managed under the 2006 Consolidated HMS Fishery Management Plan (FMP) and its amendments pursuant to the authority of 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 (16 U.S.C. 971 *et seq.*). HMS implementing regulations are at 50 CFR part 635.

Background

NMFS established the SEDAR Pool consistent with section 302(g) of the Magnuson-Stevens Act. NMFS may select individuals of the SEDAR Pool to review and advise NMFS on the scientific information, data, and models used in stock assessments for oceanic sharks in the Atlantic Ocean, including the Gulf of America and Caribbean Sea. While NMFS created the SEDAR Pool specifically for consultation on Atlantic shark stock assessments, NMFS may expand consultation to other HMS, as needed.

NMFS may select individuals in the SEDAR Pool to participate in the various data and assessment workshops during the stock assessment process. The primary responsibility of selected individuals is to review and provide advice regarding the scientific information, data, and models that NMFS will use or consider for use in the relevant stock assessment. To ensure that the peer review is unbiased, individuals who participated in a data and/or assessment workshop for a particular stock assessment cannot serve as a peer reviewer for the same stock assessment. However, these individuals may be asked to attend the review workshop to answer specific questions from the reviewers concerning the data and/or assessment workshops. Members of the SEDAR Pool may serve as members of other advisory panels or committees established under section 302(g) concurrent with, or following, their service on the SEDAR Pool.

Procedures and Guidelines

A. Participants

The SEDAR Pool is comprised of individuals that represent the commercial and recreational fishing communities for Atlantic sharks, the environmental community active in the conservation and management of Atlantic sharks, and the academic community that have relevant expertise with sharks and/or stock assessment methodologies for marine fish species. Additionally, individuals who may not necessarily work directly with sharks, but who are involved in fisheries with similar life history, biology, and fishery issues may be part of the SEDAR Pool. Members of the SEDAR Pool must have demonstrated experience in the fisheries, related industries, research, teaching, writing, conservation, or management of marine organisms. The distribution of representation among the interested parties is not defined or limited.

Additional members of the SEDAR Pool may also include representatives from the 5 Atlantic Regional Fishery Management Councils, the 18 Atlantic states, the U.S. Virgin Islands and Puerto Rico, and the relevant interstate commissions (Atlantic States Marine Fisheries Commission and Gulf States Marine Fisheries Commission).

If NMFS requires additional members to ensure a diverse pool of individuals for data or assessment workshops, NMFS may request individuals to become members of the SEDAR Pool outside of the annual nomination period.

SEDAR Pool members serve at the discretion of the Secretary. Not all members will attend each SEDAR workshop. Rather, NMFS will invite certain members to participate at specific stock assessment workshops dependent on their ability to participate, discuss, and offer scientific input and advice regarding the species being assessed.

NMFS is not obligated to fulfill any requests (*e.g.,* requests for an assessment of a certain species) that may be made by the SEDAR Pool or its individual members. Members of the SEDAR Pool who are invited to attend stock assessment workshops will not be compensated for their services, but may be reimbursed for their travel-related expenses to attend such workshops.

B. Nomination Procedures for Appointments to the SEDAR Pool

Member tenure is 5 years. Nominations are sought for terms beginning early in 2026 and expiring in 2031. Nomination packages should include:

1. The name, address, phone number, and email of the applicant or nominee;
2. A description of the applicant's or nominee's interest in Atlantic shark stock assessments or the Atlantic shark fishery;
3. A statement of the applicant's or nominee's background and/or qualifications; and
4. A written commitment that the applicant or nominee shall participate actively and in good faith in the tasks of the SEDAR Pool, as requested.

C. Meeting Schedule

Individual members of the SEDAR Pool meet to participate in stock assessments at the discretion of the Office of Sustainable Fisheries, NMFS. Stock assessment timing, frequency, and relevant species will vary depending on the needs determined by NMFS and SEDAR staff. Beginning in 2026, NMFS plans to assess the sandbar shark stock. Once the sandbar shark assessment is complete, NMFS plans to assess the bull shark stock. All meetings are open for observation by the public.

Dated: December 4, 2025.

Kelly Denit,

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

[FR Doc. 2025–22309 Filed 12–8–25; 8:45 am]

BILLING CODE 3510–22–P

COMMODITY FUTURES TRADING COMMISSION

Agency Information Collection Activities Under OMB Review

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (''PRA''), this notice announces that the Information Collection Request (''ICR'') abstracted below has been forwarded to the Office of Information and Regulatory Affairs (''OIRA'') of the Office of Management and Budget (''OMB'') for review and comment. The ICR describes the nature of the information collection and its expected costs and burden.

DATES: Comments must be submitted on or before January 8, 2026.

ADDRESSES: Written comments and recommendations for the proposed information collection should be submitted within 30 days of this notice's publication to OIRA, at *https://www.reginfo.gov/public/do/PRAMain*. Please find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the website's search function. Comments can be entered electronically by clicking on the ''comment'' button next to the information collection on the ''OIRA Information Collections Under Review'' page, or the ''View ICR—Agency Submission'' page. A copy of the supporting statement for the collection of information discussed herein may be obtained by visiting *https://www.reginfo.gov/public/do/PRAMain.*

In addition to the submission of comments to *https://Reginfo.gov* as indicated above, a copy of all comments submitted to OIRA may also be submitted to the Commodity Futures Trading Commission (the ''Commission'' or ''CFTC'') by clicking on the ''Submit Comment'' box next to the descriptive entry for OMB Control

No. 3038–0088, at *https://comments.cftc.gov/FederalRegister/PublicInfo.aspx*.

Or by either of the following methods:

- *Mail:* Christopher Kirkpatrick, Secretary of the Commission, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581.
- *Hand Delivery/Courier:* Same as Mail above.

All comments must be submitted in English, or if not, accompanied by an English translation. Comments submitted to the Commission should include only information that you wish to make available publicly. If you wish the Commission to consider information that you believe is exempt from disclosure under the Freedom of Information Act (''FOIA''), a petition for confidential treatment of the exempt information may be submitted according to the procedures established in § 145.9 of the Commission's Regulations.[1] The Commission reserves the right, but shall have no obligation, to review, pre-screen, filter, redact, refuse or remove any or all of your submission from *https://www.cftc.gov* that it may deem to be inappropriate for publication, such as obscene language. All submissions that have been redacted or removed that contain comments on the merits of the ICR will be retained in the public comment file and will be considered as required under the Administrative Procedure Act and other applicable laws, and may be accessible under FOIA.

FOR FURTHER INFORMATION CONTACT: Dina Moussa, Special Counsel, (202) 418–5696 or *dmoussa@cftc.gov;* or Catherine Brescia, Attorney Advisor, Market Participants Division, (202) 418–5465 or *cbrescia@cftc.gov,* Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581, and refer to OMB Control No. 3038–0088.

SUPPLEMENTARY INFORMATION:

Title: Swap Documentation (OMB Control No. 3038–0088).[2] This is a request for extension of a currently approved information collection.

Abstract: On September 11, 2012, the Commission adopted Commission Regulations 23.500 through 23.505 (the ''Regulations'')[3] under Sections 4s(f), (g) and (i)[4] of the Commodity Exchange Act (''CEA'').[5] The Regulations require, among other things, that swap dealers (''SDs'')[6] and major swap participants (''MSPs'')[7] develop and retain written swap trading relationship documentation and end user exception documentation. They also establish requirements for SDs and MSPs regarding swap confirmation, portfolio reconciliation, and portfolio compression. Under the Regulations, SDs and MSPs are obligated to maintain records of the policies and procedures required by the rules.[8]

Confirmation, portfolio reconciliation, and portfolio compression are important post-trade processing mechanisms for reducing risk and improving operational efficiency. The information collection obligations imposed by the Regulations are necessary to ensure that each SD and MSP maintains the required records of their business activities and conducts and maintains records of independent and periodic audits sufficient to identify any material weakness in its documentation of policies and procedures. The information collection contained in the Regulations is also essential to ensuring that SDs and MSPs document their swaps, reconcile their swap portfolios to resolve discrepancies and disputes, and wholly or partially terminate some or all of their outstanding swaps through regular portfolio compression exercises. This collection of information is mandatory.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.[9] On August 1, 2025, the Commission published in the **Federal Register** notice of the proposed extension of this information collection and provided 60 days for public comment on the proposed extension, 90 FR 36147 (''60-Day Notice''). The Commission received one comment from a member of the public. The commenter asserted that ''the original OMB was implemented without proper compliance by an invalid OMB identification number.'' This assertion is incorrect. The collection has received OMB approval and a valid OMB identification number.

Burden Statement: The Commission is not revising its estimate of the burden for this collection. The respondent burden for this collection is estimated to be as follows:

Estimated Number of Respondents: 108.

Estimated Average Burden Hours per Respondent: 7,324.5.

Estimated Total Annual Burden Hours: 791,046.

Frequency of Collection: As applicable.

There are no capital costs or operating and maintenance costs associated with this collection.

(Authority: 44 U.S.C. 3501 *et seq.*)

Dated: December 5, 2025.

Robert Sidman,

Deputy Secretary of the Commission.

[FR Doc. 2025–22337 Filed 12–8–25; 8:45 am]

BILLING CODE 6351–01–P

[1] 17 CFR 145.9.

[2] 17 CFR 23.500–23.505.

[3] 7 U.S.C. 6s(f), (g) and (i).

[4] *See* Confirmation, Portfolio Reconciliation, Portfolio Compression, and Swap Trading Relationship Documentation Requirements for Swap Dealers and Major Swap Participants, 77 FR 55904 (Sep. 11, 2012), available at *https://www.govinfo.gov/content/pkg/FR-2012-09-11/pdf/2012-21414.pdf*.

[5] For the definition of SD, *see* Section 1a(49) of the CEA and Commission Regulation 1.3; 7 U.S.C. 1a(49) and 17 CFR 1.3.

[6] For the definition of MSP, *see* Section 1a(33) of the CEA and Commission Regulation 1.3; 7 U.S.C. 1a(33) and 17 CFR 1.3.

[7] SDs and MSPs are required to maintain all records of policies and procedures in accordance with Commission Regulations 23.203 and, by extension, 1.31, including policies, procedures, and models used for eligible master netting agreements and custody agreements that prohibit custodian of margin from re-hypothecating, repledging, reusing, or otherwise transferring the funds held by the custodian. *See* 17 CFR 1.31 and 23.203.

[8] 44 U.S.C. 3512, 5 CFR 1320.5(b)(2)(i) and 1320.8 (b)(3)(vi).

CONSUMER FINANCIAL PROTECTION BUREAU

[Docket No. CFPB–2025–0046]

Agency Information Collection Activities: Comment Request

AGENCY: Consumer Financial Protection Bureau.

ACTION: Notice and request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (PRA), the Consumer Financial Protection Bureau (CFPB or Bureau) is requesting to reinstate the Office of Management and Budget's (OMB's) approval for an existing information collection titled ''Disclosure Requirements for Depository Institutions Lacking Federal Deposit Insurance (Regulation I)'' approved under OMB Control Number 3170–0062.

DATES: Written comments are encouraged and must be received on or before February 9, 2026 to be assured of consideration.

ADDRESSES: You may submit comments, identified by the title of the information collection, OMB Control Number (see below), and docket number (see above), by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Email: CFPB_PRA@cfpb.gov.* Include Docket No. CFPB–2025–0046 in the subject line of the email.

• *Mail/Hand Delivery/Courier:* Comment Intake, Consumer Financial Protection Bureau (Attention: PRA Office), 1700 G Street NW, Washington, DC 20552. Because paper mail in the Washington, DC area and at the CFPB is subject to delay, commenters are encouraged to submit comments electronically.

Please note that comments submitted after the comment period will not be accepted. In general, all comments received will become public records, including any personal information provided. Sensitive personal information, such as account numbers or Social Security numbers, should not be included.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to Anthony May, PRA Officer, at (202) 435–7278, or email: *CFPB_PRA@cfpb.gov.* If you require this document in an alternative electronic format, please contact *CFPB_Accessibility@cfpb.gov.* Please do not submit comments to these email boxes.

SUPPLEMENTARY INFORMATION:

Title of Collection: Disclosure Requirements for Depository Institutions Lacking Federal Deposit Insurance (Regulation I).

OMB Control Number: 3170–0062.

Type of Review: Reinstatement of an information collection.

Affected Public: Private sector: Businesses or other for-profits.

Estimated Number of Respondents: 167.

Estimated Total Annual Burden Hours: 4,609.

Abstract: Regulation I, 12 CFR part 1009, applies to all depository institutions lacking Federal deposit insurance. It requires the disclosure of certain insurance-related information in periodic statements, account records, locations where deposits are normally received, and advertising. This part also requires such depository institutions to obtain a written acknowledgment from depositors regarding the institution's lack of Federal deposit insurance. This is a routine request for OMB to renew its approval of the collections of information currently approved under this OMB control number. The Bureau is not proposing any new or revised collections of information pursuant to this request.

Request for Comments: Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the CFPB, including whether the information will have practical utility; (b) The accuracy of the CFPB's estimate of the burden of the collection of information, including the validity of the methods and the assumptions used; (c) Ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Comments submitted in response to this notice will be summarized and/or included in the request for OMB's approval. All comments will become a matter of public record.

Anthony May,

Paperwork Reduction Act Officer, Consumer Financial Protection Bureau.

[FR Doc. 2025–22370 Filed 12–8–25; 8:45 am]

BILLING CODE 4810–AM–P

CONSUMER FINANCIAL PROTECTION BUREAU

[Docket No. CFPB–2025–0045]

Agency Information Collection Activities: Comment Request

AGENCY: Consumer Financial Protection Bureau.

ACTION: Notice and request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (PRA), the Consumer Financial Protection Bureau (CFPB or Bureau) is requesting to reinstate the Office of Management and Budget's (OMB's) approval for an existing information collection titled ''Interstate Land Sales Full Disclosure Act (Regulations J, K, and L)'' approved under OMB Control Number 3170–0012.

DATES: Written comments are encouraged and must be received on or before February 9, 2026 to be assured of consideration.

ADDRESSES: You may submit comments, identified by the title of the information collection, OMB Control Number (see below), and docket number (see above), by any of the following methods:

• *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

• *Email: CFPB_PRA@cfpb.gov.* Include Docket No. CFPB–2025–0045 in the subject line of the email.

• *Mail/Hand Delivery/Courier:* Comment Intake, Consumer Financial Protection Bureau (Attention: PRA Office), 1700 G Street NW, Washington, DC 20552. Because paper mail in the Washington, DC area and at the CFPB is subject to delay, commenters are encouraged to submit comments electronically.

Please note that comments submitted after the comment period will not be accepted. In general, all comments received will become public records, including any personal information provided. Sensitive personal information, such as account numbers or Social Security numbers, should not be included.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to Anthony May, PRA Officer, at (202) 435–7278, or email: *CFPB_PRA@cfpb.gov.* If you require this document in an alternative electronic format, please contact *CFPB_Accessibility@cfpb.gov.* Please do not submit comments to these email boxes.

SUPPLEMENTARY INFORMATION:

Title of Collection: Interstate Land Sales Full Disclosure Act (Regulations J, K, and L).

OMB Control Number: 3170–0012.

Type of Review: Reinstatement of an information collection.

Affected Public: Private sector: Businesses or other for-profits.

Estimated Number of Respondents: 197.

Estimated Total Annual Burden Hours: 3,412.

Abstract: The Interstate Land Sales Full Disclosure Act (ILSA) requires land developers to register subdivisions of 100 or more non-exempt lots with the Bureau before selling or leasing the lots, and to provide each lot purchaser with a disclosure document designated as a property report, 15 U.S.C. 1703–1704. ILSA was enacted in response to a nationwide proliferation of developers of unimproved subdivisions who made elaborate, and often fraudulent, claims about their land to unsuspecting lot purchasers. Information is submitted to the Bureau to assure compliance with ILSA and the implementing regulations. The Bureau also investigates developers who are not in compliance with the regulations.

Request for Comments: Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the CFPB, including whether the information will have practical utility; (b) The accuracy of the CFPB's estimate of the burden of the collection of information, including the validity of the methods and the assumptions used; (c) Ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Comments submitted in

response to this notice will be summarized and/or included in the request for OMB's approval. All comments will become a matter of public record.

Anthony May,

Paperwork Reduction Act Officer, Consumer Financial Protection Bureau.

[FR Doc. 2025–22368 Filed 12–8–25; 8:45 am]

BILLING CODE 4810–AM–P

CONSUMER FINANCIAL PROTECTION BUREAU

[Docket No. CFPB–2025–0044]

Agency Information Collection Activities: Comment Request

AGENCY: Consumer Financial Protection Bureau.

ACTION: Notice and request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (PRA), the Consumer Financial Protection Bureau (CFPB or Bureau) is requesting to reinstate the Office of Management and Budget's (OMB's) approval for an existing information collection titled ''Privacy of Consumer Financial Information (Regulation P)'' approved under OMB Control Number 3170–0010.

DATES: Written comments are encouraged and must be received on or before February 9, 2026 to be assured of consideration.

ADDRESSES: You may submit comments, identified by the title of the information collection, OMB Control Number (see below), and docket number (see above), by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Email: CFPB_PRA@cfpb.gov.* Include Docket No. CFPB–2025–0044 in the subject line of the email.
- *Mail/Hand Delivery/Courier:* Comment Intake, Consumer Financial Protection Bureau (Attention: PRA Office), 1700 G Street NW, Washington, DC 20552. Because paper mail in the Washington, DC area and at the CFPB is subject to delay, commenters are encouraged to submit comments electronically.

Please note that comments submitted after the comment period will not be accepted. In general, all comments received will become public records, including any personal information provided. Sensitive personal information, such as account numbers or Social Security numbers, should not be included.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to Anthony May, PRA Officer, at (202) 435–7278, or email: *CFPB_PRA@cfpb.gov.* If you require this document in an alternative electronic format, please contact *CFPB_Accessibility@cfpb.gov.* Please do not submit comments to these email boxes.

SUPPLEMENTARY INFORMATION:

Title of Collection: Privacy of Consumer Financial Information (Regulation P).

OMB Control Number: 3170–0010.

Type of Review: Reinstatement of an information collection.

Affected Public: Private sector: Businesses or other for-profits.

Estimated Number of Respondents: 462,760.

Estimated Total Annual Burden Hours: 312,916.

Abstract: Section 502 of the Gramm-Leach-Bliley Act (GLBA) (Pub. L. 106–102) generally prohibits a financial institution from sharing nonpublic personal information about a consumer with nonaffiliated third parties unless the institution satisfies various disclosure requirements (*e.g.,* provision of initial privacy notices, annual notices, notices of revisions to the institution's privacy policy and opt-out notices) and the consumer has not elected to opt out of the information sharing. The Bureau promulgated Regulation P (12 CFR 1016) to implement the GLBA notice requirements and restrictions on a financial institution's ability to disclose nonpublic personal information about consumers to nonaffiliated third parties.

Request for Comments: Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the CFPB, including whether the information will have practical utility; (b) The accuracy of the CFPB's estimate of the burden of the collection of information, including the validity of the methods and the assumptions used; (c) Ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Comments submitted in response to this notice will be summarized and/or included in the request for OMB's approval. All comments will become a matter of public record.

Anthony May,

Paperwork Reduction Act Officer, Consumer Financial Protection Bureau.

[FR Doc. 2025–22367 Filed 12–8–25; 8:45 am]

BILLING CODE 4810–AM–P

CONSUMER FINANCIAL PROTECTION BUREAU

[Docket No. CFPB–2025–0043]

Agency Information Collection Activities: Comment Request

AGENCY: Consumer Financial Protection Bureau.

ACTION: Notice and request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (PRA), the Consumer Financial Protection Bureau (CFPB) is requesting to reinstate the Office of Management and Budget's (OMB's) approval for an existing information collection titled ''Mortgage Acts and Practices—Advertising (Regulation N)'' approved under OMB Control Number 3170–0009.

DATES: Written comments are encouraged and must be received on or before February 9, 2026 to be assured of consideration.

ADDRESSES: You may submit comments, identified by the title of the information collection, OMB Control Number (see below), and docket number (see above), by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Email: CFPB_PRA@cfpb.gov.* Include Docket No. CFPB–2025–0043 in the subject line of the email.
- *Mail/Hand Delivery/Courier:* Comment Intake, Consumer Financial Protection Bureau (Attention: PRA Office), 1700 G Street NW, Washington, DC 20552. Because paper mail in the Washington, DC area and at the CFPB is subject to delay, commenters are encouraged to submit comments electronically.

Please note that comments submitted after the comment period will not be accepted. In general, all comments received will become public records, including any personal information provided. Sensitive personal information, such as account numbers or Social Security numbers, should not be included.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to Anthony May, PRA Officer, at (202) 435–7278, or email: *CFPB_PRA@cfpb.gov.* If you

require this document in an alternative electronic format, please contact *CFPB_Accessibility@cfpb.gov.* Please do not submit comments to these email boxes.

SUPPLEMENTARY INFORMATION:

Title of Collection: Mortgage Acts and Practices—Advertising (Regulation N).

OMB Control Number: 3170–0009.

Type of Review: Reinstatement of an information collection.

Affected Public: Private sector: Businesses or other for-profits.

Estimated Number of Respondents: 483.

Estimated Total Annual Burden Hours: 242.

Abstract: Regulation N (12 CFR part 1014) prohibits misrepresentations about the terms of mortgage credit products in commercial communications and requires that covered persons keep certain related records for a period of twenty-four (24) months from last dissemination. The information that Regulation N requires covered persons to retain is necessary to ensure efficient and effective law enforcement to address deceptive practices that occur in the mortgage advertising area.

Request for Comments: Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the CFPB, including whether the information will have practical utility; (b) The accuracy of the CFPB's estimate of the burden of the collection of information, including the validity of the methods and the assumptions used; (c) Ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Comments submitted in response to this notice will be summarized and/or included in the request for OMB's approval. All comments will become a matter of public record.

Anthony May,

Paperwork Reduction Act Officer, Consumer Financial Protection Bureau.

[FR Doc. 2025–22366 Filed 12–8–25; 8:45 am]

BILLING CODE 4810–AM–P

CONSUMER FINANCIAL PROTECTION BUREAU

[Docket No. CFPB–2025–0047]

Agency Information Collection Activities: Comment Request

AGENCY: Consumer Financial Protection Bureau.

ACTION: Notice and request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (PRA), the Consumer Financial Protection Bureau (CFPB or Bureau) is requesting to reinstate the Office of Management and Budget's (OMB's) approval for an information collection titled ''Prohibition on Inclusion of Adverse Information in Consumer Reporting in Cases of Human Trafficking (Regulation V)'' approved under OMB Control Number 3170–0002.

DATES: Written comments are encouraged and must be received on or before February 9, 2026 to be assured of consideration.

ADDRESSES: You may submit comments, identified by the title of the information collection, OMB Control Number (see below), and docket number (see above), by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Email: CFPB_PRA@cfpb.gov.* Include Docket No. CFPB–2025–0047 in the subject line of the email.
- *Mail/Hand Delivery/Courier:* Comment Intake, Consumer Financial Protection Bureau (Attention: PRA Office), 1700 G Street NW, Washington, DC 20552. Because paper mail in the Washington, DC area and at the CFPB is subject to delay, commenters are encouraged to submit comments electronically.

Please note that comments submitted after the comment period will not be accepted. In general, all comments received will become public records, including any personal information provided. Sensitive personal information, such as account numbers or Social Security numbers, should not be included.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to Anthony May, PRA Officer, at (202) 435–7278, or email: *CFPB_PRA@cfpb.gov.* If you require this document in an alternative electronic format, please contact *CFPB_Accessibility@cfpb.gov.* Please do not submit comments to these email boxes.

SUPPLEMENTARY INFORMATION:

Title of Collection: Prohibition on Inclusion of Adverse Information in Consumer Reporting in Cases of Human Trafficking (Regulation V).

OMB Control Number: 3170–0002.

Type of Review: Reinstatement of an information collection.

Affected Public: Private sector: Businesses or other for-profits.

Estimated Number of Respondents: 779,023.

Estimated Total Annual Burden Hours: 6,286,665.

Abstract: The consumer disclosures included in Regulation V are designed to alert consumers that a financial institution furnished negative information about them to a consumer reporting agency, that they have a right to opt out of receiving marketing materials and credit or insurance offers, that their credit report was used in setting the material terms of credit that may be less favorable than the terms offered to consumers with better credit histories, that they maintain certain rights with respect to a theft of their identity that they reported to a consumer reporting agency, that they maintain rights with respect to knowing what is in their consumer reporting agency file, and that they can request a free credit report, and that they can report a theft of their identity to the Bureau. Consumers then can use the information provided to consider how and when to check and use their credit reports. It also establishes a method for a victim of trafficking to submit documentation to consumer reporting agencies, including information identifying any adverse item of information about the consumer that resulted from certain types of human trafficking, and prohibit the consumer reporting agencies from furnishing a consumer report containing the adverse item(s) of information.

Request for Comments: Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the CFPB, including whether the information will have practical utility; (b) The accuracy of the CFPB's estimate of the burden of the collection of information, including the validity of the methods and the assumptions used; (c) Ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Comments submitted in response to this notice will be summarized and/or included in the request for OMB's approval. All comments will become a matter of public record.

Anthony May,

Paperwork Reduction Act Officer, Consumer Financial Protection Bureau.

[FR Doc. 2025–22365 Filed 12–8–25; 8:45 am]

BILLING CODE 4810–AM–P

DEPARTMENT OF DEFENSE

Department of the Army

[Docket ID: USA–2025–HQ–0168]

Proposed Collection; Comment Request

AGENCY: U.S. Army Corps of Engineers (Corps), Department of the Army, Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Corps announces a proposed change to an existing public information collection and seeks public comment on the provisions thereof. Comments are invited on: whether the proposed change to the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by February 9, 2026.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: http://www.regulations.gov. Follow the instructions for submitting comments.

Mail: Department of Defense, Privacy, Civil Liberties, and Transparency Directorate, Office of the Director of Administration & Management, 4800 Mark Center Drive, Mailbox #24, Suite 05F16, Alexandria, VA 22350–1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to Headquarters, U.S. Army Corps of Engineers, 441 G Street NW, Washington, DC 20314–1000, ATTN: Mr. Matt Wilson, or call 202–761–5856.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Jurisdictional Determination Forms and Aquatic Resources Delineation Forms; ENG Forms 6247 and 6249 (Jurisdictional Determination Forms) as well as ENG Forms 6116 (0–9) and 6250 (Aquatic Resource Delineation Forms); OMB Control Number 0710–0024.

Needs and Uses: This information collection is currently comprised of two main categories of forms: Aquatic Resources Delineation Forms and Jurisdictional Determination Forms.

Aquatic Resource Delineation Forms

The Corps uses two specific types of aquatic resource delineation forms to determine the location and extent of aquatic resources at a site: (1) the wetland determination data sheets (ENG 6119 (0–9) series) and (2) the Ordinary High-Water Mark field identification data sheet (ENG 6250). While included in this collection, the Corps is not proposing to modify either of these two types of aquatic resource delineation forms.

Jurisdictional Determination Forms

The Corps, through its Regulatory Program, regulates certain activities in ''waters of the United States'' (WOTUS), pursuant to Section 404 of the Clean Water Act (CWA) (33 United States Code (U.S.C.) 1344). WOTUS is defined under 33 Code of Federal Regulations (CFR) Part 328. The Corps also regulates certain activities in ''navigable waters of the United States'' pursuant to Sections 9 and 10 of the Rivers and Harbors Act of 1899 (RHA) (33 U.S.C. 401, *et seq.*). ''Navigable waters of the United States'' is defined under 33 CFR part 329. The regulations implementing the CWA and RHA introduced the concept of jurisdictional determinations (JDs) when they '' . . . authorized its district engineers to issue formal determinations of the applicability of the [CWA or RHA] to . . . tracts of land.'' 33 CFR 320.1(a)(6). The use of such determinations was not addressed by either statute, and the regulations make their use discretionary and do not create a right to a JD. There are two types of JDs: approved JDs (AJDs) and preliminary JDs (PJDs). Both types of JDs specify what geographic areas will be treated as subject to regulation by the Corps under one or both statutes.

This information collection currently implements the collections of information associated with the Corps' implementation of WOTUS, using two forms: (1) a PJD Form (ENG 6249), and (2) a ''JD Request Form'' (ENG 6247). The Corps is not proposing to modify either the PJD Form or the JD Request Form. While not part of this collection, the Corps has historically used an AJD form to document its basis of an AJD; however, under the currently operative WOTUS regulatory regimes, the Corps has elected to use Memorandum for Record instead of an AJD ''form'' to document the basis of its AJDs.

As of this notice, the agencies are currently implementing ''waters of the United States'' under two regulatory regimes due to ongoing litigation: the Amended 2023 Rule, applied in 24 States, the District of Columbia, and U.S. Territories, and the pre-2015 regulatory regime consistent with the Supreme Court's Sackett decision, applied in the remaining 26 States. The Amended 2023 Rule refers to the agencies' final rule ''Revised Definition of 'Waters of the United States'; Conforming'' (88 FR 61964, September 8, 2023), while the pre-2015 regime refers to the agencies' pre-2015 regulations defining ''waters of the United States,'' implemented consistent with the Supreme Court's Sackett decision, relevant case law, and longstanding practice, as informed by applicable guidance, training, and experience.

On November 20, 2025, the U.S. Environmental Protection Agency (EPA) and Department of the Army (the agencies) issued a proposed rule to revise the regulations defining the scope of waters federally covered under the CWA, in light of the U.S. Supreme Court's 2023 decision in *Sackett* v. *Environmental Protection Agency* (see 90 FR 52498 and Docket ID No. EPA–HQ–OW–2025–0322). As noted in the proposed rule, the agencies' rulemaking does not impose an information collection burden under the Paperwork Reduction Act (PRA) because it does not contain any information collection activities. However, once finalized, it may change terms and concepts used by the agencies to implement certain programs under the CWA. Consequently, the proposed rule notes that the agencies thus may need to revise some of their collections of information to be consistent with the proposed rule and will do so consistent with the PRA and implementing regulations.

As previously mentioned, the Corps is currently using Memorandum for Record instead of an AJD ''form'' to document the basis of its AJDs under the currently operative WOTUS regulatory regimes. In the event that the agencies issue a new final rule defining WOTUS, the Corps intends to transition

back to the use of a designated AJD form to facilitate efficient and consistent documentation of the basis of its AJDs, consistent with implementation under prior WOTUS regimes.

Because the Corps intends to utilize the new AJD form upon the effective date of the anticipated final WOTUS rule, the Corps is publishing this information collection notice to make the public aware of the proposed change to the approved information collection in accordance with the PRA. This proposed change to the Corps existing collection is independent of the agencies' ongoing rulemaking to revise the definition of WOTUS, and therefore comments on that rulemaking should not be submitted in response to this notice and instead should be submitted to the agencies' separate docket for that rulemaking action (WOTUS Docket ID No. EPA–HQ–OW–2025–0322). It should also be noted that while the agencies anticipate a reduction in the number of respondents who make use of the AJD forms in this collection due to less demand for AJDs and clearer regulatory language associated with the anticipated final WOTUS rule, the specific requirements of any new final rule defining WOTUS will not be known until such time as the final rule is published in the **Federal Register**. Therefore, the Corps is not able to provide a copy of its proposed AJD Form at this time for comment. However, the structure, function, and format of any new AJD Form would be similar to the most recent AJD Form that the Corps developed, Form ENG 6281 (2023 Rule—Approved Jurisdictional Determination (Interim)), which the Corps used to implement the ''Revised Definition of 'Waters of the United States,' '' 88 FR 3004 (January 18, 2023) (''2023 Rule''). The ENG 6281 is being included for historic purposes and as a basis for comment on this information collection request.

Affected Public: Individuals or households.

Request for Corps Jurisdictional Determination (ENG 6247)

Annual Burden Hours: 2,815.
Number of Respondents: 16,891.
Responses per Respondent: 1.
Annual Responses: 16,891.
Average Burden per Response: 10 minutes.

Approved Jurisdictional Determination Form (To Be Developed)

Annual Burden Hours: 13,687.5.
Number of Respondents: 5,475.
Responses per Respondent: 1.
Annual Responses: 5,475.
Average Burden per Response: 2.5 hours.

Preliminary JD Form (ENG 6249)

Annual Burden Hours: 625.
Number of Respondents: 1,500.
Responses per Respondent: 1.
Annual Responses: 1,500.
Average Burden per Response: 25 minutes.

Ordinary High Water Mark Data Sheet (ENG 6250)

Annual Burden Hours: 19,990.
Number of Respondents: 39,980.
Responses per Respondent: 1.
Annual Responses: 39,980.
Average Burden per Response: 30 minutes.

Wetland Determination Data Sheets (ENG 6116 (0–9))

Annual Burden Hours: 48,692.
Number of Respondents: 48,692.
Responses per Respondent: 2.
Annual Responses: 97,384.
Average Burden per Response: 30 minutes.

Total

Annual Burden Hours: 85,810.
Number of Respondents: 112,538.
Annual Responses: 161,230.
Frequency: On Occasion.

Dated: December 5, 2025.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025–22358 Filed 12–8–25; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Department of the Army

[Docket ID: USA–2025–HQ–0169]

Proposed Collection; Comment Request

AGENCY: Department of the Army, Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Army & Air Force Exchange Service (The Exchange) announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by February 9, 2026.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: http://www.regulations.gov. Follow the instructions for submitting comments.

Mail: Department of Defense, Privacy, Civil Liberties, and Transparency Directorate, Office of the Director of Administration & Management, 4800 Mark Center Drive, Mailbox #24, Suite 05F16, Alexandria, VA 22350–1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to Army & Air Force Exchange Service, Office of the General Counsel, Compliance Division, ATTN: Teresa Schreurs, 3911 South Walton Walker Blvd., Dallas, TX 75236–1598, through email to *PrivacyManager@aafes.com,* or call the Exchange Compliance Division at 800–967–6067, Option 5.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Exchange Employee Travel Files; OMB Control Number 0702–0131.

Needs and Uses: The information collection requirement is necessary to process official Permanent Change of Station travel requests for Exchange civilian employees; to determine eligibility of the employee's dependents to travel; to obtain the necessary clearance where foreign travel is involved, including assisting individuals in applying for passports, visas, and counseling where proposed travel involves visiting or transitioning to communist countries and danger zones. Respondents are Exchange employees, family members, and dependents that are authorized to engage in Exchange government travel.

The completed forms are necessary to obtain this authorization and to provide the employee and their dependents with assistance to obtain visas, passports, security clearance, and other travel documents as required.

Affected Public: Individuals or households.

Annual Burden Hours: 125.

Number of Respondents: 250.

Responses per Respondent: 1.

Annual Responses: 250.

Average Burden per Response: 30 minutes.

Frequency: On occasion.

Dated: December 5, 2025.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025–22356 Filed 12–8–25; 8:45 am]

BILLING CODE 3710–08–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD–2025–HA–0210]

Submission for OMB Review; Comment Request

AGENCY: Office of the Assistant Secretary of Defense for Health Affairs (OASD(HA)), Department of Defense (DoD).

ACTION: 30-Day information collection notice.

SUMMARY: The DoD has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act.

DATES: Consideration will be given to all comments received by January 8, 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: Reginald Lucas, (571) 372–7574, *whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil.*

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Provider Beliefs Regarding the Deadlift and their Effect on Patient Management; OMB Control Number 0720–PBRD.

Type of Request: New.

Number of Respondents: 875.

Responses per Respondent: 1.

Annual Responses: 875.

Average Burden per Response: 10 minutes.

Annual Burden Hours: 146.

Needs and Uses: The United States Army implemented the Army Combat Fitness Test (ACFT) as the fitness test of record in October 2020. The ACFT contains six events, including the maximum deadlift (MDL), which is a three-repetition maximum lift using a hex (or trap) style bar. Currently, there is a paucity of literature regarding healthcare provider beliefs and the deadlift exercise. Despite limited evidence of positive association for lumbopelvic injuries and deadlift, there are concerns about the deadlift being a part of the ACFT. Given the mandatory nature of the MDL as part of the Army's annual fitness requirement, it is imperative to understand the beliefs providers possess as patients are likely to seek them out following an episode of low back pain. Their beliefs may significantly influence treatment behaviors which could positively or negatively affect patient outcomes which may affect days on limited duty, deploy ability statistics, and/or return to duty rates, all of which directly influence military readiness. The primary aim of the survey is to assess if provider beliefs regarding the deadlift exercise differ among various healthcare provider disciplines within the military healthcare system and assess if these differences are consistent with validated treatment orientations for lower back pain, and if differences in beliefs influence treatment behaviors for a patient presenting with a deadlift injury.

Affected Public: Individuals or households.

Frequency: As required.

Respondent's Obligation: Voluntary.

DOD Clearance Officer: Mr. Reginald Lucas.

Dated: December 5, 2025.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025–22355 Filed 12–8–25; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD–2025–OS–0772]

Proposed Collection; Comment Request

AGENCY: Office of the Under Secretary of Defense for Personnel and Readiness, (OUSD(P&R)), Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the OUSD(P&R), announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by February 9, 2026.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: http://www.regulations.gov. Follow the instructions for submitting comments.

Mail: Department of Defense, Privacy, Civil Liberties, and Transparency Directorate, Office of the Director of, Administration & Management, 4800 Mark Center Drive, Mailbox #24, Suite 05F16, Alexandria, VA 22350–1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to Lisa Davis, Deputy Director Health and Resilience, 4800 Mark Center Drive, Suite 06E22, Alexandria VA 22350–4000, *elizabeth.h.davis18.civ@mail.mil,* 703–338–8926.

SUPPLEMENTARY INFORMATION: In March 2019, Acting Secretary of Defense Patrick Shanahan requested the DoD to form a team of experts to ''take a fresh look'' at issues involving the sexual assault investigative and accountability process. The DoD established the Sexual Assault Accountability and

Investigation Task Force (SAAITF) to identify, evaluate, and make recommendations to improve the investigation and accountability process. As part of this effort, the 2019 SAAITF report called for a ''standardized survey of victim experiences, attitudes, and satisfaction.'' The Sexual Violence Support and Experiences Study (SVSES) meets this requirement and will allow the DoD Sexual Assault Prevention and Response Office, other DoD policy offices, and the military Services to use the input of military members to inform improvements to the response system and to address challenges military members face during the military investigation and accountability process.

Title; associated form; and OMB Number: Sexual Violence Support and Experience Study (SVSES); OMB Control Number 0704–0647.

Needs and Uses: Information from the SVSES will be used by the OUSD(P&R) policy offices, and the Military Departments to improve personnel policies, programs, practices, and training related to sexual assault response and accountability systems in the military. It will provide the policy offices of the OUSD(P&R) with current data on (1) Service member satisfaction with sexual assault support resources; (2) the impact that the military support and justice processes have on Services Members who experience sexual assault during military service (*e.g.,* their psychological health and well-being); and (3) aspects of the military support and justice process that relate to retention intention, career progression, and separation from military service.

Any Service member (Active or Reserve component) who has experienced sexual assault since joining the military will be eligible to participate in the study. Recruitment for the SVSES will include proactive outreach to Service members who previously filed an unrestricted report for sexual assault and Service members who requested to learn more about the study. The Office of People Analytics (OPA) will administer the SVSES via the web. The survey will be administered online via proprietary software developed by OPA's operations contractor. To reduce respondent burden, these online surveys will use ''smart skip'' technology to ensure respondents only answer questions that are applicable to them.

Information from the SVSES will be used by OUSD(P&R) policy offices, and the Military Departments for program evaluation and to assess and improve personnel policies, programs, practices, and training related to sexual assault in the military. The study will not produce generalizable statistics or findings; rather, it will inform policy and program offices within the DoD about Service member satisfaction with sexual assault response resources and processes and the sexual assault accountability system. OPA will provide interim reports regarding the findings of the study to OUSD(P&R) policy offices on an annual basis and a full report on a biennial basis. Data from the SVSES will also be used in future analyses.

Affected public: Individuals and households.

Annual burden hours: 300.

Number of respondents: 300.

Responses per respondent: 4.

Annual responses: 1,200.

Average burden per response: 15 minutes.

Frequency: Quarterly.

Dated: December 5, 2025.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025–22357 Filed 12–8–25; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF EDUCATION

[Docket ID ED–2025–OPEPD–0022]

Privacy Act of 1974; System of Records

AGENCY: U.S. Department of Education.

ACTION: Notice of a modified system of records.

SUMMARY: In accordance with the Privacy Act of 1974, the U.S. Department of Education (Department) is modifying the systems of records listed in this notice to incorporate a routine use related to investigating potential fraud, waste, and abuse pursuant to Executive Order 14249, ''Protecting America's Bank Account Against Fraud, Waste, and Abuse'' and Office of Management and Budget (OMB) Memorandum M–25–32, ''Preventing Improper Payments and Protecting Privacy Through Do Not Pay.'' This modification addresses the requirement under the Executive Order to establish a routine use that allows for the ''disclosure of records to the Department of the Treasury for the purposes of identifying, preventing, or recouping fraud and improper payments, to the extent permissible by law.''

DATES: Submit your comments on these modified system of records notices on or before January 8, 2026.

The routine use outlined in the section titled ''ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES'' will become applicable on the expiration of the 30-day period of public comment on January 8, 2026, unless they need to be changed as a result of public comment. The Department will publish any significant changes to the systems of records or routine uses resulting from public comment.

ADDRESSES: Comments must be submitted via the Federal eRulemaking Portal at *regulations.gov*. However, if you require an accommodation or cannot otherwise submit your comments via *regulations.gov,* please contact the program contact listed under **FOR FURTHER INFORMATION CONTACT**. The Department will not accept comments submitted by fax or by email, or comments submitted after the comment period closes. To ensure that the Department does not receive duplicate copies, please submit your comments only once. In addition, please include the Docket ID at the top of your comments.

- *Federal eRulemaking Portal:* Go to *www.regulations.gov* to submit your comments electronically. Information on using *Regulations.gov*, including instructions for accessing agency documents, submitting comments, and viewing the docket, is available on the site under ''FAQ''.

Privacy Note: The Department's policy is to make all comments received from members of the public available for public viewing in their entirety on the Federal eRulemaking Portal at *www.regulations.gov.* Therefore, commenters should be careful to include in their comments only information that they wish to make publicly available.

Assistance to Individuals with Disabilities in Reviewing the Rulemaking Record: On request, we will provide an appropriate accommodation or auxiliary aid to an individual with a disability who needs assistance to review the comments or other documents in the public rulemaking record for this notice. If you want to schedule an appointment for this type of accommodation or aid, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

FOR FURTHER INFORMATION CONTACT: Mr. Frank E. Miller, Jr., Senior Agency Official for Privacy, Student Privacy Policy Office, Office of Planning, Evaluation and Policy Development, U.S. Department of Education, 400 Maryland Ave. SW, Washington, DC 20202. Telephone: (202) 453–6631. Email: *Frank.E.Miller@ed.gov.*

If you are deaf, hard of hearing, or have a speech disability and wish to access telecommunications relay services, please dial 7–1–1.

SUPPLEMENTARY INFORMATION: On March 25, 2025, the President of the United States of America issued Executive Order 14249, ''Protecting America's Bank Account from Fraud, Waste, and Abuse,'' directing Federal agencies to share information with the U.S. Department of the Treasury to mitigate fraud, waste, and abuse across the Federal government. Section 3(d) of this Executive Order requires Federal agencies to modify relevant system of records notices to include a routine use allowing for the ''disclosure of records to the Department of the Treasury for the purposes of identifying, preventing, or recouping fraud and improper payments, to the extent permissible by law.''

Subsequently, on August 20, 2025, the Office of Management and Budget (OMB) issued Memorandum M–25–32, ''Preventing Improper Payments and Protecting Privacy Through Do Not Pay,'' clarifying the modifications required to be made to system of records notices under Executive Order 14249. Specifically, M–25–32 requires a routine use be added for any system that may disclose information to the U.S. Department of the Treasury for identifying, preventing, or recouping improper payments by reviewing payment and award eligibility through the Do Not Pay Working System.

The Department is modifying the systems of records identified in this Notice to include the routine use set forth in Section 3(d) of Executive Order 14249 and M–25–32, Appendix I.

Accessible Format: On request to the program contact persons listed under **FOR FURTHER INFORMATION CONTACT**, individuals with disabilities can obtain this document in an accessible format. The Department will provide the requestor with an accessible format that may include Rich Text Format (RTF) or text format (txt), a thumb drive, an MP3 file, braille, large print, audiotape, compact disc, or other accessible format.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations at *www.govinfo.gov.* At this site, you can view this document, as well as all other Department documents published in the **Federal Register**, in text or Portable Document Format (PDF). To use PDF, you must have Adobe Acrobat Reader, which is available free at the site.

You may also access Department documents published in the **Federal Register** by using the article search feature at *www.federalregister.gov.* Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Murray Bessette,

Acting Assistant Secretary, Office of Planning, Evaluation, and Policy Development.

For the reasons discussed in the preamble, the Acting Assistant Secretary, Office of Planning, Evaluation, and Policy Development of the U.S. Department of Education (Department) publishes a modified system of records notice, as follows:

SYSTEM NAME AND NUMBER:

The systems of records to be modified by including the new routine use described in this notice are listed below. An asterisk (*) designates the last publication of the complete document in the **Federal Register**. Any history prior to the last publication in the **Federal Register** is omitted for clarity.

SORN No.	SORN name	FR citation
18–04–04	Education Central Automated Processing System (EDCAPS)	80 FR 80331, 64 FR 30114.*
18–11–17	Financial Management System (FMS)	73 FR 179.*

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

The appropriate Department program, as identified in each notice listed above, governs each respective system of records.

SYSTEM MANAGER(S):

The applicable program executive is identified in each notice listed above.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

In addition to disclosures generally permitted under 5 U.S.C. 552a(b), all or a portion of the records or information contained in the systems identifier above may be disclosed outside the Department pursuant to 5 U.S.C. 552a(b)(3) as follows: ''To the U.S. Department of the Treasury when disclosure of the information is relevant to review payment and award eligibility through the Do Not Pay Working System for the purposes of identifying, preventing, or recouping improper payments to an applicant for, or recipient of, Federal funds, including funds disbursed by a state (meaning a state of the United States, the District of Columbia, a territory or possession of the United States, or a federally recognized Indian tribe) in a state-administered, federally funded program.''

HISTORY:

See the notice for the systems listed above.

[FR Doc. 2025–22310 Filed 12–8–25; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 5223–040]

International Falls Power Company; Notice of Application Tendered for Filing With the Commission and Soliciting Additional Study Requests and Establishing Procedural Schedule for Relicensing and a Deadline for Submission of Final Amendments

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.:* 5223–040.

c. *Date filed:* November 24, 2025.

d. *Applicant:* International Falls Power Company.

e. *Name of Project:* International Falls Hydroelectric Project (project).

f. *Location:* The project is located on the Rainy River in Koochiching and St. Louis Counties, Minnesota.

g. *Filed Pursuant to:* Federal Power Act 16 U.S.C. 791 (a)–825(r).

h. *Applicant Contact:* Mr. Robert Pflederer Assistant Superintendent—Power/Recovery PCA—International Falls, MN, 400 2nd Street International Falls, MN 56649; telephone: 218–324–3931; or email: *RobertPflederer@packagingcorp.com.*

i. *FERC Contact:* Colleen Corballis at (202) 502–8598; or email at *colleen.corballis@ferc.gov.*

j. *Cooperating agencies:* Federal, state, local, and tribal agencies with jurisdiction and/or special expertise with respect to environmental issues that wish to cooperate in the preparation of the environmental document should follow the instructions for filing such requests described in item l below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of the environmental document cannot also intervene. See, 94 FERC ¶ 61,076 (2001).

k. Pursuant to section 4.32(b)(7) of 18 CFR of the Commission's regulations, if any resource agency, Indian Tribe, or person believes that an additional scientific study should be conducted in order to form an adequate factual basis for a complete analysis of the application on its merit, the resource agency, Indian Tribe, or person must file a request for a study with the Commission not later than 60 days from the date of filing of the application, and serve a copy of the request on the applicant.

l. *Deadline for filing additional study requests and requests for cooperating agency status:* on or before 5:00 p.m. Eastern Time on January 23, 2026.

The Commission strongly encourages electronic filing. Please file additional study requests and requests for cooperating agency status using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 10,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp.* For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, please send a paper copy via U.S. Postal Service to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include docket number P–5223–040.

m. The application is not ready for environmental analysis at this time.

n. *The project consists of:* (1) a 48,296.3-acre impoundment (Rainy Lake) having a storage capacity of 1,545,482 acre-feet at elevation 1,108.1 feet mean sea level; (2) a 170-foot-long masonry overflow gravity section; (3) a 215-foot-long powerhouse integral with the dam containing seven turbine-generator units with a total installed capacity of 14.45 megawatts; (4) 6.9-kilovolt generator leads connecting the project to the non-project International Falls Mill; and (5) appurtenant facilities.

The project is operated pursuant to the orders of the International Joint Commission, established by the Boundary Waters Treaty of 1909 between the United States of America (U.S.A) and Canada. The project dam spans between the U.S.A. and Canada, but the project boundary only encompasses the U.S.A. side of the dam.

o. In addition to publishing the full text of this notice in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this notice, as well as other documents in the proceeding (*e.g.,* license application) via the internet through the Commission's Home Page (*http://www.ferc.gov*) using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document (P–5223). For assistance, contact FERC at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY).

You may also register online at *https://ferconline.ferc.gov/FERCOnline.aspx* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

p. 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.*

q. *Procedural schedule and final amendments:* The application will be processed according to the following preliminary schedule. Revisions to the schedule will be made as appropriate.

Milestone	Target date
Issue Deficiency Letter and Request Additional Information.	March 2026.
Issue Acceptance Letter and Notice.	June 2026.
Issue Scoping Notice	June 2026.
Scoping Comments due	July 2026.
Issue Ready for Environmental Analysis Notice.	August 2026.

r. Final amendments to the application must be filed with the Commission no later than 30 days from the issuance date of the notice of ready for environmental analysis.

(Authority: 18 CFR 2.1)

Dated: December 4, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–22342 Filed 12–8–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP26–32–000]

Florida Gas Transmission Company, LLC; Notice of Request Under Blanket Authorization and Establishing Intervention and Protest Deadline

Take notice that on November 25, 2025, Florida Gas Transmission Company, LLC (FGT), 1300 Main St., Houston, Texas 77002, filed in the above referenced docket, a prior notice request pursuant to sections 157.205 and 157.208(f)(2) of the Commission's regulations under the Natural Gas Act (NGA), and FGT's blanket certificate issued in Docket No. CP82–553–000, for authorization to reduce the permanent Maximum Allowable Operating Pressure (MAOP) of FGT's West Palm Beach delivery facilities. All of the affected facilities are located in Palm Beach County, Florida (West Palm Beach MAOP Reduction Project or Project). The Project will not involve the construction or modification of any facilities and will allow FGT to maintain compliance with the Pipeline and Hazardous Materials Safety Administration (PHMSA) regulations, and provide more efficient operations, 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 Iain Russell, Senior Manager of Certificates, Florida Gas Transmission Company, LLC, 1300 Main St., Houston, Texas 77210, by phone at (713) 989–2615, or by email at *iain.russell@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 person [2] or the Commission's 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 Procedure [4] and the regulations under the NGA [5] 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 CP26–32–000 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''; or [6]

(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 CP26–32–000.

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 method: 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: Iain Russell, Senior Manager of Certificates, 1300 Main St., Houston, Texas 77210–4967, or by email (with a link to the document) at *iain.russell@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

[1] 18 CFR 157.205.

[2] Persons include individuals, organizations, businesses, municipalities, and other entities. 18 CFR 385.102(d).

[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.

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 4, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–22341 Filed 12–8–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP26–278–000.

Applicants: Transcontinental Gas Pipe Line Company, LLC.

Description: § 4(d) Rate Filing: Rate Schedule GSS LSS Tracker Filing effective 11/1/2025 to be effective 11/1/2025.

Filed Date: 12/3/25.

Accession Number: 20251203–5177.

Comment Date: 5 p.m. ET 12/15/25.

Docket Numbers: RP26–279–000.

Applicants: Spire MoGas Pipeline LLC.

Description: § 4(d) Rate Filing: Spire MoGas Merger Compliance Filing to be effective 1/1/2026.

Filed Date: 12/3/25.

Accession Number: 20251203–5179.

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.

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.

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 4, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–22334 Filed 12–8–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 9340–037]

Kezar Falls Hydro, LLC; Notice of Intent To File License Application, Filing of Pre-Application Document, and Approving Use of Traditional Licensing Process

a. *Type of Filing:* Notice of Intent to File License Application and Request to Use the Traditional Licensing Process.

b. *Project No.: 9340–037.*

c. *Date Filed:* September 30, 2025.

d. *Submitted By:* Kezar Falls Hydro, LLC (Kezar Falls Hydro).

e. *Name of Project:* Kezar Falls Hydropower Project (project).

f. *Location:* On the Ossipee River in York and Oxford counties, Maine.

g. *Filed Pursuant to:* 18 CFR5.3 of the Commission's regulations.

h. *Potential Applicant Contact:* Jody Smet, Kezar Falls Hydro, LLC, 7315 Wisconsin Avenue, Suite 1100W Bethesda, MD 20814; Phone at (804) 382–1764 or email at *jody.smet@eaglecreekre.com.*

i. *FERC Contact:* Brandi Welch-Acosta at (202) 502–8838 or at *Brandi.Welch-Acosta@ferc.gov.*

j. Kezar Falls Hydro filed its request to use the Traditional Licensing Process on September 30, 2025. Kezar Falls Hydro provided public notice of its request on October 15, 2025. In a letter dated December 4, 2025, the Director of the Division of Hydropower Licensing approved Kezar Falls Hydro's request to use the Traditional Licensing Process.

k. With this notice, we are initiating informal consultation with the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service (NMFS) under section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 CFR, Part 402; and NMFS under section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act and implementing regulations at 50 CFR 600.920. We are also initiating consultation with the Maine State Historic Preservation Officer, as required by section 106, National Historic Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.

l. With this notice, we are designating Kezar Falls Hydro as the Commission's non-federal representative for carrying out informal consultation pursuant to section 7 of the Endangered Species Act and section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act; and consultation pursuant to section 106 of the National Historic Preservation Act.

m. Kezar Falls Hydro filed a Pre-Application Document (PAD; including a proposed process plan and schedule) with the Commission, pursuant to 18 CFR 5.6 of the Commission's regulations.

n. A copy of the PAD may be viewed and/or printed on the Commission's website (*http://www.ferc.gov*), using the ''eLibrary'' link. Enter the docket number, excluding the last three digits, in the docket number field to access the document (P–9340). For assistance, contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY).

You may register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

o. The licensee states its unequivocal intent to submit an application for a subsequent license for Project No. 9340. Pursuant to 18 CFR 16.8, 16.9, and 16.10, each application for a subsequent license and any competing license applications must be filed with the Commission at least 24 months prior to the expiration of the existing license. All applications for license for this project must be filed by September 30, 2028.

p. 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.*

(Authority: 18 CFR 2.1)

Dated: December 4, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–22345 Filed 12–8–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 15055–001]

Northern States Power Company; Notice of Availability of Environmental Assessment

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's (Commission) regulations, 18 CFR part 380, the Office of Energy Projects has reviewed the application for an original license to operate and maintain the existing, unlicensed Gile Flowage Storage Reservoir Project No. 15055 (project). The project is located on the West Fork of the Montreal River in Iron County, Wisconsin. Commission staff has prepared an Environmental Assessment (EA) for the project.[1]

The EA contains staff's analysis of the potential environmental impacts of the project and concludes that licensing the project, with appropriate environmental protective measures, would not constitute a major federal action that would significantly affect the quality of the human environment.

The Commission provides all interested persons with an opportunity to view and/or print the EA via the internet through the Commission's Home Page (*http://www.ferc.gov/*), using the ''eLibrary'' link. Enter the docket number, excluding the last three digits in the docket number field, to access the document. For assistance, contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* or at (866) 208–3676 (toll-free), or (202) 502–8659 (TTY).

You may also register online at *https://ferconline.ferc.gov/FERCOnline.aspx* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

Any comments should be filed on or before 5:00 p.m. Eastern Time on January 5, 2026.

The Commission strongly encourages electronic filing. Please file comments using the Commission's eFiling system at *https://ferconline.ferc.gov/FERCOnline.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. In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include docket number P–15055–001.

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 Nicholas Ettema by telephone at (312) 596–4447 or by email at *nicholas.ettema@ferc.gov.*

(Authority: 18 CFR 2.1)

Dated: December 4, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–22353 Filed 12–8–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2077–130]

Great River Hydro, LLC; Notice of Application for Temporary Variance Accepted for Filing, Soliciting Comments, Motions To Intervene, and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Application Type:* Non-capacity Amendment.

b. *Project No:* 2077–130.

c. *Date Filed:* November 12, 2025.

d. *Applicant:* Great River Hydro, LLC.

e. *Name of Project:* Fifteen Mile Falls Hydroelectric Project.

f. *Location:* The project is located on the Connecticut River near the Town of Littleton in Grafton County, New Hampshire, and Caledonia County, Vermont.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a–825r.

h. *Applicant Contact:* Jennifer Griffin, Great River Hydro, LLC, 2 Killeen Street, North Walpole, NH 03609, *jgriffin@greatriverhydro.com,* (603) 445–6806.

i. *FERC Contact:* Erik Hazelton, (212) 273–5911, *erik.hazelton@ferc.gov.*

j. *Cooperating agencies:* With this notice, the Commission is inviting federal, state, local, and Tribal agencies with jurisdiction and/or special expertise with respect to environmental issues affected by the proposal, that wish to cooperate in the preparation of any environmental document, if applicable, to follow the instructions for filing such requests described in item k below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of any environmental document cannot also intervene. *See* 94 FERC ¶ 61,076 (2001).

k. *Deadline for filing comments, motions to intervene, and protests:* January 5, 2026 5:00 p.m. Eastern Time.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp.* For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852. The first page of any filing should include the docket number P–2077–130. Comments emailed to Commission staff are not considered part of the Commission record.

The Commission's Rules of Practice and Procedure require all intervenors

[1] For tracking purposes under the National Environmental Policy Act, the unique identification number for documents relating to this environmental review is EAXX–019–20–000–1746004712.

filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

m. *Description of Request:* Due to drought conditions, the license proposes to temporarily amend the minimum flow requirements at the Comerford Development to preserve the depleted storage capacity of its upstream Moore reservoir, which may prevent future flow reductions if the drought worsens. With the proposed modifications to operations at the Comerford Development, the minimum flow would be decreased from 1,145 cubic feet per second (cfs) to 600 cfs, from September 29, 2025, to January 31, 2026. The licensee would increase flows from Comerford to 1,145 cfs prior to January 31, 2026, when sufficient precipitation refills Moore Reservoir to its median elevation of 805 feet mean sea level.

n. *Locations of the Application:* This filing may be viewed on the Commission's website at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1–866–208–3676 or email *FERCOnlineSupport@ferc.gov,* for TTY, call (202) 502–8659. Agencies may obtain copies of the application directly from the applicant.

o. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

p. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214, respectively. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

q. *Filing and Service of Documents:* Any filing must (1) bear in all capital letters the title ''COMMENTS'', ''PROTEST'', or ''MOTION TO INTERVENE'' as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person commenting, protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. Any filing made by an intervenor must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

r. 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.*

(Authority: 18 CFR 2.1)

Dated: December 4, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–22347 Filed 12–8–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG26–88–000.
Applicants: Raven Storage, LLC.
Description: Raven Storage, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.
Filed Date: 12/4/25.
Accession Number: 20251204–5025.
Comment Date: 5 p.m. ET 12/26/25.

Docket Numbers: EG26–89–000.
Applicants: Bee Hollow Solar, LLC.
Description: Bee Hollow Solar, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.
Filed Date: 12/4/25.
Accession Number: 20251204–5026.
Comment Date: 5 p.m. ET 12/26/25.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER26–41–000; ER26–42–000; ER26–43–000; ER26–44–000; ER26–45–000; ER26–46–000; ER26–47–000; ER26–48–000.
Applicants: Wildwood Energy Storage, LLC, Tuscola Wind Energy II, LLC, Pheasant Run Wind Energy, LLC, Heartland Divide Wind Energy, LLC, Greer Energy Storage, LLC, Delta Bobcat Energy Storage, LLC, Butler Ridge Wind, LLC, Big Cypress Energy Storage, LLC.
Description: Supplement to 10/06/2025, Big Cypress Energy Storage, LLC, et al. tariff filing.
Filed Date: 11/26/25.
Accession Number: 20251126–5482.
Comment Date: 5 p.m. ET 12/8/25.

Docket Numbers: ER26–591–001.
Applicants: PJM Interconnection, L.L.C.
Description: Tariff Amendment: Amendment of Notice of Cancellation, SA No. 7033; AF2–166 in Docket ER26–591–000 to be effective 1/24/2026.
Filed Date: 12/4/25.
Accession Number: 20251204–5106.
Comment Date: 5 p.m. ET 12/26/25.

Docket Numbers: ER26–595–001.
Applicants: PJM Interconnection, L.L.C.
Description: Tariff Amendment: Amendment of Notice of Cancellation, SA No. 6705; AE1–056 in Docket ER26–595–001 to be effective 1/24/2026.
Filed Date: 12/4/25.
Accession Number: 20251204–5140.
Comment Date: 5 p.m. ET 12/26/25.

Docket Numbers: ER26–637–001.
Applicants: Pineview Solar, LLC.
Description: Tariff Amendment: Supplement to Market-Based Rate to be effective 1/14/2026.
Filed Date: 12/3/25.
Accession Number: 20251203–5215.
Comment Date: 5 p.m. ET 12/24/25.

Docket Numbers: ER26–655–000.
Applicants: PJM Interconnection, L.L.C.
Description: § 205(d) Rate Filing: Notice of Cancellation of WMPA, Service Agreement No. 7301; Queue No. AG1–210 to be effective 2/3/2026.
Filed Date: 12/4/25.
Accession Number: 20251204–5037.
Comment Date: 5 p.m. ET 12/26/25.

Docket Numbers: ER26–656–000.
Applicants: Midcontinent Independent System Operator, Inc., Ameren Illinois Company.
Description: § 205(d) Rate Filing: Ameren Illinois Company submits tariff filing per 35.13(a)(2)(iii: 2025–12–04_SA 3131 Ameren Illinois-SWECI Project Spec No. 3 Collinsville Canteen to be effective 2/3/2026.
Filed Date: 12/4/25.
Accession Number: 20251204–5047.
Comment Date: 5 p.m. ET 12/26/25.

Docket Numbers: ER26–657–000.
Applicants: Midcontinent Independent System Operator, Inc.

Description: § 205(d) Rate Filing: 2025–12–04_SA 4602 ATC-Red Oak Ridge Energy GIA (E0012) to be effective 12/1/2025.

Filed Date: 12/4/25.

Accession Number: 20251204–5060.

Comment Date: 5 p.m. ET 12/26/25.

Docket Numbers: ER26–659–000.

Applicants: Duke Energy Carolinas, LLC.

Description: Tariff Amendment: DEC–DEC Termination of Provisional Interconnection Study Agreement and PLGIA to be effective 2/3/2026.

Filed Date: 12/4/25.

Accession Number: 20251204–5138

Comment Date: 5 p.m. ET 12/26/25.

Docket Numbers: ER26–660–000.

Applicants: RBC EP 2 Inc.

Description: Initial Rate Filing: Application for Market Based Rate to be effective 2/3/2026.

Filed Date: 12/4/25.

Accession Number: 20251204–5141.

Comment Date: 5 p.m. ET 12/26/25.

Docket Numbers: ER26–661–000.

Applicants: Northern States Power Company, a Minnesota corporation.

Description: § 205(d) Rate Filing: 2025–12–4 O&M Agreements-NSP to be effective 2/3/2026.

Filed Date: 12/4/25.

Accession Number: 20251204–5151.

Comment Date: 5 p.m. ET 12/26/25.

Docket Numbers: ER26–662–000.

Applicants: RBC EP 1 Inc.

Description: Initial Rate Filing: Application for Market Based Rate Authority to be effective 2/3/2026.

Filed Date: 12/4/25.

Accession Number: 20251204–5155.

Comment Date: 5 p.m. ET 12/26/25.

Docket Numbers: ER26–663–000.

Applicants: Southwestern Public Service Company.

Description: § 205(d) Rate Filing: 2025–12–4 SPS O&M Agrmt to be effective 2/3/2026.

Filed Date: 12/4/25.

Accession Number: 20251204–5160.

Comment Date: 5 p.m. ET 12/26/25.

Docket Numbers: ER26–664–000.

Applicants: Public Service Company of Colorado.

Description: § 205(d) Rate Filing: 2025–12–4 O&M Agreements-PSCo to be effective 2/3/2026.

Filed Date: 12/4/25.

Accession Number: 20251204–5163.

Comment Date: 5 p.m. ET 12/26/25.

Docket Numbers: ER26–665–000.

Applicants: Tucson Electric Power Company.

Description: § 205(d) Rate Filing: Rate Schedule No. 360 to be effective 12/5/2025.

Filed Date: 12/4/25.

Accession Number: 20251204–5173.

Comment Date: 5 p.m. ET 12/26/25.

Take notice that the Commission received the following public utility holding company filings:

Docket Numbers: PH26–3–000.

Applicants: AlphaStruxure ProjectHoldCo, L.P.

Description: AlphaStruxure ProjectHoldCo, L.P. submits FERC–65A Notice of Change in Fact to Waiver Notification.

Filed Date: 12/3/25.

Accession Number: 20251203–5218.

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 4, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–22333 Filed 12–8–25; 8:45 am]

BILLING CODE 6717–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0053; FR ID 320925]

Information Collection Being Reviewed by the Federal Communications Commission Under Delegated Authority

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

The FCC may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid Office of Management and Budget (OMB) control number.

DATES: Written PRA comments should be submitted on or before February 9, 2026. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Nicole Ongele, FCC, via email *PRA@fcc.gov* and to *nicole.ongele@fcc.gov.*

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Nicole Ongele, (202) 418–2991.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060–0053.

Title: Experimental Authorization Applications—FCC Form 702, Consent to Assign an Experimental Authorization; and FCC Form 703, Consent to Transfer Control of Corporation Holding Station License.

Form Nos.: FCC Form 702 and 703.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit and not-for-profit institutions.

Number of Respondents and Responses: 40 respondents; 40 responses.

Estimated Time per Response: 0.6 hours (36 minutes).

Frequency of Response: On occasion reporting requirement and third party disclosure requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection is contained in *47 U.S.C. 154, 302* and *303*.

Total Annual Burden: 24 hours.

Total Annual Cost: $5,600.

Needs and Uses: This information collection will be submitted as an extension (no change in reporting requirement) after this 60-day comment period to the Office of Management and Budget (OMB) to obtain the three year clearance from them.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2025–22287 Filed 12–8–25; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0065, OMB 3060–1015; FR ID 320927]

Information Collections Being Reviewed by the Federal Communications Commission Under Delegated Authority

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

The FCC may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid Office of Management and Budget (OMB) control number.

DATES: Written PRA comments should be submitted on or before February 9, 2026. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Nicole Ongele, FCC, via email *PRA@fcc.gov* and to *nicole.ongele@fcc.gov.*

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Nicole Ongele, (202) 418–2991.

OMB Control Number: 3060–0065.

Title: Applications for New Authorization or Modification of Existing Authorization Under Part 5 of the FCC Rules-Experimental Radio Service.

Form Number: FCC Form 442.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit; not-for-profit institutions, individuals or households, state, local or tribal government.

Number of Respondents and Responses: 405 respondents; 655 responses.

Estimated Time per Response: 15 hours.

Frequency of Response: On occasion reporting requirements; recordkeeping requirements; and third party disclosure requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. 4, 302, 303, 307 and 336 of the Communications Act of 1934, as amended.

Total Annual Burden: 3,474 hours.

Total Annual Cost: $88,100.

Needs and Uses: The Commission will submit this information collection to the Office of Management and Budget (OMB) after this 60-day comment period to obtain the three-year clearance.

The Spectrum Horizons License will be available for experiments and demonstrations of equipment designed to operate exclusively on any frequency above 95 GHz.

OMB Control Number: 3060–1015.

Title: Section 15.525—Ultra Wideband Transmission Systems Operating Under Part 15.

Form No.: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit, Not-for-profit institutions.

Number of Respondents and Responses: 20 respondents; 20 responses.

Estimated Time per Response: 1 hour.

Frequency of Response: One-time, on occasion reporting requirements; and third party disclosure requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection is contained in the 47 U.S.C. 154, 302a, 303, 304, 307, 336, 544a. and 549.

Total Annual Burden: 20 hours.

Total Annual Cost: $1,000.

Needs and Uses: This collection will be submitted as an extension after this 60-day comment period to the Office of Management and Budget (OMB) in order to obtain the full three-year clearance.

The Commission rules in 47 CFR part 15, § 15.525 requires operators of the Ultra-Wideband (UWB) imaging systems to coordinate with other Federal agencies via the FCC and to obtain approval before the UWB equipment may be used. Initial operation in a particular area may not commence until the information has been sent to the Commission and no prior approval is required. The information will be used to coordinate the operation of the Ultra-Wideband transmission systems in order to avoid interference with sensitive U.S. government radio systems. The UWB operators will be required to provide name, address and other pertinent contact information of the user, the desired geographical area of operation, and the FCC ID number, and other nomenclature of the UWB device. This information will be collected by the Commission and forwarded to the National Telecommunications and Information Administration (NTIA) under the U.S. Department of Commerce. This information collection is essential to controlling potential interference to Federal radio communications. Since initial operation in a particular area does not require approval from the FCC to operate the equipment.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2025–22288 Filed 12–8–25; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL DEPOSIT INSURANCE CORPORATION

[OMB No. 3064–0046; –0118; –0174; –0188]

Agency Information Collection Activities: Proposed Collection Renewal; Comment Request

AGENCY: Federal Deposit Insurance Corporation.

ACTION: Notice and request for comment.

SUMMARY: The Federal Deposit Insurance Corporation (FDIC), as part of its obligations under the Paperwork Reduction Act of 1995 (PRA), invites the general public and other Federal agencies to take this opportunity to comment on the renewal of the existing information collections described below (OMB Control No. 3064–0046; –0118; –0174 and –0188).

DATES: Comments must be submitted on or before February 9, 2026.

ADDRESSES: Interested parties are invited to submit written comments to the FDIC by any of the following methods:

- *Agency Website: https://www.fdic.gov/resources/regulations/federal-register-publications/.*
- *Email: comments@fdic.gov.* Include the name and number of the collection in the subject line of the message.
- *Mail:* Robert Meiers, Regulatory Counsel, MB–3013, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.
- *Hand Delivery:* Comments may be hand-delivered to the guard station at the rear of the 17th Street NW building (located on F Street NW), on business days between 7 a.m. and 5 p.m.

All comments should refer to the relevant OMB control number. A copy of the comments may also be submitted to the OMB desk officer for the FDIC: Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Robert Meiers, Regulatory Counsel, 703–562–6414, *romeiers@fdic.gov,* MB–3013, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.

SUPPLEMENTARY INFORMATION: Proposal to renew the following currently approved collection of information:

1. *Title:* Home Mortgage Disclosure (HMDA).

OMB Number: 3064–0046.

Form Number: N/A.

Affected Public: Insured State nonmember banks.

Burden Estimate:

SUMMARY OF ESTIMATED ANNUAL BURDEN

[OMB No. 3064–0046]

Information collection (IC) (obligation to respond)	Type of burden (frequency of response)	Number of respondents	Number of responses per respondent	Average time per response (HH:MM)	Annual burden (hours)
Full Data—HMDA (12 CFR 1003.4(a) and 1003.5(a)(3)).	Reporting (Annual)	353	1237	00:35	254,719
Partial Data—HMDA (12 CFR 1003.4(a) and 1003.5(a)(3)).	Reporting (Annual)	1,078	170	00:20	61,087
Retain copy of LAR for at least three years (12 CFR 1003.5(a)(1)(i)).	Recordkeeping (Annual)	1,431	1	00:30	716
Make the written notices required under 12 CFR 1003.5(b)(2) and 1003.5(c)(1) available for five and three years, respectively (12 CFR 1003.5(d)(1)).	Recordkeeping (Annual)	1,431	1	00:10	239
Record LAR data within 30 days after the end of the calendar quarter in which final action is taken (New reporters) (12 CFR 1003.4(f)).	Recordkeeping (One time).	192	1	12:00	2,304
Record LAR data within 30 days after the end of the calendar quarter in which final action is taken (All reporters) (12 CFR 1003.4(f)).	Recordkeeping (Quarterly).	1,431	4	01:30	8,586
Provide written notice upon request that the FFIEC disclosure statement is available on the CFPB's website (12 CFR 1003.5(b)(2)).	Third-party Disclosure (Annual).	1,431	1	00:30	716
Provide written notice upon request that the institution's modified LAR is available on the CFPB's website (12 CFR 1003.5(c)(1)).	Third-party Disclosure (On Occasion).	1,431	1	00:30	716
Make the FFIEC disclosure statement and/or modified LAR available to the public directly through the institution (12 CFR 1003.5(d)(2)).	Third-party Disclosure (On Occasion).	72	1	01:00	72
General notice of availability of HMDA data in lobby of home office and each branch office located in each MSA and each MD (12 CFR 1003.5(e)).	Third-party Disclosure (One time).	192	1	01:00	192
Total Annual Burden (Hours)	.....	.....	.....	.....	*329,347*

Source: FDIC.

General Description of Collection: The Board of Governors of the Federal Reserve System promulgated Regulation C, 12 CFR part 203, to implement the HMDA, 12 U.S.C. 2801–2810. Regulation C requires depository institutions that meet its asset-size threshold to maintain data about home loan applications (the type of loan requested, the purpose of the loan, whether the loan was approved, and the type of purchaser if the loan was later sold), to update the information quarterly, and to report the information annually. Pursuant to Regulation C, insured State nonmember banks supervised by the FDIC with assets over a certain dollar threshold must collect,

record, and report data about home loan applications. The total estimated annual burden for this information collection is 329,347 hours. This represents a 44-percent decrease from the 2022 information collection. The decrease is driven by a reduction in the estimated number of responses per respondent.

2. *Title:* Management Official Interlocks.

OMB Number: 3064–0118.

Form Number: N/A.

Affected Public: Insured State nonmember banks and State savings associations.

Burden Estimate:

SUMMARY OF ESTIMATED ANNUAL BURDEN

[OMB No. 3064–0118]

Information collection (IC) (obligation to respond)	Type of burden (frequency of response)	Number of respondents	Number of responses per respondent	Average time per response (HH:MM)	Annual burden (hours)
1. Management Official Interlocks (Mandatory)	Reporting (On Occasion).	3	1	09:00	27
2. Management Official Interlocks (Mandatory)	Recordkeeping (On Occasion).	3	1	06:00	18
Total Annual Burden (Hours)					*45*

Source: FDIC.

General Description of Collection: The FDIC's Management Official Interlocks regulation, 12 CFR part 348, which implements the Depository Institutions Management Interlocks Act (DIMIA), 12 U.S.C. 3201–3208, generally prohibits bank management officials from serving simultaneously with two unaffiliated depository institutions or their holding companies but allows the FDIC to grant exemptions in appropriate circumstances. Consistent with DIMIA, the FDIC's Management Official Interlocks regulation has an application requirement for information specified in the FDIC's procedural regulation. The rule also contains a notification requirement. There is no change in the method or substance of the collection. The increase of 38 hours from 7 in 2023 to the current estimate of 45 hours is due to an increase in respondents and revised estimates of time per response for applications and recordkeeping.

3. *Title:* Funding and Liquidity Risk Management.

OMB Number: 3064–0174.

Form Number: N/A.

Affected Public: Businesses or other for-profits.

Burden Estimate:

SUMMARY OF ESTIMATED ANNUAL BURDEN

[OMB No. 3064–0174]

Information collection (IC) (obligation to respond)	Type of burden (frequency of response)	Number of respondents	Number of responses per respondent	Average time per response (HH:MM)	Annual burden (hours)
Strategies, Policies, Procedures, and Risk Tolerances (Voluntary).	Recordkeeping (Annual)	2,854	1	6:45	19,265
Liquidity Risk Measurement, Monitoring, and Reporting (Voluntary).	Recordkeeping (Monthly).	2,854	12	9:30	325,356
Total Annual Burden (Hours)					*344,621*

Source: FDIC.

General Description of Collection: The information collection includes reporting and recordkeeping burdens related to sound risk management principles applicable to insured depository institutions. To enable an institution and its supervisor to evaluate the liquidity risk exposure of an institution's individual business lines and for the institution as a whole, the Interagency Policy Statement on Funding and Liquidity Risk Management (Interagency Statement) summarizes principles of sound liquidity risk management and advocates the establishment of policies and procedures that consider liquidity costs, benefits, and risks in strategic planning. In addition, the Interagency Statement encourages the use of liquidity risk reports that provide detailed and aggregate information on items such as cash flow gaps, cash flow projections, assumptions used in cash flow projections, asset and funding concentrations, funding availability, and early warning or risk indicators. This is intended to enable management to assess an institution's sensitivity to changes in market conditions, the institution's financial performance, and other important risk factors. There is no change in the substance of this collection. The estimated annual burden for this information collection request (ICR) is 344,621 hours per year. This estimate represents a 32-percent decrease from the 2023 ICR estimate of 503,881 hours per year. The decrease is driven by the change in methodology for estimating the burden for each response.

4. *Title:* Appraisals for Higher-Priced Mortgage Loans.

OMB Number: 3064–0188.

Form Number: N/A.

Affected Public: Insured State nonmember banks and State savings associations.

Burden Estimate:

SUMMARY OF ESTIMATED ANNUAL BURDEN
[OMB No. 3064–0188]

Information collection (IC) (obligation to respond)	Type of burden (frequency of response)	Number of respondents	Number of responses per respondent	Average time per response (HH:MM)	Annual burden (hours)
1. Disclose to applicant that the IDI may obtain an appraisal for the property, 12 CFR 1026.35(c)(5)(i) (Mandatory).	Disclosure (On Occasion).	2,743	10.25	00:01	469
2. Provide copy of written appraisal to the consumer, 12 CFR 1026.35(c)(6)(i) (Mandatory).	Disclosure (On Occasion).	2,743	11.03	00:08	4,034
3. Provide documentation of property value to the consumer in lieu of an appraisal, 12 CFR 1026.35(c)(2)(viii)(B) (Mandatory).	Disclosure (On Occasion).	2,743	5.07	00:05	1,159
Total Annual Burden (Hours)					*5,662*

Source: FDIC.

General Description of Collection: Section 1471 of the Dodd-Frank Act established a new Truth in Lending section 129H, which contains appraisal requirements applicable to higher-risk mortgages and prohibits a creditor from extending credit in the form of a higher-risk mortgage loan to any consumer without meeting those requirements. A higher-risk mortgage is defined as a residential mortgage loan secured by a principal dwelling with an annual percentage rate that exceeds the average prime offer rate for a comparable transaction as of the date the interest rate is set by certain enumerated percentage point spreads. The rule requires that, within three days of application, a creditor provide a disclosure that informs consumers regarding the purpose of the appraisal, that the creditor will provide the consumer a copy of any appraisal, and that the consumer may choose to have a separate appraisal conducted at the expense of the consumer. If a loan meets the definition of a higher-risk mortgage loan, then the creditor would be required to obtain a written appraisal prepared by a certified or licensed appraiser who conducts a physical visit of the interior of the property that will secure the transaction and send a copy of the written appraisal to the consumer. To qualify for the safe harbor provided under the rule, a creditor is required to review the written appraisal as specified in the text of the rule and appendix A. If a loan is classified as a higher-risk mortgage loan that will finance the acquisition of the property to be mortgaged, and the property was acquired within the previous 180 days by the seller at a price that was lower than the current sale price, then the creditor is required to obtain an additional appraisal. A creditor is required to provide the consumer a copy of the appraisal reports performed in connection with the loan, without charge, at least days prior to consummation of the loan. There is no change in the method or substance of the collection. The decrease of 1,750 hours from 7,412 in 2022 to the current estimate of 5,662 hours is due to a decrease in respondents and number of responses per respondent.

Request for Comment

Comments are invited on (a) whether the collections of information are necessary for the proper performance of the FDIC's functions, including whether the information has practical utility; (b) the accuracy of the estimates of the burden of the information collections, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collections of information on respondents, including through the use of automated collection techniques or other forms of information technology. All comments will become a matter of public record.

Federal Deposit Insurance Corporation.

Dated at Washington, DC, on December 5, 2025.

Jennifer M. Jones,

Deputy Executive Secretary.

[FR Doc. 2025–22359 Filed 12–8–25; 8:45 am]

BILLING CODE 6714–01–P

FEDERAL MARITIME COMMISSION

[Docket No. 25–28]

Cool Living LLC, Complainant v. ALPI U.S.A., Inc. and ALPI Air & Sea A/S, Respondents; Notice of Filing of Complaint and Assignment

Notice is given that a complaint has been filed with the Federal Maritime Commission (the ''Commission'') by Cool Living LLC (the ''Complainant'') against ALPI U.S.A., Inc. and ALPI Air & Sea A/S (the ''Respondents''). Complainant states that the Commission has subject-matter jurisdiction over this Complaint pursuant to the Shipping Act of 1984, 46 U.S.C. 40101, *et seq.* and personal jurisdiction over Respondents as non-vessel-operating ''common carriers'' as defined in 46 U.S.C. 40102(7), (17), and (20).

Complainant is a member-managed limited liability company organized and existing under the laws of the state of Delaware with its principal place of business in Barcelona, Spain.

Complainant identifies Respondent ALPI U.S.A., Inc. as a corporation organized under the laws of the state of New York with its principal place of business in Valley Stream, New York.

Complainant identifies Respondent ALPI Air & Sea A/S as a corporation organized under the laws of the country of Denmark with its principal place of business in Herning, Denmark.

Complainant alleges that Respondents violated 46 U.S.C. 41102(c); 41104(a)(2)(A), (a)(4)(E), and (a)(14); and 46 CFR 532.5. Complainant alleges these violations arose from Respondents' opaque rate and invoicing practices, refusal to engage in dispute resolution processes with Complainant, use of coercion by way of cargo holds on unrelated shipments in order to compel payment of disputed charges, and other acts or omissions by Respondents.

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/25-28/.* This proceeding has been assigned to the Office of Administrative Law Judges. The initial decision of the presiding

judge shall be issued by December 5, 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 5, 2025.

David Eng,

Secretary.

[FR Doc. 2025–22376 Filed 12–8–25; 8:45 am]

BILLING CODE 6730–02–P

FEDERAL RESERVE SYSTEM

[Docket No. OP–1873]

Federal Reserve Bank Services

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Notice.

SUMMARY: The Board of Governors of the Federal Reserve System (Board) has approved the private-sector adjustment factor (PSAF) for 2026 of $34.1 million and the 2026 fee schedules for Federal Reserve priced services and electronic access. These actions were taken in accordance with the Monetary Control Act of 1980 (MCA), which requires that, over the long run, fees for Federal Reserve priced services be established based on all direct and indirect costs, including the PSAF.

DATES: The new fee schedules become effective January 1, 2026.

FOR FURTHER INFORMATION CONTACT: For questions regarding the fee schedules: Ian Spear, Deputy Associate Director, (202) 285–2732; Neha Contractor, Manager, (202) 568–0125; Baran Cansever, Senior Financial Institution Policy Analyst, (202) 580–9880; Division of Reserve Bank Operations and Payment Systems. For questions regarding the PSAF: Casey Clark, Associate Director, (202) 912–7978; Jamie Noonan, Assistant Director, (202) 530–6296; Sarah Skariah, Senior Financial Institution Policy Analyst, (202) 407–2042; Division of Reserve Bank Operations and Payment Systems. For users of TTY–TRS, please call 711 from any telephone, anywhere in the United States. Copies of the 2026 fee schedules for Check Services are available from the Board, the Federal Reserve Banks, or the Federal Reserve Financial Services (FRFS) website at *www.FRBservices.org.*

SUPPLEMENTARY INFORMATION:

I. Overview

As required by the MCA, the Reserve Banks set fees for priced services provided to financial institutions. These fees are set to recover, over the long run, all direct and indirect costs and imputed costs, including financing costs, taxes, and certain other expenses, as well as the return on equity (profit) that would have been earned if a private-sector business provided the services.[1] The imputed costs and imputed profit are collectively referred to as the PSAF.

1. *Cost Recovery*—From 2015 through 2024, the Reserve Banks recovered 103.5 percent of their total expenses (including imputed costs) and targeted after-tax profits or return on equity (ROE) for the mature services. During that period, Check Services, the Fedwire® Funds Service, the National Settlement Service, the Fedwire® Securities Service, and FedACH® Services achieved full cost recovery.

In addition to long-run cost recovery as required by the MCA, the Reserve Banks also seek to manage their cost recovery any given year. For 2025, the Reserve Banks forecast that they will recover 107.8 percent of the costs of providing all mature priced services in 2025 compared with a 2025 budgeted recovery rate of 104.4 percent. The Reserve Banks forecast that each mature service will achieve full cost recovery in 2025 except for Check Services. Check Services are anticipated to recover below 100 percent because of projected declines in volume.

2. *Summary of 2026 Pricing, Project Performance, and PSAF*—The Reserve Banks are making price changes in 2026 in order to offset rising costs, diversify revenue sources, and reduce pricing volatility for customers. These changes generally include modest increases in certain fixed fees for FedACH Services, the Fedwire Funds Service, and FedLine Solutions; decreases to Fedwire Securities Service transfer and maintenance fees considering the service's cost recovery position; and significant increases to paper check fees for Check Services due to continued decline in check volumes. The Reserve Banks are not making any changes to fees for the FedNow® Service. These changes collectively will result in an average price increase of 0.9 percent for customers.

In addition to fee changes, the Reserve Banks will make changes to their service offerings in 2026. First, the Reserve Banks will introduce a new Payee Name Verification tool to support customers in efforts to reduce fraud and misdirected payments. Additionally, the Reserve Banks will sunset three products in 2026: FedComplete® Packages, the Foreign and Canadian Check Service, and FedGlobal® ACH Payments. The Foreign and Canadian Check Service and FedGlobal ACH Payments will be discontinued at the end of 2026 because of declining volumes and rising operational costs. FedComplete Packages will sunset as of January 1, 2026. Lastly, the Reserve Banks will expand eligibility for the FedACH Receipt Discount Program by lowering the required monthly threshold of ACH receipt volume.

Other than those changes discussed in Section II, all other previously approved fees and discounts currently in effect across the Reserve Banks' Check Services, FedACH Services, Fedwire Funds Service, Fedwire Securities Service, National Settlement Service, FedNow Service, and FedLine Solutions will be maintained at this time. For a full list of fees, please refer to the Reserve Banks' published fee schedules available at: *https://www.frbservices.org/resources/fees.*

Based on these pricing changes, the Reserve Banks project a mature priced services cost recovery rate of 108.0 percent in 2026, with a net gain of $53.9 million and targeted ROE of $12.6 million. The Reserve Banks project that each of the individual mature service lines will achieve full cost recovery in 2026 except for Check Services, which is expected to under recover because of projected declines in volume. The primary risk to the Reserve Banks' current projections are unanticipated volume and revenue reductions as well as the potential for cost overruns from infrastructure maintenance and upgrades.

These estimates include a PSAF of $34.1 million.[2] This amount is an

[1] *See* 12 U.S.C. 248a. *See also Principles for the Pricing of Federal Reserve Bank Services,* 46 FR 1338, 1339 (Jan. 6, 1981), available at *https://www.federalreserve.gov/paymentsystems/pfs_principles.htm.* Although the Monetary Control Act does not define ''over the long run,'' the Board has generally measured long-run cost recovery for mature services to be over a 10-year rolling time frame. The Board currently views a 10-year cost recovery expectation as appropriate for assessing mature services, which are those that have achieved a critical mass of customer participation and generally have stable and predictable volumes, costs, and revenues. The 10-year recovery rate is based on the pro forma income statements for Federal Reserve priced services published in the Board's *Annual Report.* In accordance with Accounting Standards Codification (ASC) 715 *Compensation—Retirement Benefits,* the Reserve Banks recognized a $574.5 million cumulative reduction in equity related to the priced services' benefit plans through 2024. Including this cumulative reduction in equity from 2015 to 2024 results in cost recovery of 103.5 percent for the 10-year period. This measure of long-run cost recovery is also published in the Board's *Annual Report.*

[2] The FedNow Service launched in July 2023. Inclusive of the FedNow Service, the PSAF increases to $42.7 million for 2026. Per its 2019 notice entitled Federal Reserve Actions to Support

increase of $2.2 million from the 2025 PSAF of $31.9 million, an increase attributable to a $2.8 million increase in the cost of capital partially offset by a $0.4 million decrease in Board of Governors' expense and a $0.2 million decrease in sales taxes. Additional details on the methodology and computation of this year's PSAF are provided in the included appendix.

Additionally, the Board has published separately a request for information and comment (RFI) on the future of the Reserve Banks' check services, in light of the steady decline in check use, the Reserve Banks' aging check infrastructure, and other factors. The Board will use responses to this RFI to assess possible strategies for the future of the Reserve Banks' check services, including potentially substantial changes that may have longer-run effects on the payments system. Comments are due 90 days after publication.

3. *Data Tables*—The tables below provide additional details for all mature priced services.[3] Table 1 summarizes 2024 actual, 2025 forecast, and 2026 budgeted annual cost recovery rates for all mature priced services. Table 2 provides an overview of cost recovery budgets, forecasts, and performance for the 10-year period from 2015 to 2024, 2024 actual, 2025 budget, 2025 forecast, and 2026 budget by mature priced service.

TABLE 1—AGGREGATE MATURE PRICED SERVICES PRO FORMA COST AND REVENUE PERFORMANCE [a]

[Dollars in millions]

Year	Revenue	Total expense	Net income (ROE)	Targeted ROE	Recovery rate after targeted ROE (%)
	1 [b]	2 [c]	3 [1 − 2]	4 [d]	5 [e] [1/(2 + 4)]
2024 (actual)	$524.3	$464.2	$60.1	$9.7	110.6
2025 (forecast)	543.8	493.7	50.4	10.8	107.8
2026 (budget)	556.0	502.1	53.9	12.6	108.0

[a] Calculations in this table and subsequent pro forma cost and revenue tables may be affected by rounding. Excludes amounts related to the FedNow Service.

[b] Revenue includes imputed income on investments when equity is imputed at a level that meets minimum capital requirements and, when combined with liabilities, exceeds total assets. For 2026, the budgeted revenue assumes implementation of the fee changes.

[c] The calculation of total expense includes operating, imputed, and other expenses. Imputed and other expenses include taxes, Board of Governors priced services expenses, the cost of float, and interest on imputed debt, if any. Credits or debits related to the accounting for pension plans under ASC 715 are also included.

[d] Targeted ROE is the after-tax ROE included in the PSAF.

[e] The recovery rates in this and subsequent tables do not reflect the unamortized gains or losses that must be recognized in accordance with ASC 715. Future gains or losses, and their effect on cost recovery, cannot be projected.

TABLE 2—MATURE PRICED SERVICES COST RECOVERY

[Percent]

Priced service	2015–2024	2024 Actual	2025 Budget [a]	2025 Forecast	2026 Budget [b]
All mature services	103.5	110.6	104.4	107.8	108.0
Check	105.6	104.2	98.2	98.6	95.0
FedACH	101.6	111.7	105.9	110.0	112.8
Fedwire Funds and NSS	102.7	110.1	103.5	106.6	108.0
Fedwire Securities	108.5	124.8	115.8	125.6	120.9

[a] The 2025 budget figures reflect the final budgets as approved by the Board in December 2024. *See* Board of Governors of the Federal Reserve System, *2025 Federal Reserve Banks Budgets, https://www.federalreserve.gov/foia/files/2025ReserveBankBudgets.pdf.*

[b] The 2026 budget figures reflect preliminary budget information from the Reserve Banks. The Reserve Banks will submit final budget data to the Board for consideration by December 2025.

II. Pricing Changes

Check Services

Table 3 shows the 2024 actual, 2025 forecast, and 2026 budgeted cost recovery performance for commercial check services.

Interbank Settlement of Instant Payments (2019 Notice), the Board has determined that it is most appropriate to report FedNow Service cost recovery independently of mature priced services until the service has relatively stable revenues and costs. Thus, FedNow Service revenue is excluded from overall performance projections for 2026.

[3] FedNow Service revenue and expenses are excluded from the overall performance projections. In its 2019 Notice, the Board communicated that it expects the FedNow Service to achieve its first instance of long-run cost recovery outside the 10-year time frame typically applied to mature services. New services like the FedNow Service are not expected to initially have stable volumes, costs, and revenues; application of the 10-year rolling time frame used to evaluate mature services to the FedNow Service would result in prohibitively high or unnecessarily volatile pricing, negatively affecting the Federal Reserve's public policy objectives in providing the service. See *Federal Reserve Actions to Support Interbank Settlement of Instant Payments,* 84 FR 39297, (Aug. 9, 2019). The FedNow Service is discussed in section II.

TABLE 3—CHECK SERVICES PRO FORMA COST AND REVENUE PERFORMANCE

[Dollars in millions]

Year	Revenue	Total expense	Net income (ROE)	Targeted ROE	Recovery rate after targeted ROE (%)
	1 [b]	2 [c]	3 [1 − 2]	4 [d]	5 [e] [1/(2 + 4)]
2024 (actual)	$111.1	$104.5	$6.6	$2.1	104.2
2025 (forecast)	108.7	108.1	0.6	2.1	98.6
2026 (budget)	109.8	112.7	(2.9)	2.8	95.0

1. *2025 Forecast*—The Reserve Banks forecast that Check Services will recover 98.6 percent of total expenses and targeted ROE, compared with a 2025 budgeted recovery rate of 97.5 percent.

Through August 2025, total commercial forward and total commercial return check volumes were 5.0 percent lower and 0.7 percent lower, respectively, than they were during the same period last year. For full-year 2025, the Reserve Banks estimate that total forward check volume will decline 5.4 percent (compared with a budgeted decline of 6.9 percent) and total return check volume will fall 1.3 percent (compared with a budgeted decline of 3.9 percent) from 2024 levels. The Reserve Banks expect that check volumes will continue to decline because of ongoing substitution away from checks to other payment instruments.

2. *2026 Pricing*—The Reserve Banks expect Check Services to recover 95.0 percent of total expenses and targeted ROE in 2026. The Reserve Banks project revenue to be $109.8 million, an increase of $1.1 million, or 1.0 percent from the 2025 forecast. Total expenses for Check Services are projected to be $112.7 million, an increase of $4.6 million, or 4.3 percent, from 2025 forecast expenses.

Pricing increases are intended to help stabilize check revenues given continued check volume declines and rising operational costs. To that end, in 2026, the Reserve Banks will increase fixed monthly participation fees for all tiers, all forward paper fees, certain return paper fees, and fees for certain Premium Delivery options in the FedReceipt suite of service offerings. These fee changes support the cost of maintaining FRFS Check Services infrastructure, as fewer checks are written each year. The fee changes also follow the Check Services business line's pricing strategy to increase the share of revenue collected through fixed fees. In light of the steeper volume declines in foreign check items as compared to all check items, the 2026 pricing increases for foreign check items are intended to address rising operational costs. The Reserve Banks intend to sunset the foreign check service at the end of 2026.[4] Tables 4–7 show the 2025 and 2026 tiered participation fees, forward paper fees, return paper fees, and Premium Delivery fees.

TABLE 4—CHECK 21 PARTICIPATION FEE STRUCTURE

Tier [5]	2025 Monthly fee	2026 Monthly fee
1	$550	$1,100
2	340	500
3	215	250
4	90	100

TABLE 5—FORWARD PAPER CHECK CLEARING FEES

Forward paper check	2025 Monthly fee		2026 Monthly fee	
	Fixed/CL	Items	Fixed/CL	Items
Canadian Items—U.S. Funds	$19.00	$6.50	$40.00	$10.00
Canadian Items—Canadian Funds	19.00	6.50	40.00	10.00
Canadian CL Correction Fee	.....	22.00	.....	40.00
Foreign Items—GBP and EURO	15.00	25.00	40.00	40.00
Foreign Items—All Other Funds	15.00	95.00	40.00	100.00
Amount Encoding	.....	2.50	.....	5.00
Mixed Forward Paper Deposits	19.00	5.00	40.00	10.00

TABLE 6—RETURN LEGACY/PAPER FEES

Return paper check	2025 Monthly fee		2026 Monthly fee	
	Fixed/CL	Items	Fixed/CL	Items
Canadian Items—Returns	.....	$16.50	.....	$40.00
Foreign Items—Returns	.....	44.00	.....	100.00
Mixed Return Paper Deposits	19.00	8.50	40.00	10.00

[4] More detailed communication will be forthcoming from the Reserve Banks on the wind-down of Foreign and Canadian Check Services.

[5] This fee is charged to financial institutions that have received any Check 21 electronic or substitute check volume (forward or return) from the Reserve Banks during the month. The fee is applied at the parent financial institution level, as defined in the Reserve Banks' Global Customer Directory. Each financial institution's tier assignment is determined by the criteria described in the FedForward Standard Endpoint Tier Listing.

TABLE 7—PREMIUM DELIVERY FEES

Premium delivery fees	2025 Monthly fee	2026 Monthly fee
8:00 a.m. ET Target	$0.037	$0.048
10:00 a.m. Local Target	0.022	0.029
12:00 p.m. Local Target	0.016	0.021

Additionally, the Reserve Banks evaluate and set tier assignments every other year based on changes in the volume of items received by endpoints. These tier changes are designed to keep customers assigned to the appropriate tier based on their volume. In 2026, the Reserve Banks will reassign the tier placement of about 306 customers in the FedForward Standard tiers, 354 customers in the FedForward Premium Daily tiers, 26 customers in the FedReturn® Standard tiers, and 26 customers in the FedReturn Premium Daily tiers. Following these reassignments, the Reserve Banks will charge these customer segments in accordance with their tier's participation fee. Additionally, the Reserve Banks will reduce the volume thresholds in the Accelerated Forward Delivery service 8 percent for both Retail Payments Premium Receiver (RPPR) customers and non-RPPR customers to reflect ongoing volume declines.

The primary risk to Reserve Banks' current projections for Check Services is a greater-than-expected decline in check volumes. Check volume declines are due to the general reduction in check writing and to competition from correspondent banks, aggregators, and direct exchanges. Should those declines be greater than expected, anticipated revenue would be lower. The Reserve Banks estimate that these cumulative price changes will result in a 5.9 percent average increase for Check Services customers.

All other previously approved prices and discounts in the Check Services Fee Schedule that are currently in effect will be maintained in 2026. For full details, please refer to the Reserve Banks' Check Services Fee Schedule available at *https://www.frbservices.org/resources/fees.*

FedACH Services

Table 8 shows the 2024 actual, 2025 forecast, and 2026 budgeted cost recovery performance for commercial FedACH Services.

TABLE 8—FEDACH SERVICES PRO FORMA COST AND REVENUE PERFORMANCE

[Dollars in millions]

Year	Revenue	Total expense	Net income (ROE)	Targeted ROE	Recovery rate after targeted ROE
	1	2	3 [1 − 2]	4	5 [1/(2 + 4)]
2024 (actual)	$190.0	$166.5	$23.5	$3.7	111.7
2025 (forecast)	199.3	177.4	21.9	3.7	110.0
2026 (budget)	203.7	175.9	27.8	4.6	112.8

1. *2025 Forecast*—The Reserve Banks forecast that FedACH Services will recover 110.0 percent of total expenses and targeted ROE, compared with a 2025 budgeted recovery rate of 105.9 percent.

Through August 2025, FedACH commercial origination and receipt volume were 9.6 percent higher and 5.9 percent higher, respectively, than they were during the same period last year. For full-year 2025, the Reserve Banks estimate that FedACH commercial origination and receipt volume will increase 8.6 percent and 5.4 percent, respectively, from 2024 levels, compared with a budgeted increase for commercial origination of 4.9 percent and receipt of 3.9 percent.

2. *2026 Pricing*—The Reserve Banks expect FedACH Services to recover 112.8 percent of total expenses and targeted ROE in 2026. The Reserve Banks project revenue to be $203.7 million, an increase of $4.4 million, or 2.2 percent, from the 2025 forecast. Total expenses are projected to be $175.9 million, a decrease of $1.5 million, or 0.8 percent, from the 2025 forecast.

The Reserve Banks will expand eligibility for the FedACH Receipt Discount Program in 2026 by lowering the Level Two monthly receipt discount threshold from 5 million to 1 million items. As a result, depository institutions that receive between 1 million and 5 million items per month and ®enroll in the program will be eligible for the same benefits currently available to institutions receiving between 5 million and 30 million items, as outlined at *https://www.frbservices.org/financial-services/ach/receipt-discount-program.*

The Reserve Banks will also increase the FedACH Information File Extract Fee per routing transit number by 6 percent from $180 to $190 per month. The service provides subscribing financial institutions an information-only copy of a FedACH file, allowing them to perform additional processing outside of their core ACH system. The fee increase is intended to address rising operational costs and enhancements across the FedACH product suite.

The Reserve Banks also will introduce a new Payee Name Verification tool to support customers in efforts to reduce fraud and misdirected payments. This expansion of the FedDetect® Notification Services will help FedACH customers assess whether the information supplied by the sender corresponds with the intended destination account. Payee Name Verification will work by searching historic FedACH data for past transactions to that payee account, comparing the submitted name with previous recipients. The Payee Name Verification will be priced at $0.02 per transaction. The service will initially only be available for FedACH customers, but the Reserve Banks may expand service access via other payment rails in the future.

The Reserve Banks ended FedGlobal ACH Payments service to Europe and Canada in 2023 because of low

transaction volumes. Given continued FedGlobal ACH Payments volume declines and rising operational costs, the Reserve Banks intend to sunset the remaining FedGlobal ACH Payments services to Mexico and Panama at the end of 2026.[6]

The Reserve Banks' primary risk to current projections for the FedACH Service are lower-than-projected volumes and growth due to potential customer attrition or economic conditions. The Reserve Banks estimate these cumulative price changes will result in a 0.1 percent average decrease for FedACH customers.

All other previously approved price points and discounts in the FedACH Fee Schedule that are currently in effect will be maintained in 2026. For full details, please refer to the FedACH Fee Schedule available at *https://www.frbservices.org/resources/fees.*

Fedwire Funds Service and National Settlement Service

Table 9 shows the 2024 actual, 2025 forecast, and 2026 budgeted cost recovery performance for the Fedwire Funds Service and the National Settlement Service.

TABLE 9—FEDWIRE FUNDS SERVICE AND NATIONAL SETTLEMENT SERVICE PRO FORMA COST AND REVENUE PERFORMANCE

[Dollars in millions]

Year	Revenue	Total expense	Net income (ROE)	Targeted ROE	Recovery rate after targeted ROE
	1	2	3 [1 − 2]	4	5 [1/(2 + 4)]
2024 (actual)	$170.3	$151.7	$18.6	$3.0	110.1
2025 (forecast)	178.0	162.7	15.2	4.1	106.6
2026 (budget)	181.8	164.4	17.4	4.0	108.0

1. *2025 Forecast*—The Reserve Banks forecast that the Fedwire Funds Service and the National Settlement Service will recover 106.6 percent of total expenses and targeted ROE, compared with a 2025 budgeted recovery rate of 103.5 percent.

Through August 2025, Fedwire Funds Service online volume has been 3.5 percent higher than it was during the same period last year. The Reserve Banks expect volume to remain near this level through the remainder of 2025. Through August 2025, the National Settlement Service settlement file volume was 1.3 percent lower than it was during the same period last year, and settlement entry volume was 0.3 percent higher. For full-year 2025, the Reserve Banks estimate that settlement file volume will decrease 1.3 percent (compared with a budgeted increase of 0.4 percent) and settlement entry volume will increase 0.3 percent (compared with a budgeted 0.4 percent decrease) from 2024 levels.

2. *2026 Pricing*—The Reserve Banks expect the Fedwire Funds Service and the National Settlement Service to recover 108.0 percent of total expenses in 2026. The Reserve Banks project revenue to be $181.8 million, an increase of $3.8 million, or 2.1 percent, from the 2025 forecast. The Reserve Banks project total expenses to be $164.4 million, an increase of $1.7 million, or 1.0 percent, from the 2025 forecast.

The Reserve Banks will increase the Fedwire Funds Service participation fee from $120 to $125. In addition, the Tier 2 and Tier 3 monthly fixed fees will increase from $250 to $300 and $500 to $600, respectively.[7] The Reserve Banks will also change National Settlement Service fees for 2026. The per-file fee will increase from $40 to $45, and the per-entry fee will increase from $1.95 to $2.10.

These fee increases are intended to offset rising costs, primarily from the transition to the ISO® 20022 message format, and to better balance fixed fees with variable revenue.[8] Further, the fee increases are intended to be commensurate with customer usage and are structured so that smaller customers are not disproportionally impacted. In addition, the fee increases serve to help balance increases in ongoing operational costs incurred by the National Settlement Service for the period between 2014 and 2023, when fees did not increase.

The primary risk to Reserve Banks' current projections for these services is lower-than-projected volumes and growth due to the market and economic environment given that historically, Fedwire Funds Service volume has reflected market conditions.[9] The Reserve Banks estimate that these cumulative price changes will result in a 2.8 percent average price increase for Fedwire Funds Service and National Settlement Service customers.

All other previously approved prices and discounts in the Fedwire Funds Service and National Settlement Service Fee Schedules that are currently in effect will be maintained in 2026. For full details, please refer to the Reserve Banks' Fedwire Funds Service and National Settlement Service Fee Schedules available at *https://www.frbservices.org/resources/fees.*

[6] More detailed communication will be forthcoming from the Reserve Banks on the full wind-down of FedGlobal ACH Payments.

[7] This fee is based on the volume tier thresholds. Tiers are based on monthly total volume (send and receive) at the master account level: 0–14,000 messages (Tier 1); 14,001–90,000 (Tier 2), and all volume above 90,000 messages (Tier 3). The volume-based fixed fee is one price point assessed at the parent level and is based on the highest volume tier of its associated affiliates. For example, if a parent customer has affiliates in the Tier 2 and Tier 3 volume thresholds, the parent will be assessed the corresponding $600 Tier 3 monthly fee.

[8] The Federal Reserve Banks adopted the ISO 20022 message format for the Fedwire Funds Service on July 14, 2025. For additional information see *https://www.frbservices.org/resources/financial-services/wires/iso-20022-implementation-center.*

[9] Fedwire Funds Service volume growth reflects economic growth. For example, its volume has grown every year except for 2008 and 2009, when it contracted 2.5 percent and 5.0 percent, respectively, during the Great Recession. For historical Fedwire Funds Service volume data, *see FRBservices.org, Fedwire Funds Service—Annual Statistics, https://www.frbservices.org/resources/financial-services/wires/volume-value-stats/annual-stats.html.*

Fedwire Securities Service

Table 10 shows the 2024 actual, 2025 forecast, and 2026 budgeted cost recovery performance for the Fedwire Securities Service.[10]

TABLE 10—FEDWIRE SECURITIES SERVICE PRO FORMA COST AND REVENUE PERFORMANCE

[Dollars in millions]

Year	Revenue	Total expense	Net income (ROE)	Targeted ROE	Recovery rate after targeted ROE
	1	2	3 [1 − 2]	4	5 [1/(2 + 4)]
2024 (actual)	$53.0	$41.6	$11.4	$0.9	124.8
2025 (forecast)	58.2	45.5	12.7	0.9	125.6
2026 (budget)	60.8	49.1	11.7	1.1	120.9

1. *2025 Forecast*—The Reserve Banks forecast that the Fedwire Securities Service will recover 125.6 percent of total expenses and targeted ROE, compared with a 2025 budgeted recovery rate of 115.8 percent.

Through August 2025, Treasury security transfer volume was 14.6 percent higher than it was during the same period last year. For full-year 2025, the Reserve Banks estimate that Treasury security transfer volume will increase 15.4 percent from 2024 levels, compared with a budgeted increase of 9.9 percent. Through August 2025, Agency security transfer volume was 3.3 percent higher than it was during the same period last year. For full-year 2025, the Reserve Banks estimate that Agency security transfer volume will increase 1.1 percent from 2024 levels, compared with a budgeted increase of 0.4 percent.

Through August 2025, account maintenance volume was nearly unchanged (0.02 percent increase) compared with the same period last year. For full-year 2025, the Reserve Banks estimate that account maintenance volume will remain nearly unchanged (0.03 percent decrease), consistent with recent trends and primarily driven by a reduction in joint custody accounts, compared with a budgeted decline of 0.8 percent. Through August 2025, the volume of Agency issues maintained was 2.1 percent higher than it was during the same period last year. For full-year 2025, the Reserve Banks estimate that the volume of Agency issues maintained will increase 2.0 percent from 2024 levels, compared with a budgeted change of 0.1 percent.

2. *2026 Pricing*—The Reserve Banks expect the Fedwire Securities Service to recover 120.9 percent of total expenses and targeted ROE in 2026. Revenue is projected to be $60.8 million, an increase of $2.6 million, or 4.4 percent, from the 2025 revenue forecast. The Reserve Banks also project that 2026 expenses will be $49.1 million, an increase of $3.6 million, or 7.9 percent from the 2025 forecast.

The Reserve Banks will decrease the transfer and monthly maintenance fees and moderately raise fees related to the Automated Claim Adjustment Process (ACAP). The transfer fees will decrease from $0.61 per transfer to $0.55 per transfer. The monthly account maintenance fee will also decrease from $57.50 to $51.50 per account, and the issue maintenance fee will decrease from $0.61 to $0.55 per issue per account. Separately, the ACAP-related fees will increase based on the table below to better align the cost of providing these services with overall revenue.

TABLE 11—FEDWIRE SECURITIES SERVICE ACAP FEE SCHEDULE CHANGES

ACAP fees	Current 2025 fee	Proposed 2026 fee
Fail Claim Adjustment Fee (debit/credit)	$1.00	$1.10
Interim Claim Adjustment Fee	1.00	1.10
Repo Claim Adjustment Fee	1.00	1.10
Securities Lending Claim Adjustment Fee	1.00	1.10
Repo Start Fee/Reversal Fee	0.10	0.11
Repo Close Fee/Reversal Fee	0.10	0.11
Repo Balance Only Adjustment Fee/Reversal Fee	0.10	0.11
Securities Lending Start Fee/Reversal Fee	0.10	0.11
Securities Lending Close Fee/Reversal Fee	0.10	0.11
Securities Lending Balance Only Adj Fee/Rev Fee	0.10	0.11
Repo Position Maintenance Fee	0.03	0.04
Securities Lending Position Maintenance Fee	0.03	0.04

The volume of Treasury security transfers is projected to continue its record growth trend primarily because of debt issuance by the Treasury. The volume of accounts maintained are expected to decrease consistent with recent trends and primarily driven by a reduction in joint custody accounts. The volume of Agency issues maintained is expected to increase in line with the increasing count of unique securities outstanding on the service.

[10] The Reserve Banks provide transfer services for securities issued by the U.S. Treasury, federal government agencies, government-sponsored enterprises, and certain international institutions. Before 2023, the priced component of this service consisted of revenues, expenses, and volumes associated with the transfer of all non-Treasury securities. Starting in 2023, the revenues, expenses, and volumes associated with the transfer of Treasury securities are also included in the priced component of this service.

The primary risks to the Reserve Banks' current projections for the Fedwire Securities Service include variations in product volume forecasts stemming from an uncertain macroeconomic outlook and market conditions. The Reserve Banks estimate these cumulative price changes will result in a 9.4 percent average price decrease for Fedwire Securities Service customers.

All other previously approved prices and discounts in the Fedwire Securities Service Fee Schedule that are currently in effect will be maintained in 2026. For full details, please refer to the Reserve Banks' Fedwire Securities Fee Schedule available at *https://www.frbservices.org/resources/fees.*

FedNow Service

1. *2025 Forecast*—The Reserve Banks forecast that the FedNow Service will generate a total of $235.1 million in operating expenses in 2025.

The number of transactions processed by the FedNow Service in 2025 is modest and consistent with the Federal Reserve's expectations for a new service line. From January through August 2025, the transaction volume of the FedNow Service totaled 5,140,518 transactions. Broad adoption of the FedNow Service across an industry with more than 9,000 financial institutions will be a gradual journey, similar to that of other new payment services, such as FedACH in the 1970s and 1980s. As a result, the Board has adopted a long-term outlook in evaluating the development of the FedNow Service. The Board anticipates acceleration in volume over time as more financial institutions join the network and as the Reserve Banks release new service features on an ongoing basis.[11]

2. *2026 Pricing*—In 2026, the Reserve Banks project total operating expenses to be $230.3 million, which will be a decrease of $4.8 million, or 2.0 percent from the 2025 forecast.[12]

The FedNow Service intends to continue the discounts and incentives currently in place through 2026. These include the participation fee discounted to $0, the first 2,500 transactions per month discounted to $0, and the FedLine connectivity discount program. These continued discounts reflect the nascency of the FedNow Service and the desire for financial institutions to experiment with new use cases. The Reserve Banks will revisit FedNow discounts and pricing structures after 2026.

For full details concerning FedNow pricing and discounts, please refer to the Reserve Banks' FedNow Service Fee Schedule available at *https://www.frbservices.org/resources/fees.*

FedLine Solutions

There are currently five FedLine Solutions channels through which customers can access the Reserve Banks' priced services: FedMail®, FedLine Web®, FedLine Advantage®, FedLine Command®, and FedLine Direct®. The Reserve Banks currently bundle these channels into 10 FedLine Solutions packages that are supplemented by a number of premium (or à la carte) access and accounting information options.

In 2026, the Reserve Banks will increase the monthly fee for the FedLine Direct Solution's additional 2 mbps (megabits per Second) WAN (Wide Area Network) Connection service from $3,000 to $3,300. This is an à la carte upgrade to the FedLine Direct Solution that offers enhanced connection reliability, network performance, and operational continuity during failovers or maintenance. The price change to this component of the FedLine Direct Solution is primarily driven by rising costs related to recent network vendor changes, hardware upgrades, and operational enhancements to the FedLine channels' infrastructure.

Beginning in January 2026, the Reserve Banks will discontinue FedComplete packages, which are bundled offerings of FedLine connections and a fixed number of FedACH Services, Fedwire Funds Services, and Check Services transactions. These changes are intended to simplify the billing process for customers and to streamline internal operations across the FedLine product suite. There will be no disruption in service for customers currently using FedComplete Packages; these institutions will maintain electronic access and payment service connectivity but will be billed as an unbundled FedLine Advantage base, Plus, or Premier customer.

The Reserve Banks estimate these cumulative price changes will result in a 2.5 percent average price increase for FedLine customers. All other previously approved price points and discounts in the FedLine Fee Schedule that are currently in effect will be maintained in 2026. For full details, please refer to the FedLine Fee Schedule available at *https://www.frbservices.org/resources/fees.*

III. Analysis of Competitive Effect

All operational and legal changes considered by the Board that have a substantial effect on payment system participants are subject to the competitive impact analysis described in the Board's policy, *The Federal Reserve in the Payments System.*[13] Under this policy, the Board assesses whether changes would have a direct and material adverse effect on the ability of other service providers to compete effectively with the Federal Reserve in providing similar services due to differing legal powers or constraints or due to a dominant market position deriving from such legal differences. If any proposed changes create such an effect, the Board must further evaluate the changes to assess whether the benefits associated with the changes—such as contributions to payment system efficiency, payment system integrity, or other Board objectives—can be achieved while minimizing the adverse effect on competition.

The Board has conducted this analysis and concluded that the 2026 fees, fee structures, and changes in service will not have a direct and material adverse effect on the ability of other service providers to compete effectively with the Reserve Banks in providing similar services. When conducting the competitive effect analysis for the FedNow Service, the Board assessed whether its pricing strategy as a new service, including discounts, would have a material, adverse effect on the ability of other service providers to compete effectively with the Reserve Banks due to differing legal powers or a dominant market position as a result of such differing legal powers. The Board concluded that the pricing strategy, including discounts, followed general market practice for new services and could similarly be implemented by private-sector providers unrelated to any differing legal powers. Therefore, the Reserve Banks' pricing does not have a material adverse effect on the ability of other service providers to compete effectively with the Reserve Banks in providing similar services.

The Reserve Banks expect to continue to achieve aggregate long-run cost recovery across all mature priced services.

[11] For quarterly FedNow Service transaction data, see Board of Governors of the Federal Reserve System, FedNow Service, *https://www.federalreserve.gov/paymentsystems/fednow_about.htm.*

[12] During the time in 2023 when the FedNow Service was in production, expenses (including imputed costs) totaled $99.7 million.

[13] *See* Board of Governors of the Federal Reserve System, *Policies: The Federal Reserve in the Payments System, https://www.federalreserve.gov/paymentsystems/pfs_frpaysys.htm.*

By order of the Board of Governors of the Federal Reserve System.

Benjamin W. McDonough,

Deputy Secretary of the Board.

Appendix

Private-Sector Adjustment Factor Methodology and Computation

The imputed debt financing costs, targeted ROE, and effective tax rate are based on a U.S. publicly traded market model.[14] The method for calculating the financing costs in the PSAF requires determining the appropriate imputed levels of debt and equity and then applying the applicable financing rates. In this process, a pro forma balance sheet using estimated assets and liabilities associated with the Reserve Banks' priced services is developed, and the remaining elements that would exist are imputed as if these priced services were provided by a private business firm. The same generally accepted accounting principles that apply to commercial-entity financial statements apply to the relevant elements in the priced services pro forma financial statements.

The portion of Federal Reserve assets that will be used to provide priced services during the coming year is determined using information about actual assets and projected disposals and acquisitions. The priced portion of these assets is determined based on the allocation of depreciation and amortization expenses of each asset class. The priced portion of actual Federal Reserve liabilities consists of post-employment and post-retirement benefits, accounts payable, and other liabilities. The priced portion of the actual net pension asset or liability is also included on the balance sheet.[15]

The equity financing rate is the targeted ROE produced by the capital asset pricing model (CAPM). In the CAPM, the required rate of return on a firm's equity is equal to the return on a risk-free asset plus a market risk premium. The risk-free rate is based on the three-month Treasury bill; the beta is assumed to be equal to 1.0, which approximates the risk of the market as a whole; and the market risk premium is based on the monthly returns in excess of the risk-free rate over the most recent 40 years. The resulting ROE reflects the return a shareholder would expect when investing in a private business firm.

For simplicity, given that state income tax rates vary, and various credits and deductions can apply at the federal or state level, an actual income tax expense is not explicitly calculated for Reserve Bank priced services. Instead, the Board targets a pretax ROE that would provide sufficient income to fulfill the priced services' imputed income tax obligations. To the extent that performance results are greater or less than the targeted ROE, income taxes are adjusted using the effective tax rate.

Capital structure. The capital structure is imputed based on the imputed funding need (assets less liabilities), subject to minimum equity constraints. Short-term debt is imputed to fund the imputed short-term funding need. Long-term debt and equity are imputed to meet the priced services long-term funding need at a ratio based on the capital structure of the U.S. publicly traded market.[16] Any equity imputed that exceeds the amount needed to fund the priced services' assets and meet the minimum equity constraints is offset by a reduction in imputed long-term debt. When imputed equity is larger than what can be offset by imputed debt, the excess is imputed as investments in Treasury securities; income imputed on these investments reduces the PSAF.

Application of the Federal Reserve Policy on Payment System Risk (PSR policy) to the Fedwire Funds Service. The Board's PSR policy incorporates the international standards for financial market infrastructures (FMIs) developed by the Committee on Payments and Market Infrastructures (CPMI) and the Technical Committee of the International Organization of Securities Commissions (IOSCO) known as the *Principles for Financial Market Infrastructures.*[17] The Board recognizes the critical role the Fedwire Services, including the Fedwire Funds Service, play in the financial system and requires them to meet or exceed the risk management standards in the PSR policy, consistent with relevant guidance and the requirements in the MCA.[18] Principle 15 states that an FMI should identify, monitor, and manage general business risk and hold sufficient liquid net assets funded by equity to cover potential general business losses so that it can continue operations and services as a going concern if those losses materialize. Further, liquid net assets should at all times be sufficient to ensure a recovery or orderly wind-down of critical operations and services. The Fedwire Funds Service does not face the risk that a business shock would cause the service to wind down in a disorderly manner and disrupt the stability of the financial system. To foster competition with private-sector FMIs, however, the Reserve Banks' priced services will hold an amount equivalent to six months of the Fedwire Funds Service's current operating expenses as liquid financial assets and equity on the pro forma balance sheet.[19] Current operating expenses are defined as normal business operating expenses on the income statement, less depreciation, amortization, taxes, and interest on debt. Using the Fedwire Funds Service's preliminary 2026 budget, six months of current operating expenses is $71.4 million. In 2026, equity was sufficient to meet the FDIC capital and the PSR policy requirement.

Effective tax rate. Like the imputed capital structure, the effective tax rate is calculated based on data from U.S. publicly traded firms. The tax rate is the mean of the weighted average rates of the U.S. publicly traded market over the past five years.

Debt and equity financing. The imputed short- and long-term debt financing rates are derived from the nonfinancial commercial paper rates from the Federal Reserve Board's H.15 Selected Interest Rates release (AA and A2/P2) and the annual Merrill Lynch Corporate & High Yield Index rate, respectively. The equity financing rate is described above. The rates for debt and equity financing are applied to the priced services' estimated imputed short-term debt, long-term debt, and equity needed to finance short- and long-term assets and meet equity requirements.

The 2026 PSAF is $34.1 million, compared with $31.9 million in 2025. The increase of $2.2 million is attributable to a net $2.8 million increase in the cost of capital, partially offset by a decrease in Board of Governors' expense, $0.4 million, and a decrease in sales taxes, $0.2 million. The net $2.8 million increase in cost of capital is driven by a $3.6 million increase in ROE, primarily from higher equity resulting from an increase in long-term assets to finance as noted in Table 12 and higher long-term debt resulting in a $0.5 million increase in cost of debt.

The PSAF expense of $34.1 million, detailed in table 14, includes $22.6 million for capital funding, $7.2 million for Board of Governors' expense, and $4.3 million in sales tax expense.

As shown in table 12, 2026 total assets of $991.9 increased by $101.6 million from 2025. The net increase in total assets includes an additional $82.6 million in imputed investments and short-term assets and a $19.0 million increase in long-term assets driven by an increase in pension assets.

The net increase of $82.6 million primarily consists of a $68.2 million increase in the

[14] Data for U.S. publicly traded firms is from the Standard and Poor's Compustat® database. This database contains information on more than 6,000 U.S. publicly traded firms, which approximates information for the entirety of the U.S. market.

[15] The pension assets are netted with the pension liabilities and reported as a net asset or net liability as required by ASC 715.

[16] The FDIC rule requires that well-capitalized institutions meet or exceed the following standards: (1) total capital to risk-weighted assets ratio of at least 10 percent, (2) tier 1 capital to risk-weighted assets ratio of at least 8 percent, (3) common equity tier 1 capital to risk-weighted assets ratio of at least 6.5 percent, and (4) a leverage ratio (tier 1 capital to total assets) of at least 5 percent. Because all of the Federal Reserve priced services' equity on the pro forma balance sheet qualifies as tier 1 capital, only requirements 1 and 4 are binding. The FDIC rule can be located at 12 CFR 324.403(b).

[17] *See* Board of Governors of the Federal Reserve System, *Federal Reserve Policy on Payment System Risk, https://www.federalreserve.gov/paymentsystems/files/psr_policy.pdf. See also* CPMI–IOSCO, *Principles for Financial Market Infrastructures* (April 2012), *https://www.bis.org/cpmi/publ/d101a.pdf.*

[18] Certain standards may require flexibility in the way they are applied to central bank–operated systems because of central banks' unique role in the financial markets and their public responsibilities. These principles include principle 2 on governance, principle 3 on the framework for the comprehensive management of risks, principle 4 on credit risk, principle 5 on collateral, principle 7 on liquidity risk, principle 13 on participant-default rules and procedures, principle 15 on general business risk, and principle 18 on access and participation requirements. *See* section I.B.1.a of the PSR policy.

[19] This requirement does not apply to the Fedwire Securities Service. There are no private-sector competitors to the Fedwire Securities Service that would be expected to meet such a requirement. Imposing such a requirement when pricing the securities services could artificially increase the cost of these services.

imputed investments and a $14.4 million increase driven by short-term assets. The imputed investment increase reflects a $75.0 million increase from float.[13] The $14.4 million increase in short-term assets is driven by an increase in prepaid expenses.

The $19 million increase in the long-term assets is primarily driven by a $24.4 million increase in the net pension asset, partially offset by a $3.2 million decrease in furniture and equipment and a $5.7 million decrease in software and leasehold improvements.

The capital structure of the 2026 pro forma balance sheet, provided in table 13, is composed of equity of $91.5 million, or 15 percent of the 2026 risk-weighted assets detailed in table 15, and long-term debt of $135.1 million. The 2026 capital structure aligns with that of 2025, which was composed of $91.5 million of equity and $135.1 million of long-term debt. As shown in table 14, the 2026 imputed equity required to fund assets and meet the publicly traded firm model capital requirements is $91.5 million. As long-term assets are marginally greater than long-term liabilities, long-term debt of $135.1 million was imputed at the observed market ratio of 59.6 percent. The equity of $91.5 million was adequate to meet the FDIC capital requirements for a well-capitalized institution and satisfy PSR policy requirements.

The net accumulated other comprehensive loss is $553.0 million, compared with $563.3 million in 2025. The $10.3 million increase is primarily attributable to a lower discount rate. The net accumulated other comprehensive loss position does not reduce the total imputed equity required to fund priced services assets or fulfill the FDIC equity requirements for a well-capitalized institution.

TABLE 12—COMPARISON OF PRO FORMA BALANCE SHEETS FOR BUDGETED FEDERAL RESERVE MATURE PRICED SERVICES [a]

[Millions of dollars—projected average for year]

	2026	2025	Change
Short-term assets:			
Receivables	$46.3	$44.3	$2.0
Inventory	0.1	0.4	(0.3)
Prepaid expenses	39.9	34.2	5.7
Items in process of collection [20]	65.0	58.0	7.0
Total short-term assets	$151.3	$136.9	$14.4
Imputed investments: [21]			
Imputed investment in Treasury securities	$0.0	$6.8	$(6.8)
Imputed investment in Fed Funds	368.0	293.0	75.0
Total imputed investments	$368.0	$299.8	$68.2
Long-term assets:			
Premises [22]	$108.2	$105.3	$2.9
Furniture and equipment	57.6	60.8	(3.2)
Software and leasehold improvements	68.8	74.5	(5.7)
Net pension asset	106.8	82.4	24.4
Deferred tax asset	131.2	130.6	0.6
Total long-term assets	$472.6	$453.6	$19.0
Total assets	$991.9	$890.3	$101.6
Short-term liabilities:			
Deferred credit items	$433.0	$351.0	$82.0
Short-term debt	9.0	42.2	(33.2)
Short-term payables	77.3	36.8	40.6
Total short-term liabilities	$519.3	$430.0	$89.3
Long-term liabilities:			
Postemployment/postretirement benefits and net pension liabilities [23]	$246.0	$292.5	$(46.3)
Long term debt	135.1	96.1	39.0
Total liabilities	$900.4	$818.6	$81.8
Equity [24]	$91.5	$71.7	$19.8
Total liabilities and equity	$991.9	$890.3	$101.6

[a] Calculations in this table and subsequent PSAF tables may be affected by rounding. Excludes amounts related to the FedNow Service.

[20] Credit float, which is the difference between items in process of collection and deferred credit items, occurs when the Reserve Banks debit the paying bank for transactions before providing credit to the depositing bank. Float is directly estimated at the service level.

[21] Consistent with the PSR policy, the Reserve Banks' priced services will hold an amount equivalent to six months of the Fedwire Funds Service's current operating expenses as liquid net financial assets and equity on the pro forma balance sheet. Six months of the Fedwire Funds Service's projected current operating expenses is $71.6 million. In 2026, imputed equity was sufficient to meet PSR policy requirements.

[22] Includes the allocation of Board of Governors assets to priced services of $7.2 million for 2026 and $5.2 million for 2025.

[23] Includes the allocation of Board of Governors liabilities to priced services of $1.2 million for 2026 and $1.4 million for 2025.

[24] Includes an accumulated other comprehensive loss of $553.0 million for 2026 and $563.3 million for 2025, which reflects the ongoing amortization of the accumulated loss in accordance with ASC 715. Future gains or losses, and their effects on the pro forma balance sheet, cannot be projected. See table 14 for calculation of required imputed equity amount.

TABLE 13—IMPUTED FUNDING FOR MATURE PRICED SERVICES ASSETS [a]

[Millions of dollars]

	2026	2025
A. Short-term asset financing:		
Short-term assets to be financed:		
Receivables	$46.3	$44.3
Inventory	0.1	0.4
Prepaid expenses	39.9	34.2
Total short-term assets to be financed	$86.3	$78.9
Short-term payables	77.3	36.8
Net short-term assets to be financed	$9.0	$42.2
Imputed short-term debt financing [25]	$9.0	$42.2
B. Long-term asset financing:		
Long-term assets to be financed:		
Premises	$108.2	$105.3
Furniture and equipment	57.6	60.8
Software and leasehold improvements	68.8	74.5
Net pension asset	106.8	82.4
Deferred tax asset	131.2	130.6
Total long-term assets to be financed	$472.6	$453.6
Postemployment/postretirement benefits and net pension liabilities	246.0	292.5
Net long-term assets to be financed	$226.6	$161.1
Imputed long-term debt [29]	135.1	96.1
Imputed equity [29]	91.5	65.0
Total long-term financing *	$226.6	$161.1

[a] Excludes amounts related to the FedNow Service.

TABLE 14—DERIVATION OF THE PSAF FOR MATURE PRICED SERVICES [a]

[Dollars in millions]

	2026		2025	
	Debt	Equity	Debt	Equity
A. Imputed long-term debt and equity:				
Net long-term assets to finance	$226.6	$226.6	$161.1	$161.1
Capital structure observed in market	59.6%	40.4%	59.7%	40.3%
Pre-adjusted long-term debt and equity	$135.1	$91.5	$96.1	$65.0
Equity adjustments: [26]				
Equity to meet capital requirements	.....	$91.5	.....	$65.0
Adjustment to debt and equity funding given capital requirements [27]	.....	.....	.....	.....
Adjusted equity balance	.....	$91.5	.....	$65.0
Equity to meet capital requirements [28]	.....	.....	.....	.....
Total imputed long-term debt and equity *	$135.1	$91.5	$96.1	$65.0
B. Cost of capital:				
Elements of capital costs:				
Short-term debt [29]	$9.0 × 4.4% = $0.4		$42.2 × 5.4% = $ 2.3	
Long-term debt [30]	$135.1 × 4.9% = $6.6		$96.1 × 4.4% = $4.2	
Equity [30]	$91.5 × 17.1% = $15.6		$65.0 × 18.6% = $12.1	

[25] Imputed short-term debt financing is computed as the difference between short-term assets and short-term liabilities. As presented in table 14, the financing costs of imputed short-term debt, imputed long-term debt and imputed equity are the elements of cost of capital, which contribute to the calculation of the PSAF.

[26] If minimum equity constraints are not met after imputing equity based on the capital structure observed in the market, additional equity is imputed to meet these constraints. The long-term funding need was met by imputing long-term debt and equity based on the capital structure observed in the market (see tables 13 and 15). In 2026, the amount of imputed equity met the minimum equity requirements for risk-weighted assets.

[27] Equity adjustment offsets are due to a shift of long-term debt funding to equity in order to meet FDIC capital requirements for well-capitalized institutions.

[28] Additional equity in excess of that needed to fund priced services assets is offset by an asset balance of imputed investments in Treasury securities.

[29] Imputed short-term debt and long-term debt are computed in table 13.

[30] The 2026 ROE is equal to a risk-free rate plus a risk premium (beta * market risk premium). The 2026 after-tax CAPM ROE is calculated as 4.43% + (1.0 * 9.30%) = 13.73%. Using a tax rate of 19.54%, the after-tax ROE is converted into a pretax ROE, which results in a pretax ROE of (13.73%/(1−19.54%)) = 17.07%. Calculations may be affected by rounding.

TABLE 14—DERIVATION OF THE PSAF FOR MATURE PRICED SERVICES [a]—Continued

[Dollars in millions]

	2026		2025	
	Debt	Equity	Debt	Equity
C. Incremental cost of PSR policy:				
Equity to meet policy *	$— × 17.1% = —		$0 = $6.8 × 18.6% = $1.3	
D. Other required PSAF costs:				
Sales taxes	.....	$4.3	.....	$4.5
Board of Governors expenses	.....	7.2	.....	7.6
	.....	$11.5	.....	$12.1
E. Total PSAF:	.....	$34.1	.....	$31.9
As a percent of assets	.....	3.4%	.....	3.6%
As a percent of expenses	.....	3.8%	.....	3.4%
F. Tax rates	.....	19.54%	.....	18.91%

[a] Excludes amounts related to the FedNow Service.
* Total equity to meet policy has been restated for 2025.

TABLE 15—COMPUTATION OF 2026 CAPITAL ADEQUACY FOR FEDERAL RESERVE MATURE PRICED SERVICES [a]

[Dollars in millions]

	Assets	Risk weight	Weighted assets
Imputed investments:			
1-Year Treasury securities [31]	$	0.0	$
Federal funds [32]	368.0	0.2	73.6
Total imputed investments	368.0	.....	73.6
Receivables	$46.3	0.2	$9.3
Inventory	0.1	1.0	0.1
Prepaid expenses	39.9	1.0	39.9
Items in process of collection	65.0	0.2	13.0
Premises	108.2	1.0	108.2
Furniture and equipment	57.6	1.0	57.6
Software and leasehold improvements	68.8	1.0	68.8
Pension asset	106.8	1.0	106.8
Deferred tax asset	131.2	1.0	131.2
Total	$991.9	.....	$608.5
Imputed equity:			
Capital to risk-weighted assets	15.0%	.....	.....
Capital to total assets	9.2%	.....	.....

[a] Excludes amounts related to the FedNow Service.

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FEDERAL RESERVE SYSTEM

[Docket No. OP–1874]

Request for Information and Comment on the Future of the Federal Reserve Banks' Check Services

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Request for information and comment.

SUMMARY: The Board of Governors of the Federal Reserve System (Board) seeks public input on questions related to the future of the Federal Reserve Banks' (Reserve Banks') check services. The Board will use responses to this request for information (RFI) to assess possible strategies for the future of the Reserve Banks' check services, including potentially substantial changes that may have longer run effects on the payments system. In addition, the Board will use

[31] If minimum equity constraints are not met after imputing equity based on all other financial statement components, additional equity is imputed to meet these constraints. Additional equity imputed to meet minimum equity requirements is invested solely in Treasury securities. The imputed investments are similar to those for which rates are available on the Federal Reserve's H.15 statistical release, available at *https://www.federalreserve.gov/releases/h15/*.

[32] The investments are imputed based on the amounts arising from the collection of items before providing credit according to established availability schedules.

responses to this RFI to analyze other actions that the Federal Reserve System could consider with respect to checks, in partnership with the industry, to support the overall safety and efficiency of the payments system.

DATES: Comments must be received by March 9, 2026.

ADDRESSES: You may submit comments, identified by Docket No. OP–[1874], by any of the following methods:

- *Agency Website: https://www.federalreserve.gov/apps/proposals/.* Follow the instructions for submitting comments, including attachments. *Preferred Method.*
- *Mail:* Benjamin W. McDonough, Deputy Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.
- *Hand Delivery/Courier:* Same as mailing address.
- *Other Means: publiccomments@frb.gov.* You must include the docket number in the subject line of the message.

Comments received are subject to public disclosure. In general, comments received will be made available on the Board's website at *https://www.federalreserve.gov/apps/proposals/* 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 be not appropriate for public disclosure. Public comments may also be viewed electronically or in person in Room M–4365A, 2001 C St. NW, Washington, DC 20551, between 9 a.m. and 5 p.m. during Federal business weekdays.

FOR FURTHER INFORMATION CONTACT: Kathy Wilson, Retail Payments Manager, and Dani Figueiras, Financial Institution Policy Analyst, Division of Reserve Bank Operations and Payment Systems at (202) 452–3000. For users of text telephone systems (TTY) or any TTY-based Telecommunications Relay Services, please call 711 from any telephone, anywhere in the United States.

SUPPLEMENTARY INFORMATION:

I. Introduction

The paper check has long served as a cornerstone of the nation's payments system. As an alternative to paper currency, checks have historically provided several benefits to users, including convenience, efficiency, and lower risk compared with cash. These important elements contributed to widespread adoption of checks throughout the twentieth century as a preferred noncash payment instrument. Even today, despite the availability of electronic alternatives and growing prevalence of check fraud, checks maintain a meaningful presence in the payments system. However, over the last several decades, check usage in the United States has declined steadily, even as the overall number of noncash payments has grown considerably.[1]

As authorized by Congress, the Reserve Banks have long been an important provider of check collection and processing services (check services), which facilitate the movement of information and funds between banks.[2] The Reserve Banks continue to play this operational role alongside other, private-sector check services providers, with the Reserve Banks processing millions of checks deposited by banks each day.

In light of the steady decline in check use, the Reserve Banks' aging check infrastructure, and other factors described below, the Board is seeking views from the payments industry and wider public on potential strategies for the future of the Reserve Banks' check services. Such strategies could range from foregoing needed investments to keep operating costs at existing levels, with expected service degradation over time; to significantly simplifying or substantially winding down the services, with reduced operating costs; to investing heavily to maintain and potentially improve the services with higher operating costs. In all cases, such operating costs would need to be recovered through fees charged to depository institutions that use the Reserve Banks' check services, as required by the Monetary Control Act (the MCA).[3]

To better assess these potential strategies and the related tradeoffs, the Federal Reserve is also seeking public input on factors that it should consider with respect to the future of its check services, such as the importance and persistence of checks in the U.S. payments system and the public's willingness to incur additional costs or make additional investments to support the continued use of checks.

II. Trends in Check Usage

At the turn of the twenty-first century, more than 40 billion checks were written annually in the United States, greater than the total number of automated clearinghouse (ACH), credit card, debit card, and prepaid card transactions combined.[4] The number of checks written has steadily declined since then while the use of other payment methods has grown; about 11 billion checks were written in 2021, accounting for approximately 5 percent of overall noncash payments.[5] Despite the overall decline in the number of checks written, however, checks continue to have a notable presence in the payments system; in 2021, the value of check payments stood at $27.23 trillion, which was approximately 21 percent of noncash payments value.[6]

The substantial decline in check use can be primarily attributed to the increasing availability and use of payment alternatives. Today, there are multiple types of electronic payments that could be used as alternatives to

[1] *See* Federal Reserve Board, ''Federal Reserve Payments Study: Latest Figures,'' (2024), available at *https://www.federalreserve.gov/paymentsystems/fr-payments-study.htm,* in tabular form. The Federal Reserve Payments Study is an ongoing effort to estimate aggregate trends in noncash payments in the United States. Reports and updated data are periodically released by the Board at *https://www.federalreserve.gov/paymentsystems/fr-payments-study.htm.* Estimates from the Federal Reserve Payments Study are produced on a triennial basis, except for card payments which are estimated annually.

[2] *See* Check Clearing and Collection, Circular No. 1, Series of 1916, 2 Fed. Res. Bull. 259 (May 1, 1916) (announcing the establishment of a check collection and clearing system operated by the Reserve Banks). The need to improve the nation's check-clearing system was one rationale for the founding of the Federal Reserve System through the Federal Reserve Act. *See* The Federal Reserve System, ''The Federal Reserve in the Payments Mechanism,'' (January 1998), available at *https://fraser.stlouisfed.org/title/federal-reserve-payments-mechanism-7148.*

[3] *See* 12 U.S.C. 248a. *See also* Principles for the Pricing of Federal Reserve Bank Services, 46 FR 1338, 1339 (Jan. 6, 1981), available at *https://www.federalreserve.gov/paymentsystems/pfs_principles.htm.* The MCA requires the Federal Reserve to recover the direct and indirect costs of providing its priced services over the long run. The Board currently views a 10-year cost recovery expectation as appropriate for assessing mature services, which are those that have achieved a critical mass of customer participation and generally have stable and predictable volumes, costs, and revenues. Cost recovery includes financing costs, taxes, and certain other expenses, as well as the return on equity (profit) that would have been earned if a private-sector business provided the services.

[4] For instance, in 2000 the number of checks (42.6 billion) exceeded the total number of ACH and credit and debit card transactions (29.9 billion). *See* Federal Reserve Board, ''Federal Reserve Payments Study: Latest Figures,'' (2024), available at *https://www.federalreserve.gov/paymentsystems/fr-payments-study.htm,* in tabular form *https://www.federalreserve.gov/paymentsystems/2024-The-Federal-Reserve-Payments-Study-Initial-Data-accessible.htm.*

[5] Ibid.

[6] *See* Federal Reserve Board, ''The Federal Reserve Payments Study: 2022 Triennial Initial Data Release,'' (2023), available at *https://www.federalreserve.gov/paymentsystems/2023-April-The-Federal-Reserve-Payments-Study.htm.*

checks, such as instant payments, ACH transactions, credit and debit card payments, and various bank and nonbank payment service alternatives. For example, credit and debit cards (at the point of sale) and ACH payments (for bill and invoice payments) are used more commonly than checks.[7] In the last decade alone, several major developments in payments have taken place that have facilitated the adoption of alternatives to checks. Notable examples in the United States include the introduction of same-day ACH transactions, the launch of two major instant payment systems, and the rise of many peer-to-peer payment services.[8] In addition, the COVID–19 pandemic contributed to the accelerated migration of payments activity to electronic payments.[9]

Still, check usage persists within specific categories of users and use cases, especially for payments between peers (that is, consumer-to-consumer or business-to-business).[10] The enduring use of checks may in part be attributable to unique characteristics of the instrument, such as familiarity, accessibility, low cost for some end users, and the ease of use (for example, mobile deposit), or barriers to adoption of alternatives. For instance, businesses, as primary users of checks, may experience additional costs and barriers to adopting electronic payments, including the need to modernize their treasury practices, accounting processes, and infrastructures for accepting and disbursing payments.[11] Other barriers to adopting electronic payments could include requirements by banks for organizations to undergo risk assessments before being able to originate certain payments, such as ACH transfers. Check usage by consumers also varies across factors such as age, geography, and household income. For example, consumers aged 65 or older, who are more likely to use checks than any other age group, may face challenges shifting to other payment methods.[12] As another example, more frequent use of checks is observed among consumers living in rural areas.[13] Low- and moderate-income individuals are also less likely to use electronic payment methods and may continue to rely on checks more heavily than other populations to pay bills and receive income.[14] For example, low-income consumers are more likely than consumers overall to pay bills using non-electronic methods.[15]

At the same time, the nature and design of the check instrument has made it a growing target for fraud, and from 2018 to 2021, the share of returned checks handled by the Reserve Banks that were potentially fraudulent increased from 10.2 percent to 15 percent.[16] Checks are vulnerable to fraud because checks can be stolen, altered, or forged. For instance, the physical nature of checks makes them susceptible to theft while in transit or when left in unsecured locations.[17] Checks also contain visible sensitive information—the payor's name, account number, routing number, address, and signature—that can be used by criminals to conduct other forms of payments fraud.[18]

Industry Views on the Future of Checks

As the nation's central bank, the Federal Reserve has regularly partnered with the payments industry to support

[7] *See* Federal Reserve Board, ''The Federal Reserve Payments Study 2016: Recent Developments in Consumer and Business Choices'' (2017), available at *https://www.federalreserve.gov/paymentsystems/2017-june-recent-developments.htm.*

[8] The Clearing House launched its instant payment system in 2017, and the Federal Reserve implemented its instant payment service in 2023. For purposes of this notice, ''instant payments'' is defined as payments that can be made at any hour of the day, every day of the year, with immediate funds availability for receivers.

[9] McKinsey's 2023 Digital Payments Consumer Survey found that more than 9 out of 10 consumers said they had used some form of digital payment, defined as using a computer or mobile device to purchase goods or services via an app, website, or in-store terminal, over the course of the year. This trend had grown steadily over the survey's eight years and accelerated during pandemic lockdowns. It first exceeded 80 percent of consumers in 2021. *See* McKinsey & Company, ''Consumer digital payments: Already mainstream, increasingly embedded, still evolving'' (2023), *https://www.mckinsey.com/industries/financial-services/our-insights/banking-matters/consumer-digital-payments-already-mainstream-increasingly-embedded-still-evolving.*

[10] For data related to how check usage varies across transaction value, age, household income, etc., *see* Federal Reserve Financial Services, ''2024 Diary of Consumer Payment Choice'' (2024), *https://www.frbservices.org/news/research/2024-findings-from-the-diary-of-consumer-payment-choice.*

[11] By value, business checks constituted more than three-quarters of all commercial checks in 2021. *See* Federal Reserve Board, ''National Payment Volumes, Detailed Data, DFIPS (CY 2021),'' (2025), available at *https://www.federalreserve.gov/paymentsystems/frps-dfips-cy-2021.htm.* Checks are the most commonly accepted form of payment for small businesses, which could pose additional challenges for small businesses transitioning to other payment methods. *See* Fed Small Business, ''2024 Report on Payments: Findings from the 2023 Small Business Credit Survey'' (2024), *https://www.fedsmallbusiness.org/reports/survey/2024/2024-report-on-payments.*

[12] According to the Federal Reserve Bank of Atlanta, more than 63 percent of consumers aged 65 or older reported writing a check in the last month compared with approximately 4 percent of consumers from the ages 18–24. *See* Kevin Foster, Claire Greene, and Joanna Stavins, ''2024 Survey and Diary of Consumer Payment Choice,'' Federal Reserve Bank of Atlanta (May 2025), *https://www.atlantafed.org/banking-and-payments/consumer-payments/survey-and-diary-of-consumer-payment-choice/2024-survey-and-diary#Tab2.*

[13] *See* Claire Greene, Julian Perry, and Joanna Stavins, ''Consumer Payment Behavior by Income and Demographics,'' Federal Reserve Bank of Boston Working Paper No. 24–2 (2024), *https://www.atlantafed.org/-/media/documents/banking/consumer-payments/research-data-reports/2024/10/07/02--consumer-payment-behavior-by-income-and-demographics.pdf.*

[14] The FDIC's 2023 National Survey of Unbanked and Underbanked Households showed the proportion of U.S. households that were unbanked was higher among lower-income households. Compared with banked households, higher shares of unbanked households used money orders, check cashing, and money transfer services for the core transactions of paying bills and receiving income. *See* Federal Deposit Insurance Corporation (FDIC), 2023 FDIC National Survey of Unbanked and Underbanked Households (November 2024), *https://www.fdic.gov/household-survey. See also* Claire Greene, et al. ''US Consumers' Use of Personal Checks: Evidence from a Diary Survey.'' Federal Reserve Bank of Atlanta Research Data Report (2020): 20–1), *https://www.atlantafed.org/-/media/documents/banking/consumer-payments/research-data-reports/2020/02/13/us-consumers-use-of-personal-checks-evidence-from-a-diary-survey/rdr2001.pdf.*

[15] When paying bills, low-income consumers are less likely to use electronic fund transfers and more likely to use paper-based payment methods (cash, money orders, and checks) than consumers overall. *See* Ying Lei Toh, ''When Paying Bills, Lower-Income Consumers Incur Higher Costs,'' Federal Reserve Bank of Kansas City (November 23, 2021), *https://www.kansascityfed.org/research/payments-system-research-briefings/when-paying-bills-low-income-consumers-incur-higher-costs/#:~:text=Moreover%2C%20low%2Dincome%20consumers%20were,mail%2C%20thereby%20incurring%20higher%20costs.*

[16] *See* Federal Reserve Bank of Atlanta, ''Checks Processed by the Federal Reserve in 2021,'' *https://www.atlantafed.org/-/media/documents/rprf/publications/check-sample-survey/2023/05/05/2021-survey/report.pdf.* There has been a disproportionate rise in the rate of check fraud relative to other fraud types, even though check volumes have decreased. For example, although check volumes decreased more than 7 percent per year from 2018 to 2021, FinCEN reported a 23 percent increase in suspected check fraud. *See* Federal Reserve Board, ''The Federal Reserve Payments Study: 2022 Triennial Initial Data Release,'' (2023), available at *https://www.federalreserve.gov/paymentsystems/2023-April-The-Federal-Reserve-Payments-Study.htm,* and *see* Financial Crimes Enforcement Network, ''FinCEN Alert: Nationwide Surge in Mail Theft-Related Check Fraud Schemes Targeting U.S. Mail'' (February 27, 2023), *https://www.fincen.gov/news/news-releases/fincen-alert-nationwide-surge-mail-theft-related-check-fraud-schemes-targeting.*

[17] In 2023, FinCEN collected more than 15,000 Bank Secrecy Act (BSA) reports of mail theft-related check fraud during a seven-month review period. *See* Financial Crimes Enforcement Network, ''Financial Trend Analysis'' (2024), *https://www.fincen.gov/sites/default/files/shared/FTA-Check-Fraud-FINAL508.pdf.*

[18] The Association for Financial Professionals reported that a recent rise in ACH fraud could be associated with criminals using the banking information presented on checks to make unauthorized ACH debits. *See* Association for Financial Professionals, ''Payments Fraud and Control Survey Report,'' (2025), available at *https://www.truist.com/content/dam/truist-bank/us/en/documents/info/cci/2025-afp-payments-fraud-control-survey-report-key-highlights.pdf.*

initiatives aimed at improving the safety and efficiency of the nation's payments system.[19] In the early 2000s, for example, the Federal Reserve supported the drafting of the Check Clearing for the 21st Century Act (Check 21 Act) and championed significant improvements so that banks could handle checks more quickly and efficiently.[20]

As technology advanced, providing an increasing number of electronic alternatives, the Federal Reserve established a payment system improvement initiative in 2013. As part of that effort, the Federal Reserve asked for industry input on the role of checks in the U.S. payments system, including industry's interest in migrating away from checks and its sense of how disruptive such a change could be for end users.[21] While most respondents supported a transition toward electronic alternatives, many indicated a preference for letting market forces determine the pace of migration away from checks and the need for further enhancements to alternative payment methods. Given these responses, the Federal Reserve determined at the time not to materially alter the Reserve Banks' check services.[22]

In the decade since, check usage has continued to decline, and further developments in the wider market could lead to a continued, or even accelerated, decline in check volumes. For example, the U.S. Department of Treasury issued an RFI to inform its implementation of Executive Order 14247, which calls for the federal government to transition away from checks to electronic payments for both disbursements and collections, with limited exceptions.[23] Various sources also have indicated there may be changing views on the importance of checks as a way to meet payment needs.[24] For instance, as reported in the most recent Survey and Diary of Consumer Payment Choice, consumers rate checks relatively poorly for convenience, security, and speed of payment.[25] In addition, consumers in 2024 reported making relatively fewer check payments to payees that commonly used to receive checks (such as contractors, churches, and property managers).[26] Notably, every age group wrote fewer checks as a share of all their payments in 2024 than in 2015; even consumers aged 65 and older, who are the highest users of checks, made about 6 percent of their payments by check in 2024, compared with 11 percent in 2015.[27]

III. The Reserve Banks' Check Services

The check-processing market has been dynamic over time. While the trends discussed above illustrate the increasing availability and use of alternative payment methods and the rise in check fraud in particular, individuals and organizations continue to write checks, with over 11 billion written in 2021. The Reserve Banks continue to play a significant role in processing this volume, although the total number of checks processed by the Reserve Banks peaked in 1992, and has declined almost every year since. Over the past decade, the Reserve Banks' commercial (nongovernment-issued) check volume declined more than 6 percent on average year over year. Most recently in 2024, the Reserve Banks processed nearly 3.0 billion commercial checks, which is nearly 50 percent less than the 5.7 billion commercial checks the Reserve Banks processed a decade ago.[28] Internal estimates indicate that the Reserve Banks currently process nearly half of the nation's check volume overall, though they process a slightly lower portion of the checks sent between depository institutions for payment and a slightly higher portion of the checks returned unpaid.

When a depository institution receives a check deposit drawn on another institution, the depository institution may choose to send the check for collection to the other institution directly, deliver it to the other institution through a private-sector exchange, or use the check-collection services of a correspondent, service provider, or the Reserve Banks. If the depository institution chooses the Reserve Banks' check services, that institution may choose from a menu of electronic and paper options for when and how its checks are sent for collection based on deposit deadlines, the level of check sorting done by the depositing institution, and funds availability for checks deposited. Generally, the Reserve Banks offer four deposit deadlines throughout the day, and different levels of service associated with each of those deposit deadlines. For example, the Reserve Banks offer services that allow institutions to

[19] With respect to checks, the Federal Reserve made significant contributions to the adoption of magnetic ink character recognition (MICR) in the 1950s, which supported the automation of check processing. *See* Bill Medley, Federal Reserve Bank of Kansas City, ''Highways of Commerce: Central Banking and the U.S. Payments System'' (July 2014) p. 74–75, available at *https://fraser.stlouisfed.org/title/highways-commerce-7097.* Two decades later, in response to the growing burden of processing paper checks, the Federal Reserve supported the development of the ACH network in the 1970s and 80s. *See* Medley, p. 72–79.

[20] Checks must start in writing as a physical instrument, commonly paper. By agreement, however, banks may rely on an electronic image of the original paper check to facilitate movement of that information electronically, which increases greatly the speed and efficiency of check collection and processing. The Check 21 Act facilitated electronic processing so that banks could rely on an electronic image of the original paper check. Check Clearing for the 21st Century Act, 12 U.S.C. 5001 *et seq. See* Medley, p 105.

[21] *See* Federal Reserve Banks, ''Payment System Improvement—Public Consultation Paper'' (September 2013), available at *https://fedpaymentsimprovement.org/wp-content/uploads/2013/09/Payment_System_Improvement-Public_Consultation_Paper.pdf.*

[22] *See* Federal Reserve Banks, ''Strategies for Improving the U.S. Payment System'' (January 2015), *https://fedpaymentsimprovement.org/wp-content/uploads/strategies-improving-us-payment-system.pdf.*

[23] *See* Request for Information Related to the Executive Order, ''Modernizing Payments To and From America's Bank Account,'' 90 FR 23108 (May 30, 2025).

[24] Data indicate that the share of checks written by consumers continues to decline, with consumers reporting an average of only one check payment per month in 2023. *See* Berhan Bayeh, Emily Cubides, and Shaun O'Brien, ''2024 Findings from the Diary of Consumer Payment Choice,'' Federal Reserve Banks (2024), *https://www.frbservices.org/binaries/content/assets/crsocms/news/research/2024-diary-of-consumer-payment-choice.pdf. See also* Jonathan Rose, ''Check Payments,'' Federal Reserve History (September 28, 2023), *https://www.federalreservehistory.org/essays/check-payments;* Mike Timoney, ''Why is check fraud suddenly rampant?'' Federal Reserve Bank of Boston (August 23, 2023), *https://www.bostonfed.org/news-and-events/news/2023/08/check-fraud-rampant-mike-timoney-column-fraud-awareness-key-to-slowing-surge.aspx.*

[25] *See* Kevin Foster, Claire Greene, and Joanna Stavins, ''2024 Survey and Diary of Consumer Payment Choice,'' Federal Reserve Bank of Atlanta (May 2025), *https://www.atlantafed.org/banking-and-payments/consumer-payments/survey-and-diary-of-consumer-payment-choice/2024-survey-and-diary#Tab2.* Previous research has found that these ratings are relevant for consumers' choice to own or use (or to avoid owning or using) various payment instruments. *See* Joanna Stavins, ''How Do Consumers Make Their Payment Choices?'' Federal Reserve Bank of Boston (May 31, 2017) *https://www.bostonfed.org/-/media/Documents/Workingpapers/PDF/2017/rdr1701.pdf.*

[26] For instance, the share of payments via check decreased from 53 percent in 2017 to 27 percent in 2024 for building contractors, plumbers, electricians, etc. For charitable or religious donations, the share of check payments decreased from 33 percent to 20 percent from 2017 to 2024. *See* Claire Greene, ''Innovations in Payments Acceptance Play out in Consumer Check Use,'' Federal Reserve Bank of Atlanta (July 7, 2025), *https://www.atlantafed.org/blogs/take-on-payments/2025/07/07/innovations-in-payments-acceptance-play-out-in-consumer-check-use?utm_medium=email&utm_source=mailchimp&utm_campaign=take-on-payments.*

[27] Ibid.

[28] *See* Federal Reserve Board, ''Commercial Checks Collected through the Federal Reserve—Annual Data,'' *https://www.federalreserve.gov/paymentsystems/check_commcheckcolannual.htm.* Reserve Bank data on check returns and government checks processed are also reported. *See* ''Commercial Checks Returned through the Federal Reserve—Annual Data,'' *https://www.federalreserve.gov/paymentsystems/check_commcheckretannual.htm. See also* ''Government Checks Processed by the Federal Reserve—Annual Data,'' *https://www.federalreserve.gov/paymentsystems/check_govcheckprocannual.htm.*

choose how quickly their checks are processed and to tailor the processing based on factors such as the dollar amount of the checks or the institution the check is being sent to.

Similarly, when an institution determines not to pay a check (for instance, because the check writer has insufficient funds, or the check is suspected to be fraudulent), the Reserve Banks offer a range of options for sending the check back as a return. In addition, the Reserve Banks offer a variety of other related services, such as information services that produce various reports and discrepancy resolution services for 23 common issues (generally known as check adjustments).

In total, as part of their check services, the Reserve Banks offer more than 240 service variations that support institutions' choices when processing checks. The vast majority of these services involve the processing of electronic check information and images of paper checks, but paper checks may also still be physically deposited for collection or return through the Reserve Banks.

The Future of the Reserve Banks' Check Services

As the total number of checks processed by the Reserve Banks declines, the long-term viability of the Reserve Banks' check services is increasingly at risk. To maintain efficiency, the Reserve Banks significantly reduced their operational footprint between 1979 and 2010, cutting the number of check-processing centers from 48 to one.[29] Today, however, the remaining expenditures for the Reserve Banks' check services are largely fixed infrastructure costs, leaving little room for additional cost reductions or efficiency gains that would allow the Reserve Banks to continue providing the same level of check services at current prices while still meeting the cost recovery requirements established by the MCA.

Additionally, the Reserve Banks' check-processing infrastructure is aging and will soon require material investments relative to ongoing operating costs to support existing service levels.[30] Upgrading and maintaining the Reserve Banks' check infrastructure will require significant costs that, as required by law, the Reserve Banks would need to recover over the long run through service fees.

Given the magnitude of potential investments, declining volumes, and trends in the check market more broadly, the Board believes that the time is appropriate to analyze a range of possible strategies for the future of the Reserve Banks' check services.[31] Such range could include:

1. A continuation of the Reserve Banks' check services largely as they exist today without investments to address aging infrastructure. This strategy would allow the Reserve Banks to maintain the existing cost base for operating the services. Over time, however, this strategy would result in significant degradation of the services' reliability, leading to increasingly frequent operational issues, processing failures, and extended service outages.

2. A significant simplification of the Reserve Banks' check services, including discontinuation of certain offerings, with the intention to minimize infrastructure investments that must be recovered through service fees charged to depository institutions as required by the MCA. This strategy could include material changes such as reducing the number of deposit deadlines, limiting hours of operation, eliminating check adjustment services, reducing resiliency levels, or more likely, some combination of such changes.[32]

3. A substantial wind-down of the Reserve Banks' check services. This strategy would allow the Reserve Banks to eliminate significant operating costs in the foreseeable future.

4. An upgrade to the Reserve Banks' aging check-processing infrastructure, which would require substantial investment. This strategy would continue the Reserve Banks' check services largely as they exist today and maintain the existing reliability of the services. This strategy also could position the Reserve Banks to support potential private-sector initiatives, such as enhancements to support the security of the check instrument itself. Such efforts would result in the Reserve Banks incurring significant additional costs to operate the check services, which would need to be recovered through service fees charged to depository institutions as required by the MCA.

The listed strategies are not intended to be comprehensive but rather are illustrative examples of potential choices and outcomes for the Reserve Banks' check services.

The Board recognizes that some potential strategies could include significant changes that may affect the Reserve Banks' continued operational presence as a provider of check services. The Board also believes that to assess the future of the Reserve Banks' check services, it is necessary to carefully weigh a number of elements, including the current and potential future desire for the Reserve Banks' check services, how the use of checks and the check industry may evolve in the coming years, the availability of payment alternatives, impacts on the broader payments system, and the benefits and drawbacks of any potential approach. Public input on these factors, among others, will support the Board in identifying and understanding the tradeoffs of potential strategies for the Reserve Banks' check services.

IV. Request for Information

The Federal Reserve is committed to ongoing collaboration with the industry to support a safe and efficient payments system in the United States. The Board recognizes that different strategies for the Reserve Banks' check services could have potentially significant effects on stakeholders, including the financial services industry (for example, banks, processors, and other check service providers) and check users (including individuals and businesses who pay with or receive checks). The Board therefore believes public input at this early stage is essential to assess the future of the Reserve Banks' check services. Specifically, this input will allow the Federal Reserve to analyze possible strategies for the Reserve Banks' check services in light of, among other factors, the public's view of the future of checks in the nation's payments system. If the Board's analysis supports a strategy for the Reserve Banks' check services that may have significant longer-run effects on the nation's payments system, the Board would seek comment again on any

[29] *See* Federal Reserve Bank of St. Louis, ''Federal Reserve History: Check Payments'' (Sept. 28, 2023) available at *https://www.federalreservehistory.org/essays/check-payments.*

[30] Operating costs for check services in 2024 were $104.5 million. *See* Federal Reserve Board, ''Federal Reserve Board announces pricing, effective January 1, 2026, for payment services the Federal Reserve Banks provide to banks and credit unions,'' (December 2025), available at *https://www.federalreserve.gov/newsevents/pressreleases/other20251204a.htm.*

[31] The Reserve Banks regularly adjust their check services, products, and fees in response to market and other business factors. The Reserve Banks will continue to employ these types of changes in the normal course of managing the check services, including price increases, revisions to products and services, and reductions or enhancements in service depending on the circumstances.

[32] As an example, if the Reserve Banks eliminated check adjustment services, the Reserve Banks would only resolve debit or credit settlement discrepancies caused by the Reserve Banks, and institutions would need to resolve all other types of errors or other issues directly with one another. The Reserve Banks also could consider eliminating value-added check services, such as data reports for checks.

specific proposal prior to adoption, consistent with Board policy.[33]

The Board also welcomes input on whether there are other actions it should consider as the industry and public reflect on the continued importance of checks. The Board separately released a request for information on ''Potential Actions to Address Payments Fraud,'' including check fraud.[34] Accordingly, the Board is not specifically seeking input on check fraud in this RFI and asks for comments in response to this RFI to focus on Reserve Bank check operations and the continued use of checks more broadly. Respondents are encouraged to respond to the following questions.

1. What is your view of the importance of the Reserve Banks' check services in the United States today? How should the Federal Reserve's role in the provision of check services evolve over the next 3 years and over the next 10 years?

2. What aspects of the Reserve Banks' current check services (for example, deposit deadline options, how quickly checks are processed, discrepancy resolution services, and options for sending a check back as a return) are the most critical, and why?

3. Generally speaking, what would be the impact of different potential strategies for the Reserve Banks' check services, including those discussed above: (1) continuing Reserve Banks' check services largely as they exist today with significantly degraded reliability over time, (2) significantly simplifying Reserve Banks' check services, (3) substantially winding down Reserve Banks' check services, or (4) upgrading the Reserve Banks' check-processing infrastructure to support existing services and reliability? Are there other strategies you believe the Reserve Banks should consider?

4. Would you, your organization, or your community be willing to incur additional costs and fees to continue to use or process checks as you do today? Why or why not? Would you, your organization, or your community be willing to make additional investments such as enhancements to check security features in support of continued use of checks in the future? Why or why not?

5. If your organization relies on the Reserve Banks' check services, directly or indirectly, to what extent could alternative providers offer similar services that meet your needs over the next 3 years and over the next 10 years? For instance, are there unique benefits of the check services provided by the Federal Reserve that are not otherwise available in the industry?

6. How important are checks to you, your organization, or your community, and how challenging would it be to use alternative payment methods? How might the importance of checks and the challenges associated with using other payment methods change over the next 3 years and over the next 10 years?

7. What are the unique aspects of checks that lead users to continue to use checks?

8. How could other payment methods offer the same benefits as checks if they do not already? Are there any barriers that prevent alternative payment methods from offering the same benefits as checks, or other constraints on adoption of these alternatives?

9. Do you have any planned or ongoing efforts to transition from checks to electronic payments, and why or why not? How can particular communities that may still need to rely on checks, such as the elderly, rural populations, and low- or moderate-income households, be better served?

10. What benefits and risks to the payments system and to the public should the Board consider as it assesses potential strategies for the Reserve Banks' check services?

In addition to these questions above, the Board invites comments on any other considerations it should assess as it evaluates the future of the Reserve Banks' check services.

By order of the Board of Governors of the Federal Reserve System.

Benjamin W. McDonough,

Deputy Secretary of the Board.

[FR Doc. 2025–22272 Filed 12–8–25; 8:45 am]

BILLING CODE 6210–01–P

[33] *See* Principles for the Pricing of Federal Reserve Bank Services, 46 FR 1338, 1339 (Jan. 6, 1981), available at *https://www.federalreserve.gov/paymentsystems/pfs_principles.htm.*

[34] The Fraud RFI was a joint release by the Board, the Federal Deposit Insurance Corporation (FDIC), and the Office of the Comptroller of the Currency (OCC). Comments were due by September 18, 2025. *See* Board, OCC, and FDIC, ''Request for Information on Potential Actions To Address Payments Fraud,'' **Federal Register** (June 20, 2025), *https://www.federalregister.gov/documents/2025/06/20/2025-11280/request-for-information-on-potential-actions-to-address-payments-fraud.*

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2025–N–2195]

Agency Information Collection Activities; Submission for Office of Management and Budget Review; Comment Request; Medical Devices; Humanitarian Use Devices

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that a proposed collection of information has been submitted to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995.

DATES: Submit written comments (including recommendations) on the collection of information by January 8, 2026.

ADDRESSES: To ensure that comments on the information collection are received, OMB recommends that written comments be submitted to *https://www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under Review—Open for Public Comments'' or by using the search function. The OMB control number for this information collection is 0910–0332. Also include the FDA docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: Amber Barrett, Office of Operations, Food and Drug Administration, Three White Flint North, 10A–12M, 11601 Landsdown St., North Bethesda, MD 20852, 301–796–8867, *PRAStaff@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: In compliance with 44 U.S.C. 3507, FDA has submitted the following proposed collection of information to OMB for review and clearance.

Medical Devices; Humanitarian Use Devices—21 CFR part 814

OMB Control Number 0910–0332—Extension

This collection of information implements the humanitarian use devices (HUDs) provision of section 520(m) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 360j(m)) and part 814, subpart H (21 CFR part 814, subpart H). Under section 520(m) of the FD&C Act, FDA is authorized to exempt an HUD from the

effectiveness requirements of sections 514 and 515 of the FD&C Act (21 U.S.C. 360d and 360e) provided that the device: (1) is designed to treat or diagnose a disease or condition that affects no more than 8,000 individuals in the United States; (2) would not be available to a person with a disease or condition unless an exemption is granted and there is no comparable device other than another HUD approved under this exemption that is available to treat or diagnose such disease or condition; and (3) will not expose patients to an unreasonable or significant risk of illness or injury and the probable benefit to health from the use of the device outweighs the risk of injury or illness from its use, taking into account the probable risks and benefits of currently available devices or alternative forms of treatment.

Respondents may submit a humanitarian device exemption (HDE) application seeking exemption from the effectiveness requirements of sections 514 and 515 of the FD&C Act as authorized by section 520(m)(2) of the FD&C Act. The information collected will assist FDA in making determinations on the following: (1) whether to grant HUD designation of a medical device; (2) whether to exempt an HUD from the effectiveness requirements under sections 514 and 515 of the FD&C Act, provided that the device meets requirements set forth under section 520(m) of the FD&C Act; and (3) whether to grant marketing approval(s) for the HUD. Failure to collect this information would prevent FDA from making a determination on the factors listed previously in this document. Further, the collected information would also enable FDA to determine whether the holder of an HUD is in compliance with the HUD provisions under section 520(m) of the FD&C Act.

HUDs approved under a HDE cannot be sold for an amount that exceeds the costs of research and development, fabrication, and distribution of the device (*i.e.,* for profit), except in narrow circumstances. Section 520(m)(6)(A)(i) of the FD&C Act, provides that a HUD approved under an HDE is eligible to be sold for profit if the device meets certain criteria: The device is intended for the treatment or diagnosis of a disease or condition that occurs in pediatric patients or in a pediatric subpopulation, and such device is labeled for use in pediatric patients or in a pediatric subpopulation in which the disease or condition occurs; or the device is intended for the treatment or diagnosis of a disease or condition that does not occur in pediatric patients, or that occurs in pediatric patients in such numbers that the development of the device for such patients is impossible, highly impracticable, or unsafe.

Section 520(m)(6)(A)(ii) provides that the Secretary of Health and Human Services (the Secretary) will assign an annual distribution number (ADN) for devices that meet the eligibility criteria to be permitted to be sold for profit. The ADN is defined as the number of devices ''reasonably needed to treat, diagnose, or cure a population of 8,000 individuals in the United States,'' and therefore shall be based on the following information in a HDE application: the number of devices reasonably necessary to treat such individuals.

Section 520(m)(6)(A)(iii) provides that an HDE holder immediately notify the agency if the number of devices distributed during any calendar year exceeds the ADN. Section 520(m)(6)(C) provides that an HDE holder may petition to modify the ADN if additional information arises.

The FDA issued guidance entitled ''*Humanitarian Device Exemption (HDE) Program* (September 2019) (*http://www.fda.gov/downloads/MedicalDevices/DeviceRegulationandGuidance/GuidanceDocuments/ucm110203.pdf*), which addresses commonly asked questions about HDEs and HUDs, including FDA actions on HDE applications, post-approval requirements, and special considerations for devices marketed under the HDE Program. The guidance document reflects changes in the HDE Program resulting from statutory amendments made by the 21st Century Cures Act (Cures Act) and explains the criteria FDA considers to determine if ''probable benefit'' has been demonstrated as part of the Agency's decision-making process regarding marketing authorization for a HUD. This guidance document also reflects amendments made to the HDE provision of the FD&C Act by the FDA Reauthorization Act of 2017 (FDARA).

Section 402(j)(5)(B) (42 U.S.C. 282(j)(5)(b)) of the Public Health Service Act (PHS Act), requires a certification to accompany human drug, biological, and device product submissions made to FDA. Specifically, at the time of submission of an application under sections 505, 515, or 520(m) of the FD&C Act (21 U.S.C. 354, 360e, or 360j(m)), or under section 351 of the PHS Act (42 U.S.C. 262), or submission of a report under section 510(k) of the FD&C Act (21 U.S.C. 360(k)), such application or submission must be accompanied by a certification that all applicable requirements of section 402(j) of the PHS Act have been met. Relevant regulations are found in 21 CFR parts 814, subpart H (humanitarian use devices—HUDs), and discussed in FDA's notice of implementation of the certification on December 12, 2007 (72 FR 70599). Certification is made via form FDA 3674, ''Certification of Compliance (*https://www.fda.gov/media/134964/download*)—Under 42 U.S.C. 282(j)(5)(B), with Requirements of *ClinicalTrials.gov* Data Bank.''

HUDs are subject to the general restriction that no profit may be made on their use. For HUDs labeled for use in certain populations, FDA exempts a certain number of these devices each year from the prohibition on profit. This number is known as the annual distribution number (ADN). The information gathered by this collection enables FDA to set this number. Failure to collect this information would prevent FDA from assigning an ADN.

The information is submitted to FDA as an ''eCopy'' via FDA's Center for Devices and Radiological Health (CDRH) Customer Collaboration Portal (*https://www.fda.gov/medical-devices/industry-medical-devices/send-and-track-medical-device-premarket-submissions-online-cdrh-portal*). Instructions and information regarding eCopy submission are available on FDA's website at *https://www.fda.gov/medical-devices/how-study-and-market-your-device/ecopy-medical-device-submissions* and in the FDA guidance document, ''eCopy Program for Medical Device Submissions'' (*https://www.fda.gov/regulatory-information/search-fda-guidance-documents/ecopy-program-medical-device-submissions*).

In the **Federal Register** of August 7, 2025 (90 FR 38151) FDA published a 60-day notice requesting public comment on the proposed collection of information. No comments were received.

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

TABLE 1—ESTIMATED ANNUAL REPORTING BURDEN [1] [2]

Activity/21 CFR Part/Form	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours
Humanitarian Use Devices; 21 CFR Part 814					
Request for HUD designation—814.102	23	1	23	40	920
Certification of Compliance (form FDA 3674) [2]	4	1	4	.75 (45 minutes)	3
HDE Application—814.104	3	1	3	328	984
HDE Amendments and resubmitted HDEs—814.106	3	3	9	50	450
HDE Supplements—814.108	30	1	30	80	2,400
Procedures for review of an HDE, including a request for withdrawal—814.116.	1	1	1	1	1
Notification of withdrawal of institutional review board approval—814.124(b).	1	1	1	2	2
Periodic reports—814.126(b)(1)	36	4	144	120	17,280
Total					22,040
Information to Accompany Humanitarian Device Exemption Applications and Annual Distribution Number Reporting Requirements					
Pediatric Subpopulation and Patient Information—515A(a)(2) of the FD&C Act.	1	1	1	100	100
Exemption from Profit Prohibition Information—520(m)(6)(A)(i) and (ii) of the FD&C Act.	1	1	1	50	50
Request for Determination of Eligibility Criteria—613(b) of FDASIA.	1	1	1	10	10
ADN Notification—520(m)(6)(A)(iii) of the FD&C Act	1	1	1	100	100
ADN Modification—520(m)(6)(C) of the FD&C Act	1	1	1	100	100
Total					360
Reporting Total					22,400

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.
[2] Form FDA 3674 is approved under OMB Control No. 0910–0120. This ICR includes burden only for HUD submissions.

TABLE 2—ESTIMATED ANNUAL RECORDKEEPING BURDEN [1]

Activity/21 CFR Part	Number of recordkeepers	Number of records per recordkeeper	Total annual records	Average burden per recordkeeping	Total hours
Humanitarian Use Devices; 21 CFR Part 814					
HDE Records—814.126(b)(2)	81	1	81	2	162

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

TABLE 3—ESTIMATED ANNUAL THIRD-PARTY DISCLOSURE BURDEN [1]

Activity/21 CFR Section	Number of respondents	Number of disclosures per respondent	Total annual disclosures	Average burden per disclosure	Total hours
Humanitarian Use Devices; 21 CFR Part 814					
Notification of emergency use—814.124(a)	22	1	22	1	22

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

Our estimated burden for the information collection reflects an overall decrease of 321 hours and a corresponding decrease of 63 responses. The total hour burden for this information collection is estimated to be 22,584 hours. In a nonmaterial/non-substantive change request (83–C), approved 3/24/2023, we consolidated the information collection activity previously approved under OMB control number 0910–0661 into this information collection. This includes information collection associated with the annual distribution number reporting requirements related to pediatric patients and pediatric populations under section 613 of the Food and Drug Administration Safety and Innovation Act (FDASIA) (Pub. L. 112–144), which amended section 520(m) of the FD&C Act. The consolidation also included FDA guidance entitled ''Guidance for HDE Holders, Institutional Review Boards (IRBs), Clinical Investigators, and Food and Drug Administration Staff—Humanitarian Device Exemption (HDE) Regulation: Questions and Answers'' (HDE guidance) (July 2010, updated September 2019) (*http://www.fda.gov/downloads/MedicalDevices/DeviceRegulationandGuidance/GuidanceDocuments/ucm110203.pdf*). The guidance does not affect the

estimated burden estimates in this extension.

Lowell M. Zeta,

Acting, Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–22278 Filed 12–8–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2025–N–4942]

Agency Information Collection Activities; Proposed Collection; Comment Request; Mammography Standards Quality Act Requirements

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing an opportunity for public comment on the proposed collection of certain information by the Agency. Under the Paperwork Reduction Act of 1995 (PRA), Federal Agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, and to allow 60 days for public comment in response to the notice. This notice solicits comments on information collection associated with the Mammography Quality Standards Act.

DATES: Either electronic or written comments on the collection of information must be submitted by February 9, 2026.

ADDRESSES: You may submit comments as follows. Please note that late, untimely filed comments will not be considered. The *https://www.regulations.gov* electronic filing system will accept comments until 11:59 p.m. Eastern Time at the end of February 9, 2026. Comments received by mail/hand delivery/courier (for written/paper submissions) will be considered timely if they are received on or before that date.

Electronic Submissions

Submit electronic comments in the following way:

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

Written/Paper Submissions

Submit written/paper submissions as follows:

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

Instructions: All submissions received must include the Docket No. FDA–2025–N–4942 for ''Agency Information Collection Activities; Proposed Collection; Comment Request; Mammography Standards Quality Act Requirements.'' Received comments, those filed in a timely manner (see **ADDRESSES**), will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240–402–7500.

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

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

FOR FURTHER INFORMATION CONTACT: Amber Barrett, Office of Operations, Food and Drug Administration, Three White Flint North, 10A–12M, 11601 Landsdown St., North Bethesda, MD 20852, 301–796–8867, *PRAStaff@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501–3521), Federal Agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes Agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires Federal Agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, FDA is publishing notice of the proposed collection of information set forth in this document.

With respect to the following collection of information, FDA invites comments on these topics: (1) whether the proposed collection of information is necessary for the proper performance of FDA's functions, including whether the information will have practical

utility; (2) the accuracy of FDA's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques, when appropriate, and other forms of information technology.

Mammography Quality Standards Act Requirements—21 CFR Part 900

OMB Control Number 0910–0309—Extension

The Mammography Quality Standards Act (Pub. L. 102–539) requires the establishment of a Federal certification and inspection program for mammography facilities; standards for accreditation and certification bodies for mammography facilities; and standards for mammography equipment, personnel, and practices, including quality assurance. Implementing regulations are found in part 900 (*21 CFR part 900*). The regulations are intended to assure safe, reliable, and accurate mammography on a nationwide level. Under the regulations, as a first step in becoming certified, mammography facilities must become accredited by an FDA-approved accreditation body (AB). This requires undergoing a review of their clinical images and providing the AB with information showing that they meet the equipment, personnel, quality assurance, and quality control standards, and have a medical reporting and recordkeeping program, a medical outcomes audit program, and a consumer complaint mechanism. On the basis of this accreditation, facilities are then certified by FDA or an FDA-approved State certification agency and must prominently display their certificate. These actions are taken to ensure safe, accurate, and reliable mammography on a nationwide basis.

FDA meets with its National Mammography Quality Assurance Advisory Committee (NMQAAC) for the purposes of advising FDA's mammography program on advances in mammography technology and procedures and on appropriate quality standards for mammography facilities. NMQAAC is made up of representatives of the mammography community, consumer and industry groups, and government. The meetings are open to the public and time is allotted for public statements on issues of concern in the mammography field. The chairperson may also call upon attendees to contribute to the committee discussions.

FDA also regularly meets or holds teleconferences with its approved accreditation bodies and State certification agencies to discuss issues of mutual concern. We also engage with the Conference of State Radiation Program Directors (CRCPD), a professional organization of State agencies concerned with radiation protection. The CRCPD has established a standing Mammography Committee, which meets with FDA mammography staff at least once a year.

Finally, in recent years, FDA mammography staff have met several times with representatives of manufacturers working on the new applications of digital technology in mammography to resolve problems preventing the making of that technology generally available. FDA mammography staff have also worked with representatives of the manufacturers to develop quality assurance manuals for full field digital mammography units.

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

TABLE 1—ESTIMATED ANNUAL REPORTING BURDEN

Activity/21 CFR section/FDA form No.	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours
Part 900, MAMMOGRAPHY					
Subpart A, Accreditation					
Notification of intent to become an AB—900.3(b)(1)	0.33	1	0.33	1	0.33
Application for approval as an AB; full [2]—900.3(b)(3)	0.33	1	0.33	320	106
Application for approval as an AB; limited [3]—900.3(b)(3).	5	1	5	30	150
AB renewal of approval—900.3(c)	1	1	1	15	15
AB application deficiencies—900.3(d)(2)	0.1	1	0.1	30	3
AB resubmission of denied applications—900.3(d)(5)	0.1	1	0.1	30	3
Letter of intent to relinquish accreditation authority—900.3(e).	0.1	1	0.1	1	1
Summary report describing all facility assessments—900.4(f).	338	1	338	7	2,366
AB reporting to FDA; facility [4]—900.4(h)	8,931	1	8,931	1	8,931
AB reporting to FDA; AB [5]—900.4(h)	5	1	5	10	50
AB financial records—900.4(i)(2)	1	1	1	16	16
Former AB new application—900.6(c)(1)	0.1	1	0.1	60	6
Total Subpart A					11,648
Subpart B, Quality and Standards Certification					
Reconsideration of accreditation following appeal—900.15(d)(3)(ii).	1	1	1	2	2
Application for alternative standard—900.18(c)	2	1	2	2	4
Alternative standard amendment—900.18(e)	10	1	10	1	10
Total Subpart B					16

TABLE 1—ESTIMATED ANNUAL REPORTING BURDEN—Continued

Activity/21 CFR section/FDA form No.	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours
Subpart C, States as Certifiers					
Certification agency application—900.21(b)	0.33	1	0.33	320	106
Certification agency application deficiencies—900.21(c)(2).	0.1	1	0.1	30	3
Certification electronic data transmission—900.22(h)	5	200	1000	0.083 (5 minutes)	83
Changes to standards—900.22(i)	2	1	2	30	60
Certification agency minor deficiencies—900.24(b)	1	1	1	30	30
Appeal of adverse action taken by FDA—900.25(a)	0.2	1	0.2	16	3
Total Subpart C					285
Inspection fee exemption—FDA Form 3422	355	1	355	0.25 (15 minutes)	89
Total					12,0381,692

[1] Total hours have been rounded.
[2] Refers to the facility component of the burden for this requirement.
[3] Refers to the AB component of the burden for this requirement.
[4] Refers to the situation where a patient specifically does not want to receive the lay summary of her exam.

TABLE 2—ESTIMATED ANNUAL RECORDKEEPING BURDEN

Activity/21 CFR section	Number of recordkeepers	Number of records per recordkeeper	Total annual records	Average burden per recordkeeping	Total hours [1]
Part 900, MAMMOGRAPHY					
Subpart A, Accreditation					
AB transfer of facility records—900.3(f)(1)	0.1	1	0.1	1	1
Consumer complaints system; AB—900.4(g)	5	1	5	1	5
Total Subpart A					6
Subpart B, Quality and Standards Certification					
Documentation of interpreting physician initial requirements—900.12(a)(1)(i)(B)(2).	89	1	89	8	712
Documentation of interpreting physician personnel requirements—900.12(a)(4).	8,931	4	35,724	1	35,724
Permanent medical record—900.12(c)(4)	8,931	1	8,931	1	8,931
Procedures for cleaning equipment—900.12(e)(13)	8,931	52	464,412	0.083 (5 minutes)	38,546
Audit program—900.12(f)	8,931	1	8,931	16	142,896
Consumer complaints system; facility—900.12(h)(2)	8,931	2	17,862	1	17,862
Total Subpart B					244,671
Subpart C, States as Certifiers					
Certification agency conflict of interest—900.22(a)	4	1	4	1	4
Processes for suspension and revocation of certificates—900.22(d).	4	1	4	1	4
Processes for appeals—900.22(e)	4	1	4	1	4
Processes for additional mammography review—900.22(f).	4	1	4	1	4
Processes for patient notifications—900.22(g)	3	1	3	1	3
Evaluation of certification agency—900.23	4	1	4	20	80
Appeals—900.25(b)	4	1	4	1	4
Total Subpart C					103
Total					244,774

[1] Total hours have been rounded.

TABLE 3—ESTIMATED ANNUAL THIRD-PARTY DISCLOSURE BURDEN

Activity/21 CFR section	Number of respondents	Number of disclosures per respondent	Total annual disclosures	Average burden per disclosure	Total hours [1]
Part 900, MAMMOGRAPHY					
Subpart A, Accreditation					
Notification of facilities that AB relinquishes its accreditation—900.3(f)(2).	0.1	1	0.1	200	20
Clinical images; facility [2]—900.4(c), 900.11(b)(1), and 900.11(b)(2).	2,955	1	2,955	1.44	4,255
Clinical images; AB [3]—900.4(c)	5	1	5	416	2,080
Phantom images; facility [2]—900.4(d), 900.11(b)(1), and 900.11(b)(2).	2,955	1	2,955	0.72 (43 minutes)	2,128
Phantom images; AB [3]—900.4(d)	5	1	5	208	1,040
Annual equipment evaluation and survey; facility [2]—900.4(e), 900.11(b)(1), and 900.11(b)(2).	8,931	1	8,931	1	8,931
Annual equipment evaluation and survey; AB [3]—900.4(e).	5	1	5	1,730	8,650
Total Subpart A					27,104
Subpart B, Quality Standards and Certification					
Provisional mammography facility certificate extension application—900.11(b)(3).	2	1	2	0.5 (30 minutes)	1
Mammography facility certificate reinstatement application—900.11(c).	288	1	288	5	1,440
Provision of personnel records to IPs—900.12(a)(4).	615	1	615	0.08 (5 minutes)	49
Transfer of personnel records by closing facilities—900.12(a)(4).	190	1	190	5	950
New assessment categories and breast density reporting in mammography report (one-time burden)—900.12(c)(1)(iv) to (vi).	8,931	1	8,931	23	205,413
Lay summary of examination—900.12(c)(2)	8,931	5,085	45,414,135	0.083 (5 minutes)	3,769,373
Breast density reporting in lay summary (one-time burden)—900.12(c)(2).	8,931	1	8,931	11	98,241
Lay summary of examination; patient refusal [4]—900.12(c)(2).	89	1	89	0.5 (30 minutes)	45
Transfer/provision of copies of mammograms and records upon patient's request—900.12(c)(4)(ii) and (iii).	8,931	520	4,644,120	0.08 (5 minutes)	371,530
Facility closure; notification and records access—900.12(c)(4)(v).	190	1	190	32	6,080
Report of unresolved serious complaints—900.12(h)(4).	20	1	20	1	20
Information regarding compromised quality; facility [2]—900.12(j)(1).	20	1	20	200	4,000
Information regarding compromised quality; AB [3]—900.12(j)(1).	20	1	20	320	6,400
Patient notification of serious risk—900.12(j)(2)	7	1	7	100	700
Reconsideration of accreditation—900.15(c)	5	1	5	2	10
Total Subpart B					4,464,252
Subpart C, States as Certifiers					
Notification of requirement to correct major deficiencies—900.24(a).	0.4	1	0.4	200	80
Notification of loss of approval; major deficiencies—900.24(a)(2).	0.15	1	0.15	100	15
Notification of probationary status—900.24(b)(1)	0.3	1	0.3	200	60
Notification of loss of approval; minor deficiencies—900.24(b)(3).	0.15	1	0.15	100	15
Total Subpart C					170
Total					4,491,526

[1] Total hours have been rounded.
[2] Refers to the facility component of the burden for this requirement.
[3] Refers to the AB component of the burden for this requirement.
[4] Refers to the situation where a patient specifically does not want to receive the lay summary of her exam.

Our estimated burden for the information collection reflects an overall decrease of 4,225,729 hours and a corresponding decrease of 321,202 responses. We attribute this adjustment due to the number of certified mammography facilities. The estimated number of respondents in the tables are based on the number (8,931) of certified mammography facilities as of October 1, 2024. Title 21 CFR part 900 Mammography, as amended, includes various reporting, recordkeeping, and third-party disclosure activities. In addition, there was a decrease in state certifiers from 5 to 4—Illinois, Iowa, South Carolina, and Texas.

Lowell M. Zeta,

Acting, Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–22276 Filed 12–8–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2025–N–4250]

Agency Information Collection Activities; Proposed Collection; Comment Request; Establishment, Maintenance, and Availability of Records; Additional Traceability Records for Certain Foods

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing an opportunity for public comment on the proposed collection of certain information by the Agency. Under the Paperwork Reduction Act of 1995 (PRA), Federal Agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, and to allow 60 days for public comment in response to the notice. This notice solicits comments on the information collection provisions of our recordkeeping and records access requirements for food facilities.

DATES: Either electronic or written comments on the collection of information must be submitted by February 9, 2026.

ADDRESSES: You may submit comments as follows. Please note that late, untimely filed comments will not be considered. The *https://www.regulations.gov* electronic filing system will accept comments until 11:59 p.m. Eastern Time at the end of February 9, 2026. Comments received by mail/hand delivery/courier (for written/paper submissions) will be considered timely if they are received on or before that date.

Electronic Submissions

Submit electronic comments in the following way:

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

Written/Paper Submissions

Submit written/paper submissions as follows:

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

Instructions: All submissions received must include the Docket No. FDA–2025–N–4250 for ''Agency Information Collection Activities; Proposed Collection; Comment Request; Establishment, Maintenance, and Availability of Records; Additional Traceability Records for Certain Foods.'' Received comments, those filed in a timely manner (see **ADDRESSES**), will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240–402–7500.

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

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

FOR FURTHER INFORMATION CONTACT: Amber Sanford, Office of Operations, Food and Drug Administration, Three White Flint North, 10A–12M, 11601 Landsdown St., North Bethesda, MD 20852, 301–796–8867, *PRAStaff@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501–3521), Federal Agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes Agency requests or requirements that members of the public submit reports, keep records, or

provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires Federal Agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, FDA is publishing notice of the proposed collection of information set forth in this document.

With respect to the following collection of information, FDA invites comments on these topics: (1) whether the proposed collection of information is necessary for the proper performance of FDA's functions, including whether the information will have practical utility; (2) the accuracy of FDA's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques, when appropriate, and other forms of information technology.

Establishment, Maintenance, and Availability of Records; Additional Traceability Records for Certain Foods—21 CFR Part 1, Subparts J and S

OMB Control Number 0910–0560—Extension

The Public Health Security and Bioterrorism Preparedness and Response Act of 2002 added section 414 of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 350c), which requires that persons who manufacture, process, pack, hold, receive, distribute, transport, or import food in the United States establish and maintain records identifying the immediate previous sources and immediate subsequent recipients of food. These requirements are codified in the agency's general enforcement regulations at 21 CFR part 1, subpart J. The FDA Food Safety Modernization Act (FSMA) signed in 2011, required FDA to establish additional recordkeeping requirements for facilities that manufacture, process, pack, or hold foods the Agency designates as high-risk to facilitate the rapid and effective traceability of such foods. These requirements are codified in the agency's general enforcement regulations at 21 CFR part 1, subpart S. Part 1, subpart J (21 CFR 1.326 through 1.368) sets forth the requirements for recordkeeping and records access. Part 1, subpart S (21 CFR 1.1300 through 1.1465) provides additional recordkeeping requirements for persons who manufacture, process, pack, or hold foods FDA has designated as high-risk in accordance with factors specified by Congress; we have listed these foods on the Food Traceability List (FTL) on our website at *https://www.fda.gov/food/food-safety-modernization-act-fsma/food-traceability-list.* The requirement to establish and maintain records improves our ability to respond to, and further contain, threats of serious adverse health consequences or death from contaminated of food.

Part 1, Subpart J

Information maintained under these regulations helps us identify and quickly locate contaminated or potentially contaminated food and inform the appropriate individuals and food facilities of specific terrorist threats. Our regulations require that records for non-transporters include the name and full contact information of sources, recipients, and transporters; an adequate description of the food, including the quantity and packaging; and the received and shipping dates (§§ 1.337 and 1.345). Required records for transporters include the names of consignor and consignee, points of origin and destination, date of shipment, number of packages, description of freight, route of movement and name of each carrier participating in the transportation, and transfer points through which shipment moved (§ 1.352). Existing records may be used if they contain all the required information and are retained for the required time period.

The information collection provisions of § 1.361 are exempt from OMB review under 44 U.S.C. 3518(c)(1)(B)(ii) and 5 CFR 1320.4(a)(2) as collections of information obtained during the conduct of an administrative action, investigation, or audit involving an agency against specific individuals or entities. The regulations at 5 CFR 1320.3(c) provide that the exception in 5 CFR 1320.4(a)(2) applies during the entire course of the investigation, audit, or action, but only after a case file or equivalent is opened with respect to a particular party. Such a case file would be opened as part of the request to access records under § 1.361. Accordingly, we have not included an estimate of burden hours associated with § 1.361.

Part 1, Subpart S

Part 1, subpart S, in accordance with FSMA, establishes additional recordkeeping requirements for persons who manufacture, process, pack, or hold foods that the Agency has designated as high-risk foods (*i.e.,* placed on the ''Food Traceability List'' (FTL)) in accordance with section 204(d)(2) of FSMA. Persons are required to maintain records containing information on critical tracking events in the supply chain for FTL foods. Part 1, subpart S will help the Agency rapidly and effectively identify recipients of foods to prevent or mitigate foodborne illness outbreaks and address credible threats of serious adverse health consequences or death resulting from foods being adulterated or misbranded. These additional recordkeeping requirements strengthen public health protections by documenting the movement of foods on the FTL throughout the supply chain, enabling FDA to more rapidly and effectively identify the source of contaminated foods and aid in the removal of contaminated products from the market. Records required under this subpart must be maintained for 2 years from the date they were created or obtained. For more information about requirements for additional traceability records for certain foods visit our website at *https://www.fda.gov/food/food-safety-modernization-act-fsma/fsma-final-rule-requirements-additional-traceability-records-certain-foods,* which also includes a guide that provides key data elements for recordkeeping (*https://www.fda.gov/media/163132/download?attachment*).

The information and records required under part 1, subpart S vary depending on the type of supply chain activities performed with respect to an FTL food. For harvesting and cooling of foods on the FTL, records must include information about the location for the immediate subsequent recipient, commodity, quantity, location of farm and harvest area or cooling area, date of harvest or cooling, and the reference document type and reference document number (§ 1.1325). For the initial packing of a raw agricultural commodity on the FTL, including sprouts, for each traceability lot you initially pack, records must include and link the traceability lot to information about the commodity, date harvested and received, quantity, location of farm and harvest and/or cooling area, name and phone number of harvester, and the reference document type and reference document number (§ 1.1330). For the first land-based receiver of food on the FTL, for each traceability lot obtained from a fishing vessel, records must include and link the traceability lot to the traceability lot code assigned,

product description, quantity, harvest date range and locations, location of land-based receiver, date the food landed, and the reference document type and reference document number (§ 1.1335). For each traceability lot of a food on the FTL that you ship or receive, records must include and link the traceability lot to the traceability lot code, product description, quantity, location description of either the immediate subsequent recipient or the immediate previous source, location description of either from which you shipped or for where the food was received, date the food was shipped or received, location description for the traceability lot code source, and the reference document type and reference document number (§§ 1.1340 and 1.1345). For each traceability lot of food that is on the FTL that is transformed, records must include and link the traceability lot to the traceability lot code, product description, quantity, date transformed, and the reference document type and reference document number (§ 1.1350). Part 1, subpart S also requires that persons who manufacture, process, pack, or hold foods listed on the FTL to maintain records demonstrating the creation and establishment of a traceability plan (§ 1.1315).

A respondent may submit a citizen petition to FDA to request modified requirements or exemptions from the requirements of subpart S (§ 1.1370). In addition to the requirements of a citizen petition (21 CFR 10.30), a respondent must: (a) specify the food or type of entity to which the modified requirements or exemption would apply; (b) specify the proposed modifications to the requirements; and (c) provide information demonstrating that the proposed modification or exemption of the requirements are not necessary to protect the public health.

A respondent may submit to FDA a written request or a citizen petition to waive one or more requirements (§§ 1.1415 and 1.1425). In addition to the requirements for submitting a citizen petition (§ 10.30), a respondent must: (a) specify the type of entity to which the waiver would apply; (b) provide information demonstrating why the requirements requested to be waived would result in an economic hardship for the entity, including information about the unique circumstances faced by the entity that result in unusual economic hardship from the application of these requirements; and (c) why the waiver will not significantly impair FDA's ability to rapidly and effectively identify recipients of a food to prevent or mitigate a foodborne illness outbreak or to address credible threats of serious adverse health consequences or death to humans or animals as a result of such food being adulterated under section 402 of the FD&C Act or misbranded under section 403(w) of the FD&C Act; and (d) provide information demonstrating that the waiver would not otherwise be contrary to the public interest.

The information collection provision of § 1.1455(c)(3)(ii) is exempt from OMB review under 44 U.S.C. 3518(c)(1)(B)(ii) and 5 CFR 1320.4(a)(2) as collections of information obtained during the conduct of an administrative action, investigation, or audit involving an agency against specific individuals or entities. The regulations at 5 CFR 1320.3(c) provide that the exception in 5 CFR 1320.4(a)(2) applies during the entire course of the investigation, audit, or action, but only after a case file or equivalent is opened with respect to a particular party. Such a case file would be opened as part of the request to access records for which there is a requirement to provide the records in an electronic sortable spreadsheet under § 1.1455(c)(3)(ii). Accordingly, we have not included an estimate of burden hours associated with § 1.1455(c)(3)(ii).

Description of Respondents: Respondents to this collection of information are persons that manufacture, process, pack, hold, receive, distribute, transport, or import food in the United States who are required to establish, maintain, and provide records, including persons that engage in both interstate and intrastate commerce.

We estimate the burden of this collection of information as follows:

TABLE 1—ESTIMATED ANNUAL REPORTING BURDEN [1]

Activity; 21 CFR section	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours
Requests for modified requirements and exemptions; 1.1370	5	1	5	10	50
Requests for waivers; 1.1415 and 1.1425	15	1	15	10	150
Total			20		200

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

TABLE 2—ESTIMATED ANNUAL RECORDKEEPING BURDEN [1]

Activity; 21 CFR section	Number of recordkeepers	Number of records per recordkeeper	Total annual records	Average burden per recordkeeping	Total hours
Records maintenance; 1.337, 1.345, and 1.352	379,493	1	379,493	7	2,656,451
Create and establish traceability plan; 1.1315	212,368	1	212,368	8	1,698,944
Records for harvesting or cooling; 1.1325	9,570	575	5,502,750	0.07 (4 minutes)	385,193
Records for initial packer; 1.1330	4,313	865	3,730,745	0.07 (4 minutes)	261,152
Records for first land-based receiver; 1.1335	367	1,471	539,857	0.03 (2 minutes)	16,196
Records for shipper and receiver; 1.1340 and 1.1345	502,000	5,900	2,961,800,000	0.006 (20 seconds)	17,770,800
Transformer; 1.1350	8,574	1,101	9,439,974	0.03 (2 minutes)	283,199
Total			2,981,605,187		23,071,935

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

The revised estimated annual burden reflects updates to the consideration of burden. We believe that the burden for part 1, subpart J was inadvertently omitted from the previous approval, so we are adding it here. However, we believe some of the considerations for burden should have been incorporated with PRA activities instead of being considered independently. Lastly, considerations of burden for §§ 1.1465(a) and 1.1455(c)(3)(ii) do not apply to the PRA so we have removed this burden. Section 1.1465(a) is a general solicitation for comment, which is not considered ''information'' under the PRA regulations (5 CFR 1320.3(h)(4)). Activities under § 1.1455(c)(3)(ii) applies to an investigation, audit, or action after a case file is opened for a specific party, which is exempt from OMB review as discussed earlier in this document (5 CFR 1320.4(a)(2)).

Our estimated burden for the information collection reflects an overall increase of 4,227,299 hours but a corresponding decrease of 4,973,420 records. We attribute the increase in hours to the return of burden for part 1, subpart J along with adjustments to the average burden per recordkeeping. We attribute the decrease of records due to the reconsideration of activities such as learning new requirements and training staff and incorporating the time for these activities as part of the actual information collection.

Lowell M. Zeta,

Acting, Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–22277 Filed 12–8–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Agency Information Collection Activities: Submission to OMB for Review and Approval; Public Comment Request; Membership Forms for Organ Procurement and Transplantation Network, OMB No. 0915–0184—Revision

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, HRSA has submitted an Information Collection Request (ICR) to the Office of Management and Budget (OMB) for review and approval. Comments submitted during the first public review of this ICR will be provided to OMB. OMB will accept further comments from the public during the review and approval period. OMB may act on HRSA's ICR only after the 30-day comment period for this notice has closed.

DATES: Comments on this ICR should be received no later than January 8, 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: To request a copy of the clearance requests submitted to OMB for review, email Samantha Miller, the HRSA Information Collection Clearance Officer at *paperwork@hrsa.gov* or call (301) 443–3983.

SUPPLEMENTARY INFORMATION: When submitting comments or requesting information, please include the ICR title for reference.

Information Collection Request Title: Membership Forms for Organ Procurement and Transplantation Network, OMB No. 0915–0184—Revision.

Abstract: The purpose of this ICR is to renew and revise membership application materials for the Organ Procurement and Transplantation Network (OPTN). Membership in the OPTN is determined by submission of application materials to OPTN demonstrating that the applicant meets all required criteria for membership and will agree to comply with all applicable provisions of the National Organ Transplant Act, as amended, 42 U.S.C. 273, *et seq.,* the OPTN final rule, 42 CFR part 121, OPTN Policies, and OPTN Management and Membership Policies. Section 1138 of the Social Security Act, as amended, 42 U.S.C. 1320b–8 requires that hospitals in which transplants are performed by members of OPTN abide by the rules and requirements of OPTN (that have been approved by the Secretary of HHS) as a condition of participation in Medicare and Medicaid.

A 60-day **Federal Register** notice was published in the **Federal Register** on August 20, 2025, Vol. 90, No. 159; pp. 40606–40608. HRSA received one comment from the President of the Association of Organ Procurement Organizations. The commenter expressed support for the necessity and utility of the proposed information collection, noting that it provides critical information to assess whether applicants meet OPTN membership requirements. The commenter also sought clarification on whether a written agreement is required between an Organ Procurement Organization (OPO) and its laboratory when the two entities operate under separate Centers for Medicare & Medicaid Services Certification Numbers.

HRSA Response: Laboratories are required to maintain written agreements with each OPO they serve, unless clinical urgency prevents such an agreement. These agreements delineate the respective responsibilities and expected procedures of the OPO and the laboratory to ensure compliance with OPTN membership standards and support the integrity of the organ procurement process. This requirement is outlined in OPTN Bylaw C.2.D (OPO Affiliation), which specifies the elements that must be included in OPO-laboratory agreements.

Need and Proposed Use of the Information: The application materials are needed to ensure that all members and prospective members of OPTN submit evidence that they meet the required qualifications for membership. These materials provide OPTN with the information necessary to confirm and demonstrate that applicants meet OPTN membership application requirements and create a record of the application review process and resulting actions for consideration by the Secretary of HHS in the event an applicant subsequently appeals a membership rejection by OPTN.

Transplant hospitals, OPOs, transplant histocompatibility laboratories, medical/scientific and public organizations, business organizations, and individuals complete the appropriate application materials to meet or sustain requirements for OPTN membership. The revisions include the addition of a new data collection form for Information Security Contact Management, a required role for accessing the OPTN Computer System; additional updates to align the membership applications for histocompatibility laboratories and businesses with new requirements, as well as non-substantive changes to the existing OMB data collection forms to improve clarity and efficiency for both members and OPTN.

Likely Respondents: New and existing transplant hospitals, organ procurement organizations, histocompatibility laboratories, medical/scientific and public organizations, businesses, and individual members.

Burden Statement: Burden in this context means the time expended by persons to generate, maintain, retain, disclose or provide the information requested. This includes the time needed to review instructions; to develop, acquire, install and utilize technology and systems for the purpose of collecting, validating and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information; to search data sources; to complete and review the collection of information; and to transmit or otherwise disclose the information. The total annual burden hours estimated for this ICR are summarized in the table below.

The estimated burden hours for this collection decreased by 2,062 hours from the currently approved ICR package. The decrease in burden can be attributed to members becoming more familiar with the revised 2022 application forms and from consultation with the appropriate OPTN committees to estimate the burden. Specifically, OPTN based its burden hour estimates on input from a representative sample of potential respondents. Accordingly, the estimates were developed through consultation with the Transplant Administrator, Histocompatibility, OPO, and Vascularized Composite Allograft committees. These committees reviewed the forms and instructions and determined the estimates through consensus during their meetings. In preparation for these discussions, some committee members also sought input from subject matter experts within their respective organizations.

TOTAL ESTIMATED ANNUALIZED BURDEN HOURS

Form No.	Form name	Number of respondents [1]	Number of responses per respondent	Total responses [2]	Average burden per response (in hours)	Total burden hours
1	OPTN Membership Application for Transplant Hospitals and Programs.	250	0.14	35	12.17	425.95
2	OPTN Membership Application for Kidney Transplant Programs.	235	0.34	80	6.85	548.00
3	OPTN Membership Application for Liver Transplant Programs.	144	0.46	67	5.79	387.93
4	OPTN Membership Application for Pancreas Transplant Programs.	135	0.22	30	5.79	173.70
5	OPTN Membership Application for Heart Transplant Programs.	155	0.25	39	16.82	655.98
6	OPTN Membership Application for Lung Transplant Programs.	81	0.2	17	5.79	98.43
7	OPTN Membership Application for Islet Transplant Programs.	22	0.09	2	8	16.00
8	OPTN Membership Application for Vascularized Composite Allograft Transplant Programs.	48	0.27	13	23.79	309.27
9	OPTN Membership Application for Intestine Transplant Programs.	19	0.16	4	11	44.00
10	OPTN Membership Application for Histocompatibility Laboratories.	138	0.22	31	3.7	114.70
11	OPTN Membership Application for Organ Procurement Organizations.	55	0.18	10	18.33	183.30
12	OPTN Medical/Scientific Membership Application.	11	0.18	2	1.42	2.84
13	OPTN Public Organization Membership Application.	10	0.4	4	2	8.00
14	OPTN Business Membership Application	19	0.47	9	1.61	14.49
15	OPTN Individual Membership Application	16	0.625	10	1.53	15.30
16	OPTN Representative Form	499	0.27	135	0.43	58.05
17	Primary Data Coordinator Form	1,032	0.09	93	0.43	39.99
18	Primary Program Administrator Form	839	0.12	101	0.45	45.45
19	Additional Surgeon and Physician Request Form.	839	0.37	311	0.84	261.24
20	HOPE Act Variance Request Form	56	0.02	2	0.5	1.00
21	Kidney Paired Donation Pilot Program contact update form.	160	0.18	29	0.56	16.24
22	OPTN Membership Application Surgeon or Physician Log [3].	0	0	0	0	0.00
23	Information Security Contact Management Form [4].	462	1.46	675	0.19	128.25
	Total = 23 forms	5,225	.....	1,699	.....	3,548

Notes:

[1] The numbers of respondents were updated with OPTN membership data as of December 2, 2024, and reflect the number of current OPTN members.

[2] The numbers of total responses were calculated with data from January 1, 2023, through December 31, 2023. ''Total Responses'' are rounded to the nearest whole number.

[3] The OPTN Membership Application Surgeon or Physician Log is an optional form. The information can also be submitted by the OPTN member using a different format. The burden of completing the application is included in the organ specific application form. Please note that if a form has 0.00 under average number of responses, this is an indicator that there were no submissions in calendar year 2023.

[4] The Information Security Contact Management Form is new, added to the Membership ICR in 2025.

Maria G. Button,

Director, Executive Secretariat.

[FR Doc. 2025–22330 Filed 12–8–25; 8:45 am]

BILLING CODE 4165–15–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; Fellowships and Mentored Training: Hepatology, Toxicology, and Xenobiotic Metabolism and Disposition.

Date: January 27, 2026.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Charlene J. Repique, Ph.D., Scientific Review Officer, NIDDK, National Institutes of Health, 6707 Democracy Boulevard, Room 7347, Bethesda, MD 20892, 301–451–3638, *charlene.repique@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 4, 2025.

Rosalind M. Niamke,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–22292 Filed 12–8–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Pain Mechanisms.

Date: January 16, 2026.

Time: 10:00 a.m. to 6:30 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: Nesar Uddin Akanda, Ph.D. M.D., Scientific Review Officer, Scientific Review Branch, National Institute on Aging, National Institutes of Health, 5601 Fishers Lane, Suite 8B, Rockville, MD 20892, (301) 594–8984, *nesar.akanda@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.

Rosalind M. Niamke,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–22286 Filed 12–8–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Brain Disorders and Clinical Neuroscience Integrated Review Group; Clinical Neuroplasticity and Neurotransmitters Study Section.

Date: January 14–15, 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: Paula Elyse Schauwecker, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5201, Bethesda, MD 20892, 301–760–8207, *schauweckerpe@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.

Rosalind M. Niamke,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–22283 Filed 12–8–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Program Projects: Renewal of Centers of Biomedical Research Excellence (COBRE).

Date: January 16, 2026.

Time: 9:00 a.m. to 5:30 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: Li Jia, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Research, NINDS/NIH, 6001 Executive Boulevard, Room 3208D, Rockville, MD 20852, 301 451–2854, *li.jia@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.

Rosalind M. Niamke,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–22285 Filed 12–8–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR–21–321: Cancer Center Support Grants.

Date: January 7–8, 2026.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Eun Ah Cho, Ph.D., Scientific Review Officer, Cancer Diagnosis, Prevention & Therapeutics (CDPT), Center for Scientific Review, National Cancer Institute, NIH, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 496–3591, *choe@mail.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Cardiovascular Biology and Hematology.

Date: January 8, 2026.

Time: 9:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Manoj Kumar Valiyaveettil, Ph.D., Scientific Review Officer, Office of Scientific Review/DERA, National Heart, Lung, and Blood Institute, National Institutes of Health, 6705 Rockledge Drive, Room 208–R, Bethesda, MD 20817, (301) 402–1616, *manoj.valiyaveettil@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: Clinical Neuroscience.

Date: January 9, 2026.

Time: 9:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Maurizio Grimaldi, CL Pharm, Ph.D., MD, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20817, (301) 594–2636, *maurizio.grimaldi@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Musculoskeletal Sciences,

Date: January 14, 2026.

Time: 9:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Chiguang Feng, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20817, (240) 552–4787, *chiguang.feng@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Topics in HIV Molecular Virology, Cell Biology, and Drug Development.

Date: January 21, 2026.

Time: 10:00 a.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Noton K. Dutta, Ph.D., Scientific Review Officer, NIH/NIAID/DEA/SRP, BG 5601FL RM 3F36, 5601 Fishers Ln, Rockville, MD 20852, (240) 669–2857, *noton.dutta@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Cancer Therapeutics.

Date: January 29, 2026.

Time: 9:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Shree Ram Singh, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, Bethesda, MD 20892, (240) 672–6175, *singhshr@mail.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Topics in Health Services, Clinical Informatics, and Digital Health.

Date: January 29, 2026.

Time: 11:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Heidi B. Friedman, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 907–H, Bethesda, MD 20892, (301) 379–5632, *hfriedman@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 4, 2025.

Denise M. Santeufemio,

Supervisory Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–22293 Filed 12–8–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Pathway to Independence Award (K99/R00)—Vision.

Date: January 29, 2026.

Time: 1:00 p.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: Kirk Thompson, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5184, MSC 7844, Bethesda, MD 20892, 301–435–1242, *kgt@mail.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 4, 2025.

Rosalind M. Niamke,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–22290 Filed 12–8–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Training in Neurodevelopment and Neuropsychiatry.

Date: January 23, 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: Dario Dieguez, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 5601 Fishers Lane, Suite 8B, Rockville, MD 20892, 301–827–3101, *dario.dieguez@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.

Rosalind M. Niamke,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–22282 Filed 12–8–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Pregnancy and Microenvironment.

Date: January 23, 2026.

Time: 1:00 p.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: Leslie Mccue Turner, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 700–H, Bethesda, MD 20892, 301–480–4962, *leslie.turner@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 4, 2025.

Denise M. Santeufemio,

Supervisory Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–22297 Filed 12–8–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Program Project: NIDDK Nutrition Obesity Research Centers.

Date: January 14–15, 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: Nijaguna Prasad, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 594–5197, *prasadnb@mail.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 4, 2025.

Denise M. Santeufemio,

Supervisory Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–22295 Filed 12–8–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections

552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Biobehavioral and Behavioral Processes Integrated Review Group; Child Psychopathology and Developmental Disabilities Study Section.

Date: January 21, 2026.

Time: 10:00 a.m.–6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Robin Thompson, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, 227–232–5571, *robin.thompson@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.

Rosalind M. Niamke,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–22281 Filed 12–8–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Digestive, Kidney and Urological Systems Integrated Review; Group Kidney and Urological Systems Function and Dysfunction Study Section.

Date: January 13, 2026.

Time: 8:30 a.m. to 6:30 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Santanu Banerjee, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 2106, Bethesda, MD 20892, (301) 435–5947, *banerjees5@mail.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 4, 2025.

Rosalind M. Niamke,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–22291 Filed 12–8–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Program Projects: Diabetes Translation Research.

Date: January 21–22, 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: Nijaguna Prasad, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 594–5197, *prasadnb@mail.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 4, 2025.

Denise M. Santeufemio,

Supervisory Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–22296 Filed 12–8–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Endocrinology, Metabolism, Nutrition and Reproductive Sciences Integrated Review Group; Cell Signaling and Molecular Endocrinology Study Section.

Date: January 26–27, 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: Andrew M. Wolfe, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Dr., Room 6214, Bethesda, MD 20892, (301) 402–3019, *andrew.wolfe@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 4, 2025.

Denise M. Santeufemio,

Supervisory Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–22298 Filed 12–8–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Biology of Aging.

Date: February 5, 2026.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Kimberly Hammer, Ph.D., Scientific Review Officer, National Institute of General Medical Sciences, Bethesda, MD 20892, (301) 827–0041, *kimberly.hammer@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 4, 2025.

Denise M. Santeufemio,

Supervisory Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–22294 Filed 12–8–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Drug Abuse; Notice of Closed Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the Board of Scientific Counselors, NIDA.

The meeting will be closed to the public as indicated below in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended for the review, discussion, and evaluation of individual intramural programs and projects conducted by the National Institute on Drug Abuse, including consideration of personnel qualifications and performance, and the competence of individual investigators, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Board of Scientific Counselors, NIDA.

Date: January 21, 2026.

Time: 9:15 a.m. to 4:05 p.m.

Date: January 22, 2026.

Time: 9:30 a.m. to 3:30 p.m.

Agenda: To review and evaluate personnel qualifications and performance, and competence of individual investigators.

Place: National Institute on Drug Abuse, NIH Biomedical Research Center, 251 Bayview Boulevard, Baltimore, MD 21224.

Meeting Format: Virtual Meeting.

Contact Person: Megan E. Bollinger, M.S., Management Analyst, Office of the Scientific Director, National Institute on Drug Abuse, 251 Bayview Boulevard, Suite 200, Baltimore, MD 21224, (443) 740–2466, *Megan.Bollinger@nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.277, Drug Abuse Scientist Development Award for Clinicians, Scientist Development Awards, and Research Scientist Awards; 93.278, Drug Abuse National Research Service Awards for Research Training; 93.279, Drug Abuse and Addiction Research Programs, National Institutes of Health, HHS)

Zieta Charles,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–22329 Filed 12–8–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflicts: AD/ADRD- and Aging-Related Outcomes.

Date: January 7, 2026.

Time: 9:00 a.m. to 6:30 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: Sue Andersen, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, 301–480–5404, *sue.andersen-navalta@nih.gov*.

(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.

Rosalind M. Niamke,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–22284 Filed 12–8–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Endocrinology, Metabolism, Nutrition and Reproductive Sciences Integrated Review Group; Cellular, Molecular and Integrative Reproduction Study Section.

Date: January 12, 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: Leslie Mccue Turner, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, 301–480–4962, *leslie.turner@nih.gov*.

(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 4, 2025.

Denise M. Santeufemio,

Supervisory Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–22299 Filed 12–8–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Accreditation of Markan Laboratories (New York, NY) as a Commercial Laboratory

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation of Markan Laboratories (New York, NY), as a commercial laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Markan Laboratories (New York, NY), has been accredited to test certain sugar products for customs purposes for the next three years as of March 1, 2024.

DATES: Markan Laboratories (New York, NY) was accredited as a commercial laboratory as of March 1, 2024. The next triennial inspection date will be scheduled for March 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, that Markan Laboratories, 5 Hanover Square, 23rd Floor, New York, NY 10004, has been accredited to test certain sugar products for customs purposes, in accordance with the provisions of 19 CFR 151.12.

Markan Laboratories (New York, NY) is accredited for the following laboratory analysis procedures and methods for sugar products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and International Commission for Uniform Methods of Sugar Analysis (ICUMSA):

CBPL No.	ICUMSA		Title
	New method No.	Old method No.	
17–01	GS1–1 (2022)	GS1/2/3/9–1	Polarimetric Sucrose Content of Raw Sugar by VIS-Polarimetry.
17–02	GS2–1 (2022)	GS2/3–1	Polarimetric Sucrose Content of White Sugar by VIS-Polarimetry.
17–07	GS2–15 (2007)	GS2/1/3/9–15	The Determination of Sugar Moisture by Loss on Drying.
17–20	GS1–2 (2022)	GS1/2/3–2	Polarimetric Sucrose Content of Raw Sugar by NIR-Polarimetry.

Anyone wishing to employ this entity to conduct laboratory analyses should request and receive written assurances from the entity that it is accredited by the U.S. Customs and Border Protection to conduct the specific test requested. Alternatively, inquiries regarding the specific test this entity is accredited 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. 2025–22273 Filed 12–8–25; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Accreditation and Approval of AmSpec LLC (Mobile, AL), 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 (Mobile, AL), as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that AmSpec LLC (Mobile, AL), 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 June 4, 2025.

DATES: AmSpec LLC (Mobile, AL), was approved and accredited as a commercial gauger and laboratory as of June 4, 2025. The next triennial inspection date will be scheduled for June 2028.

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, 5237 Halls Mill Rd., Mobile, AL 36619, 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 (Mobile, AL), 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 (Mobile, AL), 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.
27–04	D95	Standard Test Method for Water in Petroleum Products and Bituminous Materials by Distillation.
27–05	D4928	Standard Test Method for Water in Crude Oils by Coulometric Karl Fischer Titration.
27–06	D473	Standard Test Method for Sediment in Crude Oils and Fuel Oils by the Extraction Method.
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.
27–46	D5002	Standard Test Method for Density, Relative Density, and API Gravity of Crude Oils by Digital Density Analyzer.
N/A	D4007	Standard Test Method for Water and Sediment in Crude Oil by the Centrifuge Method (Laboratory Procedure).

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. 2025–22274 Filed 12–8–25; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Accreditation and Approval of AmSpec LLC (Freeport, TX), 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 (Freeport, TX), as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that AmSpec LLC (Freeport, TX), 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 May 21, 2025.

DATES: AmSpec LLC (Freeport, TX), was approved and accredited as a commercial gauger and laboratory as of May 21, 2025. The next triennial inspection date will be scheduled for May 2028.

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, 2003 Victoria Lane, Freeport, TX 77541, 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 (Freeport, TX), 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 (Freeport, TX), 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
27–06	D473	Standard Test Method for Sediment in Crude Oils and Fuel Oils by the Extraction Method.
27–07	D4807	Standard Test Method for Sediment in Crude Oil by Membrane Filtration.
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.
27–46	D5002	Standard Test Method for Density, Relative Density, and API Gravity of Crude Oils by Digital Density Analyzer.
N/A	D3227	Standard Test Method for (Thiol Mercaptan) Sulfur in Gasoline, Kerosine, Aviation Turbine, and Distillate Fuels (Potentiometric Method).
N/A	D4007	Standard Test Method for Water and Sediment in Crude Oil by the Centrifuge Method (Laboratory Procedure).
N/A	D5705	Standard Test Method for Measurement of Hydrogen Sulfide in the Vapor Phase Above Residual Fuel Oils.

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. 2025–22270 Filed 12–8–25; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Accreditation and Approval of AmSpec LLC (Texas City, TX), 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 (Texas City, TX), as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that AmSpec LLC (Texas City, TX), 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 May 14, 2025.

DATES: AmSpec LLC (Texas City, TX), was approved and accredited as a commercial gauger and laboratory as of May 14, 2025. The next triennial inspection date will be scheduled for May 2028.

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, 3208 5th Avenue South, Texas City, TX 77590, 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 (Texas City, TX), 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 (Texas City, TX), 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
27–03	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.
27–05	D4928	Standard Test Method for Water in Crude Oils by Coulometric Karl Fischer Titration.
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.
27–46	D5002	Standard Test Method for Density, Relative Density, and API Gravity of Crude Oils by Digital Density Analyzer.
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.
27–53	D2709	Standard Test Method for Water and Sediment in Middle Distillate Fuels by Centrifuge.
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).

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. 2025–22269 Filed 12–8–25; 8:45 am]

BILLING CODE P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Accreditation of Dixie Services, Inc. (Galena Park, TX) as a Commercial Laboratory

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation of Dixie Services, Inc. (Galena Park, TX), as a commercial laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Dixie Services, Inc. (Galena Park, TX), has been accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of May 28, 2025.

DATES: Dixie Services, Inc. (Galena Park, TX) was accredited as a commercial laboratory as of May 28, 2025. The next triennial inspection date will be scheduled for May 2028.

FOR FURTHER INFORMATION CONTACT: Dr. Justin Shey, Laboratories and Scientific Services, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW, Suite 1501–A North, Washington, DC 20229, tel. 202–344–1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12, that Dixie Services, Inc., 1706 First Street, Galena Park, TX 77547, has been accredited to test petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12.

Dixie Services, Inc. (Galena Park, TX) 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
27–04	D95	Standard Test Method for Water in Petroleum Products and Bituminous Materials by Distillation.
27–05	D4928	Standard Test Method for Water in Crude Oils by Coulometric Karl Fischer Titration.
27–06	D473	Standard Test Method for Sediment in Crude Oils and Fuel Oils by the Extraction Method.
27–07	D4807	Standard Test Method for Sediment in Crude Oil by Membrane Filtration.
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.
27–39	D721	Standard Test Method for Oil Content of Petroleum Waxes.
27–46	D5002	Standard Test Method for Density, Relative Density, and API Gravity of Crude Oils by Digital Density Analyzer.
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.
27–53	D2709	Standard Test Method for Water and Sediment in Middle Distillate Fuels by Centrifuge.
27–58	D5191	Standard Test Method for Vapor Pressure of Petroleum Products and Liquid Fuels (Mini Method).
N/A	D92	Standard Test Method for Flash and Fire Points by Cleveland Open Cup Tester.
N/A	D97	Standard Test Method for Pour Point of Petroleum Products.
N/A	D613	Standard Test Method for Cetane Number of Diesel Fuel Oil.
N/A	D2699	Standard Test Method for Research Octane Number of Spark-Ignition Engine Fuel.
N/A	D2700	Standard Test Method for Motor Octane Number of Spark-Ignition Engine Fuel.

Anyone wishing to employ this entity to conduct laboratory analyses should request and receive written assurances from the entity that it is accredited by the U.S. Customs and Border Protection to conduct the specific test requested. Alternatively, inquiries regarding the specific test this entity is accredited 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. 2025–22267 Filed 12–8–25; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Accreditation and Approval of AmSpec LLC (Plainfield, IL), 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 (Plainfield, IL), as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that AmSpec LLC (Plainfield, IL), 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 May 8, 2025.

DATES: AmSpec LLC (Plainfield, IL), was approved and accredited as a commercial gauger and laboratory as of May 8, 2025. The next triennial inspection date will be scheduled for May 2028.

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, 12351 South Industrial Drive East, Plainfield, IL 60585, 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 (Plainfield, IL), 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.
9	Density Determination.
12	Calculation of Petroleum Quantities.
17	Marine Measurement.

AmSpec LLC (Plainfield, IL), 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
27–04	D95	Standard Test Method for Water in Petroleum Products and Bituminous Materials by Distillation.
27–05	D4928	Standard Test Method for Water in Crude Oils by Coulometric Karl Fischer Titration.
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.
27–46	D5002	Standard Test Method for Density, Relative Density, and API Gravity of Crude Oils by Digital Density Analyzer.
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).

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. 2025–22271 Filed 12–8–25; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

Office of the Secretary

Determination Pursuant to Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as Amended

AGENCY: Office of the Secretary, Department of Homeland Security.

ACTION: Notice of determination.

SUMMARY: The Secretary of Homeland Security has determined, pursuant to law, that it is necessary to waive certain laws, regulations, and other legal requirements in order to ensure the expeditious construction of barriers and roads in the vicinity of the international land border in the state of Texas.

DATES: This determination takes effect on December 9, 2025.

SUPPLEMENTARY INFORMATION: Important mission requirements of the Department of Homeland Security (''DHS'') include border security and the detection and prevention of illegal entry into the United States. Border security is critical to the nation's national security. Recognizing the critical importance of border security, Congress has mandated DHS to achieve and maintain operational control of the international land border. Secure Fence Act of 2006, Public Law 109–367, section 2, 120 Stat. 2638 (Oct. 26, 2006) (8 U.S.C. 1701 note). Congress defined ''operational control'' as the prevention of all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband. *Id.* Consistent with that mandate, the President's Executive Order on Securing Our Borders directs that I take all appropriate action to deploy and construct physical barriers to ensure complete operational control of the southern border of the United States. Executive Order 14165, section 3 (Jan. 20, 2025).

Congress has provided to the Secretary of Homeland Security a number of authorities necessary to carry out DHS's border security mission. One of those authorities is found at section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as amended (''IIRIRA''). Public Law 104–208, Div. C, 110 Stat. 3009–546, 3009–554 (Sept. 30, 1996) (8 U.S.C. 1103 note), as amended by the REAL ID Act of 2005, Public Law 109–13, Div. B, 119 Stat. 231, 302, 306 (May 11, 2005) (8 U.S.C. 1103 note), as amended by the Secure Fence Act of 2006, Public Law 109–367, section 3, 120 Stat. 2638 (Oct. 26, 2006) (8 U.S.C. 1103 note), as amended by the Department of Homeland Security Appropriations Act, 2008, Public Law 110–161, Div. E, Title V, section 564, 121 Stat. 2090 (Dec. 26, 2007). In section 102(a) of IIRIRA, Congress provided that the Secretary of Homeland Security shall take such actions as may be necessary to install additional physical barriers and roads (including the removal of obstacles to detection of illegal entrants) in the vicinity of the United States border to deter illegal crossings in areas of high illegal entry into the United States. In section 102(b) of IIRIRA, Congress mandated that in carrying out the authority of section 102(a), I provide for the installation of additional fencing, barriers, roads, lighting, cameras, and sensors to achieve and maintain operational control of the border. Finally, in section 102(c) of IIRIRA, Congress granted to the Secretary of Homeland Security the authority to waive all legal requirements that I, in my sole discretion, determine necessary to ensure the expeditious construction

of barriers and roads authorized by section 102 of IIRIRA.

Determination and Waiver

Section 1

The Rio Grande Valley Sector is an area of high illegal entry. Between fiscal year 2021 and fiscal year 2025, Border Patrol apprehended over 1,527,020 illegal aliens attempting to enter the United States between border crossings in the Rio Grande Sector. In that same time period Border Patrol seized over 169,345 pounds of marijuana, over 7,887 pounds of cocaine, over 102 pounds of heroin, over 6,311 pounds of methamphetamine, and over 118 pounds of fentanyl.

Since the President took office, DHS has delivered the most secure border in history. More can and must be done, however. As the statistics cited above demonstrate, the Rio Grande Valley Sector is an area of high illegal entry where illegal aliens regularly attempt to enter the United States and smuggle illicit drugs, and given my mandate to achieve and maintain operational control of the border, I must use my authority under section 102 of IIRIRA to install additional barriers and roads in the Rio Grande Valley Sector. Therefore, DHS will take immediate action to construct additional barriers and roads in a segment of the border in the Rio Grande Valley Sector. The segment where such construction will occur is referred to herein as the ''project area,'' which is more specifically described in Section 2 below.

Section 2

I determine that the following area in the vicinity of the United States border, located in the State of Texas within the U.S. Border Patrol Rio Grande Valley Sector, is an area of high illegal entry (the ''project area''): Starting at approximately GPS point 26.571763, –99.169645 and extending east to approximately GPS point 25.956740, –97.147710.

There is presently an acute and immediate need to construct additional physical barriers and roads in the vicinity of the border of the United States in order to prevent unlawful entries into the United States in the project area pursuant to section 102(a) and 102(b) of IIRIRA. In order to ensure the expeditious construction of additional physical barriers and roads in the project area, I have determined that it is necessary that I exercise the authority that is vested in me by section 102(c) of IIRIRA.

Accordingly, pursuant to section 102(c) of IIRIRA, I hereby waive in their entirety, with respect to the construction of physical barriers and roads (including, but not limited to, accessing the project areas, creating and using staging areas, the conduct of earthwork, excavation, fill, and site preparation, and installation and upkeep of physical barriers, roads, supporting elements, drainage, erosion controls, safety features, lighting, cameras, and sensors) in the project area, all of the following statutes, including all federal, state, or other laws, regulations, and legal requirements of, deriving from, or related to the subject of, the following statutes, as amended: The National Environmental Policy Act (Pub. L. 91–190, 83 Stat. 852 (Jan. 1, 1970) (42 U.S.C. 4321 *et seq.*)); the Endangered Species Act (Pub. L. 93–205, 87 Stat. 884 (Dec. 28, 1973) (16 U.S.C. 1531 *et seq.*)); the Federal Water Pollution Control Act (commonly referred to as the Clean Water Act (33 U.S.C. 1251 *et seq.*)); the National Historic Preservation Act (Pub. L. 89–665, 80 Stat. 915 (Oct. 15, 1966), as amended, repealed, or replaced by Pub. L. 113–287 (Dec. 19, 2014) (formerly codified at 16 U.S.C. 470 *et seq.,* now codified at 54 U.S.C. 100101 note and 54 U.S.C. 300101 *et seq.*)); the Migratory Bird Treaty Act (16 U.S.C. 703 *et seq.*); the Migratory Bird Conservation Act (16 U.S.C. 715 *et seq.*); the Clean Air Act (42 U.S.C. 7401 *et seq.*); the Archeological Resources Protection Act (Pub. L. 96–95 (16 U.S.C. 470aa *et seq.*)); the Paleontological Resources Preservation Act (16 U.S.C. 470aaa *et seq.*); the Federal Cave Resources Protection Act of 1988 (16 U.S.C. 4301 *et seq.*); the National Trails System Act (16 U.S.C. 1241 *et seq.*); the Safe Drinking Water Act (42 U.S.C. 300f *et seq.*); the Noise Control Act (42 U.S.C. 4901 *et seq.*); the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (42 U.S.C. 6901 *et seq.*); the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 *et seq.*); the Archaeological and Historic Preservation Act (Pub. L. 86–523, as amended, repealed, or replaced by Pub. L. 113–287 (Dec. 19, 2014) (formerly codified at 16 U.S.C. 469 *et seq.,* now codified at 54 U.S.C. 312502 *et seq.*)); the Antiquities Act (formerly codified at 16 U.S.C. 431 *et seq.* and 16 U.S.C. 431a *et seq.,* now codified 54 U.S.C. 320301 *et seq.*); the Historic Sites, Buildings, and Antiquities Act (formerly codified at 16 U.S.C. 461 *et seq.,* now codified at 54 U.S.C. 320301–320303 & 320101–320106); the Eagle Protection Act (16 U.S.C. 668 *et seq.*); the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 *et seq.*); the Administrative Procedure Act (5 U.S.C. 551 *et seq.*); Section 438 of the Energy Independence and Security Act (42 U.S.C. 17094); the National Fish and Wildlife Act of 1956 (Pub. L. 84–1024 (16 U.S.C. 742a, *et seq.*)); the Fish and Wildlife Coordination Act (Pub. L. 73–121 (16 U.S.C. 661 *et seq.*)); the National Wildlife Refuge System Administration Act (Pub. L. 89–669 (16 U.S.C. 668dd–668ee)); the National Wildlife Refuge System Improvement Act of 1997 (Pub. L. 105–57); the Farmland Protection Policy Act (7 U.S.C. 4201 *et seq.*); the Wild Horse and Burro Act (16 U.S.C. 1331 *et seq.*); 43 U.S.C. 387; the Wild and Scenic Rivers Act (Pub. L. 90–542 (16 U.S.C. 1281 *et seq.*); the Rivers and Harbors Act of 1899 (33 U.S.C. 403 *et seq.*); the Federal Insecticide, Fungicide, and Rodenticide Act, (16 U.S.C. 136–136y); and the Marine Mammal Protection Act (16 U.S.C. 1361–1421h).

This waiver does not revoke or supersede any other waiver determination made pursuant to section 102(c) of IIRIRA. Such waivers shall remain in full force and effect in accordance with their terms. I reserve the authority to execute further waivers from time to time as I may determine to be necessary under section 102 of IIRIRA.

Kristi Noem,

Secretary of Homeland Security.

[FR Doc. 2025–22314 Filed 12–8–25; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

Office of the Secretary

Determination Pursuant to Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as Amended

AGENCY: Office of the Secretary, Department of Homeland Security.

ACTION: Notice of determination.

SUMMARY: The Secretary of Homeland Security has determined, pursuant to law, that it is necessary to waive certain laws, regulations, and other legal requirements in order to ensure the expeditious construction of barriers and roads in the vicinity of the international land border in the states of California and Arizona.

DATES: This determination takes effect on December 9, 2025.

SUPPLEMENTARY INFORMATION: Important mission requirements of the Department of Homeland Security (''DHS'') include

border security and the detection and prevention of illegal entry into the United States. Border security is critical to the nation's national security. Recognizing the critical importance of border security, Congress has mandated DHS to achieve and maintain operational control of the international land border. Secure Fence Act of 2006, Public Law 109–367, section 2, 120 Stat. 2638 (Oct. 26, 2006) (8 U.S.C. 1701 note). Congress defined ''operational control'' as the prevention of all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband. *Id.* Consistent with that mandate, the President's Executive Order on Securing Our Borders directs that I take all appropriate action to deploy and construct physical barriers to ensure complete operational control of the southern border of the United States. Executive Order 14165, section 3 (Jan. 20, 2025).

Congress has provided to the Secretary of Homeland Security a number of authorities necessary to carry out DHS's border security mission. One of those authorities is found at section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as amended (''IIRIRA''). Public Law 104–208, Div. C, 110 Stat. 3009–546, 3009–554 (Sept. 30, 1996) (8 U.S.C. 1103 note), as amended by the REAL ID Act of 2005, Public Law 109–13, Div. B, 119 Stat. 231, 302, 306 (May 11, 2005) (8 U.S.C. 1103 note), as amended by the Secure Fence Act of 2006, Public Law 109–367, section 3, 120 Stat. 2638 (Oct. 26, 2006) (8 U.S.C. 1103 note), as amended by the Department of Homeland Security Appropriations Act, 2008, Public Law 110–161, Div. E, Title V, section 564, 121 Stat. 2090 (Dec. 26, 2007). In section 102(a) of IIRIRA, Congress provided that the Secretary of Homeland Security shall take such actions as may be necessary to install additional physical barriers and roads (including the removal of obstacles to detection of illegal entrants) in the vicinity of the United States border to deter illegal crossings in areas of high illegal entry into the United States. In section 102(b) of IIRIRA, Congress mandated that in carrying out the authority of section 102(a), I provide for the installation of additional fencing, barriers, roads, lighting, cameras, and sensors to achieve and maintain operational control of the border. Finally, in section 102(c) of IIRIRA, Congress granted to the Secretary of Homeland Security the authority to waive all legal requirements that I, in my sole discretion, determine necessary to ensure the expeditious construction of barriers and roads authorized by section 102 of IIRIRA.

Determination and Waiver

Section 1

The United States Border Patrol Yuma Sector is an area of high illegal entry. Between fiscal year 2021 and fiscal year 2025, Border Patrol apprehended over 660,380 illegal aliens attempting to enter the United States between border crossings in the Yuma Sector. In that same time period Border Patrol seized over 1,631 pounds of marijuana, over 437 pounds of cocaine, over 45 pounds of heroin, over 2,693 pounds of methamphetamine, and over 1,901 pounds of fentanyl.

Since the President took office, DHS has delivered the most secure border in history. More can and must be done, however. As the statistics cited above demonstrate, the Yuma Sector is an area of high illegal entry where illegal aliens regularly attempt to enter the United States and smuggle illicit drugs, and given my mandate to achieve and maintain operational control of the border, I must use my authority under section 102 of IIRIRA to install additional barriers and roads in the Yuma Sector. Therefore, DHS will take immediate action to construct additional barriers and roads in a segment of the border in the Yuma Sector. The segment where such construction will occur is referred to herein as the ''project area,'' which is more specifically described in Section 2 below.

Section 2

I determine that the following area in the vicinity of the United States border, located in the states of California and Arizona within the U.S. Border Patrol Yuma Sector, is an area of high illegal entry (the ''project area''):

- Starting at approximately Border Monument 210 and extending south to approximately to the intersection of West Country Road 13 Street and the West Main Canal.
- Starting at approximately the intersection of West County 18th Street and Salinity Canal Road and extending south and east to approximately Border Monument 183.

There is presently an acute and immediate need to construct additional physical barriers and roads in the vicinity of the border of the United States in order to prevent unlawful entries into the United States in the project area pursuant to section 102(a) and 102(b) of IIRIRA. In order to ensure the expeditious construction of additional physical barriers and roads in the project area, I have determined that it is necessary that I exercise the authority that is vested in me by section 102(c) of IIRIRA.

Accordingly, pursuant to section 102(c) of IIRIRA, I hereby waive in their entirety, with respect to the construction of physical barriers and roads (including, but not limited to, accessing the project areas, creating and using staging areas, the conduct of earthwork, excavation, fill, and site preparation, and installation and upkeep of physical barriers, roads, supporting elements, drainage, erosion controls, safety features, lighting, cameras, and sensors) in the project area, all of the following statutes, including all federal, state, or other laws, regulations, and legal requirements of, deriving from, or related to the subject of, the following statutes, as amended: The National Environmental Policy Act (Pub. L. 91–190, 83 Stat. 852 (Jan. 1, 1970) (42 U.S.C. 4321 *et seq.*)); the Endangered Species Act (Pub. L. 93–205, 87 Stat. 884 (Dec. 28, 1973) (16 U.S.C. 1531 *et seq.*)); the Federal Water Pollution Control Act (commonly referred to as the Clean Water Act (33 U.S.C. 1251 *et seq.*)); the National Historic Preservation Act (Pub. L. 89–665, 80 Stat. 915 (Oct. 15, 1966), as amended, repealed, or replaced by Pub. L. 113–287 (Dec. 19, 2014) (formerly codified at 16 U.S.C. 470 *et seq.,* now codified at 54 U.S.C. 100101 note and 54 U.S.C. 300101 *et seq.*)); the Migratory Bird Treaty Act (16 U.S.C. 703 *et seq.*); the Migratory Bird Conservation Act (16 U.S.C. 715 *et seq.*); the Clean Air Act (42 U.S.C. 7401 *et seq.*); the Archeological Resources Protection Act (Pub. L. 96–95 (16 U.S.C. 470aa *et seq.*)); the Paleontological Resources Preservation Act (16 U.S.C. 470aaa *et seq.*); the Federal Cave Resources Protection Act of 1988 (16 U.S.C. 4301 *et seq.*); the National Trails System Act (16 U.S.C. 1241 *et seq.*), the Safe Drinking Water Act (42 U.S.C. 300f *et seq.*); the Noise Control Act (42 U.S.C. 4901 *et seq.*); the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (42 U.S.C. 6901 *et seq.*); the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 *et seq.*); the Archaeological and Historic Preservation Act (Pub. L. 86–523, as amended, repealed, or replaced by Pub. L. 113–287 (Dec. 19, 2014) (formerly codified at 16 U.S.C. 469 *et seq.,* now codified at 54 U.S.C. 312502 *et seq.*)); the Antiquities Act (formerly codified at 16 U.S.C. 431 *et*

seq. and 16 U.S.C. 431a *et seq.,* now codified 54 U.S.C. 320301 *et seq.*); the Historic Sites, Buildings, and Antiquities Act (formerly codified at 16 U.S.C. 461 *et seq.,* now codified at 54 U.S.C. 320301–320303 & 320101–320106); the Eagle Protection Act (16 U.S.C. 668 *et seq.*); the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 *et seq.*); the Administrative Procedure Act (5 U.S.C. 551 *et seq.*); Section 438 of the Energy Independence and Security Act (42 U.S.C. 17094); the National Fish and Wildlife Act of 1956 (Pub. L. 84–1024 (16 U.S.C. 742a, *et seq.*)); the Fish and Wildlife Coordination Act (Pub. L. 73–121 (16 U.S.C. 661 *et seq.*)); the Wild and Scenic Rivers Act (Pub. L. 90–542 (16 U.S.C. 1281 *et seq.*)); the Farmland Protection Policy Act (7 U.S.C. 4201 *et seq.*); the Wilderness Act (Pub. L. 88–577 (16 U.S.C. 1131 *et seq.*)); the Federal Land Policy and Management Act (Pub. L. 94–579 (43 U.S.C. 1701 *et seq.*)); 43 U.S.C. 387; the National Wildlife Refuge System Administration Act (Pub. L. 89–669 (16 U.S.C. 668dd–668ee)); the National Wildlife Refuge System Improvement Act of 1997 (Pub. L. 105–57); the Wild Horse and Burro Act (16 U.S.C. 1331 *et seq.*); Sections 301(a)–(f) of the Arizona Desert Wilderness Act (Pub. L. 101–628); the Military Lands Withdrawal Act of 1999 (Pub. L. 106–65, 113 Stat. 885 (Oct. 5, 1999)); and the Sikes Act (16 U.S.C. 670 *et seq.*).

This waiver does not revoke or supersede any other waiver determination made pursuant to section 102(c) of IIRIRA. Such waivers shall remain in full force and effect in accordance with their terms. I reserve the authority to execute further waivers from time to time as I may determine to be necessary under section 102 of IIRIRA.

Kristi Noem,

Secretary of Homeland Security.

[FR Doc. 2025–22315 Filed 12–8–25; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–6558–N–01]

Section 8 Housing Assistance Payments Program—Annual Adjustment Factors, Fiscal Year 2026

AGENCY: Office of the Assistant Secretary for Policy Development and Research, Department of Housing and Urban Development, HUD.

ACTION: Notice of fiscal year (FY) 2026 Annual Adjustment Factors (AAFs).

SUMMARY: Certain assistance contracts signed by owners participating in the Department's Section 8 housing assistance payment programs must provide annual adjustments to monthly rentals for units covered by the contracts. For owners subject to a Reserve for Replacement deposit requirement, HUD also requires that the amount of the required deposit be adjusted each year by the AAF. This notice announces FY 2026 AAFs for adjustment of contract rents on the anniversary of those assistance contracts. The factors are based on a formula using residential rent and utility cost changes from the most recent annual Bureau of Labor Statistics Consumer Price Index (CPI) survey and market rents from a total of six possible private sector rent data sources. AAFs continue to be based on the shelter and gross rent inflation factors methodology used in HUD's Fair Market Rent calculation that was adopted in FY 2024.

DATES: The FY 2026 AAFs are effective December 9, 2025.

FOR FURTHER INFORMATION CONTACT: For questions regarding the Moderate Rehabilitation programs (not the Single Room Occupancy program), contact Ryan Jones, Director, Management and Operations Division, Office of Housing Voucher Programs, Office of Public and Indian Housing, 202–708–1380. For questions regarding the Single Room Occupancy (SRO) Moderate Rehabilitation program, contact Norman A. Suchar, Director, Office of Special Needs Assistance Programs, Office of Community Planning and Development, 202–402–5015. For questions relating to all other Section 8 programs, contact Jennifer Larson, Director, Office of Asset Management, Office of Multifamily Housing, 202–402–7769. For technical information regarding the development of the schedules for specific areas or the methods used for calculating AAFs, contact Adam Bibler, Director, Program Parameters and Research Division, Office of Policy Development and Research, 202–402–6057. The mailing address for these individuals is: Department of Housing and Urban Development, 451 7th Street SW, Washington, DC 20410. 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: The United States Housing Act of 1937 (''the 1937 Act'') requires that certain assistance contracts signed by owners participating in the Department's Section 8 housing assistance payment programs provide annual adjustments to monthly rentals for units covered by the contracts. HUD establishes the rent adjustment factors (AAFs) on the basis of CPI and other private rent data relating to changes in residential rent and utility costs. The AAFs are applied at the anniversary of Housing Assistance Payment (HAP) contracts for which rents are to be adjusted using the AAF for those calendar months commencing after the effective date of this notice. The amount that an owner is required to deposit to the Reserve for Replacement account is also adjusted annually by the most recently published AAF at the HAP contract anniversary. AAFs are distinct from, and do not apply to the same properties as, Operating Cost Adjustment Factors (OCAFs). OCAFs are annual factors used to adjust rents for project-based rental assistance contracts issued under Section 8 of the 1937 Act and renewed under section 515 or section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (MAHRA). In addition to their use under MAHRA, section 8(o)(13)(I)(i) of the 1937 Act allows the use of OCAFs for project-based voucher contracts as implemented on June 6, 2024 in *Housing Opportunity Through Modernization Act of 2016—Housing Choice Voucher (HCV) and Project-Based Voucher Implementation; Additional Streamlining Changes* (89 FR 38224 (May 7, 2024)). HUD has published OCAFs for 2025 in the **Federal Register** at 89 FR 99893. The AAFs are also distinct from Renewal Funding Inflation Factors, which help determine renewal funding for public housing agencies operating the Housing Choice Voucher program. A separate **Federal Register** notice, to be published following the passage of FY 2026 HUD appropriations, will contain the 2026 Renewal Funding Inflation Factors.

Tables showing AAFs will be available electronically from the HUD data information page at *http://www.huduser.gov/portal/datasets/aaf.html.*

I. Applying AAFs to Various Section 8 Programs

The AAFs established by this notice are used to adjust contract rents for units assisted in certain Section 8 housing assistance payment programs during the initial (*i.e.,* pre-renewal) term of the HAP contract. There are two categories of Section 8 programs that use the AAFs:

Category 1: The Section 8 New Construction, Substantial Rehabilitation, and Moderate Rehabilitation programs; and

Category 2: The Section 8 Loan Management Set-Aside (LMSA) and Property Disposition (PD) programs.

Each Section 8 program category uses the AAFs differently. The specific application of the AAFs is determined by the law, the HAP contract, and appropriate program regulations or requirements. Later sections of this notice describe how AAFs are used for the respective program.

AAFs are not used in the following cases:

Renewal Rents. AAFs are not used to determine renewal rents after expiration of the original Section 8 HAP contract. In general, renewal rents are established in accordance with the statutory provision in MAHRA, as amended, under which the HAP is renewed. After renewal, annual rent adjustments will be provided in accordance with MAHRA.

Budget-Based Rents. AAFs are not used for budget-based rent adjustments. For projects receiving Section 8 subsidies under the LMSA program (24 CFR part 886, subpart A) and for projects receiving Section 8 subsidies under the PD program (24 CFR part 886, subpart C), contract rents are adjusted, at HUD's option, either by applying the AAFs or by budget-based adjustments in accordance with 24 CFR 886.112(b) and 24 CFR 886.312(b). Budget-based adjustments are used for most Section 8/202 projects.

Housing Choice Voucher Program. AAFs are not used to adjust rents in the Tenant-Based or the Project-Based Voucher programs.

Reserve for Replacement. The amount that an owner is required to deposit to the Reserve for Replacement account is adjusted annually by the AAF at the HAP contract anniversary.

II. Adjustment Procedures

This section of the notice provides a broad description of procedures for adjusting the contract rent. Technical details and requirements are described in HUD Notices H 2002–10 (Section 8 New Construction and Substantial Rehabilitation, Loan Management, and Property Disposition) and PIH 97–57 (Moderate Rehabilitation). HUD publishes two separate AAF Tables, Table 1 and Table 2. AAF Table 1 and Table 2 are posted on the HUD User website at *http://www.huduser.gov/portal/datasets/aaf.html.* The difference between Table 1 and Table 2 is that each AAF in Table 2 is 0.01 less than the corresponding AAF in Table 1. Where an AAF in Table 1 would otherwise be less than 1.0, it is set at 1.0, as required by statute; the corresponding AAF in Table 2 will also be set at 1.0, as required by statute. Because of statutory and structural distinctions among the various Section 8 programs, there are separate rent adjustment procedures for the three program categories:

Category 1: Section 8 New Construction, Substantial Rehabilitation, and Moderate Rehabilitation Programs

In the Section 8 New Construction and Substantial Rehabilitation programs, the published AAF is applied to the pre-adjustment contract rent. In the Section 8 Moderate Rehabilitation program (both the regular program and the Single Room Occupancy program), the published AAF is applied to the pre-adjustment base rent.

For Category 1 programs, the Table 1 AAF is applied before determining comparability (rent reasonableness). Comparability applies if the pre-adjustment gross rent (pre-adjustment contract rent plus any allowance for tenant-paid utilities) is above the published Fair Market Rent (FMR).

If the comparable rent level (plus any initial difference) is lower than the contract rent as adjusted by application of the Table 1 AAF, the comparable rent level (plus any initial difference) will be the new contract rent. However, the pre-adjustment contract rent will not be decreased by application of comparability.

In all other cases (*i.e.,* unless the contract rent is reduced by comparability):

- Table 1 AAF is used for a unit occupied by a new family since the last annual contract anniversary.
- Table 2 AAF is used for a unit occupied by the same family as at the time of the last annual contract anniversary.

Category 2: Section 8 Loan Management Program (24 CFR Part 886, Subpart A) and Property Disposition Program (24 CFR Part 886, Subpart C)

Category 2 programs are not currently subject to comparability. Comparability will again apply if HUD establishes regulations for conducting comparability studies under 42 U.S.C. 1437f(c)(2)(C).

The applicable AAF is determined as follows:

- Table 1 AAF is used for a unit occupied by a new family since the last annual contract anniversary.
- Table 2 AAF is used for a unit occupied by the same family as at the time of the last annual contract anniversary.

Category 3: Reserve for Replacement

The amount of the deposit to the Reserve for Replacement account must be increased annually using the most recently published ''AAF with Highest Utility Excluded'' for the Metropolitan/Region in which the project is located. The procedure for identifying the correct Metropolitan/Region is described in Section IV below; the local area factor displayed in the AAF Metro Lookup Tool, found at *https://www.huduser.gov/portal/datasets/aaf.html,* must be used. This adjustment must be made without regard to vacancies.

III. When To Use Reduced AAFs (From AAF Table 2)

In accordance with Section 8(c)(2)(A) of the United States Housing Act of 1937 (42 U.S.C. 1437f(c)(2)(A)), the AAF is reduced by 0.01:

In Section 8 programs, for a unit occupied by the same family at the time of the last annual rent adjustment (and where the rent is not reduced by application of comparability (rent reasonableness)).

The law provides that:

> [F]or any unit occupied by the same family at the time of the last annual rental adjustment, where the assistance contract provides for the adjustment of the maximum monthly rent by applying an annual adjustment factor and where the rent for a unit is otherwise eligible for an adjustment based on the full amount of the factor . . . 0.01 shall be subtracted from the amount of the annual adjustment factor (except that the factor shall not be reduced to less than 1.0), and the adjusted rent shall not exceed the rent for a comparable unassisted unit of similar quality, type and age in the market area. 42 U.S.C. 1437f(c)(2)(A).

Legislative history for this statutory provision states that ''the rationale [for lower AAFs for non-turnover units is] that operating costs are less if tenant turnover is less . . .'' (see Department of Veteran Affairs and Housing and Urban Development, and Independent Agencies Appropriations for 1995, Hearings Before a Subcommittee of the Committee on Appropriations 103d Cong., 2d Sess. 591 (1994)). The Congressional Record also states the following:

> Because the cost to owners of turnover-related vacancies, maintenance, and marketing are lower for long-term stable tenants, these tenants are typically charged less than recent movers in the unassisted market. Since HUD pays the full amount of any rent increases for assisted tenants in section 8 projects . . . HUD should expect to benefit from this 'tenure discount.' Turnover is lower in assisted properties than in the unassisted market, so the effect of the current inconsistency with market-based rent

increases is exacerbated. (140 Cong. Rec. 8659, 8693 (1994)).

IV. How To Find the AAF

As stated, AAF Table 1 and Table 2 are posted on the HUD User website at *http://www.huduser.gov/portal/datasets/aaf.html.* Both tables provide the Regional and Metropolitan Component Areas to be used in selecting a project's geographic area for the AAF. For projects located in non-metropolitan areas, select the Query Tool, AAF Documentation, State, then county to determine which Metropolitan Component Area to use when selecting the AAF for the project.

There are two numeric columns in each AAF table. The first column is used to adjust contract rent for rental units where the highest cost utility is included in the contract rent, *i.e.,* where the owner pays for the highest cost utility. The second column is used where the highest cost utility is not included in the contract rent, *i.e.,* where the tenant pays for the highest cost utility.

The applicable AAF is selected as follows:

- Determine whether Table 1 or Table 2 is applicable. In Table 1 or Table 2, locate the AAF for the geographic area where the contract unit is located.
- Determine whether the highest cost utility is or is not included in contract rent for the contract unit.
- If highest cost utility is included, select the AAF from the column for ''Highest Cost Utility Included.'' If highest cost utility is not included, select the AAF from the column for ''Highest Cost Utility Excluded.''

V. Methodology

AAFs are rent inflation factors. Two types of rent inflation factors are calculated for AAFs: gross rent factors and shelter rent factors. The gross rent factor accounts for inflation in the cost of both the rent of the residence and the utilities used by the unit; the shelter rent factor accounts for the inflation in the rent of the residence but does not reflect any change in the cost of utilities. The gross rent inflation factor is designated as ''Highest Cost Utility Included'' and the shelter rent inflation factor is designated as ''Highest Cost Utility Excluded.'' HUD calculates the AAFs based on the shelter and gross rent inflation factors used in FMR calculations. The source data for AAFs therefore come from the 23 local and 4 regional CPI components (rent of primary residence and household fuels and utilities), depending on the location of the AAF area, and are combined with available measures of private data sources in calculating a weighted average shelter and gross rent inflation factor. The private measures of rent used by HUD are the RealPage average effective rent per unit, Moody's Analytics REIS average market rent, CoStar Group average effective rent, CoreLogic, Inc. single-family combined three-bedroom median rent, Apartment List Rent Estimate, and Zillow Observed Rent Index.

In calculating the AAF from these data, HUD first takes the annual average of each statistic, then its year-to-year change. HUD then takes the mean of changes from all available sources for each area. Next, HUD takes an average of this private-sector measure of rent inflation with rent inflation as captured by the CPI for the area, where the private-sector measure is weighted at approximately 64 percent and the CPI rent inflation measure is weighted at approximately 36 percent. HUD has determined these weights by comparing the national average of the private rent changes and changes in CPI rent of primary residence to changes in the national average of recent mover rents from the American Community Survey (ACS) from 2018 through 2023. HUD weights the private data averages and overall CPI rent of primary residence in such a way as to minimize the root mean squared error between the resulting average and the ACS recent mover rents. For future AAFs, HUD will update the weights by adding the most recent years of ACS recent mover rents, private rent data, and CPI rent of primary residence to the analysis.

HUD uses a local measure of private rent inflation for markets that are covered by at least three of the six available sources of private rent data. HUD combines this local measure of rent inflation with either the local metropolitan area CPI rent of primary residence for the 23 areas where such data exist or the regional CPI rent in areas without a local index. For areas without at least three of the six private rent data sources available, HUD uses a regional average of private rent inflation factors alongside the regional CPI rent of primary residence. HUD constructs the regional average by taking the rental unit weighted average of the change in rents of each area in a region that does have private rent data coverage. This ensures that smaller areas that are not directly covered by the private sources will still have current rental market conditions taken into account in the calculation of the rent inflation factor for such areas.

The results of the above calculation are the ''Highest Cost Utility Excluded'' AAF. For the ''Highest Cost Utility Included'' AAF, HUD averages the result of this step with the year-to-year change in the CPI housing fuels and utilities index for the area in to make the resulting inflation measure reflective of gross rents.

VI. Area Definitions

To make certain they are using the correct AAFs, users should refer to the Area Definitions Table section at *https://www.huduser.gov/portal/datasets/aaf.html.* Furthermore, users can also search for AAF area definitions using an online lookup tool available on HUD User at the link in the previous sentence. AAFs are based on the updated metropolitan area definitions published by the Office of Management and Budget on July 21, 2023, and newly incorporated by the Census Bureau into the 2023 ACS data and the corresponding FY 2026 FMRs.

John Gibbs,

Principal Deputy Assistant Secretary for Policy Development and Research.

[FR Doc. 2025–22375 Filed 12–8–25; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS–R4–ES–2025–1034; FXES11140400000–267–FF04EF4000]

Receipt of Incidental Take Permit Application and Proposed Habitat Conservation Plan for the Sand Skink and Blue-Tailed Mole-Skink; Highlands County, FL; Categorical Exclusion

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for comment.

SUMMARY: We, the Fish and Wildlife Service (Service), announce receipt of an application from Park Square Homes (Avon Park) (applicant) for an incidental take permit (ITP) under the Endangered Species Act (ESA). The applicant requests the ITP to take the federally listed sand skink and blue-tailed mole skink incidental to the construction of a multi-family housing development in Highlands 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 8, 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–2025–1034 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–2025–1034.
- *U.S. Mail:* Public Comments Processing, Attn: Docket No. FWS–R4–ES–2025–1034; U.S. Fish and Wildlife Service, MS: PRB/3W, 5275 Leesburg Pike, Falls Church, VA 22041–3803.

FOR FURTHER INFORMATION CONTACT: Lindsay Needs, by U.S. mail (see **ADDRESSES**), by telephone at (772) 226–8158 or via email at *lindsay_needs@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 Park Square Homes (applicant) for an ITP, also known as a section 10(a)(1)(B) permit, under the ESA, as amended (16 U.S.C. 1531 *et seq.*). The applicant requests the ITP to take the federally listed threatened sand skink (*Neopseps (=Plestiodon) reynoldsi*) and blue-tailed mole skink (*Eumeces egregius lividus*) (skinks) incidental to the construction of a multi-family housing development in Highlands 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.*), DOI's NEPA regulations (43 CFR part 46), and DOI's DM (516 DM 1, DOI NEPA Handbook appendix 2, 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 5-year ITP to take skinks via the conversion of approximately 1.64 acres (ac) of occupied nesting, foraging, and sheltering skink habitat incidental to the construction and operation of a multi-family housing development on 324-ac on Parcel #s A–02–34–28–090–0000–0050, #A–03–34–28–A00–0060–0000, #A–03–34–28–A00–0070–0000, #A–03–34–28–A00–0110–0000, #C–02–34–28–090–0000–0010, #C–02–34–28–A00–0110–0000 and #C–02–34–28–A00–0180–0000 in Section 2, 3, 10 and 11, Township 34S, and Range 28E, in both the City of Avon Park and unincorporated Highlands County, Florida.

The applicant proposes to mitigate for take of the skinks by purchasing credits equivalent to 3.28 ac of skink-occupied habitat within the Lake Wales Ridge Conservation Bank or another Service-approved conservation bank. The Service would require the applicant to purchase the credits prior to engaging in any phase of the project.

Our Preliminary Determination

The Service made a preliminary determination that reasonably foreseeable effects of the applicant's proposed project, including the construction of a multi-family housing development and associated infrastructure, would have a minor effect on the 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, 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 any comments received resulting from this notice 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 ESA section 10(a)(1)(B) have been met. If met, the Service will issue ITP number PER13883616 to Park Square Homes.

Public Availability of Comments

Before including your address, phone number, email address, or other personal identifying information in your comment, be aware that your entire comment, including your personal identifying information, may be made available to the public. If you submit a comment at *https://www.regulations.gov,* your entire comment, including any personal identifying information, will be posted on the website. If you submit a hardcopy comment that includes personal identifying information, such as your address, phone number, or email address, you may request at the top of your document that we withhold this information from public review. However, we cannot guarantee that we will be able to do so. Moreover, all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public disclosure in their entirety.

Authority

The Service provides this notice under section 10(c) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*) and its implementing regulations (50 CFR 17.32), and 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. 2025–22352 Filed 12–8–25; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS–R4–ES–2025–0869; FXES11140400000–267–FF04EA4000]

Receipt of Two Incidental Take Permit Applications for Participation in the General Conservation Plan for the Alabama Beach Mouse; Categorical Exclusion; Baldwin County, Alabama

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for comments.

SUMMARY: We, the Fish and Wildlife Service (Service), announce receipt of two separate incidental take permit (ITP) applications under the Endangered Species Act (ESA): One from Sean and Dawn Carmichael and the other from John O'Connor (applicant/applicants), under the approved general conservation plan (GCP) and final environmental impact statement (FEIS) for the Alabama beach mouse (ABM; *Peromyscus polionotus ammobates*). Each applicant requests an ITP to take the federally listed ABM incidental to construction in Baldwin County, Alabama. We request public comment on these applications, which include the applicants' proposed habitat conservation plan (HCP), and on the Service's preliminary determination that the proposed permitting action qualifies under the terms of the ABM GCP.

DATES: We must receive your written comments on or before January 8, 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–2025–0869 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–2025–0869.
- *U.S. Mail:* Public Comments Processing, Attn: Docket No. FWS–R4–ES–2025–0869; U.S. Fish and Wildlife Service, MS: PRB/3W, 5275 Leesburg Pike, Falls Church, VA 22041–3803.

FOR FURTHER INFORMATION CONTACT: William Lynn, by U.S. mail (see **ADDRESSES**), by telephone at 1–251–538–2065, or via email at *william_lynn@fws.gov.* Individuals in the United States who are deaf, blind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION: We, the Fish and Wildlife Service (Service), announce receipt of applications, under the approved GCP for the ABM (*Peromyscus polionotus ammobates*) from Sean and Dawn Carmichael and from John O'Connor for two separate ITP's, also known as a section 10(a)(1)(B) permit, under the Endangered Species Act, as amended (ESA; 16 U.S.C. 1531 *et seq.*). The ABM GCP was approved March 28, 2012. An environmental impact statement and record of decision for the GCP was approved at the same time.

A GCP is a mechanism that meets the definition of a conservation plan in section 10(a)(1)(B) of the ESA and enables the construct of a programmatic permitting and conservation process to address a defined suite of proposed activities over a defined planning area.

We certify that each application is statutorily complete and includes the necessary information to enroll in the GCP. We have no evidence that the applicant would be disqualified pursuant to 50 CFR 13.21.

Each applicant requests an ITP to take ABM, incidental to construction in Baldwin County, Alabama. We request comment from the public and local, State, Tribal, and Federal agencies on each application, which includes the applicants' HCPs, and on the Service's preliminary determination that the proposed ITP qualifies under the ABM GCP and FEIS published on March 28, 2012 (FWS–R4–ES–2012–N063).

Proposed Projects

Permit Number: PER20920242

Sean and Dawn Carmichael, applicant, requests a 50-year ITP to take ABM via the conversion of 0.123 acres (ac) of occupied nesting, foraging, and sheltering ABM habitat incidental to the construction of a single-family home with a pool on a 0.878 ac parcel located at 2120 West Beach Boulevard in Gulf Shores, Alabama. The applicant proposes to mitigate for the take of ABM through an in-lieu fee of $12,279.70 to the Alabama Coastal Heritage Trust's ABM conservation fund.

Permit Number: PER19412055

John O'Connor, applicant, requests a 50-year ITP to take ABM via the conversion of approximately 0.080 ac of occupied nesting, foraging, and sheltering ABM habitat via the tear down, enlargement, and reconstruction of a single-family home on a 0.670 ac lot. The parcel is located at 2116 Ponce de Leon Court in Gulf Shores, Alabama. The applicant proposes to mitigate for the take of ABM through an in-lieu fee of $8,047.70 to the Alabama Coastal Heritage Trust's ABM conservation fund.

Our Preliminary Determination

The Service has made a preliminary determination that reasonably foreseeable effects of the applicants' proposed projects, including the construction of the residential development and associated infrastructure (*e.g.,* electric, water, sewer lines, and driveways), would individually and cumulatively have a minor effect on ABM and the human environment. Reasonably foreseeable effects encompass effects of implementation of the action along with other past, present, and reasonably foreseeable future effects. Therefore, we have the made a preliminary determination that each proposed ESA section 10(a)(1)(B) permit would meet the requirements of the GCP and FEIS.

Next Steps

The Service will evaluate each application and any comments received as a result of this notice 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 PER20920242 to Sean and Dawn Carmichael and PER19412055 to John O'Connor.

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 U.S. Fish and Wildlife Service provides this notice under ESA section 10(c) and its implementing regulations (50 CFR 17.32), the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*), and the Department of Interior's implementing regulations (43 CFR part 46).

William Pearson,

Field Supervisor, Alabama Ecological Service Field Office.

[FR Doc. 2025–22349 Filed 12–8–25; 8:45 am]

BILLING CODE 4333–15–P

INTERNATIONAL TRADE COMMISSION

Notice of Receipt of Complaint; Solicitation of Comments Relating to the Public Interest

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has received a complaint entitled *Certain Glycerol Esters of Rosin and Packaging Thereof, DN 3864;* the Commission is soliciting comments on any public interest issues raised by the complaint or complainant's filing pursuant to the Commission's Rules of Practice and Procedure.

FOR FURTHER INFORMATION CONTACT: Lisa R. Barton, Secretary to the Commission, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–2000. The public version of the complaint can be accessed on the Commission's Electronic Document Information System (EDIS) at *https://edis.usitc.gov.* For help accessing EDIS, please email *EDIS3Help@usitc.gov.*

General information concerning the Commission may also be obtained by accessing its internet server at United States International Trade Commission (USITC) at *https://www.usitc.gov* . The public record for this investigation may be viewed on the Commission's Electronic Document Information System (EDIS) at *https://edis.usitc.gov.* Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission has received a complaint and a submission pursuant to § 210.8(b) of the Commission's Rules of Practice and Procedure filed on behalf T&R Chemicals, Inc. on December 4, 2025. The complaint alleges violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain glycerol esters of rosin and packaging thereof. The complaint names as respondents: Caragum International of France; and Kemi Pine Rosins Portugal S.A. of Portugal. The complainant requests that the Commission issue a limited exclusion order, cease and desist orders, and impose a bond upon respondents' alleged infringing articles during the 60-day Presidential review period pursuant to 19 U.S.C. 1337(j).

Proposed respondents, other interested parties, members of the public, and interested government agencies are invited to file comments on any public interest issues raised by the complaint or § 210.8(b) filing. Comments should address whether issuance of the relief specifically requested by the complainant in this investigation would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) explain how the articles potentially subject to the requested remedial orders are used in the United States;

(ii) identify any public health, safety, or welfare concerns in the United States relating to the requested remedial orders;

(iii) identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) indicate whether complainant, complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to the requested exclusion order and/or a cease and desist order within a commercially reasonable time; and

(v) explain how the requested remedial orders would impact United States consumers.

Written submissions on the public interest must be filed no later than by close of business, eight calendar days after the date of publication of this notice in the **Federal Register**. There will be further opportunities for comment on the public interest after the issuance of any final initial determination in this investigation. Any written submissions on other issues must also be filed by no later than the close of business, eight calendar days after publication of this notice in the **Federal Register**. Complainant may file replies to any written submissions no later than three calendar days after the date on which any initial submissions were due, notwithstanding § 201.14(a) of the Commission's Rules of Practice and Procedure. No other submissions will be accepted, unless requested by the Commission. Any submissions and replies filed in response to this Notice are limited to five (5) pages in length, inclusive of attachments.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above. Submissions should refer to the docket number (''Docket No. 3864'') in a prominent place on the cover page and/or the first page. (*See* Handbook for Electronic Filing Procedures, Electronic Filing Procedures [1]). Please note the Secretary's Office will accept only electronic filings during this time. Filings must be made through the Commission's Electronic Document Information System (EDIS, *https://edis.usitc.gov.*) No in-person paper-based filings or paper copies of any electronic filings will be accepted until further notice. Persons with questions regarding filing should contact the Secretary at *EDIS3Help@usitc.gov.*

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. *See* 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All information, including confidential business information and documents for which confidential treatment is properly sought, submitted to the Commission for purposes of this Investigation may be disclosed to and used: (i) by the Commission, its employees and Offices,

[1] Handbook for Electronic Filing Procedures: *https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf.*

and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel [2], solely for cybersecurity purposes. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS [3].

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of §§ 201.10 and 210.8(c) of the Commission's Rules of Practice and Procedure (19 CFR 201.10, 210.8(c)).

By order of the Commission.

Issued: December 4, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025–22316 Filed 12–8–25; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1236 (Remand)]

Certain Polycrystalline Diamond Compacts and Articles Containing Same; Notice of a Final Determination Finding a Violation of Section 337 and Issuing a Limited Exclusion Order and a Cease and Desist Order; Termination of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (''Commission'') has determined that respondents SF Diamond Co., Ltd. of Henan, China, and SF Diamond USA, Inc. of Spring, Texas (together, ''SF Diamond''); Iljin Diamond Co., Ltd. of Seoul, Republic of Korea, Iljin Holdings Co., Ltd. of Seoul, Republic of Korea, Iljin USA Inc. of Houston, Texas, Iljin Europe GmbH of Eschborn, Germany, Iljin Japan Co., Ltd. of Tokyo, Japan, Iljin China Co., Ltd. of Shanghai, China (collectively, ''Iljin''); Henan Jingrui New Material Technology Co., Ltd. (''Jingrui'') of Henan, China; Zhenzghou New Asia Superhard Materials Composite Co., Ltd. (''New Asia'') of Henan, China; International Diamond Services, Inc. (''IDS'') of Houston, Texas; CR Gems Superabrasives Co., Ltd. (''CR Gems'') of Shanghai, China; Fujian Wanlong Superhard Material Technology Co., Ltd. (''Wanlong'') of Fujian, China; Guangdong Juxin Materials Technology Co., Inc. (''Juxin'') of Guangdong, China; and Shenzhen Haimingrun Superhard Materials Co., Ltd. (''Haimingrun'') of Guangdong, China have violated section 337 of the Tariff Act of 1930, as amended, by importing, selling for importation, or selling in the United States after importation certain polycrystalline diamond compacts and articles containing the same that infringe one or more of asserted claims 1, 2, 11, 15 and 21 of U.S. Patent No. 10,508,502 (''the '502 patent''). The Commission has determined that the appropriate remedies are a limited exclusion order (''LEO'') against the above-identified respondents and a cease and desist order (''CDO'') against SF Diamond USA, Inc. The Commission has also determined to set a bond in the amount of zero percent (0%) of the entered value of the excluded products imported during the period of Presidential review. This investigation is hereby terminated.

FOR FURTHER INFORMATION CONTACT: Cathy Chen, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone 202–205–2392. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.* For help accessing EDIS, please email *EDIS3Help@usitc.gov.* General information concerning the Commission may also be obtained by accessing its internet server at *https://www.usitc.gov.* Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on December 29, 2020, based on a complaint filed by US Synthetic Corporation (''USS'' or ''Complainant'') of Orem, Utah. 85 FR 85661 (Dec. 29, 2020). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain polycrystalline diamond compacts and articles containing same by reason of infringement of certain claims of the '502 patent; U.S. Patent No. 10,507,565 (''the '565 patent''); U.S. Patent No. 8,616,306 (''the '306 patent''); U.S. Patent No. 9,932,274 (''the '274 patent''); and U.S. Patent No. 9,315,881 (''the '881 patent''). *Id.* The complaint further alleged that an industry in the United States exists as required by section 337. *Id.* The notice of investigation named as respondents: SF Diamond; Element Six Abrasives Holdings Ltd. of London, United Kingdom, Element Six Global Innovation Centre of Oxfordshire, United Kingdom, Element Six GmbH of Burghaun, Germany, Element Six Limited of Springs, South Africa, Element Six Production (Pty) Limited of Shannon, Ireland, Element Six Hard Materials (Wuxi) Co. Limited of Meicun, China, Element Six Trading (Shanghai) Co. of Shanghai, China, Element Six Technologies US Corporation of Santa Clara, California, Element Six US Corporation of Spring, Texas, ServSix US of Orem, Utah, and Synergy Materials Technology Limited of Hong Kong, China (collectively, ''Element Six''); Iljin; Jingrui; New Asia; IDS; CR Gems; FIDC Beijing Fortune International Diamond (''FIDC'') of Beijing, China; Wanlong; Zhuhai Juxin Technology of Guangdong, China; and Haimingrun. *Id.* at 85662. The Office of Unfair Import Investigations did not participate in the investigation. *Id.*

Respondents Element Six and FIDC were terminated from the investigation before the evidentiary hearing. *See* Order No. 6 (Feb. 1, 2021), *unreviewed by* Comm'n Notice (Feb. 16, 2021); Order No. 10 (Feb. 24, 2021), *unreviewed by* Comm'n Notice (Mar. 15, 2021); and Order No. 16 (Apr. 1, 2021), *unreviewed by* Comm'n Notice (Apr. 15, 2021). On February 8, 2021, Juxin was substituted in place of Zhuhai Juxin Technology. *See* Order No. 8 (Feb. 8, 2021), *unreviewed by* Comm'n Notice (Feb. 24, 2021). Thus, the only remaining respondents are Iljin, SF Diamond, New Asia, IDS, Haimingrun, Juxin, CR Gems, Jingrui, and Wanlong (together, ''Respondents'').

The '274 and '881 patents and certain other asserted patent claims were terminated from the investigation. *See* Order No. 26 (Jul. 14, 2021), *unreviewed by* Comm'n Notice (Aug. 11, 2021); Order No. 32 (Aug. 9, 2021), *unreviewed by* Comm'n Notice (Aug. 20, 2021); and Order No. 57 (Oct. 19, 2021), *unreviewed by* Comm'n Notice (Nov. 4, 2021).

An evidentiary hearing took place during the week of October 18–22, 2021.

On March 3, 2022, the presiding administrative law judge (''ALJ'') issued his final initial determination (''ID''), finding no violation of section 337 by Respondents as to the asserted claims of

[2] All contract personnel will sign appropriate nondisclosure agreements.

[3] Electronic Document Information System (EDIS): *https://edis.usitc.gov.*

the '565, '502, and '306 patents. The ALJ also issued his recommended determination on remedy and bonding in this investigation.

On May 9, 2022, the Commission adopted the final ID's finding of no violation as to the '306 patent and reviewed certain findings of the final ID with respect to the '565 patent and the '502 patent. 87 FR 29375–377 (May 13, 2022). *Id.* The Commission also asked the parties to brief certain issues under review and requested the parties, interested government agencies, and other interested persons to brief issues of remedy, the public interest, and bonding. The parties filed timely initial submissions and reply submissions. The Commission did not receive comments from the public on any public interest issues raised by the ALJ's recommended relief.

On October 3, 2022, the Commission issued a final determination affirming with modifications the final ID's finding that all asserted claims are patent ineligible under 35 U.S.C. 101, that the asserted claims of the '565 patent are invalid as anticipated, and that Respondents failed to prove the asserted claims were not enabled under 35 U.S.C. 112. Having affirmed the final ID's findings that the asserted claims were patent ineligible and/or invalid, the Commission took no position on the economic prong of the domestic industry requirement. Accordingly, the Commission found no violation of section 337 as to the '565 and the '502 patents and terminated the investigation.[1]

USS timely appealed the Commission's patent ineligibility findings with respect to the '502 patent, but did not appeal the '565 patent, to the U.S. Court of Appeals for the Federal Circuit (''Federal Circuit'' or ''Court''). Respondents Iljin, SF Diamond, New Asia, IDS, Haimingrun, and Juxin (collectively, ''Intervenors'') intervened in the appeal and argued in the alternative that the asserted claims of the '502 patent are not enabled under section 112.

On February 13, 2025, the Federal Circuit reversed the Commission's conclusion that the asserted claims of the '502 patent are patent ineligible under section 101 and affirmed the Commission's enablement conclusion. The Court remanded for further proceedings.

Intervenors filed a combined petition for panel rehearing and rehearing en banc, which the Court denied on May 20, 2025. Intervenors also filed a motion to stay the mandate, which was denied on May 29, 2025. The Court issued its formal mandate on May 29, 2025, returning jurisdiction to the Commission for further proceedings.

On June 5, 2025, the Commission requested written submissions from the parties to address the specific proceedings to be conducted on remand. USS and Respondents filed timely initial and response submissions. Respondents also moved for leave to file out of time an exhibit referenced in their initial remand submission. The Chair subsequently approved the request.

Upon review of the evidence of record, the Federal Circuit's decision on appeal, and the parties' submissions, the Commission finds that Respondents Iljin, SF Diamond, New Asia, IDS, Haimingrun, Juxin, CR Gems, Jingrui, and Wanlong have violated section 337 by importing into the United States, selling for importation, or selling in the United States after importation certain polycrystalline diamond compacts and articles containing the same that infringe one or more of the asserted claims 1, 2, 11, 15 and 21 of the '502 patent. As set forth in the accompanying Opinion, the Commission affirms with modifications the ALJ's decision to allow USS to supplement its contentions with a new domestic industry allocation method in accordance with the procedural schedule set forth in this investigation. The Commission also affirms the final ID's finding that the economic prong has been satisfied under prong (B) of section 337(a)(3) and takes no position on prongs (A) and (C) of section 337(a)(3). The Commission has determined that the appropriate remedy is: (i) an LEO prohibiting Respondents from importing certain polycrystalline diamond compacts and articles containing the same that infringe one or more of the asserted claims 1, 2, 11, 15, and 21 of the '502 patent; and (ii) a CDO against SF Diamond USA, Inc. The Commission has determined that the public interest factors do not preclude issuance of a remedy. The Commission has determined to set a bond in the amount of zero percent (0%) of the entered value of the infringing products imported during the period of Presidential review (19 U.S.C. 1337(j)). The Commission issues its opinion herewith setting forth its determinations on certain issues. This investigation is hereby terminated. The Commission's orders and opinion were delivered to the President and United States Trade Representative on the day of their issuance.

The Commission vote for this determination took place on December 4, 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 4, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025–22313 Filed 12–8–25; 8:45 am]

BILLING CODE 7020–02–P

[1] Commissioner Schmidtlein dissented from the Majority's decision to affirm the final ID's section 101 findings.

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–510 and 731–TA–1245 (Second Review)]

Calcium Hypochlorite From China; Scheduling of Expedited Five-Year Reviews

AGENCY: United States International Trade Commission

ACTION: Notice.

SUMMARY: The Commission hereby gives notice of the scheduling of expedited reviews pursuant to the Tariff Act of 1930 (''the Act'') to determine whether revocation of the antidumping duty and countervailing duty orders on calcium hypochlorite from China would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time.

DATES: September 5, 2025.

FOR FURTHER INFORMATION CONTACT: Jesse Sanchez—((202) 205–2402), 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:

Background.—On September 5, 2025, the Commission determined that the domestic interested party group response to its notice of institution (90 FR 23361, June 2, 2025) of the subject

five-year reviews was adequate and that the respondent interested party group response was inadequate. The Commission did not find any other circumstances that would warrant conducting full reviews.[1] Accordingly, the Commission determined that it would conduct expedited reviews pursuant to section 751(c)(3) of the Act (19 U.S.C. 1675(c)(3)).[2]

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 and B (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

Staff report.—A staff report containing information concerning the subject matter of the reviews has been placed in the nonpublic record, and will be made available to persons on the Administrative Protective Order service list for these reviews on January 9, 2026. A public version will be issued thereafter, pursuant to § 207.62(d)(4) of the Commission's rules.

Written submissions.—As provided in § 207.62(d) of the Commission's rules, interested parties that are parties to the reviews and that have provided individually adequate responses to the notice of institution,[3] and any party other than an interested party to the reviews may file written comments with the Secretary on what determination the Commission should reach in the reviews. Comments are due on or before January 15, 2026 and may not contain new factual information. Any person that is neither a party to the five-year reviews nor an interested party may submit a brief written statement (which shall not contain any new factual information) pertinent to the reviews by January 15, 2026. If comments contain business proprietary information (BPI), they must conform with the requirements of §§ 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's *Handbook on Filing Procedures,* available on the Commission's website at *https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf,* elaborates upon the Commission's procedures with respect to filings.

In accordance with §§ 201.16(c) and 207.3 of the rules, each document filed by a party to the reviews must be served on all other parties to the reviews (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Determination.— The Commission has determined these reviews are extraordinarily complicated and therefore has determined to exercise its authority to extend the review period by up to 90 days pursuant to 19 U.S.C. 1675(c)(5)(B).

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 5, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025–22361 Filed 12–8–25; 8:45 am]

BILLING CODE 7020–02–P

[1] A record of the Commissioners' votes, the Commission's statement on adequacy, and any individual Commissioner's statements will be available from the Office of the Secretary and at the Commission's website.

[2] Due to the lapse in appropriations and ensuing cessation of Commission operations, the deadlines in this proceeding have been tolled.

[3] The Commission has found the responses submitted on behalf of Innovative Water Care LLC to be individually adequate. Comments from other interested parties will not be accepted (*see* 19 CFR 207.62(d)(2)).

DEPARTMENT OF LABOR

Veterans' Employment and Training Service

Agency Information Collection Activities; Proposed Information Collection; Comment Request: Required Components of the Jobs for Veterans State Grants State Plans

ACTION: Notice of availability; request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (PRA), DOL is soliciting public comments regarding the proposed revision of this Office of the Assistant Secretary for Veterans' Employment and Training Service (VETS) sponsored information collection for the authority to collect information requirements under a new information collection request (ICR) titled ''Required Components of the Jobs for Veterans State Grants State Plans''.

DATES: Consideration will be given to all written comments received by February 9, 2026.

ADDRESSES: A copy of this ICR with applicable supporting documentation, including a description of the likely respondents, proposed frequency of response, and estimated total burden, may be obtained for free by contacting Rebekah Haydin by telephone at (469) 786–7164 (this is not a toll-free number) or by email at *JVSG@dol.gov.* Submit written comments about this ICR by email to: *JVSG@dol.gov.* Include ''JVSG State Plan ICR Comments'' in the subject line.

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) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency; (3) 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; (4) ways to enhance the quality, utility and clarity of the information collection; and (5) 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. Comments submitted in response to this notice will be summarized and included in the request for the Office of Management and Budget approval of the information collection request. Comments will become a matter of public record.

FOR FURTHER INFORMATION CONTACT: Rebekah Haydin, by telephone at (469) 786–7164 (this is not a toll-free number) or by email at *JVSG@dol.gov.*

SUPPLEMENTARY INFORMATION: The Department of Labor, as part of continuing efforts to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies an opportunity to comment on proposed and/or continuing collections of information before submitting them to the OMB for final approval. This program helps to ensure requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements can be properly assessed.

The Department of Labor's Veterans' Employment and Training Service (VETS) administers funds for the Jobs for Veterans State Grant (JVSG) to each state, the District of Columbia, Puerto Rico, Guam, and the U.S. Virgin Islands on an annual fiscal year basis. These non-competitive, formula-driven grants are codified under Title 38, United States Code, (38 U.S.C.) Section 4102A(b)(5):

''Subject to subsection (c) make available for use in each state by grant or contract such funds as may be

necessary to support—(A) disabled veterans' outreach program specialists appointed under section 4103A(a)(1) of this title, (B) local veterans' employment representatives assigned under section 4104(b) of this title, and (C) the reasonable expenses of such specialists and representatives described in subparagraphs (A) and (B), respectively, for training, travel, supplies, and other business expenses . . .''

Conditions for the receipt of funds are outlined in Section 4102A(c)(2)(A):

''A State shall submit to the Secretary an application for a grant or contract under subsection (b)(5). The application shall contain the following information:

(i) A plan that describes the manner in which the State shall furnish employment, training, and placement services required under this chapter for the program year, including a description of—(I) duties assigned by the State to disabled veterans' outreach program specialists and local veterans' employment representatives consistent with the requirements of sections 4103A and 4104 of this title; (II) the manner in which such specialists and representatives are integrated in the employment service delivery systems in the State; and (III) the program of performance incentive awards described in section 4112 of this title in the State for the program year.

(ii) The veteran population to be served.''

In addition, Section 4102A(f) requires performance accountability for services provided under the JVSG, and VETS has determined that states' performance goals for participant outcomes are an appropriate component of the state plan.

This ICR collects the required information for the submission of JVSG State Plans and Modifications. The information covered includes the state's plan for furnishing employment, training, and placement services under 38 U.S.C. Chapter 41, including their performance goals for Disabled Veterans Outreach Program staff services to eligible veterans and other eligible persons.

This information collection is subject to the Paperwork Reduction Act (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.

The DOL seeks PRA authorization for this information collection for three years. OMB authorization for an Information Collection Review cannot be for more than three years without renewal.

Agency: DOL–VETS.

Type of Review: Extension without revision.

Title of Collection: Required Components of the Jobs for Veterans State Grants State Plans.

Forms: N/A.

OMB Control Number: 1293–0017.

Affected Public: State, Local, and Tribal Governments.

Estimated Number of Respondents: 36.

Frequency: Once.

Total Estimated Annual Responses: 36. Estimated Average Time per Response: 25 hours.

Total Estimated Annual Burden Hours: 936.

Total Estimated Annual Other Burden Costs (Operating and Maintenance): $0.

(Authority: 44 U.S.C. 3506(c)(2)(A)).

Dated: December 4, 2025.

Ivan Denton,

Acting Deputy Assistant Secretary, Veterans' Employment and Training Service, U.S. Department of Labor.

[FR Doc. 2025–22312 Filed 12–8–25; 8:45 am]

BILLING CODE 4510–79–P

LEGAL SERVICES CORPORATION

Pro Bono Innovation Fund Process for Submitting Pre-Applications for 2026 Grants; Correction

AGENCY: Legal Services Corporation.

ACTION: Notice; correction.

SUMMARY: The Legal Services Corporation (LSC) published a document in the **Federal Register** of November 19, 2025, concerning the application process for 2026 Pro Bono Innovation Fund grants. The document contained incorrect dates.

FOR FURTHER INFORMATION CONTACT: Katherine Harris, Special Grant Program Coordinator, Office of Program Performance, Legal Services Corporation, 1825 I Street NW, Suite 800, Washington, DC, 20006; (202) 295–1572 or *harrisk@lsc.gov.*

SUPPLEMENTARY INFORMATION:

Correction

In the **Federal Register** of November 19, 2025, in FR Doc. 2025–20310, on page 52115, in the first column, correct the subject heading and the **SUMMARY** and **DATES** captions to read:

Subject Heading: Pro Bono Innovation Fund; Process for Submitting Pre-Applications for 2026 Grants.

SUMMARY: The Legal Services Corporation (LSC) issues this Notice describing the conditions for submitting a Pre-Application for 2026 Pro Bono Innovation Fund grants.

DATES: Pre-applications must be submitted by 11:59 p.m. EST on Thursday, January 15, 2026.

(Authority: 42 U.S.C. 2996g(e).)

Dated: December 5, 2025.

Stefanie Davis,

Deputy General Counsel, Legal Services Corporation.

[FR Doc. 2025–22332 Filed 12–8–25; 8:45 am]

BILLING CODE P

NUCLEAR REGULATORY COMMISSION

[Docket Nos.; 50–263, 50–275, and 50–323; NRC–2025–1897]

Issuance of Multiple Exemptions

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing a single notice to announce the issuance of three exemptions in response to requests as detailed in the available documents.

DATES: This notice contains three exemptions that the NRC granted during the period from July 1, 2025, to September 30, 2025, in response to requests submitted by two licensees.

ADDRESSES: Please refer to Docket ID NRC–2025–1897 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking Website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2025–1897. Address questions about Docket IDs in *Regulations.gov* to Bridget Curran; telephone: 301–415–1003; email: *Bridget.Curran@nrc.gov.* For technical questions, contact the individual listed in the ''For Further Information Contact'' section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at *https://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''Begin ADAMS Public Search.'' For problems with ADAMS, please contact

the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, at 301–415–4737, or by email at *PDR.Resource@nrc.gov.* For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the ''Availability of Documents'' section.

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

FOR FURTHER INFORMATION CONTACT: Robert Kuntz, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–3733; email: *Robert.Kuntz@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Introduction

During the period from July 1, 2025, through September 30, 2025, the NRC granted the included three exemptions in response to requests submitted by the following licensees: Pacific Gas and Electric Company and Northern States Power Company.

The details of the exemptions that have been issued are provided in the available documents.

II. Availability of Documents

The tables in this notice provide transparency regarding the number and type of exemptions the NRC has issued and provide the licensee name, facility name, docket number, document description, document date, and ADAMS accession number for each exemption issued. Additional details on each exemption issued, including the exemption request submitted by the respective licensee and the NRC's decision, are provided in each exemption approval listed in the following tables. For additional directions on accessing information in ADAMS, see the **ADDRESSES** section of this document.

Document description	ADAMS Accession No.	Document date
Pacific Gas and Electric Company; Diablo Canyon Nuclear Power Plant, Units 1 and 2; Docket Nos. 50–275 and 50–323		
Diablo Canyon Nuclear Power Plant, Units 1 and 2—Exemption from Requirements of 10 CFR 73.55(e)(9)(vi)(A) for Early Warning System.	ML25183A195	July 21, 2025.
Diablo Canyon Nuclear Power Plant, Units 1 and 2—Exemption from 10 CFR 50.46 to Support Use of Optimized Zirlo™ for Improved Fuel Rod Cladding Performance.	ML25171A144 (ADAMS package)	August 13, 2025.
Northern States Power Company; Monticello Nuclear Generating Plant, Unit 1; Docket No. 50–253		
Monticello Nuclear Generating Plant, Unit 1—Exemption from Specific Requirements of 10 CFR 50.55a In Support of Adoption of Code Case N–921.	ML25231A222	September 4, 2025.

Dated: December 5, 2025.

For the Nuclear Regulatory Commission.

Robert Kuntz,

Senior Project Manager, Plant Licensing Branch III, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. 2025–22318 Filed 12–8–25; 8:45 am]

BILLING CODE 7590–01–P

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2026–128 and K2026–128; MC2026–129 and K2026–129]

New Postal Products

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing for the Commission's consideration concerning a negotiated service agreement. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* December 11, 2025.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at *https://www.prc.gov.* Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Introduction
II. Public Proceeding(s)
III. Summary Proceeding(s)

I. Introduction

Pursuant to 39 CFR 3041.405, the Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to Competitive negotiated service agreement(s). The request(s) may propose the addition of a negotiated service agreement from the Competitive product list or the modification of an existing product currently appearing on the Competitive product list.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (*http://www.prc.gov*). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3011.301.[1]

Section II identifies the docket number(s) associated with each Postal Service request, if any, that will be reviewed in a public proceeding as defined by 39 CFR 3010.101(p), the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each such request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 and 39 CFR 3000.114 (Public Representative). The Public Representative does not represent any individual person, entity or particular point of view, and, when Commission attorneys are appointed, no attorney-client relationship is established. Section II also establishes comment deadline(s) pertaining to each such request.

The Commission invites comments on whether the Postal Service's request(s) identified in Section II, if any, are consistent with the policies of title 39. Applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39

[1] *See* Docket No. RM2018–3, Order Adopting Final Rules Relating to Non-Public Information, June 27, 2018, Attachment A at 19–22 (Order No. 4679).

U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3035, and 39 CFR part 3041. Comment deadline(s) for each such request, if any, appear in Section II.

Section III identifies the docket number(s) associated with each Postal Service request, if any, to add a standardized distinct product to the Competitive product list or to amend a standardized distinct product, the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. Standardized distinct products are negotiated service agreements that are variations of one or more Competitive products, and for which financial models, minimum rates, and classification criteria have undergone advance Commission review. *See* 39 CFR 3041.110(n); 39 CFR 3041.205(a). Such requests are reviewed in summary proceedings pursuant to 39 CFR 3041.325(c)(2) and 39 CFR 3041.505(f)(1). Pursuant to 39 CFR 3041.405(c)–(d), the Commission does not appoint a Public Representative or request public comment in proceedings to review such requests. The comment due date discussed below does not apply to Section III proceedings (Docket Nos. MC2026–128 and K2026–128).

II. Public Proceeding(s)

1. *Docket No(s).:* MC2026–129 and K2026–129; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 1463 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* December 3, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Kenneth Moeller; *Comments Due:* December 11, 2025.

III. Summary Proceeding(s)

1. *Docket No(s).:* MC2026–128 and K2026–128; *Filing Title:* USPS Request to Add New Fulfillment Standardized Distinct Product, PM–GA Contract 938, and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* December 3, 2025; *Filing Authority:* 39 U.S.C. 3642 and 3633, 39 CFR 3035.105, and 39 CFR 3041.325.

This Notice will be published in the **Federal Register**.

Erica A. Barker,

Secretary.

[FR Doc. 2025–22280 Filed 12–8–25; 8:45 am]

BILLING CODE 7710–FW–P

POSTAL SERVICE

Product Change—Priority Mail Express, Priority Mail, and USPS Ground Advantage Negotiated Service Agreements; Priority Mail and USPS Ground Advantage Negotiated Service Agreements; Priority Mail Negotiated Service Agreements

AGENCY: Postal Service.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* December 9, 2025.

FOR FURTHER INFORMATION CONTACT: Sean C. Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), it filed with the Postal Regulatory Commission the following requests:

Date filed with postal regulatory commission	Negotiated service agreement product category and No.	MC Docket No.	K Docket No.
11/24/25	PM–GA 931	MC2026–117	K2026–117.
11/24/25	PM–GA 932	MC2026–118	K2026–118.
11/26/25	PME–PM–GA 1461	MC2026–119	K2026–119.
11/26/25	PME–PM–GA 1462	MC2026–120	K2026–120.
11/26/25	PM–GA 933	MC2026–121	K2026–121.
12/01/25	PM 949	MC2026–122	K2026–122.
12/01/25	PM 950	MC2026–123	K2026–123.
12/01/25	PM–GA 934	MC2026–124	K2026–124.
12/01/25	PM–GA 935	MC2026–125	K2026–125.
12/02/25	PM–GA 936	MC2026–126	K2026–126.
12/02/25	PM–GA 937	MC2026–127	K2026–127.
12/03/25	PM–GA 938	MC2026–128	K2026–128.
12/03/25	PME–PM–GA 1463	MC2026–129	K2026–129.
12/05/25	PME–PM–GA 1464	MC2026–130	K2026–130.

Documents are available at www.prc.gov.

Sean C. Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–22360 Filed 12–8–25; 8:45 am]

BILLING CODE 7710–12–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104313; File No. SR–24X–2025–15]

Self-Regulatory Organizations; 24X National Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the Transaction Fee Schedule Applicable to Members of the Exchange

December 4, 2025.

Pursuant to Section 19(b)(1) [1] of the Securities Exchange Act of 1934 (''Act'') [2] and Rule 19b–4 thereunder,[3] notice is hereby given that, on November 25, 2025, 24X National Exchange LLC (''24X'' or the ''Exchange'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the transaction fee schedule applicable to Members [4] of the Exchange pursuant to Exchange Rule 15.1(a) and (c). The proposed rule change is available on the Exchange's website at *https://equities.24exchange.com/regulation* and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend the list of fee codes that appear in its transaction fee schedule to more fulsomely reflect the universe of codes that the Exchange provides in execution reports, without modifying any of the underlying transaction fees and rebates applicable to Members of the Exchange. Specifically, the Exchange proposes to add fee codes to clarify that (i) added displayed volume transactions (currently corresponding to fee code 1) will generate fee code 53 if they improve the national best bid or national best offer (''NBBO''),[5] fee code 54 if they join the NBBO, and fee code 62 if they improve the price of the security at issue; (ii) removed volume transactions (currently corresponding to fee code 2) will generate fee code 61 if they result in immediate removal of the midpoint of the NBBO; and (iii) added non-displayed volume transactions (currently corresponding to fee code 51), will generate fee code 63 if they improve the price of the security at issue.

The Exchange notes that the 24X trading system and certain associated services, including the provision of fee codes to Members executing transactions on the Exchange, are provided on an outsourced basis by MEMX Technologies LLC (''MEMX Technologies'').[6] Upon consultation with MEMX Technologies, the Exchange became aware that due to a miscommunication that occurred before 24X commenced operations as a national securities exchange, its existing transaction fee schedule did not include all of the various fee codes Members were receiving with respect to their transactions on the Exchange. The proposed rule change seeks to remedy this by adding information about fee codes that do not currently appear on the Exchange's transaction fee schedule but which, as described above, are related to fee codes in the Exchange's current fee schedule. The proposed rule change will have no commercial impact on Members or the securities market given that the Exchange is not proposing to modify the fees and rebates applicable to transactions that Members execute on the Exchange, but rather is seeking only to codify in its fee schedule the entire universe of transaction fee codes that Members are already receiving on execution reports from the Exchange.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the provisions of Section 6 of the Act [7] in general, and with Sections 6(b)(4) and 6(b)(5) of the Act [8] in particular, because it provides for the equitable allocation of reasonable dues, fees, and other charges among its Members and other persons using its facilities; it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, to remove impediments to, and perfect the mechanism of, a free and open market and a national market system and, in general, to protect investors and the public interest; and it is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange believes that the proposed rule change furthers the objectives of the Act by providing a more complete description of the fee codes that Members of the Exchange are receiving in connection with the transactions they execute on the Exchange.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change is not intended to address competitive issues but rather is intended solely to clarify that certain transactions executed on the Exchange generate different fee codes depending on their characteristics.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A) [9] of the Act and subparagraph (f)(2) of Rule 19b–4 thereunder,[10] because it establishes a due, fee, or other charge imposed by the Exchange. At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B) [11] of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or

[4] *See* Exchange Rule 1.5(u).

[5] *See* 17 CFR 242.600(b)(60).

[6] The Exchange and MEMX Technologies executed a Development, License and Services Agreement on December 9, 2024, with accompanying Schedules (collectively, the ''DLSA''). MEMX Technologies, an affiliate of the MEMX Exchange, is in the business of developing technology systems for use in the financial industry.

[7] 15 U.S.C. 78f.

[8] 15 U.S.C. 78f(b)(4) and (b)(5).

[9] 15 U.S.C. 78s(b)(3)(A).

[10] 17 CFR 240.19b–4(f)(2).

[11] 15 U.S.C. 78s(b)(2)(B).

• Send an email to *rule-comments@sec.gov.* Please include file number SR–24X–2025–15 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–24X–2025–15. 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–24X–2025–15 and should be submitted on or before December 30, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[12]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–22305 Filed 12–8–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104316; File No. SR–FICC–2025–023]

Self-Regulatory Organizations; Fixed Income Clearing Corporation; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change Relating to Annual Testing of the Recovery and Wind-Down Plan

December 4, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on November 25, 2025, Fixed Income Clearing Corporation (''FICC'') 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 clearing agency. FICC filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act[3] and Rule 19b–4(f)(6) thereunder.[4] The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Clearing Agency's Statement of the Terms of Substance of the Proposed Rule Change

The proposed rule change consists of modifications to the FICC Mortgage-Backed Securities Division (''MBSD'') Clearing Rules (''MBSD Rules'') and the FICC Government Securities Division (''GSD'') Rulebook (''GSD Rules'').[5] The proposed changes would provide that FICC has established standards to be taken into account for designating those ''Members,'' ''Limited Members,'' and ''Settling Banks,'' as such terms are defined in MBSD Rule 17B and GSD Rule 22D (''Wind-down of the Corporation,'' collectively, ''Wind-down Rule''), who shall be required to participate in annual testing of FICC's recovery and wind-down plan (''RWP Testing'').[6] The proposed rule change is intended to provide consistency with the RWP Testing requirements of Rule 17ad–26[7] (''SEC Rule 17ad–26'' or ''Rule 17ad–26'') promulgated under the Act by the Commission.

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 amend MBSD Rule 3 (Ongoing Membership Requirements) and GSD Rule 3 (Ongoing Membership Requirements) to provide that FICC has established standards for designating those ''Members,'' ''Limited Members,'' and ''Settling Banks,'' as such terms are defined in MBSD Rule 17B and GSD Rule 22D, who shall be required to participate in annual RWP Testing. Currently, MBSD Rule 3 and GSD Rule 3 require certain MBSD Members and GSD Members to fulfill certain operational testing requirements that may be imposed by FICC to test and monitor the continuing operational capability of the Members and provides that FICC has established standards for designating those Members who shall be required to participate in annual business continuity and disaster recovery testing. Under the proposed rule change, similar standards would be added with respect to participation in RWP Testing.

The Commission promulgated Rule 17ad–26, which requires that plans for the recovery and orderly wind-down of a covered clearing agency, such as FICC, identify and include certain specific elements.[8] One of the required elements is to include procedures for testing the covered clearing agency's ability to implement its recovery and orderly wind-down plan at least every 12 months, including by requiring the covered clearing agency's participants and when practicable, other stakeholders, to participate in such testing.[9] The Commission recently approved FICC's proposed rule change to reflect the requirements of Rule 17ad–26 in the FICC Recovery & Wind-down Plan (the ''Plan'' or ''RWP'').[10] In its filing, FICC described FICC's procedures for testing its ability to implement the Plan at least every 12 months, which included describing the requirement that certain Members participate in the testing based on specified criteria and, when practicable, other stakeholders participate as well.[11] FICC is now proposing to amend MBSD Rule 3 and GSD Rule 3, as described above, for purposes of implementing this aspect of the RWP.

[12] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

[4] 17 CFR 240.19b–4(f)(6).

[5] Terms not otherwise defined herein have the meaning set forth in the MBSD Rules and GSD Rules, *available at http://www.dtcc.com/legal/rules-and-procedures.*

[6] *Id.*

[7] 17 CFR 240.17ad–26. *See* Covered Clearing Agency Resilience and Recovery and Orderly Wind-down Plans, Securities Exchange Act Release No. 101446 (Oct. 25, 2024), 89 FR 91000 (Nov.18, 2024) (S7–10–23) (''Adopting Release'').

[8] *Id.* SEC Rule 17ad–26 identifies the elements that a covered clearing agency's plan must contain.

[9] *Id.* SEC Rule 17ad–26(a)(8) (Testing).

[10] *See* Securities Exchange Act Release No.103221 (June 10, 2025), 90 FR 25414 (June 16, 2025) (SR–FICC–2025–010).

[11] *Id.* Specifically, FICC stated in its proposed rule change filing that the R&R Team [Recovery & Resolution Team] would identify the Member(s) required to participate in the simulation and that considerations for the Member selection may include, but are not limited to, (i) account structure, (ii) affiliated family structure, (iii) business model, (iv) operational details, and (v) Member size in terms of trading and settlement activity.

A. Proposal To Amend MBSD Rule 3 and GSD Rule 3 To Address Standards for Required Participation in Annual RWP Testing

The proposed amendments to MBSD Rule 3 and GSD Rule 3 would ensure that FICC's practices with respect to RWP Testing are consistent with Rule 17ad–26(a)(8) [12] and the terms of the RWP by setting forth the standards FICC would take into account when designating which Members, Limited Members, and Settling Banks will be required to participate in any given year. The proposed rule would provide that the terms ''Members,'' ''Limited Members,'' and ''Settling Banks'' would be defined as they are under the Wind-down Rule.[13] The participant types captured by these definitions would be the ones most directly impacted in the event of a FICC recovery or orderly wind-down, and whose rights and obligations are governed by the Wind-down Rule in the event that the Wind-down Plan is initiated.

The proposed rule change would provide for FICC's rights to: (i) designate MBSD and GSD Members, Limited Members and Settling Banks required to participate in RWP Testing using considerations such as, but not limited to, account structure, affiliated family structure, business model, operational details, and Member, Limited Member and Settling Bank size, trading and settlement activity; (ii) determine the scope and reporting out of the results of such RWP Testing; and (iii) require MBSD and GSD Members, Limited Members and Settling Banks to comply with such RWP Testing within specified timeframes. Additionally, the proposed rule would state that information on Member, Limited Member and Settling Bank selection as well as key elements of the testing that will be performed would be provided by FICC to all relevant stakeholders.

B. Implementation of the Proposal

As noted above, the principal purpose of the proposed rule change is to provide that FICC has established standards for designating those ''Members,'' ''Limited Members,'' and ''Settling Banks,'' as such terms are defined in the Wind-down Rule, who shall be required to participate in annual testing of FICC's recovery and wind-down plan, consistent with the requirements of Rule 17ad–26(a)(8).[14] The proposed rule change would help to facilitate implementation of this aspect of the RWP in a manner consistent with SEC Rule 17ad–26 and the RWP recently approved by the Commission.[15] Based on the compliance date of SEC Rule 17ad–26 established by the Commission, the proposed rule change would become operative on December 15, 2025.[16]

2. Statutory Basis

FICC believes that the proposal is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a registered clearing agency. In particular, FICC believes that the proposed rule change is consistent with Section 17A(b)(3)(F) of the Act,[17] Rule 17ad–22(e)(3)(ii) under the Act,[18] and Rule 17ad–26 under the Act,[19] for the reasons described below.

Section 17A(b)(3)(F) of the Act requires, in part, that the MBSD Rules and GSD Rules be designed to promote the prompt and accurate clearance and settlement of securities transactions.[20] As described above, the proposed rule change would provide that FICC has established standards regarding a requirement that MBSD and GSD Members, Limited Members and Settling Banks participate in annual RWP Testing, thereby facilitating the inclusion of participants in RWP Testing. This, in turn, would provide for effective planning by ensuring their familiarity with FICC's processes that would be followed in a recovery or wind-down scenario. It would also allow for preparatory experience among FICC and participants to enable FICC to consider whether improvements need to be made to the RWP or RWP Testing going forward. By providing effective planning for recovery and orderly wind-down scenarios, the proposed rule change would help ensure the continuity of FICC's core services and for the markets served by FICC and thereby promote the prompt and accurate clearance and settlement of securities transactions. As such, FICC believes the proposed rule change is consistent with Section 17A(b)(3)(F) of the Act.[21]

Rule 17ad–22(e)(3)(ii) under the Act requires FICC to establish, implement, maintain and enforce written policies and procedures reasonably designed to maintain a sound risk management framework for comprehensively managing legal, credit, liquidity, operational, general business, investment, custody, and other risks that arise in or are borne by the covered clearing agency, which includes plans for the recovery and orderly wind-down of the covered clearing agency necessitated by credit losses, liquidity shortfalls, losses from general business risk, or any other losses.[22] By ensuring that RWP Testing is consistent with the requirements of Rule 17ad–26 and how they are described in the RWP, FICC believes that the proposed rule change is designed to support the maintenance of the RWP and, as such, meets the requirements of Rule 17ad–22(e)(3)(ii) under the Act. Therefore, the proposed changes would help FICC to maintain the RWP in a way that continues to be consistent with the requirements of Rule 17ad–22(e)(3)(ii).[23]

Rule 17ad–26 requires the plans for recovery and orderly wind-down of covered clearing agencies, such as FICC, to identify and address certain information that is pertinent to the RWP.[24] This includes procedures for testing the covered clearing agency's ability to implement its recovery and orderly wind-down plan at least every 12 months and requiring the covered clearing agency's participants and, when practicable, other stakeholders, to participate in such testing. The proposed rule change would provide in the MBSD Rules and GSD Rules the details regarding a requirement for MBSD and GSD ''Members,'' ''Limited Members,'' and ''Settling Banks,'' as defined under the wind-down Rule, to take part in the annual RWP Testing, thereby strengthening FICC's compliance with Rule 17ad–26. As such, FICC believes the proposed rule change is consistent with Rule 17ad–26.[25]

(B) Clearing Agency's Statement on Burden on Competition

FICC does not believe that the proposed rule change would impose any burden on competition because the proposed rule change would apply to those MBSD and GSD participants that

[12] 17 CFR 240.17ad–26(a)(8).

[13] *Supra* note 5.

[14] 17 CFR 240.17ad–26(a)(8).

[15] *Supra* note 10.

[16] *Supra* note 7. As set forth in the Adopting Release, ''[. . .] (2) the proposed rule changes and the Advance Notices must be effective by December 15, 2025. These compliance dates provide sufficient time for CCAs to consider changes to their rules, policies, and procedures necessary to ensure consistency with the rules amended and adopted in this release [. . .].''

[17] 15 U.S.C. 78q–1(b)(3)(F).

[18] 17 CFR 240.17ad–22(e)(3)(ii).

[19] 17 CFR 240.17ad–26.

[20] 15 U.S.C. 78q–1(b)(3)(F).

[21] *Id.*

[22] 17 CFR 240.17ad–22(e)(3)(ii). FICC is a ''covered clearing agency'' as defined in Rule 17ad–22(a)(5) under the Act and must comply with paragraph (e) of Rule 17ad–22. In 2012, FICC was designated a systemically important financial market utility by the Financial Stability Oversight Council.

[23] *Id.*

[24] 17 CFR 240.17ad–26.

[25] *Id.*

are already subject to similar types of testing requirements as part of their ongoing memberships and provides additional opportunities for participants to test their readiness under the Wind-down Rule in the event a FICC recovery or orderly wind-down event were to occur.

(C) Clearing Agency's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

FICC has not received or solicited any written comments relating to this proposal. If any written comments are received, they will be publicly filed as an Exhibit 2 to this filing, as required by Form 19b–4 and the General Instructions thereto.

Persons submitting comments are cautioned that, according to Section IV (Solicitation of Comments) of the Exhibit 1A in the General Instructions to Form 19b–4, the Commission does not edit personal identifying information from comment submissions. Commenters should submit only information that they wish to make available publicly, including their name, email address, and any other identifying information.

All prospective commenters should follow the Commission's instructions on how to submit comments, *available at www.sec.gov/rules-regulations/how-submit-comment.* General questions regarding the rule filing process or logistical questions regarding this filing should be directed to the Main Office of the Commission's Division of Trading and Markets at *tradingandmarkets@sec.gov* or 202–551–5777.

FICC reserves the right to not respond to any comments received.

III. Date of Effectiveness of the Proposed Rule Change, and Timing for Commission Action

FICC has filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act [26] and Rule 19b–4(f)(6) [27] thereunder. Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; or (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act [28] and Rule 19b–4(f)(6) [29] thereunder.

A proposed rule change filed under Rule 19b–4(f)(6) [30] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[31] the Commission may designate a shorter time if such action is consistent with protection of investors and the public interest. FICC has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative immediately upon filing.

Delay of the operation of the proposed rule change, through the 30-day delayed operative date, could impede FICC's timely compliance with Rule 17ad–26 [32] and thereby defer the intended benefits and objectives of such regulatory requirements. This, in turn, could disrupt market expectations that FICC will implement the proposed rule change by the December 15, 2025 compliance date, which may adversely affect FICC's ability to ensure participant preparedness for recovery and orderly wind-down scenarios, evaluate and improve its recovery and wind-down procedures, and maintain continuity of core services in the event of a disruption. Therefore, waiving the 30-day operative delay should facilitate FICC's timely compliance with Rule 17ad–26 and avert any potential adverse consequences if such compliance were delayed. Moreover, the Commission believes the proposed rule change would not impose any significant burden on competition because it would apply to those FICC participants that are already subject to similar types of testing requirements as part of their ongoing memberships. Thus, the proposed rule change, and waiving the 30-day operative delay, should not (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; or (iii) affect the safeguarding of funds or securities in the custody or control of FICC or for which it is responsible. Therefore, the Commission waives the 30-day operative delay, and designates the proposed rule change as operative upon filing.[33]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

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–FICC–2025–023 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549.

All submissions should refer to file number SR–FICC–2025–023. 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 FICC and on DTCC's website (*https://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–FICC–2025–023 and should be submitted on or before December 30, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[34]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–22308 Filed 12–8–25; 8:45 am]

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[26] 15 U.S.C. 78(b)(3)(A).

[27] 17 CFR 240.19b–4(f)(6).

[28] 15 U.S.C. 78s(b)(3)(A).

[29] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires the Clearing Agency 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 Clearing Agency has satisfied this requirement.

[30] 17 CFR 240.19b–4(f)(6).

[31] 17 CFR 240.19b–4(f)(6)(iii).

[32] *Supra* note 16.

[33] For purposes only of waiving the the 30-day operative delay, the Commission has considered the proposed rule change's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[34] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104309; File No. SR–CboeBZX–2025–120]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Order Instituting Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change To List and Trade Shares of the Canary Staked SEI ETF Under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares

December 4, 2025.

I. Introduction

On August 26, 2025, Cboe BZX Exchange, Inc. (''BZX'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] a proposed rule change to list and trade shares (''Shares'') of the Canary Staked SEI ETF (''Trust'') under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares. The proposed rule change was published for comment in the **Federal Register** on September 11, 2025.[3]

On September 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] This order institutes proceedings under Section 19(b)(2)(B) of the Act [6] to determine whether to approve or disapprove the proposed rule change.

II. Summary of the Proposal

As described in more detail in the Notice,[7] the Exchange proposes to list and trade the Shares of the Trust under BZX Rule 14.11(e)(4), which governs the listing and trading of Commodity-Based Trust Shares on the Exchange.

The investment objective of the Trust is to seek to track the performance of SEI,[8] as measured by the CoinDesk SEI USD CCIX 60 min NY Rate (''Pricing Benchmark''), adjusted for the Trust's expenses and other liabilities.[9] In seeking to achieve its investment objective, the Trust will hold SEI and will value its Shares daily as of 4:00 p.m. ET using the same methodology used to calculate the Pricing Benchmark.[10] The Trust's assets will only consist of SEI, cash, and cash equivalents.[11] When the Trust sells or redeems its Shares, it will do so in cash or in-kind transactions with authorized participants in blocks of 10,000 Shares.[12] The Sponsor may stake, or cause to be staked, all or a portion of the Trust's SEI through one or more trusted staking providers and, in consideration for any staking activity in which the Trust may engage, the Trust would receive all or a portion of the staking rewards generated through staking activities.[13]

III. Proceedings To Determine Whether To Approve or Disapprove SR–CboeBZX–2025–120 and Grounds for Disapproval Under Consideration

The Commission is instituting proceedings pursuant to Section 19(b)(2)(B) of the Act [14] to determine whether the proposed rule change should be approved or disapproved. Institution of proceedings is appropriate at this time in view of the legal and policy issues raised by the proposed rule change. Institution of proceedings does not indicate that the Commission has reached any conclusions with respect to any of the issues involved. Rather, the Commission seeks and encourages interested persons to provide comments on the proposed rule change.

Pursuant to Section 19(b)(2)(B) of the Act,[15] the Commission is providing notice of the grounds for disapproval under consideration. The Commission is instituting proceedings to allow for additional analysis of the proposed rule change's consistency with Section 6(b)(5) of the Act, which requires, among other things, that the rules of a national securities exchange be ''designed to prevent fraudulent and manipulative acts and practices'' and ''to protect investors and the public interest.'' [16]

The Commission asks that commenters address the sufficiency of the Exchange's statements in support of the proposal, which are set forth in the Notice, in addition to any other comments they may wish to submit about the proposed rule change. In particular, the Commission seeks comment on whether the proposal to list and trade Shares of the Trust, which would hold SEI, is designed to prevent fraudulent and manipulative acts and practices or raises any new or novel concerns not previously contemplated by the Commission.

IV. Procedure: Request for Written Comments

The Commission requests that interested persons provide written submissions of their views, data, and arguments with respect to the issues identified above, as well as any other concerns they may have with the proposal. In particular, the Commission invites the written views of interested persons concerning whether the proposal is consistent with Section 6(b)(5) or any other provision of the Act, and the rules and regulations thereunder. Although there do not appear to be any issues relevant to approval or disapproval that would be facilitated by an oral presentation of views, data, and arguments, the Commission will consider, pursuant to Rule 19b–4, any request for an opportunity to make an oral presentation.[17]

Interested persons are invited to submit written data, views, and arguments regarding whether the proposed rule change should be approved or disapproved by December 30, 2025. Any person who wishes to file a rebuttal to any other person's submission must file that rebuttal by January 13, 2026.

Comments may be submitted by any of the following methods:

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[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 103902 (Sept. 8, 2025), 90 FR 44129 (''Notice''). The Commission has received no comment letters on the proposed rule change.

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 104068, 90 FR 47116 (Sept. 30, 2025). The Commission designated December 10, 2025, as the date by which the Commission shall approve, disapprove, or institute proceedings to determine whether to disapprove the proposed rule change.

[6] 15 U.S.C. 78s(b)(2)(B).

[7] *See* Notice, *supra* note 3.

[8] The Exchange states that SEI is the native cryptographic token of the SEI Network, a decentralized application-specific Layer 1 blockchain designed to serve as foundational infrastructure for high-performance trading and exchange-focused decentralized applications. *See id.* at 44130.

[9] *See id.* at 44132. Canary Capital Group LLC is the sponsor of the Trust, CSC Delaware Trust Company is the trustee, and a third-party custodian will be responsible for custody of the Trust's SEI. *See id.* at 44129, 44131–32.

[10] *See id.* at 44132.

[11] *See id.*

[12] *See id.*

[13] *See id.*

[14] 15 U.S.C. 78s(b)(2)(B).

[15] *Id.*

[16] 15 U.S.C. 78f(b)(5).

[17] Section 19(b)(2) of the Act, as amended by the Securities Acts Amendments of 1975, Public Law 94–29 (June 4, 1975), grants the Commission flexibility to determine what type of proceeding—either oral or notice and opportunity for written comments—is appropriate for consideration of a particular proposal by a self-regulatory organization. *See* Securities Acts Amendments of 1975, Senate Comm. on Banking, Housing & Urban Affairs, S. Rep. No. 75, 94th Cong., 1st Sess. 30 (1975).

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–2025–120 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–2025–120. 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–2025–120 and should be submitted on or before December 30, 2025. Rebuttal comments should be submitted by January 13, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[18]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–22303 Filed 12–8–25; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104310; File No. SR–CboeBZX–2025–154]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Franklin Crypto Index ETF, Shares of Which Were Approved To List and Trade on the Exchange Pursuant to BZX Rule 14.11(e)(4)

December 4, 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 December 1, 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 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 Act[3] and Rule 19b–4(f)(6) thereunder.[4] The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Cboe BZX Exchange, Inc. (''BZX'' or the ''Exchange'') is filing with the Securities and Exchange Commission (''Commission'' or ''SEC'') a proposed rule change to amend the Franklin Crypto Index ETF (the ''Fund''), shares ('' Fund Shares'') of which have been approved by the Commission to list and trade on the Exchange pursuant to BZX Rule 14.11(e)(4) under an approval order, to permit the Fund to list and trade under the generic listing standards of that rule.

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 Commission has previously approved the listing and trading of shares for the Fund under Rule 14.11(e)(4),[5] and the Fund currently lists and trades on the Exchange. The Exchange now proposes to transition this Fund to operate under the recently Commission-approved generic listing standards for Commodity-Based Trust Shares pursuant to Rule 14.11(e)(4) (''Amended Rule 14.11(e)(4)'').[6] The Fund will meet the requirements of Amended Rule 14.11(e)(4) and will be required to comply with the continued listing requirements set forth in such Rule.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[7] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[8] 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)[9] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange believes the proposed rule change is designed to remove

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A)(iii).

[4] 17 CFR 240.19b–4(f)(6).

[5] *See* Securities Exchange Act No. 101998 (December 19, 2024) 89 FR 106707 (December 30, 2024) (Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment No. 1, To List and Trade Shares of the Franklin Crypto Index ETF, a Series of the Franklin Crypto Trust) (the ''Crypto Index ETP Approval Order'').

[6] *See* Securities Exchange Act No. 103995 (September 17, 2025) 90 FR 45414 (September 22, 2025) (SR–CboeBZX–2025–104) (Order Granting Accelerated Approval of Proposed Rule Changes, as Modified by Amendments Thereto, To Adopt Generic Listing Standards for Commodity-Based Trust Shares).

[7] 15 U.S.C. 78f(b).

[8] 15 U.S.C. 78f(b)(5).

[9] *Id.*

[18] 17 CFR 200.30–3(a)(57).

impediments to and perfect the mechanism of a free and open market and, in general, to protect investors and the public interest because it would provide for the transition of the Fund from being listed pursuant to the Crypto Index ETP Approval Order to Amended Rule 14.11(e)(4) instead. The proposed change would allow the Fund Shares to continue listing and trading on the Exchange and permit the Fund to operate in reliance on the generic listing standards in Amended Rule 14.11(e)(4) instead of the terms of the Crypto Index ETP Approval Order, thereby facilitating the continued listing and trading of exchange-traded products that will enhance competition among market participants, to the benefit of investors and the marketplace. The Fund will meet the requirements of Amended Rule 14.11(e)(4) and will be required to comply with the continued listing standards set forth in Amended Rule 14.11(e)(4).

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 purpose of the Act. As discussed above, the proposed change is intended to facilitate the continued listing and trading of the Fund on the Exchange, thereby promoting competition among exchange-traded products to the benefit of investors and the marketplace.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act [10] and Rule 19b–4(f)(6) [11] thereunder. Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; or (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act [12] and Rule 19b–4(f)(6) [13] thereunder.

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 the 30-day operative delay is consistent with the protection of investors and the public interest because it will allow the Exchange to implement the proposed rule change without delay and does not introduce any novel regulatory issues. Accordingly, the Commission designates the proposed rule change to be operative upon filing.[16]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–CboeBZX–2025–154 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–2025–154. 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–2025–154 and should be submitted on or before December 30, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[17]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–22304 Filed 12–8–25; 8:45 am]

BILLING CODE 8011–01–P

[10] 15 U.S.C. 78s(b)(3)(A).

[11] 17 CFR 240.19b–4(f)(6).

[12] 15 U.S.C. 78s(b)(3)(A).

[13] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires the Exchange to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[14] 17 CFR 240.19b–4(f)(6).

[15] 17 CFR 240.19b–4(f)(6)(iii).

[16] 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).

[17] 17 CFR 200.30–3(a)(12) and (59).

SECURITIES AND EXCHANGE COMMISSION

[Release No. IC–35818; File No. 812–15949]

Oppenheimer & Co. Inc., et al.; Notice of Application and Temporary Order December 5, 2025

AGENCY: Securities and Exchange Commission (the ''Commission'').

ACTION: Temporary order and notice of application for a permanent order under section 9(c) of the Investment Company Act of 1940 (the ''Act'').

SUMMARY OF APPLICATION: Applicants (defined below) have applied for a temporary order (the ''Temporary Order'') exempting Advantage Advisers Multi-Manager, L.L.C. from section 9(a) of the Act with respect to an injunction entered against Oppenheimer & Co. Inc. in December, 2025 by the United States

District Court for the Southern District of New York (the ''Court''), until the Commission takes final action on an application for a permanent order exempting the Applicants and other Covered Persons (defined below) from section 9(a) of the Act (the ''Permanent Order,'' and with the Temporary Order, the ''Requested Orders'').

APPLICANTS: Oppenheimer & Co. (''Opco'') and Advantage Advisers Multi-Manager, L.L.C. (the ''Adviser'', and together with Opco, the ''Applicants''), and Oppenheimer Holdings Inc. (''OPY'').[1]

FILING DATE: The application was filed on December 5, 2025.

HEARING OR NOTIFICATION OF HEARING: The Temporary Order will be effective until such time as the Commission takes final action on the application by issuing an order granting the requested relief, unless the Commission orders a hearing. Interested persons may request a hearing by emailing the Commission's Secretary at *Secretarys-Office@sec.gov* and serving the Applicant with a copy of the request by email, if an email address is listed for the relevant Applicant below, or personally or by mail, if a physical address is listed for the relevant Applicant below. Hearing requests should be received by the Commission by 5:30 p.m. on December 31, 2025, and should be accompanied by proof of service on the Applicants, in the form of an affidavit, or, for lawyers, a certificate of service. Pursuant to rule 0–5 under the Act, hearing requests should state the nature of the writer's interest, any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by emailing the Commission's Secretary.

ADDRESSES: The Commission: *Secretarys-Office@sec.gov.* Applicants: Dennis P. McNamara, Esq., Oppenheimer & Co. Inc., 85 Broad Street, 22nd Floor, New York, NY 10004; Norm Champ, Esq. and Pamela Poland Chen, Esq., Kirkland & Ellis LLP, 601 Lexington Avenue, New York, New York 10022; Elizabeth A. Marino, Esq., Sidley Austin LLP, 60 State Street, 36th Floor, Boston, MA 02109.

FOR FURTHER INFORMATION CONTACT: Rachel Loko, Senior Special Counsel, or Kaitlin Bottock, Assistant Chief Counsel, at (202) 551–6825 (Division of Investment Management, Chief Counsel's Office).

SUPPLEMENTARY INFORMATION: The following is a temporary order and a summary of the application. The complete application may be obtained via the Commission's website by searching for the file number at the top of this document, or for an Applicant using the Company name search field, on the SEC's EDGAR system. The SEC's EDGAR system may be searched at *https://www.sec.gov/edgar/searchedgar/legacy/companysearch.html.* You may also call the SEC's Office of Investor Education and Advocacy at (202) 551–8090.

Applicants' Representations

1. Opco, a New York corporation, is registered as a broker-dealer under the Securities Exchange Act of 1934, as amended (the ''Exchange Act''), and as an investment adviser under the Investment Advisers Act of 1940, as amended (the ''Advisers Act''). Currently, Opco does not serve as investment adviser to any registered investment company (a ''RIC''), employee securities company (an ''ESC'') or business development company (a ''BDC''), or as principal underwriter (as defined in section 2(a)(29) of the Act) to any open-end management investment company registered under the Act (an ''Open-End Fund''), registered unit investment trust (a ''UIT'') or registered face-amount certificate company (a ''FACC'') (such activities, collectively, ''Fund Servicing Activities''),[2] but it may do so in the future.

2. The Adviser is a Delaware limited liability company and is registered as an investment adviser under the Advisers Act. The Adviser serves an investment adviser to the Advantage Advisers Xanthus Fund, L.L.C. (the ''Fund'').[3]

3. Each of the Applicants is an indirect wholly-owned subsidiary of OPY, a Delaware corporation headquartered in New York, New York and listed on the New York Stock Exchange. OPY is a financial services holding company. OPY is an ''affiliated person'' within the meaning of section 2(a)(3) of the Act (an ''Affiliated Person'') of the Adviser.[4]

4. While no existing company of which Opco is an Affiliated Person, other than the Adviser, currently serves as an investment adviser or depositor of any RIC, ESC or BDC,[5] or as principal underwriter for any Open-End Fund, UIT, or FACC, the Applicants request that any relief granted by the Commission pursuant to the application apply to the Adviser, Opco, OPY, any existing company of which Opco is an Affiliated Person and to any other company of which Opco may become an Affiliated Person in the future (together with the Applicants and OPY, the ''Covered Persons'') with respect to any activity contemplated by section 9(a) of the Act.

5. On September 13, 2022, the Commission filed a complaint in the Court relating to the matter titled *SEC* v. *Oppenheimer & Co. Inc.,* Case No. 1:22–cv–07801–JPC (the ''Complaint'') alleging Opco made certain sales of municipal securities to broker-dealers and investment advisers in reliance on the Limited Offering Exemption in rule 15c2–12 under the Exchange Act (the ''LOE'') without satisfying the LOE's requirements. The Commission asserted in the Complaint that the LOE requires, among other things, that underwriters have a reasonable belief that the municipal securities are being sold only to sophisticated investors that are each buying the securities for a single account without a view to distribute them. In the Complaint, the Commission alleged that Opco did not have a ''reasonable belief'' that the broker-dealers or investment advisers to which it sold the securities at issue were buying securities for their own accounts. The Complaint also alleged that Opco negligently made deceptive statements to municipal issuers by representing to the issuers that it would offer the securities in accordance with the LOE, and, in certain cases, certifying that it had complied with the LOE. The conduct did not involve any of the Adviser's Fund Servicing Activities, the individuals who provide the Fund Servicing Activities, the Fund, or the assets of the Fund.

6. Opco has submitted an executed Consent of the Defendant Oppenheimer & Co. Inc. to entry of Final Judgment

[1] OPY is a party to the application solely for purposes of making the representations and agreeing to the conditions in the application that apply to it.

[2] The term ''Fund Servicing Activities,'' as it relates to Covered Persons (defined below), refers to each of the capacities identified in section 9(a) of the Act in which a Covered Person currently serves or may serve in the future.

[3] The term ''Fund'' or ''Funds,'' as used in the application, refers to any RIC, ESC, and BDC for which an Applicant currently provides or may in the future provide, or a Covered Person may in the future provide, Fund Servicing Activities (defined above), subject to the terms and conditions of the Requested Orders.

[4] Section 2(a)(3) of the Act defines ''affiliated person'' to include, among others, any person directly or indirectly controlling, controlled by, or under common control with, the other person.

[5] Neither BDCs nor ESCs are specifically mentioned in section 9 but are nonetheless required to comply with its requirements by virtue of section 59 of the Act (for BDCs) and the terms of applicable exemptive relief (for ESCs).

(the ''Consent''), which will be presented to the Court. In the Consent, solely for the purpose of proceedings brought by or on behalf of the Commission or in which the Commission is a party, Opco consents to entry of the Final Judgment without admitting or denying the allegations made in the Complaint (except as to personal and subject matter jurisdiction, which will be admitted) (the ''Final Judgment'').

7. The Final Judgment (i) permanently restrains and enjoins Opco from violating rule 15c2–12 under the Exchange Act, rules G–17 and G–27 of the Municipal Securities Rulemaking Board (''MSRB'') and section 15B(c)(1) of the Exchange Act (the ''Injunction''); and (ii) orders Opco to pay a civil penalty in the amount of $1,200,000.

Applicants' Legal Analysis

1. Section 9(a)(2) of the Act provides, in pertinent part, that a person may not serve or act as an investment adviser or depositor of any registered investment company, or as principal underwriter for any Open-End Fund, UIT, or FACC, if such person ''. . . by reason of any misconduct, is permanently or temporarily enjoined by order, judgment, or decree of any court of competent jurisdiction from acting as an underwriter, broker, dealer, investment adviser, municipal securities dealer, government securities broker, government securities dealer, bank, transfer agent, credit rating agency, or entity or person required to be registered under the Commodity Exchange Act . . . or from engaging in or continuing any conduct or practice in connection with any such activity or in connection with the purchase or sale of any security.'' Section 9(a)(3) of the Act extends the prohibitions of section 9(a)(2) to a company, any affiliated person of which has been disqualified under the provisions of section 9(a)(2). Section 2(a)(3) of the Act defines ''affiliated person'' to include, among others, any person directly or indirectly controlling, controlled by, or under common control with, the other person. Opco is an Affiliated Person of the Adviser within the meaning of section 2(a)(3) of the Act. Therefore, the Final Judgment would result in a disqualification of the Adviser under section 9(a)(3) from acting in any of the capacities listed in section 9(a), by effect of an injunction described in section 9(a)(2). Other Covered Persons similarly would be disqualified pursuant to section 9(a)(3) were they to act in any of the capacities listed in section 9(a).

2. Section 9(c) of the Act provides that: ''[t]he Commission shall by order grant [an] application [for relief from the prohibitions of subsection 9(a)], either unconditionally or on an appropriate temporary or other conditional basis, if it is established [i] that the prohibitions of subsection [9](a), as applied to such person, are unduly or disproportionately severe or [ii] that the conduct of such person has been such as not to make it against the public interest or protection of investors to grant such application.'' Applicants have filed an application pursuant to section 9(c) seeking a Temporary Order for the Adviser and a Permanent Order exempting Applicants and other Covered Persons from the disqualification provisions of section 9(a) of the Act. The Covered Persons may, if the Requested Orders are granted, in the future act in any of the capacities contemplated by section 9(a) of the Act subject to the applicable terms and conditions of the Requested Orders.

3. Applicants believe they meet the standards for exemption specified in section 9(c). Applicants assert that: (i) the conduct underlying the Final Judgment (the ''Conduct'') did not involve the Adviser; (ii) application of the statutory bar would impose significant hardships on the Fund and its shareholders; (iii) the prohibitions of section 9(a), if applied to the Applicants, would be unduly or disproportionately severe; and (iv) the Conduct has not been such that would make it against the public interest or protection of investors to grant the exemption from section 9(a).

4. Applicants argue that it would be against the public interest and protection of investors, and would be unduly and disproportionately severe, to bar the Adviser from providing Fund Servicing Activities as a result of the Conduct by Opco that is wholly unrelated to any Fund Servicing Activities.

5. Applicants state that the Conduct did not involve any of the Adviser's Fund Servicing Activities. The Conduct did not involve the Fund, or the assets of the Fund, with respect to which the Adviser provides Fund Servicing Activities.

6. Applicants assert that the inability of the Adviser to continue providing investment advisory services to the Fund would result in the Fund and its shareholders facing unduly and disproportionately severe hardships. The Applicants state that disqualifying the Adviser from engaging in Fund Servicing Activities would deprive the Fund of the advisory or sub-advisory services the Adviser has been providing for more than 25 years while generating positive investment performance for the Fund. The Applicants also argue that disruption caused by prohibiting the Adviser from continuing to serve the Fund would hamper management of the Fund's investment strategy and could cause shareholders in the Fund to tender their interests, which could increase the Fund's expense ratios to the detriment of remaining shareholders. In addition, the Applicants assert that disqualifying the Adviser could result in substantial costs to the Fund and its shareholders, including costs related to (i) identifying a suitable successor investment adviser, including performing due diligence on such potential successor; (ii) holding a special meeting (or meetings) of the Board; and (iii) soliciting shareholders to approve a new advisory agreement.

7. Applicants also assert that disqualification could have severe consequences for the Adviser. Applicants explain that the Disqualification could trigger a loss of more than 93% of the Adviser's assets under management as of May 2025, also potentially affecting approximately 14 employees directly supporting the Adviser's work for the Fund, none of whom had any involvement in the Conduct. Applicants state that (i) none of the current or former directors, officers or employees of the Applicants (other than certain current and former personnel of Opco who were not, are not and will not be involved in Fund Servicing Activities) had any involvement in the Conduct; (ii) no person who has been or who subsequently may be identified by Opco or any U.S. or non-U.S. regulatory or enforcement agencies as having been responsible for the Conduct will be an officer, director, or employee of the Adviser, Opco or of any Covered Person providing Fund Servicing Activities; (iii) no persons who otherwise were involved in the Conduct have had, and will have any future, involvement in the Applicants' or Covered Persons' activities in any capacity described in section 9(a) of the Act; and (iv) because the directors, officers and employees of the Adviser did not engage in the Conduct, shareholders of the Fund were not affected any differently than if that Fund had received services from any other non-affiliated investment adviser.

8. With respect to Opco, Applicants argue that although Opco is not currently providing Fund Servicing Activities, Opco has committed significant resources to establish expertise in underwriting the securities of Open-End Funds and establish distribution arrangements for Open-End Fund shares, with plans to expand its

business in Open-End Funds and thus provide Fund Servicing Activities. Without the requested relief, Opco would lose opportunities to further expand its business through Fund Servicing Activities by distributing and managing Open-End Fund products.

9. Applicants note that as of September 2022, when the Commission filed the Complaint against Opco, Opco made changes to cease relying on the LOE. Opco does not intend to rely on the LOE unless it can ensure it remains compliant with SEC and MSRB rules, including exemptions therefrom. If Opco intends to utilize the LOE at some point in the future, Opco will implement a procedure for use of the LOE to ensure compliance with the LOE. Applicants also note that in January 2024, Opco hired a new Head of Public Finance with over 30 years' experience working at other well-known industry participants, reporting directly to the President and CEO of Opco, and added a new managing director and a new director from outside of Opco to bolster the Public Finance team. The Head of Public Finance has also engaged a consultant to help adopt an updated and revised policy and procedures manual for the origination of municipal bond sales and is finalizing policies and procedures for the sales and trading of municipal bonds including procedures designed to achieve compliance with SEC and MSRB rules including, but not limited to, Exchange Act rule 15c2–12 and the exemptions therefrom.

10. Applicants will provide written notification to the Chief Counsel of the Commission's Division of Investment Management with a copy to the Chief Counsel of the Commission's Division of Enforcement of a material violation of the terms and conditions of the Requested Orders within 30 days of discovery of the material violation. In addition, Applicants agree as a condition of the application that the material terms and conditions of the Final Judgment will be complied with in all material respects.

Applicants' Conditions

Applicants agree that any order granted by the Commission pursuant to the application will be subject to the following conditions:

1. Any temporary exemption granted pursuant to the Application shall be without prejudice to, and shall not limit the Commission's rights in any manner with respect to, any Commission investigation of, or administrative proceedings involving or against, Covered Persons, including without limitation, the consideration by the Commission of a permanent exemption from section 9(a) of the Act requested pursuant to the Application or the revocation or removal of any temporary exemptions granted under the Act in connection with the Application.

2. Neither the Applicants, OPY, nor any of the other Covered Persons will employ any person to provide Fund Servicing Activities who previously has been or who subsequently may be identified by the Applicants or any U.S. or non-U.S. regulatory or enforcement agencies as having been responsible for the Conduct in any capacity without first making a further application to the Commission pursuant to section 9(c).

3. Each Applicant, OPY and any other Covered Person will adopt and implement policies and procedures reasonably designed to ensure that it will comply with the terms and conditions of the Requested Orders within 60 days of the date of the Permanent Order.

4. The material terms and conditions of the Final Judgment will be complied with in all material respects.

5. The Applicants will provide written notification to the Chief Counsel of the Commission's Division of Investment Management with a copy to the Chief Counsel of the Commission's Division of Enforcement of a material violation of the terms and conditions of the Requested Orders and Consent within 30 days of discovery of the material violation.

Temporary Order

The Commission has considered the matter and finds that Applicants have made the necessary showing to justify granting a temporary exemption.

Accordingly,

It is hereby ordered, pursuant to section 9(c) of the Act, that the Adviser is granted a temporary exemption from the provisions of section 9(a), effective as the date of this order, solely with respect to the Consent, subject to the representations and conditions in the application, until the Commission takes final action on the Applicants' application for a permanent order.

By the Commission.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–22336 Filed 12–8–25; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104314; File No. SR–NSCC–2025–016]

Self-Regulatory Organizations; National Securities Clearing Corporation; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change Relating to Annual Testing of the Recovery and Wind-down Plan

December 4, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on November 25, 2025, National Securities Clearing Corporation (''NSCC'') 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 clearing agency. NSCC filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act[3] and Rule 19b–4(f)(6) thereunder.[4] The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Clearing Agency's Statement of the Terms of Substance of the Proposed Rule Change

The proposed rule change consists of modifications to the NSCC Rules & Procedures (''NSCC Rules'').[5] The proposed changes would provide that NSCC has established standards to be taken into account for designating those ''Members,'' ''Limited Members,'' and ''Settling Banks,'' as such terms are defined in NSCC Rule 42 (''Wind-down of the Corporation,'' referred to as the ''Wind-down Rule''), who shall be required to participate in annual testing of NSCC's recovery and wind-down plan (''RWP Testing'').[6] The proposed rule change is intended to provide consistency with the RWP Testing requirements of Rule 17ad–26[7] (''SEC Rule 17ad–26'' or ''Rule 17ad–26'') promulgated under the Act by the Commission.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

[4] 17 CFR 240.19b–4(f)(6).

[5] Terms not otherwise defined herein have the meaning set forth in the NSCC Rules, *available at http://www.dtcc.com/legal/rules-and-procedures.*

[6] *Id.*

[7] 17 CFR 240.17ad–26. *See* Covered Clearing Agency Resilience and Recovery and Orderly Wind-down Plans, Securities Exchange Act Release No. 101446 (Oct. 25, 2024), 89 FR 91000 (Nov. 18, 2024) (S7–10–23) (''Adopting Release'').

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 amend NSCC Rule 2B (Ongoing Membership Requirements and Monitoring) to provide that NSCC has established standards for designating those ''Members,'' ''Limited Members,'' and ''Settling Banks,'' as such terms are defined in NSCC Rule 42, who shall be required to participate in annual RWP Testing. Currently, NSCC Rule 2B requires certain NSCC participants to fulfill certain operational testing requirements that may be imposed by NSCC to test and monitor the continuing operational capability of the participants and provides that NSCC has established standards for designating those participants who shall be required to participate in annual business continuity and disaster recovery testing. Under the proposed rule change, similar standards would be added with respect to participation in RWP Testing.

The Commission promulgated Rule 17ad–26, which requires that plans for the recovery and orderly wind-down of a covered clearing agency, such as NSCC, identify and include certain specific elements.[8] One of the required elements is to include procedures for testing the covered clearing agency's ability to implement its recovery and orderly wind-down plan at least every 12 months, including by requiring the covered clearing agency's participants and when practicable, other stakeholders, to participate in such testing.[9] The Commission recently approved NSCC's proposed rule change to reflect the requirements of Rule 17ad–26 in the NSCC Recovery & Wind-down Plan (the ''Plan'' or ''RWP'').[10] In its filing, NSCC described NSCC's procedures for testing its ability to implement the Plan at least every 12 months, which included describing the requirement that certain Members participate in the testing based on specified criteria and, when practicable, other stakeholders participate as well.[11] NSCC is now proposing to amend NSCC Rule 2B, as described above, for purposes of implementing this aspect of the RWP.

A. Proposal To Amend NSCC Rule 2B To Address Standards for Required Participation in Annual RWP Testing

The proposed amendments to NSCC Rule 2B would ensure that NSCC's practices with respect to RWP Testing are consistent with Rule 17ad–26(a)(8) [12] and the terms of the RWP by setting forth the standards NSCC would take into account when designating which Members, Limited Members, and Settling Banks will be required to participate in any given year. The proposed rule would provide that the terms ''Members,'' ''Limited Members,'' and ''Settling Banks'' would be defined as they are under the Wind-down Rule.[13] The participant types captured by these definitions would be the ones most directly impacted in the event of an NSCC recovery or orderly wind-down, and whose rights and obligations are governed by the Wind-down Rule in the event that the Wind-down Plan is initiated.

The proposed rule change would provide for NSCC's rights to: (i) designate Members, Limited Members and Settling Banks required to participate in RWP Testing using considerations such as, but not limited to, account structure, affiliated family structure, business model, operational details, and Member, Limited Member and Settling Bank size, trading and settlement activity; (ii) determine the scope and reporting out of the results of such RWP Testing; and (iii) require Members, Limited Members and Settling Banks to comply with such RWP Testing within specified timeframes. Additionally, the proposed rule would state that information on Member, Limited Member and Settling Bank selection as well as key elements of the testing that will be performed would be provided by NSCC to all relevant stakeholders.

B. Implementation of the Proposal

As noted above, the principal purpose of the proposed rule change is to provide that NSCC has established standards for designating those ''Members,'' ''Limited Members,'' and ''Settling Banks,'' as such terms are defined in the Wind-down Rule, who shall be required to participate in annual testing of NSCC's recovery and wind-down plan, consistent with the requirements of Rule 17ad–26(a)(8).[14] The proposed rule change would help to facilitate implementation of this aspect of the RWP in a manner consistent with SEC Rule 17ad–26 and the RWP recently approved by the Commission.[15] Based on the compliance date of SEC Rule 17ad–26 established by the Commission, the proposed rule change would become operative on December 15, 2025.[16]

2. Statutory Basis

NSCC believes that the proposal is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a registered clearing agency. In particular, NSCC believes that the proposed rule change is consistent with Section 17A(b)(3)(F) of the Act,[17] Rule 17ad–22(e)(3)(ii) under the Act,[18] and Rule 17ad–26 under the Act,[19] for the reasons described below.

Section 17A(b)(3)(F) of the Act requires, in part, that the NSCC Rules be designed to promote the prompt and accurate clearance and settlement of securities transactions.[20] As described above, the proposed rule change would provide that NSCC has established standards regarding a requirement that Members, Limited Members and Settling Banks participate in annual RWP Testing, thereby facilitating the inclusion of participants in RWP Testing. This, in turn, would provide for effective planning by ensuring their familiarity with NSCC's processes that would be followed in a recovery or wind-down scenario. It would also allow for preparatory experience among

[8] *Id.* SEC Rule 17ad–26 identifies the elements that a covered clearing agency's plan must contain.

[9] *Id.* SEC Rule 17ad–26(a)(8) (Testing).

[10] *See* Securities Exchange Act Release No.103221 (June 10, 2025), 90 FR 25414 (June 16, 2025) (SR–NSCC–2025–007).

[11] *Id.* Specifically, NSCC stated in its proposed rule change filing that the R&R Team [Recovery & Resolution Team] would identify the Member(s) required to participate in the simulation and that considerations for the Member selection may include, but are not limited to, (i) account structure, (ii) affiliated family structure, (iii) business model, (iv) operational details, and (v) Member size in terms of trading and settlement activity.

[12] 17 CFR 240.17ad–26(a)(8).

[13] *Supra* note 5.

[14] 17 CFR 240.17ad–26(a)(8).

[15] *Supra* note 10.

[16] *Supra* note 7. As set forth in the Adopting Release, ''[. . .] (2) the proposed rule changes and the Advance Notices must be effective by December 15, 2025. These compliance dates provide sufficient time for CCAs to consider changes to their rules, policies, and procedures necessary to ensure consistency with the rules amended and adopted in this release [. . .].''

[17] 15 U.S.C. 78q–1(b)(3)(F).

[18] 17 CFR 240.17ad–22(e)(3)(ii).

[19] 17 CFR 240.17ad–26.

[20] 15 U.S.C. 78q–1(b)(3)(F).

NSCC and participants to enable NSCC to consider whether improvements need to be made to the RWP or RWP Testing going forward. By providing effective planning for recovery and orderly wind-down scenarios, the proposed rule change would help ensure the continuity of NSCC's core services and for the markets served by NSCC and thereby promote the prompt and accurate clearance and settlement of securities transactions. As such, NSCC believes the proposed rule change is consistent with Section 17A(b)(3)(F) of the Act.[21]

Rule 17ad–22(e)(3)(ii) under the Act requires NSCC to establish, implement, maintain and enforce written policies and procedures reasonably designed to maintain a sound risk management framework for comprehensively managing legal, credit, liquidity, operational, general business, investment, custody, and other risks that arise in or are borne by the covered clearing agency, which includes plans for the recovery and orderly wind-down of the covered clearing agency necessitated by credit losses, liquidity shortfalls, losses from general business risk, or any other losses.[22] By ensuring that RWP Testing is consistent with the requirements of Rule 17ad–26 and how they are described in the RWP, NSCC believes that the proposed rule change is designed to support the maintenance of the RWP and, as such, meets the requirements of Rule 17ad–22(e)(3)(ii) under the Act. Therefore, the proposed changes would help NSCC to maintain the RWP in a way that continues to be consistent with the requirements of Rule 17ad–22(e)(3)(ii).[23]

Rule 17ad–26 requires the plans for recovery and orderly wind-down of covered clearing agencies, such as NSCC, to identify and address certain information that is pertinent to the RWP.[24] This includes procedures for testing the covered clearing agency's ability to implement its recovery and orderly wind-down plan at least every 12 months and requiring the covered clearing agency's participants and, when practicable, other stakeholders, to participate in such testing. The proposed rule change would provide in the NSCC Rules the details regarding a requirement for ''Members,'' ''Limited Members,'' and ''Settling Banks,'' as defined under the Wind-down Rule, to take part in the annual RWP Testing, thereby strengthening NSCC's compliance with Rule 17ad–26. As such, NSCC believes the proposed rule change is consistent with Rule 17ad–26.[25]

(B) Clearing Agency's Statement on Burden on Competition

NSCC does not believe that the proposed rule change would impose any burden on competition because the proposed rule change would apply to those NSCC participants that are already subject to similar types of testing requirements as part of their ongoing memberships and provides additional opportunities for participants to test their readiness under the Wind-down Rule in the event an NSCC recovery or orderly wind-down event were to occur.

(C) Clearing Agency's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

NSCC has not received or solicited any written comments relating to this proposal. If any written comments are received, they will be publicly filed as an Exhibit 2 to this filing, as required by Form 19b–4 and the General Instructions thereto.

Persons submitting comments are cautioned that, according to Section IV (Solicitation of Comments) of the Exhibit 1A in the General Instructions to Form 19b–4, the Commission does not edit personal identifying information from comment submissions. Commenters should submit only information that they wish to make available publicly, including their name, email address, and any other identifying information.

All prospective commenters should follow the Commission's instructions on how to submit comments, *available at www.sec.gov/rules-regulations/how-submit-comment.* 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.

NSCC reserves the right to not respond to any comments received.

III. Date of Effectiveness of the Proposed Rule Change, and Timing for Commission Action

NSCC has filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act[26] and Rule 19b–4(f)(6)[27] thereunder. Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; or (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act[28] and Rule 19b–4(f)(6)[29] thereunder.

A proposed rule change filed under Rule 19b–4(f)(6)[30] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[31] the Commission may designate a shorter time if such action is consistent with protection of investors and the public interest. NSCC has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative immediately upon filing.

Delay of the operation of the proposed rule change, through the 30-day delayed operative date, could impede NSCC's timely compliance with Rule 17ad–26[32] and thereby defer the intended benefits and objectives of such regulatory requirements. This, in turn, could disrupt market expectations that NSCC will implement the proposed rule change by the December 15, 2025 compliance date, which may adversely affect NSCC's ability to ensure participant preparedness for recovery and orderly wind-down scenarios, evaluate and improve its recovery and wind-down procedures, and maintain continuity of core services in the event of a disruption. Therefore, waiving the 30-day operative delay should facilitate NSCC's timely compliance with Rule 17ad–26 and avert any potential adverse consequences if such compliance were delayed. Moreover, the Commission believes the proposed rule change would not impose any significant burden on competition because it would apply to those NSCC participants that are already subject to similar types of testing requirements as part of their

[21] *Id.*

[22] 17 CFR 240.17ad–22(e)(3)(ii). NSCC is a ''covered clearing agency'' as defined in Rule 17ad–22(a)(5) under the Act and must comply with paragraph (e) of Rule 17ad–22. In 2012, NSCC was designated a systemically important financial market utility by the Financial Stability Oversight Council.

[23] *Id.*

[24] 17 CFR 240.17ad–26.

[25] *Id.*

[26] 15 U.S.C. 78(b)(3)(A).

[27] 17 CFR 240.19b–4(f)(6).

[28] 15 U.S.C. 78s(b)(3)(A).

[29] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires the Clearing Agency 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 Clearing Agency has satisfied this requirement.

[30] 17 CFR 240.19b–4(f)(6).

[31] 17 CFR 240.19b–4(f)(6)(iii).

[32] *Supra* note 16.

ongoing memberships. Thus, the proposed rule change, and waiving the 30-day operative delay, should not (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; or (iii) affect the safeguarding of funds or securities in the custody or control of NSCC or for which it is responsible. Therefore, the Commission waives the 30-day operative delay, and designates the proposed rule change as operative upon filing.[33]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

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–NSCC–2025–016 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–NSCC–2025–016. 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 NSCC and on DTCC's website (*https://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–NSCC–2025–016 and should be submitted on or before December 30, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[34]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–22306 Filed 12–8–25; 8:45 am]

BILLING CODE 8011–01–P

[33] For purposes only of waiving the the 30-day operative delay, the Commission has considered the proposed rule change's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[34] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104308; File No. SR–ISE–2025–36]

Self-Regulatory Organizations; Nasdaq ISE, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the Exchange's Pricing Schedule at Options 7, Sections 3 and 4

December 4, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on November 21, 2025, Nasdaq ISE, LLC (''ISE'' 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 the Exchange's Pricing Schedule at Options 7, Section 3, Regular Order Fees and Rebates, and Options 7, Section 4, Complex Order Fees and Rebates.[3]

This fee change shall be effective on November 13, 2025.

The text of the proposed rule change is available on the Exchange's website at *https://listingcenter.nasdaq.com/rulebook/ise/rulefilings,* and at the principal office of the Exchange.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] On November 13, 2025, the Exchange filed SR–ISE–2025–33. On November 20, 2025, the Exchange withdrew SR–ISE–2025–33 and filed SR–ISE–2025–35. Subsequently, on November 21, 2025, the Exchange withdrew SR–ISE–2025–35 and filed this proposal.

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

ISE proposes to amend the Pricing Schedule at Options 7, Section 3, Regular Order Fees and Rebates, to amend note 15 of Options 7, Section 3. Further, the Exchange proposes to amend Options 7, Section 4, Complex Order Fees and Rebates, to amend: (1) Priority Customer [4] Complex Tiers 8–10 for Select Symbols; [5] and (2) note 17 of Options 7, Section 4. Each change is described below.

Priority Customer Rebates

The Exchange proposes to amend Options 7, Section 4, Complex Order Fees and Rebates. Today, the Exchange offers tiered complex order Priority Customer rebates for Select Symbols and Non-Select Symbols [6] based on the Priority Customer Complex Tier achieved.[7] The tiered complex order

[4] A ''Priority Customer'' is a person or entity that is not a broker/dealer in securities, and does not place more than 390 orders in listed options per day on average during a calendar month for its own beneficial account(s), as defined in Nasdaq ISE Options 1, Section 1(a)(37). Unless otherwise noted, when used in this Pricing Schedule the term ''Priority Customer'' includes ''Retail'' as defined below. *See* Options 7, Section 1(c).

[5] ''Select Symbols'' are options overlying all symbols listed on the Nasdaq ISE that are in the Penny Interval Program. *See* Options 7, Section 1(c).

[6] ''Non-Select Symbols'' are options overlying all symbols excluding Select Symbols. *See* Options 7, Section 1(c).

[7] Priority Customer Complex Tiers are based on Total Affiliated Member or Affiliated Entity Complex Order Volume (Excluding Crossing Orders and Responses to Crossing Orders) Calculated as a Percentage of Customer Total Consolidated Volume. All Complex Order volume executed on the Exchange, including volume executed by Affiliated Members, is included in the volume calculation, except for volume executed as Crossing Orders and Responses to Crossing Orders. Affiliated Entities may aggregate their Complex Order volume for purposes of calculating Priority Customer Rebates.

Continued

Priority Customer rebates for Select Symbols and Non-Select Symbols are presently as follows:

Symbols and Non-Select Symbols are presently as follows:

PRIORITY CUSTOMER REBATES

Priority customer complex tier	Total affiliated member or affiliated entity complex order volume (excluding crossing orders and responses to crossing orders) calculated as a percentage of customer total consolidated volume	Rebate for select symbols	Rebate for non-select symbols
Tier 1	0.000%–0.200%	($0.25)	($0.50)
Tier 2	Above 0.200%–0.400%	(0.30)	(0.60)
Tier 3	Above 0.400%–0.550%	(0.40)	(0.80)
Tier 4	Above 0.550%–0.750%	(0.45)	(0.85)
Tier 5	Above 0.750%–1.000%	(0.46)	(0.90)
Tier 6	Above 1.000%–1.350%	(0.48)	(0.95)
Tier 7	Above 1.350%–1.750%	(0.54)	(1.00)
Tier 8	Above 1.750%–2.750%	(0.55)	(1.10)
Tier 9	Above 2.750%–4.500%	(0.56)	(1.12)
Tier 10	Above 4.500%	(0.57)	(1.15)

The above rebates are provided per contract per leg if the order trades with Non-Priority Customer [8] orders in the complex order book.

At this time, the Exchange proposes to amend Priority Customer Complex Tiers 8–10 for Select Symbols.

Currently, the Priority Customer Complex Tier 8 Rebate for Select Symbols is $0.55 per contract for Total Affiliated Member or Affiliated Entity Complex Order Volume (Excluding Crossing Orders and Responses to Crossing Orders) Calculated as a Percentage of Customer Total Consolidated Volume (hereinafter ''TCV'') of above 1.750% to 2.750%. The Exchange proposes to amend the qualifying TCV to above 1.750% to 2.25% and increase the Priority Customer Complex Tier 8 Rebate for Select Symbols from $0.55 to $0.56 per contract. The Exchange is not proposing to amend the $1.10 Rebate for Non-Select Symbols for Tier 8.

Currently, the Priority Customer Complex Tier 9 Rebate for Select Symbols is $0.56 per contract for TCV above 2.750% to 4.500%. The Exchange proposes to amend the qualifying TCV to above 2.25% to 4.500% and increase the Priority Customer Complex Tier 9 Rebate for Select Symbols from $0.56 to $0.58 per contract. The Exchange is not proposing to amend the $1.12 Rebate for Non-Select Symbols for Tier 9.

Currently, the Priority Customer Complex Tier 10 Rebate for Select Symbols is $0.57 per contract for TCV above 4.500%. The Exchange proposes to increase the Priority Customer Complex Tier 10 Rebate for Select Symbols from $0.57 to $0.59 per contract. The Exchange is not proposing to amend the qualifying TCV or the $1.15 Rebate for Non-Select Symbols for Tier 10.

Increasing the Priority Customer Complex Tiers 8 through 10 rebates for Select Symbols while also amending the qualifying TCV so that volume that currently qualifies for Tier 8 would qualify for Tier 9 would permit Members to receive increased rebates if they send the same amount of complex order flow as they do today. Further, some Members may also qualify for a higher tier. Overall, the Exchange believes that the proposed changes to Priority Customer Complex Tiers 8 through 10 for Select Symbols will attract more complex order flow to ISE because Members may be incentivized to send more complex orders to ISE to receive the increased rebates.

Note 15 of Options 7, Section 3 and Note 17 of Options 7, Section 4

Today, note 15 of Options 7, Section 3 states that Members that execute more than 0.10% of Regular Order [9] Non-Select Symbol Priority Customer Volume (excluding Crossing Orders [10] and Responses to Crossing Orders [11]) calculated as a percentage of Customer Total Consolidated Volume per day in a given month receive an additional rebate of $0.18 per contract. Members that meet the foregoing volume requirement are also eligible to receive the Section 4 Priority Customer Complex Order rebates in Select Symbols and Non-Select Symbols that apply to one tier higher than the tier for which they currently qualify, except Members that already qualify for the highest Priority Customer Complex Tier in Section 4 will instead receive an additional rebate of $0.01 per contract in Select Symbols and Non-Select Symbols.

Today, note 17 of Options 7, Section 4 states that, Members that execute more than 0.10% of Regular Order Non-Select Symbol Priority Customer Volume (excluding Crossing Orders and Responses to Crossing Orders) calculated as a percentage of Customer Total Consolidated Volume per day in a given month are eligible to receive the Priority Customer Complex Order rebates in Select Symbols and Non-Select Symbols that apply to one tier higher than the tier for which they currently qualify, except Members that already qualify for the highest Priority Customer Complex Tier will instead receive an additional rebate of $0.01 per contract in Select Symbols and Non-Select Symbols.

At this time, the Exchange proposes to amend the qualifications for the incentives at note 15 of Options 7, Section 3 and note 17 of Options 7, Section 4 by increasing the volume thresholds from 0.10% to 0.25% of Regular Order Non-Select Symbol

The Appointed OFP would receive the rebate associated with the qualifying volume tier based on aggregated volume. *See* Options 7, Section 4, note 16. As set forth in Options 7, Section 1(c), an Appointed OFP is an Order Flow Provider who has been appointed by a Market Maker for purposes of qualifying as an Affiliated Entity.

[8] ''Non-Priority Customers'' include Market Makers, Non-Nasdaq ISE Market Makers (FarMMs), Firm Proprietary/Broker-Dealers, and Professional Customers. *See* Options 1, Section 1(c).

[9] A ''Regular Order'' is an order that consists of only a single option series and is not submitted with a stock leg. *See* Options 7, Section 1(c).

[10] A ''Crossing Order'' is an order executed in the Exchange's Facilitation Mechanism, Solicited Order Mechanism, Price Improvement Mechanism (PIM) or submitted as a Qualified Contingent Cross order. For purposes of this Pricing Schedule, orders executed in the Block Order Mechanism are also considered Crossing Orders. *See* Options 7, Section 1(c).

[11] ''Responses to Crossing Order'' is any contra-side interest submitted after the commencement of an auction in the Exchange's Facilitation Mechanism, Solicited Order Mechanism, Block Order Mechanism or PIM. *See* Options 7, Section 1(c).

Priority Customer volume on ISE (excluding Crossing Orders and Responses to Crossing Orders) calculated as a percentage of Customer Total Consolidated Volume per day in a given month.

While the Exchange is increasing the volume threshold in the note 15 incentive at Options 7, Section 3, the Exchange is not amending the ability to receive an additional rebate of $0.18 per contract, or to be eligible to receive the Section 4 Priority Customer Complex Order rebates in Select Symbols and Non-Select Symbols that apply to one tier higher than the tier for which they currently qualify, or the additional rebate of $0.01 per contract in Select Symbols and Non-Select Symbols for Members that already qualify for the highest Priority Customer Complex Tier in Section 4. The Exchange believes that the note 15 incentive will continue to attract Regular Order Non-Select Symbol Priority Customer order flow to the Exchange.

Further, while the Exchange is increasing the volume threshold in the note 17 incentive at Options 7, Section 4, the Exchange is not amending the ability to receive the Priority Customer Complex Order rebates in Select Symbols and Non-Select Symbols that apply to one tier higher than the tier for which they currently qualify, or the additional rebate of $0.01 per contract in Select Symbols and Non-Select Symbols for Members that already qualify for the highest Priority Customer Complex Tier. The Exchange believes that the note 17 incentive will continue to attract Regular Order Non-Select Symbol Priority Customer order flow to the Exchange.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[12] in general, and furthers the objectives of Sections 6(b)(4) and 6(b)(5) of the Act,[13] in particular, in that it provides for the equitable allocation of reasonable dues, fees, and other charges among members and issuers and other persons using any facility, and is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange's proposed changes to its Pricing Schedule are reasonable in several respects. As a threshold matter, the Exchange is subject to significant competitive forces in the market for options securities transaction services that constrain its pricing determinations in that market. The fact that this market is competitive has 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'. . . .'' [14]

The Commission and the courts have repeatedly expressed their preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. In Regulation NMS, while adopting a series of steps to improve the current market model, 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.'' [15]

Numerous indicia demonstrate the competitive nature of this market. For example, clear substitutes to the Exchange exist in the market for options security transaction services. The Exchange is only one of eighteen options exchanges to which market participants may direct their order flow. Within this environment, market participants can freely and often do shift their order flow among the Exchange and competing venues in response to changes in their respective pricing schedules. As such, the proposal represents a reasonable attempt by the Exchange to increase its liquidity and market share relative to its competitors.

Priority Customer Rebates

The Exchange's proposal to increase Priority Customer Complex Tiers 8 through 10 rebates for Select Symbols is reasonable because the increased rebates are designed to attract more complex order flow to ISE to the benefit of all market participants. Increasing the Priority Customer Complex Tiers 8 through 10 rebates for Select Symbols while also amending the qualifying TCV so that volume that currently qualifies for Tier 8 would qualify for Tier 9 would permit Members to receive increased rebates if they send the same amount of complex order flow as they do today. Further, some Members may also qualify for a higher tier. Overall, the Exchange believes that the proposed changes to Priority Customer Complex Tiers 8 through 10 for Select Symbols will attract more complex order flow to ISE because Members may be incentivized to send more complex orders to ISE to receive the increased rebates.

The Exchange's proposal to increase Priority Customer Complex Tiers 8 through 10 Rebates for Select Symbols is equitable and not unfairly discriminatory as the proposed changes are intended to increase Priority Customer complex order flow to ISE. Offering Priority Customer order rebates is equitable and not unfairly discriminatory as Priority Customer liquidity benefits all market participants. An increase in Priority Customer order flow enhances liquidity on the Exchange to the benefit of all market participants by providing more trading opportunities, which in turn attracts Market Makers and other market participants that may interact with this order flow.

Note 15 of Options 7, Section 3 and Note 17 of Options 7, Section 4

The Exchange's proposal to amend the qualification for the incentive at note 15 of Options 7, Section 3 by increasing the volume threshold from 0.10% to 0.25% of Regular Order Non-Select Symbol Priority Customer volume on ISE (excluding Crossing Orders and Responses to Crossing Orders) calculated as a percentage of Customer Total Consolidated Volume per day in a given month is reasonable because while the Exchange is increasing the volume threshold in the note 15 incentive at Options 7, Section 3, the Exchange is not amending the ability to receive the Priority Customer Complex Order rebates in Select Symbols and Non-Select Symbols that apply to one tier higher than the tier for which they currently qualify, or the additional rebate of $0.01 per contract in Select Symbols and Non-Select Symbols for Members that already qualify for the highest Priority Customer Complex Tier in Section 4. The Exchange believes that the note 15 incentive will continue to attract Regular Order Non-Select Symbol Priority Customer order flow to the Exchange.

[12] 15 U.S.C. 78f(b).

[13] 15 U.S.C. 78f(b)(4) and (5).

[14] *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)).

[15] Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496, 37499 (June 29, 2005) (''Regulation NMS Adopting Release'').

The Exchange's proposal to amend the qualification for the incentive at note 15 of Options 7, Section 3 by increasing the volume threshold from 0.10% to 0.25% of Regular Order Non-Select Symbol Priority Customer volume on ISE (excluding Crossing Orders and Responses to Crossing Orders) calculated as a percentage of Customer Total Consolidated Volume per day in a given month is equitable and not unfairly discriminatory because the Exchange will apply the note 15 incentive uniformly to all similarly situated market participants. The Exchange believes that it is equitable and not unfairly discriminatory to offer the note 15 incentive to only Priority Customer orders because Priority Customer liquidity benefits all market participants by providing more trading opportunities, which attracts Market Makers. 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 Exchange's proposal to amend the qualification for the incentive at note 17 of Options 7, Section 4 by increasing the volume threshold from 0.10% to 0.25% of Regular Order Non-Select Symbol Priority Customer volume on ISE (excluding Crossing Orders and Responses to Crossing Orders) calculated as a percentage of Customer Total Consolidated Volume per day in a given month is reasonable because while the Exchange is increasing the volume threshold in the note 17 incentive at Options 7, Section 4, the Exchange is not amending the ability to receive the Priority Customer Complex Order rebates in Select Symbols and Non-Select Symbols that apply to one tier higher than the tier for which they currently qualify, or the additional rebate of $0.01 per contract in Select Symbols and Non-Select Symbols for Members that already qualify for the highest Priority Customer Complex Tier. The Exchange believes that the note 17 incentive will continue to attract Regular Order Non-Select Symbol Priority Customer order flow to the Exchange.

The Exchange's proposal to amend the qualification for the incentive at note 17 of Options 7, Section 4 by increasing the volume threshold from 0.10% to 0.25% of Regular Order Non-Select Symbol Priority Customer volume on ISE (excluding Crossing Orders and Responses to Crossing Orders) calculated as a percentage of Customer Total Consolidated Volume per day in a given month is equitable and not unfairly discriminatory because the Exchange will apply the note 17 incentive uniformly to all similarly situated market participants. The Exchange believes that it is equitable and not unfairly discriminatory to offer the note 17 incentive to only Priority Customer orders because Priority Customer liquidity benefits all market participants by providing more trading opportunities, which attracts Market Makers. 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.

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. In terms of intra-market competition, the Exchange does not believe that its proposal will place any category of market participant at a competitive disadvantage.

Priority Customer Rebates

While the proposed changes to the complex order rebates described above apply directly to Priority Customer orders, the Exchange believes that the changes will ultimately fortify and encourage activity on the Exchange to the extent the proposed changes incentivize increased Priority Customer complex order flow to ISE. Offering Priority Customer rebates does not impose an undue burden on competition as Priority Customer liquidity benefits all market participants by providing more trading opportunities, which attracts market makers. An increase in Priority Customer order flow enhances liquidity on the Exchange to the benefit of all market participants by providing more trading opportunities, which in turn attracts Market Makers and other market participants that may interact with this order flow.

Note 15 of Options 7, Section 3 and Note 17 of Options 7, Section 4

The Exchange's proposal to amend the qualifications for the incentives at note 15 of Options 7, Section 3 and note 17 of Options 7, Section 4 by increasing the volume thresholds from 0.10% to 0.25% of Regular Order Non-Select Symbol Priority Customer volume on ISE (excluding Crossing Orders and Responses to Crossing Orders) calculated as a percentage of Customer Total Consolidated Volume per day in a given month does not impose an undue burden on competition because the Exchange will apply the note 15 of Options 7, Section 3 and the note 17 of Options 7, Section 4 incentives uniformly to all similarly situated market participants. Offering the note 15 of Options 7, Section 3 and note 17 of Options 7, Section 4 incentives to only Priority Customer orders does not impose an undue burden on competition because Priority Customer liquidity benefits all market participants by providing more trading opportunities, which attracts Market Makers. 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.

In terms of inter-market competition, the Exchange notes that it operates in a highly competitive market in which market participants can readily favor competing venues if they deem fee levels at a particular venue to be excessive, or rebate opportunities available at other venues to be more favorable. In such an environment, the Exchange must continually adjust its fees to remain competitive with other exchanges. Because competitors are free to modify their own fees in response, and because market participants may readily adjust their order routing practices, the Exchange believes that the degree to which fee changes in this market may impose any burden on competition is extremely limited. In sum, if the changes proposed herein are unattractive to market participants, it is likely that the Exchange will lose market share as a result. Accordingly, the Exchange does not believe that the proposed changes will impair the ability of members or competing order execution venues to maintain their competitive standing in the financial markets.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act.[16] 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: (i)

[16] 15 U.S.C. 78s(b)(3)(A)(ii).

necessary or appropriate in the public interest; (ii) for the protection of investors; or (iii) 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–ISE–2025–36 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–ISE–2025–36. 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–ISE–2025–36 and should be submitted on or before December 30, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[17]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–22302 Filed 12–8–25; 8:45 am]

BILLING CODE 8011–01–P

[17] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104306; File No. SR–GEMX–2025–32]

Self-Regulatory Organizations; Nasdaq GEMX, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the Exchange's Pricing Schedule at Options 7, Section 3

December 4, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on November 20, 2025, Nasdaq GEMX, LLC (''GEMX'' 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 GEMX's Pricing Schedule at Options 7, Section 3, ''Regular Order Fees and Rebates.'' [3]

This fee change shall be effective on November 13, 2025.

The text of the proposed rule change is available on the Exchange's website at *https://listingcenter.nasdaq.com/rulebook/gemx/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.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] On November 13, 2025, the Exchange filed SR–GEMX–2025–29. On November 20, 2025, the Exchange withdrew SR–GEMX–2025–29 and filed SR–GEMX–2025–31 Subsequently, on November 20, 2025, the Exchange withdrew SR–GEMX–2025–31 and filed this proposal.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

GEMX proposes to amend its Pricing Schedule at Options 7, Section 3, ''Regular Order Fees and Rebates'' to: (1) increase the Tier 4 Penny Symbol Maker Rebate for a Market Maker; [4] and (2) add a new note 19. A technical amendment is also proposed to current note numbering for a duplicative note 18. Each change is described below.

Tier 4

Today, GEMX offers 4 tiers of Penny Symbol Maker Rebates. Market Makers are paid the following Penny Symbol Maker Rebates: a Tier 1 Maker Rebate of $0.20 per contract; a Tier 2 Maker Rebate of $0.30 per contract; a Tier 3 Maker Rebate of $0.37 per contract; and a Tier 4 Maker Rebate of $0.38 per contract. Non-Nasdaq GEMX Market Makers (FarMM),[5] Firm Proprietary [6]/Broker Dealers [7] and Professional Customers [8] are paid the following Penny Symbol Maker Rebates: a Tier 1 Maker Rebate of $0.20 per contract. GEMX does not pay Non-Nasdaq GEMX Market Makers (FarMM), Firm Proprietary/Broker Dealers and Professional Customers Tier 2 through Tier 4 Penny Symbol Maker Rebates. Finally, Priority Customers [9] are paid the following Penny Symbol Maker Rebates: a Tier 1 Maker Rebate of $0.35 per contract; a Tier 2 Maker Rebate of $0.48 per contract; a Tier 3 Maker

[4] The term ''Market Makers'' refers to ''Competitive Market Makers'' and ''Primary Market Makers'' collectively. *See* Options 1, Section 1(a)(21).

[5] A ''Non-Nasdaq GEMX Market Maker'' is a market maker as defined in Section 3(a)(38) of the Securities Exchange Act of 1934, as amended, registered in the same options class on another options exchange. *See* Options 7, Section 1(c).

[6] A ''Firm Proprietary'' order is an order submitted by a member for its own proprietary account. *See* Options 7, Section 1(c).

[7] A ''Broker-Dealer'' order is an order submitted by a member for a broker-dealer account that is not its own proprietary account. *See* Options 7, Section 1(c).

[8] A ''Professional Customer'' is a person or entity that is not a broker/dealer and is not a Priority Customer. *See* Options 7, Section 1(c).

[9] A ''Priority Customer'' is a person or entity that is not a broker/dealer in securities, and does not place more than 390 orders in listed options per day on average during a calendar month for its own beneficial account(s), as defined in Nasdaq GEMX Options 1, Section 1(a)(36). Unless otherwise noted, when used in this Pricing Schedule the term ''Priority Customer'' includes ''Retail.'' A ''Retail'' order is a Priority Customer order that originates from a natural person, provided that no change is made to the terms of the order with respect to price or side of market and the order does not originate from a trading algorithm or any other computerized methodology. *See* Options 1, Section 1(c).

Rebate of $0.53 per contract; and a Tier 4 Maker Rebate of $0.53 per contract.

At this time, the Exchange proposes to amend the Tier 4 Penny Symbol Maker Rebate for a Market Maker to increase the rebate from $0.38 to $0.39 per contract. The Exchange believes that increasing the Tier 4 Penny Symbol Maker Rebate for a Market Maker will encourage Market Makers to bring additional order flow to GEMX to earn the increased Maker Rebate. Further, other Members may interact with this order flow.

Additionally, the Exchange proposes to offer a new note 19 incentive related to the Tier 4 Priority Customer Maker Rebate for Penny Symbols. The Exchange proposes to pay an additional $0.01 per contract Maker Rebate for each marginal contract of Customer add liquidity volume that was executed above 2.00% of Customer Total Consolidated Volume (''TCV'') to Members, Affiliated Members, and Affiliated Entities that are eligible for the Tier 4 Priority Customer Maker Rebate for Penny Symbols. For example, assuming 2.00% of 1,000,000,000 of Monthly Customer TCV (which results in 20,000,000 contracts), a Member would be paid additional rebates on executed contracts above 20,000,000 contracts.

The Exchange believes that the new note 19 incentive will encourage market participants to send additional Priority Customer order flow to GEMX to earn an additional $0.01 per contract Maker Rebate. Further, other Members may interact with this order flow.

Finally, the Exchange proposes to renumber current note 18 which states, ''A surcharge for NDX of $1.50 per contract will be assessed to regular Non-Priority Customer orders that remove liquidity'' to note 20. The Exchange inadvertently filed two separate rule changes that were operative on the same date, both adopting a new note 18.[10] At this time, the Exchange proposes to change the numbering for note 18 to note 20 for the rule text that states, ''A surcharge for NDX of $1.50 per contract will be assessed to regular Non-Priority Customer orders that remove liquidity.'' This revision should clarify the Pricing Schedule. The Exchange also amended all references to that note related to Index Options to reflect the new numbering.

[10] *See* Securities Exchange Act Release Nos. 103300 (June 24, 2025), 90 FR 27686 (June 27, 2025) (SR–GEMX–2025–13); and 103264 (June 16,2025), 90 FR 26353 (June 20, 2025) (SR–GEMX–2025–12). There are currently two note 18 in Options 7, Section 3.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[11] in general, and furthers the objectives of Sections 6(b)(4) and 6(b)(5) of the Act,[12] in particular, in that it provides for the equitable allocation of reasonable dues, fees, and other charges among members and issuers and other persons using any facility, and is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange's proposed changes to its Pricing Schedule are reasonable in several respects. As a threshold matter, the Exchange is subject to significant competitive forces in the market for options securities transaction services that constrain its pricing determinations in that market. The fact that this market is competitive has 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'. . . .'' [13]

The Commission and the courts have repeatedly expressed their preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. In Regulation NMS, while adopting a series of steps to improve the current market model, 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.'' [14]

Numerous indicia demonstrate the competitive nature of this market. For example, clear substitutes to the Exchange exist in the market for options security transaction services. The Exchange is only one of eighteen options exchanges to which market participants may direct their order flow. Within this environment, market participants can freely and often do shift their order flow among the Exchange and competing venues in response to changes in their respective pricing schedules. As such, the proposal represents a reasonable attempt by the Exchange to increase its liquidity and market share relative to its competitors.

The Exchange's proposal to increase the Tier 4 Market Maker Penny Symbol Maker Rebate from $0.38 to $0.39 per contract is reasonable because the increased Tier 4 Penny Symbol Maker Rebate for a Market Maker will encourage Market Makers to bring additional order flow to GEMX to earn the increased Maker Rebate. Further, other Members may interact with this order flow.

The Exchange's proposal to increase the Tier 4 Market Maker Penny Symbol Maker Rebate from $0.38 to $0.39 per contract is equitable and not unfairly discriminatory for various reasons. The Qualifying Tier Thresholds will apply uniformly to all GEMX Members in determining the applicable tier. Priority Customers will continue to receive higher Penny Symbol Maker Rebates in each tier. Priority Customer liquidity benefits all market participants by providing more trading opportunities, which attracts market makers. 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, to the benefit of all market participants who may interact with the order flow. Market Makers will also continue to be paid Penny Symbol Maker Rebates unlike Non-Nasdaq GEMX Market Makers (FarMM), Firm Proprietary/Broker-Dealers and Professional Customers because Market Makers have different requirements and obligations to the Exchange that other market participants do not (such as quoting requirements).[15] Incentivizing Market Makers to provide greater liquidity benefits all market participants through the quality of order interaction.

The Exchange's proposal to offer a new note 19 incentive related to the Tier 4 Priority Customer Maker Rebate for Penny Symbols is reasonable because the new incentive should encourage market participants to send additional Priority Customer order flow to GEMX to earn an additional $0.01 per contract Maker Rebate. Further, other Members may interact with this order flow.

[11] 15 U.S.C. 78f(b).

[12] 15 U.S.C. 78f(b)(4) and (5).

[13] *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)).

[14] Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496, 37499 (June 29, 2005) (''Regulation NMS Adopting Release'').

[15] *See* GEMX Options 2, Section 5.

The Exchange's proposal to offer a new note 19 incentive related to the Tier 4 Priority Customer Maker Rebate for Penny Symbols is equitable and not unfairly discriminatory because the Exchange would uniformly pay the incentive to qualifying market participants. Paying the incentive for Priority Customer liquidity is also equitable and not unfairly discriminatory because Priority Customer liquidity benefits all market participants by providing more trading opportunities, which attracts market makers. 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, to the benefit of all market participants who may interact with the order flow.

The Exchange's proposal to renumber note 18 which states, ''A surcharge for NDX of $1.50 per contract will be assessed to regular Non-Priority Customer orders that remove liquidity'' to note 20 is reasonable, equitable and not unfairly discriminatory because the Exchange inadvertently filed two separate rule changes that were operative on the same date, both adopting a new note 18 [16] and this revision should clarify the Pricing Schedule.

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.

Intermarket Competition

The Exchange believes its proposal remains competitive with other options markets, and will offer market participants with another choice of venue to transact options. The Exchange notes that it operates in a highly competitive market in which market participants can readily favor competing venues if they deem fee levels at a particular venue to be excessive, or rebate opportunities available at other venues to be more favorable. Because competitors are free to modify their own fees in response, and because market participants may readily adjust their order routing practices, the Exchange believes that the degree to which fee changes in this market may impose any burden on competition is extremely limited.

Intramarket Competition

The Exchange's proposal to increase the Tier 4 Market Maker Penny Symbol Maker Rebate from $0.38 to $0.39 per contract does not impose an undue burden on competition. The Qualifying Tier Thresholds will apply uniformly to all GEMX Members in determining the applicable tier. Priority Customers will continue to receive higher Maker Rebates in each tier. Priority Customer liquidity benefits all market participants by providing more trading opportunities, which attracts market makers. 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, to the benefit of all market participants who may interact with the order flow. Market Makers will also continue to be paid Penny Symbol Maker Rebates unlike Non-Nasdaq GEMX Market Makers (FarMM), Firm Proprietary/Broker-Dealers and Professional Customers because Market Makers have different requirements and obligations to the Exchange that other market participants do not (such as quoting requirements).[17] Incentivizing Market Makers to provide greater liquidity benefits all market participants through the quality of order interaction.

The Exchange's proposal to offer a new note 19 incentive related to the Tier 4 Priority Customer Maker Rebate for Penny Symbols does not impose an undue burden on competition because the Exchange would uniformly pay the incentive to qualifying market participants. Also, paying the incentive for Priority Customer liquidity does not impose an undue burden on competition because Priority Customer liquidity benefits all market participants by providing more trading opportunities, which attracts market makers. 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, to the benefit of all market participants who may interact with the order flow.

The Exchange's proposal to renumber note 18 which states, ''A surcharge for NDX of $1.50 per contract will be assessed to regular Non-Priority Customer orders that remove liquidity'' to note 20 does not impose an undue burden on competition because the Exchange inadvertently filed two separate rule changes that were operative on the same date, both adopting a new note 18 [18] and this revision should clarify the Pricing Schedule.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act.[19] At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is: (i) necessary or appropriate in the public interest; (ii) for the protection of investors; or (iii) 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–GEMX–2025–32 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–GEMX–2025–32. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying

[16] *See* Securities Exchange Act Release Nos. 103300 (June 24, 2025), 90 FR 27686 (June 27, 2025) (SR–GEMX–2025–13); and 103264 (June 16,2025), 90 FR 26353 (June 20, 2025) (SR–GEMX–2025–12).

[17] *See* GEMX Options 2, Section 5.

[18] *See* Securities Exchange Act Release Nos. 103300 (June 24, 2025), 90 FR 27686 (June 27, 2025) (SR–GEMX–2025–13); and 103264 (June 16,2025), 90 FR 26353 (June 20, 2025) (SR–GEMX–2025–12).

[19] 15 U.S.C. 78s(b)(3)(A)(ii).

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–GEMX–2025–32 and should be submitted on or before December 30, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[20]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–22301 Filed 12–8–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104315; File No. SR–DTC–2025–017]

Self-Regulatory Organizations; The Depository Trust Company; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change Relating to Annual Testing of the Recovery and Wind-Down Plan

December 4, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on November 25, 2025, The Depository Trust Company (''DTC'') 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 clearing agency. DTC filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act[3] and Rule 19b–4(f)(6) thereunder.[4] The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Clearing Agency's Statement of the Terms of Substance of the Proposed Rule Change

The proposed rule change consists of modifications to the Rules, By-Laws and Organization Certificate of DTC (''DTC Rules'').[5] The proposed changes would provide that DTC has established standards to be taken into account for designating those ''Participants,'' ''Pledgees,'' and ''Settling Banks,'' as those terms are defined in DTC Rule 32(A) (''Wind-down of the Corporation,'' referred to as the ''Wind-down Rule''), who shall be required to participate in annual testing of DTC's recovery and wind-down plan (''RWP Testing'').[6] The proposed rule change is intended to provide consistency with the RWP Testing requirements of Rule 17ad–26[7] (''SEC Rule 17ad–26'' or ''Rule 17ad–26'') promulgated under the Act by the Commission.

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 amend DTC Rule 2 (Participants and Pledgees) to provide that DTC has established standards for designating those ''Participants,'' ''Pledgees,'' and ''Settling Banks,'' as such terms are defined in DTC Rule 32(A), who shall be required to participate in annual RWP Testing. Currently, DTC Rule 2 requires certain Participants to fulfill certain operational testing requirements that may be imposed by DTC to test and monitor the continuing operational capability of the Participants and provides that DTC has established standards for designating those Participants who shall be required to participate in annual business continuity and disaster recovery testing. Under the proposed rule change, similar standards would be added with respect to participation in RWP Testing.

The Commission promulgated Rule 17ad–26, which requires that plans for the recovery and orderly wind-down of a covered clearing agency, such as DTC, identify and include certain specific elements.[8] One of the required elements is to include procedures for testing the covered clearing agency's ability to implement its recovery and orderly wind-down plan at least every 12 months, including by requiring the covered clearing agency's participants and, when practicable, other stakeholders to participate in such testing.[9] The Commission recently approved DTC's proposed rule change to reflect the requirements of Rule 17ad–26 in the DTC Recovery & Wind-down Plan (the ''Plan'' or ''RWP'').[10] In its filing, DTC described DTC's procedures for testing its ability to implement the Plan at least every 12 months, which included describing the requirement that certain Participants participate in the testing based on specified criteria and, when practicable, other stakeholders participate as well.[11] DTC is now proposing to amend DTC Rule 2, as described above, for purposes of implementing this aspect of the RWP.

A. Proposal To Amend DTC Rule 2 To Address Standards for Required Participation in Annual RWP Testing

The proposed amendments to DTC Rule 2 would ensure that DTC's practices with respect to RWP Testing are consistent with Rule 17ad–26(a)(8)[12] and the terms of the RWP by setting forth the standards DTC would take into account when designating which Participants, Pledgees, and Settling Banks will be required to participate in any given year. The proposed rule would provide that the terms ''Participants,'' ''Pledgees,'' and ''Settling Banks'' would be defined as they are under the Wind-down Rule.[13] The participant types captured by these definitions would be the ones most directly impacted in the event of a DTC recovery or orderly wind-down, and whose rights and obligations are governed by the Wind-down Rule in the event that the Wind-down Plan is initiated.

The proposed rule change would provide for DTC's rights to: (i) designate

[20] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

[4] 17 CFR 240.19b–4(f)(6).

[5] Terms not otherwise defined herein have the meaning set forth in the DTC Rules, *available at http://www.dtcc.com/legal/rules-and-procedures.*

[6] *Id.*

[7] 17 CFR 240.17ad–26. *See* Covered Clearing Agency Resilience and Recovery and Orderly Wind-down Plans, Securities Exchange Act Release No. 101446 (Oct. 25, 2024), 89 FR 91000 (Nov. 18, 2024) (S7–10–23) (''Adopting Release'').

[8] *Id.* SEC Rule 17ad–26 identifies the elements that a covered clearing agency's plan must contain.

[9] *Id.* SEC Rule 17ad–26(a)(8) (Testing).

[10] *See* Securities Exchange Act Release No. 103221 (June 10, 2025), 90 FR 25414 (June 16, 2025) (SR–DTC–2025–007).

[11] *Id.* Specifically, DTC stated in its proposed rule change filing that the R&R Team [Recovery & Resolution Team] would identify the Participant(s) required to participate in the simulation and that considerations for Participant selection may include, but are not limited to, (i) account structure, (ii) affiliated family structure, (iii) business model, (iv) operational details, and (v) Participant size in terms of trading and settlement activity.

[12] 17 CFR 240.17ad–26(a)(8).

[13] *Supra* note 5.

Participants, Pledgees, and Settling Banks required to participate in RWP Testing using considerations such as, but not limited to, account structure, affiliated family structure, business model, operational details, and Participant, Pledgee, and Settling Bank size, trading and settlement activity; (ii) determine the scope and reporting out of the results of such RWP Testing; and (iii) require Participants, Pledgees, and Settling Banks to comply with such RWP Testing within specified timeframes. Additionally, the proposed rule would state that information on Participant, Pledgee, and Settling Bank selection as well as key elements of the testing that will be performed would be provided by DTC to all relevant stakeholders.

B. Implementation of the Proposal

As noted above, the principal purpose of the proposed rule change is to provide that DTC has established standards for designating those ''Participants,'' ''Pledgees,'' and ''Settling Banks,'' as such terms are defined in the Wind-down Rule, who shall be required to participate in annual testing of DTC's recovery and wind-down plan, consistent with the requirements of Rule 17ad–26(a)(8).[14] The proposed rule change would help to facilitate implementation of this aspect of the RWP in a manner consistent with SEC Rule 17ad–26 and the RWP recently approved by the Commission.[15] Based on the compliance date of SEC Rule 17ad–26 established by the Commission, the proposed rule change would become operative on December 15, 2025.[16]

2. Statutory Basis

DTC believes that the proposal is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a registered clearing agency. In particular, DTC believes that the proposed rule change is consistent with Section 17A(b)(3)(F) of the Act,[17] Rule 17ad–22(e)(3)(ii) under the Act,[18] and Rule 17ad–26 under the Act,[19] for the reasons described below.

Section 17A(b)(3)(F) of the Act requires, in part, that the DTC Rules be designed to promote the prompt and accurate clearance and settlement of securities transactions.[20] As described above, the proposed rule change would provide that DTC has established standards regarding a requirement that Participants, Pledgees, and Settling Banks participate in annual RWP Testing, thereby facilitating the inclusion of participants in RWP Testing. This, in turn, would provide for effective planning by ensuring their familiarity with DTC's processes that would be followed in a recovery or wind-down scenario. It would also allow for preparatory experience among DTC and participants to enable DTC to consider whether improvements need to be made to the RWP or RWP Testing going forward. By providing effective planning for recovery and orderly wind-down scenarios, the proposed rule change would help ensure the continuity of DTC's core services and for the markets served by DTC and thereby promote the prompt and accurate clearance and settlement of securities transactions. As such, DTC believes the proposed rule change is consistent with Section 17A(b)(3)(F) of the Act.[21]

Rule 17ad–22(e)(3)(ii) under the Act requires DTC to establish, implement, maintain and enforce written policies and procedures reasonably designed to maintain a sound risk management framework for comprehensively managing legal, credit, liquidity, operational, general business, investment, custody, and other risks that arise in or are borne by the covered clearing agency, which includes plans for the recovery and orderly wind-down of the covered clearing agency necessitated by credit losses, liquidity shortfalls, losses from general business risk, or any other losses.[22] By ensuring that RWP Testing is consistent with the requirements of Rule 17ad–26 and how they are described in the RWP, DTC believes that the proposed rule change is designed to support the maintenance of the RWP and, as such, meets the requirements of Rule 17ad–22(e)(3)(ii) under the Act. Therefore, the proposed changes would help DTC to maintain the RWP in a way that continues to be consistent with the requirements of Rule 17ad–22(e)(3)(ii).[23]

Rule 17ad–26 requires the plans for recovery and orderly wind-down of covered clearing agencies, such as DTC, to identify and address certain information that is pertinent to the RWP.[24] This includes procedures for testing the covered clearing agency's ability to implement its recovery and orderly wind-down plan at least every 12 months and requiring the covered clearing agency's participants and, when practicable, other stakeholders, to participate in such testing. The proposed rule change would provide in the DTC Rules the details regarding a requirement for ''Participants,'' ''Pledgees,'' and ''Settling Banks,'' as defined under the Wind-down Rule, to take part in the annual RWP Testing, thereby strengthening DTC's compliance with Rule 17ad–26. As such, DTC believes the proposed rule change is consistent with Rule 17ad–26.[25]

(B) Clearing Agency's Statement on Burden on Competition

DTC does not believe that the proposed rule change would impose any burden on competition because the proposed rule change would apply to those DTC participants that are already subject to similar types of testing requirements as part of their ongoing memberships and provides additional opportunities for participants to test their readiness under the Wind-down Rule in the event a DTC recovery or orderly wind-down event were to occur.

(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 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.

[14] 17 CFR 240.17ad–26(a)(8).

[15] *Supra* note 10.

[16] *Supra* note 7. As set forth in the Adopting Release, ''[. . .] (2) the proposed rule changes and the Advance Notices must be effective by December 15, 2025. These compliance dates provide sufficient time for CCAs to consider changes to their rules, policies, and procedures necessary to ensure consistency with the rules amended and adopted in this release [. . .].''

[17] 15 U.S.C. 78q–1(b)(3)(F).

[18] 17 CFR 240.17ad–22(e)(3)(ii).

[19] 17 CFR 240.17ad–26.

[20] 15 U.S.C. 78q–1(b)(3)(F).

[21] *Id.*

[22] 17 CFR 240.17ad–22(e)(3)(ii). DTC is a ''covered clearing agency'' as defined in Rule 17ad–22(a)(5) under the Act and must comply with paragraph (e) of Rule 17ad–22. In 2012, DTC was designated a systemically important financial market utility by the Financial Stability Oversight Council.

[23] *Id.*

[24] 17 CFR 240.17ad–26.

[25] *Id.*

All prospective commenters should follow the Commission's instructions on how to submit comments, *available at www.sec.gov/rules-regulations/how-submit-comment.* 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

DTC has filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act [26] and Rule 19b–4(f)(6) [27] thereunder. Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; or (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act [28] and Rule 19b–4(f)(6) [29] thereunder.

A proposed rule change filed under Rule 19b–4(f)(6) [30] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[31] the Commission may designate a shorter time if such action is consistent with protection of investors and the public interest. DTC has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative immediately upon filing.

Delay of the operation of the proposed rule change, through the 30-day delayed operative date, could impede DTC's timely compliance with Rule 17ad–26 [32] and thereby defer the intended benefits and objectives of such regulatory requirements. This, in turn, could disrupt market expectations that DTC will implement the proposed rule change by the December 15, 2025 compliance date, which may adversely affect DTC's ability to ensure participant preparedness for recovery and orderly wind-down scenarios, evaluate and improve its recovery and wind-down procedures, and maintain continuity of core services in the event of a disruption. Therefore, waiving the 30-day operative delay should facilitate DTC's timely compliance with Rule 17ad–26 and avert any potential adverse consequences if such compliance were delayed. Moreover, the Commission believes the proposed rule change would not impose any significant burden on competition because it would apply to those DTC participants that are already subject to similar types of testing requirements as part of their ongoing memberships. Thus, the proposed rule change, and waiving the 30-day operative delay, should not (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; or (iii) affect the safeguarding of funds or securities in the custody or control of DTC or for which it is responsible. Therefore, the Commission waives the 30-day operative delay, and designates the proposed rule change as operative upon filing.[33]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

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–2025–017 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–DTC–2025–017. 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://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–2025–017 and should be submitted on or before December 30, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[34]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–22307 Filed 12–8–25; 8:45 am]

BILLING CODE 8011–01–P

[26] 15 U.S.C. 78(b)(3)(A).

[27] 17 CFR 240.19b–4(f)(6).

[28] 15 U.S.C. 78s(b)(3)(A).

[29] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires the Clearing Agency 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 Clearing Agency has satisfied this requirement.

[30] 17 CFR 240.19b–4(f)(6).

[31] 17 CFR 240.19b–4(f)(6)(iii).

[32] *Supra* note 16.

[33] For purposes only of waiving the the 30-day operative delay, the Commission has considered the proposed rule change's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[34] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 35817; 812–15824]

Shelton Funds, et al.

December 4, 2025.

AGENCY: Securities and Exchange Commission (''Commission'' or ''SEC'').

ACTION: Notice.

Notice of an application under section 6(c) of the Investment Company Act of 1940 (''Act'') for an exemption from section 15(a) of the Act, as well as from certain disclosure requirements in rule 20a–1 under the Act, Item 19(a)(3) of Form N–1A, Items 22(c)(1)(ii), 22(c)(1)(iii), 22(c)(8) and 22(c)(9) of Schedule 14A under the Securities Exchange Act of 1934, and Sections 6–07(2)(a), (b), and (c) of Regulation S–X (''Disclosure Requirements'').

SUMMARY OF APPLICATION: The requested exemption would permit Applicants to enter into and materially amend subadvisory agreements with certain subadvisors without shareholder approval and grant relief from the

Disclosure Requirements as they relate to fees paid to the subadvisors.

APPLICANTS: Shelton Funds, SCM Trust, and CCM Partners, LP d/b/a Shelton Capital Management.

FILING DATES: The application was filed on May 30, 2025, and amended on September 19, 2025.

HEARING OR NOTIFICATION OF HEARING: An order granting the requested relief will be issued unless the Commission orders a hearing. Interested persons may request a hearing on any application by emailing the SEC's Secretary at *Secretarys-Office@sec.gov* and serving the Applicants with a copy of the request by email, if an email address is listed for the relevant Applicant below, or personally or by mail, if a physical address is listed for the relevant Applicant below. Hearing requests should be received by the Commission by 5:30 p.m. on December 29, 2025, and should be accompanied by proof of service on the Applicants, in the form of an affidavit, or, for lawyers, a certificate of service. Pursuant to rule 0–5 under the Act, hearing requests should state the nature of the writer's interest, any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by emailing the Commission's Secretary.

ADDRESSES: The Commission: *Secretarys-Office@sec.gov.* Applicants: Greg T. Pusch, Shelton Capital Management, *gpusch@sheltoncap.com.*

FOR FURTHER INFORMATION CONTACT: Asaf Barouk, Senior Counsel, or Matthew Cook, Acting Branch Chief, at (202) 551–6825 (Division of Investment Management, Chief Counsel's Office).

SUPPLEMENTARY INFORMATION: For Applicants' representations, legal analysis, and conditions, please refer to Applicants' amended application, dated September 19, 2025, which may be obtained via the Commission's website by searching for the file number at the top of this document, or for an Applicant using the Company name search field on the SEC's EDGAR system. The SEC's EDGAR system may be searched at *https://www.sec.gov/edgar/searchedgar/legacy/companysearch.html.* You may also call the SEC's Office of Investor Education and Advocacy at (202) 551–8090.

For the Commission, by the Division of Investment Management, under delegated authority.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–22311 Filed 12–8–25; 8:45 am]

BILLING CODE 8011–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. FAA–2025–1127]

Agency Information Collection Activities: Requests for Comments; Clearance of Renewed Approval of Information Collection: Recording of Aircraft Conveyances and Security Documents

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 approval from the Office of Management and Budget (OMB) to revise and 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 24, 2025. The collection involves a security holder completing an AC Form 8050–98, Aircraft Security Agreement and returning a completed AC Form 8050–41, Notice of Recordation—Aircraft Security Conveyance with Part II—Release to the Civil Aviation Registry, Aircraft Registration Branch (Registry). The information is used to record a security interest in an aircraft and eligible engines, propellers, and spare parts and release that interest when the debt is satisfied.

DATES: Written comments should be submitted by January 8, 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: Shantel Young by email at: *shantel.young@faa.gov;* phone: 405–954–7077.

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: 2120–0043.

Title: Recording of Aircraft Conveyances and Security Documents.

Form Numbers: AC Form 8050–98 and AC Form 8050–41.

Type of Review: Revision and 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 24, 2025 (90 FR 26898). Title 49 U.S.C. 44107 provides for establishing and maintaining a system for the recording of security conveyances affecting an interest in U.S. civil aircraft and eligible engines, propellers, and spare parts, and for recording releases of those conveyances. Title 14 of the Code of Federal Regulations, Part 49 establishes procedures for the implementation of 49 U.S.C. 44107. Part 49 describes the information that must be contained in a recordable conveyance. Part 49 also describes the information that must be included in a release, cancellation, discharge or satisfaction of a conveyance.

A security holder submits a security conveyance against aircraft and eligible engines, propellers, and/or spare parts to the Registry for recording. The Registry provides an optional form, AC Form 8050–98, for security holders to use to record their security interest. The security holder may use their own form provided it meets recording requirements. Once the Registry records a security conveyance it sends an AC Form 8050–41, Notice of Recordation—Aircraft Security Conveyance, to the security holder. When the security conveyance is ready for release, the lienholder completes Part II—Release at the bottom of the form and returns it to the Registry as official notification that the debt has been satisfied. The security holder may also use their own form to release the security conveyance.

The AC Form 8050–98, Security Agreement, was moved from OMB collection 2120–0042—Aircraft Registration since it is not a form required for aircraft registration.

Respondents: 25,216 security conveyances and 18,252 release notifications were filed in FY2024.

Frequency: On occasion.

Estimated Average Burden per Response: 45 minutes and 15 minutes.

Estimated Total Annual Burden: 23,475 hours.

Issued in Oklahoma City, OK, on December 5, 2025.

Shantel Young,

Management and Program Analyst, Civil Aviation Registry, Aircraft Registration Branch, AFB–710.

[FR Doc. 2025–22321 Filed 12–8–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Availability, Notice of Public Comment Period, and Request for Comment on the Draft Programmatic Environmental Assessment for Drone Package Delivery Operations in the United States

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

ACTION: Notice of availability; request for comments.

SUMMARY: The Federal Aviation Administration (FAA) announces the availability of and requests comments on the draft Programmatic Environmental Assessment (PEA) related to unmanned aircraft systems (UAS) (drone) package delivery operations in the United States.

DATES: Send comments on or before January 8, 2026.

ADDRESSES: Comments may be submitted to *9-FAA-Drone-Environmental@faa.gov.*

FOR FURTHER INFORMATION CONTACT: For questions concerning this action, contact AFS–700 Emerging Technologies Division, Office of Safety Standards, Flight Standards Service; email *9-FAA-Drone-Environmental@faa.gov.*

SUPPLEMENTARY INFORMATION: The draft PEA evaluates the reasonably foreseeable environmental impacts of UAS (drone) package delivery operations in the United States. The proposed action analyzed in the PEA is for drone operators conducting commercial drone package deliveries under 14 Code of Federal Regulations (CFR) Part 135.

The draft PEA is submitted for public comment pursuant to the National Environmental Policy Act (NEPA) (42 United States Code [U.S.C.] 4321 *et seq.*); USDOT Order 5610.1D, DOT's Procedures for Considering Environmental Impacts; FAA Order 1050.1G, FAA National Environmental Policy Act Implementing Procedures; Section 4(f) of the Department of Transportation Act (49 U.S.C. 303); and Section 106 of the National Historic Preservation Act (54 U.S.C. 300101 *et seq.*) on December 1, 2025.

Comments may be submitted in writing to *9-FAA-Drone-Environmental@faa.gov.* Commenters should reference the draft PEA for drone package delivery in the email subject line when submitting comments. The final PEA for drone package deliveries in the United States will include public comments received during the public comment period and the FAA's responses.

Before including your address, phone number, email address, or other personal identifying information in your comment, be advised that the entire comment—including personal identifying information—may be made publicly available at any time. While a commenter can ask the FAA to withhold from public review any personal identifying information, the FAA cannot guarantee that it will be able to do so.

The draft PEA is available to view and download electronically at *https://www.faa.gov/uas/advanced_operations/nepa_and_drones/.* The documentation is available from any internet access including from computers freely available at public libraries.

Issued in Washington, DC.

Derek W. Hufty,

Manager, General Aviation and Commercial Branch, Emerging Technologies Division, Office of Safety Standards, Flight Standards Service.

[FR Doc. 2025–22372 Filed 12–8–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2025–0093]

Hours of Service of Drivers: Application for Exemption; Northern Clearing, Inc.

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Notice of final disposition; denial of application for exemption.

SUMMARY: FMCSA announces its decision to deny the application from Northern Clearing, Inc., requesting an exemption from the hours-of-service (HOS) maximum driving time limits for drivers of property-carrying commercial motor vehicles (CMV). The company requested this exemption to support its work providing restoration, clean up, and re-construction services in areas effected by Hurricane Helene. FMCSA analyzed the application and public comments and determined that the exemption would not likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such exemption.

FOR FURTHER INFORMATION CONTACT: Ms. Pearlie Robinson, FMCSA Driver and Carrier Operations Division, Office of Carrier, Driver and Vehicle Safety Standards; *pearlie.robinson@dot.gov.* If you have questions on viewing or submitting material to the docket, contact Docket Services via telephone at (202) 366–9826.

SUPPLEMENTARY INFORMATION:

I. Public Participation Viewing Comments and Documents

To view any documents mentioned as being available in the docket, go to *https://www.regulations.gov/docket/FMCSA-2025-0093/document* and choose the document to review. To view comments, click this notice, then click ''Browse Comments.'' If you do not have access to the internet, you may view the docket online by visiting Dockets Operations on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366–9317 or (202) 366–9826 before visiting Dockets Operations.

II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315(b) to grant exemptions from the Federal Motor Carrier Safety Regulations. FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including the applicant's safety analysis. The Agency must provide an opportunity for public comment on the request.

The Agency reviews the application, safety analyses, and public comments submitted and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level that would be achieved absent such exemption, pursuant to the standard set forth in 49 U.S.C. 31315(b)(1). The Agency must publish its decision in the **Federal Register** (49 CFR 381.315(b)). If granted, the notice will identify the regulatory provision from which the applicant will be exempt, the effective period, and all terms and conditions of the exemption (49 CFR 381.315(c)(1)). If the exemption is denied, the notice will explain the

reason for the denial (49 CFR 381.315(c)(2)). The exemption may be renewed (49 CFR 381.300(b)).

III. Background

Current Regulatory Requirements

Under 49 CFR 395.3(a), a property carrying commercial motor vehicle (CMV) driver may not drive without first taking 10 consecutive hours off duty. Additionally, the driver may only drive a total of 11 hours during a period of 14 consecutive hours after coming on duty following 10 consecutive hours off duty. Under 49 CFR 395.3(a)(3)(ii), driving is not permitted if more than 8 hours of driving time have passed without at least a consecutive 30-minute interruption in driving status. The 30-minute break may be taken as off-duty, on-duty/not-driving, or sleeper-berth time, or any combination thereof. Under 49 CFR 395.3(b), no motor carrier shall permit or require a driver of a property-carrying CMV to drive, nor shall any driver drive a property-carrying CMV, regardless of the number of motor carriers using the driver's services, for any period after having been on duty 60 hours in any period of 7 consecutive days or having been on duty 70 hours in any period of 8 consecutive days.

The HOS regulations contain an exception for drivers of utility service vehicles in 49 CFR 391.1(n). Utility service vehicles are defined in 49 CFR 395.2 to include any CMV used to support the repair, maintenance, or operation of structures and physical facilities necessary for the delivery of public utility services.

Applicant's Request

Northern Clearing's application for exemption was described in detail in a **Federal Register** notice on May 12, 2025, (90 FR 20204) and will not be repeated, as the facts have not changed.

IV. Public Comments

The Agency received two comments. Michael Millard opposed granting the exemption and wrote, ''Based on the applicants' CSA scores there are some issues with safety management; therefore, I am requesting the application from Part § 395 be denied.'' Kelly Moore submitted comments that were unrelated to the exemption application.

V. FMCSA Decision

FMCSA evaluated Northern Clearing's application and public comments and denies the exemption request. The applicant wants relief from the HOS regulations to provide support for the restoration, clean-up, and re-construction of areas affected by Hurricane Helene. Although Northern Clearing stated its intent is to ''mirror Utility Services Exemption requirements,'' it did not explain why it should be treated the same as the utility service vehicle drivers or how its operations would likely achieve an equivalent level of safety with the applicable HOS rules. Utility service vehicles, as defined in the note to 49 U.S.C. 31136 and 49 CFR 395.2, are provided statutory relief from the HOS regulations, and Northern Clearing has not demonstrated that it would achieve the equivalent level of safety simply by comparing itself to such vehicles. Based on the application Northern Clearing submitted, FMCSA lacks information to conclude that the requested exemption would likely achieve a level of safety equivalent to, or greater than, the level achieved under current regulations.

The Agency issued an Emergency Declaration from October 4, 2024, to October 27, 2024, to address the immediate needs of the areas affected by Hurricane Helene. Though the emergency relief was extended for certain States, it expired for all affected areas by December 26, 2024. After the expiration of the declaration, motor carriers engaged in the long-term recovery of these communities are expected to comply with the HOS rules.

For the above reasons, the Northern Clearing's exemption application is denied.

Derek Barrs,

Administrator.

[FR Doc. 2025–22362 Filed 12–8–25; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2025–1050]

Notice of Petition for Waiver of Compliance

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: This document provides the public notice that the National Railroad Passenger Corporation (Amtrak) petitioned FRA for relief from certain regulations concerning passenger equipment exterior side doors.

DATES: FRA must receive comments on the petition by January 8, 2026. FRA will consider comments received after that date to the extent practicable.

ADDRESSES:

Comments: Comments related to this docket may be submitted by going to *https://www.regulations.gov* and following the online instructions for submitting comments.

Instructions: All submissions must include the agency name and docket number. All comments received will be posted without change to *https://www.regulations.gov;* this includes any personal information. Please see the Privacy Act heading in the **SUPPLEMENTARY INFORMATION** section of this document for Privacy Act information related to any submitted comments or materials.

Docket: For access to the docket to read background documents or comments received, go to *https://www.regulations.gov* and follow the online instructions for accessing the docket.

FOR FURTHER INFORMATION CONTACT: Harold Weisinger, Railroad Safety Specialist, FRA Motive Power & Equipment Division, telephone: 202–493–0036, email: *harold.weisinger@dot.gov.*

SUPPLEMENTARY INFORMATION: Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that by letters dated November 8, 2024 and December 3, 2025, Amtrak petitioned FRA for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 238 (Passenger Equipment Safety Standards). The relevant Docket Number is FRA–2025–1050.

Specifically, Amtrak requests relief from § 238.131(b)(4), *Safety system for manual and powered exterior side doors,* which states that if a door is equipped with a by-pass device, the by-pass device must function ''only when activated from the operating cab of the train.'' Amtrak, with Siemens, has been developing the Airo intercity trainsets, which, in addition to the standard door summary circuit and sealed door by-pass device located in the operating cab, includes a ''local sealed by-pass device . . . in the trainset.'' In its petition, Amtrak states that the device ''allow[s] for [a] single car to be by-passed if an issue arises enroute[,] while preserving the remaining door summary circuit for the trainset.'' Amtrak adds that the switch allows a conductor to by-pass the exterior doors on the single passenger vehicle without by-passing the entire door summary circuit.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at *www.regulations.gov.*

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

Communications received by January 8, 2026 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable.

Privacy Act

Anyone can search the electronic form of any written communications and comments received into any of FRA's dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), DOT solicits comments from the public to inform its processes. 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–14 FDMS), which can be reviewed at *https://www.transportation.gov/privacy.* See also *https://www.regulations.gov/privacy-notice* for the privacy notice of *regulations.gov*.

Issued in Washington, DC.

John Karl Alexy,

Associate Administrator for Railroad Safety, Chief Safety Officer.

[FR Doc. 2025–22371 Filed 12–8–25; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2009–0078]

Notice of Petition for Amendment of Waiver of Compliance

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: This document provides the public notice that the American Short Line and Regional Railroad Association (ASLRRA) petitioned FRA to amend an existing waiver of certain regulations related to hours of service.

DATES: FRA must receive comments on the petition by January 8, 2026. FRA will consider comments received after that date to the extent practicable.

ADDRESSES:

Comments: Comments related to this docket may be submitted by going to *https://www.regulations.gov* and following the online instructions for submitting comments.

Instructions: All submissions must include the agency name and docket number. All comments received will be posted without change to *https://www.regulations.gov;* this includes any personal information. Please see the Privacy Act heading in the **SUPPLEMENTARY INFORMATION** section of this document for Privacy Act information related to any submitted comments or materials.

Docket: For access to the docket to read background documents or comments received, go to *https://www.regulations.gov* and follow the online instructions for accessing the docket.

FOR FURTHER INFORMATION CONTACT: William Smith, Railroad Safety Specialist, FRA Operating Practices Division, telephone: 682–305–6709, email: *William.Smith@dot.gov.*

SUPPLEMENTARY INFORMATION: Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that by letter dated September 10, 2025 ASLRRA petitioned FRA for an amendment of a waiver of compliance from certain provisions of the Federal hours of service (HOS) laws contained at 49 U.S.C. 21103(a)(4). The relevant Docket Number is FRA–2009–0078.

Specifically, ASLRRA seeks to amend its existing waiver by adding 6 railroads to the list of railroad participants in the original waiver. ASLRRA stated the following railroads expressed a desire to participate in the waiver and maintain at each of their headquarters supporting documentation of employee support, as required:

- East Penn Railroad
- Kansas City Intermodal Terminal
- New England Southern Railroad
- New Hampshire Central Railroad
- Port Bienville Railroad
- Semo Port Railroad/Motive Rail

ASLRRA states it conducts training multiple times annually for waiver participants to clarify the requirements of the waiver.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at *www.regulations.gov.*

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

Communications received by January 8, 2026 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable.

Privacy Act

Anyone can search the electronic form of any written communications and comments received into any of FRA's dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), DOT solicits comments from the public to inform its processes. 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–14 FDMS), which can be reviewed at *https://www.transportation.gov/privacy.* See also *https://www.regulations.gov/privacy-notice* for the privacy notice of *regulations.gov*.

Issued in Washington, DC.

John Karl Alexy,

Associate Administrator for Railroad Safety, Chief Safety Officer.

[FR Doc. 2025–22364 Filed 12–8–25; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2025–0590]

Notice of Petition for Waiver of Compliance

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: This document provides the public notice that Canadian National Railway Company (CN) petitioned FRA for relief from certain regulations concerning multiple air-source braking technology.

DATES: FRA must receive comments on the petition by January 8, 2026. FRA will consider comments received after that date to the extent practicable.

ADDRESSES:

Comments: Comments related to this docket may be submitted by going to *https://www.regulations.gov* and following the online instructions for submitting comments.

Instructions: All submissions must include the agency name and docket number. All comments received will be posted without change to *https://www.regulations.gov;* this includes any personal information. Please see the Privacy Act heading in the **SUPPLEMENTARY INFORMATION** section of this document for Privacy Act information related to any submitted comments or materials.

Docket: For access to the docket to read background documents or comments received, go to *https://www.regulations.gov* and follow the online instructions for accessing the docket.

FOR FURTHER INFORMATION CONTACT: Steven Zuiderveen, Railroad Safety Specialist, FRA Motive Power & Equipment Division, telephone: 202–493–6337, email: *steven.zuiderveen@dot.gov.*

SUPPLEMENTARY INFORMATION: Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that by letter dated August 13, 2025 CN petitioned FRA for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 232 (Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment; End-of-Train Devices). FRA assigned the petition Docket Number FRA–2025–0590.[1]

Specifically, CN seeks relief from § 232.205(c)(1)(ii)(B), *Air Flow Method Test,* which states that a ''train equipped with at least one distributed power unit or air repeater unit providing a source of brake pipe control air from two or more locations must not exceed a combined flow of 90 cubic feet per minute (CFM).'' CN explains that drastic temperature changes along a train's route may affect brake pipe airflow, and the challenge can be mitigated by adding additional air sources, which CN has been testing pursuant to a rule exemption by Transport Canada. In the petition, CN reports that ''by adding air sources to the train, the overall health of the brake system improves notwithstanding that the combined airflow will exceed 90 CFM,'' and therefore seeks to increase the maximum allowable combined brake pipe air flow from 90 CFM to 160 CFM across three air sources. The change would only apply to trains on the Sprague Subdivision (operated by CN) and on the Chicago to Winnipeg corridor (operated by WCL in the U.S. and CN in Canada), which totals about 18 trains on each route.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at *www.regulations.gov.*

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

Communications received by January 8, 2026 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable.

Privacy Act

Anyone can search the electronic form of any written communications and comments received into any of FRA's dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), DOT solicits comments from the public to inform its processes. 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–14 FDMS), which can be reviewed at *https://www.transportation.gov/privacy.* See also *https://www.regulations.gov/privacy-notice* for the privacy notice of *regulations.gov*.

Issued in Washington, DC.

John Karl Alexy,

Associate Administrator for Railroad Safety, Chief Safety Officer.

[FR Doc. 2025–22369 Filed 12–8–25; 8:45 am]

BILLING CODE 4910–06–P

[1] CN petitioned for a similar waiver in Docket Number FRA–2021–0091. *https://www.regulations.gov/docket/FRA-2021-0091/document.*

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA–2025–1107]

Pipeline Safety: Minimum Random Drug Testing Rate for Calendar Year 2026

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: PHMSA has determined that the minimum annual percentage rate for random drug testing for covered employees will be 50 percent during calendar year (CY) 2026.

DATES: Applicable January 1, 2026 through December 31, 2026.

FOR FURTHER INFORMATION CONTACT: Wayne Lemoi, Drug & Alcohol Program Manager, Office of Pipeline Safety, by phone at 909–937–7232 or by email at *wayne.lemoi@dot.gov.*

SUPPLEMENTARY INFORMATION:

Notice of CY 2026 Minimum Annual Percentage Rate for Random Drug Testing

Operators of gas, hazardous liquid, and carbon dioxide pipeline facilities; liquefied natural gas plants; and underground natural gas storage facilities must randomly select and test a percentage of all drug and alcohol (D&A) covered employees for prohibited drug use in accordance with 49 Code of Federal Regulations (CFR) part 199.

The Administrator can adjust the minimum random drug testing rate based on the reported positive rate of the industry's random drug tests, which is obtained from operators' and contractors' annual Drug and Alcohol Management Information System (DAMIS) reports as required by section 199.119(a). In accordance with § 199.105(c)(3), if the reported positive drug test rate is below one percent for two consecutive CYs, the Administrator may lower the random drug testing rate to 25 percent of all covered employees. Conversely, § 199.105(c)(4) requires the Administrator to raise the minimum annual random drug testing rate from 25 percent to 50 percent [or maintain the rate at 50 percent] of all covered employees when the data obtained from the latest annual DAMIS reports required by § 199.119(a) indicate the positive test rate is equal to or greater than one percent.

The minimum annual random drug testing rate was 50 percent of all

covered employees during CY 2025. The DAMIS reports submitted for CY 2024 testing had a random drug testing positive rate greater than one percent. Therefore, the Administrator is maintaining the minimum annual random drug testing rate at 50 percent of all covered employees for CY 2026.

Issued in Washington, DC, on December 4, 2025, under authority delegated in 49 CFR 1.97.

Linda Daugherty,

Acting Associate Administrator for Pipeline Safety.

[FR Doc. 2025–22326 Filed 12–8–25; 8:45 am]

BILLING CODE 4910–60–P

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

Agency Information Collection Activities: Information Collection Renewal; Comment Request; Financial Management Policies—Interest Rate Risk

AGENCY: Office of the Comptroller of the Currency (OCC), Treasury.

ACTION: Notice and request for comment.

SUMMARY: The OCC, as part of its continuing effort to reduce paperwork and respondent burden, invites comment on a continuing information collection, as required by the Paperwork Reduction Act of 1995 (PRA). In accordance with the requirements of the PRA, the OCC may not conduct or sponsor, and the respondent is not required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number. The OCC is soliciting comment concerning the renewal of its information collection titled, ''Financial Management Policies—Interest Rate Risk,'' which is applicable only to Federal savings associations.

DATES: Comments must be received by February 9, 2026.

ADDRESSES: Commenters are encouraged to submit comments by email, if possible. You may submit comments by any of the following methods:

- *Email: prainfo@occ.treas.gov.*
- *Mail:* Chief Counsel's Office, Attention: Comment Processing, Office of the Comptroller of the Currency, Attention: 1557–0299, 400 7th Street SW, Suite 3E–218, Washington, DC 20219.
- *Hand Delivery/Courier:* 400 7th Street SW, Suite 3E–218, Washington, DC 20219.
- *Fax:* (571) 293–4835.

Instructions: You must include ''OCC'' as the agency name and ''1557–0299'' in your comment. In general, the OCC will publish comments on *www.reginfo.gov* without change, including any business or personal information provided, such as name and address information, email addresses, or phone numbers. Comments received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. Do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

Following the close of this notice's 60-day comment period, the OCC will publish a second notice with a 30-day comment period. You may review comments and other related materials that pertain to this information collection beginning on the date of publication of the second notice for this collection by the method set forth in the next bullet.

- *Viewing Comments Electronically:* Go to *www.reginfo.gov.* Hover over the ''Information Collection Review'' tab and click on ''Information Collection Review'' from the drop-down menu. From the ''Currently under Review'' drop-down menu, select ''Department of the Treasury'' and then click ''submit.'' This information collection can be located by searching OMB control number ''1557–0299'' or ''Financial Management Policies—Interest Rate Risk.'' Upon finding the appropriate information collection, click on the related ''ICR Reference Number.'' On the next screen, select ''View Supporting Statement and Other Documents'' and then click on the link to any comment listed at the bottom of the screen.
- For assistance in navigating *www.reginfo.gov,* please contact the Regulatory Information Service Center at (202) 482–7340.

FOR FURTHER INFORMATION CONTACT: Shaquita Merritt, Clearance Officer, (202) 649–5490, Chief Counsel's Office, Office of the Comptroller of the Currency, 400 7th Street SW, Washington, DC 20219. If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501 *et seq.*), Federal agencies must obtain approval from the OMB for each collection of information that they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) to include agency requests or requirements imposed on ten or more persons, that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of title 44 generally requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, the OCC is publishing notice of the renewal of this collection.

Title: Financial Management Policies—Interest Rate Risk.

OMB Control No.: 1557–0299.

Type of Review: Regular.

Affected Public: Businesses or other for-profit.

Description: This information collection covers the recordkeeping burden for Federal savings associations to maintain data in accordance with OCC's regulation on interest rate risk procedures, 12 CFR 163.176. The purpose of the regulation is to ensure that Federal savings associations appropriately manage their exposure to interest rate risk. To comply with this reporting requirement, institutions need to maintain sufficient records to document how their interest rate risk exposure is monitored and managed internally.

Estimated Burden

Estimated Frequency of Response: On occasion.

Estimated Number of Respondents: 230.

Estimated Burden per Respondent: 40 hours.

Estimated Total Annual Burden: 9,200 hours.

Comments submitted in response to this notice will be summarized and included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on:

(a) Whether the collection of information is necessary for the proper performance of the functions of the OCC, including whether the information has practical utility;

(b) The accuracy of the OCC's estimate of the burden of the collection of information;

(c) Ways to enhance the quality, utility, and clarity of the information to be collected;

(d) Ways to minimize the burden of the collection on respondents, including through the use of automated collection techniques or other forms of information technology; and

(e) Estimates of capital or start-up costs and costs of operation,

maintenance, and purchase of services to provide information.

Eden Gray,

Assistant Director, Office of the Comptroller of the Currency.

[FR Doc. 2025–22328 Filed 12–8–25; 8:45 am]

BILLING CODE P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0721]

Agency Information Collection Activity: Examination for Housebound Status or Permanent Need for Regular Aid and Attendance

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed revision of a currently approved collection, and allow 60 days for public comment in response to the notice.
DATES: Comments must be received on or before February 9, 2026.

ADDRESSES: Comments must be submitted through *www.regulations.gov*

FOR FURTHER INFORMATION CONTACT:

Program-Specific information: Kendra McCleave, 202–461–9568, *kendra.mccleave@va.gov.*

VA PRA information: Dorothy Glasgow, 202–461–1084, *VAPRA@va.gov.*

SUPPLEMENTARY INFORMATION: Under the PRA of 1995, Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Examination for Housebound Status or Permanent Need for Regular Aid and Attendance (VA Form 21–2680).

OMB Control Number: 2900–0721. *https://www.reginfo.gov/public/do/PRASearch.*

Type of Review: Revision of a currently approved collection.

Abstract: VA Form 21–2680 is used to determine eligibility for the aid and attendance and/or housebound benefits. The purpose of this examination is to record manifestations and findings pertinent to the question of whether the claimant is housebound (confined to the home or immediate premises) or in need of the regular aid and attendance of another person. The report should be in sufficient detail for the VA decision makers to determine the extent that disease or injury produces physical or mental impairment, that loss of coordination or enfeeblement affects the ability: to dress and undress; to feed themselves; to attend to the wants of nature; or keep themselves ordinarily clean and presentable. Findings should be recorded to show whether the claimant is blind or bedridden. Whether the claimant seeks housebound or aid and attendance benefits, the report should reflect how well they ambulate, where they go, and what they are able to do during a typical day. Without this information, entitlement to these benefits cannot be determined.

No changes have been made to this form. The respondent burden has increased due to the estimated number of receivables averaged over the past year.

Affected Public: Private Sector.

Estimated Annual Burden: 56,294 hours.

Estimated Average Burden per Respondent: 30 minutes.

Frequency of Response: One time.

Estimated Number of Respondents: 112,587 per year.

Authority: 44 U.S.C. 3501 *et seq.*

Dorothy Glasgow,

Acting, VA PRA Clearance Officer, Office of Information Technology/Data Governance and Analytics, Department of Veterans Affairs.

[FR Doc. 2025–22331 Filed 12–8–25; 8:45 am]

BILLING CODE 8320–01–P

FEDERAL REGISTER

Vol. 90 Tuesday,

No. 234 December 9, 2025

Part II

The President

Proclamation 10995—Honoring the Memory of Specialist Sarah Beckstrom, West Virginia Army National Guard

Federal Register
Vol. 90, No. 234
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Presidential Documents

Title 3—

The President

Proclamation 10995 of December 4, 2025

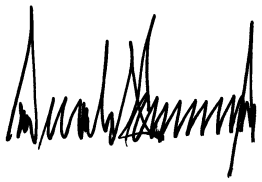
Honoring the Memory of Specialist Sarah Beckstrom, West Virginia Army National Guard

By the President of the United States of America

A Proclamation

As a mark of respect for the memory of Specialist Sarah Beckstrom, West Virginia Army National Guard, by the authority vested in me as President of the United States by the Constitution and the laws of the United States of America, I hereby order that the flag of the United States shall be flown at half-staff at the White House and upon all public buildings and grounds, at all military posts and naval stations, and on all naval vessels of the Federal Government in the District of Columbia and throughout the United States and its Territories and possessions until sunset, December 4, 2025. I also direct that the flag shall be flown at half-staff for the same length of time at all United States embassies, legations, consular offices, and other facilities abroad, including all military facilities and naval vessels and stations.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of December, in the year of our Lord two thousand twenty-five, and of the Independence of the United States of America the two hundred and fiftieth.



[FR Doc. 2025–22423
Filed 12–8–25; 11:15 am]
Billing code 3395–F4–P

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